



Appeal Decision

Site visit made on 5 April 2019

by Jan Hebblethwaite MA Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 9th July 2019

Appeal Ref: APP/T2215/W/18/3219511
76 Birchwood Road, Dartford, DA2 7HG

- 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 Retin Patel against the decision of Dartford Borough Council.
 - The application ref DA/18/01350/FUL, dated 19 October 2018, was refused by notice dated 11 December 2018.
 - The development proposed is demolition of existing bungalow and erection of a detached two storey house with rooms in the roof space and single storey rear projection, detached double garage and new front and side boundary wall and gates.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development, firstly, on the character and appearance of the locality and secondly, on living conditions for occupiers of adjoining properties with regard to outlook.

Reasons

Character and appearance

3. The appeal site is on the northern side of Birchwood Road and is currently occupied by a small vacant bungalow set well back from the road. The bungalow and single garage together take up the full width of the plot. The properties immediately adjoining each side of the site are also bungalows although these appear to have been considerably extended. Further to the west, the plots become wider and the properties are commensurately larger and more varied in design.
4. This part of Birchwood Road has undergone significant changes over the years. Apart from the appeal site, the properties have been enlarged so that the original pattern of development is no longer discernible. The immediate vicinity of the site is characterised by single-storey dwellings, some with rooms in the roof. It is against that character that the appeal proposal should be tested. The development would introduce a 2.5 storey dwelling that would be significantly taller than the adjoining properties. By reason of its height and bulk, it would create a dominant and unsympathetic feature that would tower over its neighbours. It would also occupy a relatively narrow plot, and its height and

proposed design would result in a cramped appearance with an awkward top-heavy roof profile. In my view, it would be an unduly prominent addition that would contrast sharply with its surroundings.

5. I therefore conclude that the proposal would significantly harm the character and appearance of the locality. It would therefore be contrary to Policies DP2 and DP7 of the Dartford Development Policies Plan (2017). These policies seek to ensure, amongst other things, that new development is well designed and relates to neighbouring properties and the wider locality.

Living conditions

6. The proposed development has a ridge height of 8.3 metres (drawing 649-13) and would be 2.1m from the boundary with 74 and 1.85m from the boundary with 78 (drawing 649-11). As a result, the development would present substantial flank walls to each of its neighbours. This would create a dominant presence close to the boundaries which would be unacceptably overbearing by reason of height and bulk. This would be contrary to Policy DP2.
7. No 78 has been extended (with a single storey extension) and as a result, an area described by the Council as a courtyard has been created adjoining the boundary with the appeal site. This area would be significantly overshadowed by the flank wall of the two-storey part of the development. For people using the terrace, the flank wall in such close proximity would be an imposing feature that would dominate views from this area. Whilst an approved scheme at the same site would also have a flank wall in the same relationship to 78, it would be considerably lower than the proposed development and would have a proportionately reduced effect on the neighbouring property.
8. No 74 also has a single-storey extension to the rear, although it would be facing the single storey element of the proposed development which extends well beyond the back wall of the extension to 74. The flank wall of the existing bungalow is on the boundary between the two properties but is 2.6m high. The flank wall of the main part of the proposed development would be about 7.8m high and even taking into account the set-back of 1.7m from the boundary, there would be a reduction in light to habitable rooms which would make them gloomy. As these rooms are southern facing, the loss of light would be significant.
9. For the above reasons, I conclude that the development would harm the living conditions of both 74 and 78 Birchwood Road with regard to loss of outlook. It would therefore be contrary to Policies DP5 and DP7 of the Dartford Development Policies Plan (2017). These policies seek, amongst other things, to protect residential amenity.

Conclusion

10. For the reasons given above and having taken into account all other matters raised, I conclude that the appeal should be dismissed.

Jan Hebblethwaite

INSPECTOR