



Appeal Decision

Site visit made on 27 July 2020 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2020

Appeal Ref: APP/Z2260/D/19/3240936

16 Princess Margaret Avenue, Margate CT9 3EQ

- 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 Mr G Coleman against the decision of Thanet District Council.
 - The application Ref FH/TH/19/1109 dated 15 August 2019 was refused by notice dated 9 October 2019.
 - The proposed development is a single storey front extension, and two single storey rear extensions.
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Decision

1. The part of the appeal that relates to the single storey front extension is dismissed.
2. The part of the appeal that relates to the rear extensions is allowed and planning permission is granted for two single storey rear extensions at 16 Princess Margaret Avenue, Margate CT9 3EQ, in accordance with the terms of the application Ref: FH/TH/19/1109, dated 15 August 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 development hereby permitted shall be carried out in accordance with the following approved plans: 19058GC-PP-05 Rev A1, 19058GC-PP-06 Rev A1, 19058GC-PP-02-EE Rev A1, 19058GC-PP-03-PP Rev A1, 19058GC-PP-04-PE Rev A1 and 19058GC-PP-01-PP Rev A1 only in so far as they relate to the rear extensions.

Appeal Procedure

3. 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 Matters

4. A split decision has been recommended (in accordance with s79(1)(b) of the Town and Country Planning Act 1990 (as amended) allowing only part of the proposal. This has been done on the basis that the two parts of the proposal are severable.

5. Since the Council's refusal of the application, they have adopted a new Local Plan (July 2020) which replaces the Thanet Local Plan 2006. My consideration of the appeal has therefore been on the basis of the relevant policies of the 2020 Local Plan, copies of which have been provided to the appellant.

Main Issues

6. The main issues are:

- The effect of the single storey front extension on the character and appearance of the area; and
- The effect of the whole development on the living conditions of the occupiers of 18 Princess Margaret Avenue, with particular regard to outlook and sunlight.

Reasons for the Recommendation

Character and Appearance

7. The appeal site accommodates a modest sized detached bungalow and a flat roof detached garage that is sited at the front and set comfortably in from the side boundary of the plot. This configuration and style of the built forms is repeated rhythmically within the immediate vicinity of the appeal dwelling on this side of the road, namely No's 12 to 20. Spacious gaps are visible between the rear elevation of the garages and front elevations of the dwellings which allows the view of the whole bungalow from the public realm, creating a sense of spaciousness. Whilst there are various arrangements of garages and dwellings along Princess Margaret Avenue, the modest bungalows, flat roof garages and the space in between, provide a strong sense of uniformity here.
8. The proposed front extension would effectively remove the gap between the dwelling and garage with a new pitched roof extension that would also extend sideways and become flush with the flank wall of the appeal dwelling closest to No.18. The proposed pitched roof, although matching with the host dwelling, would eradicate the characteristic flat roof feature prevalent on this side of the road which would be a considerable deviation from the characteristic configuration and styles of the garages and dwellings along this section of Princess Margaret Avenue. It would also remove the sense of spaciousness and hence appear discordant. Further, the scale of the development would almost be double the width of the existing garage and this, combined with the height of the proposal, relative to the modest nature of the surrounding garages, would appear incongruous.
9. For these reasons, I conclude that the front extension would harm the character and appearance of the area. The proposed development would therefore conflict with Policy QD2 of the Thanet Local Plan (2020) (Local Plan), which seeks to ensure developments respect the scale and rhythm of the surrounding area. It would also conflict with Paragraphs 127 and 130 of the National Planning Policy Framework (Framework) which seeks to ensure developments maintain the arrangement of spaces and promote good design respectively.

Living Conditions

10. The appeal dwelling and surrounding properties all face west and benefit from spacious front gardens. There is a gap between the appeal dwelling and No.18 which contributes to this spacious feel. The garage at No.18 is some distance away from the appeal dwelling and the window at No.18, closest to the appeal dwelling, would provide an uninterrupted view onto the street from within.
11. Given the spacious front garden, uninterrupted view onto the street, the gap in between the appeal dwelling and No.18 and the modest height of the front extension, the proposal would not appear overbearing to the occupiers of No.18. Furthermore, due to the orientation of No.18, there may be some overshadowing during the afternoon, however, I do not consider the proposal would exacerbate the current overshadowing that may already be present from the garage at the appeal site to any significant degree.
12. Turning to the rear extensions, the appeal dwelling and No.18 benefit from wide, east facing, rear gardens. There is a fence with vegetation that goes above this fence on the boundary between the two properties. The eaves level of both dwellings is not much higher than this.
13. Given the spacious rear garden, boundary treatment, limited height of the extension and gap in between the dwellings, the proposal would not appear overbearing to the occupiers of No.18. For the same reasons, although there may be some overshadowing during the middle of the day, I do not consider it would be to such a degree that it would be harmful to the living conditions of these neighbouring residents.
14. For these reasons, I conclude that the extensions would not have an adverse impact on the outlook or sunlight received by the occupiers of 18 Princess Margaret Avenue. In this regard therefore I do not find conflict with Policy QD03 of the Local Plan which seeks to protect neighbouring amenity. No conflict is found with Paragraphs 117 and 127 of the Framework which also seeks to ensure healthy living conditions and well-being respectively.
15. This lack of harm would not mitigate or outweigh the harm identified to the character and appearance of the area resulting from the front extension.

Other Matters

16. The appellant refers to planning permission that was approved at 15 and 65 Princess Margaret Avenue and states the Council's advice is contradictory in granting these applications as they resulted in development that is contrary to the character and appearance of the area. I do not have full details of the circumstances that led to these proposals being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal. However, the development at No.15 does not have a pitched roof and maintains a sense of spaciousness due to the car port design. The porch conservatory is also setback from the street scene and does not detract from the flat roof characteristic feature. As such, the development at No.15 does not appear as discordant as the proposal would. Similarly, for No.65, I do not have details as to what materials were proposed. However, as it is some distance from the appeal site it is not seen in the same context.

Conditions

17. With regard to the rear extensions, in addition to the standard time condition, and the interests of precision, a condition is necessary to ensure the approved development is carried in accordance with the approved plans.
18. Although the appeal questionnaire submitted by the Council states a condition requiring the materials of the extensions to match those of the existing house would be necessary, the Council have subsequently confirmed that this condition is not required. Given that the materials proposed on the plans would not match the existing dwelling but are acceptable, I have no reason to disagree.

Conclusion and Recommendation

19. For the reasons given above, and having had regard to all other matters raised, I recommend that in relation to the front extension, the appeal is dismissed, but that in relation to the two single storey rear extensions, the appeal is allowed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal in respect of the front extension is dismissed, but in respect of the two single storey rear extensions, is allowed subject to conditions.

Andrew Owen

INSPECTOR