



Appeal Decision

Site visit made on 26 June 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th July 2024

Appeal Ref: APP/G2245/D/24/3342643

25 New Road, South Darenth, Dartford, DA4 9AT

- 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 Mathew Tee against the decision of Sevenoaks District Council.
 - The application Ref 24/00073/HOUSE, dated 12 January 2024, was refused by notice dated 5 March 2024.
 - The development proposed is described as a two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposal on the character and appearance of the host dwelling and the area. The second main issue is the effect of the proposal on the living conditions of the occupiers of 27 New Road (No.27), due to daylight, sunlight and visual impact.

Reasons

Character and appearance

3. The appeal property comprises a modest sized two storey end of terrace house with a single storey rear extension on the western side of the dwelling. The dwellings within the adjoining rear terrace also have rear projecting wings/extensions of varying depths, widths and heights. To the rear of the dwellings are narrow and deep rear gardens. On the western side of the appeal dwelling is a pedestrian access between New Road and East Hill. Beyond this path are a row of deep gardens which provide views towards the flank wall of the appeal dwelling.
4. Policy EN1 of the Sevenoaks Allocations and Development Management Plan Development Plan Document 2015 (DMP), supports high quality design. It requires proposals to respond to the scale, height and materials of the area and to respect the topography and character of the site and surrounding area.
5. Paragraphs 131 and 135 of the National Planning Policy Framework 2023 (Framework) advise that good design is a key aspect of sustainable development. New development should be visually attractive as a result of good architecture and sympathetic to local character, including the surrounding built environment and landscape setting. New Development should also

optimise the potential of the site and provide a high standard of amenity for existing and future users. DMP Policy EN2 states that proposals will be permitted where they safeguard the amenities of the occupiers of nearby properties. They should not result in visual intrusion or an unacceptable loss of privacy or light.

6. The external shell of the proposed extension has already been constructed. Its depth, width and height is consistent with other extensions and rear projections to the rear of the dwellings in New Road, which have a combination of flat and pitched roofs. As such the proposed extension does not look out of place within the existing rear garden environment. However, this is not the end of the matter, as the two storey element of the proposed extension is also visible from the street scene and the adjacent path.
7. Deep flank walls of various heights and large areas of brickwork are evident in views between the terraces and around the junction of New Road and Horton Road. However, other than brief and partial glimpses of tall flat roofs within the rear gardens, these buildings and extensions have traditionally pitched roofs. Their pitched roofs are visually soft and soften the appearance of the extensions and in particular their flank walls.
8. The proposed flat roof sits slightly awkwardly just above the eaves line of the host dwelling and is visually hard and utilitarian. It also hardens the appearance of the resultant flank wall of the appeal dwelling. For this sole reason, the proposal has a degrading impact on the appearance of the host dwelling and the surrounding area. This harm would outweigh the benefits for the appellant that would result from the proposed additional accommodation.
9. For these reasons I conclude on the first main issue that the proposal would unacceptably harm the character and appearance of the host dwelling and the area. Accordingly, it would conflict with DMP Policy EN1 and paragraphs 131 and 135 of the Framework.

Living conditions

10. The two-storey part of the rear extension is set in from the boundary with No.27 and is not evident in views from the rear kitchen window of that property. Conversely, the two storey and single storey parts of the proposed extension are clearly visible from the first floor rear bedroom window at No.27. However, this bedroom benefits from an open aspect over the top of the single storey part of the proposed extension and the single storey extension at No.27. Accordingly, the proposed two storey part of the proposal would not have a materially adverse impact on the outlook from the rear windows at No.27. Similarly, as the ground floor side window is obscure glazed and serves a bathroom, it would not have a materially adverse visual impact or result in an unacceptable loss of daylight or sunlight.
11. Due to its combined juxtaposition, height and depth the two-storey part of the proposed extension results in some loss of daylight and sunlight within the rear kitchen at No.27. However, having regard to the northerly aspect of this window and its location between the rear projection at No.27 and the tall boundary fence, this would not amount to a reason for dismissing this appeal.
12. The single storey element of the rear extension is visible above the tall boundary fence between the two properties, although its mono-pitched roof is

largely hidden. Notwithstanding this, due to its combined depth and eaves height the flank wall of the single storey part of the proposed extension has an unduly enclosing impact on the outlook from the existing kitchen window and rear garden access passage at No.27. The effect is overbearing and unacceptably detracts from the living conditions of the occupiers of No.25.

13. For these reasons I conclude on the second main issue that the proposal would unacceptably harm the living conditions of the occupiers of No.27 due to the overbearing visual impact of the single storey part of the proposed extension . Accordingly, it would conflict with DMP Policy EN2.

Conclusion

14. Whilst I have found in favour of the appellant on some matters, the conclusions on both of the main issues represent compelling reasons for dismissing this appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR