
Appeal Decision

Site visit made on 24 May 2017

by Lesley Coffey BA Hons BTP MRTPI

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

Decision date: 22nd June 2017

Appeal Ref: APP/G2245/D/17/3166581

Letitia, Botsom Lane, West Kingsdown, TN15 6BL

- 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 Alexander Opitz against the decision of Sevenoaks District Council.
 - The application Ref SE/16/02783/HOUSE, dated 9 September 2016, was refused by notice dated 2 November 2016.
 - The development proposed is the erection of a replacement double garage for "Letitia".
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a replacement double garage at Letitia, Botsom Lane, West Kingsdown, TN15 6BL in accordance with the terms of the application, Ref SE/16/02783/HOUSE , dated 9 September 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) No development shall commence until samples of the materials to be used in the construction of the external surfaces of the garages 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.

Preliminary Matter

2. There are two appeals in relation to the appeal site, this appeal relates to a householder application, whilst the other appeal is for an additional dwelling. Whilst I appreciate that purpose of this proposal is to provide replacement parking should the other appeal be successful, they are separate proposals and could be implemented independently of each other. I have therefore considered each appeal on its merits.

Main Issue

3. I consider the main issue to be the effect of the proposal on the character and appearance of Botsom Lane.

Reasons

4. The appeal property is a detached bungalow, situated on a fairly wide plot on the northern side of Botsom Lane, a narrow winding road with passing places. It is situated close to a bend in the road.

5. The proposed garage would be located to the front of the dwelling close to the boundary with Paladin, the neighbouring property. It would be set back from the road by between 4.6 and 6.8 metres. To the east Botsom Lane is more open in character with bungalows set on wide plots within open-plan front gardens, whilst in the vicinity of the appeal site it becomes more enclosed, and the dwellings are more varied in terms of their appearance and their relationship to Botsom Lane.
6. Views of the site from the west are very limited and the proposed garage would be largely screened by the vegetation along the boundary. Although the proposed garage would be noticeable in views from the east, due to its size and position, it would appear ancillary to the existing dwelling and as such would comply with the Sevenoaks District Council Residential Extensions Supplementary Planning Document (SPD) (adopted 2009). Although the SPD generally restricts garages located in front of the building line, it does not preclude them provided they are subservient in scale and position to the original dwelling and do not have a detrimental impact on the street scene.
7. I conclude that the proposed garage would not give rise to any significant harm to the character or appearance of Botsom Lane and would comply with policy EN1 of the Allocations and Development Management Plan (adopted 2015) which seeks a high quality of design, policy SP1 of the Local Development Framework Core Strategy (adopted 2011) which has a similar intent and the SPD.

Conditions

8. I have considered the conditions suggested by the Council in the light of the advice at paragraphs 203 and 206 of the NPPF and the PPG. The Council suggest that a condition requiring the materials of the proposed garage to match the existing building, however the plans specify facing bricks whereas the existing building has rendered elevations. I therefore consider that it would be more appropriate for samples of materials to be submitted for approval in the interests of visual amenity.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

Lesley Coffey

INSPECTOR