



Appeal Decision

Site visit made on 4 September 2023

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2023

Appeal Ref: APP/G2245/W/22/3309358

73 Bradbourne Vale Road, Sevenoaks, Kent TN13 3DN

- 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 Ranjit Mundair against the decision of Sevenoaks District Council.
 - The application Ref 22/00613/FUL, dated 3 March 2022, was refused by notice dated 1 July 2022.
 - The development proposed is a replacement four bedroom detached dwelling with associated garage and parking.
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Decision

1. The appeal is allowed and planning permission is granted for a replacement four bedroom detached dwelling with associated garage and parking at 73 Bradbourne Vale Road, Sevenoaks, Kent TN13 3DN in accordance with the terms of the application, Ref 22/00613/FUL, dated 3 March 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: 3266 – 001 Rev F, 3266 – 002 Rev I, 3266 – 003 Rev C, 3266 – 004 Rev B and JB14_04_RM1 Revision A.
 - 3) The materials to be used in the construction of the development hereby permitted shall be those stated in the Application Form and within the Design and Access Statement dated 4 March 2022.
 - 4) The dwelling hereby permitted shall not be occupied until the first floor windows in both side elevations have been fitted with obscured glazing, and no part of those windows that are 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.
 - 5) No development above slab level shall take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
 - 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die,

are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 7) The flat roof area to the rear of the dwelling hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
- 8) The driveway gates shall open inwards into the site.
- 9) Prior to completion of the garage hereby permitted, one electric vehicle charge point shall be installed within the garage.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published on 5 September 2023. The amendments to the Framework do not have any bearing in respect of this appeal and I do not consider that this has prejudiced any party.

Main Issue

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

Reasons

4. The site is located within a row of predominantly detached two-storey dwellings, which are set back within their plots to the rear of well-established and high front boundary hedges, brick walls and timber fences. The front boundaries are further separated from Bradbourne Vale Road by a wide grass verge with several trees giving the area a verdant feel.
5. Although not readily visible given the trees and hedges, glimpsed views of the surrounding development indicates that the housing dates from the 1930s. Some extensions and alterations have taken place in the area, however the overall character has remained largely intact. This is evidenced through the use of traditional materials, including brick and render, and features including dormer windows and forward facing timber gables.
6. The existing development at the site comprises a detached dwelling, which is smaller in scale than the majority of the surrounding development. The dwelling has many elements typical to the character of the surrounding area, although this is only appreciated from the site's access.
7. The proposal would replace the existing dwelling with a two-storey dwelling in the same position, in line with the neighbouring properties. The dwelling would broadly replicate the scale and massing of the adjoining and surrounding development, with the overall ridge height matching that of the neighbouring dwellings. The proposal would incorporate elements of development in the locality, including the forward facing gable and the use of facing brick and render. These features blended with the contemporary and distinctive design would allow the development to respect the style of development surrounding the site, as set out in the Lambarde Road section of the Sevenoaks Residential Character Area Assessment, which is an adopted Supplementary Planning Document.

8. The contemporary architecture of the proposed dwelling would set the proposal apart from the surrounding development. However, the discreet position to the rear of the established hedges and trees to the frontage would ensure that the development would not have a disproportionate visual effect on the wider street scene. The scale, design and use of materials would respect the overall character and appearance of the surrounding area and over time would be a considerate building of interest in the locality.
9. The proposal also includes the provision of single-storey outbuildings in the rear garden and close to the front boundary. The rear outbuilding would be of a modest scale and set within the confines of the rear garden, which is bordered by mature trees and hedges, allowing it to rest comfortably within its setting.
10. The outbuilding to the front would have a large footprint but would be single-storey in scale. Outbuildings to frontages are not uncommon within the locality and are typically positioned to the rear of the established front boundaries, reducing their visual effect on the street scene. The outbuilding would reflect this positioning and its contemporary appearance would be in-keeping with the proposed dwelling.
11. The proposal, including the dwelling and outbuildings, would increase the amount of built form at the site. The site is relatively large and would comfortably accommodate the development without appearing cramped. Furthermore, the retained boundary planting would continue to soften the visual effect of development at the site.
12. I therefore conclude that the proposed development would have an acceptable effect on the character and appearance of the site and the surrounding area. On this basis, the proposal accords with policy EN1 of the Allocations and Development Management Plan (2015), policies SP1, LO1 and LO2 of the Core Strategy and the Sevenoaks Residential Character Area Assessment, which require proposals be of a high quality design and respond to and respect the character of the surrounding area.

Conditions

13. In addition to the standard time limit condition, I have imposed conditions requiring that the development is carried out in accordance with the approved plans using the materials stated. This is in the interests of certainty.
14. I have imposed a condition requiring a detailed landscaping scheme, to include protection measures for existing trees and hedges in order to preserve the character and appearance of the area.
15. I have included conditions requiring the first floor side facing windows to be obscure glazed and fixed shut and that the flat roof area to the rear is not used as a balcony. This is to safeguard the privacy of neighbouring residents.
16. Furthermore, I have included conditions to ensure that the entrance gates do not obstruct the footway, in the interests of highway safety, and the provision of an electric vehicle charging point to mitigate the effects of climate change and poor air quality in accordance with policy T3 of the ADMP.

Conclusion

17. The proposal would accord with the development plan as a whole and there are no other considerations, which would indicate that a decision should be made otherwise. Therefore, for the reasons given, I conclude that the appeal should be allowed.

J Pearce

INSPECTOR