



Appeal Decision

Site visit made on 24 January 2023

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2023

Appeal Ref: APP/T2215/D/22/3304272

15 Cairns Close, Dartford DA1 2BT

- 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 James Edgson against the decision of Dartford Borough Council.
 - The application Ref DA/22/00080/FUL, dated 24 January 2022, was refused by notice dated 16 June 2022.
 - The development proposed is a loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans that the development includes roof lights. The appellant's appeal form and the Council's decision notice describe the development as including rooflights. As such, I am satisfied that assessing the appeal on this basis would cause no prejudice to any party.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and area.

Reasons

4. The appeal property is a two storey semi detached dwelling that is situated within a row of similar style dwellings that front onto Cairns Close and back onto Priory Road, within an area that is residential in character.
5. In views from Priory Road, the rear walls and roof slopes of the dwellings backing onto Priory Road, including the appeal property, are visible amongst the row of dwellings that front onto Priory Road, where they form part of the continuous built frontage lining this side of the road.
6. The appeal proposal is for a box-like dormer on the rear roof slope of the appeal dwelling facing Priory Road and for rooflights in the front roof slope. There is no dispute that the proposed rooflights would have an acceptable appearance and I have no basis to consider differently.
7. The dwellings which back onto Priory Road, including the appeal dwelling, are of a noticeably different architectural style to the period style dwellings on the same side of Priory Road that front onto it. However, the buildings concerned

have, with the exception of the roof dormers on the front roof slopes of several of the period style properties to the south, undisrupted sloping roofs giving a broadly consistent appearance to the roofscape in the Priory Road street scene.

8. The existing dormers on the properties to the south of the appeal site on the same side of Priory Road, are modestly sized hipped roofed dormers. Each dormer is set down from the main ridgeline, set back from the eaves and set in from the flank elevation of the host property by significant and consistent distances. As such, these dormers are well contained and integrated within the roof slopes of the properties that front onto Priory Road, forming a regular pattern. Consequently, they are not visually dominant, and they retain the sloping nature of the roofs in the roofscape.
9. In contrast to the existing dormers, the proposed dormer would cover most of the appeal dwelling's rear roof slope and its box-like appearance would add considerable high level bulk that would disrupt the shape of its roof and give the host dwelling a top-heavy appearance. When seen in the context of the sloping roofs of the dwellings which front and back onto Priory Road on the same side as the appeal property, the scale and box-like form of the proposed dormer would appear as a visually dominant and discordant addition to the roofscape, that would erode the broad consistency of the sloping nature of the roofscape in the street scene.
10. The matching materials and window frame design of the proposed dormer, including in respect of its vertical alignment with the host property's first floor window below, would not overcome this harm. Furthermore, at the time of my site visit, the rear roof slope of the appeal dwelling was clearly visible through the gaps between the trees growing in the rear gardens of the dwellings that back onto Priory Road. Even when in leaf, I consider that the trees would not provide effective screening of the proposed dormer in views from Priory Road, given the relatively wide gaps between the trees. Moreover, the trees provide little screening in views from Priory Road across the relatively open frontages of the period style dwellings to the north of the appeal property and on the same side of the road.
11. The guidance in the Dartford Development Policies Plan (2017)¹ (DDPP), refers to dormer loft conversions being designed so that they do not dominate the appearance of the existing dwelling or create a top-heavy effect. For the reasons given above, I have found the proposed dormer to be visually dominant.
12. I acknowledge that the proposed dormer would be set down from the main ridgeline, set back from the eaves and set in from the flank elevation of the host property, in accordance with the specific guidance in the DDPP for rear dormers. However, the guidance in the DDPP does not have the weight of policy and it requires each case to be determined on individual merit. In so doing, I find that the distances of separation between the proposed dormer and the ridgeline, eaves and flank elevation of the host property would be insufficient to avoid the proposed dormer's visually dominant and discordant effect on the host property and area, that I have found above. As such, the appeal proposal would be contrary to the guidance in the DDPP when read as a whole.

¹ Paragraph 9.39

13. For these reasons, I conclude that the proposed dormer would harm the character and appearance of the host property and area. It would therefore conflict with Policies DP2 and DP7 of the DDPP, in so far as they require development to respond to, reinforce and enhance positive aspects of the locality, and ensure that extensions to buildings are not visually obtrusive.
14. The appeal proposal would also conflict with Paragraph 130 of the National Planning Policy Framework (2021) (Framework), which states that planning decisions should ensure that developments are visually attractive and sympathetic to local character, including the surrounding built environment, amongst other objectives.

Other Matters

15. The appellant considers the appeal dwelling to be under-utilised and has brought to my attention a number of paragraphs from the Framework, including paragraphs 119, 120, 124, 125 and 130, which are supportive of making efficient and effective use of land and under-utilised buildings, and increasing densities. However, for the above reasons, I have found the proposal to conflict with paragraph 130 of the Framework, and its harmful effect on the character and appearance of the area outweighs any benefit from increasing the accommodation within the building.
16. The appellant has drawn my attention to four planning permissions granted by the Council for the erection of roof dormers on buildings in the Borough. I have had regard to these and note that the dormers permitted on the rear roof slopes of those buildings faced away from the roads which the respective buildings fronted onto, and the dormers did not face onto a road at the rear of the buildings. The front dormers permitted in example two are modestly sized and considerably smaller than the appeal dormer. As such, these examples are materially different in character and context to the appeal proposal, which is for a relatively large box-like dormer that faces the road to the rear, and therefore of limited relevance to my considerations.
17. I recognise that the appeal proposal would not harm the living conditions of nearby occupiers, however this would be a requirement of all well designed development and it does not weigh either in favour or against the proposal.
18. I acknowledge that the management company for the appeal property has no objection to the appeal development and nor do nearby occupiers. However, I need to assess the appeal based on planning policy and an absence of objections is not determinative in reaching my decision on the main issue.
19. That the appeal building is not a listed building or within a conservation area has limited relevance to my considerations.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

G Sylvester

INSPECTOR