



Appeal Decision

Site visit made on 3 October 2023

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th November 2023

Appeal Ref: APP/G2245/W/23/3319059

Chestnuts, Quakers Close, Hartley, Kent DA3 7EA

- 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 Collins Anim against the decision of Sevenoaks District Council.
 - The application Ref 22/03244/FUL, dated 22 November 2022, was refused by notice dated 6 February 2023.
 - The development proposed is a 2 bed detached dwelling house with associated parking, amenity, and landscaping.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site encompasses land within the curtilage of Chestnuts on Quakers Close. However, the proposed dwelling would be accessed from, and would face, Northfield and would therefore form part of its street frontage. There is some architectural variety on Quakers Close, and the nearest dwellings to the site are generally detached with private driveways. In contrast, Northfield has a distinctive character made up of dwellings in terraced rows. The two streets are connected by a footpath that runs adjacent to the site boundary.
4. Buildings on Northfield are characterised by red brick materials, mixed with white and brown cladding and render. A small number of dwellings have driveways fronting garages, but the majority of parking is on-street. The topography of the area allows for views across rooftops to the wider landscape that creates a sense of spaciousness.
5. The dwelling would reflect some local characteristics, including through its simple form and roof line. It is also proposed that materials would match those in the local area, and details of such materials could be secured through condition.
6. However, whilst the dwelling has been designed to reflect the host property on Quakers Close, it would introduce a detached dwelling with private driveway to Northfield. This would be at odds with the terraced rows that are characteristic of the street, notwithstanding that some dwellings have been extended or altered.

7. Moreover, whilst the dwelling would be positioned to enable vehicular access from Northfield, its front elevation would sit at an irregular angle facing the street corner. This would cause it to have a poor relationship with the street and neighbouring dwellings.
8. The proposed dwelling would sit forward of the front building line of the host property. As such it would fill space that currently allows for views towards Northfield from Quakers Close. At two-storeys and with only one small window, the rear façade of the dwelling would be unattractive and unduly prominent in views from Quakers Close, and when approaching the footpath to Northfield.
9. Moreover, the dwelling would fill the majority of its plot depth, with much of its rear wall facing the side elevation of Chestnuts. Although there would be no window-to-window views between the dwellings, the proximity between them would result in an awkward relationship between the two properties. Overall, the dwelling would be constrained within the depth of the plot, which would detract from local distinctiveness.
10. I conclude that the proposal would cause harm to the character and appearance of the area. This would be contrary to policy SP1 of the Sevenoaks District Council Local Development Framework Core Strategy Development Plan Document 2011 (CS) and policy EN1 of the Sevenoaks District Council Allocations and Development Management Plan 2015 (ADMP), as well as the National Planning Policy Framework (the Framework) which, taken together, seek to secure high quality design that responds to local character.

Other Matters

11. The proposal would make a positive contribution to local housing supply by delivering an additional dwelling. This would be in accordance with the Framework, which seeks to significantly boost the supply of homes.
12. The Council has not identified any policy conflict in respect of the principle of the development. The development would make more effective use of land within the settlement boundary of Hartley, and this would be supported by the Framework.
13. The proposed dwelling would offer a good standard of accommodation that has been designed to ensure that no upper floor windows would face nearby properties. Accordingly, no harm has been identified in respect of the living conditions of future occupiers or neighbours, including through overlooking.

Planning Balance

14. The proposal is not in accordance with the aforementioned development plan policies and therefore conflicts with the development plan when read as a whole. Proposed development that conflicts with the development plan should normally be refused unless material considerations indicate otherwise.
15. In this regard, the Council accepts that it cannot currently demonstrate a five-year supply of deliverable housing sites. Although I have not been provided with any definitive information as to the size of the shortfall, the evidence indicates that the delivery of housing in the local area has fallen below 75% of the requirement over the previous 3 years. Therefore, it is likely that the shortfall is significant.

16. In this circumstance, paragraph 11 of the Framework is engaged. Paragraph 11(d) states that planning permission should be granted unless (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The evidence does not indicate that paragraph 11(d)(i) applies, and therefore I shall consider the proposal against the test in paragraph 11(d)(ii).
17. The CS and the ADMP date from 2011 and 2015 respectively. However, the Framework is clear that weight should be afforded to policies according to their degree of consistency with the Framework, rather than their age.
18. In that regard, the Framework considers high quality design to be fundamental to the planning process. Paragraph 130 of the Framework states, amongst other things, that planning decisions should be sympathetic to local character and the surrounding built environment. Therefore, I attach significant weight to the conflict with policies SP1 of the CS and EN1 of the ADMP.
19. As set out above, there would be some social and economic benefits associated with the proposal. However, the benefits arising from a single dwelling would be very minor. I therefore attach moderate weight to these benefits in my consideration of the appeal.
20. No harm has been identified in respect of other matters, and the absence of harm carries neutral weight in my decision.
21. Taking all of the above into consideration, and in the particular circumstances of this case, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, when taken as a whole.

Conclusion

22. The proposed development conflicts with the development plan when read as a whole. There are no material considerations before me, including the provisions of the Framework, that outweigh the harm I have identified. Therefore, for the reasons given above I conclude that the appeal is dismissed.

E Catcheside

INSPECTOR