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## Appeal Decision

Site visit made on 11 August 2020

by P Wookey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15<sup>th</sup> September 2020

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**Appeal Ref: W/4000954**

**Rose Lodge, Chestnut Street, Borden, ME9 8DD**

- 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 & Mrs Cope against the decision of Swale Borough Council.
  - The application Ref 19/505937/FULL, dated 25 November 2019, was refused by notice dated 27 January 2020.
  - The development proposed is described as 'Proposed loft conversion with rear dormer window and 2No. new front dormers'.
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### Decision

1. The appeal is allowed and planning permission is granted for the proposed loft conversion with rear dormer window and 2No. new front dormers at Rose Lodge, Chestnut Street, Borden, ME9 8DD in accordance with the terms of the application Ref 19/505937/FULL, dated 25 November 2019, 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 approved plans listed: PL/TS/01; PL/TS/02; PL/TS/03; PL/TS/04; PL/TS/05; PL/TS/06; PL/TS/07; PL/TS/08; PL/TS/09; PL/TS/10; PL/TS/11; PL/TS/12
  - 3) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.

### Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and the wider Chestnut Conservation Area (CCA).

### Reasons

3. Rose Lodge (the host property) is located within the CCA, a loosely knit settlement of development fronting Chestnut Street, which was formerly the main Sittingbourne to Maidstone road, now by-passed by the A249. Located along Chestnut Street, some distance away from the host property, is a group of four medieval timber framed houses which are typical of the Kentish vernacular building of that period. Development along Chestnut Street has a mix of architectural styles and are of different ages, with infilling of more

modern dwellings such as Rose Lodge taking place. The CCA character appraisal states that whilst the four timber framed buildings are the focus of the CCA, the streetscene is defined by the more modern buildings, rather than the enclave of the historic buildings.

4. The host property is a modern detached, two storey dwelling dating from the 1990's and is set back from the highway. To the front of the dwelling is a hardstanding for vehicles and a garage which is set at right angles to the dwelling. Due to the change in levels, steps to the side of the dwelling lead to a spacious rear garden, which borders onto the A249 dual carriageway. The existing rear part of the dwelling extends in a L-shape with two rear gable ends. The roof form throughout is a mix of gable and hipped ends. Either side of Rose Lodge are dwellings with different architectural styles.
5. The development proposed would introduce a dormer window to the rear of the property and to the front, two small dormer windows would be incorporated into the roofspace, two conservation rooflights within the side elevation of the roofspace and a fixed window with obscure glazing slightly below the roofline.
6. The host property is set back from the highway and is not a prominent feature in the streetscene. As a result the additions of the proposed front dormers, which are of a scale and design proportionate to the rest of the front elevation and well below the roof ridgeline, would not be visually harmful either to the host property or to the wider streetscene. Further, the proposed smaller two dormers are consistent with the advice in the Council's Supplementary Planning Guidance<sup>1</sup>, which advises that smaller dormers are preferable to a single larger dormer and in this case results in a more acceptable design solution and avoids unnecessary clutter to the roofspace.
7. Based on my site visit the proposed two front dormers would be of a scale and design which would not appear incongruous or out of scale in relation to the front elevation of the dwelling and given their siting between the two gable ended first floor windows would not appear to be prominent additions to the host property or the streetscene. With regards the proposed rooflights and fixed window, these would be only partially glimpsed from public viewpoint on Chestnut Street and would not appear as prominent or incompatible additions to the modern design of the host property or to the streetscene as a whole.
8. The proposed flat roofed dormer to the rear of the host property would infill the space between the existing rear half hipped projections and would be below the ridge of the roof. The rear of the host property is not visible from Chestnut Street or from the A249. Moreover, the single storey L shaped extensions to the rear of the host property are set well back from the rear of the neighbouring dwellings and are not in view from these properties. As a result, the proposed infill between the two roof apexes would not be visible to the wider area and the proposed design would not jar with the appearance of the existing rear elevation of the host property. There would be no public views of the proposed rear dormer which would only be viewed from the rear garden of the host property. As the height of the proposed rear dormer would be below the ridgeline it would not appear as a dominant addition and given the overall scale and proportions proposed there would be no significant harm to the appearance of the host property.

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<sup>1</sup> Designing and Extension – A Guide for Householders' Supplementary Planning Guidance

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9. Whilst the Council has concerns with regards the ability of the proposed front alterations to integrate well with the host property and impact on the CCA, I consider that the harm arising to the setting of the CCA from the proposed front dormers would be less than substantial. In the context of paragraphs 195 and 196 of the National Planning Policy Framework (2019) (the Framework), such harm should be balanced against any public benefits that the scheme might bring and the preservation of the setting of a designated asset is a matter of considerable importance and weight.
10. I understand that the proposal would provide additional family accommodation in order to provide care for family members which would alleviate pressure on public services. Further, given the modest scale of the development proposed which would have no significant visual impact on the host property or the overall character and appearance of the CCA, the public benefits would outweigh the less than substantial harm to the setting of the CCA in this case.
11. I conclude that the development proposed would have no harmful effects on the character and appearance of the host property or the wider CCA and would not be contrary to policies CP4, DM11,DM14,DM16 and DM24 of Bearing Fruits 2031: The Swale Borough Local Plan 2017 and guidance given in the Council's SPD, which when read together seek to ensure alterations and extensions are to a high quality of design and are of an appropriate scale and design which maintains the character of the streetscene. Given that there would be no significant harm to the setting of the CCA, I am satisfied that I have carried out my duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **Other Matters**

12. I note the Council has raised no concerns with regards adverse effects to the living conditions of occupiers of neighbouring dwellings.

#### **Conditions**

13. I have considered conditions that need to be imposed based on the advice given in the Planning Practice Guidance. Condition 1 is the standard time for the commencement of the development. Condition 2 is for the avoidance of doubt and Condition 3 is to ensure there is no harm to the appearance of the surrounding area.

#### **Conclusions**

14. For the reasons set out above, the appeal is allowed.

*Paul Wookey*

INSPECTOR