



Appeal Decision

Site visit made on 5 October 2020

by M Seaton DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2020

Appeal Ref: APP/G2245/W/20/3256136
43/45 Telston Lane, Otford, Kent, TN14 5JZ

- 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 J Langstaff against the decision of Sevenoaks District Council.
 - The application Ref 20/01007/FUL, dated 6 April 2020, was refused by notice dated 12 June 2020.
 - The development proposed is the construction of rear facing dormer windows to no. 43 & 45 Telston Lane by raising of the roof, to form additional living space.
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Procedural Matter

1. The appellant's surname has been identified by different spellings within the Planning Application Form and the Planning Appeal Form. However, it would appear from other submissions that the identification on the Planning Application Form is the correct version, and that is as adopted above.

Decision

2. The appeal is allowed and planning permission is granted for the construction of rear facing dormer windows to no. 43 & 45 Telston Lane, Otford, Kent, TN14 5JZ by raising of the roof, to form additional living space in accordance with the terms of the application Ref 20/01007/FUL dated 6 April 2020, and subject to the following conditions:
 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission
 2. The development hereby permitted shall be in accordance with the following approved plans: Drawing Nos. COB/20/1051/01 & COB/20/1051/02.
 3. The materials to be used in the construction of the development shall accord with those indicated on the application form and approved drawings.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is occupied by a pair of semi-detached two-storey dwellings close to the junction between Telston Lane and Hale Lane.

5. I agree with the Council that, taken in isolation, the overall design, form and proportions of the proposed dormer windows would be subservient to the existing properties and would be acceptable in this design context. Furthermore, the increase in the roof height would maintain the character and general design of the existing roof.
6. The Council has expressed concerns over the impact of the proposal on the character and appearance of the wider area, but I do not share these. I do not agree that the existing design of the pair of dwellings supports the Council's contention of the village exhibiting a rural character, particularly where the underlying character of the immediate vicinity was observed to be overwhelmingly suburban. Whilst the pair of properties are at the end of a row of properties of a design and form observed to be comparatively common nearby and in particular along Willow Park, there is also a considerable degree of variety in the architectural design and form of development within the vicinity, with properties to the south along Telston Lane and on Hale Lane of different design and character.
7. With the properties sitting within a more varied design context, I consider there to be more flexibility with regards design, character and form of development. Although I accept that the residual dwellings would appear higher than the neighbouring pair at 39/41 Telston Lane with a differing angle of roof pitch, I am not persuaded that in the wider context that this would appear as a harmful or unacceptable variation within the street scene. I agree with the Council that the dormer windows would be visible only on a limited basis from within the street scene and I am also satisfied that the rooflights would neither be uncharacteristic nor visually obtrusive within the front roofslope. Furthermore, having observed existing roof storey cladding on the gable ends of the terrace Nos. 31-37 Telston Lane, I do not regard the incorporation of timber cladding on the appeal site to be uncharacteristic within the vicinity.
8. For these reasons, I am satisfied that the proposed development would not result in an adverse effect on the character and appearance of the area. I do not therefore find there to be conflict with Policy EN1 of the Sevenoaks Allocations and Development Management Plan, February 2015 and Policy SP1 of the Sevenoaks Core Strategy 2011. These policies ensure that proposals create high quality design where the form of development responds to the character of the site and distinctive local character of the surrounding area.

Other Matters

9. Objections have been received from interested parties focussed on the potential for an adverse impact on the living conditions of neighbouring occupiers, particularly regarding a loss of privacy from overlooking and loss of light through overshadowing.
10. Having observed the existing inter-relationship between the appeal properties and neighbouring dwellings, I would agree with the council's conclusions that the proposed development would not present an unacceptable impact on the privacy of neighbouring properties in contrast to the existing levels of mutual overlooking between gardens, and that there would not be any significant worsening of the current situation. With regards the potential for a loss of light from overshadowing, I note the appeal property is set broadly to the north of the objector's property and whilst the development would increase the height

of the appeal properties, this would not be so significant as to result in the adverse impact which has been contended.

11. I have also had regard to concerns which have been raised over how the appeal properties are occupied in respect of noise and disturbance, and the allegation that one of the properties is used as commercial premises. However, I am not persuaded that the additional floorspace would lead to the contended additional noise from occupancy, and I am mindful that the proposal is made as an extension to existing residential properties rather than commercial. Any issues related to other potential uses of the properties are not determinative in the context of this appeal.

Conditions

12. In addition to the standard conditions related to the commencement of development and the development being completed in accordance with the approved plans, I am satisfied that a condition requiring the use of the materials highlighted in the submissions would be necessary in the interest of the character and appearance of the area.

Conclusion

13. For the reasons as set out, and the conditions listed, the appeal is allowed.

Martin Seaton

INSPECTOR