
Appeal Decision

Site visit made on 18 July 2017

by Cullum J A Parker BA(Hons) MA MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28th July 2017

Appeal Ref: APP/X2220/D/17/3177065

134 Elms Vale Road, Dover, CT17 9PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Julie Williamson against the decision of Dover District Council.
 - The application Ref DOV/17/00167, dated 7 February 2017, was refused by notice dated 30 March 2017.
 - The development proposed is described as '*full height side extension and erection of double garage.*'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has indicated that aspects of the scheme could be amended to mitigate the concerns raised by the Council; for example moving the proposed garage away from boundary with Kings Road. However, to provide certainty within the planning process, I can only make my decision on the basis of the plans submitted for which permission is sought.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the street scene, and;
 - The effect of the proposal on the living conditions of neighbouring occupiers with specific regard to No 1 Kings Road.

Reasons

4. The appeal building is a two storey semi-detached house located on the junction of Kings Road and Elms Vale Road. The street scene is characterised by a number of semi-detached properties, with some of these having single storey side extensions. It is also clear to see that there remains a gap between the side of the appeal building and the rear of the pavement along Kings Road, and this is similarly replicated on the other side of the junction of Kings Road.
5. The proposal seeks the erection of a two storey side extension. Owing to the narrowing of the gap between the flank wall and Kings Road, this would take an angled form with a wider element at the front and narrowing to the rear.

The introduction of this extension at two storey height would result in the loss of the gap between the flank wall of the property and the rear of the pavement, which makes an important contribution to this part of the street scene.

6. What is more, the two storey form proposed would project forward of the buildings facing Kings Road and be at odds with the prevailing pattern of development in the area. In particular, where dwellings have side extensions in the local area these tend to be single storey in height and thus enable the semi-detached dwellings to retain a degree of uniformity. The proposal in this case would elongate the semi-detached dwellings with an unbalancing two storey extension. When considered together with the overall additional bulk and loss of gap, this would have an adverse impact on the character and appearance of the street scene.
7. In terms of living conditions, the proposal would see the erection of a new double garage located to the rearmost part of the site and near to the boundary with No 1 Kings Road; albeit separated by an alleyway serving the rear of properties facing Elms Vale Road. There are no obvious openings in the flank wall of No 1. Whilst the garage proposed would be higher than the existing outbuilding, given the separation between the plots, the fact that the garage roof would slope up and away from No 1 and that there are no main openings in the flank wall, I do not find that the proposal would result in a materially harmful effect on the living conditions of neighbouring occupiers.
8. I note the personal circumstances of occupiers raised; but this does not alter my findings in respect of the first main issue. What is more, planning should serve the wider public interest and I do not find that the personal circumstances in this case would outweigh this.

Conclusion

9. Taking all matters above into account, I conclude that the proposed development would have an unacceptable impact on the character and appearance of the street scene. Although I have not found harm in terms of the second main issue, this does not overcome the harm identified in respect of the first.
10. The Council has not referred me to any relevant development plan policies for the district. The *National Planning Policy Framework* (the Framework) has been referred to. I find that the proposal here would fail to reinforce or promote local distinctiveness and would fail to secure a high quality design. It would therefore be contrary to aims of the Framework, including those set out in Paragraphs 17, 60 and 64.
11. For the reasons given above, I conclude that the appeal should be dismissed.

Cullum J A Parker

INSPECTOR