



Appeal Decision

Site visit made on 17 January 2024

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2024

Appeal Ref: APP/G2245/D/23/3330895

Dene Cottage, Knockholt Road, Halstead TN14 7EU

- 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 Perry Boyt against the decision of Sevenoaks District Council.
 - The application Ref 23/01976/HOUSE, dated 6 July 2023, was refused by notice dated 15 September 2023.
 - The development proposed is described on the application form as "Addition of first floor and rear extension".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are:
 - The effect on the streetscene and the character and appearance of the host dwelling and locality.
 - The effect on the living conditions of the occupiers of the adjacent dwelling at White Gables, with particular regard to whether the development would appear overbearing.

Reasons

3. The appeal concerns a detached bungalow within a somewhat varied streetscene. To the south are two dwellings that are single storey below eaves level but these are separated from the appeal site by an access drive. To the other side is a chalet style property at White Gables, which has three fairly bulky dormer additions to the side. Beyond this are two storey dwellings, including a relatively tall property with the upper floor in a mansard roof. In this context, raising the host dwelling to two storey height would be appropriate and compatible with the surroundings, while not resulting in an unduly tall or prominent development.
4. The character of the bungalow would be significantly changed. This would include introducing a gable ended roof above two storeys, whereas the existing top has an almost pyramidal form above a ground floor. The new roof would have a lower ridge at the front and be set in from the northern side. Attached to this part would be a single storey addition. This articulation would give some visual interest and limit the perceived bulk and mass. Despite the extent

- of the changes to the fairly modest bungalow, the enlarged dwelling would be of an appropriate appearance both in itself and in its context.
5. For these reasons, it is concluded that the development would not be harmful to the streetscene or the character and appearance of the host dwelling and locality. The proposal would comply with the Allocations and Development Management Plan (ADMP) 2015, Policy EN1, which, among other things, intends that the form of the development should respond to the scale and height of the area.
 6. The dormer additions at White Gables face the side of the bungalow and the windows at each end serve bedrooms. Moreover, these rooms are not served by any other windows so that they provide the sole outlook. The Appellant points out that the ridge of the main part of the addition would be 1.7m higher than that of the host dwelling, with that of the front projection being 0.6m taller. However, the existing bungalow has a particularly short ridge line and along the side facing White Gables the roof slopes down at the front and rear end to single storey eaves level. As a result, this significantly limits the bulk and prominence of the roof when seen from the side facing bedroom windows at the neighbouring property.
 7. Even though stepped down towards the front, the enlarged dwelling would have a significantly longer ridge line at a more elevated level. Despite the lower front ridge, the additional height towards both ends of the property would be significantly greater than that in relation to the ridge of the bungalow. Moreover, both parts would rise noticeably above the level of the adjacent windows. The development would therefore significantly increase the bulk and scale of the property.
 8. The main part of the new roof would be particularly near the adjacent dwelling. It would be directly in front of the bedroom window furthest from the road. Even though stepped back from the side boundary, the roof over the front gable would be immediately in front of the bedroom window nearest the street and be unduly close. The main part of the roof would also be prominent in views from this opening as it would only just be offset to the side.
 9. In these circumstances the development would be of an excessive scale, bulk and height, resulting in an unpleasant and oppressive sense of enclosure given the undue proximity. The extended dwelling would therefore appear overbearing and unneighbourly.
 10. The Appellant has provided the Council's report on the application where planning permission was granted for the side dormer additions at the neighbouring dwelling. This indicates that the presence of a boundary hedge between the properties was a significant factor in considering the effect in relation to kitchen and bedroom windows at Dene Cottage to be acceptable. However, in this case the bedroom windows are noticeably higher and would not be screened from the development by vegetation.
 11. It is also pointed out that this report makes no reference to the outlook from the new bedroom windows at White Gables. This suggests it was not a significant issue and that the Council had no concerns in this respect, which reflects the fairly modest height and bulk of the bungalow. I am not therefore persuaded that this report lends any meaningful support to the appeal.

12. The Appellant makes reference to permitted development rights concerning the addition of another storey. This is potentially relevant as a fall-back position but in the absence of any drawings of such a scheme no meaningful comparison can be made with the current proposal, which must be considered on its own merits.
13. It is accepted that some enclosure and visual intrusion might reasonably be expected in relation to side facing windows. However, despite this relationship, the degree of harm in this case would result in an unacceptable deterioration in the quality of the environment at White Gables. The adverse impact would occur regardless of the number of two storey dwellings found in the locality. In consequence, it is concluded that the living conditions of the occupiers of the adjacent dwelling would be harmed. There would be conflict with ADMP Policy EN2, the aims of which include seeking to prevent such adverse effects.
14. In the National Planning Policy Framework it is indicated that decisions should ensure that developments satisfy a number of considerations. These include that the proposed development should create a high standard of amenity for existing and future users, which would not be satisfied.
15. As well as in relation to the streetscene and character and appearance, there would be no adverse impact on light levels or privacy at White Gables. Nevertheless, the lack of harm in respect of these matters is a neutral factor that weighs neither for nor against the proposal. Therefore, because of the harm that would arise in relation to living conditions it is determined that the appeal fails.

M Evans

INSPECTOR