

Appeal Decision

Site visit made on 9 June 2017

by R J Maile BSc FRICS

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

Decision date: 28 June 2017

Appeal Ref: APP/T2215/D/17/3173388
18 Whites Close, Greenhithe, Kent, DA9 9JL.

- 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 R Moore against the decision of Dartford Borough Council.
 - The application ref: DA/17/00055/FUL, dated 11 January 2017, was refused by notice dated 17 March 2017.
 - The development proposed is described as: "Conversion of loft space into 1 bedroom and 1 bathroom. Relates to building regs submission previously submitted."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue here is the effect of the proposed rear dormer window upon the character and appearance of the host building and that of the surrounding area.

Reasons

3. 18 Whites Close is a two storey end of terrace house erected in the late 1980's. It forms part of an extensive estate of houses and bungalows. I understand a condition removing Permitted Development rights was imposed on the original 1987 planning permission.
4. The appeal site is not within a Conservation Area or Area of Special Residential Character. The properties within the immediate area vary in design and are set on irregular building lines. The rear of no. 18 is partially visible from Alkerdene Lane to the south.
5. National policy at Chapter 7 of the Framework¹ emphasises the need to achieve high quality and inclusive design for all development. "Saved" Policy B1 of the Local Plan² likewise requires a high standard of design in all development proposals.

¹ The National Planning Policy Framework.

² The Borough of Dartford Local Plan: adopted April 1995.

6. "Saved" Local Plan Policy H14 states, amongst other matters, that proposals for loft conversions should be designed so as not to dominate the appearance of the dwelling and should be visually contained by the existing roof elevation. In all cases, proposals should pay due regard to the character of the locality.
7. Policies DP5 and DP7 of the emerging Dartford DPP³ also seek a high quality of design and to ensure that the design proposed is not visually obtrusive. This latter document is at an advanced stage towards statutory adoption, such that I am able to accord its policies considerable weight in my determination of this appeal.
8. Although set down marginally from the ridge, the proposed dormer would span almost the entire width of the roof slope. It would appear as an over-dominant feature within the rear elevation of this modest terraced house and be harmful to the character and appearance of the host building.
9. None of the other houses in Whites Close or Johnsons Way that I was able to see as part of my site visit have rear-facing dormer windows. I acknowledge that there are small dormers to the front elevation of no. 18 and to many of the other houses nearby. However, these do not appear obtrusive or out of character as would be the case with the large, flat roofed dormer the subject of the current scheme.
10. Accordingly, I have found upon the main issue that development as proposed would be out of keeping with and damaging to the established character and appearance of the host building and that of the surrounding area, contrary to national policy in the Framework as set out above, "saved" Local Plan Policies B1 and H14 and Policies DP5 and DP7 of the emerging Dartford DPP.

Other Matters

11. My attention has been directed to a recent appeal decision, where Permitted Development rights were not available to the appellant. That appeal, dated 6 March 2017, was allowed (ref: APP/G5750/D/17/3168144). Nevertheless, the circumstances of that case were clearly different. In particular, paragraph 7 of the Inspector's decision letter states:

"The proposed dormer extension would be similar to other dormers nearby and these seem to fit in reasonably well with the mixed character of the area."

12. Such would not be the case here, where I was unable to observe any similar dormers to the rear elevations of properties nearby.

Conclusion

13. For the reasons given above, I conclude that the appeal should fail.

R. J. Maile

INSPECTOR

³ Dartford Development Policies Plan - Publication (Pre-Submission) Document: December 2015.