
Appeal Decision

Site visit made on 19 September 2016

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 October 2016

Appeal Ref: APP/G2245/W/16/3151158

Land adjacent 7 Lawn Close, Swanley, Kent BR8 7HJ

- 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 Mr John Egan against the decision of Sevenoaks District Council.
 - The application Ref SE/15/03326/FUL, dated 21 October 2015, was refused by notice dated 21 March 2016.
 - The development proposed is the construction of a self-contained three bedroom house adjacent to and within the residential curtilage of 7 Lawn Close.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The Council's second reason for refusal was that the proposal failed to make a financial contribution towards affordable housing in the district in conflict with Policy SP3 of the Sevenoaks Core Strategy 2011 (the Core Strategy). However, Government policy as expressed in the Written Ministerial Statement dated 28 November 2014 is that contributions of this nature should not be sought in the case of sites for 10 units or less. In the light of this material consideration, the Council has withdrawn this objection to the scheme.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site currently forms the side garden of No 7, a semi-detached property at the end of a spur of Lawn Close. The proposal is for a two storey detached house adjacent to the flank wall of No 7, with the existing garage demolished to provide two parking spaces. The site abuts London Road, one of the main roads into Swanley.
5. The house would be sited in line with Nos 7 and 8, the adjacent pair of semi-detached houses, thus respecting their front and rear building lines. It would also have a similar roof height as these two properties and would be built of similar materials. However, it would represent the only detached house in a close which currently comprises four pairs of semi-detached houses. Critically, there would only be a gap of about 1 m between the new house and the flank wall of No 7, in contrast to the generous spaces to the side of the other semi-

detached houses in the close. This narrow gap would be emphasised as the front elevation of the new house would be slightly forward of that of no 7. As a result, the new house would appear cramped on its plot and an incongruous feature when seen from Lawn Close.

6. On the other side, the new house would extend to within about 1 m of the site boundary which also forms the highway boundary of London Road. This road, a main thoroughfare entering Swanley from the north west, is lined with wide verges, hedges and individual trees which together form a pleasant route into the town and effectively screen the houses on both sides.
7. At present these houses are set well back from the highway boundary, giving a spacious and verdant character to the road, but in contrast the proposal would introduce a house to within about 1 m of the fence line. There would be some screening, in particular from two trees within the highway verge, but the new house located immediately behind the fence line would be seen as an intrusive and discordant feature in views along London Road. Although set at a lower level than the road, the visual impact of the house would be increased by the bulky rear dormer at second floor level and the full height gable end with its unusual flat roof element which would rise well above the fence line.
8. With the flank wall of the house set back by only about 1 m from the fence line there would be insufficient space for any new screening to be effective between the house and the road. It is appreciated that there is an unscreened block of flats, retail/restaurant building and garage on the same side of the road beyond the site, but these are set further back from the frontage and comprise a small group beyond which the wide, tree lined road continues.
9. For these reasons the proposal would cause significant harm to the character and appearance of the area in conflict with Policy SP1 of the Core Strategy and Policy EN1 of the Sevenoaks Allocations and Development Management Plan 2015. These seek to ensure development responds to the distinctive local character of the area, that the layout respects the topography and character of its surroundings and that there would be no unacceptable impact from the loss of open spaces or green infrastructure.
10. The proposal would result in an additional detached house which would be an important benefit of the scheme. However, this benefit would be outweighed by the significant impact on the character and appearance of the area, and accordingly the appeal should be dismissed.

David Reed

INSPECTOR