The Planning Inspectorate

Appeal Decision

Site visit made on 18 July 2017

by Timothy C King BA(Hons) MRTPI

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

Decision date:

Appeal Ref: APP/P2114/D/17/3173590
5 Kings Close, Bembridge, PO35 5NX

- 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 Mrs Maya Kemp against the decision of Isle of Wight Council.
- The application Ref P/01598/16, dated 7 December 2016, was refused by notice dated 31 January 2017.
- The development proposed is described as *'Rooftop extension. Eaves and ridge to be raised by 1 metre. New roof with a pitch that matches the existing; construction of new dormer on rear roof slope (revised scheme)'*.

Decision

1. The appeal is dismissed.

Procedural Matter

2. A previous application, also refused planning permission by the Council, proposed raising the height of the eaves and ridge by 1.35m. Although the Council, in its case report, acknowledges that the revised proposal has reduced the increase by 350mm the development's description on the decision notice still refers to a measurement of 1.35m. For the avoidance of doubt, I have considered the appeal in light of the submitted drawings.

Main Issues

3. The main issues are:

   1) The proposal's effect on the character and appearance of the surrounding area; and

   2) The proposal's effect on the living conditions of the occupiers at No 6 Kings Close, with particular regard to overshadowing.

Reasons

Character and appearance

4. The terrace, comprising eight, cottage-type dwellings fronts Kings Road. With land levels dropping away northwards and the appeal property situated at the terrace's southern end, the dwelling's prominence is increased. Two of the dwellings, sited mid-terrace, are to a different design than the majority but still integrate due to their upper storey being set back from the general front building line.

5. The various roofs slightly differ in height with, for instance, No 6, having raised eaves and a higher ridgeline relative to the appeal dwelling, its immediate neighbour. Nonetheless, this arrangement provides visual interest and the dwellings along the terrace still maintain a marked sense of uniformity with certain features such as the roofplanes displaying a common angle of pitch. Also, from the street the eye is drawn to the general alignment of the first floor windows, with the lintels positioned immediately below the eaves line. This arrangement is particularly obvious between the appeal dwelling and No 6 and strengthens their relationship.

6. The rear dormer extension would be of modest size and positioned centrally along the rear roof plane. Views from Kings Close, the side road, towards the rear of the property are limited and I consider that the proposal's main effect would be from the alterations to the front of the dwelling.

7. Raising the eaves to create a significant gap between the first floor windows and the front edge of the roof to allow for the proposed roofspace accommodation would create a disharmonious relationship with No 6 and the heightened ridgeline would compound the loss of visual symmetry. Further, the dwelling's height and increased bulk would be incongruous to the terrace as a whole and I consider that the design objectives of the policies cited by the Council are not met as the proposal would not be subordinate to, nor enhance, the host dwelling. Neither would it complement the character of the surrounding area.

8. On the first main issue I conclude that the proposal would be harmful to the character and appearance of the surrounding area, and contrary to the aims and requirements of Policy DM2 of the Island Plan Core Strategy (CS) and Policies D1, D2 and EH1 of the Bembridge Neighbourhood Development Plan (NDP).

Living conditions

9. Whilst I consider that the proposed alterations would be visually harmful to the physical relationship with No 6, I am not convinced that the intended height increase of 1m would be so overbearing as to give rise to undue overshadowing. Nor do I consider that the proposal would conceivably impact on the neighbouring occupiers' enjoyment of their rear garden. Save for the modest dormer addition, which would be set into the roofplane, there would be no extension to the dwelling's rear building line. In the circumstances I do not consider that the Council has properly demonstrated that any such harm would result.

10. On this main issue I conclude that the proposal would not be harmful to the living conditions of No 6 Kings Close, and there would be no material conflict with CS Policy DM2 or NDP Policy D2.

Other matters

11. The appellant refers to pre-application advice received from the Council prior to the proposal's submission which appeared favourable to the scheme. However, the Council is not bound by any such advice it might provide. She also mentions that within the wider context there is an eclectic variety of dwelling types and styles in the locality which could lend support to the proposal. However, I consider that the appeal turns on the dwelling's close, physical

relationship to its distinctive, close-knit terrace and the proposal's visual impact thereto. Finally, although I acknowledge the appellant's comment that the proposal would provide much needed accommodation, given the harm I have identified, none of these points made have altered my conclusions.

Conclusion

12. Although I have not found that the proposal would be harmful to the living conditions at the neighbouring property this is outweighed by the visual harm that would result to the character and appearance of the terrace from the proposal.

13. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR