

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: 3 July 2017

Appeal Ref: APP/T2215/D/17/3172121
27 Northdown Road, Longfield, Kent, DA3 7QN.

- 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 S Khunkhun against the decision of Dartford Borough Council.
 - The application ref: DA/16/01700/FUL, dated 22 October 2016, was refused by notice dated 13 February 2017.
 - The development proposed is demolition of existing garage and construction of a 2 storey side and rear extension including front canopy.
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Application for Costs

1. An application for costs was made by Mr S Khunkhun against Dartford Borough Council. This application is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues in this case are:
 - a) The effect of the proposed two storey side extension upon the character and appearance of the surrounding area.
 - b) The impact of the extensions upon the living conditions of nearby residents.

Reasons

- a) *Effect upon character and appearance.*
4. 27 Northdown Road comprises one of a pair of semi-detached houses erected in the 1960's and forming part of an estate of similar dwellings located on the outskirts of the settlement of Longfield. To the rear is open countryside.
 5. The dwelling is prominent in the street scene, being sited on sloping ground and adjacent to a gentle curve in the road.
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6. The proposal before me would involve the demolition of the existing sectional concrete garage, which is attached to that of no. 25 next door, and the erection of a two storey rear and side extension extending up to the common boundary with that property.
7. The side element of the extension would be set back marginally from the front elevation of no. 27 and have a reduced ridge height to create an impression of subservience to the host dwelling. The rear element would be part single/part two storey and would project rearwards by some 3.5m. It would be offset from the adjoining properties by 2m at first floor level, with the ground floor being set away from the boundary with no. 29 by just under 1m.
8. As part of the appellant's case my attention has been directed to a number of side extensions along Northdown Road, some of which abut their respective boundaries.
9. I am not aware of the planning background attaching to those extensions or whether they pre-date publication of the Framework¹ or the adoption of the Development Plan policies to which I have been referred. However, those to 29 and 51 Northdown Road are set further back from their front elevations. No. 29 also adjoins a public footpath. This creates a gap between nos. 29 and 31 of over 10m, thereby retaining a substantial separation distance between the two dwellings. Moreover, the side extension to no. 29 does not project beyond the rear elevation of that property.
10. The design of the extension reflects the fenestration of the host dwelling and it has been set back to remain subservient to it. To some extent, therefore, it reflects national guidance at Chapter 7 of the Framework, which encourages high quality design in all new development. It would also accord with the thrust of certain sections of "saved" Policy B1 of the Local Plan² in terms of its form and scale, in particular the design of the roof and the arrangement of windows.
11. Notwithstanding these comments, the scheme before me would be particularly prominent in the street scene having regard to the location of no. 27 at a point where the road curves and the fact that the dwellings are situated well above street level.
12. The new extension would result in the narrowing of an important gap between nos. 25 and 27 Northdown Road, thereby creating an unfortunate terracing effect. It would also appear as a somewhat bulky structure when viewed from the street given the existence of the side extension to no. 29 (the other half of the pair).
13. For these reasons, I have found upon the first main issue that development as proposed would be harmful to the established character and appearance of the surrounding area, contrary to national policy in the Framework as referred to above, to "saved" Policy B1 (b) of the Local Plan and Policy DP7 3. a) of the emerging Dartford Development Policies Plan³. This latter document is at an

¹ The National Planning Policy Framework.

² The Borough of Dartford Local Plan (adopted April 1995).

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

advanced stage towards statutory adoption, such that I am able to accord its policies considerable weight in my determination of this appeal.

b) Impact upon living conditions.

14. The rear part of the extension has been set in from the common boundaries with 25 and 29 Northdown Road at first floor level by some 2m in each case and by 1m at ground floor level in terms of no. 29. This will ensure that the proposal would not give rise to any unacceptable loss of daylight or sunlight to the habitable room windows of either of the adjacent properties.
15. The extension would nevertheless be highly visible from the rear-facing kitchen and bedroom windows of no. 29 and appear as a dominant and overbearing feature as viewed from the rear garden of that property.
16. As to no. 25, the combined effect of the two storey side extension and the bulk of the rear element closely abutting the common boundary would create an unacceptable sense of enclosure to the occupiers of that property. Again, the new structure would appear as a dominant and overbearing feature as viewed from the side access way and rear garden of no. 25, which slopes upwards away from the rear elevation of the dwelling.
17. I therefore find on the second main issue that development as proposed would have a materially adverse impact upon the living conditions of existing and future occupiers of 25 and 29 Northdown Road, contrary to "saved" Policy B1 (d) of the Local Plan and Policies DP5 1. h) and DP7 3. d) of the emerging Dartford Development Policies Plan.

Conclusion

18. In my consideration of this appeal I have noted that the Reports to Committee in both January and February 2017 recommended that planning permission be granted, subject to conditions. However, I have concluded differently upon the merits of the scheme based upon the information and plans before me and my inspection of the appeal site and surrounding area.
19. Accordingly, and for the reasons given above, I conclude that the appeal should fail.

R. J. Maile

INSPECTOR