



Appeal Decision

Site visit made on 16 February 2021

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021.

Appeal Ref: APP/G2245/D/20/3262925

12 Madan Road, Westerham Kent TN16 1DU

- 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 Alan Haywood against the decision of Sevenoaks District Council.
 - The application Ref 20/01710/HOUSE, dated 19 June 2020, was refused by notice dated 18 August 2020.
 - The development proposed is the formation of roof extension to form two bedrooms and a shower room, removal of chimney and alterations to fenestration.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on (a) the character and appearance of the host dwelling, street scene and wider area including the Kent Downs and High Weald Areas of Outstanding Natural Beauty (AONB) and (b) the living conditions of the occupiers of the neighbouring property, No. 10 Madan Road.

Reasons

3. The appeal site comprises a semi-detached dwelling of traditional appearance with prominent projecting gable frontage with brick and tile hung elevations. It is set within a frontage of semi-detached and detached dwellings set quite close to the road frontage. Madan Road is a residential street located in the north of Westerham. As emphasised by the appellant, there are commercial premises to the rear of the appeal site; however, they do not form part of the street scene context of Madan Road with only limited glimpses possible between dwellings.
4. The proposed roof additions incorporate two flat roofed box dormers one to the front roofslope of the gable projection and one to the rear as an addition to the roof of the existing two-storey rear projecting element. A further two pitched roof dormers would be added to the side roofslope of the main roof.

Character and appearance

5. The proposed box dormers would be large, extending up to ridge height with the front dormer appearing to be the full depth of the roof and the rear one extending almost down to eaves level. I consider that both these additions would appear as unduly large additions which would not be sympathetic to the proportions and traditional appearance of the existing dwelling. Although the

- dwelling is characterised by deep pitched roofs these would be dominated by the proposed dormers and the traditional roof profile would be largely lost.
6. The front dormer would be a bulky addition, which would appear 'top heavy' and out of keeping with the established character of the street scene within which dormers are not an established feature, albeit I noted one property where a rear dormer could be viewed. It would also serve to imbalance the current pleasant appearance of the semi-detached pair. Whilst I agree that the gable end would remain as the dominant feature, the use of tiles to the dormer 'cheeks' would not sufficiently reduce its visual prominence and it would appear as an unsympathetic addition.
 7. The rear dormer, whilst not readily visible in the street scene, would nevertheless fail to complement the design and appearance of the host dwelling, also appearing as an overly bulky addition to the rear roof.
 8. Conversely, the small, pitched roof dormers would be modest additions that would reflect the shape and design of the existing roof form and would appear as subordinate additions, sympathetic to the character and appearance of the host dwelling. However, I note that the proposals would include the removal of the large distinctive chimney to the side of the dwelling. This would result in the loss of an attractive feature that contributes to the character of the host dwelling and wider area.
 9. In respect of the impact on the AONB the site is located within a fairly densely developed part of the built-up area. Policy EN5 of the Sevenoaks Allocations and Development Management Plan (2015) (ADMP) seeks to permit proposals where the form, scale, materials and design would conserve and enhance the character of the landscape. In my view, given the location of the site there would be little, if any impact in this regard and I therefore do not find any conflict with this policy.
 10. However, for the reasons set out above, I consider that the proposals would have a harmful impact on the character and appearance of the host dwelling and wider street scene. As a result, the proposal would fail to accord with ADMP Policy EN1 which seeks high quality design by requiring new development to respond to distinctive local character and the form and scale of existing buildings.
 11. The proposal would also fail to satisfy guidance in the Sevenoaks Residential Extensions Supplementary Planning Document (2009) (SPD) and Westerham Design Statement (2019) (DS) which state that extensions should respect the character of the existing building, should be well proportioned and in the case of dormers, should generally be to the rear, in scale with the roof plane and set down from the ridge so as to not dominate or detract from the characteristic roof profile of the host dwelling.

Living conditions

12. The adjoining property, No. 10 Madan Road, does not extend as far to the rear as the dwelling on the appeal site. It has no rear projection and there is a patio immediately to the rear of the dwelling. The proposed rear box dormer would contain a side facing window that would overlook this private area and much of the remainder of the garden area of No. 10. This proposed window is the only window serving the bedroom to be created at the rear of the property

and therefore it would not be appropriate to require it to be obscurely glazed or to be fixed shut which might overcome the loss of privacy introduced.

13. The two smaller dormers would be sited in the roofslope of the main part of the dwelling, and whilst these would face towards the above neighbouring property, the relative position of the dwelling is such that it would only be possible to view the private rear garden at an acute angle. In any event, the one that is set further back and closer to the rear garden area, thus potentially having more of an impact, would serve a stairway so could be obscurely glazed. The one towards the front of the roofslope would be the sole window to serve a new front bedroom, but as this would be sited towards the front of the neighbouring dwelling, I do not consider that any unacceptable overlooking would be introduced from this window.
14. Overall, however, the proposal would fail to accord with ADMP Policy EN2 which seeks to ensure that development safeguards the amenities of occupants of nearby properties and does not introduce overlooking or loss of privacy.
15. For the reasons set out above, the proposal would also fail to comply with the National Planning Policy Framework, in particular paragraph 127, which seeks to ensure that development adds to the overall quality of the area, is visually attractive and sympathetic to local character and the built environment generally.

Other Matters

16. The appellant has made reference to a number of examples of roof dormers that have been permitted in the near and wider locality. A number of these appear to have been permitted prior to the adoption of the Council's SPD and Westerham DS. Those that have been permitted since that time appear to be either of different design or are set down and away from the ridge lines and eaves of the roofs as is advised in the guidance. These are not therefore directly comparable to this appeal scheme. In any event, I have considered this appeal in the context of the particular site circumstances including the character and appearance of the host dwelling.
17. I have also taken into account that the proposal will provide enhanced living accommodation for the appellant and his family. However, this benefit is not sufficient to overcome the harm that I have identified above.

Conclusions

18. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR