



Appeal Decision

Site visit made on 6 September 2016

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 20th September, 2016

Appeal Ref: APP/V2255/D/16/3153368

6 Meadow Rise, Iwade, Kent ME9 8SB

- 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 P Seitz against the decision of Swale Borough Council.
 - The application Ref 15/510564/FULL, dated 22 December 2015, was refused by notice dated 1 June 2016.
 - The development proposed is a two storey side extension.
-

Procedural Matter

1. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the submitted plans that the proposed development also comprises a single storey rear extension, front porch and alterations to front fenestration. The Council dealt with the proposal on this basis and so shall I. Nevertheless, the Council's reason for refusal relates solely to the two storey element of the proposed development.

Decision

2. The appeal is allowed and planning permission is granted for a two storey side extension, single storey rear extension, front porch and alterations to fenestration at 6 Meadow Rise, Iwade, Kent ME9 8SB in accordance with the terms of the application, Ref 15/510564/FULL, dated 22 December 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. 6 Meadow Rise (No 6) is a semi-detached house situated in a close of properties of similar character. Various alterations and extensions are evident

to properties in the vicinity, including side extensions. There is an existing detached garage and workshop at No 6, which is situated adjacent to the

- boundary with No 8. There is also an existing single storey covered area and office at the rear of the property. The development would require the removal of the existing garage/workshop and rear extensions.
5. The side extension would cover the full depth of the house and would maintain the roof slope, ridge height and eaves height of the host property. As a result it would not be set back from the front elevation of the house, as is considered advisable in the adopted Swale Borough Council 'Designing and Extension: A Guide for Householders' Supplementary Planning Guidance (SPG). I agree with the Council that in this instance this would not be harmful to the character and appearance of the house or the surrounding area. The extension has been designed to be in keeping with the host property and its bulk and scale would not adversely affect the character of the area. There are a few other examples nearby of side extensions at similar properties that have not been set back from the front elevation and these do not have a significant effect on the character and appearance of the locality.
 6. I note that the SPG advises that a gap of 2m between a first floor extension and the side boundary is normally required. This is because the Council is anxious to see that areas of predominantly detached or semi-detached housing should not become 'terraced' in character, and thereby lose their sense of openness. In this case a gap of more than 2m from the side extension to the side boundary would result at the front corner of the two storey extension. However, a 2m gap would not be maintained at its rear corner, where the extension would fall closer to the boundary due to the way the properties respond to the slight bend in the road at this point.
 7. No 8 is set away from the side boundary, with a single detached garage and garden path situated between its side elevation and the boundary. While the gap between the side elevations of No 6 and No 8 would be reduced at first floor level this would not result in a terracing effect as a clear separation between the properties would remain. Moreover, the removal of the existing garage/workshop at No 6 would recover a little openness at ground floor level between the properties. Accordingly, I consider that the relatively minor reduction in gap at first floor level, compared to the SPG 2m guideline, would not have a significant impact on the openness of the street scene and would not be detrimental to its character and appearance in this case.
 8. I note the Council's concerns that should the occupants of No 8 wish to extend their property at the side in the future, this might have some terracing effect, and also its related concerns about precedent should such development be repeated elsewhere. However, there is no significant evidence before me that this scenario is especially likely to occur in this locality, or indeed that the cumulative effect of a number of such developments would necessarily be harmful to the character and appearance of the area. Furthermore, I must determine the appeal on the basis of the proposal and evidence before me and any subsequent application or appeal must also be considered on its own merits.
 9. I conclude that the development would not harm the character and appearance of the area. Accordingly I find no conflict with saved Policies E1, E19 and E24 of the Swale Borough Local Plan 2008, which among other things seek to ensure development is of high quality design that is appropriate to its

surroundings. I also find no conflict with paragraphs 5.0 and 5.1 of the adopted SPG, which seek to maintain a sense of openness between properties.

Conditions

10. In addition to the standard three year time limit for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans, as this provides certainty. I have also imposed a condition relating to external materials as this is necessary to ensure the satisfactory appearance of the development.

Conclusion

11. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Catherine Jack

INSPECTOR