
Appeal Decision

Site visit made on 16 August 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th September 2022

Appeal Ref: APP/K2230/D/22/3296014

124 St Dunstons Drive, Gravesend DA12 4BQ

- 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 Robin Purdue against the decision of Gravesham Borough Council.
 - The application Ref 20211293, dated 19 October 2021, was refused by notice dated 12 January 2022.
 - The proposed development is for the conversion of the outbuilding to an annex to be used ancillary to main dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the outbuilding to an annex to be used ancillary to main dwelling at 124 St Dunstons Drive, Gravesend DA12 4BQ in accordance with the terms of the application, Ref 20211293, dated 19 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 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 nos 1, 2, 3, 4, 5, 9, 10.
 - 3) The annex hereby permitted shall not be used other than for purposes ancillary to the use of the dwelling known as 124 St Dunstons Drive, Gravesend DA12 4BQ.

Main Issues

2. The main issues are the effect of the development on a) the living conditions of future occupants of the annex in respect of light; and b) the character of the dwelling and the surrounding area.

Reasons

Living conditions

3. The appeal site relates to an outbuilding located in the curtilage of 124 St Dunstons Drive. The surrounding area is predominantly residential in nature with no prevailing architectural style; the neighbourhood is characterised by dwellings of various size, design and detailing.

4. The Council states that the floor area of the accommodation would be useable and would not be considered a cramped form of development, and I have no reason to disagree. At my site visit I saw that the open-plan living and kitchen area would have two north-facing windows, and look out onto the west-facing garden area via a window and set of glazed patio doors. To my mind these openings would provide adequate light and outlook to the room.
5. The bedroom windows would face east onto an enclosed courtyard. Although this part of the accommodation would not afforded particularly high levels of light, I am mindful that the primary use of the room is for sleeping and there would be sufficient opportunity for future occupants to seek light elsewhere in the living area of the annex. Overall, I consider that the proposed living conditions would not be sufficiently unsatisfactory as to warrant a refusal of permission on this ground.
6. I conclude on this matter that the development would not cause detriment to the living conditions of future occupants of the annex in respect of light. It would accord with Policy CS19 of the the Gravesham Local Plan Core Strategy 2014 (CS), which states that new development will be located, designed and constructed to safeguard the amenity of the occupants of new properties. It would also be consistent with the National Planning Policy Framework (the Framework) which seeks to ensure safe and healthy living conditions.

Character and appearance

7. I observed that the annex can be accessed independently of the main house, via a roller shutter and door to the side, and has its own garden area at the rear and parking space to the front on the driveway. Although it may have all the day-to-day facilities of independent living, the scheme would nonetheless derive its water, electricity and communications facilities from the main house.
8. The outbuilding is of not inconsiderable size and scale, still there is adequate space separation to the boundaries. To my mind it has an established presence that has integrated with the locality. It has a useable rear amenity space and I have read that sufficient parking could be provided on site. Taken in the round, the use of the annex would not result in an overdevelopment of the land. Moreover, even if the development could be used as independent accommodation, there is no separate dwelling before me, and this can be secured by condition.
9. I conclude that the scheme would not result in harm to the character and appearance of the dwelling and the surrounding area. It would meet the provisions of Policy CS19 of the CS that seeks to secure new development of acceptable scale and appearance. It would also be consistent with the Framework, which states that good design is a key aspect of sustainable development.

Conditions

10. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. I have altered the wording of some of the conditions suggested by the Council in the interests of clarity and necessity. In addition to the standard implementation condition (I have not been provided with any robust justification for a reduced time frame), the approved plans are listed for certainty.

11. A condition restricting the occupancy of the building is necessary to prevent it being used as a separate unit of accommodation, as per the description of development and the appellant's intentions. This condition would obviate the need for any restrictions relating to fencing or other means of enclosure. Details of materials and glazing to the wet room are not necessary as no significant external alterations are proposed in this regard.

Conclusion

12. Accounting for my reasoning and all issues raised, the appeal is allowed.

C Hall

INSPECTOR