



Appeal Decision

Site visit made on 25 January 2022

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2022

Appeal Ref: APP/M2270/D/21/3284258

93 Tutsham Way, Paddock Wood, Tonbridge TN12 6UA

- 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 Graham Norman against the decision of Tunbridge Wells Borough Council.
 - The application Ref 21/02388/FULL, dated 12 July 2021, was refused by notice dated 10 September 2021.
 - The development proposed is Two storey side extension following demolition of existing garage.
-

Decision

1. The appeal is allowed and planning permission is granted for Two storey side extension following demolition of existing garage at 93 Tutsham Way, Paddock Wood, Tonbridge TN12 6UA in accordance with the terms of the application, Ref 21/02388/FULL, dated 12 July 2021, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (Drawing No 2021-050v1-Location); Ground floor (existing); First floor (existing); Elevations (existing); Proposed ground and first floor plans (Drawing No TW.P01A); Existing and proposed roof plans (Drawing No TW.P02); Proposed front and side elevations (Drawing No TW.P03); Proposed rear elevation and section (Drawing No TW.P04); and Existing and proposed block plans (Drawing No TW.P05).
 - 3) The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without details being first submitted to and approved in writing by the Local Planning Authority.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site contains a semi-detached dwelling situated within a row of similar chalet-style properties, some of which – including the site – are linked by adjoining single-storey garages. The buildings in the row are mostly evenly spaced, with gaps between them provided by driveways and above the single-

storey garages. With mainly semi-detached and some detached properties in the surrounding area, the locality is characterised by a sense of space between buildings. However, the building pattern and spacing do vary and there are also some short rows of terraced housing in the locality. Accordingly, there is no particular rhythm or consistency of spacing of built form in the surrounding area. Furthermore, given that the row of semi-detached properties which the site forms part of is relatively short, one of the properties there has a two-storey side extension abutting its side boundary and some garages are set back whilst others are not, the row neither forms a central part of the area's character nor provides a wholly consistent form.

4. Although the Council's Supplementary Planning Document (SPD), Alterations & Extensions (2006) identifies that it is normally desirable for a minimum of one metre between the side wall of a side extension and the boundary, the proposed development would extend two-storey built form up to the shared boundary. This would reduce the gap that is currently present above the attached single-storey garage. However, given the context, it would not be experienced as a particularly significant or harmful change, and space would remain between the two-storey form of the buildings above the neighbouring single-storey garage. The appeal proposal would therefore not result in a terracing effect. Due to the varied spacing between buildings in the locality, the reduced gap would not appear at odds with the street scene or impact uncharacteristically on the nature of space between built form, while the development would not read as particularly cramped. In addition, given that it would appear as a similar addition to the two-storey side extension within the same row, the appeal proposal would respect its context while its design and appearance would relate to the main building and its surroundings.
5. With the garage on the neighbouring property being set back, the two-storey side extension at No 87 does have a different situation to that of the appeal proposal. Nevertheless, the extension is present within the row and I observed on my site visit that its setting is not so different that its existence does not form a relevant part of the site's context. The submitted evidence indicates that the extension at No 87, which abuts the boundary in the same way that the appeal proposal would, was also approved, albeit some time ago, after the Council's SPD was adopted.
6. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area. I therefore find that it accords with Policy EN1 of the Tunbridge Wells Borough Local Plan (2006) and Core Policies 4 and 5 of the Tunbridge Wells Core Strategy (2010). Amongst other aspects, these seek to preserve and enhance the Borough's urban landscape and require the design of proposals to respect the context and development to be of a high-quality design. The proposal would also be consistent with the provisions in the National Planning Policy Framework in relation to achieving well-designed places.

Other matters

7. A number of other matters have been raised by interested parties and I have taken them all into account. Such matters include parking and the lack of agreement with neighbours for works relating to the party wall and on their property. However, whilst I take these representations seriously, I have not been presented with compelling evidence to demonstrate that the appeal

proposal would result in unacceptable effects in relation to any of these matters. Consequently, they do not lead me to a different overall conclusion that the appeal should be allowed. Issues relating to party walls and access over private property are generally also civil rather than planning matters.

Conclusion and Conditions

8. For the above reasons, the appeal is allowed.
9. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. A condition relating to external materials is also necessary in the interests of the character and appearance of the surrounding area.

T Gethin

INSPECTOR