



Appeal Decision

Site visit made on 16 October 2019

by Mr Kim Bennett DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2019

Appeal Ref: APP/M2270/D/19/3231758

57 Liptraps Lane, Royal Tunbridge Wells TN2 3BU

- 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 Umme Junu against the decision of Tunbridge Wells Borough Council.
 - The application Ref 19/00825/FULL, dated 29 March 2019, was refused by notice dated 7 June 2019.
 - The development proposed is the erection of a 2 storey side extension, replacement conservatory to the rear.
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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 area.

Reasons

3. The appeal property comprises a two storey semi-detached house located on the eastern side of Liptraps Lane and opposite its junction with Caley Road. It is slightly elevated above road level and has an attached garage which extends up to the common boundary with No 59 Liptraps lane. The latter has a two storey flat roofed extension which also adjoins the common boundary. The character of this part of the lane is mainly that of semi-detached houses with large and prominent hipped roofs. The designs vary so that some have hipped projections on their outer halves such as the appeal property, whilst others have a central hipped projection between each property such as that at Nos 59 and 61.
4. The appellant makes reference to the Council's Supplementary Planning Document on Alterations & Extensions 2006 (SPD) and acknowledges that the proposal would be contrary to the guidance which recommends a 1 metre gap to the side boundary in respect of side extensions, in order to avoid any terracing effect. However, reference is also made to paragraph 1.7 of the SPD which acknowledges that there may be instances to depart from that guidance. In this case it is felt that a 1 metre gap would create an awkward relationship with No 59 and that because the height of the extension would be set down from that of No 59's, it would appear subordinate as a result.

5. I acknowledge that the SPD can only be guidance and agree that there may be instances where it might be appropriate to depart from such guidance. I also note that there is no gap at ground floor between the existing garage and the boundary with No 59 at present. However, elsewhere in the SPD, paragraph 5.5 refers to the concern that infilling can be at odds with the rhythm of the street when gaps are an important element. I consider that this is the case here, where a strong part of the character of the road is the rhythm of spaces between the pairs of semi-detached houses, particularly at first floor level. The proposed two storey side extension would disrupt that rhythm in that it would directly abut the extension at No 59 and lose that sense of space between the two properties.
6. Added to the above are concerns about the proposed design. Whilst the extension would appear subordinate to the host property and would be set back at the front, the flat roof element would relate poorly to the adjoining hipped roof projection as well as the main hipped roof. I acknowledge that is already the case with the adjoining extension at No 59, but in my view that demonstrates the harm that would be caused with the current proposal, and it is not a good reason to add to that harm. In contrast, the two storey side extension at No 41 Liptraps Lane which I have been referred to, demonstrates the sensitive way in which an extension could be provided from a design point of view, in terms of providing a good relationship with the host property. Additionally, the difference in height between the two extensions, coupled with their flat roofs and different window heights, all in close proximity to each other, would give rise to a poorly related set of architectural elements.
7. A combination of the design concerns and closing down of the space at first floor level would cause visual harm in the street scene, particularly because of the prominence of the properties from Liptraps Lane itself and also Caley Road opposite.
8. I have been referred to another appeal at Linnet Avenue, Paddock Wood¹ which was allowed, and that a departure from the SPD was felt to be justified on that occasion. I note that I was also the Inspector dealing with that particular appeal, but the circumstances were very different in terms of the local characteristics of that area and in particular the lack of regular street form and the siting of some properties at right angles to each other. That is not the case here and I do not consider the situations are directly comparable.
9. Part of the proposal also relates to the rebuilding of a conservatory to the rear, albeit to a larger depth than the one which currently exists. The Council raises no objections to that element, nor to any amenity concerns, and having considered those issues at my site visit, I see no reason to disagree.
10. I am sympathetic to the needs for improved family accommodation but in this instance have attached greater weight to the visual harm which would result. For the above reasons therefore, the proposal would be contrary to Core Policy 5 of the Councils Core Strategy 2010, Policy EN1 of its Local Plan 2006, and guidance in the SPD, in that it would not be a high quality design, would not respect the context of the site and would be at odds with the rhythm of the street scene. Accordingly, the appeal is dismissed.

Kim Bennett INSPECTOR

¹ Appeal Reference APP/M2270/D/19/3220452