
Appeal Decision

Site visit made on 8 December 2020

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2020

Appeal Ref: APP/X2220/D/20/3263130

Tangles, Mill Lane, Preston CT3 1HB

- 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 R Hamilton against the decision of Dover District Council.
 - The application Ref 20/00666, dated 23 June 2020, was refused by notice dated 1 September 2020.
 - The development proposed is the erection of two single storey extensions to existing outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of two single storey extensions to existing outbuilding at Tangles, Mill Lane, Preston CT3 1HB in accordance with the terms of the application, 20/00666, dated 23 June 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved drawings: DB/20/6/1, DB/20/6/2, DB/20/6/3, RH/7/1, RH/7/2 and RH/7/3.
 - 2) The development hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwelling currently known as Tangles Mill Lane, Preston, CT3 1HB and for no other purpose.

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 is a substantial dwelling set in generous grounds with a large pitched roof outbuilding to the rear. The proposal is to add single storey flat roof extensions to the east and west ends of that building. I saw on the site visit that the outbuilding has already been extended in those positions. However, for the avoidance of doubt, my decision is based on the proposal shown on the submitted plans.
 4. The area around the appeal site is mainly agricultural in character, although there is also a commercial use and loosely spaced residential properties to the east. The site sits at a slightly higher level than most of the surrounding land and, therefore, views to the upper parts of the main dwelling and outbuilding are available at short and medium ranges from the west in particular.
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However, views to the lower parts of the buildings are largely screened by intervening vegetation. This screening effect also applies to views towards the proposed extensions. Although a short range glimpse of the eastern extension is available when the site entrance gate is open, the effect on the wider area is very limited.

5. The proposed extensions would add somewhat to the bulk of the outbuilding relative to the main house. However, given their height and scale and the distance between the outbuilding and the dwelling, I find that the extended outbuilding would not dominate the dwelling.
6. My attention has been drawn to an earlier enforcement appeal decision where the Inspector found that the outbuilding had not been erected in accordance with the approved plans and had a 'harmful effect on the character and appearance of the countryside'. The decision notice required elements at its eastern and western ends to be removed. However, although the current proposed extensions appear to be in the same position as the elements that were required to be removed, they would be significantly less tall. Therefore, and having regard to my finding on the screening effect of nearby vegetation and buildings, I consider that the current proposal would not have a harmful effect on the character and appearance of the area.
7. As such, the proposal would not conflict with Policy DM15 of the Council's Core Strategy 2010 insofar as it presumes against development which would result in the loss of, or adversely affect the character and appearance of, the countryside. Nor would it conflict with National Planning Policy Framework paragraphs 127 or 170 to the extent that they have similar aims.

Conditions

8. Since work on the extensions has already started, there is no need for a condition controlling the time limit for commencement. However, as my decision is based on the submitted plans, a condition requiring them to be constructed in accordance with those plans is necessary in the interests of certainty. As suggested by the Council I will also impose a condition controlling the use of the extensions. This is necessary to safeguard the character and appearance of the area, the living conditions of nearby occupiers and highway safety.

Conclusion

9. For the reasons set out above, the appeal should be allowed.

Simon Warder

INSPECTOR