



Appeal Decision

Site visit made on 23 September 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021.

Appeal Ref: APP/K2230/D/21/3272318

43 Windsor Road, Gravesend, Kent DA12 5BW

- 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 Mrs Harjit Kaur against the decision of Gravesend Borough Council.
 - The application Ref 20201003, dated 14 September 2020, was refused by notice dated 12 January 2021.
 - The development proposed is adaptations to existing roof to remove existing multiple valleys and ridges to raise the ridge and create a rear dormer and velux to front to create a master bedroom en-suite, dresser, cinema room and prayer room.
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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 local area and on the living conditions of the occupiers of 41 Windsor Road with particular regard to light.

Reasons

Character and appearance

3. The appeal property is a mainly 2-storey detached house in a predominantly residential area wherein dwellings vary in design, scale and roof form, as the appellant's photographs show. Like No 43, several buildings in the vicinity of the site have been externally altered and extended, to which the appellant has referred. Consequently, there is some variety to the existing built form in the street scene and the local area to which the appeal property belongs.
4. The proposal is to extend and alter No 43 at roof level to enable additional living accommodation to be provided that would be served by 3 new dormers, 3 roof lights and a window in the side elevation. The external materials to be used would match those of the host building.
5. The main roof of the finished building that faces the road would be substantial in scale and bulk mainly due to the generous distance between the eaves and ridge. Given the considerable expanse of front and rear roof slopes, the proposed development would appear overly large and out of scale with the main building below. This arrangement would draw the eye especially from the road from where the completed dwelling would appear ill proportioned. As a

result, it would stand uncomfortably between the buildings on either side of the site, even taking into account the varied built form and the range of roof styles that characterise Windsor Road and nearby streets.

6. The new-pitched roof dormer extensions on the extended rear roof slope would accentuate this imbalance. With 3 high level dormers in a row, these new additions would be a conspicuous and repetitive feature of the completed dwelling. Combined, the new rear dormers and other roof level changes, would give the finished dwelling an awkward 'top-heavy' appearance that would detract from its intrinsic character. While the new dormers would not be readily visible in the street scene, they would be prominent from the back gardens of the dwellings on either side of the site. From these vantage points, the new dormers in particular would appear as an incongruous and unsympathetic form of development.
7. The appellant has drawn my attention to examples of properties with extensions in the local area that have been approved by the Council and are considered to set a precedent. From the plans and background information provided, all of the examples cited differ in nature and design to the proposal before me. None of the cases identified involve 3 new rear dormers at second floor level with a raised ridge height, as proposed. As such, there are few direct parallels to be drawn between the cases cited and the proposal that, in any event, has been assessed on its own merits.
8. The National Planning Policy Framework (the Framework) emphasises the importance of achieving good design, which is a key aspect of sustainable development. That approach applies whether or not the site is within a conservation area or the building in question is listed. Paragraph 134 of the Framework goes further. It states that development that is not well designed should be refused.
9. Against that background, I conclude on the first main issue that the proposed development would cause significant harm to the character and appearance of the local area. As such, it conflicts with Policy CS19 of the Gravesham Local Plan Core Strategy (CS), which requires new development to be visually attractive and preserve and enhance the local built environment. It is also at odds with the Framework, which states that development should be sympathetic to local character and add to the overall quality of the area.

Living conditions

10. There would be some loss of sunlight to the back garden of No 41 and the rear windows of the main house during a major part of the day, particularly in winter months when the sun is lower in the sky. That loss would be caused by the overshadowing effect of the new built form, located in an elevated position just to the south of this adjacent property. The effect of overshadowing would exacerbate the visual impact of the proposal even with a gap maintained between Nos 43 and 45. It would cause the finished building to feel oppressive when seen from the back garden of this neighbouring property.
11. On the second main issue, I conclude that the proposed development would cause significant harm to the living conditions of the occupiers of No 41. As such, it conflicts with CS Policy CS19 insofar as it seeks to safeguard residential amenity. It would be contrary to the Framework, which states that planning decisions should ensure a high standard of amenity for users.

Other matters

12. Once complete, the additional accommodation would enhance the living conditions of the appellant. The proposal would also make efficient use of the appeal property. The outcome would, however, be less than optimal in terms of the potential of the site given the large amount of development proposed. These considerations, taken individually and collectively, do not outweigh the significant harm that I have identified.
13. I acknowledge that recent changes to permitted developments rights allow residential properties to be extended upwards subject to various limitations and conditions. However, planning permission is sought in this case and I have assessed the proposal on that basis.
14. The Council and interested parties raise several additional objections including privacy, overdevelopment, parking and traffic congestion. These are important matters and I have taken into account all of the submitted evidence. However, given my findings on the main issues, these are not matters that have been critical to my decision.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR