
Appeal Decision

Site visit made on 29 May 2024

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 18 June 2024

Appeal Ref: APP/K2230/D/23/3326998

1 Harvest Lane, Gravesend, Kent DA11 7GU

- 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 Tarlok Singh Sandhu against the decision of Gravesham Borough Council.
 - The application Ref is 20230246.
 - The development proposed is a single storey ground floor rear conservatory.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would provide appropriate living conditions for residents of the appeal property, with regard to the provision of external amenity space; and
 - the effect of the proposed extension on the character and appearance of the area.

Reasons

Living conditions

3. Policy CS19 of the Gravesham Local Plan Core Strategy, September 2014 (CS), indicates that new residential development shall accord with the adopted Residential Layout Guidelines SPG¹. The SPG explains that existing dwellings when extended shall have the minimum area and depth of private amenity space specified in Table 2 of the SPG.
4. Table 2 of the SPG specifies for dwellings with 4 or more bedrooms that the minimum garden area should be 100m², with a depth of 10m. Based on the Delegated Report, if the proposed extension was constructed the garden area would be 96m² and the maximum depth of the garden would be 7.54m.
5. Therefore, both the garden area and depth of the garden would be less than the minimum standard. Moreover, the garden is irregular in shape and wraps around the garage. As such, the main garden area would have a much shorter depth and a large section of the garden would be sited behind the garage. Given the modest size and orientation of the garden, it would be impractical to

¹ Supplementary planning guidance 2, Residential layout guidelines including Housing Standards Policy Statement October 2015, adopted February 1996 – amended June 2020, Gravesham Borough Council

use large sections of the garden as play space or for the drying of clothes, as identified in paragraph 13 of the SPG.

6. I note that following the construction of the proposed extension, the property would have a larger garden than some nearby properties. However, it is not clear whether they are smaller properties and, therefore, still comply with the minimum standard set out within Table 2 of the SPG. In any event, the appeal proposal is assessed on its own planning merit.
7. If the proposed extension was constructed, the resultant garden would be undersized and impractical for a dwelling of its size. I therefore conclude that the proposal would not provide appropriate living conditions for residents of the appeal property, with regard to the provision of external amenity space. The proposal would also be contrary to CS Policy CS19 which indicates that new development will provide appropriate levels of private amenity space. Furthermore, it would be contrary to paragraph 135(f) of the National Planning Policy Framework (the Framework) where it advises that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Character and appearance

8. The appeal property is within a corner plot, located next to the junction between Harvest Lane and Furrow Lane. This section of Furrow Lane slopes upward toward its junction with Harvest Lane. The side elevation and wall around the rear garden of the appeal property is set back a short distance from Furrow Lane by a narrow strip of artificial turf. Boundary treatments along this section of Harvest Lane tend to be tall brick walls. The wall around the appeal property's garden is tall but varies in height to reflect the gradient of the road.
9. The height of the appeal property's wall and the wall opposite, alongside their limited set back from the road, creates a sense of enclosure around the junction.
10. The appeal proposal would incorporate the existing boundary wall into the side elevation of the proposed extension. It would also lead to a short section of the wall, closest to the rear elevation of the property, being increased in height. The proposed increase in height would be very modest and would contribute to the sense of enclosure. Moreover, when viewed from Furrow Lane the height of the proposed extension would appear proportionate to the appeal property as it would be similar in height to the ground-floor bay window.
11. Currently, the appeal property appears flush with the garden wall. Incorporating the boundary wall into the proposed extension would continue that relationship. For the above reasons, the proposed extension would not appear as overdevelopment of the plot.
12. Due to its siting close to the road junction and in an elevated position, the proposed extension would be highly visible. However, as I have found it would not harm the character and appearance of the area, its prominence is not a concern.
13. Overall, I conclude that the proposed extension would not have a harmful effect on the character and appearance of the area. In this regard, it would comply with CS Policy CS19 where it indicates that new development will be visually attractive. It would also be in accordance with the Householder

Extensions/Alterations Design Guide SPD² where it advises rear extensions should be designed to ensure that the extension does not dominate the original property. Moreover, it would comply with paragraphs 131 and 135(c) of the Framework which advise that the creation of beautiful places is fundamental to what planning should achieve, and planning decisions should ensure that developments are sympathetic to local character.

Other Matters

14. Regarding the three objectives of sustainable development, as set out within paragraph 8 of the Framework, the proposal would have limited economic and environmental benefits associated with the construction period and making an effective use of land. However, it would cause harm to the living conditions of existing and future residents of the appeal property which is contrary to the social objective. Therefore, the provisions of the Framework do not lead me to an alternative conclusion on the merits of the appeal proposal.

Conclusion

15. The material considerations do not indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR

² Supplementary Planning Document, Householder Extensions/Alterations Design Guide, October 2021, Gravesham Borough Council.