



Appeal Decision

Site visit made on 4th March 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: 12th April 2022

Appeal Ref: APP/G2245/D/21/3284373

The Pits, Pit Lane, Edenbridge, Kent TN8 6BD

- 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 P Williams against the decision of Sevenoaks District Council.
 - The application Ref.21/01596/HOUSE, dated 17 May 2021, was refused by notice dated 14 July 2021.
 - The development proposed is the erection of a garage with first floor and dormer.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a garage with first floor and dormer at The Pits, Pit Lane, Edenbridge, Kent TN8 6BD, in accordance with the terms of the application, Ref.21/01596/HOUSE, dated 17 May 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: drawing nos 21/1150/HD/11revA (Proposed Site and Block Plan) and 21/1150/HD/12revB (Proposed Garage Plans and Elevations) both dated 19 May 2021.
 - 3) The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the main dwelling.
 - 4) The building hereby permitted shall not be used other than as a residential annex for purposes ancillary to the use of the dwelling known as The Pits, Pit Lane, Edenbridge, Kent TN8 6BD.

Procedural Matter

2. The description of development sought on the Planning Application Form is "proposed garage to have additional first floor. Bedroom & ensuite. Dormer window." However, the application plans seek planning permission for a building which would not have precisely the same dimensions or overall design as the single storey garage which was approved under application ref.19/01914/HOUSE. I have therefore treated the application as an application for the development shown in the submitted plans and this is reflected in the

more accurate description of the proposed development in the box heading above and in the formal planning permission.

Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the main dwelling and the streetscene.

Reasons

4. The appeal site is located on a corner plot to the south side of a private unmade road at its junction with Main Road. It is relatively close to the train station. It is a two storey detached house and a building is in the course of construction in the north western corner of the plot. To the east of the site is a detached property known as Lamorna. The properties are within the Swan Lane and Pit Lane Character Area and within the urban confines of Edenbridge.
5. The site has planning permission for, amongst other things, a single storey garage in the location of the unfinished building in the north western corner. The approved detached single storey double garage measured about 6.45m in depth and about 7m in width with a dual pitched roof and an overall height of about 5m. The unfinished building did not, at the time of my site visit, accord with the approved plan relating to the planning permission for that single storey garage (ref 19/01914/HOUSE).
6. Planning permission is sought for a double garage with habitable accommodation in the roofspace with a dormer with two front facing windows and rooflights on the western roof slope. It would have an external staircase on its southern flank and a small additional storage area on its northern flank.
7. The Pit Lane portion of the Swan Lane and Pit Lane Character Area has an established pattern of outbuildings and garages sited forward of the principal building line of dwellings and the Council accept that the principle of a garage in the location of the proposed development is established.
8. The proposal would have a larger footprint and massing than the permission for the single storey garage. However, whilst noting that Sevenoaks Residential Extensions Supplementary Planning Document 'SPD' indicates that garages or outbuildings set in front of the building line are not normally allowed, I consider the proposal before me would remain subservient to the main dwelling. The main dwelling has a very prominent front gable and a double garage built as part of a wrap around single storey front and side extension. The house would remain the focus of the residential plot, particularly as the new building would be located in the north western corner with fencing on two sides and there would be reasonable separation space between the main house and the proposed external staircase of the new building.
9. The proposed roof dormer structure would in part be visible from the streetscene. However, the overall height of the building is proposed to be 5m and this is the same height as the approved single storey garage. Furthermore, views of the dormer structure from Pit Lane would be partially obscured by vegetation.
10. On my site visit I noted that there were other garages with dormer structures and that rooflights were not uncommon. I consider that the proposal would not look out of keeping with the established verdant residential area. A planning

condition can be attached to ensure that the materials used in the external surfaces would match those used in the main dwelling thus avoiding a significant divergence in appearance between the two buildings. Moreover, views of the proposed building from Main Road would not be untypical of an urban area.

11. Therefore, overall, I conclude that the proposed building would not unduly harm the character or appearance of the main dwelling or the streetscene. It would accord with policy EN1 of the Sevenoaks Allocations and Development Management Plan (adopted 2015), policy SP1 of the Sevenoaks Core Strategy (adopted 2011), the Sevenoaks Residential Extensions SPD and the Edenbridge Character Area Assessment SPD.

Other Matters

12. The separation distances from the amenity areas and internal living areas of Lamorna and other nearby dwellings would prevent the proposed building from causing a sense of enclosure and consequent loss of outlook for the occupants. In addition to the separation distances, the front windows of the proposed dormer would be orientated eastwards and any overlooking of Lamorna would be oblique. I am in agreement with the Council that the proposal would not cause unacceptable harm to the living conditions of any nearby residents in respect of loss of privacy or outlook. In respect of maintaining adequate parking space on the forecourt of The Pits and providing garage space for parking, I am satisfied that parking arrangements would be adequate. Owing to a planning condition, the building could not be used as a main or separate dwelling to The Pits. It would be a domestic residential annex.

Conditions

13. I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. A condition which ties the built development to the approved plans is necessary in the interests of certainty. In order to protect the character and appearance of the host dwelling and its surroundings a condition requiring the proposal to match the external materials of the main dwelling is necessary. A condition preventing the proposed building from being used as a separate and independent dwelling is also attached in order to protect the character, appearance and amenity of the area.

Conclusion

14. Having taken into account all representations made, for the reasons given above, I allow the appeal and grant planning permission subject to conditions.

Megan Thomas Q.C.

INSPECTOR