



Appeal Decision

Site visit made on 18 October 2018

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th October 2018

Appeal Ref: APP/V2255/D/18/3208383
17 Kent Avenue, Sittingbourne, ME10 1HA

- 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 Luke Adams against the decision of Swale Borough Council.
 - The application Ref 18/502225/FULL, dated 25 April 2018, was refused by notice dated 6 July 2018.
 - The development proposed is described as two storey side and single storey rear extension to create larger living area, garage and new bedroom with en-suite on first floor.
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Decision

1. The appeal is dismissed.

Main Issue

2. The first main issue is the effect of the proposal on the character and appearance of the street scene. The second main issue is the effect of the proposal on the living conditions of the occupiers of 15 Kent Avenue (No.15), with particular regard to visual impact.

Reasons

Character and appearance

3. Kent Avenue is characterised by uniformly designed modern detached and semi-detached two storey houses, which vary slightly in height as they follow the topography of the locality. The dwellings are set back from the street scene behind modest sized front gardens and have good sized rear gardens. This, together with the open plan front gardens, grass verges and gaps between the dwellings contributes towards the spacious and uniform character and appearance of the street scene.
4. A number of the dwellings have single and two storey side extensions and single storey front extensions and these have generally been readily assimilated into the street scene.
5. Together and amongst other things DM14 and DM16 of the Bearing Fruits 2031: The Swale Borough Local Plan 2017 (Local Plan) and the National Planning Policy Framework 2018 (Framework), seek to ensure that new development 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

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environment. Extensions should respond positively to the style and character of the host building, reinforce local distinctiveness and protect the living conditions of the occupiers of adjacent properties.

6. The Swale Borough Council Designing an Extension – A Guide for Householders, Supplementary Planning Guidance (SPG), is consistent with this. It 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. Single storey side extensions, with accommodation within their roof space can be acceptable.
7. No details of any public consultation carried out prior to the publication of this SPG have been submitted. Accordingly, weight is given to it only in so far as it is consistent with the Local Plan policies above and the Framework.
8. The proposed two storey side extension would be set back from the front building line and would have a lower ridge line than the host dwelling. In addition, its external detailing and materials would match the host dwelling. However, the roof of the extension would be higher than that of the adjacent dwelling at No.15 and the proposed extension would project close to the side boundary of the site. As the dwelling at No.15 is set in from the boundary between the two properties the proposed two storey side extension would not result in a terracing effect. Notwithstanding this, it would materially reduce the open gap above ground floor level between the two dwellings and the sense of openness within the street scene. As a consequence, the proposed two storey side extension would detract from the spacious character and appearance of the street scene.
9. This harm would outweigh the benefits for the Appellant and his family that would result from the additional living accommodation. It is not a matter that could be satisfactorily addressed through the imposition of conditions.
10. It is noted that there is a very similar extension further along Kent Road. However, that dwelling is sited forward of the adjacent dwelling, which adds to their sense of separation. There is also a single storey extension with accommodation within its roof-space, which is set in from its side boundary with the adjacent dwelling. Accordingly, neither of these examples are directly comparable to the Appeal proposal. They serve to highlight the need to assess each proposal on its individual merits and in light of the prevailing planning policies.
11. Conversely the proposed rear extension would be simple in its form and appearance and would therefore respect the character and appearance of the host dwelling, the pair of dwellings and the rear garden environment. Despite this, as it is physically attached to the proposed two storey side extension, the proposed rear extension cannot be dealt with independently to the proposed two storey side extension.

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12. I conclude on the first main issue that the proposed side extension would unacceptably harm the character and appearance of the street scene. It would therefore conflict with policies DM14 and DM16 of the Local Plan, the Framework and the objectives of the SPG.

Living conditions

13. The proposed two storey extension would be sited alongside and several metres from the flank elevation of the dwelling at No.15. Although this would bring the dwelling closer to the landing window in the flank elevation of that dwelling, it would not impact on the main outlooks to the front and rear of No.15. Similarly, it would not result in a material loss of daylight or sunlight within the dwelling at No.15 or its rear garden.

14. The proposed single storey rear extension would have a flat roof where it abuts the boundary with No.15 and would be several metres from its closest ground floor window. Also, a significant proportion of the flank wall of the proposed rear extension would be screened from No.15 by the existing boundary fence and planting within the rear garden at No.15.

15. For these reasons I conclude on the second main issue that the proposed extension would not have a materially harmful impact on the living conditions of the occupiers of No.15. Accordingly, in this respect, the proposal would comply with policies DM and DM16 of the Local Plan, the Framework and the SPG.

Conclusion

16. Whilst I have found in favour of the Appellant in relation to the second main issue, the conclusion on the first main issue amounts to a compelling reason for dismissing this Appeal.

Elizabeth Lawrence

INSPECTOR