
Appeal Decision

Site visit made on 29 October 2019

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 November 2019

Appeal Ref: APP/Z2260/D/19/3234854

437 Northdown Road, Margate, Kent, CT9 3LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Gary Kilbey against the decision of Thanet District Council.
 - The application Ref FH/TH/19/0623, dated 7 May 2019, was refused by notice dated 2 August 2019.
 - The application sought planning permission for erection of a two storey side extension together with 1No rooflight to front elevation and 2No rooflights to rear elevation, alterations to front canopy and rendering to all elevations without complying with a condition attached to planning permission Ref FH/TH/18/0830, dated 7 August 2018.
 - The condition in dispute is No 2 which states that: The proposed development shall be carried out in accordance with the submitted drawing numbered 18.068.P.R.002 received on the 12 June 2018 part superseded by drawing number 18.058.Priv.R 002 Rev A received on 7 August 2018.
 - The reason given for the condition is: to secure the proper development of the area.
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Decision

1. This appeal is dismissed

Preliminary Matters

2. When I conducted my site visit, I noted that work in relation to the two storey side extension appeared to have taken place although I am not presented with substantive evidence as to when this occurred. For the avoidance of doubt, I have determined the appeal on the basis of the plans before me, and the fact that some development may have taken place has had no bearing on my decision.
3. I note that there is dispute between the main parties as to whether the amendments under consideration as part of this appeal result in an increase to the ridge height. Notwithstanding this, my assessment is based on the ridge height shown on the plans before me now.
4. The application subject to this appeal is for minor material amendments. It seeks revised designs to a two storey side extension approved in August 2018. This type of application is possible as a condition was imposed on the original permission specifying the approved plans. The appeals seek removal of the condition and replacement with a condition specifying the plans that reflect the amended design.

Main Issue

5. The main issue is the effect of the amendments on the character and appearance of the area.

Reasons

6. The part of Northdown Road which forms the immediate surroundings of the appeal site is characterised by two-storey detached and semi-detached dwellings with hipped roofs. Whilst some roofs appear to have been altered to become gable ends these are not so ubiquitous as to form a dominant part of the character of the area. When considered as a pair, the semi-detached dwellings are larger than the appeal property. However, their design and appearance mean that they are clearly two separate properties and as such their size is comparable with the original dwelling at the appeal site. The pattern of development in this area includes detached dwellings on corner plots, such as the appeal site and the property opposite at 435 Northdown Road.
7. The proposed amendments result in a gable end to the roof of the two-storey side extension at the appeal property. This results in the extended part of the property visually dominating the original dwelling. This roof form is also inappropriate within the context of the character and appearance of the area described above and would be harmful for this reason. I have taken account of the fact that the roof is located some distance from the nearest properties, however this does not overcome the harm identified above.
8. The extended roof is highly visible along Clarence Avenue and within the Northdown Road streetscene. I note there is some planting around the property, however this is not so dense as to screen the property in views from the surrounding streets, particularly at roof height.
9. Consequently, the proposed amendments have a harmful effect on the character and appearance of the area. As such, in this respect, they are contrary to policy D1 of the Thanet Local Plan 2006 and paragraphs 127 and 130 of the Framework which together seek high quality design and development which is visually attractive and respects or enhances the character or appearance of the area

Other Matters

10. It is put to me that the development is an appropriate use of housing stock in a location that is accessible to local shops and services. I also understand that the amendments enable sufficient head height for the loft room to be used as a bedroom. However, I am not presented with evidence that satisfies me that the need for an additional bedroom would outweigh the permanent and public harm to the character and appearance of the area identified above. Nor am I presented with substantive evidence that without the amendments the proposed development is unviable.
11. I have not been presented with any details of alternative proposals for a dormer and therefore I am not persuaded that such a development would be more harmful than the amendments before me now.

Decision

12. For the reasons set out above, this appeal is dismissed.

H Miles

INSPECTOR