



Appeal Decision

Site visit made on 26 June 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th July 2024

Appeal Ref: APP/A2280/D/23/3334049

24 Ravenswood Avenue, Strood, Rochester, ME2 3BX

- 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 Valentin Yevdokimov against the decision of Medway Council.
 - The application Ref MC/23/1384, dated 20 June 2023, was refused by notice dated 7 September 2023.
 - The development proposed is described as construction of two front dormers and one rear dormer to facilitate living accommodation within the roof space along with raising the roof height. Construction of a single storey extension to the rear/side and a single storey detached outbuilding to rear – resubmission of MC/22/2672.
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Decision

1. The appeal is dismissed insofar as it relates to the construction of two front dormers, one rear dormer, the raising of the roof height and the construction of a single storey extension to the rear/side. The appeal is allowed insofar as it relates to the construction of a single storey detached outbuilding at 24 Ravenswood Avenue, Strood, Rochester, ME2 3BX in accordance with the terms of the application, Ref MC/23/1384, dated 20 June 2023, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall not be carried out except in complete accordance with the following drawings, so far as relevant to that part of the development hereby permitted: Location Plan, Block/site plan, Drawings PL13, PL14, PL15, PL16, PL17, PL18, PL19 and PL27.
 - 3) No development shall take place until full details of the finished floor levels, above ordnance datum, of the internal floor of the proposed outbuilding, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
 - 4) No development shall take place above ground floor level until details of all external materials to be used in the construction of the outbuilding hereby permitted have been submitted to and approved in writing by the local planning authority. The development should be constructed in accordance with the approved external materials.
 - 5) The outbuilding hereby permitted shall only be used for purposes incidental to the enjoyment of the main dwellinghouse and shall not be occupied as a separate dwelling and no trade or business shall be carried out therefrom.

Preliminary matters

2. For the avoidance of any doubt, I confirm that this decision is based on the plans upon which the council based its decision and does not relate to those originally submitted with the planning application.
3. Since the appeal application was refused the National Planning Policy Framework 2021 has been replaced. Within the National Planning Policy Framework December 2023 (Framework), paragraphs 119, 126 and 130 of the Framework 2021 have been renumbered 123, 131 and 135, although their content is unchanged. For the avoidance of any doubt, I confirm that in this decision I have referred to the new numbering.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the wider street scene.

Reasons

5. Ravenswood Avenue is characterised by individual and small groups of traditionally designed detached bungalows, dormer bungalows and 2 storey attached and terraced houses. Despite the mixture of dwelling types, their similar front building lines and design detailing result in a sense of cohesiveness within the individual groups of dwellings and the street scene as a whole.
6. The appeal dwelling comprises a detached bungalow with a fully hipped roof and two projecting front bay windows under matching fully hipped roofs. The dwelling is flanked on either side by similarly designed bungalows, although one of them has had a hip to gable roof extension and has two large flat roofed dormers which sit below the ridge line on the front roof-slope. All three dwellings occupy elevated positions above the road level which increases their prominence within the street scene. Elsewhere within Ravenswood Avenue there are a number of dormer bungalows with single front projecting dormer windows, as well as a row of houses with matching front dormer windows. Dormer and roof extensions are also evident within the wider area.
7. Policy BNE1 of the Medway Local Plan 2003 (LP) requires the design of extensions to be appropriate in relation to the character, appearance and functioning of the built environment, including scale, mass, proportions, materials, layout and siting. Extensions should respect the scale and appearance of the surrounding area.
8. This is consistent with paragraph 135 of the National Planning Policy Framework (the Framework) which amongst other things states that new development should be sympathetic to local character, including the built environment and landscape setting. It should maintain a strong sense of place, add to the overall quality of the area and optimise the potential of the site. Paragraph 131 of the Framework states that good design is a key aspect of sustainable development and that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
9. Within the street scene there are a number of side gable end roofs and a variety of front dormer windows. This includes the dwelling at 22 Ravenswood

Avenue (No.22), which was originally identical to the appeal dwelling. Accordingly, in principle a hip to gable extension and the insertion of two dormer windows on the front elevation would not look out of place within the street scene.

10. However, the proposal includes the raising of the walls of the dwelling above ground floor level and the removal of the hipped roofs over the front dormer windows. Within the new roof would be two large dormer windows, which would dominate the roof slope and be materially larger and out of alignment with the existing ground floor bay windows. The proposed dormers would also have uncharacteristic very shallow pitched roofs, with front facing gables which would be out of keeping with the host dwelling and the street scene.
11. As a result of these factors the proposed front elevation would appear poorly proportioned, top heavy and out of keeping with the adjacent dwellings and the street scene as a whole. It would unacceptably harm the character and appearance of the host dwelling and the wider street scene. Also, when viewed from the southwest along Ravenswood Avenue, due to the raised height of the dwelling, the proposed side wall and rear dormer cheek would together appear stark and top heavy alongside the dwelling at No.22.
12. This harm would materially outweigh the benefits for the appellant and their family that would result from the additional accommodation and is not a matter that could be satisfactorily addressed through the imposition of conditions.
13. The appellant has referred to numerous roof additions in the local area which involve dormer windows and/or increasing roof heights. Such additions are acknowledged in paragraph 3 of this decision. However, none of the examples cited are directly comparable to the appeal proposal in terms of design and visual impact. Accordingly, whilst they indicate that roof extensions can be acceptable in the locality, they do not set a precedent for the appeal proposal.
14. Conversely, I am less concerned about the proposed rear elevation. The rear garden slopes up from the house and rises to the northeast, with the dwelling at 26 Ravenswood Avenue (No.26) occupying an elevated position. The garden is also enclosed by tall fences and hedges. Within this environment the increased height of the dwelling would be less noticeable. Although the proposed rear dormer and single storey extension would radically change the appearance of the rear of the property, it would be visually balanced and would not be out of keeping within the rear garden environment. The acceptability of this part of the proposal does not however outweigh the material harm the proposed extension would cause to the front elevation of the dwelling and the wider street scene.
15. Finally, the proposed outbuilding would sit at the rear of the garden and would be screened to the rear by a mature hedge and to the sides would be partially screened by tall fences. It would be visually uncluttered and its asymmetrical shallow mono-pitched roof would not be out of keeping within the rear garden environment. Due to the topography and boundary fencing, together with the distance between the proposed outbuilding and the adjacent dwellings, the proposed outbuilding would not result in a material loss of privacy within the rear gardens and ground floor rear windows of the adjacent dwellings. This is provided the ground levels are not raised from their existing levels. This is a matter that could be dealt with by condition.

16. For these reasons I conclude that the proposed roof extensions would unacceptably harm the character and appearance of the host dwelling and the wider street scene. Accordingly, this part of the proposal would conflict with LP policy BNE1 and paragraphs 131 and 135 of the Framework. Conversely, the proposed single storey rear extension and proposed outbuilding would respect the character and appearance of the property and the rear garden environment. It would comply with LP policy BNE1 and paragraphs 131 and 135 of the Framework.

Other matters

17. In view of the acceptability of the proposed rear single storey extension to the host dwelling I have considered the possibility of making a split decision. However, due to its height the single storey extension would be physically attached to the raised rear wall of the dwelling. For this reason a split decision would not be possible in this instance.
18. Conversely, the proposed outbuilding is physically and functionally independent from the host dwelling and so a split decision is possible and appropriate.
19. Finally, the council has suggested the imposition of conditions relating to the adherence to the submitted drawings and that the external materials should accord with those set out in the application form. The condition relating to adherence to the submitted drawing is necessary in the interests of certainty, however no materials for the outbuilding are stated on the application form. Accordingly, this is a matter that needs to be dealt with by the imposition of a differently worded materials condition, to ensure that the materials use respect the host property and the rear garden environment.
20. The appellant has stated that the council currently does not have a 5 year supply of deliverable housing land and so the presumption in favour of sustainable development set out in paragraph 11 of the Framework applies.
21. The proposal would not have any impact on housing land supply as no additional dwellings would be formed. Little evidence has been submitted regarding the need for larger homes in the district. Also, notwithstanding its age, LP Policy BNE1 is consistent with the design requirements set out in paragraph 135 of the Framework and due to its design the proposal conflicts with the environmental role of sustainable development.
22. Overall, I find that the adverse impacts to the host dwelling that would result from the proposed roof extensions would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
23. The appellant has expressed a number of concerns relating to the handling of the appeal application and a previous application and pre-application submission. Planning law requires that applications are determined in accordance with the development plan, unless material considerations dictate otherwise. In this instance the concerns raised are not material to the merits of the scheme itself, they relate to the conduct of the council and its officers. As such they are matters that should more appropriately be pursued with the council.
24. Regarding the council's delegated report, whilst the template boxes indicate that the proposal is acceptable, this was clearly an error. This is because the

narrative within the report clearly sets out the reasons why the proposal should be refused.

Conclusion

25. Having regard to the conclusions reached on the main issue and all other matters raised, the appeal is dismissed in so far as it related to the proposed extensions to the dwelling. The appeal is allowed in so far as it relates to the proposed outbuilding.

Elizabeth Lawrence

INSPECTOR