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## Appeal Decision

Site visit made on 26 July 2016

by Andrew Steen BA (Hons) DipTP MRTPI

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

Decision date: 11 August 2016

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**Appeal Ref: APP/V2255/D/16/3150766**  
**75 The Street, Newnham, Kent ME9 0LW**

- 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 & Mrs Lowe against the decision of Swale Borough Council.
  - The application Ref 15/509343/FULL, dated 11 November 2015, was refused by notice dated 15 February 2016.
  - The development proposed is a single storey side extension and a new rear dormer in the loft space.
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### Decision

1. The appeal is dismissed insofar as it relates to the rear dormer in the loft space. The appeal is allowed insofar as it relates to the single storey side extension and planning permission is granted for a single storey side extension at 75 The Street, Newnham, Kent ME9 0LW in accordance with the terms of the application, Ref 15/509343/FULL, dated 11 November 2015, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and 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: drawing numbers LOW-1015-01 sheet nos. 1 (Revision A) and 2 so far as relevant to that part of the development hereby permitted.
  - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. LOW-1015-01 sheet no. 2.

### Preliminary Matter

2. For the reasons that follow, I find the proposed single storey side extension to be acceptable and it is clearly severable both physically and functionally from the proposed roof alterations. Therefore, I intend to issue a split decision in this case and grant planning permission for the single storey side extension.

### Main Issue

3. The main issue is the effect of the proposed rear dormer on the character and appearance of the existing building and surrounding area, with particular regard to the Kent Downs Area of Outstanding Natural Beauty.
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### Reasons

4. The Street provides the main route through Newnham and contains a variety of styles and types of buildings including terraced, semi-detached and detached houses that provide a varied character to the village. The village is located within a valley in the Kent Downs Area of Outstanding Natural Beauty (AONB). No. 75 is a semi-detached property that I understand was constructed in the 1960's, on the slope of the land with a garage in the lower ground floor fronting The Street. To the rear, the garden slopes up to woodland behind the property.
5. The location of the site ensures that any development on the rear roof slope would not be visible from public vantage points to the rear, although would be visible from neighbouring rear gardens. However, the side of the proposed dormer extension would be visible from the road to the front, through the gap between this property and the neighbouring property, no. 77. It would provide additional floor space to the rooms in the roof, as well as light into the bedroom, which would result in it being substantial in size and dominating the rear of the building. Given the size of the side elevation of the proposed dormer window, it is likely to be prominent in the view between this property and no. 77, and from surrounding gardens.
6. I note that there are other dormer extensions within the village, but these tend to be smaller and provide only a window rather than expanses of blank wall. These better reflect the guidance within the Council's Supplementary Planning Guidance, Designing an Extension that suggests dormers should be in proportion to the roof and only be as large as necessary to allow light into the roof space.
7. The National Planning Policy Framework (the Framework) confirms that great weight should be given to conserving landscape and scenic beauty in the AONB. Consequently, although the dormer window would only be visible from limited vantage points, it would detract from the landscape and scenic beauty of the AONB.
8. The single storey extension would be alongside the existing rear extension and the side of the original house, with a pitched roof above. It would provide an attractive addition to the property and I agree with the Council that it would be of acceptable size and design that would not detract from the character or appearance of the area, including the landscape and scenic beauty of the AONB.
9. However, I conclude that the proposed rear dormer would harm the character and appearance of the existing building and surrounding area within the AONB. As such, the development is contrary to Policies E1, E6, E9, E19 and E24 of the Swale Borough Local Plan that seek a high quality of design that would protect or enhance the natural and built environment, including natural beauty of the AONB.
10. My attention has been drawn to other development within the village, particularly a nearby development with wall to the front. However, whilst more visible from the road, this development is lower and is less visible from the wider AONB. Support has been given to the proposed development by neighbouring occupiers and Newnham Parish Council, but that would not outweigh the identified harm caused by the proposed rear dormer.

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11. I note the appellants wish to continue living in this community and to provide space for their growing family. This is not an uncommon scenario and, while I have sympathy to the circumstances described, they are not sufficient to outweigh the harm and policy conflict identified.
12. I understand that the proposed extensions would use high quality materials that reflect surrounding woodland and efficient insulation that would reduce energy consumption from the development. However, this would not overcome the harm to the character and appearance of the building and surrounding area from the proposed rear dormer.

**Conditions**

13. I have imposed a condition specifying the relevant drawings as this provides certainty and a condition is necessary for materials to match those shown on the submitted drawings to maintain the character and appearance of the area. In some cases I have amended the wording of conditions suggested by the Council in the interests of clarity.

**Conclusion**

14. For the reasons given above I conclude that the appeal should be allowed insofar as it relates to the single storey side extension and dismissed insofar as it relates to the rear dormer in the roof space.

*Andrew Steen*

INSPECTOR