



Appeal Decision

Site visit made on 17 May 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/J2210/D/22/3290396

31 Friars Close, Whitstable CT5 1NU

- 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 & Mrs Marston-Wood against the decision of Canterbury City Council.
 - The application Ref CA/21/02140, dated 25 August 2021, was refused by notice dated 26 November 2021.
 - The proposed development is for a two-storey side extension and part 2-storey, part single-storey rear extension to existing semi-detached house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development having regard to 1) the character of the dwelling and the surrounding area; and 2) the living conditions of the occupants of neighbouring properties in relation to light and outlook and of future occupants of the proposal with regard to the layout of internal accommodation.

Reasons

Character and appearance

3. The appeal site relates to a semi-detached house on Friars Close with a driveway to the side accessing a single garage in the rear garden. The local neighbourhood is predominantly residential in nature.
4. Amongst other things, the appeal scheme proposes two-storey extensions to the house with flat roofs. The side element would be clearly evident from the public highway to the front, and the rear section from the back gardens of neighbouring dwellings.
5. To my mind, the parapet features at first floor level to the side and rear would interrupt the uniformity of the eaves of the existing house, introducing prominent and intrusive features that would project upwards into the roofslope. The imposing appearance of the extensions results in dominant and boxy roof forms, which is in contrast to the existing dwelling, and competes with its overall scale. Collectively these elements would be discordant and harmful to the character and appearance of the property and the locality.

6. I acknowledge those other matters that have been advanced in support of the development, including the assertions that the proposal results in improvements to the layout of the dwelling to meet living requirements, the scheme would allow for the retention of the existing solar panels, and the use of complementary materials. However, none of these points could justify the harm I have identified above.
7. I also recognise the presence of other extensions in the vicinity, and have seen the photographs of similar flat roof development in the grounds of appeal. Nevertheless additions to other houses would be neutral considerations in any balance against planning harm, and I am mindful that each case must be assessed on its own merits.
8. I am aware that permitted development rights can be used as a fallback position; the appellant states that a rear dormer could be constructed. However, there is no evidence before me that prior approval has been granted by the Council in this respect, and as such I consequently afford any fallback situation limited weight.
9. I conclude that the scheme would result in harm to the character and appearance of the dwelling and the surrounding area. It would be in conflict with Policies DBE3 and DBE6 of the Canterbury District Local Plan July 2017 (LP), which seeks to secure new development of acceptable scale and appearance. It would also be inconsistent with the advice in the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development.

Living conditions

10. The excessive height of the side elevation of the ground floor rear extension adjacent to 32 Friars Close would significantly increase the size and scale of development facing this neighbouring residence, thereby adding material bulk to the built form in close proximity to the common boundary.
11. In doing so, this would create a considerable extent of development which would result in a loss of light to, and dominate the outlook from, the rear openings of no. 32 and the environment in and around its patio and back garden. This would be in a manner which would be overbearing and oppressive, and materially worse than the existing state of affairs.
12. Being set away from the boundary, I am satisfied that although the two-storey rear element would have some impact on the living conditions of the occupants of no. 32 with regard to loss of light and outlook, this would be limited in nature and would not be sufficiently harmful as to warrant dismissal of the appeal on this ground.
13. In respect of the internal accommodation, the Council refers to the Technical housing standards – nationally described space standard March 2015. However, the requirements therein pertain to new dwellings, and as such do not have any material bearing on this appeal.
14. I have read that the layout of the rooms has been designed to suit the appellant's requirements and I am satisfied that there is no breach of Development Plan policy in this respect.

15. I conclude that the scheme would be deleterious to the the living conditions of the occupants of neighbouring properties in relation to light and outlook. This would fail to meet Policy DBE4 of the LP, which seeks to ensure that development does not prejudice the environment or amenity of the occupiers of adjacent properties. It would also be inconsistent with the advice in the Framework, which seeks to secure safe and healthy living conditions.

Conclusion

16. Having regard to all matters raised and based on my reasoning above, the appeal is dismissed.

C Hall

INSPECTOR