
Appeal Decision

Site visit made on 15 February 2022 by Emma Grierson BSc (Hons) MSc MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2022

Appeal Ref: APP/G2245/D/21/3283457

5 New Road, Penshurst TN11 8EH

- 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 Ioan Lucian Apostu against the decision of Sevenoaks District Council.
 - The application Ref 21/01671/HOUSE, dated 23 May 2021, was refused by notice dated 19 July 2021.
 - The development proposed is a loft conversion with a rear dormer and hip to gable.
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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. It is noted that there is a variation in the spelling of the appellant's name on the application form and other documentation submitted as part of this appeal. To ensure clarity, I have used the name as written on the original application form in the banner heading above.

Background and Main Issue

4. The appeal site is located within the Green Belt and the Council have concluded that the proposed development would not represent inappropriate development or result in harm to the openness of the Green Belt. On the basis of the submitted evidence, I agree with these conclusions and that the proposal would accord with the Green Belt policies of the development plan and the National Planning Policy Framework.
5. Therefore the main issue in the appeal is solely the effect of the proposed development on the character and appearance of the surrounding area.

Reasons for the Recommendation

6. The appeal property is a two-storey semi-detached dwelling located within a small crescent of similarly styled properties on New Road. The surrounding area is rural in nature and the site is located within both the Green Belt and the High Weald Area of Outstanding Natural Beauty (AONB). The roofscape of the appeal property currently matches the others within the crescent, including the

attached neighbouring property. This unity provides a positive impact on the character and appearance of the area. The hipped form of these roofs is characteristic of the areas rural nature and reduces the overall massing of the dwellings.

7. The proposed development is a loft conversion which includes a rear dormer, front rooflights and a hip to gable roof extension. The Council have no objections to the proposed rear dormer and front rooflights and I have no reason to disagree with this finding. It has also been concluded by the Council that the proposal would not have a harmful impact on the High Weald AONB, which in accordance with Policy EN5 of the Sevenoaks Allocations and Development Management Plan (2015) is given the highest status of protection in relation to landscape and scenic beauty. Due to the limited nature of the proposed extension, I also agree that the proposal would conserve the character and setting of this AONB. Therefore, the following assessment will focus solely on the effect of the hip to gable roof extension on the character and appearance of the surrounding area.
8. The proposed gable roof would replace the existing hipped roof, increasing the overall size of the roofspace with a much larger and bulkier addition. Due to its height at roof level and positioning on the dwelling, the proposal would be highly visible from the public realm and a dominant feature within the streetscene. Although the proposal would benefit from materials which match the existing property, its deviation from other roof forms within the immediate area would give it an incongruous appearance which would detract from the currently positive design impact on this rural context. As well as appearing at odds with the other dwellings within the crescent, the proposal would also disrupt the symmetry between the pair of semi-detached dwellings of which it is part of, to the detriment of the character and appearance of the area.
9. For the reasons above I conclude that, whilst the proposed development would not impact the High Weald AONB, it would have a harmful impact on the character and appearance of the surrounding area and would therefore be contrary to Policy EN1 of the Sevenoaks Allocations and Development Management Plan (2015), which requires new development to have a high-quality design that respects the character of the surrounding area.
10. The proposal would also be contrary to the Sevenoaks Residential Extensions Supplementary Planning Document (SPD) (2009) which states that in a group of houses, where there is a distinctive roof form which face the street, loft extensions should not detract from that characteristic roof profile.

Other Matters

11. It is noted that the appellant considers that the proposed development would fall under permitted development rights if it wasn't located within the AONB. Nevertheless, the Council's acceptance of the proposed development in the context of the AONB does not convey a deemed consent as has been contended. Furthermore, this does not lessen the weight that must be given to other material considerations such as the impact upon the character and appearance of the surrounding area.
12. Several other developments have been outlined by the appellant, including those undertaken at 33 Lime Road in Swanley and 12 Grange Road in Sevenoaks. These were similar to the proposal before me, in that they included

a hip to gable roof extension to a semi-detached dwelling. Although the appellant has stated that the surrounding area is characterised by hipped roofs as per the appeal site, from the photos provided the setting of these two properties appear to be considerably more built up than the setting of the appeal site. Furthermore, I am mindful that each case must be determined on its own merits, and with the examples referred to not directly comparable in circumstance, these would not weigh with any significance in support of the proposal.

13. I recognise that the proposal would provide additional accommodation for the current and future occupants of the property and make efficient use of the land within its current footprint. I also agree that there would be some economic and environmental benefits presented by the development, such as the employment of local tradespersons and the use of natural light. However, due to the scale of the development, these benefits would be minimal and would not overcome the harm to the character and appearance of the area.
14. The appellant and Council have agreed that the proposal would not harm the living conditions of the occupiers of the neighbouring dwellings and no objections have been received from any third parties. However, this lack of harm and objection would only be a neutral factor in my consideration of the case.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole, and I recommend that the appeal should be dismissed.

Emma Grierson

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR