



Appeal Decision

Site visit made on 26 July 2023 by R Dickson BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st August 2023

Appeal Ref: APP/G2245/D/23/3316014

2 Croydon Road, Westerham, Kent TN16 1EX

- 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 and Mrs Jones against the decision of Sevenoaks District Council.
 - The application Ref 22/02893/HOUSE, dated 19 October 2022, was refused by notice dated 13 December 2022.
 - The development proposed is for a loft conversion with rear dormer window, rooflights on front elevation and side window.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with rear dormer window, rooflights on front elevation and side window at 2 Croydon Road, Westerham, Kent TN16 1EX in accordance with the terms of the application, Ref 22/02893/HOUSE, dated 19 October 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SP-1390-22-PL02_revA.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.
 - 4) The development hereby permitted shall not be occupied until the side window within the gable has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The appeal building is flanked by a 3-storey block of flats and similar semi-detached properties. The road slopes, with the appeal site and block of flats being uphill. The rear of the property backs onto a private access. As such, there are very few public views of its rear elevation.
5. The proposed dormer would be most visible from the rear, with the rooflights being most obvious on the front. Even so, the appeal building would still be read as a two storey dwelling, in keeping with others of the same type. While the dormer would be an obvious addition, owing to its size and position, the original roof slope would remain legible, ensuring some proportionality. The overall impression of the dormer would also be lessened by its position adjacent to the block of flats, which by comparison is a tall and imposing structure.
6. There are other examples of dormer extensions in the area so the proposal would not result in an uncharacteristic form of development. Also, and being a contextually small amount of development to an existing building within a built up urban area, the proposal would ensure that the special qualities of the AONB would not be materially affected. Accordingly, the proposed development would be in accordance with Policies EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan (2015) which seek to maintain high quality design within the Kent Downs AONB.

Conditions

7. In addition to the standard commencement condition, a condition to require the development to be carried out in accordance with the approved plans is required for certainty. A condition requiring matching materials is needed to ensure the proposal is in keeping with the area. Obscured glazing is required for the side window in the gable, to ensure there would be no adverse effect on the living conditions of the occupants of Malborough Court. With regard to ecological enhancement, as the development would not result in a loss of biodiversity owing to it only relating to works to the roof of an existing modern building in a built up area, a condition therefore has not been included.

Conclusion and Recommendation

8. The appeal scheme would comply with the development plan, as such it should be allowed, subject to the conditions set out.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representatives' report and on that basis I allow the appeal, subject to the conditions set out.

John Morrison

INSPECTOR