



Appeal Decision

Site visit made on 18 July 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2023

Appeal Ref: APP/A2280/D/23/3318936

111 Bells Lane, Hoo St Werburgh, Rochester, ME3 9HY

- 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 Mrs Naomi Migliozi against the decision of Medway Council.
 - The application Ref MC/22/2654, dated 9 November 2022, was refused by notice dated 2 February 2023.
 - The development proposed is a 2-storey side extension with single-storey rear extension
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application form described the proposed development as "2-storey side extension to semi-detached property". This was amended by the council to the description that I have used in the heading above. I have adopted this description since it more fully describes the development proposed.

Main Issue

3. The main issue in this case is the effect of the proposed 2-storey side extension on the appeal dwelling and the appearance of the streetscene.

Reasons

4. The appeal property is a semi-detached house located at the junction of Bells Lane with Walters Road. The first floor is situated in a mansard roof, with windows set within the lower section of the roof. The pair are set well back within their plots, and at present remain substantially in their original form. No.111 has a front garden, partly laid to lawn, behind a retaining wall, and is partly paved as a parking area and access to the attached single storey garage that is separated from Walters Road by a hedge along the back of the footway. There are 2 pairs of the same design fronting onto Bells Lane, whilst the majority of houses in Walters Road are of the same mansard roof design. Indeed, this style of house is common in the area generally.
5. The proposal is to build a 2-storey side extension on the site of the existing garage, and a single storey extension at the rear. It is only the side extension that is controversial. This extension would carry through the line of the front façade, with the same width as the garage, so that the side elevation would be set off Walters Road by 1m, the drawings showing the hedge retained. The rear

wall of the extension would be on the line of the existing rear elevation, and the mansard roof would be carried across the new structure. Thus, there would be no differentiation between the extension and the existing house. The front elevation of the extension is shown to be 3.37m wide, just below half the width of the existing front elevation.

6. As I have described in paragraph 4 above, there is a high level of regularity in the immediate area, where the same house design is repeated, and this gives the area a consistency which means that care needs to be taken when alterations are made that would erode that character. Because the appeal site is at the junction, the effect on the view along Walters Road also needs to be considered. The houses on this side of Walters Road have a consistent building line, set behind front gardens, as well as the consistency of house type. These front gardens are mostly grassed with shrubs, with which the hedge around the appeal site is consistent, providing welcome greenery against the rather dark colour of the materials of the houses. Whilst the side hedge to the appeal site might survive a new wall being constructed immediately alongside, the 2-storey side extension would reduce the openness of the junction when proceeding along Walters Road towards the site.
7. The appellant's architect explains that the practice has extended over 6 similar properties in the area with side extensions, without issue. It is contended that the extension would blend in with the existing building format and would not add an imposition to the building's appearance nor would it dominate the street elevation. It is stated that the extension is set nearly two metres from the side boundary of this corner plot, meets all planning principles and is in keeping with other properties in the area. However, as I have mentioned in paragraph 5 above, the off-set from Walters Road to the garage is 1m, and since the extension would carry across to the flank wall of the garage, it too would be 1m from the side boundary.
8. The planning principles that have been referred to in the refusal reason are Policy BNE1 of the Medway Local Plan 2003, and paragraphs 126 and 130 of the National Planning Policy Framework (the Framework). The relevant parts of the Local Plan policy are: "*Policy BNE1: GENERAL PRINCIPLES FOR BUILT DEVELOPMENT - The design of development (including extensions, alterations and conversions) should be appropriate in relation to the character, appearance and functioning of the built and natural environment by: (i) being satisfactory in terms of use, scale, mass, proportion, details, materials, layout and siting; and (ii) respecting the scale, appearance and location of buildings, spaces and the visual amenity of the surrounding area;*"
9. Framework paragraph 126 includes the statement: "*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*"; and paragraph 130 includes the injunction that "*Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased*

densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;”.

10. These policies are written in general terms, and it appears that the council does not have any detailed policy or guidance, such as within a supplementary planning document. Nevertheless, the essence is clear that well designed developments are required. Well designed does not simply refer to the individual elements of a building and how they relate to one another, but also how a development fits into its surroundings and respects the local character.
11. In this case, taking the points that I have dealt with in paragraphs 5 to 7, I consider that the proposal would unbalance the pair of semi-detached houses, without making any attempt to differentiate the side extension from the existing dwelling. In addition the extension would stand well forward of the building line in Walters Road, making it a very apparent and anomalous element in the streetscene when travelling along this road in the direction of the junction. The effect would be to reduce the present open nature of this junction, to which the appeal site contributes in opening up the corner to expand the view of the grassed bank on the opposite side of Bells Lane with its attractive trees. The proposal would be harmful to this attractive feature and the open frontages of Walters Road and the greenery that they support.
12. For these reasons I consider that effect of the proposed 2-storey side extension would be harmful to the form and appearance of the appeal dwelling and its attached neighbour, and to the streetscene and character of the area in general. Therefore I will dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR