



Appeal Decision

Site visit made on 18 April 2023

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2023

Appeal Ref: APP/G2245/W/22/3307413

Streathfield, Shoreham Road, Otford TN14 5RW

- 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 J Ashdown of Ascoe Properties Ltd against the decision of Sevenoaks District Council.
 - The application Ref 22/00036/FUL, dated 6 January 2022, was refused by notice dated 22 August 2022.
 - The development proposed is the erection of 3no. detached dwellings with associated access, parking, footpath and landscaping following demolition of existing dwelling and garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above is taken from the appellant's appeal form and the Council's decision notice, and it reflects the incorporation of a footpath along the frontage of the appeal site. I am satisfied that using this description would not unfairly prejudice the interests of any party.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the site and area, with particular regard to the location within the Kent Downs Area of Outstanding Natural Beauty (AONB).

Reasons

4. The appeal site is within the village of Otford, which is situated within the Kent Downs AONB. The Kent Downs Area of Outstanding Natural Beauty Management Plan 2021-2026, contains a statement that the scarp slope and dry valleys of the Kent Downs are the main target for designation. The landscape of the chalk downs contains dramatic chalk scarps, open plateau and dry valleys with scrub and woodland on the steepest slopes. The North Downs escarpment, which is a steep chalk slope with areas of woodland growing upon it, is visible from the village.
5. Shoreham Road is generally characterised by long rows of detached 2 storey dwellings of individual architectural styles that are set on irregular building lines fronting on to the road. The dwellings are set back behind well planted frontages that incorporate driveways and hard surfaced vehicle parking areas. Front boundaries are mostly defined by tall hedgerows, along with fences and

brick walls, which line the road on both sides. The planting growing in front gardens and along front boundaries is a defining characteristic of the area. It gives the area its mature, verdant character and appearance, and it has the effect of softening views of many dwellings in the street scene.

6. Although several dwellings along Shoreham Road occupy plots that are relatively tightly spaced, these are in a minority and tend to be located to the south of the appeal site. The dwellings in the area of the appeal site are, by comparison, separated by relatively wide but unequal spaces. The irregularity of these spaces creates a pattern of buildings that is generally looser-knit, which along with the dense landscaping within the plots contributes positively to the verdant character and appearance of the area. Whilst the two dwellings to the north are relatively closely spaced, the 2 storey parts of these dwellings are separated by a single storey element, providing a sense of space between them.
7. The appeal site's modestly sized low rise bungalow, set within an uncommonly wide and spacious plot, is at odds with the prevailing scale and pattern of development in the area. However, I saw on my visit that the relatively open and wide side garden to the appeal bungalow, which accommodates a small garage, provides a relatively clear view of the elevated North Downs escarpment from Shoreham Road, through the gap in the frontage hedgerow at the site access. Although these views are relatively localised, they contribute, along with the verdant character and appearance of the area, and the looser-knit pattern of development, to the sense that this part of the village has a semi-rural character that is embedded in the wider landscape of the AONB.
8. The scale and massing of the proposed dwellings, whilst significantly greater than the existing bungalow, would be in keeping with the sizes of the two storey dwellings within the locality. Roof heights would be set lower than the dwelling to the north and comparable to the roof levels of existing dwellings in the area. The elevational designs and materials of the proposed dwellings would be sufficiently different to one another and to the existing dwellings in the area, reflecting the varied architectural styles of dwellings in the area.
9. However, the proposed dwellings would be separated by evenly spaced gaps that would be narrower than those separating most other dwellings in the locality. The proposed dwellings would spread across the site as a tightly grouped row of 3 uniformly spaced dwellings. Set forward of the main core of the dwelling to the north, the row of dwellings would occupy land elevated above the road and would be clearly visible above the proposed replacement boundary hedgerow. The uniformity of the narrow spaces between the dwellings and their formalised pattern would be inconsistent with the established loose-knit pattern of buildings in the locality, resulting in the group of dwellings appearing comparatively cramped and inconsistent within their surroundings. Furthermore, the combined scale and massing of the proposed dwellings would, in comparison to the bungalow, erode views of the elevated Downs escarpment from Shoreham Road.
10. The proposed landscaping and the existing trees along the frontage to Greenhill Road, would soften views of the proposed dwellings in the street scene. However, they would not hide the incongruity of the tightly spaced dwellings in the street scene.

11. The proposed hard surfaced path along the site frontage would introduce hardsurfacing onto land that is currently a grass verge, and would be relatively wide. Although this path would be seen in the context of the path that extends into the village beyond the junction with Greenhill Road, it would have a harmful urbanising effect on this part of the road, by reason of its width and absence of a grass verge. Had the proposal been acceptable in all other respects, I would have raised this matter with the parties. The additional hard surfaced vehicle access and parking areas would have a negligible visual effect in the context of the numerous existing vehicle accesses in the locality. However, a lack of harm in these respects does not outweigh the harm I have found above.
12. I have been referred to an allowed appeal (APP/G2245/W/22/3294304) for the replacement of a bungalow with 2 x 5 bedroomed dwellings at Appleby, Greenhill Road, which lies to the rear of the appeal site. However, the allowed appeal was for a smaller development fronting on to a different road, and where the effect on the AONB was not a disputed matter. Therefore, the Appleby appeal is materially different to that before me and it has limited relevance to my considerations.
13. For these reasons, the proposed development would harm the character and appearance of the area and would fail to conserve and enhance the landscape and scenic beauty of the AONB, which is a matter that I give great weight. As such, it would conflict with the elements of Policies EN1 and EN5 of the Sevenoaks District Council Local Plan – Allocations and Development Management Plan (Adopted February 2015), and Policy L07 of the Sevenoaks Local Development Framework Core Strategy Development Plan Document (Adopted February 2011), which seek to ensure that development in villages is consistent with local character and responds to the layout of development in the area, and that development in the AONB conserves and enhances the character of the landscape.
14. The appeal proposal would also be contrary to 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 and landscape setting.

Other Matters

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
16. The socio-economic benefits of the appeal proposal are that it would make efficient use of land in a settlement where development plan policy supports new housing. It would provide family housing for which there is some local support for, which in turn would generate short term employment opportunities during the construction period and longer term benefits through residents supporting services in the economy. However, the benefits attributed to the net addition of 2 dwellings would be relatively small and they attract limited weight in its favour.
17. The development provides an opportunity for environmental benefits through enhancing biodiversity and promoting the use of low or zero emission vehicles

through installation of electric vehicle charging points. However, given the scale of the proposed development such environmental benefits are small and attract limited weight in its favour.

18. The provision of a path along the site frontage would improve safety for pedestrians and improve visibility for drivers at the junction with Greenhill Road. There is some local support for this, particularly as it would extend close to the public footpath on the opposite side of the road. However, I have no substantive evidence of the level of harm currently posed by the absence of a path in this location. Furthermore, the length of the proposed path is relatively short in comparison to the stretch of road without paths, and most pedestrians would likely still be required to walk in the carriageway even with the path constructed. There is no substantive evidence that the path would be dedicated to the public and remain available for use by the public. Based on these factors, the provision of the path has some limited benefits in favour of the development, however these are outweighed by its harmful visual impact.
19. Improving the existing vehicle access to the appeal site, which has substandard visibility, would be a benefit to highway safety. However, the Transport Technical Note confirms that this access has operated safely and suitably for this purpose to date. As such, I give limited weight to these improvements.
20. There would be no harmful effects on the living conditions of the existing occupiers of nearby properties, highway safety or protected species. Established interior space standards and car parking standards would be met. Important trees would be protected. However, an absence of harm in these respects is neutral and weighs neither for nor against the development.
21. I have found that the proposed development would not conserve and enhance the landscape and scenic beauty of the AONB. In accordance with Paragraph 176 of the Framework, I am required to give great weight to conserving and enhancing landscape and scenic beauty in the AONB. In so doing, I find that the harm to the AONB outweighs the limited economic, social and environmental benefits of the proposed development.
22. The Council cannot currently demonstrate a five-year supply of deliverable housing sites in its area. The current supply equates to some 2.9 years, the shortfall of which is substantial. Accordingly, the policies which are most important for determining the application are deemed out-of-date, in accordance with Paragraph 11.d) of the Framework. However, my findings in respect of the AONB provide a clear reason for refusing the proposed development. Consequently, the proposal does not benefit from the presumption in favour of sustainable development under Paragraph 11 of the Framework.

Conclusion

23. For the reasons given above, I conclude that the appeal proposal conflicts with the development plan as a whole. There are no material considerations of sufficient weight, including the provisions of the Framework, to outweigh this finding. Therefore, the appeal should be dismissed.

G Sylvester

INSPECTOR