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## Appeal Decision

Site visit made on 3 February 2020 by Thomas Courtney BA(Hons) MA

**Decision by Chris Hoult BA(Hons) BPhil MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 02 March 2020**

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**Appeal Ref: APP/T2215/D/19/3239036**

**64 Joydens Wood Road, Joydens Wood, Bexley, Kent DA5 2HT**

- 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 My Jay Showell against the decision of the Dartford Borough Council.
  - The application Ref DA/19/00970/FUL, dated 10 July 2019, was refused by notice dated 4 September 2019.
  - The development proposed is the extension & conversion of existing bungalow to create a four bedroom family dwelling.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Procedural Matter

3. The date of the application on my copy of the application form has been redacted. I take the date from the appeal form.

### Main Issues

4. The main issue is the effect of the proposed development on the living conditions of the occupants of 62 Joydens Wood Road, with particular regard to outlook.

### Reasons for the Recommendation

5. The appeal site accommodates a single-storey dwelling and detached garage located on the southern side of Joydens Wood Road within an established residential area characterised by a mix of detached bungalows and two-storey dwellings. The properties on the southern side of the road sit within narrow plots with long rear gardens. They lie in close proximity to each other along a broadly similar front building line. On my site visit, I noticed a number of properties to the west of the appeal site have rear two-storey rear extensions, including 60 Joydens Wood Road.
  6. The proposal would result in the demolition of the existing garage and extensions to the existing property to allow for a larger two-storey four-
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bedroom dwelling. It would include the raising of the ridge height of the roof, a part two/part single storey rear extension, a two-storey side extension and a single storey front extension. This proposal follows on from a previously refused scheme at this site. The appellant has attempted to address previous reasons for refusal by modifying the rear elevation, relocating the single storey rear extension to the north eastern side of the dwelling and altering the window arrangement on the side elevations.

7. The neighbouring bungalow at No.62 lies within a large plot similar to the appeal site. It appears to be unextended and have a rear patio area which lies directly adjacent to the common boundary with the appeal property. The rear of the existing appeal property projects past the rear of No.62 owing to the fact No.62 sits on a slightly more forward building line. The proposal would increase the amount of built form along the western boundary and further project beyond the main rear elevation of No.62. It would also increase the roof ridge and eaves thus considerably increasing the mass to the rear of No.64. I find that this is well illustrated in Figure 1 of the delegated officer report.
8. In my view, the proposed extensions would appear excessively prominent and intrusive although I acknowledge an attempt has been made to reduce the depth of the proposal along the western boundary. However, the increase in bulk, depth and an enlargement of the appeal property's roof as a result of the development would appear obtrusive when seen from No.62's side elevation window as well as from the rear patio area and part of the garden closest to the common boundary. Indeed, the additional mass to the rear of No.64, as a result of the proposal, would have an overbearing impact bearing in mind the rear of No.64 already projects beyond the rear of No.62.
9. Although the appellant states that the generous proportions of the plot could easily accommodate the proposed extensions, this view fails to recognise the constricted width of the plot and the proximity of No.62. Furthermore, the two-storey rear extensions at No.60, which project beyond the rear elevation of No.62 along its western boundary, are a material consideration in that they form part of the immediate context of the appeal site. The proposed rear extensions, by virtue of their height, depth and proximity to the boundary, combined with the existing built form at No.60, would erode the openness to the rear of No.62 and exacerbate their occupants' sense of enclosure despite the appellant's view that a 'tunnelling effect' could not occur in this context.
10. Given the relationships between the properties I viewed on site, as well as having had regard to the appellant's daylight/sunlight report, I am satisfied that there would be only a negligible loss of daylight and sunlight as a result of the proposed development. No.62 would still enjoy open rear views towards the south, overlooking plentiful garden space. Notwithstanding this, the development would have an adverse, dominant and overbearing impact when seen from the neighbouring property.
11. I therefore conclude that the proposed development would adversely impact on the living conditions of the occupants of 62 Joydens Wood Road with regards to outlook. The development therefore conflicts with policies DP2, DP5, and DP7 of the Dartford Development Policies Plan (2017) ('the Local Plan') which aims to ensure new development is of good design, well related to its context and respectful of the amenity of occupiers of neighbouring buildings. This is

consistent with the National Planning Policy Framework (the Framework) which aims to ensure a high standard of amenity for residents.

### **Other matters**

12. Although I find the extensions would not have a negative impact on the character and appearance of the area, an absence of harm in this regard could not lend positive weight to the proposal and so cannot be a factor which might outweigh the adverse impact as regards outlook.
13. Though I note no objections were received by neighbouring residents, as pointed out by the appellant, I must also consider the effect of the proposal on future residents.
14. Furthermore, the development plan policies of the Dartford Local Plan cannot be considered outdated as claimed by the appellant. They are consistent with the objectives of national planning policy contained within the Framework and thus full weight should be accorded to them. The lack of relevance of policies included in the delegated report, identified by the appellant, can only be a neutral factor in the balance of considerations. It is not a positive benefit such as to be capable of being weighed against the harm identified.
15. Similarly, I acknowledge the proposal would create work for local trades people and potentially create an increase in council tax revenue. However, I only afford limited weight to these points as the economic benefits deriving from the conversion of a single dwelling would be minimal and would not outweigh the proposal's adverse impact on the living conditions of the occupants of No.62.
16. I also note the appellant's comments with regards to the proposed parking provision. However, as I am dismissing the appeal, I need not consider this point further as, even if I were to find the provision to be adequate, it could not be given positive weight such as might outweigh the harm.

### **Recommendation**

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Thomas Courtney*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*C M Hoult*

INSPECTOR