



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/ APP/G2245/D/21/3280996

12 Madan Road, Westerham 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 Robert Hards against the decision of Sevenoaks District Council.
 - The application Ref.21/01523/HOUSE, dated 13 May 2021, was refused by notice dated 14 July 2021.
 - The development proposed is "the erection of a loft extension dormer to the rear part of the house and the erection of two dormer windows to the side of the front part of the house."
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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 surrounding area.

Reasons

3. The appeal site is situated within the Kent Downs and High Weald Area of Outstanding Natural Beauty 'AONB'. It comprises an attractive semi-detached dwelling of traditional appearance with a prominent projecting gable frontage with brick and tile hung elevations. The building has relatively tall chimneys. It is situated within a frontage of semi-detached and detached dwellings set quite close to the road frontage. The semi-pair is no.14 Madan Road. The two houses share several common features and are symmetrical in some respects.
4. Madan Road is a residential street. There are commercial premises to the rear of the appeal site but they do not form part of the streetscene context of Madan Road with only limited glimpses possible between dwellings.
5. The proposed development would comprise the erection of two dormer windows to the side of the front part of the house, and a rear dormer structure with two windows. The proposals would result in five bedrooms in the property. The two proposed side dormer windows would be modest in size, have pitched roofs and be proportionate in scale to the roof plane. They would be set back from the eaves and sides of the roof which would maintain the visual appearance of the roof line in accordance with the guidance set out in the Sevenoaks Residential Extensions Supplementary Planning Document

(2009) 'SPD'. The proposed side dormer window which would be closest to the rear garden area of the neighbouring dwelling (no.10) is shown on the submitted plans as obscurely glazed. I consider that to be necessary to protect amenity. The two side dormers would be visible from Madan Road but they would be set back from the front of the property where their impact would be reduced to an acceptable extent. The loss of the chimney is regrettable but overall the resulting imbalance in the appearance from the front of nos 12 and 14 (its semi-pair) would not be sufficient to warrant refusal of permission for the two side dormer windows.

6. The proposed rear dormer structure would sit below the ridgelines of the property and above the eaves and leave a gap between itself and the end of the gable roof, however, its flat roof and bulk would not compliment the traditional appearance of the property or be sufficiently proportionate in scale to the roof plane. It would not reflect the shape and design of the existing roof form of the host dwelling which I consider to be important to the property's character. It would also unbalance the pleasant appearance of the rear elevations of nos 12 and 14 taken together, which have some elements of symmetry. Whilst this part of the proposal would be at the rear of the property and unlikely to be visible from Madan Road itself, it would nevertheless be detrimental to the character of the host dwelling and could be viewed from gardens and private land.
7. I consider that built development is part of the landscape and is landscape within an Area of Outstanding Natural Beauty in this case. However, given that it would be difficult to see the proposed rear dormer or a part of it from public vantage points, I do not think in this case there is sufficient justification for refusing permission on the basis of harm to the AONB.
8. Notwithstanding my findings in relation to the proposed two modest side dormers, I conclude that the proposed rear dormer structure would unacceptably harm the character and appearance of the host dwelling and its semi-pair. The rear dormer structure would fail to comply with policy EN1 of the Sevenoaks Allocations and Development Management Plan (adopted 2015), the SPD and the Westerham Design Statement (2019).

Conclusion

9. I have borne in mind the acute need for the appellant to increase the living accommodation in this family home but I consider this factor is outweighed by the harm I have identified above. Having taken into account all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas Q.C.

INSPECTOR