
Appeal Decision

Site visit made on 11 December 2017

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 18th December 2017

Appeal Ref: APP/E2205/W/17/3181391

51 Breadlands Road, Willesborough, Ashford, Kent TN24 0EP

- 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 Jan Post against the decision of Ashford Borough Council.
 - The application Ref 17/00607/AS, dated 16 April 2017, was refused by notice dated 27 June 2017.
 - The development proposed is the erection of a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, including with regard to the nearby tree.

Reasons

3. The site lies in a predominantly residential urban area, typified by short rows of terrace houses of similar, but not uniform, appearance and layout pattern. 51 Breadlands Road (No 51) is an end of terrace house situated in a corner position, adjacent to a modest area of grassed open space, where there is a large tree, identified by the Council as a lime. I note there have been some additional dwellings constructed at the end of terraces, and that various extensions and alterations have been carried out but No 51 has not previously been extended.
4. It is proposed to construct a two-storey side extension, which would project partially into the adjacent open space. I am advised that the appellant proposes to purchase an area of Council land to regularise the site layout proposed.
5. The ridge height of the extension would be set slightly down from the roof of the host building. In this respect the proposal would be consistent with the Council's Domestic Extensions in Urban and Rural Areas Supplementary Planning Guidance Note 10 (SPG). However, the extension would be significantly wider than the existing front elevation. While it would be set back marginally from the front elevation, it would also project rearwards by a significant degree. The result would be an extension that, due to its scale and bulk would not be subordinate to the existing house, as is required by the SPG,

- and would be a poorly proportioned addition to the host property and the associated terrace.
6. While the extension would add variety to the terrace, and I note that quality materials and construction are proposed, its scale and bulk would be clearly apparent in public views from the open space area and the road at the front and side, from where it would appear out of keeping with the host property and the wider street scene.
 7. The proposed extension would be sited very close to the canopy of the nearby large lime tree. There is no tree survey or similar evidence provided and the extent of the root system is therefore not clear. However, the canopy covers a significant proportion of the open space and the extent of the roots may be similar. Therefore, due to the proximity of the proposed extension to the tree, I consider that there potential for adverse impacts on the tree arising from the extension or its construction. The lime occupies a highly prominent corner location and, in an area where I saw there are few street trees, it makes a significant positive contribution to the local street scene. It is therefore important to the character and appearance of the area. Therefore, and in the absence of definitive evidence to the contrary, I consider that a precautionary approach is appropriate as the development would present a potential risk to the health of the tree, which consequently would adversely affect the character and appearance of the area.
 8. I conclude that the proposed development would harm the character and appearance of the area, including with regard to the nearby tree. It would conflict with Policies CS1 and CS9 of the adopted Ashford Borough Council Core Strategy 2008, which respectively set out guiding principles and design quality criteria for development, including that development should respond positively to the environmental limits and character of the area. In the absence of significant evidence to the contrary, the proposal would also conflict with saved Policy EN32 of the Ashford Borough Local Plan 2000, which seeks to ensure that important trees would not be damaged or lost by development. These policies pre-date the National Planning Policy Framework but I consider that relevant criteria are generally consistent with the aims and objectives set out within it. I have therefore given these policies substantial weight for the purposes of this appeal.

Other Matters

9. I note that a significant area of rear garden would be retained for No 51 and, together with the open space area, this would ensure that the proposal would not appear unduly cramped. I also note that the Council has raised no significant objections in relation to the principle of an extension in the urban area, or in relation to the living conditions of nearby occupiers, or parking. On the basis of the evidence before me I see no reason to conclude otherwise. I have also considered the potential benefits of the scheme, including that it would use local labour, but I consider such benefits would be modest in relation to the development proposed. The appellant suggests that the Council cannot demonstrate a five year supply of housing land. It is not clear from the information before me whether this is the case. However, the proposal relates to an existing dwelling and so housing land supply has not been determinative in my consideration of this case. I therefore conclude that none of the matters

discussed in this section of my decision add materially to the case for or against the appeal.

Conclusion

10. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Catherine Jack

INSPECTOR