

Report of the Head of Planning

**PART 5**

Decisions by County Council and Secretary of State, reported for information

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- **Item 5.1** – Willow Farm Caravan Park, Hansletts Lane, Ospringe, Faversham, ME13 0RS

A decision based on security management needs arising from the appellant selling off the original dwelling which supervised the caravan park, and in which he had failed to implement or update the advice of the police. As such I consider this to be a poor decision relying too heavily on the appellant's out-of-date evidence, and one in which I consider the Council's concerns have not been given adequate weight.

- **Item 5.2** – 8 Brogdale Road, Faversham, ME13 8SX

A disappointing and strange decision, seemingly based on the fact that the peculiar extension would not be too noticeable, especially to drivers negotiating a sharp double bend nearby.

- **Item 5.3** – Land adjacent to Acorns, Butlers Hill, Dargate, Faversham, ME13 9HG

Full support for the Council's decision.

- **Item 5.4** – 27, Hilton Close, Faversham, ME13 8NN

Support for the Council's decision on streetscene issues, although the Inspector accepted the design as acceptable, which I did not.

- **Item 5.5** – The Faversham Club, Gatefield Lane, Faversham, ME13 8NX

Full support for the Council's decision.

- **Item 5.6** – Site at 9 Ashford Road, Faversham, ME13 8XJ

A very welcome decision which fully supports the Council's decision.

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## Appeal Decision

Site visit made on 19 September 2014

**by G Powys Jones MSc FRTPi**

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

Decision date: 24 September 2014

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**Appeal Ref: APP/V2255/D/14/2223888**  
**8 Brogdale Road, Faversham, Kent, ME13 8SX**

- 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 Peter Atkinson against the decision of Swale Borough Council.
  - The application Ref 14/500682/FULL, dated 27 May 2014, was refused by notice dated 7 August 2014.
  - The development proposed is erection of a single storey side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey side extension at 8 Brogdale Road, Faversham, Kent, ME13 8SX in accordance with the terms of the application Ref 14/500682/FULL, dated 27 May 2014, 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 development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 154/75; 154/76; 154/77; 154/100; 154/101 & 154/102 together with the OS location plan.*

### Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

### Reasons

3. The appeal property is separated from the small terrace of four dwellings to the south by a gap consisting of its side garden. The Council has no objection in principle to the gap being filled, indeed, it has previously granted outline planning permission for a dwelling to be erected here. Neither has the Council an objection to the principle of what it would regard as an appropriately designed extension.
4. The Council's concerns centre on the unashamedly contemporary design of the proposed extension and the use of materials, which are in stark contrast to the proportions, materials and appearance of the host property and nearby dwellings. In this respect, apart from the bungalow sited next to the appeal site, the properties in this part of the road reflect the traditional appearance of Victorian and Edwardian dwellings. The Town Council and the Faversham Society support the Council's stance.

5. Along with the other dwellings either side, the appeal property sits in a relatively visually sheltered location at the edge of the settlement. Across the road fronting the playing fields is a row of luxuriant and mature trees providing effective screening from long range views. So tortuous is the road immediately to the south that approaching drivers and pedestrians see the appeal property only in short range views. Short range oblique views of the appeal property are obtained when approaching from the junction of Brogdale Road with the A2 to the north. The proposed extension would not be easily seen from this direction, in view of its slight set-back.
6. The proposed extension is designed with a mono-pitched roof, with its south facing wall being the highest, being almost as high as the host property's eaves. Given the height differentiation and angularity proposed in the front elevation, I do not share the Council's description of the extension as having a squat appearance.
7. However, because of the lie of the land, and the appeal property's sheltered location, I agree with the Council that the most noticeable elevation would be that facing south. Apart from some high level fenestration, and a door opening, the elevation would present a plain, largely featureless wall, mirroring to an extent the appearance of the property's extant northern elevation, which is comprised of a truncated gable with a flat roofed rear protrusion.
8. The proposed pattern of fenestration on the front elevation is in complete contrast to that in the front elevation of the existing dwelling, but is an integral and deliberate part of the design. This, together with its shape, would mean that the extension would present a wholly different face to that currently presented by the host property. Whilst I fully understand the basis for the Council's and others' concerns, the acceptability of a particular design in a particular context often, if not invariably, revolves around judgments involving personal tastes.
9. In this respect, the designer has responded thoughtfully to the brief provided by the appellant, both in terms of the function of the proposed spaces to be provided and the identified constraints. I consider the design approach to be bold, and whilst the extension would undoubtedly impart a visual mark, it would be within a restricted external visual context, for the reasons already explained. It would be wrong, however, to describe this scheme as poorly designed simply because of the modernistic approach adopted.
10. I do not consider the use of weatherboarding to be unacceptable in a modern development such as proposed; it is widely and successfully used in other far more prominent locations than this.
11. I find that the extension, if built, would undoubtedly alter the character and appearance of the host property but the contrasting design approach adopted would present an exciting and acceptable example of modern design not causing significant harm. The impact on the wider surrounding area would be minimal.
12. On balance, I conclude that the extent to which the host property would be affected is insufficient reason to refuse permission. Accordingly, there is no significant conflict with those provisions of policies E1 & E19 of the Swale Borough Local Plan requiring development to be of a scale, design and appearance appropriate to its location and context. Moreover, I consider that

the appellant's references to those aspects of the *National Planning Policy Framework* intended not to stifle imaginative or innovative design to be appropriate and relevant in this case, and they attract substantial weight.

13. Other than for that required by statute, the Council does not propose any further conditions. Having regard to the level of detail provided in the plans and supporting information, I do not consider that a further condition is necessary other than, for the avoidance of doubt and in the interests of proper planning, that the development shall be carried out in accordance with the approved plans.
14. The national *Planning Practice Guidance* has been published recently, but having regard to the facts in this case and the main issue identified at the outset, it has no material bearing on my conclusions.
15. Reference has been made to other development plan policies but those to which I have referred are considered the most relevant having regard to the particular circumstances of this case.
16. All other matters raised in the representations have been considered and taken into account, but no other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

*G Powys Jones*

INSPECTOR