
Appeal Decision

Site visit made on 19 October 2017

by R J Maile BSc FRICS

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

Decision date: 27 October 2017

Appeal Ref: APP/X2220/D/17/3180765

88 Alison Crescent, Whitfield, Dover, Kent, CT16 3LP.

- 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 Neil Buttifant against the decision of Dover District Council.
 - The application ref: DOV/17/00532, dated 5 May 2017, was refused by notice dated 27 June 2017.
 - The development proposed is conversion of the loft with a side dormer window and the erection of a side porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - a) The effect of the proposed flank-facing dormer window upon the character and appearance of the host building and that of the surrounding area.
 - b) The impact of the flank-facing dormer window upon the privacy of existing and future occupiers of nearby dwellings in Beauxfield.

Reasons

- a) *Effect upon character and appearance.*
3. This property comprises a modern, semi-detached bungalow located within an area of similar dwellings.
 4. Several bungalows within Alison Crescent and further afield have dormer roof extensions of various designs, a number of them being to front-facing roof slopes. They include more appropriate small dormer windows with pitched and tiled roofs to the front elevations. These various dormer extensions were noted during my site visit. It is not clear, however, whether they were erected prior to current planning policy at both national and local levels.
 5. Notwithstanding those other dormer extensions and the appellant's Permitted Development rights, to which my attention has been directed, it is necessary for me to have regard to the detailed siting and design of the proposed dormer the subject of this appeal.

6. The appeal site is located at the head of the cul-de-sac of Alison Crescent. Of particular relevance is the fact that the flank elevation of no. 88 faces directly onto a public footpath and grassed area which separates the appeal site from nos. 34/36 Beauxfield.
7. Chapter 7 of the Framework¹ focuses on issues of good design. Paragraph 56 refers to the importance the Government attaches to the design of the built environment, whilst paragraph 64 suggests that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
8. The Kent Design Guide says that for extensions to buildings the main principle is that the character of the building and the surroundings must be maintained or improved by the work undertaken.
9. The existing small-scale bungalow and its neighbour at no. 86 (the other half of the pair) are appropriate to their surroundings. The scheme before me would create a very bulky structure that would represent an over-dominant addition to the flank roof slope. It would not only be highly visible in the street scene from the hammerhead of Alison Crescent, but more particularly from the public footpath with its attractive grass sward immediately abutting the flank elevation of the property.
10. I have therefore found upon the first main issue that development as proposed would be harmful to the character and appearance of the host building and that of the surrounding area, contrary to national policy at Chapter 7 of the Framework.

b) Impact upon privacy.

11. The converted loft would include two bedrooms and a bathroom, each having windows that face west towards the footpath and the gardens of nos. 34/36 Beauxfield beyond.
12. Whilst it would be possible for the bathroom window to be obscure glazed and non-opening below a level of 1.7m above floor level, the windows to the two bedrooms would need to be clear glazed. This would enable the rear gardens of the neighbouring bungalows in Beauxfield to be overlooked at close range, thereby bringing about an unacceptable loss of privacy.
13. Accordingly, I find upon the second main issue that development as proposed would have a detrimental impact on the privacy of existing and future occupiers of nearby dwellings in Beauxfield, contrary to national policy at paragraph 17 of the Framework.

Other Matters

14. In addition to the loft conversion the scheme before me proposes the erection of an enlarged side porch and utility room.
15. Given the dimensions of this element of the scheme and its set back from the front elevation, I have concluded that it would not cause harm to the visual amenity of the street scene or impact upon the amenity of nearby residents.

¹ The National Planning Policy Framework.

Conclusion

16. Notwithstanding my comments above in relation to the side porch extension my concerns as to the harmful impact of the flank-facing dormer window upon the character and appearance of the host building and that of the surrounding area, together with its effect upon the privacy of nearby occupiers, are paramount.
17. Accordingly, and for the reasons given above, I conclude that the appeal should fail.

R. J. Maile

INSPECTOR