



Appeal Decision

Site visit made on 16 October 2017

by Clive Tokley MRTPI

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

Decision date: 27 October 2017

Appeal Ref: APP/A2280/D/17/3180788

533 Mierscourt Road, Rainham, Gillingham, ME8 8QZ.

- 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 Mr Mohamed Quereshi against the decision of Medway Council.
 - The application Ref MC/17/1070, dated 21 March 2017, was refused by notice dated 17 May 2017.
 - The development proposed is described as a single storey extension to side of property. Pitched roof extension to accommodate living space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the dwelling and the area and the living conditions of the occupiers of proposal as regards the outlook from one of the bedrooms.

Reasons

Character and appearance

3. Mierscourt Road is a long residential road extending from the A2 in the north almost to the M2 in the south. No 533 is one of a short row of detached chalet-style dwellings occupying rectangular plots with their longest dimension parallel to the road. Most houses in the vicinity of the appeal property have been extended but spaces remain between them. Trees and shrubs within the main (side) gardens together with grassed areas and shrub planting on the road side create green breaks in the built frontage. In contrast, the low brick boundary walls and railings at the back edge of the pavement at No 533 and No 535 combined with car parking areas behind them result in a hard edge to that part of the street.
4. The appeal dwelling has been altered and extended resulting in a range of gabled and partly-hipped roofs with front, rear and side dormers. It has an "L" shaped floor plan with the longest limb running west to east at right angles to the road. The house has a paved walled garden to the north and to the south the garden is divided into a parking area (with a gated access to Mierscourt Road) and a lawn with a small ornamental pond and rockery.
5. The extension would be the same width as the existing north-south limb but a slacker roof pitch would result in a lower ridge line. This would add to the

existing confusion of forms present in the building; however the host dwelling is of undistinguished appearance and I consider that taken in isolation the extension would not detract from its character.

6. The proposal would extend the width of the building across the site retaining a narrow space between the dwelling and the flank of the garage at No 535. The two limbs of the extended dwelling would dominate the hard surfaced space that would remain at the front of the house.
7. The reduction in the width of the remaining undeveloped space between No 533 and No 535 would result in an unrelieved harsh urban appearance which would unacceptably detract from the character and appearance of the area. On this issue I conclude that the proposal would represent an excessive amount of built development on the site that would unacceptably detract from the character and appearance of the area. It would therefore conflict with Policy BNE1 of the *Medway Local Plan 2003* (LP) which indicates that development should be appropriate in relation to the character and appearance of the built environment.

Living conditions

8. The rear-facing bedroom would have a limited outlook towards a high wooden fence; however as extended the dwelling would contain eight rooms identified as bedrooms. Taking into account the number of alternative rooms in the house the poor outlook from one of them would not be so harmful to the living conditions of the occupiers of the dwelling as a whole to justify the refusal of permission. In this respect the proposal would not conflict with LP Policy BNE2.

Other matters

9. The proposed building would have a low eaves and taking account of its distance from the rear of No 221 Maryland Court and it's off-set from the garden boundary it would not be unacceptably over-dominant. The proposal may result in some evening shadowing of the garden to the east but this would not be of sufficient harm to justify the refusal of permission. The proposal would change the view out from No 221 towards the woodland but this would not be sufficient reason to refuse permission. Residents express concern about surface water drainage but that would be controlled by other legislation and I have no reason to conclude that satisfactory drainage could not be achieved.
10. The appellant refers to a number of developments else where in Mierscourt Road, but these are some distance from the appeal property and do not share the characteristics or the context of No 533. Nothing that I saw elsewhere in the area persuades me that the proposal would be acceptable.

Conclusion

11. On the second main issue I have concluded that the proposal would not result in unacceptable living conditions for the occupiers of the extended dwelling. However on the first main issue I have concluded that the proposal would be unacceptably harmful to the character and appearance of the area and for that reason the appeal should not succeed.

Clive Tokley

INSPECTOR