
Appeal Decision

Site visit made on 24 January 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 February 2025

Appeal Ref: APP/T2215/D/24/3357732

9 Barn End Drive, Wilmington, Kent DA2 7BX

- 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 Khan & Ms Asif against the decision of Dartford Borough Council.
 - The application Ref. is DA/24/00906/FUL.
 - The development proposed is for the erection of an enlarged porch, single storey rear extension and alterations to ground levels to the rear garden including new patio and new windows and doors, and alterations to the rear and sides at first floor of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a for the erection of an enlarged porch, single storey rear extension and alterations to ground levels to the rear garden including new patio and new windows and doors, and alterations to the rear and sides at first floor of the property at 9 Barn End Drive, Wilmington, Kent DA2 7BX in accordance with the terms of the application Ref. DA/24/00906/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: SM454.6, SM454.2C, SM454.3C.
 - 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 Issues

2. The main issues are the the effect of the proposal on a) the character and appearance of the existing dwelling and the local area; and b) the living conditions of the occupiers of 10 Barn End Drive in respect of privacy, light and overbearing impact.

Reasons

Character and appearance

3. The appeal site is a detached, chalet bungalow on Barn End Drive, a cul-de-sac in a largely residential neighbourhood. The property is modestly positioned at the end of the close, with open fields to the south. There is no prevailing architectural style to other houses in the street scene, which is characterised by buildings of differing size, design, detailing and external materials. Many of the dwellings have been substantially extended and some fill the widths of their plots. No.1 has a combination of bungalow and two-storey elements that are more prominent within the setting than the appeal scheme would be.

4. I note the comments of the Council's Principal Urban Designer. However, being mainly visible from the back of the property, the first floor element would have limited public impacts. The increases in height and overall mass would be broadly commensurate with other residences locally, and the rear gable features would not appear incongruous given the multifaceted nature of the locale. They would be set within the body of the current rear elevation, without projecting out to the either flank or beyond the existing ground floor rear elevation below. The pitched roofs would be below the main ridge line, with valley gutters that would serve to break up the scale of the addition.
5. Taken in the round, I consider that this part of the appeal scheme would visually connect with the general appearance of the existing dwelling, without dominating it or resulting in a contrived design solution, and respond to the original characteristics of the house. I am satisfied that views of the development from neighbouring gardens would not be adversely affected.
6. The Council's delegated report does not appear to raise objection to the other elements of the proposal, and I have no reason to disagree. The ground floor flat-roofed rear element, front porch and patio works are low level in nature and would not be deleterious to the setting.
7. I therefore conclude that the scheme would not result in detriment to the character and appearance of the existing dwelling and local area. It would comply with Policies M1 and M10 of the Dartford Local Plan April 2024 (DP), which expect new development to be of a high-quality design that reflects and respects the existing setting and local context.

Living conditions

8. At its closest point, the flank wall of the first floor rear extension would lie some 3 metres from the common boundary with 10 Barn End Drive, which comprises a close board fence and limited mature vegetation. I observed that the appeal dwelling tapers away from the flank border, and two of the dormer windows in the south-facing roof slope of no.10 contain obscure glazing (the third is further towards the front where the impact of the new built form would be less evident). Furthermore, the plans indicate that there would be no windows in the side elevation facing no.10 except for a high-level rooflight; this would not allow for any views into the neighbouring residence or its rear amenity area. With these matters in mind, I find that any overbearing effects would be only minimal and no adverse loss of privacy would arise.
9. At certain times of the year, the existing built arrangement between the appeal dwelling and the adjacent property would already cause some loss of light during the morning to the south-facing dormer windows of no.10. The rear extension would be two-storey in nature and therefore although there may be a period during the morning when there would be some additional loss of light as the sun passes over, this would be limited and only for a brief time. Consequently, I consider that the appeal scheme would result in no adverse loss of daylight or sunlight above and over that which is presently experienced. In this context I find that the development would not be so unneighbourly as to warrant a refusal of planning permission on this ground.
10. Accordingly, the scheme would not have a material effect upon the living conditions of the occupants of 10 Barn End Lane in respect of privacy, light and overbearing impact. It would be compatible with Policies M1 and M10 of the DP, which seek to ensure development does not materially harm amenity.

Conditions

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

Conclusion

12. Having regard to the above and all other issues, the appeal is successful.

C Hall

INSPECTOR