



Appeal Decision

Site visit made on 17 February 2020 by Mariam Noorgat BSc (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2020

70 Farmcombe Road, Royal Tunbridge Wells TN2 5DH

Appeal Ref: APP/M2270/D/19/3238279

- 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 Marshall against the decision of Tunbridge Wells Borough Council.
 - The application Ref 19/00682/FULL dated 13 March 2019 was refused by notice dated 26 July 2019.
 - The proposed development is described as a hip to gable loft conversion with rear dormer, roof alterations to rear outrigger building.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The drawings and Design and Access Statement refer to a porch and driveway. However, as the appellant has not included these elements of the proposal in the description for which planning permission is sought, they have not been considered.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposed development on the living conditions of the occupiers of 72 Farmcombe Road with particular regard to outlook and sunlight.

Reasons

Character and Appearance

5. The appeal site accommodates a modest two-storey detached dwelling which includes a two-storey outrigger to the rear. The rear boundary treatment of the appeal site abuts onto a park. The houses, within close proximity of the appeal

site, differ in style but are predominantly two-storey with spacious rear gardens that face south. The majority of the surrounding properties benefit from rear extensions of a modest nature; these appear to be subservient to the main dwelling. Due to the prevailing slope of Farmcombe Road, the appeal property sits lower than No.72 and therefore do not share matching eaves levels.

6. The proposed alterations to the two-storey outrigger element would increase the height to match the ridge of the main dwelling. This height increase, combined with the overall placement of windows on the south facing elevation of the outrigger, would appear as a third-storey addition which would be a considerable deviation from the established style of two-storey properties along this section of Farmcombe Road. Further, given the modest styled rear additions to the dwellings within close proximity of the appeal site, the proposed height of the outrigger would not appear subservient to the main dwelling by virtue of no set down from the main ridge. As such, the proposed alterations to the two-storey rear outrigger would appear bulky and incongruous, deviating from the established character of the surrounding area. Although the proposal would not be visible from the street scene, it would be visible from the park to the rear of the property.
7. The appellant states the appeal proposal is similar to a previously approved scheme at 80 Farmcombe Road under Ref: 17/02361/FULL. However, I do not have full details of the circumstances that led to this decision and so cannot be sure that they represent a direct parallel to the appeal proposal. Notwithstanding this, some differences are stated within the Council's Officer report between the appeal proposal and that at No.80. This includes matching eaves levels of the proposed development at No.80 with the neighbouring property. As the appeal property sits lower than No.72, I do not consider the non-matching eaves level to be harmful in this instance. However, reference is also made to no set-down of the proposed roof height to the main ridge, which I do find unacceptable, as described above. In any case, I have determined the appeal on its own merits.
8. For these reasons, the alterations to the outrigger would harm the character and appearance of the area. Consequently, they would conflict with Policy 4 and 5 of the Tunbridge Wells Borough Local Development Framework, Core Strategy, Development Plan Document, Adopted June 2010, (Core Strategy), which seeks to conserve and enhance the Borough's urban and rural landscapes, and the public realm respectively. They would also conflict with Policy EN1 of the Tunbridge Wells Borough Local Plan, Adopted March 2006, (Local Plan) which seeks to ensure development respects the context of the site. In addition, there would be conflict with the Alterations and Extensions Supplementary Planning Document, Adopted June 2006, (SPD), which seeks to ensure developments are well designed.

Living Conditions

9. The rear elevations of the appeal property and the neighbouring property, No.72, face south and both properties contain large spacious rear gardens. There is also a spacious gap between the two houses and, due to the prevailing slope of Farmcombe Road, No.72 sits higher than the appeal site.
10. The existing two-storey outrigger is visible from the rear garden of No.72. The proposed alterations to the outrigger would not change the depth but would

increase the height. The increase in height would not be overbearing to the occupiers of No.72 by virtue of the wide gap between the two dwellings, the elevated position of No.72 and the spacious rear gardens. Furthermore, due to the orientation of No.72, there may be some overshadowing during the latter part of the day, however, I do not consider the proposed height increase would exacerbate the current overshadowing that may be present to any significant degree.

11. For these reasons, I conclude that the proposed development would not have an adverse impact on the outlook or sunlight received by the occupiers of 72 Farmcombe Road. I therefore do not find conflict with Policy EN1 of the Local Plan which seeks to protect neighbouring amenity.
12. The Council refer to Policy 5 of the Core Strategy which mainly relates to sustainable design and construction. I do not find conflict with this policy with regard to living conditions; however, this does not minimise the harm I have found.

Other Matters

13. Whilst I sympathise with the appellant's reasons for the proposed development with regards to additional living space for a growing family, this would not outweigh the harm the development presents.
14. The Council do not raise any concerns regarding the hip to gable roof conversion with the rear dormer and I have no reason to disagree.

Recommendation and Conclusion

15. I have found that there would not be any harm from the hip to gable extension or to the living conditions of the neighbouring residents from the alterations to the outrigger. However, this lack of harm would not minimise or outweigh the harm I have identified.
16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR