



Appeal Decision

Site visit made on 22 February 2023

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th March 2023

Appeal Ref: APP/Z2260/D/22/3312955

2 Northcliffe Gardens, Broadstairs, Kent CT10 3AL

- 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 Andrew Brown against the decision of Thanet District Council.
 - The application, FH/TH/22/0892, dated 27 June 2022, was refused by notice dated 17 November 2022.
 - The development proposed is first floor extension above garage and internal alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: the effect of the development on the character and appearance of the area; and whether the development would adversely affect the long term protection of a tree which is protected by a Tree Preservation Order.

Reasons

Character and appearance

3. The appeal property comprises a large detached house located near the entrance of Northcliffe Gardens. The latter is a cul-de-sac of some sixteen detached houses all set in large plots and of varied design and external finishes. The proposal raises a number of design related issues.
4. In terms of the physical impact of a first floor extension, the Council is concerned that by building above the garage it would infill the space above, which is an important element in contributing to the open character of the road. However, I note that the extension would be directly above the existing footprint so that there would still be a significant space to the side boundary with No 3 Northcliffe Gardens. That property is also inset from the side boundary so that there would continue to be space between the two properties and views through to the rear above the shed of No 3. A major element of the open character of the road is also the buildings being set back and having large open front gardens. That would continue to be the case. Taking these issues together I find that the principle of a first floor extension would be acceptable and would not detract from the character of the road.

5. With regard to design, the Council is concerned that it would be architecturally unrelated to the pitched roof of the existing dwelling. In that respect however, I tend to agree with the appellant that the current dwelling is somewhat unbalanced with the cat slide roof side projection and the horizontal visual emphasis of the large flat roof double garage. I therefore agree that a first floor extension would help to create some visual balance. Furthermore, and notwithstanding the majority of pitched roofs on buildings in the road, the individual designs vary and given the spacious nature of the plots, it seems to me that a contemporary design solution could work.
6. However, in terms of what is proposed, I agree with the Council that the extension as detailed would appear as a bulky two storey flat roofed element in line with the front elevation, with the parapet extending above the eaves line of the main house, and a two storey predominantly blank wall presenting itself on the west facing elevation. The latter would be in full view from within the estate. A combination of these factors would amount to the extension appearing over dominant and out of place and there would be visual harm arising as a result.
7. Turning to materials, the property is currently finished in white render and a blue cladding and the Council is concerned that a continuation of this will be over dominant. However, given the current situation it seems to me that is the logical choice of materials for any extension. I also noted the variety of other external finishes in the road which include brick, tile hanging, wood cladding and different coloured rendered elements. There is therefore no unity of materials and in that context, I consider a continuation of the current materials would be acceptable.
8. The site adjoins the Callis Court Road Area of High Townscape Value (AHTV) identified in the Broadstairs & St. Peter's Neighbourhood Plan. Policy BSP7 of that Plan seeks to conserve and enhance the local character which the Plan says is primarily the open form of development along Callis Court Road and the spaces between buildings. It is questionable whether the Policy is actually applicable to the proposal, given that it specifically refers to areas within the AHTV whereas the site lies just outside. However in any event, the site is well separated from Callis Court Road and not prominent in views looking into the road. Furthermore, given my findings on the open character of the road being maintained with an extension, I find there would be no adverse impact upon the character of the AHTV.
9. Drawing the above together, whilst I have found some design related issues of the proposal to be acceptable, the detailed design of the proposed extension would adversely affect the character and appearance of the immediate area for the reasons set out above. It would therefore be contrary to Policy QD02 of the Thanet District Local Plan 2020 (LP) in that the detailed design and particularly its massing and detailing, would not respect or enhance the character of the area.

Protected Tree

10. Within the front garden, there is a large mature sycamore tree which is protected by a Tree Preservation Order (TPO)¹. It is one of several mature trees which contribute significantly to the visual amenity of the road. Although

¹ TPO No 1 1973 The Paddocks and Northcliffe Gardens

the appellant states that the built footprint is outside the canopy of the tree, I noted that is only just the case and that the edge of the canopy is currently approximately in line with the front elevation of the garage. There has been a previous approval to reduce the Crown², which the Council advises that the application form to that proposal referred to the need to prevent the tree encroaching on the property. Given that background, it seems to me that it would be highly likely that either further works to the tree would be needed to facilitate the building of the extension, or even if not, there would be future requests to reduce the crown and canopy spread in view of immediate proximity of branches to the proposed front bedroom window.

11. In that context there is no information before me as to the extent of such works that would be required; for example, the resulting shape and appearance of the reduced nature of the tree. There is also no information regarding potential root spread at present and whether building operations to reinforce foundations to accommodate the first floor might be required and therefore might adversely impact upon the root systems.
12. Give the above, and notwithstanding that there is a separate consenting regime for works to the protected tree, in the absence of any supporting information, I cannot be satisfied that any proposed first floor extension would not adversely affect the long term health or appearance of the tree. There could therefore be a potential partial or total loss of the tree which contributes significantly to the visual amenities of the area. As a result, the proposal would be contrary to Policy QD02 of the LP which seeks to retain existing features, including trees, which positively contribute to the quality and character of an area.

Conclusion

13. I note that there were no local objections to the proposal. However, that does not in itself make a proposal acceptable and the absence of such objections does not persuade me to arrive at different findings and concerns as referred to above.
14. Whilst the development would be acceptable in some respects, for the reasons set out and conflict with Local Plan policy, the proposal would adversely affect the character and appearance of the area and the future of the protected tree cannot be ensured given the lack of any supporting information.
15. Accordingly, the appeal should be dismissed.

Kim Bennett

INSPECTOR

² Application Reference TPO/TH/21/0103