



Appeal Decision

Site visit made on 3 September 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 17 September 2025

Appeal Ref: APP/M2270/D/25/3368418

21 Salisbury Road, Southborough, Tunbridge Wells, TN4 9DJ

- 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 Oliver Adams against the decision of Tunbridge Wells Borough Council.
 - The application Ref is 25/00955/FULL.
 - The development proposed is first floor extension.
-

Decision

1. The appeal is allowed and planning permission is granted for first floor extension at 21 Salisbury Road, Southborough, Tunbridge Wells, TN4 9DJ in accordance with the terms of the application, Ref: 25/00955/FULL, 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 external materials for the extension hereby permitted shall accord with those set out on the application forms.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1642/001 and 1642/002.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the living conditions of the neighbours at No 23 Salisbury Road, with particular regard to outlook and shadowing effects.

Reasons

3. The appeal property is a semi-detached property on the north-west side of Salisbury Road and within a predominantly residential area. The land slopes down from north-west to south-east so that the appeal property is set at a higher level than the adjoining property at No 23. There is approximately a 0.8m gap between the appeal property and its boundary with No 23, and a similar gap between the common boundary and the property at No 23.
4. There is an existing flat roofed, single storey extension at the appeal property across the full width of the property, and the proposal would add a first floor extension over part of that extension, which on the basis of the Appellant's

information, would be some 3.2 m deep, under a hipped roof, with an eaves height of some 6m.

5. The adjoining property at No 23 has a shallow ground floor extension and patio area beyond. Although the side elevation at the appeal property would be extended vertically and for a depth of some 3.2m I consider that there would be sufficient space between the extended rear elevation and the neighbouring property so that the extension would not be unacceptably overwhelming or enclosing. Whilst the neighbours would be aware of the extension from the rear facing windows closest to the common boundary at both ground and first floor, as well as from the patio area, I am satisfied that the principal outlook to the rear from both rear facing windows and the patio space would not be materially compromised by the proposed extension at the appeal property.
6. In respect of the Council's concerns relating to overshadowing as referenced on the notice of refusal, I have been provided with no technical assessment by either the Council or the Appellant. However, given the orientation of the appeal property in relation to the neighbouring property at No 25 and taking into account the photographic evidence provided by the Appellant as well as the gap between the two properties, I do not consider that there would be a material impact on light or increased overshadowing that would justify withholding planning permission.
7. I am therefore satisfied that the living conditions of the neighbours at No 25 would not be materially harmed as a result of the proposed first floor extension. There would be no conflict with Policy EN1 of the TWBC Local Plan 2006, the Alterations and Extensions SPD and the National Planning Policy Framework and in particular Paragraph 135 all of which amongst other matters seek a high quality of design which respects the amenities of existing and future occupiers.
8. I have also been referred to Policy EN1 of the TWBC Submission Local Plan 2021, although I do not have detailed information regarding the stage that this plan has reached towards adoption and the extent to which there may be outstanding objections. However, in so far as it continues the policy approach of the 2006 Plan, I have taken it into account and am satisfied that there would be no conflict with it.
9. My attention has been drawn to two other rear extensions which have been permitted by the Council and built out in the nearby vicinity, one at No 19 and one at No 25. However, No 25 is set on a corner plot with no residential development to the south-east and the extension at No 19 sits on lower ground than its neighbour at No 17. I do not therefore consider that these two developments compare directly with the proposal before me. Moreover, each proposal must be considered on its individual merits and that has been the basis of my assessment in this case.

Conditions

10. The materials should be in accordance with those set out on the plans and application forms to respect the character and appearance of the property and the local area. The approved plans should be listed for the avoidance of doubt and in the interests of good planning.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR