



Appeal Decision

Site visit made on 18th February 2022

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 5th April 2022

Appeal Ref: APP/G2245/D/21/3286172

50 Madan Road, Westerham, TN16 1DX

- 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 F Roper against the decision of Sevenoaks District Council.
 - The application Ref.21/01789/HOUSE, dated 4 June 2021, was refused by notice dated 8 September 2021.
 - The development proposed is a "two storey rear and side extension with balcony and privacy screens at first floor & loft extension including rear dormer window".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the host dwelling, its semi-pair and the wider area including the Area of Outstanding Natural Beauty.

Reasons

3. The appeal site is situated within the Kent Downs and High Weald Area of Outstanding Natural Beauty. It comprises an attractive semi-detached two storey dwelling in red brick with tile hanging. It has a rear and a small front garden. Its semi-pair is no.48 Madan Road. The site is located on the southern side of Madan Road, a residential street including a mix of Victorian and circa 1950's style housing within the settlement boundary of Westerham.
4. A two storey rear and side extension is proposed with a loft extension and rear dormer window. The side extension would extend out to the existing side elevation of the main dwelling and there would be a ground floor extension into the amenity/garden area. The first floor rear extension would project approximately 1m beyond the existing rear elevation. The roof would be squared off to provide living accommodation on the top floor of the property.
5. The rear elevation would be impacted by the proposal and would result in a considerable alteration in its appearance and character. Whilst there have been alterations to no.48 which the Appellant describes as a number of compromised add-ons, the character of the building as a whole remains evident, particularly the shared gable at the rear and the glimpses of the front elements of the building when viewed from the rear. Both of the latter factors are strong contributors to the character of the host dwelling.

6. The proposal would result in a loss of the original and historic form of the property at all levels. The dwelling has a strong vertical emphasis and the proposed alterations and additions would result in an incongruous horizontal tiered and squared-off appearance. The proposed windows would be dominant and out-of-keeping with the traditional appearance of the building. The proposed extensions taken together would dominate the dwelling and would contrast unsympathetically with no.48.
7. The resulting view of the rear elevation, whether from the garden, the adjacent neighbouring gardens or nearby gardens or from, albeit limited, public vantage points would not be sympathetic. The Area of Outstanding Natural Beauty includes built development which is part of the landscape and well-designed and harmonious dwellings contribute to its appearance and conserve the character of the landscape. The character of the landscape would not be conserved by this proposal. Even without any harm to the AONB, this proposal would warrant refusal of permission.
8. Overall, in this case, I conclude that the proposal would result in unacceptable harm to the character and appearance of the host dwelling, its semi-pair and the wider area including the Area of Outstanding Natural Beauty. It would conflict with policies EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan (adopted 2015), and policy SP1 of the Sevenoaks District Council LDF Core Strategy (adopted 2011).

Conclusion

9. I have borne in mind the benefit to the Appellant and to future occupants of the dwelling from having larger living spaces, increased privacy and light and eco benefits such as living roofs and use of solar panels. However, those factors are not sufficiently weighty to outweigh the harm to the host dwelling and its semi-pair. Having taken into account all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas Q.C.

INSPECTOR