

Appeal Decision

Site visit made on 30 June 2022

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27TH July 2022

Appeal Ref: APP/H2265/D/22/3297883

11 Dowgate Close, Tonbridge, TN9 2EH

- 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 Ian Stewart against the decision of Tonbridge and Malling Borough Council.
 - The application Ref TM/22/00458/FL, dated 21 February 2022, was refused by notice dated 19 April 2022.
 - The development proposed is a rear extension to replace conservatory car port/garage with integrated porch.
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area. The second main issue is whether the proposal would make sufficient provision for car parking.

Reasons

Character and appearance

3. The appeal property is one half of a pair of semi-detached houses in an estate of properties that date from the inter-War period. They display the design features typical of that era, being pleasant suburban houses with pitched roofs, bay windows, and traditional red brick render and tile hanging. Front elevations to the houses are clearly visible from the road due to the close position of houses that front the suburban layout.
 4. The proposed development would see the demolition of an existing rear extension and erection of a new addition. The location of this work would have very little visibility from the street, and I saw that a number of houses have been extended and altered at the rear. Thus, no objection is raised to this matter.
 5. However, the proposals show an extension to the front and side, which would be single storey and project a considerable distance from the front elevation. The design shows cedar cladding, flat roof and large grey flat roof. Whilst I agree that the use of a modern design approach can be acceptable, there is no
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clear design rationale why this form, scale and use of materials has been chosen in this instance to relate to the host property and the context of the wider area; the submissions from the appellant state that modern design is a common feature and has been chosen to appear not as part of the original dwelling. The design and form of the extension in this instance would be very much at odds with the host property and the wider area, which has a consistent character, but would not have a degree of distinctiveness that would contribute positively to the area.

6. Due to the design, form and prominent siting of the extension it is therefore concluded there would be harm to the established character of the area. This would be contrary to saved Policy P4/12 of the Tonbridge and Malling Borough Council Local Plan, Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007, and Policy SQ1 of the Tonbridge and Malling Management Development and the Environment Development Plan Document 2010 (MDEDPD), the general thrust of which is to seek a high standard of design in all new development that accords with its locality.

Car parking

7. The Kent Vehicle Standards Supplementary Planning Guidance SPG4 (2006) sets out parking standards for the Borough and, as it is referred to in the MDEDPD to aid interpretation of Policy SQ8, is a material consideration in this appeal. SPG4 states that the parking requirement for 3 bedroom dwellings is for 2 spaces, and the document sets out the preferred space requirements for such spaces to ensure a vehicle can be properly accommodated. The Council states that, as a result of the proposed extension to the front and side of the property, there would be insufficient space to accommodate a single car parking space to satisfy the dimensions in the SPD. They further state that the garage shown in the submitted drawings would be less than the preferred size.
8. The appellant's submissions assert that 3 spaces would be provided. However, this claim is not supported by any objective measurements or surveys that demonstrate 3 spaces could be provided. I saw at my site visit the front of the appeal site is of limited dimensions, and the projection forward of the proposed extension would bring the new building line considerably closer to the pavement.
9. From what I saw on site I am not persuaded that the proposed works would leave an area where sufficient parking could be provided of adequate and safe dimensions to enable cars to be parked off the road. I further saw at my site visit that the sinuous form of roads in the area, with junctions and driveways, limit availability for on-street parking that would not interrupt the safe and free flow of traffic. Hence, I consider there is a need to satisfy the Council's car parking standards and, based on what I have read and seen, I am not reassured that would be the case.
10. Therefore on the second issue it is my conclusion that the proposed development would not provide adequate car parking provision. This would be contrary to Policy SQ8 of the Policy SQ8 of the MDEDPD, which seeks to ensure all development proposals do not harm highway safety and complies with parking standards.

Other matters and conclusions

11. The proposed front and side extension would sit close to the boundary with the adjoining property of 13 Dowgate Close. There is a window to that property looking to towards the street. The size of that window, and its distance from the boundary with No. 11, mean that the outlook from that window would not be unduly impacted by the proposed works.
12. Although certain aspects of the proposal are acceptable, and hence I have given consideration to the possibility of a split decision, the scheme is clearly one physically contiguous form of extension and so cannot be easily divided into parts. Thus, due to the conflict with the development plan arising from the two main issues, the appeal is dismissed.

C J Leigh

INSPECTOR