
Appeal Decision

Site visit made on 18 July 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 25th July 2017

Appeal Ref: APP/G2245/D/17/3173391
Rushmore, Main Road, Knockholt TN14 7JE

- 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 Mrs Justine Miller against the decision of Sevenoaks District Council.
 - The application Ref SE/16/03543/HOUSE, dated 15 November 2016, was refused by notice dated 6 February 2017.
 - The development proposed is for rear and front extensions, raising roof height and attic conversion with rear box dormer.
-

Decision

1. I dismiss the appeal.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the living conditions of the occupants of Little Hatch, with specific reference to privacy.

Reasons

Character and Appearance

3. The appeal dwelling comprises a detached house with a substantial flat roof front projection, with its two storey front elevation set substantially further back than that of Lettermullan to the south west. This dwelling has a two storey front extension, comprising a full width hipped roof element and a half width gable projecting beyond it on the side adjacent to the appeal site. Little Hatch on the opposite side of the appeal site also has a full width two storey front gable extension which projects forward of the main front elevation of Rushmore. The flank elevations (north east) of both neighbouring properties are visible in the street scene and their ridge heights also stagger down slightly from Lettermullan to Little Hatch.
4. In combination with the box dormer to the rear, the proposals are quite substantial in scale, although nonetheless the proposed front projection is not materially different to the extensions that have been added to both adjacent dwellings. Furthermore, I find that whilst the two storey built form of Rushmore would be brought closer to the road, nonetheless it would still enable a staggered building line to be maintained between all three properties. I have also had regard to the previous grant of planning permission Ref. SE/09/01844/FUL which, whilst expired, is material to the proposal. That proposal permitted a forward extension of a

different design to that now proposed, but its overall impact on the street scene would have been similar if it had been implemented.

5. Taking into account the immediate context of the appeal dwelling, I find that the front extensions would be in keeping with the character of its surroundings, with only a minor increase in ridge height which would not in itself appear incongruous in the street scene.
6. I note that the Council makes reference to the proposal also being visible from public space to the rear of the property, but this appears to be an area of long grass which forms part of the curtilage of an auction house, and based upon the evidence before me does not amount to land falling within the public domain. I accept that the rear dormer would be visible from the immediately adjacent rear gardens, however, the rear elevation of Rushmore is set further forward to that of Little Hatch which would conceal it to a degree and overall I consider that the proposal would not have a harmful effect upon the character and appearance of the area.
7. From this basis I find that the proposal complies with Policy EN1 of the Council's Allocations and Development Management Plan adopted February 2015 (ADMP), which requires proposals to respond to the scale, height, materials and site coverage of the area; and the Council's Residential Extensions Supplementary Planning Document (SPD) which requires front extensions to respect the scale of the building to which it is attached.

Living Conditions

8. I noted on my site visit that Lettermullan has 2 no dormers to its rear elevation which are of a gable type with a gap in between. The rear elevation of this is relatively level with the appeal dwelling and with quite substantial vegetation situated along the shared boundary with that property, I consider that the proposal would only likely afford oblique views into the rear garden of that property.
9. However, whilst Little Hatch has a similarly designed rear elevation to Rushmore, it is set further back within its respective plot; and as I have highlighted above, the dormer would be of a large scale that would be provided with a substantial amount of full height glazing. With a much more exposed common boundary, I find that the views from this would be far more direct into the rear garden of Little Hatch and would give rise to direct overlooking which would be harmful to the occupants of that neighbouring property.
10. I therefore find on this issue that the proposal would be contrary to ADMP Policy EN2 which, amongst other things, seeks to prevent an unacceptable loss of privacy to the occupiers of nearby properties. The proposal would also conflict with the SPD as the windows in the rear dormer would directly overlook the private amenity space of an adjoining dwelling which would result in an unreasonable loss of privacy.

Conclusion

11. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR

