



Appeal Decision

Site visit made on 20 March 2025

by **Martin Andrews MA(Planning) Bsc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 April 2025

Appeal Ref: APP/H2265/D/25/3359539

27 Portman Park, Tonbridge TN9 1LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs A Hogg against the decision of Tonbridge & Malling Borough Council.
 - The application Ref. is TM/24/01544/PA.
 - The development proposed is a first floor side extension above the existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed extension on the character and appearance of the street scene of Portman Park, and (ii) the effect on the living conditions for the occupiers of No. 25 as regards outlook and light.

Reasons

3. I saw on my visit that the appeal property No. 27 and its neighbour No. 25 face the hammer head of a cul-de-sac. Whilst No. 27 is close to the two storey flank wall of No. 29, a dwelling of similar original design and scale, there is a wider gap between No. 27 and the contrasting No. 25, the latter a chalet bungalow but with a two-storey element to accommodate an integral garage. The land noticeably falls from north west to south east, therefore descending from No. 25 to No. 29.
4. On the first issue, the existing gap between Nos. 27 & 25 is in part a single storey garage with a parapet roof (this garage in itself an extension to the original property) and in part the side garden of No. 25 at a higher level. The proposed extension would infill this gap with a two storey extension built to the boundary with No. 25.
5. The Officer's Report says that the extension would create a terracing effect due to a combination of failing to leave a metre gap to the boundary with No. 25 and the extension being neither set back nor set down from the host dwelling. However, this effect is more to do with the increased width of the building being read with the already close No. 29, given the higher position of No. 25, its contrasting appearance and the remaining, albeit smaller gap.
6. Be that as it may, the unbalancing of the front elevation, the increase in built form and the partial erosion of the gap to No. 25 would have an adverse effect on the street scene in harmful conflict with paragraph 1 of Policy CP24 of the Council's

Core Strategy 2007 and with paragraph (1) of Policy PA4/12 of the Tolling and Malling Saved Policies 2010. The proposal would also fail to comply with Government policy in Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework December 2024 ('the Framework').

7. Turning to the second main issue, No. 25 has a bedroom with a single aspect in the form of a large window directly opposite the side boundary with No. 27. The appeal scheme is for an extension of two storey height on this boundary and the consequence of this would be an overly dominant and oppressive brick wall as the outlook at close quarters from the window, with the view towards Portman Park Road particularly affected. There would additionally be some loss of daylight as a result of the significant restriction of outlook, and the overall impact would be one of an unacceptable detriment to the living conditions for the occupiers of No. 25.
8. I acknowledge that the higher ground level within the curtilage of No. 25 relative to No. 27 would to some extent alleviate the harmful impact, but this would be insufficient to make the appeal scheme acceptable. Accordingly, the proposed development would be in harmful conflict with paragraph (2) of the aforementioned Policy PA4/12 and with paragraph 135f) of the Framework.
9. In respect of both issues, I have carefully considered the grounds of appeal but nothing I have read, or indeed seen on my visit, affects my decision that the appeal should fail.

Martin Andrews

INSPECTOR