



Appeal Decision

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

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/M2270/D/19/3238705

Pennyfields, Angley Road, Cranbrook, Kent TN17 2PL

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Abbey Steward against the decision of Tunbridge Wells Borough Council.
 - The application Ref 19/01732/FULL dated 17 June 2019 was refused by notice dated 13 August 2019.
 - The proposed development is described as a small extension to ground floor of existing annex and 1st floor addition to provide a single bedroom and shower, upper level to have mansard type walls with central flat roof section.
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Decision

1. The appeal is allowed and planning permission is granted for small extension to ground floor of existing annex and 1st floor addition to provide a single bedroom and shower, upper level to have mansard type walls with central flat roof section at Pennyfields, Angley Road, Cranbrook, Kent TN17 2PL, in accordance with the terms of the application Ref: 19/01732/FULL, dated 17 June 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Penannex/0619/8000, Penannex/0619/8001, Penannex/0619/8002, Penannex/0619/8003, Penannex/0619/8004, Penannex/0619/8005 and Penannex/0619/8006.
 - 4) The first floor section hereby permitted shall not be occupied until the 2 windows to the east elevation have been fitted with obscured glazing of level 3 or higher, and no part of those windows that is less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Once installed the obscured glazing shall be retained as such thereafter.

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. I note that some construction work has taken place on site in respect of a single storey rear extension with a gable roof form. For the avoidance of doubt, I have assessed the proposal shown on the submitted plans.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site accommodates a large two-storey hipped roof detached dwelling with an attached single storey side annexe. It is setback from the pavement a considerable distance and views onto the property are limited due to the vegetation and fencing present on the front boundary. The appeal site and surrounding dwellings vary in style and size, including in terms of their roofscapes which consist of hipped, half hipped and gable forms.
6. The house is set in from the eastern and western side boundaries, and to the east, between the appeal site and the house at Breremedes, there is a driveway access to a plot of land at the rear of Breremedes. The siting of dwellings along this section of Angley Road vary in terms of the proximity to the boundaries, however a characteristic feature of the area is that all houses have spacious gaps between each other.
7. The proposal would incorporate a mansard roof. The height of this element of the proposal would be similar to the eaves height of the host property, and not significantly higher than the height of the existing annex's hipped roof. Given the variety of roof profiles witnessed, combined with the considerable setback from the pavement and modest height of the proposal, the design of the development would not appear conspicuous or harmfully incongruous within the street scene. It would also respect the existing dwelling in that the roof would be finished with tiles to match those at first floor level on the main house.
8. The width of the proposed development would maintain the set in from the eastern boundary and, although bulkier than the existing annex, the proposal would still maintain a spacious gap to the house at Breremedes. The existing gap to Crandon House to the west would be maintained. As such, the resultant dwelling would not appear to be cramped on its site.
9. Based on the reasoning above, the proposed development would not have an adverse effect on the character and appearance of the area. It would therefore accord with Policy EN1 of the Tunbridge Wells Borough Local Plan, adopted March 2006, which seeks to ensure proposals are well designed and respect the context of the site.

Other Matters

10. The comments from the neighbouring occupier at Breremedede raises concerns regarding privacy. The proposed windows on the eastern elevation would face the garden of Breremedede from a relatively short distance. As such, this could have a detrimental impact on the privacy of the occupiers of Breremedede. A condition to mitigate this harm by ensuring the facing windows are obscurely glazed would therefore be appropriate.

Conditions

11. In the interests of certainty, a condition is necessary to ensure the development is carried in accordance with the approved plans and within three years of the date of this decision. Furthermore, in the interests of protecting the character and appearance of the area, a condition is necessary to ensure matching materials are used.
12. In order to safeguard the privacy of neighbouring occupiers, it is necessary to impose a condition requiring the windows on the eastern elevation of the development are obscurely glazing and have restricted opening.

Recommendation and Conclusion

13. For the reasons set out above, and having had regard to all other matters raised, I recommend the appeal is allowed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR