



Appeal Decision

Site visit made on 17 November 2020

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2021

Appeal Ref: APP/T2215/D/20/3247552

3 Fairfax Court, Dartford, Kent DA1 1XY

- 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 and Mrs Osebor against the decision of Dartford Borough Council.
 - The application Ref DA/19/01393/FUL, dated 10 July 2019, was refused by notice dated 17 January 2020.
 - The development proposed was initially described as a "loft conversion with two small dormers on the front elevation and two small dormers on the rear elevation".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the existing dwelling and the surrounding area.

Reasons

3. The appeal site is located within a residential street which consists of a terrace of two storey dwellings at one side, which the appellant indicates was built under the terms of a planning permission¹ granted in 2005. Although the stepping of the height of the terrace divides it into shorter groups of dwellings, there is a consistency of scale and design to each group which contributes positively to the appearance of the terrace. The absence of extensions and alterations to the roofs of the terrace reflects the built form that surrounds the appeal site which does not feature dormers that are visible from the public domain, although many dwellings have been adapted and altered in other ways. The surrounding terraces are similar to each other in terms of their scale, form and appearance and the terrace of buildings that includes the appeal site sits comfortably within that context.
4. The mid-terrace dwelling at the appeal site currently features accommodation over two floors and has a pitched roof that rakes away from the road of Fairfax Court. The proposed development would involve the addition of dormers to the front and the rear of the dwelling which would be visible from the public domain and the properties surrounding the appeal site. The dormers would be positioned high on the roof with each dormer being close to the edge of the existing roof of the dwelling.
5. As a result of the number of dormers proposed, they would become a dominating feature of both the front and rear roofscapes, with their effect being exaggerated by virtue of their positioning at a high level which would cause them to appear

¹ DA/05/00669/FUL

poorly positioned relative to the proportions of the roof. The addition of dormers would also cause the dwelling to appear incongruous in the context of the remainder of the terrace and undermine the repetitive and consistent appearance of the groups of dwellings within the terrace. Consequently, the resultant dwelling would have a discordant appearance in an area where dormer roofs are not a common feature and, as such, the proposal would not add to the overall quality of the area.

6. Whilst no more than two dormers would be viewed from any one vantage point and each dormer would be small and constructed from materials that would complement the existing building, these aspects of the proposal would not be sufficient to avoid the dormers dominating the roofscape and the appearance of the dwelling in a manner that would cause harm to the character and appearance of the existing dwelling, the terrace and the surrounding area.
7. The presence of dormers at the rear of other dwellings within the wider area does not alter my assessment of the proposal as those that have been brought to my attention are a substantial distance from the appeal site and do not affect the context in which the appeal site is viewed. In any case, none of those dormers appear to be directly comparable to the development that is the subject of this appeal. Moreover, whilst it may be possible for other dwellings within the vicinity of the site to be extended in a comparable way without requiring planning permission, the appellant has identified that the proposal requires planning permission and I have no reason to conclude that the character of the area is likely to change. Consequently, the opportunities that may exist at other properties do not alter my assessment of the effect of this proposal.
8. The proposal would be substantially different to the development that was the subject of a previous appeal² at the site and I recognise that the appellant has attempted to address the harm that was previously identified. However, for the reasons set out above, it is my view that this proposal would also cause harm to the character and appearance of the existing dwelling, the terrace and the locality. The evidence before me also demonstrates that the appellant engaged with the Council prior to the submission of the application in a manner that accords with the National Planning Policy Framework (The Framework). However, The Framework also requires development to represent good design and be sympathetic to local character and I find that the proposal would not accord with those requirements for the reasons set out above.
9. Consequently, the proposal would have an unacceptable effect on the character and appearance of the existing dwelling and the surrounding area. The proposal would, therefore, be contrary to Policies DP2 and DP7 of the Dartford Development Policies Plan 2017 which, together, require that developments retain or enhance local character, respond to, reinforce and enhance positive aspects of the locality and have regard to neighbouring buildings and the locality in terms of, amongst other things, roof form.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

Ian Harrison

INSPECTOR

² APP/T2215/D/18/3214210