
Appeal Decision

Site visit made on 6 January 2020

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th January 2020

Appeal Ref: APP/G2245/W/19/3239662

Magrose, Kingsingfield Road, West Kingsdown, TN15 6LJ

- 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 B Hampton of Macey Consultancy Ltd. against the decision of Sevenoaks District Council.
 - The application Ref: 19/02093/FUL dated 11 July 2019, was refused by notice dated 26 September 2019.
 - The development proposed is demolition of railings, shed, retention walls and Magrose side extension. Erection of a new single storey dwelling and dropped kerb to create new access.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr B Hampton of Macey Consultancy Ltd. against Sevenoaks District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - the living conditions of occupiers of Ash Cottage, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal site forms part of the rear and side garden to Magrose, located within a residential area within the rural settlement of West Kingsdown. It is a back land site, surrounded by residential development, including bungalows and chalet bungalows. To the rear of the site, there is a residential park of small bungalows on Kaysland Park. Adjacent to the appeal site, there is a back land infill development, Ash Cottage, which is a bungalow.

5. The proposed development would be a detached, flat-roofed bungalow with its main windows to the front and rear elevations. It would be positioned offset from the proposed driveway with a rear garden and parking area to the front.
6. The flat roof of the proposed house would give it a utilitarian appearance. Within the surrounding area, there is some variation in the style and design of properties. However, pitched roofs ranging from the shallow pitched roofs characteristic of the residential properties on Kaysland Park to the very steeply pitched roofs of the chalet bungalows fronting both Kingsingfield Close and Kingsingfield Road, are the prevailing form of development. In this context, the introduction of a large, flat roofed bungalow would appear in stark contrast with neighbouring development. This would make it appear incongruous.
7. The proposed bungalow would be visible from the surrounding properties and from the street between buildings. Its incompatible design in the context of surrounding development would not blend in and would be harmful within the street scene.
8. I conclude that the proposed development would unacceptably harm the character and appearance of the surrounding area. It would therefore conflict with Policy SP1 of the Sevenoaks Core Strategy Development Plan Document 2011 and Policy EN1 of the Sevenoaks Allocations and Development Management Plan 2015 (SADMP). These policies require new development to be high quality and to respond to the distinctive local character of the area. It would also not accord with the National Planning Policy Framework (the Framework) which requires development to add to the quality of the area and to be sympathetic to local character.

Living conditions

9. The proposed house would be single storey with a flat roof which would be positioned over 2 metres from the boundary with Ash Cottage. The building would be a little less than 3 metres in height.
10. Ash Cottage, which is a bungalow, occupies the adjacent plot to the southwest of the appeal site. It has two windows, which are referred to as bedroom windows in the Council's officer report, facing the appeal site. A boundary fence, indicated to be 2 metres high, between the garden of Ash Cottage and the appeal site runs parallel to Ash Cottage with a narrow space between it and these windows. The tops of the windows are visible above the fence which limits outlook from these windows.
11. The proposed house, due to its low height and position away from the boundary with Ash Cottage, would not result in any significant additional loss of outlook from these windows.
12. I am aware that this is the fourth proposal for the development of this site and that the third proposal, also for a bungalow, was recently allowed on appeal¹. The impact on the living conditions of occupiers of Ash Cottage had also been the reason for refusal for that scheme which proposed a similar building to the scheme before me but with a pitched roof. I note the Inspector found no harm to living conditions, and I have found no reason to disagree with this finding in relation to a proposed development that would be higher than the proposed scheme before me.

¹ APP/G2245/W/19/3229625

13. I conclude that the proposed development would not harm the living conditions of occupiers of Ash Cottage, with particular regard to outlook. It would therefore comply with Policy EN2 of the SADMP which requires proposals to safeguard the living conditions of existing residents. It would also accord with the Framework which seeks development to provide a high standard of amenity for existing users.

Planning Balance and Conclusion

14. I have found that the scheme would not harm the living conditions for occupiers of Ash Cottage. However, the building would result in unacceptable harm to the character and appearance of the surrounding area. As a result, the scheme would be in conflict with the development plan. I attach significant weight to this finding which is not altered or outweighed by my conclusions on the other issues.
15. For this reason, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR