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## Appeal Decision

Site visit made on 22 August 2018

by Mr Kim Bennett DipTP MRTPI

an Inspector appointed by the Secretary of State

**Decision date: 29 August 2018**

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**Appeal Ref: APP/V2255/D/18/3204084**

**8 Oak Road, Sittingbourne ME10 3PD**

- 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 Falanga against the decision of Swale Borough Council.
  - The application Ref 18/501526/FULL, dated 19 March 2018, was refused by notice dated 15 May 2018.
  - The development proposed is the erection of an annex.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

### Reasons

3. The appeal property comprises a semi-detached house located on the eastern side of Oak Road. It has a very long and narrow rear garden within which there is an array of small ancillary outbuildings, garden ornaments and a sizeable mobile home which is used as living accommodation. Towards the end of the garden a large flat roofed rectangular building has been largely constructed although not yet finished internally or with any external cladding. It is located in close proximity to the northern boundary of the rear garden and has been built up slightly above ground level so that it is some 3.3 metres in height. Beyond the boundary is No 10 Oak Road, a recently constructed semi-detached house set well back from Oak Road and approached via a private driveway.
4. Although the building was apparently intended as a playroom and for household storage, the appellant now wishes to use it as replacement accommodation for the mobile home which he advises is currently used by his parents.
5. The appellant points out that the annex would be clad in weatherboarding to match that of the adjacent property No 10 Oak Road and that because of its position, it is not part of the Oak Road street scene.
6. I acknowledge that the building is hardly visible from Oak Road itself nor from residential properties to the south which also have long rear gardens.

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However, it projects some 6 metres forward of the front elevation of No 10 Oak Road and because of its slightly elevated position, is very apparent when walking down the private driveway towards Nos 10 and 12 Oak Road where it extends approximately 1.2 metres above the boundary fence. Although not a public thoroughfare, the private driveway is the primary access for the occupiers of both properties and therefore the building is in full view to the occupiers and visitors of both properties. In that respect, because of its forward projection, flat roof and angular nature it has a poor relationship with No 10 in particular and in my view causes visual harm as a result. I agree with the Council that would not be overcome simply by cladding the building in matching weatherboarding, or by raising the height of the boundary fence as the appellant suggests, since that would not provide any effective screening of the building itself from the driveway.

7. I note that the occupiers of No 10 are concerned about the impact of the building on their property in a response which was apparently received after the decision was made. In terms of direct impact, the building only projects a short distance to the rear of the property and I agree with the Council that the relationship would be acceptable. Although there would be some partial oblique overlooking of the rear garden of No 10 from the rear facing window of the building, that already exists from the upper floor windows of the adjoining property No 12, and it would be no worse in that respect. However, at the front, and primarily because of the extensive forward projection in front of No 10, the building detracts from the outlook of the occupiers of that property and adds to my concerns about its overall visual impact in that immediate area.
8. I acknowledge that the building was the subject of some pre application discussions with Council officers, which although generally supportive, also pointed to the prominent position of the annex and potential visual impact. I also note that the advice was given on a 'without prejudice' basis and whilst the Council's formal assessment of the application differs from that advice, it concurs with my own findings as set out above.
9. For the above reasons, the building harms the character and appearance of the area. It is therefore in conflict with policies DM14 and DM16 of the Council's Local Plan 2017, in that it is not an appropriate design or quality of development and not appropriately scaled in relation to its surroundings.
10. Accordingly the appeal is dismissed.

*Kim Bennett*

INSPECTOR