

## Appeal Decision

Site visit made on 12 December 2017

**by Michael Evans BA MA MPhil DipTP MRTPI**

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

**Decision date: 22 December 2017**

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**Appeal Ref: APP/Z2260/D/17/3181134**

**48 St Benets Road, Westgate On Sea, CT8 8DZ**

- 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 Mike Davis against the decision of Thanet District Council.
  - The application Ref FH/TH/17/0208 was refused by notice dated 19 May 2017.
  - The development proposed is described on the planning application form as 'Extension to rear, with dormer installation in roof space'.
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### Decision

1. The appeal is dismissed.

### Main issues

2. The main issues in this appeal are:
  - The effect on the character and appearance of the locality and streetscene.
  - The effect on the living conditions of the occupiers of the adjacent dwelling at 1 St Jeans Road, with regard to whether the development would be overbearing.

### Reasons

3. The appeal concerns a two storey semi-detached dwelling located at the western end of St Benets Road. The street is characterised by properties of a similar form and design that are mainly in terraces. Both these and the more modern dwellings in the adjacent St Jeans Road have traditional pitched roofs with a general absence of roof extensions at the front. In consequence, the properties give a significant degree of consistency and cohesion to the built environment.
  4. In this context the proposed front dormer addition would be an unusual, isolated and incongruous feature, unacceptably disrupting the consistency found in the streetscene. This effect would be exacerbated by the flat roof form being out of keeping with the pitched roof character of the host dwelling and other properties in the street. Moreover, given the lack of any significant gap to the eaves or ridge, it would have a bulky and overly dominant appearance. Because of its horizontal emphasis, the window in this front roof addition would
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relate poorly to the vertically orientated openings below, with the addition itself also having a somewhat squat and poorly proportioned appearance.

5. The properties in St Jeans Road are set back from the adjacent dwellings in St Benets Road so that the side elevation of the host dwelling is fairly prominent in the streetscene. Despite their gaps to the flank wall, the combination of flat roof front and rear dormer extensions with both having fairly minimal gaps to the ridge and eaves would give the extended dwelling an unduly box-like and intrusive appearance at the side when seen from St Jeans Road. This would also be detrimental to the pitched roof character of properties in the locality.
6. There is a front dormer addition at a nearby dwelling opposite the appeal site. However, this is on the other side of the road and so does not affect the uniformity of the row of properties of which the host dwelling forms a part. In any event, the existing roof extension is itself an isolated and discordant feature that should not be used as a precedent for accepting development that would further erode the quality of the built environment. The Council also points out that it has not had the benefit of planning permission.
7. Due to the above factors, it is concluded that the character and appearance of the locality and the streetscene would be harmed. The failure to achieve high quality design and to respect the character and appearance of the surrounding area would conflict with Thanet Local Plan Policy D1 (1) and (2) A).
8. The extension would also be at odds with the core planning principle of the National Planning Policy Framework (The Framework) that planning should always seek to secure high quality design.
9. The neighbouring property at 1 St Jeans Road has a front facing living room window adjacent to the side boundary at the rear of the host dwelling. This opening already has a noticeably restricted outlook due to the forward projecting garage at the other side. Although only single storey in height, the proposed flat roof rear extension would be fairly deep and rise significantly above the existing boundary wall. As a result of this and its undue proximity to the adjacent window, the rear extension would result in a significantly increased sense of enclosure, giving a tunnelling effect in conjunction with the forward projection. In consequence, the extension would be overbearing.
10. I share the view of the Council that there would be no undue additional overlooking from the rear dormer addition due to factors such as the existing first floor windows and the distances to neighbouring properties. Nevertheless, because of the overbearing effect it is concluded that the living conditions of the adjacent occupiers would be harmed. The unacceptable loss of amenity due to the resultant sense of enclosure would be contrary to Thanet Local Plan Policy D1 (2) B).
11. The development would also conflict with the core principle of the Framework that planning should always seek to secure a good standard of amenity for existing occupants of buildings.
12. In Appendix 2 the Appellant identifies development that has taken place in the locality and this includes an aerial photograph, a photograph and list of sites. However, the material provided is insufficiently detailed to enable a precise consideration of the effect of these developments on the living conditions of the adjacent occupiers. It is nevertheless clear that none of the identified rear extensions are adjacent to a front window as in this case, so that the

relationship between dwellings is different. Given the absence of the full details and background to these cases, it has not been shown that the Council's decision making has been unreasonably inconsistent and I must consider this scheme on its own merits.

13. I have also considered the extracts of background text and objectives from the Local Plan reproduced in Appendix 3 but these do not alter my view regarding the acceptability of the development. There would be conflict with the intention that development should respect local character and be of a high quality and no detailed explanation has been offered that would justify the development in relation to any other objective listed here. Mention is made elsewhere in the grounds of appeal to factors such as proximity to public transport and efficient use of housing land but this would not justify accepting such a detrimental development. There is also nothing to demonstrate that the development would be significantly innovative or beneficial to future generations.
14. In this instance I consider that any benefits of the development to the Appellant's family from the additional accommodation would be achieved at the undue expense of the quality of the built environment. In these circumstances, I am satisfied that rejecting the appeal is both proportionate and necessary. Because of the harm that would result and taking account of all other matters raised, it is therefore determined that the appeal fails.

*M Evans*

INSPECTOR