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## Appeal Decision

Site visit made on 7 August 2019

**by Mr Kim Bennett DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13<sup>th</sup> August 2019**

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**Appeal Ref: APP/A2280/D/19/3231047**

**38 Orchard Street, Rainham, Gillingham ME8 9AB**

- 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 E Price against the decision of Medway Council.
  - The application Ref MC/19/0801, dated 25 March 2019, was refused by notice dated 21 May 2019.
  - The development proposed is a single storey side extension, front lightwell to existing basement and rear dormer to existing loft conversion.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the streetscene.

### Reasons

3. The appeal site comprises a two storey end of terrace house located on the corner of Orchard Street and Thames Avenue. It has a relatively large plot with a side garden area as well as a sizeable back garden. To the rear there is a two storey projection and beyond that a single storey extension. The roof space has also been converted to habitable accommodation with skylight windows to front and rear. The area is mixed in terms of its architectural style. The remaining three properties in the terrace are all similar in age, but beyond that there is a block of recently constructed flats. There are further flats on the opposite side of the road as well as a detached house, whilst on the other side of the junction and also fronting Orchard Street, is an extended house of similar age to the appeal property.
4. With regard to the side extension, the appellant argues that it would remain submissive to the main property and with the front elevation setback behind the front of the main house. Reference is made to many properties in the vicinity having similar developments. However, whilst I agree that the side garden provides scope for some form of extension, the proposed design would result in the width of the extension being nearly the same as the main dwelling itself. The roof would be at right angles to the main roof and the proposed front window would be significantly larger than the existing front windows in the dwelling. A combination of these factors would result in an extension which would relate poorly to the main house in terms of its overall proportions and

detailing, and would appear incongruous as a result. That is a particular concern because the site is very prominent in the streetscene when travelling south west along Orchard Street or east along Thames Avenue.

5. I acknowledge that there have been changes to the external appearance of the adjoining terrace, notably in the form of materials, but its overall form and character remains. Similarly, whilst the property at No 30 Orchard Street, on the opposite side of the junction has been extended, the form of the extension and detailing, such as the proportions of fenestration, complements that of the existing dwelling and does not cause the visual harm that the appeal proposal would.
6. Turning to the rear dormer, it would occupy almost the entire rear roof slope, extending from the ridge down to the eaves and with little space to either side. As such it would give rise to a top heavy appearance and I agree with the Council that it would appear bulky and over dominant as a result. As with the side extension, it would be particularly prominent in the streetscene, when travelling east along Thames Avenue, which adds to my concerns. Whilst there may be similar dormers elsewhere, none were apparent in the vicinity, and in particular there were none on the adjoining terrace.
7. I note the appellant's arguments that the dormer could be constructed under permitted development. That is not for me to decide and whilst it might well be the case, it currently forms part of a proposal before me to consider, and I have reached my findings above on its merits or otherwise.
8. The Council raises no objections to the proposed lightwell at the front and I see no reason to disagree, noting that a similar one exists further along the terrace.
9. I am sympathetic to the needs of the appellants to increase the size of their family accommodation but personal needs change over time whereas built development does not, and in this instance, I have given greater weight to the visual harm that would result
10. Pursuant to the above, the side extension and rear dormer would be contrary to Policy BNE1 of the Council's Local Plan 2003 in that it would not respect the appearance and visual amenity of the surrounding area.
11. Accordingly, the appeal is dismissed.

*Kim Bennett*

INSPECTOR