



Appeal Decision

Site visit made on 14 June 2023

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 11 August 2023

Appeal Ref: APP/M2270/D/22/3313271

Cloud Cottage, North Road, Goudhurst, Cranbrook, Kent TN17 1JJ

- 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 Cody Coffey against the decision of Tunbridge Wells Borough Council.
 - The application Ref 22/02587/FULL, dated 25 August 2022, was refused by notice dated 27 October 2022.
 - The development proposed is proposed ground and first floor extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of residents of Brandfold Farm, with specific regard to outlook and daylight.

Reasons

3. The appeal building is sat in a narrow plot between North Road and Brandfold Farm, which it adjoins. The buildings are close together and as such have something of an intense interrelationship. This effect is particularly felt to the rear, where layouts create courtyards and partially enclosed spaces between the buildings.
4. The proposed rear extension would be built close to the boundary with Brandfold Farm, and subsequently its main flank wall. Whilst it would incorporate a pitched crown roof, the eaves height would still extend above the boundary wall. The rear extension would extend further into the garden area than the neighbouring property. The effect of this would primarily be experienced by users of the utility room and an external staircase. The former has a partially glazed window and an external door. Given the orientation of the buildings and the height of the proposed rear extension, it would significantly overshadow the utility room for prolonged periods of the day. This would lead to the room being dark and unpleasant to use and reducing the quality of its outlook unacceptably.
5. The external staircase would also be overshadowed. However, it would only be used for short periods of time to access the utility room or the garden and is largely uncovered, benefitting from more light. The extension would unlikely therefore unacceptably reduce the amount of light to the staircase.

6. The side wall of the rear extension would be largely blank. Since this would only be a short distance from the only openings serving the utility room, very close to the external staircase, and extending above the existing boundary wall, it would have an overbearing effect on the residents of Brandfold Farm. Particularly when using the spaces concerned.
7. The utility room may not be primary accommodation and one window is partially glazed. However, I have no sufficiently compelling evidence before me to suggest the room could not be used for alternative purposes or that they must retain the partially glazed window. As such, these factors do not sufficiently mitigate the harms that would arise.
8. The proposed development would have a harmful effect on the living conditions of residents of Brandfold Farm in the above terms. It would therefore be contrary to Policy EN1 of the Tunbridge Wells Borough Local Plan, March 2006, which indicates that proposals should not cause significant harm to the amenities of occupiers of neighbouring properties.

Other Matters

9. The appeal site is located within the High Weald Area of Outstanding Natural Beauty (AONB). The proposed extensions would be relatively modest in size and respect its rural setting and the proposed materials would reflect the local vernacular. I have had regard to conserving the landscape and scenic beauty of the AONB and I conclude that the appeal proposal would not harm these objectives.

Conclusion

10. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination and worthy of sufficient weight, that would outweigh the identified harm and associated development plan conflict.
11. The appeal should therefore be dismissed.

J Hobbs

INSPECTOR