



Appeal Decision

Site visit made on 18 December 2023

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th January 2024

Appeal Ref: APP/M2270/D/23/3330251

The Meadows, School House Lane, Horsmonden, Tonbridge, Kent, TN12 8BW

- 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 S Hiscocks against the decision of Tunbridge Wells Borough Council.
 - The application Ref 23/01586/FULL, dated 13 June 2023, was refused by notice dated 21 August 2023.
 - The development proposed is part two, part single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for part two, part single storey side extension at The Meadows, School House Lane, Horsmonden, Tonbridge, Kent, TN12 8BW in accordance with the terms of the application, Ref 23/01586/FULL, dated 13 June 2023, subject to the following conditions: -
 - a) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - b) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 11 Rev D (Proposed Site Plan) and 12 Rev F (Proposed Plans).
 - c) The development shall be carried out in accordance with the details of external materials specified in the application otherwise no development shall commence above slab level until details/samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details/samples.

Preliminary Matters

2. Revised versions of the National Planning Policy Framework (the Framework) have been published since the planning application was determined by the Council. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the latest version of the Framework in reaching my decision.

Main Issue

3. The main issue in this case is the effect of the proposed development upon the character and appearance of the host property and the area.

Reasons

4. Policy H11 of the Tunbridge Wells Borough Local Plan 2006 (the Local Plan) advises that 'modest' extension proposals are those that would result in an increase of up to 50% of the volume of the dwelling or 150 cubic metres (gross), whichever is the greater, subject to a maximum of 250 cubic metres (gross). The Council has calculated that the proposed extension would amount to an approximate increase of 84%.
5. Notwithstanding this, Policy H11 also requires consideration of the visual impact of an extension. An extension should be compatible with the character and appearance of the main dwelling and its setting, not result in a disproportionate addition over and above the size of the original dwelling, or to detract from its rural setting. The Alterations & Extensions Supplementary Planning Document (SPD) 2006 requires an extension not to dominate the original building or the locality and to be subservient to the original house.
6. The proposed side extension would have a two storey element, however the ridge of that part would be lower than that of the existing dwelling. Furthermore, to the side the proposal would reduce in height to single storey. Although the extension would have a width similar to that of the host dwelling, it would be set back some distance from the front building line of the host property. Taking these factors collectively, the proposed side extension would have a subservient appearance to that of the host dwelling. As such, it would not be of an overall bulk and mass that would represent a visually dominant addition to the dwelling. Furthermore, being set back from the existing front building line would ensure that a development of overly wide appearance would not result.
7. The existing dwelling, although set away from School House Lane, is sited at an elevated position within the site and is clearly visible from the highway and the wider rural landscape. However, I do not consider the proposed extension to the dwelling would cause visual harm to the host property or to the context of the site. Consequently, even if visible in wider views, public or private, the proposed development would not result in visual harm to the rural landscape.
8. I acknowledge that there is a planning permission in place for a side extension. Notwithstanding this, I have considered the proposal before me on its own individual merits.
9. For these reasons, I conclude that the proposed development would not have a harmful effect upon the character and appearance of the host property and the area. As such, the proposed development would comply with Policies EN1 and H11 of the Local Plan, Core Policies 4 and 14 of the Tunbridge Wells Core Strategy 2010 and the Alterations & Extensions SPD and the provisions of the Framework. These policies and the SPD seek, amongst other matters, extensions to be in scale with the original dwelling, not to dominate it visually or result in a poorly-proportioned building or detract from its character and setting, including that of the rural landscape.

Conditions

10. I have considered the planning conditions put forward by the Council in light of paragraph 56 of the Framework and the Planning Practice Guidance. In addition to the standard time limit condition and in the interests of certainty it is appropriate that there is a condition requiring the development be carried out in accordance with the approved plans. In the visual interests of the locality details of the external material of the extension is necessary.

Conclusion

11. For the reasons set out above, and subject to the conditions listed, this appeal should be allowed.

Nicola Davies

INSPECTOR