
Appeal Decision

Site visit made on 22 December 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2023

Appeal Ref: APP/K2230/D/22/3295040

Little Acre, Foxendown Lane, Meopham, Gravesend DA13 0AE

- 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 D Hursey against the decision of Gravesham Borough Council.
 - The application Ref 20211303, dated 15 October 2021, was refused by notice dated 21 January 2022.
 - The development proposed is a two-storey rear extension and single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey rear extension and single storey side extension at Little Acre, Foxendown Lane, Meopham, Gravesend DA13 0AE in accordance with the terms of the application, Ref 20211303, dated 15 October 2021, subject to these 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: 2021/112, 2021/113
 - 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.
 - 4) The en-suite window in the first floor southeast-facing wall hereby permitted shall be fitted with obscured glazing (to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority), and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or other form of opening shall be installed in the first floor northeast-facing side elevation of the extension hereby permitted.

Main Issues

2. The main issues are a) the effect of the development on the character and appearance of the existing dwelling; and b) the living conditions of future occupants of the property having regard to light.

Reasons

Character and appearance

3. The appeal site relates to a detached, two-storey dwelling with off-street parking to the front. It is located within an area of other residential properties of differing size, design and detailing.
4. The front elevation of the dwelling contains a substantial gable projection, the ridge line of which exceeds the roof height of the main section of the building. Within this context, although the ridge height of the proposed two-storey rear extension would be flush with the main section, I consider that it would be appropriate in terms of its overall height, and lower than the forward-projecting gable. The mass and bulk at roof level would be further tempered through the use of the valley gutter design.
5. The back of the residence is visible from the public domain (primarily Whitehill Road), however the addition would be screened to some extent by intervening boundary fencing and hedging. Overall, to my mind the scheme would visually connect with the overall appearance of the host dwelling, without dominating it, and respond to the original design characteristics.
6. I note that the Council does not object to the ground floor flank element, and I have no reason to disagree. It would appear to be of an appropriate scale and integrate with the appeal site generally.
7. I conclude that the proposal would not be injurious to the character and appearance of the existing dwelling. It would accord with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS), which seeks to secure new development of acceptable scale and appearance. It would also be consistent 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

8. The new internal layout would result in the loss of one window to an existing bedroom, and it would be served by a single opening facing to the front. 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 dwelling. Overall, I consider that the proposed living conditions would not be sufficiently unsatisfactory as to warrant a refusal of permission on this ground.
9. I am of the view that the development would not be deleterious to the living conditions of future occupants in respect of light. It would accord with Policy CS19 of the 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 Framework which seeks to ensure safe and healthy living conditions.

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, the approved plans are listed for certainty. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance.

11. Obscure glazing to the new first floor bathroom window would protect the living conditions of the occupants of neighbouring houses, primarily Street End to the east. For similar reasons a condition restricting any new windows in the first floor north-east facing wall of the extension is imposed, although I am not convinced that such a restriction is required in the opposite elevation as there are no immediate neighbouring curtilages in this direction. Furthermore, I have no robust justification as to why chimneys, flues and cover holes for extracts should be limited in this respect.

Conclusion

12. Given the arguments above, the appeal is successful.

C Hall

INSPECTOR