



The Planning Inspectorate

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## Appeal Decision

Site visit made on 21 August 2019

by **L Crouch BA (Hons) MSc IHBC**

an Inspector appointed by the Secretary of State

Decision date: 09 September 2019

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**Appeal Ref: APP/V2255/D/19/3231990**

**10 The Moorings, Conyer, Teynham, Swale ME9 9HQ**

- 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 F Rook against the decision of Swale Borough Council.
  - The application Ref 19/500575/FULL, dated 24 May 2018, was refused by notice dated 4 April 2019.
  - The development proposed is for a single storey front porch with pitched roof.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Whilst different from that on the application form, I have taken the updated appellant's name from the appeal form.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the existing dwelling and the surrounding area, having particular regard to the setting of Conyer Farmhouse, a listed building.

### Reasons

4. The appeal building is a detached dwelling set within a corner plot, and forms part of a planned estate. Despite a variety in scale, height and massing to the estate there are generally consistent design features, with simple detailing and an uncomplicated architectural style to the dwellings, with an open appearance to the frontages and small-scale front gardens.
5. The estate has been considerably laid out around the grade II listed Conyer Farmhouse, in a staggered layout. Although the designated heritage asset (HA) was listed following the estate being developed, this layout has helped the HA to retain a prominence within the street scene. This prominence has also been enhanced by the predominantly greater scale of the HA. The HA's significance lies in its fine architectural quality, which includes a well-balanced, attractive front elevation, traditional construction materials and period detailing. This contrasts successfully with the un-pretentious design and appearance of the surrounding dwellings, which allow the HA to remain the pre-eminent building. The appeal site can be seen in relation to the listed building and can be experienced in views together.

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6. The front elevation of the HA includes a simple open canopy porch over the front door. From my site visit I was able to see that this architectural feature has been closely replicated in-part in the design of the canopy porches found throughout the later surrounding development. It is proposed to replace such a canopy porch on the appeal building with a single storey extension.
7. The proposed extension by virtue of its width and depth would create a bulky, more prominent addition to the front elevation, despite the roof form and materials respecting the main dwelling. The extension would stretch over half the width of the front elevation, creating a visually dominating addition. Due to its proposed depth the extension would result in the loss of a significant area of the front garden, which contributes to the open plan frontages. The proposal would be located in-line with the flank wall, rather than being stepped in, which would not give the extension a recessive appearance. Subsequently, whilst offering improvements for the appellant the extension would detract from the character and appearance of the appeal building.
8. The Swale Borough Council's Supplementary Planning Guidance for Designing an Extension- A Guide for Householders (undated) (SPG), sets out that extensions should normally have a pitched roof. The proposed extension does have a pitched roof, however the SPG also says that extensions should be small scale, and any front additions be 'kept to a maximum of 1.2m'. The proposal does not therefore accord with this guideline and would be harmful given the relatively small scale of the front garden.
9. I saw from my site visit that there are a small number of front extensions and enclosed porches on other dwellings within the street scene. However, these are smaller in scale and placed recessively on the frontage. The predominance of canopy porches within the street scene, and lack of larger scale front extensions, has resulted in a simple and open frontage to the street scene.
10. The established uncomplicated character and appearance of the street scene contributes in a positive manner to the setting of the HA, with the surrounding housing development appearing subordinate alongside the more prominent HA. The proposed extension, due to its scale and positioning, would be contrary to this recessive appearance and would appear harmfully at odds within the street scene despite the appeal site being set back and remaining in its staggered layout. Given the extension would be visible in views with the HA, the proposed extension's dominance would infringe, appearing inappropriate within its setting. Subsequently, it would fail to preserve the HA's setting, as situated within a planned estate with its generally consistent, uncomplicated appearance and considered layout, which help to contribute to the HA significance. This is a key requirement of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
11. Consequently, for the above reasons, I find that the proposed extension would result in less than substantial harm to the significance of the HA. In accordance with paragraph 196 of the National Planning Policy Framework 2019 (the Framework), that harm should be weighed against any public benefits of the proposal. From the evidence before me limited public benefits have been submitted which offset the identified harm, to which I must attach considerable importance and weight.

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12. I note that the appellant states that the proposal has been altered since the previous refused scheme in its roof design and height to be more in-keeping. However, I must look at the application as it stands before me.
13. For the reasons above I find that the proposed development would have a harmful impact on the setting of the HA. The public benefits of the proposal would not outweigh the harm identified to its significance, and there would be harm to the character and appearance of the existing dwelling and the surrounding area. The proposal would conflict with Policies CP4, DM16 and DM32 of the 'Bearing Fruits 2031' The Swale Borough Local Plan adopted 2017. These policies collectively seek to ensure high quality, sympathetic design appropriate to the building, its surroundings and that any development proposal preserves a listed building's setting. There would also be conflict with the principles set out in the accompanying SPG, which seeks well-designed extensions.

#### **Other Matters**

14. I note that there are no objections to the proposal from the Parish Council however no further details have been provided to me and therefore I am unable to give this significant weight.
15. It has been drawn to my attention that planning applications have been permitted within the surrounding area in proximity to the HA, which are of a larger scale than that proposed. I do not have all the information before me to understand these proposals and the reasons to why they were permitted. However, in any event the fact that similar development has been permitted does not in itself justify development which I consider to be harmful.
16. The appellant states that the proposal would not hinder the public footpath, however the absence of harm is not a benefit to the proposal.

#### **Conclusion**

17. The appeal is dismissed.

*L. Crouch*

INSPECTOR