



Appeal Decision

Site visit made on 24 November 2021

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH December 2021

Appeal Ref: APP/X2220/D/21/3279716

12 Grace Meadow, Whitfield, Kent, CT16 3HA

- 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 and Mrs Savage against the decision of Dover District Council.
 - The application Ref 21/00499, dated 29 March 2021, was refused by notice dated 26 May 2021.
 - The development proposed is described as erection of 1m side extension to the existing garage and two storey rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. Since the appeal application was refused the National Planning Policy Framework 2019 (NPPF) has been replaced by the National Planning Policy Framework 2021 (the Framework). Within the Framework paragraphs 124, 127 and 130 of the NPPF have been revised and renumbered 126, 130 and 134. In relation to the appeal proposal, I consider that the revised wording in these paragraphs does not have a material impact on the merits of the appeal proposal.

Main Issues

3. The First main issue is the effect of the proposal on the character and appearance of the host dwelling and the street scene. The second main issue is the effect of the proposal on the living conditions of the occupiers of the adjacent dwellings, with particular regard to visual impact, daylight, sunlight and privacy.

Reasons

Character and appearance

4. Grace Meadows comprises a combination of spaciouly sited and uniformly designed detached bungalows, chalet style dwellings and two storey dwellings from a limited range of designs and materials. The dwellings sit behind good sized open plan front gardens, which together with the views into the soft landscaped rear gardens contributes the uniform, uncluttered and spacious character and appearance of the street scene.

5. The appeal property is situated within a row of four uniformly designed chalet style dwellings. The dwellings have flat roofed garages on one side and there are spacious gaps above ground floor level between the dwellings, which facilitate views into the rear garden environment.
6. Collectively paragraphs 8, 11, 126, 130 and 134 of the Framework encourage sustainable forms of development, for which good design is a key aspect. New development should be visually attractive, function well, be sympathetic to local character and add to the overall quality of the area. Development should optimise the potential of the site, create places that promote health and well-being and should be refused if it is not well designed.
7. With the proposal the width of the garage would be increased and a deep pitched roof would be constructed over the resultant attached garage. To the rear of the garage would be a one and half storey rear extension, which would project beyond the rear elevation of the host dwelling. The rear extension would have a steeply pitched hipped crown roof, with flat roofed dormer extensions on both roof slopes.
8. The proposed roof over the garage would disrupt the uniformity in the design of this row of chalet dwellings and the size of the gaps between them. It would also have an enclosing impact on the open and spacious street scene. The steep roof and fully clad dormer window of the rear extension would fail to respect or reflect the proportions and detailing of the host dwelling. Although the rear extension would be screened from the street scene in most views, where it could be seen the proposed rear extension would appear out of character with the host dwelling and the row of dwellings. It would also exacerbate the enclosing impact that would result from the pitched roof over the garage.
9. As a consequence, the proposal would detract from and be out of keeping with the character and appearance of the host dwelling, the row of dwellings and the street scene. Having regard to the strong sense of uniformity and spaciousness within Grace Meadow, this harm would outweigh the benefits for the appellants and their family that would result from the proposed upgraded and additional accommodation. It is also not something that could be satisfactorily addressed through the imposition of conditions.
10. The appellant has referred to recent additions to a dwelling in Bewsbury Cross Lane. However, the character and appearance of Bewsbury Cross Lane is quite different to that of Grace Meadows. There is more informality in the siting and design of the dwellings, which are typically set behind enclosed front gardens. Similarly, the examples in Napchester Road and Singledge Lane are not directly comparable to the appeal property and its setting. As such these examples have not influenced this decision.
11. I conclude on the first main issue that the proposal would unacceptably harm the character and appearance of the host dwelling and the street scene. Accordingly, it would conflict with paragraphs 8, 11, 126, 130 and 134 of the Framework.

Living conditions

12. Currently the rear garden of the host dwelling is enclosed by tall mature shrubs and hedging plants. This planting undoubtedly results in some overshadowing

within the adjacent rear garden area at 14 Grace Meadows (No.14), although there are gaps in the planting, which allow light and sunlight through.

13. The proposed rear extension would be sited a short distance from the boundary with and several metres from the dwelling at No.14. Due to its combined height and depth the extension would result in a greater level of overshadowing for the occupiers of No.14, than the existing planting. Even assuming the boundary planting could be retained, due to its height, depth, design and proximity the upper parts of the rear addition would be visible from the rear garden and adjacent rear windows at No.14. It would appear solid, stark and visually oppressive.
14. Conversely due to the extent of boundary planting and the distance between the proposed extension and the adjacent properties the proposal would not have a materially harmful impact on their outlook.
15. The proposed south facing dormer window would face into the rear garden of the host dwelling and would be more than 15 metres from the dwelling at 10 Grace Meadows. Not only is there a tall hedge between the two properties, there is a single storey rear extension at No.10, which would screen the rear facing windows and garden from the proposed dormer window. The properties to the rear of the appeal dwelling have deep rear gardens and an array of outbuildings within them. Also, the proposed dormer window would not face towards these properties. For these reasons, the proposal would not result in a material level of overshadowing for the occupiers of the surrounding properties.
16. I conclude on the second main issue that the proposal would have a materially harmful impact on the living conditions of the occupiers of No.14 due to its overbearing visual impact and associated overshadowing. It would therefore conflict with paragraph 130 of the Framework, which seeks to ensure that new development promotes health and well-being, with a high standard of amenity for existing residents.

Other matter

17. Whilst I note the concerns expressed regarding the handling of the appeal application, they are not material to the merits of the proposal. As such, this is a matter that would need to be pursued with the Council.

Conclusion

15. Whilst I have found in favour of the appellants on some points the conclusions on both main issues amount to compelling reasons for dismissing this appeal.

Elizabeth Lawrence

INSPECTOR