



Appeal Decision

Site visit made on 10 March 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 April 2025

Appeal Ref: APP/K2230/D/24/3352508

65 Pine Avenue, Gravesend, Kent DA12 1QY

- 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 Dr Manjit Singh against the decision of Gravesend Borough Council.
 - The application Ref is 20240310.
 - The development proposed is described as “erection of a two storey rear extension, two storey side extension, single storey side extension and front porch”.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal differs between the application form and the decision notice. Given that the Council’s description is more precise, and the appellant has adopted the wording from the decision notice in their appeal documentation, in the interests of clarity, I have therefore used the wording from the decision notice to describe the proposed development in the banner heading.
3. A previous application for side and rear extensions at the property was dismissed at appeal¹. I have taken this decision and the associated plans into account in the determination of the current appeal.

Main Issues

4. The main issues are:
 - a) The effect of the proposal on the character and appearance of the host building and area.
 - b) The effect of the single storey side extension and two storey rear extension on the living conditions of No 67 Pine Avenue, with specific regard to outlook.

Reasons

Character and Appearance

5. The area predominantly comprises two-storey detached and semi-detached properties with a wide variety of architectural styles and features. Properties are set back from the road and organised in an identifiable pattern fronting Pine Avenue. The pattern of development along the Avenue is characterised by properties set back from the road that are separated by regular gaps between the properties. Some

¹ PINS Ref: APP/K2230/D/23/3316072

gaps are at first floor level due to the prevalence of properties being extended sideways at ground floor level. The frontages of properties contain parking spaces and front gardens.

6. No 65 Pine Avenue is a two-storey detached property situated on a bend in the road. Due to this, the plot is triangular in shape with a wider frontage compared to most other properties in Pine Avenue. The dwelling is set off the boundary on both sides of the plot. The ground levels also rise fairly steeply in this part of Pine Avenue. No 65 is at a higher level than the neighbouring plot at No 67 Pine Avenue, and at a lower ground level than No 63 Pine Avenue. The levels difference and location on the bend makes the property particularly prominent within the streetscene.
7. In occupying almost the whole gap between the dwelling and its side boundary with No 63, the proposed two storey side extension would result in a dwelling that would appear cramped rather than sit comfortably within its plot. As such, it would have a significant adverse effect on the character and appearance of the host property and the streetscene.
8. In addition, two of the existing windows on the front façade of the host property would be replaced with narrow, arch shaped windows with a vertical emphasis. These arched windows would appear at odds with the remaining and proposed windows on the property which would be rectangular in shape with a horizontal emphasis.
9. Whilst the two-storey rear extension, front porch and single storey side extension would be in keeping with the scale and mass with the property, and matching materials would be used, this would be insufficient to overcome the poor aspects of design that I have described.
10. The appeal scheme addresses a number of criticisms of the previous scheme, including the removal of the front dormer window and the reduction of the side extension adjacent to No 67 from two storey to single storey. However, this does not negate the harm that would be caused by the poor design aspects of the proposal before me that I have identified.
11. For the reasons that I have given, the design of the proposed development would be harmful to the character and appearance of the area. Consequently, the proposal would conflict with Policy CS19 of the Gravesham Local Plan Core Strategy (2014). This policy, amongst other criteria, requires development to integrate with the local area and make a positive contribution to the streetscene, quality of the public realm and character of the area.

Living Conditions

12. No 65 is situated at a higher ground level than No 67, and due to the location of the property on a bend, is orientated towards the rear amenity area of No 67.
13. Due to the single storey stature of the side extension, I am satisfied that this element of the proposal would not materially harm the outlook of No 67.
14. However, the rear extension would bring two storey bulk and mass at a higher ground level within close proximity to the boundary with No 67. The rear extension would therefore result in an overbearing and oppressive outlook for users of the garden at No 67, and as such, would result in material harm to the living conditions of the occupiers of this neighbouring property.

15. I note that the appeal scheme has sought to address a number of criticisms of the previous scheme in relation to the impact on outlook of No 67, including reducing the side extension to single storey from two storey in stature. However, whilst I have found that the reduction in the side extension to single storey stature would overcome this specific element of the previous refusal, the proposed two-storey rear extension would continue to harm the outlook of No 67 in isolation.
16. The proposal would therefore conflict with Policy CS19 of the Gravesham Local Plan Core Strategy (2014). This policy, amongst other criteria, requires development to safeguard the amenity of neighbouring properties and land.

Other Matters

17. The appellant has set out that the appeal scheme makes efficient use of land and therefore draws support from the National Planning Policy Framework (the Framework) in this regard. However, I am mindful that the Framework is clear that this should not be at the expense of the areas prevailing character, which I have found would be harmed by the appeal scheme.
18. The appellant has brought to my attention and provided evidence in relation to the extensions that were approved by the Council at 69 Pine Avenue which they feel share similarities with the appeal proposal. The appellant has also highlighted 52 and 54 Pine Avenue as examples of prominent development within the streetscene. I observed these properties and extensions on my site visit. In my view these only share limited similarity in the context of this appeal. The individual site circumstances which include the wide frontage of the plot, ground levels and its location on the bend, along with the specific design of the scheme differentiate the appeal proposal from these examples. As a result, reference to these buildings has not altered my findings in relation to the main issues.
19. The appellant has noted that at present, a habitable room of No 65 faces towards the garden area of No 67, and the appeal scheme would replace this window with an obscurely glazed window serving a bathroom, thereby improving the privacy of No 67. Whilst the relationship between the two plots might be improved in this regard, this doesn't justify the harm that I have identified.

Conclusion

20. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

C Housden

INSPECTOR