



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/T2215/D/24/3341044

63 Tile Kiln Lane, Bexley, DA5 2JE

- 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 Godswill Kuranga against the decision of Dartford Borough Council.
 - The application Ref DA/23/01248/FUL, dated 8 November 2023, was refused by notice dated 3 January 2024.
 - The development proposed is described as provision of dormer windows in front and rear roof slope in connection with providing additional rooms in the roof space.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. In April 2024 the Dartford Borough Council's The Dartford Plan - Dartford Borough's Local Plan to 2037 (LP) was adopted. It states at paragraph 1.5 that the LP replaces all the policies in the Core Strategy 2011 and Development Policies Plan 2017 (DPP) and the Dartford Local Plan Pre-Submission (Publication). The Council has confirmed that in relation to the appeal proposal the relevant policies within the LP include Policies M1 and M10. The appeal has been determined on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

4. The appeal site occupies a prominent position adjacent to the junction of Tile Kiln Lane and Joydens Wood Road.
5. The southern side of Tile Kiln Lane is characterised by individually designed detached bungalows, chalet and two storey houses that are set back from the street scene behind mature landscaped gardens. The dwellings are partially screened from the lane by the abundance of hedges and trees which flank the lane. On the opposite side of the road are Bexley Park Heath and a football club. These features all contribute to the informal, verdant and semi-rural character and appearance of the street scene.

6. Conversely the northern part of Joydens Wood Road is characterised by rows of uniformly sited and designed semi-detached and terraced two storey houses, with uncluttered shallow pitched roofs, which hip away from the road. They are set back from the highway behind modest sized front gardens, which typically accommodate on-site parking spaces and low level planting. On the west side of the road is Tile Kiln Lane Green which is an open grassed area with occasional trees. This results in a more formal suburban character and appearance.
7. Within Joydens Wood Road some of the chalet style dwellings include pitched roof dormers on their front elevations. They are at first floor level and align with the first floor windows of the two storey dwellings. As such they do not have a material impact on the scale and modest roof form of the two storey dwellings along this part of Joydens Wood Road and the roof-scape in general. At the opposite end of Joydens Wood Road are two pairs of semi-detached houses which have large dormer extensions on their front roof slope. Whilst they create a small uniform group, due to their height and bulk they are not reflective of the prevailing roof-scape. There are also a number of large rear dormer extensions, although they are largely screened from and have minimal impact on the street scene.
8. The appeal dwelling projects forward of the front building lines of the nearby dwellings in Joydens Wood Road and its flank elevation is sited close to the pavement. As a consequence, the rear and side elevations of the appeal dwelling are prominent in views along Joydens Wood Road and Tile Kiln Lane Green.
9. Collectively and amongst other things, LP Policies M1 and M10 seek to ensure that new development responds to, reinforces and enhances positive aspects of the locality. It should be suitable in terms of height, mass and roof form and should integrate with the public realm. Extensions should follow the historic pattern and form and should not be visually intrusive. These policies are consistent with Paragraph 135 of the National Planning Policy Framework 2023, which states that new development should be sympathetic to local character, whilst not preventing appropriate innovation or change.
10. Due to their combined siting, height, depth and mass the proposed dormers would appear top heavy on the dwelling and would both dominate and materially detract from its appearance. The resultant roof would be prominent in views from Joydens Wood Road and Tile Kiln Lane Green, where it would appear bulky and top heavy. It would be out of keeping with the modest roof-scape above first floor level. Also, the dormer cheeks would add to the stark appearance of the right side wall of the host dwelling when viewed from Joydens Wood Road and Tile Kiln Lane Green.
11. Conversely in views from the east along Tile Kiln Lane, the dwelling would remain largely screened and would have a minimal impact on the roof-scape, character and appearance of this part of the lane.
12. Notwithstanding this, the harm it would cause to the character and appearance of the host dwelling, Joydens Wood Road and Tile Kiln Lane Green would clearly outweigh the benefits for the appellant and their family that would result from the additional accommodation. This harm is not a matter that could be adequately dealt with by condition.

13. For this reason I conclude that the proposed dormer windows would unacceptably detract from the character and appearance of the host dwelling and the area. Accordingly, it would conflict with LP Policies M1 and M10.

Elizabeth Lawrence

INSPECTOR