
Appeal Decision

Site visit made on 5 June 2023

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July

Appeal Ref: APP/K2230/D/23/3316072

65 Pine Avenue, GRAVESEND, Kent, DA12 1QY

- 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 Manwit Singh against the decision of Gravesham Borough Council.
 - The application Ref. 20220988, dated 5 September 2022, was refused by notice dated 15 November 2022.
 - The development proposed is extension(s) to side (2) and front. Garage to be demolished.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form a different wording has been entered, but as the parties have not provided written confirmation that a revised description of development has been agreed I have used the one given on the original application.

Main Issues

3. The main issues are the effect of the proposal on (1) the character and appearance of the appeal property and the street scene; and (2) the living conditions of neighbouring residents, with particular reference to privacy and outlook.

Reasons

Character and Appearance

4. The appeal property is a detached two-storey dwelling which is prominently located due to its position on a bend in Pine Avenue, and the openness afforded by its wide frontage. It is a triangular shaped plot, with the rear garden appearing reasonably modest compared to the large side and front garden. The character and appearance of the street scene is mixed, with a variety of buildings in terms of design, size and scale. In contrast to some properties in the vicinity, the dwelling is set away from each of its boundaries; the former garage that was located close to the south-western boundary has been demolished.

5. Amongst other criteria, Policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS) requires the design, layout and form of new development to be derived from a robust analysis of local context and character and to make a positive contribution to the street scene and the character of the area. It requires account to be taken of the scale, height, layout and other architectural features of adjoining buildings. Given the array of building styles in the vicinity, there is no prevailing pattern to inform development at the site. Nevertheless, although the individual extensions are well-designed, cumulatively they would result in an overly dominant dwelling in the street scene as a result of the increased width and massing on this prominent site, and the mix of design styles on a single property. In particular, the narrow, lower addition with the dormer window would appear incongruous and cramped relative to the remainder of the dwelling and the plot.
6. Whilst I agree that there are some imposing buildings in the area, I am not convinced that the extended dwelling would be in scale with all the adjacent buildings as suggested by the appellant, nor that they would remain more dominant due to their full width plot occupation and car parking areas; most dwellings in the vicinity retain some gaps to boundaries, and the width of buildings is limited by their narrower plot sizes.
7. In isolation, I consider the resultant double gabled rear roof arrangement and gable-fronted side extension to be acceptable in design terms. Whilst I note the Council's concern that the roof form and blank elevation of the north-eastern side extension would be out of character with the dwelling, and harmful to the streetscene, there is such a variety of building styles in the vicinity that this element would not detract from the building or the area. There is also a range of window sizes and styles in the vicinity, including dormer windows. As such, although the proposed dormer window would appear out of place on this style of dwelling, the mixed size and shape of the remainder of the openings would be acceptable.
8. I therefore conclude that the proposal would detract from the character and appearance of the appeal building and the street scene, contrary to CS Policy CS19 and the design objectives of the National Planning Policy Framework, to create visually attractive buildings which are sympathetic to local character, including the surrounding built environment.

Living Conditions

9. As a result of their siting around a bend in Pine Avenue, the appeal property and several of its neighbours are oriented towards each other. At present, the spacing between No.65 and the dwellings to the north is sufficient to avoid any direct loss of privacy or overbearing impact on one another.
10. Although the building would appear larger, the outlook for most properties to the north and west would be preserved, given the distance between buildings. However, the proposed rear and north-eastern side extensions would bring development closer to the boundary with 67 Pine Avenue (No.67), which appears to be on lower ground. Given the reasonably close proximity, the ground levels, and the relative position of buildings, the extended dwelling would have a greater presence in the outlook for occupants of No.67 and its garden, appearing unduly oppressive and overbearing. Whilst the Council's delegated report found that no loss of outlook would arise, I consider that in being overbearing the development would intrinsically affect outlook. I do not

share the appellant's view that the use of white render throughout would minimise the effect on other buildings.

11. The rear-facing windows of the south-western side and the rear extensions would serve bathrooms and obscure-glazing could be secured by condition. However, the proposed north-eastern side extension would have a first-floor habitable room rear window that would have the potential to cause direct overlooking of garden areas close to the dwellings, where residents could reasonably expect to have a greater degree of privacy. This potential would be more than the opportunity for overlooking arising from existing windows of the appeal property.
12. With regard to the south-western side extension, due to the relative positions and ground levels of Nos.65 and 63, I do not consider that this element would cause any material harm to the amenities enjoyed by occupants of that neighbouring building.
13. I therefore conclude that the proposed rear and north-eastern side extensions would detract from the outlook for occupants of 67 Pine Avenue, with the latter also resulting in the potential for direct loss of privacy to neighbouring gardens. This would be contrary to CS Policy CS19, which amongst other criteria requires new development to be located, designed and constructed to safeguard the amenity of neighbouring properties and land, and with paragraph 130 f) of the National Planning Policy Framework, which seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

14. Representations submitted in response to consultation on the planning application raised a number of issues, including surface water drainage, impact on parking and traffic and construction noise. However, the Council's delegated report indicates that the proposed level of parking would be acceptable, and planning conditions could have addressed any potential issue of surface water drainage.

Conclusion

15. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR