
Appeal Decision

Site visit made on 21 September 2020

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal Ref: APP/K2230/D/20/3244341

39 Alanbrooke, Gravesend DA12 1NA

- 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 Eamon Moss against the decision of Gravesend Borough Council.
 - The application Ref 20190965, dated 12 September 2019, was refused by notice dated 5 November 2019.
 - The development proposed is described as a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the host building and the wider area; and
 - its effect on the living conditions of the existing occupiers of No 37 Alanbrooke, having particular regard to sunlight entering rear windows, and on the existing occupiers of No 6 Copper Beach Close, having particular regard to privacy.

Reasons

Character and Appearance

3. No 39 Alanbrooke forms one half of a pair of two-storey semi-detached houses which have smaller single storey side projections. There are several pairs of similar houses along both sides of this part of Alanbrooke aligned at an angle to the road with differing set back distances behind mainly open front gardens. This pattern of development forms an alternating sequence in the alignment of front and side elevations and a distinct 'stepped' sequence to the building line. Some of these other houses have been enlarged with side, front and rear extensions but due to their siting and design in relation to adjoining houses there remains a noticeable spaciousness in front of, and between, these pairs of houses which is also locally distinctive in public views, including the host building and the appeal site.
4. Part of the development would be sited relatively close to the boundary with No 37 Alanbrooke and it would substantially increase the width and forward projection of No 39 at two storey height. Despite the slightly lower land levels

at No 39 compared to No 37, and the proposed fully hipped design of the roof in the two-storey part and a hipped roof in the single-storey front part, the siting, bulk and massing of the development would nonetheless unduly erode the gap between these two houses and result in an overly built-up, terrace like arrangement of buildings and unacceptably alter the stepped sequence of the building line of houses along this side of Alanbrooke. In addition, the extent of the forward projection in built form would manifestly unbalance and be at odds with the simple, unadorned flat front elevation of the other half of this semi-detached pair of houses and the majority of other houses along this side of Alanbrooke.

5. The development would be particularly conspicuous in facing views from Alanbrooke and in angled views on the approach from the cul-de-sac end of Alanbrooke. Notwithstanding that it would be seen in the context of the increased forward siting of the two-storey side elevation of No 37, it would nonetheless result in an unduly dominant and prominent addition to the front elevation of No 39. This would be incongruous and out of keeping with host building and the houses in this part of Alanbrooke and the immediate streetscene.
6. At my site visit I saw that two similar houses on the opposite side of Alanbrooke have two-storey side and front extensions. However, one is a relatively short front extension so it does not as a result significantly overlap with the side elevation of the adjoining house, nor is it therefore unduly dominant or prominent; and while the other is a reasonably large extension, and does project significantly forward, it does not overlap with the side elevation of the adjoining house so maintains a noticeable gap and the stepped sequence of the building line.
7. Despite its two-storey height the development would result in a modest addition to the floorplan and depth of the rear elevation of the host building and would have a reasonably shallow pitched double hipped roof. This rear extension would not therefore be unduly bulky or dominate the host building, nor would it be readily apparent in any significant public views.
8. Considering the above, the proposed two-storey side extension, including as it projects forward, would cause significant harm to the character and appearance of the host building and to the wider area. It would not accord with Policy CS19 of the Gravesham Local Plan Core Strategy, September 2014 (the CS). This policy includes that development should conserve the character of the local built environment, integrate well with the surrounding area and make a positive contribution to the street scene having regard to scale, height, building lines and layout. It would also conflict with the National Planning Policy Framework (Framework) paragraphs 124 and 127. These include that development should create high quality buildings and places, add to the quality of an area, are sympathetic to local character and maintain a strong sense of place.

Living Conditions

9. I saw that the closest part of the rear elevation of No 37 to the development contains a ground floor and a first floor window. On the evidence before me I am unable to establish whether either window is to a habitable room. The two-storey side elevation of the development would be in reasonably close proximity to both windows and more than half of its length would project in

depth beyond the plane of these windows. However, even if one or both windows are to habitable rooms, only a relatively small part of the end of the development would infringe a 45 degree line taken from the centre of these windows and the building would be a reasonable distance away from these windows. Furthermore, the effect of the height, scale and massing of this part of the development would be alleviated in part by the step down in land levels between the appeal site and No 37 and by the fully hipped design of the roof, which would recede away from these windows.

10. The existing rear elevation of No 39 contains 3 first floor bedroom windows that face towards rear windows and the rear garden of the two-storey detached house at No 6 Copper Beach Close. The development would result in one bedroom window relocated about 1.5m closer to No 6 and a new bathroom window at a similar distance. Both of these windows would not meet the Council's appropriate 26m guideline¹ (ie including an intervening garden) in relation to No 6, though I note nor do the existing windows in No 39. Nonetheless, it would be a relatively small reduction in the separation distance and as a result it would have little material effect on the extent of actual or perceived overlooking of windows or the rear garden at No 6. This would also apply to the bathroom window, but in any event such a window would normally be obscured glazed and were planning permission to be granted this could be controlled by a condition.
11. Considering the above, the development would not cause harm to the living conditions of the existing occupiers of No 37 Alanbrooke, having particular regard to sunlight entering rear windows, nor would it cause harm to the living conditions of the existing occupiers of No 6 Copper Beach Close, having particular regard to privacy. It would accord with CS Policy CS19 which includes that development should safeguard the amenity of occupants of neighbouring properties, including with respect to sunlight and privacy. It would also not conflict with Framework paragraph 127 which includes that development should have a high standard of amenity for existing users.

Planning Balance and Conclusion

12. As explained in the main issues above, the development would cause significant harm to the character and appearance of the host building and to the wider area. I give substantial weight to this harm. It would not cause harm to the living conditions of the existing occupiers of nearby dwellings; however, the absence of harm in this regard is a neutral factor in my decision. The development would not therefore accord with the development plan overall. There are no material considerations which indicate that my decision should not be taken otherwise in accordance with the development plan.
13. For the reasons given, the appeal does not succeed.

Robin Buchanan

INSPECTOR

¹ Residential Layout Guidelines supplementary planning guidance 2, February 1996.