
Appeal Decision

Site visit made on 13 March 2017

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 07 April 2017

Appeal Ref: APP/T2215/D/17/3168415

Whitby Cliffs, 11a Whitby Close, Stone, Greenhithe, Kent DA9 9QE

- 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 Kelly McCarthy against the decision of Dartford Borough Council.
 - The application Ref DA/16/01718/FUL was refused by notice dated 15 December 2016.
 - The development proposed is the erection of a part two-storey rear, single-storey rear and part single-storey front extension.
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Decision

1. The appeal is allowed and planning permission granted for the erection of a part two-storey rear, single-storey rear and part single-storey front extension at Whitby Cliffs, 11a Whitby Close, Stone, Greenhithe, Kent DA9 9QE in accordance with the terms of the application Ref DA/16/01718/FUL dated 25 October 2016 and the plans submitted with it and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) Notwithstanding condition 2, no development shall take place until details of the materials to be used in the construction of the external surfaces of the flat roofs hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The development hereby permitted shall be carried out in accordance with the approved plans on drawings: 2715-15-PL001 Rev P6, 2715-15-PL002 Rev P6, and 2715-15-PL003 Rev P1.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the host dwelling.
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Reasons

3. The appeal site lies within a primarily residential area at the end of a cul-de-sac. Whilst it is a detached dwelling, it is situated very close to the adjacent dwelling at No. 11. Whitby Close.
4. Planning Permission has been granted for the proposed front extension and the proposed two-storey rear and a single-storey addition to the side of the rear extension (Ref DA/16/01142/FUL). The approved plans are identical to those which are the subject of this appeal apart from the extent of the single-storey rear addition. This would project a further 1.2 metres in depth across the rear of the dwelling. Adjacent to the side boundary with No. 11 Whitby Close the single-storey element would have a total depth of some 4.7 metres. The proposed single-storey addition would not be visible from public view, but would be visible from neighbouring properties to some extent.
5. Saved Policies B1 and H14 in the Borough of Dartford Local Plan (1995) seek a high standard of design and seek to ensure due regard is paid to the character of the locality. I consider these policies are broadly in accordance with the National Planning Policy Framework as far as they meet the Framework's core principles; particularly that planning should be taking account of the different roles and character of an area and should be seeking to ensure high quality design.
6. Appendix 11 supports Policy H14. It states that single-storey extensions to the rear of semi-detached and terraced properties should not be greater than 3.5m in depth on a common boundary. Whilst the appeal property is a detached dwelling, it is very close to the neighbouring dwelling. Thus, I do consider that this guidance has some relevance to my determination of this appeal. Even so, the Council has not raised concern regarding the living conditions of occupiers of the adjacent property with regard to the depth of the proposed single-storey addition.
7. The appeal property with the permitted two-storey rear extension would be a substantial dwelling. It would have roofs at different heights and there would be a mix of roof forms. From my observations, I do not consider the addition of the proposed rear single-storey element, due to its scale and position, would harm the character and appearance of the dwelling. In my opinion, it would appear as a subservient addition to the rear reflecting the design of the permitted single-storey addition adjacent to the side boundary with No. 11 Whitby Close. This would relate satisfactorily to the appearance of the property. I do not consider that this addition, together with the permitted extensions, would result in a cluttered appearance of the appeal property.
8. For the above reasons and having taken into consideration all matters raised, I conclude that the proposal would not have an adverse effect on the character and appearance of the host dwelling. Thus, the proposal would be in accordance with saved Local Plan Policies B1 and H14.
9. The Council has suggested standard time, materials and plans conditions. I consider such conditions to be reasonable and necessary. In addition, I consider it reasonable and necessary to impose a condition regarding the materials to be used on the flat roof elements of the proposal as there are no existing flat roofs to match and for such large additions of flat roof I consider this necessary in the interest of visual amenity.

10. Planning Practice Guidance advises that conditions preventing any development from taking place until a condition has been complied with should only be used where the requirements of the condition are so fundamental to the development that it would have been otherwise necessary to refuse the whole development. In this respect, I consider it fundamental, in the interest of visual amenity, to require materials details in condition 3 to be complied with prior to commencement of development.
11. The Council's Environmental Health Officer has suggested conditions regarding site working hours and burning of materials. I do not consider such conditions to be necessary or reasonable in the circumstances of this appeal.

J L Cheesley

INSPECTOR