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# Appeal Decision

Site visit made on 10 January 2011

by **R J Maile BSc FRICS**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 January 2011

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**Appeal Ref: APP/G2245/D/10/2140828**

**48 School Lane, Horton Kirby, Dartford, Kent, DA4 9DQ.**

- 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 D Gristey against the decision of Sevenoaks District Council.
  - The application ref: SE/10/02019/FUL, dated 8 July 2010, was refused by notice dated 2 September 2010.
  - The development proposed is erection of single storey rear, side and front extensions and creation of hardstanding to front.
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## Decision

1. I dismiss the appeal.

## Main Issue

2. From my inspection of the appeal site and surrounding area and consideration of the representations, I am of the opinion that the principal issue in this case is the effect of the proposed extensions upon the living conditions of nearby residents.

## Reasons

3. The property comprises one of a pair of semi-detached houses erected in the 1960's and located on a sloping site on the outskirts of the settlement of Horton Kirby. The scheme before me proposes the demolition of the existing sub-standard garage and flat-roofed conservatory and their replacement by single storey extensions that would wrap around the side and rear of the house.
  4. "Saved" Policy EN1 of the Sevenoaks District Local Plan (2000) sets out detailed criteria to be applied to all new development. It requires, amongst other matters, that development should not have an adverse impact upon the privacy and amenities of a locality by reason of form, scale, height or outlook.
  5. The works include a front porch that would project beyond the front elevation by some 1.3m, together with a side extension with lean-to roof. I see no objection to the front porch, given that the subject property is set back slightly behind the building line of no. 49 next door.
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6. The side extension, with a lean-to roof and set-back to the rearmost part, has been designed to take account of the layout and fenestration of 49 School Lane, which is set approximately 0.5m higher than no. 48. These features have convinced me that the front and side extensions will not have an adverse effect upon the appearance of the street scene or impact unacceptably upon the living conditions of existing and future occupiers of no. 49.
7. The rear extension would replace an existing structure that projects rearwards by some 2.5m in line with a similar conservatory at 47 School Lane. The extension would project some 5m from the rear main elevation of the house and be sited close to the common boundary. It has been carefully designed in an effort to minimise the impact upon no. 47 by incorporating a lean-to roof which also slopes away from the boundary wall.
8. The flank elevation of the rear extension would, however, project some 2.5m beyond the patio doors to the conservatory of 47 School Lane and extend above the common boundary wall, rendering it clearly visible from both the rear garden and the patio doors of that property. This rearward projection and height above the boundary wall would appear oppressive and may also have some adverse impact in terms of outlook from the conservatory of no. 47.
9. I therefore conclude that this element of the proposal will have an unacceptable impact upon the living conditions of existing and future occupiers of 47 School Lane, contrary to the objectives of Policy EN1 3) of the Local Plan.

*R. J. Maile*

INSPECTOR