



Appeal Decision

Site visit made on 31 August 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2021

Appeal Ref: APP/G2245/D/21/3267257

4 Cranleigh Drive, Swanley, Kent, BR8 8NX

- 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 Miss Helen Munford against the decision of Sevenoaks District Council.
 - The application Ref 20/02374/HOUSE dated 17 August 2020 was refused by notice dated 28 October 2020.
 - The development proposed is first floor side extension with single storey front porch and conservatory to rear, with alterations to existing vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. The appeal proposal has several elements to it as outlined within the header at the start of this decision. The Council's refusal reason relates solely to the first-floor side extension with the Council having assessed the other elements as acceptable. I have no reason before me to conclude differently on the other elements so, in that regard, this appeal will focus upon the first-floor side extension only.
4. Since the determination of the application, and the submission of this appeal, a revised National Planning Policy Framework 2021 was adopted on 20 July 2021. Given the main issue for the refusal reason, and the fact the refusal reason does not refer directly to the Framework, it is not considered that this change impacts upon the determination of this appeal.

Main Issue

5. The main issue is the impact of the first-floor side extension upon the character of the area.

Reasons

6. The appeal site is a semi-detached, two-storey, dwelling located within a residential area. The dwelling currently benefits from an attached single storey garage to the side and the proposal seeks a first-floor side extension over this existing garage. The appeal site is located immediately adjacent to the junction with High Firs meaning that when travelling down High Firs, towards Cranleigh Drive, I find that the site is highly visible to on-coming road users

due to them directly facing the appeal site. This is emphasised by the rising site levels on High Firs which slopes up towards the Northwest. I find that the spacing between the appeal site, and the neighbouring property (no. 2), affords views through the site into the countryside to the East. This is because of both the spacing between the properties and the lower height of no. 2. The consistent spacing between the properties around the appeal site is notable and forms part of the character of the area.

7. The appeal proposal would take built form up to the appeal site boundary making it two storeys for the full plot width. I acknowledge that there is an alley to the side of the neighbouring property. Despite this I find that because no. 2 stands slightly lower than the appeal site, the presence of guttering and fascia boarding overhanging from the eaves of no. 2, into the alley, would make the limited space proposed between the appeal site and no. 2 appeal even more enclosed in visual terms.
8. In addition, the close proximity of the appeal proposal to no. 2 would, I find, make the proposal look more prominent due to the height proposed in comparison to no. 2 which is lower. I do not find the set-back proposed would assist with this as the issue is not subservience to the host dwelling itself, but views through the site and the sites relationship with the existing spacing present.
9. The Residential Extensions Supplementary Planning Document 2009 (SPD) is guidance however, its objective is to prevent visual terracing through the advice that first floor extensions should be set back a minimum of 1 metre from the site boundary. The guidance can be flexible in its application, however, taking the site characteristics into account I feel it is appropriate to require the proposal to meet the guidance contained in the SPD due to the impact non-compliance would have as outlined.
10. In this case, the proposal does not meet the guidance in the SPD, which I find results in visual terracing for the reasons outlined above. This in turn has an unacceptable impact upon the character of the area as a result of a terraced and cramped appearance, at odds with the regular pattern of development, due to the loss of the longer views through the site which are important.
11. I did note limited examples of first floor extensions within the immediate area at the time of my site visit. These do not create a precedent. Each case must be assessed on its own merits. In the case of this appeal proposal the key issue is the visual gaps when viewed from High Firs which would not likely have been an issue for the other examples which I saw on the other side of the road.
12. The proposal would be contrary to the Local Development Framework Core Strategy Development Plan Document 2011 Policy SP1 which requires new development to respond to the distinctive local character of the area in which it is situated and Allocations and Development Management Plan 2015 Policy EN1 which requires the layout of the proposed development to respect the topography and character of the site and surrounding area.

Other Matters

13. The appellant's comments regarding parking are noted, however, the Council acknowledge that the extension to the dropped kerb would result in a parking

provision more than the policy requirement and thus parking and/or highway safety does not form part of the refusal reason.

14. A lack of objection from neighbouring residents, and the Town Council, is noted. Despite this a lack of objection is a neutral consideration within the determination of this appeal. The provision of an extra bedroom is noted; however, this is of limited weight and does not overcome the harm to the character of the area which I have identified.

Conclusion

15. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR