
Appeal Decision

Site visit made on 25 July 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2024

Appeal Ref: APP/T2215/D/24/3344446

7 Alfian Lane, Wilmington, Kent DA2 7HB

- 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 Mrs Roscoe against the decision of Dartford Borough Council.
 - The application reference is DA/24/00248/FUL.
 - The development proposed is for the construction of a hip to gable with front and rear dormers to provide additional rooms in the roof space, erection of a front porch and part two/ part single storey rear extensions (revisions to previously approved planning permission DA/22/01486/FUL to increase the rear dormer size).
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a hip to gable with front and rear dormers to provide additional rooms in the roof space, erection of a front porch and part two/ part single storey rear extensions (revisions to previously approved planning permission DA/22/01486/FUL to increase the rear dormer size) at 7 Alfian Lane, Wilmington, Kent DA2 7HB in accordance with the terms of the application reference DA/24/00248/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ALF/7 1 Rev A
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of 6 Alfian Lane with regard to overshadowing and overbearing impact.

Reasons

3. The appeal site comprises a semi-detached dwelling with off-street parking on a driveway to the front. It is located in a row of other residential properties opposite an area of woodland. The house is in an elevated position relative to the adjacent dwelling at no.6 Alfian Lane due to a fall in topography in this direction. Nevertheless, I observed that the gap between built form is relatively generous, and a sense of spaciousness is afforded between the buildings.

4. My attention is drawn to a previous application approved by the Council under reference DA/22/01486/FUL that granted, amongst other things, a rear dormer. To all intents and purposes, this appeal scheme proposes an extension to the dormer element such that it would project further to the rear by approximately 2 metres.
5. The block plan demonstrates that the development would be positioned broadly to the northwest of no.6. The amount of light reaching the facing windows in the side elevation of the neighbouring unit is already somewhat constrained by the location of the openings relative to the path of the sun, and to my mind the enlarged proposal would not exacerbate this. I have also borne in mind that the Council's delegated report confirms that the facing windows are secondary in nature.
6. I appreciate that the development would be substantially higher than the existing boundary fence. However, given the distance between built form and the comparatively modest rearward projection above and over that which has already been permitted, I am satisfied that the proposal would not have an unduly oppressive or intrusive effect on the occupants of No.6. Even when viewed through the ground floor openings, the dormer is unlikely to result in a sense of confinement or enclosure sufficient to harm living conditions. In a row of dwellings such as this, it would clearly not be unusual to be able to see the built form of other dwellings from the flank windows of internal rooms.
7. Consequently, I conclude that the scheme would not result in a detrimental impact upon the living conditions of the occupants of 6 Alfam Lane with regard to overshadowing and overbearing impact. It would comply with Policies M2 and M10 of the Dartford Local Plan April 2024, which aim to ensure that schemes do not materially harm existing residential amenity.

Conditions

8. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance.

Conclusion

9. Given the above arguments and all other issues raised, I allow the appeal.

C Hall

INSPECTOR