



Appeal Decision

Site visit made on 1 December 2020

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th January 2021

Appeal Ref: APP/A2280/D/20/3252737

L'Hermitage, Cooling Street, Cliffe, Rochester, Kent ME3 7TZ

- 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 Jack Gibbs against the decision of Medway Council.
 - The application Ref MC/20/0088, dated 26 December 2019, was refused by notice dated 12 March 2020.
 - The development proposed is a construction of first floor extension including the construction of dormers together with a porch to ground floor front elevation, a Juliet balcony to rear, alterations to chimney and construction of a driveway and vehicle crossover to front – Resubmission of MC/19/2098.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have adopted the description of development as it appears on the Council's decision notice as it more accurately reflects the extent of development proposed than that which is set out on the application form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property comprises a detached bungalow located on the eastern side of Cooling Street in a small hamlet of residential development set amongst open countryside. The property is of modest scale and height. Adjoining to the north is a pair of bungalows of similar design and proportions whilst adjoining to the south is a further pair of bungalows which have been extended to provide accommodation in the roof space with front and rear dormers. Elsewhere along Cooling Street there is a mixture of architectural styles, including two storey dwellings.
5. The current proposal is a re submission of a previous scheme¹ which the Council was concerned about for reasons relating to design and also overlooking/loss of privacy. The application was subsequently withdrawn. In relation to the current proposal, the Council is satisfied that the amenity

¹ Application Reference No MC/19/2098

- concerns have been overcome, but remains opposed to the scheme on design grounds.
6. The appellant argues that there are different extensions elsewhere in Cooling Street, including two storey extensions and that the proposal would integrate well in the streetscene as a result. It is pointed out that the proposed scheme would occupy the same footprint and that the proportions, siting and alignment would be sympathetic to the main house.
 7. At my site visit I walked up and down Cooling Street for some distance and noted the variety of designs and architectural forms. In those respects, I see no objections to the principle of two storey accommodation of some form, nor to the proposed use of materials, including the proposed cement board cladding at first floor, given the variety of different materials in the area. I also see no objections to the introduction of dormer windows and note that the scale of the building would be reduced at the front and partly at the rear by reducing the eaves height. In that respect it would relate satisfactorily to the adjoining converted bungalows to the south.
 8. However, by extending above the existing ground floor extension with a full height eaves and for the full depth and width of that extension, the bulk and massing of that part of the scheme would be over dominant in the streetscene. This would be particularly so when approaching the site from the south where the full impact would be clearly visible because of the wide access and parking area of the adjoining property, but it would also be apparent when approaching from the north and from the junction opposite the site. Whilst there are other full height two storey buildings in the locality, the immediate character on this side of the road is that of smaller scale bungalows, converted roof spaces or reduced eaves heights. Because of that I find that scale and proportions of the first floor extension would be out of character and cause visual harm within the streetscene.
 9. Whilst I note the appellant suggests that the proposed design would complement the host property, I do not consider that would be the case given the proposed extent of alterations and change in character of the existing building.
 10. The appellant suggests that the proposed design would be in keeping with paragraphs 118 and 127 of the National Planning Policy Framework (the Framework) which encourages upward extensions in appropriate locations and advises that decisions should not discourage appropriate innovation or change. In that respect I find nothing particularly innovative about the proposed design. Furthermore, as noted above, it is not the principle of increasing the scale of the property, but the way in which it is proposed and in that respect paragraph 118 also advises that upward extensions should be consistent with the prevailing form of neighbouring properties and the overall streetscene.
 11. I also note that elsewhere in paragraph 127 of the Framework it advises that development should be visually attractive and add to the overall quality of the area. Having regard to my comments above, I do not believe that would be the case in this instance.
 12. With regard to impact upon the wider countryside, the Council refers to conflict with Policy BNE25 and reference in the explanatory text to that policy, in terms of extensions not being expected to be more than of 25% over the original

dwelling's floorspace. In that respect, neither party has supplied any figures of increase in size, but I note that the text also acknowledges that it is a nominal figure and any increase would be dependent upon the scale, character and location of the dwelling. In that regard, although there is open countryside in the wider environment, the appeal site is well contained within an established line of buildings on both sides of the road and also opposite. It is also proposed to build over the existing footprint and there is a variety of mature vegetation in the rear garden. There would therefore be glimpsed views only of the proposed extensions from countryside views and those would likely to be at long distance in the main. For these reasons, I agree with the appellant that there would be no adverse impact upon the wider countryside setting and consequently no conflict with Policy BNE25 of the Medway Local Plan 2003 in that the character of the countryside would be maintained.

13. I acknowledge the reference to other schemes which have been granted permission nearby recently, including those for first floor extensions. Whilst I have been supplied with details of those, I have reached my findings above based on the individual merits and circumstances of this particular case. In any event as I have noted, it is not the principle of two storey accommodation which is the primary issue here.
14. With regard to amenity considerations, I note that first floor windows in the southern elevation adjacent to the boundary, are all proposed to be bathroom windows, and I agree with the Council that the development would be acceptable from an amenity point of view.
15. Notwithstanding my finding that there would be no adverse impact upon the wider countryside, for the above reasons I conclude that the proposed development would harm the character and appearance of the immediate area. It would therefore be contrary to Policy BNE1 of the Medway Local Plan 2003 as well as the design objectives in paragraphs 124 and 127 of the Framework, in that it would not respect the scale, appearance and visual amenity of the surrounding area and would not add to the overall quality of the area.
16. Accordingly, the appeal is dismissed.

Kim Bennett

INSPECTOR