



Appeal Decision

Site visit made on 18 October 2018

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th October 2018

Appeal Ref: APP/V2255/D/18/3207802

22 Power Station Road, Minster on Sea, Sheerness, ME12 3TL

- 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 M Buck against the decision of Swale Borough Council.
 - The application Ref 18/500742/FULL, dated 6 February 2018, was refused by notice dated 13 June 2018.
 - The development proposed is described as a 2nd floor side extension and loft conversion with dormers and velux windows.
-

Preliminary matter

1. Since the Appeal application was refused by the Council the National Planning Policy Framework 2012 has been replaced by the National Planning Policy Framework 2018 (Framework). I consider that the changes in the new Framework do not have a material impact on the consideration of the merits of the Appeal proposal.

Decision

2. The appeal is dismissed insofar as it relates to the loft conversion with dormers and velux windows. The appeal is allowed insofar as it relates to the 2nd floor side extension at 22 Power Station Road, Minster on Sea, Sheerness, ME12 3TL in accordance with the terms of the application, Ref 18/500742/FULL, dated 6 February 2018, 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 plan in-so-far as it relates to the proposed 2nd floor side extension: APD-ME12 3TL-01 Rev.D
 - 3) The external materials to be used in the construction of the 2nd floor side extension hereby permitted shall match those of the existing building.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling.

Reasons

4. The Appeal site is situated within a mixed modern housing development which includes a variety of detached and semi-detached houses with varied sized

<https://www.gov.uk/planning-inspectorate>

Appeal Decision APP/V2255/D/18/3207802

gaps between them. The dwellings are varied in their design and materials and include a number of pitched roof single storey side projections, pitched roof front porches and modest sized dormer windows. Within the locality in general there are a mixture of residential and commercial properties of various sizes and designs.

5. The Appeal dwelling occupies a discrete position located at the end of a row of three dwellings that are set at right angles to Power Station Road. It comprises a detached red brick house with an attached pitched roof garage to the side and a dominant front gable feature. The two dwellings to the north are semi-detached and constructed from pale coloured bricks. They are separated from the Appeal dwelling by the driveway and parking area that serves 20 Power Station Road (No.20). All three dwellings are separated from the public open space to the south by a private drive and a row of trees and shrubs and to the west the Appeal site sits alongside the deep rear gardens of 20 and 22 St Katherine Road.
6. Collectively and amongst other things policies CP4, DM14 and DM16 of the Bearing Fruits 2031: The Swale Borough Local Plan 2017 (Local Plan) and the Framework, seek to ensure that new development reinforces local distinctiveness and reflects the positive characteristics and features of the site and the locality. New development should be sympathetic to local character, maintain a strong sense of place and conserve or enhance the built environment. Domestic extensions should respond positively to the style and character of the host building and reinforce local distinctiveness.
7. The Swale Borough Council Designing an Extension – A Guide for Householders, Supplementary Planning Guidance (SPG), states that it is advisable to set side extensions in from the front wall of the existing dwelling and for its roof design to reflect that of the host dwelling. In areas where dwellings are predominantly detached or semi-detached the Council is anxious to avoid a terracing effect and loss of openness. With this in mind it advises that a gap of 2 metres between a first-floor extension and the side boundary is normally required. With regard to dormer extensions it advises that they should be in proportion to the host roof and that normally they should have pitched roofs. A series of smaller dormers is preferable to one large dormer extension.
8. No details of any public consultation carried out prior to the publication of this SPG have been submitted. In addition, the Appellant has stated that it was adopted in 1993. Accordingly, weight is given to it only in so far as it is consistent with the Local Plan policies above and the Framework.
9. The proposed two storey side extension would be built as a continuation of the main dwelling and would project over the existing garage. Its detailing and materials would match those of the host dwelling and the front and rear gable features would remain dominant in views from the open space, the street scene and the rear garden environment. Whilst the proposed extension would project to within two metres of the side boundary with No.20, it would not result in a terracing effect. A sense of space between and the separate identity of the two dwellings would be retained. Also, the resultant width of the gap between the two dwellings above ground floor level would be consistent with other dwellings in the locality.

<https://www.gov.uk/planning-inspectorate>

2

Appeal Decision APP/V2255/D/18/3207802

10. The proposed new window in the front gable would align appropriately with the windows below and the proposed velux rooflights would be modest in form and either discretely positioned or in alignment with the windows below.
11. In these respects, the proposed extension and alterations would respect the character and appearance of the host dwelling. This is subject to the use of matching materials which, as suggested by the Council, could be secured through the imposition of a condition. A condition which required the works to be carried out in accordance with the submitted drawings would also be necessary in the interests of certainty.
12. However, the proposed rear dormer would dominate the rear roof-slope of the host dwelling. Due to its combined height, width, flat roof and the positioning of windows just below the flat roof the dormer extension would appear incongruous and top heavy. It would dominate the rear of the dwelling and the appropriately proportioned and balanced appearance of the roof of the dwelling would be lost. The existence of flat roofed commercial buildings in the locality and large flat roofed dormers elsewhere would not address this harm. With regard to the latter none of the examples referred to by the Appellant are directly comparable to the Appeal proposal as they relate to dwellings and locations that are quite different to the Appeal property.
13. It is acknowledged that large rear dormer extensions can, in certain instances, be constructed within the permitted development tolerances set out in the Town and Country Planning (General permitted Development) (England) Order 2015. However, where a roof extension requires planning permission, it needs to be determined in accordance with the provisions of the Development Plan and having regard to all other material considerations.
14. In this instance the harm that would be caused by the proposed rear roof extension would outweigh the usual availability of permitted development rights. It would also outweigh the benefits for the Appellant and his family that would result from the additional accommodation, the existence of flat roofed buildings and the existence of modest sized dormer windows in the locality. This harm could not be satisfactorily addressed through the imposition of conditions.
15. I conclude that the proposed rear dormer roof extension would unacceptably harm the character and appearance of the host dwelling. It would therefore conflict with policies CP4, DM14 and DM16 of the Local Plan, the Framework and the objectives of the SPG. Conversely the proposed first floor side extension would respect the character and appearance of the host dwelling and so would comply with the above policies and advice.

Conclusion

16. I consider that the proposed first floor side extension and the proposed rear dormer extension are clearly severable, being physically and functionally independent. Therefore, having regard to the lack of harm caused by the proposed first floor side extension I propose to issue a split decision.

Elizabeth Lawrence

INSPECTOR

<https://www.gov.uk/planning-inspectorate>

3