The Planning Inspectorate

Appeal Decision

Site visit made on 10 June 2022

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2022

Appeal Ref: APP/T2215/W/21/3285636
29 Squires Way, Wilmington, Dartford, Kent DA2 7NN

- 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 Mrs Abidemi Talabi against the decision of Dartford Borough Council.
- The application Ref DA/21/00792/FUL, dated 20 May 2021, was refused by notice dated 24 September 2021.
- The development proposed is described on the application form as "hip to gable with front and rear dormers loft extension".

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on:

   (i) the character and appearance of the host building and the surrounding area, and

   (ii) the living conditions of the occupiers of 25 Squires Way, with particular regard to privacy.

Reasons

Character and Appearance

3. The appeal property is a semi-detached bungalow which forms part of a group of bungalows of similar age and appearance. Generally, these properties retain their original hipped roof form and therefore the symmetry between the attached pairs also remains in place, as is the case for the appeal property and its pair. This gives this portion of Squires Way a generally unified appearance, a matter to which I attach significant weight.

4. The proposal would comprise the expansion of the roof to form a side gable, and the erection of a half-width, flat-roofed dormer within the front roof slope and a full-width flat-roofed dormer at the rear, that would occupy almost the entirety of the rear roof area.

5. These additions would result in a dwelling with a predominately flat roof. This overly dominant and incongruous roof form would be entirely out of keeping with the appearance of the group of bungalows and would severely disrupt the

symmetry of the attached pair. Due to its siting, height and size I therefore conclude that the proposal would have an unacceptable effect on the character and appearance of the host building and the surrounding area.

6. For these reasons the proposal fails to accord with Policies DP2 and DP7 of the Dartford Development Policies Plan (2017) (DDPP) which, amongst other matters, require development to comprise good design which responds to and retains local character, with consideration given to how the height, mass, scale and siting of proposals relate to neighbouring buildings and the wider locality.

Living Conditions

7. The appeal property has a relatively short rear garden beyond which is 25 Squires Road, which is laid out at right-angles to the appeal property. As a consequence of this arrangement the windows in the proposed rear dormer would allow views towards the flank elevation of No. 25 and its rear garden. The information before me indicates that there is a clear glazed window in the flank elevation of No. 25. However, this is close to the shared boundary between the two properties which comprises a fence. On the basis of the information available to me, I am satisfied that the fence would largely prevent views towards this window.

8. Whilst the fence would partly screen views from the proposed dormer towards the garden at the rear of No. 25, there would be some level of overlooking. However, this would not be of a degree that would result in unacceptable harm. For these reasons I conclude that the proposal would not result in unacceptable effects on the living conditions of the occupiers of No. 25. In this respect the proposal therefore accords with DDPP Policy DP7 which requires, amongst other things, development to avoid having unacceptable material impacts upon neighbouring uses, including by way of overlooking, and to maintain the amenity of residential areas.

Other Matters

9. The appellant has suggested that the hip to gable and rear dormer additions could be constructed under permitted development rights. In the absence of clear evidence that the appeal property benefits from such rights and, if so, what could as a matter of fact be added to the property by utilising the rights, I attribute limited weight to this suggested fall-back position.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR