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## Appeal Decision

Site visit made on 21 June 2022

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 July 2022

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**Appeal Ref: APP/V2255/D/22/3298502**

**1 Woodland Cottages, Highsted Road, Sittingbourne, Kent ME9 0AD**

- 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 Louis & Helen Newell against the decision of Swale Borough Council.
  - The application Ref 21/506434/FULL, dated 19 December 2021, was refused by notice dated 14 February 2022.
  - The development proposed is for the erection of a timber framed storage/ studio on a concrete base with insertion of replacement pitched roof, doors and windows.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a timber framed storage/ studio on a concrete base with insertion of replacement pitched roof, doors and windows at 1 Woodland Cottages, Highsted Road, Sittingbourne, Kent ME9 0AD in accordance with the terms of the application, Ref 21/506434/FULL, dated 19 December 2021, 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 plans: 1266/1B, 1266/2B, 1266/3, 1266/4, 1266/5, 1266/6.
  - 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing outbuilding.

### Preliminary Matter

2. At my site visit I saw that development has been completed on a flat roof storage/studio, albeit that this does not benefit from planning permission.

### Main Issues

3. The main issues are the effect of the development on the character of the dwelling and the surrounding area, including the setting of the Listed Building known as Old Cottage.

### Reasons

4. The appeal site relates to an end-terrace property sited on Highsted Road with a driveway and off-street parking to the front. Residences in the immediate area are generally arranged in a linear pattern along the east side of the single
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public highway. This runs approximately north-south along the base of the valley from the outskirts of Sittingbourne to the north towards Highsted to the south.

5. The house to the north, Old Cottage, is a Grade II Listed Building. It originates from the 16<sup>th</sup> century and its significance derives from its decorative architectural features and its setting within a rural context. I have applied the statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paid special attention to the desirability of preserving or enhancing the character or appearance of the nearby Listed Building by attaching considerable importance and weight to that desirability.
6. The proposal is for a detached storage/studio building to the front of the host property. As I have noted above, I was able to observe the flat roof structure currently present on the appeal site. To my mind this has a minimal impact on the character and appearance of the locality; it is low level in nature, has been painted green to blend with the surrounds, is set against a backcloth of tall, mature and dense vegetation, and new hedgerows have been planted to the front to further soften its presence.
7. Whilst the proposed building would be to the fore of the main house, this in itself need not be harmful. The terrace of which the appeal dwelling forms a part is set well back from those residences to the north and south, with no established building line apparent in the immediate vicinity. A substantial distance would be retained to the public highway, with space on the drive for several cars to the front of the appeal building. I also note that there is a detached garage in the front garden of no.4 Woodland Cottages, which is equally visible within the streetscene. Taken in the round, I am of the view that in this context the proposal would not be harmful to the character and appearance of the area.
8. Turning to the impact on the setting of Old Cottage, I have read that the Council's Conservation Officer would prefer the flat-roof design to remain. This notwithstanding, the appeal is for a pitched roof amongst other things and I have determined the scheme on this basis.
9. I acknowledge that the new roof would be visible above the current hedgerow, however I note the existing outbuildings in the curtilage of Old Cottage itself, that are visible from the public highway above the hedge and have their own pitched roofs. The distance across the side garden and drive of Old Cottage to the appeal building is also not insubstantial. Although it is evident that parts of the hedge are dying, these can be replaced if necessary. With this in mind, and taking into account my other reasoning above, I consider that the setting of Old Cottage would not be adversely affected as a result of the proposal.
10. I conclude that the scheme would not result in harm to the character and appearance of the dwelling and the surrounding area, including the setting of the Listed Building known as Old Cottage. It would meet Policies CP4, DM14, DM26 and DM32 of Bearing Fruits 2031: The Swale Borough Local Plan July 2017, which seek, among other things, for development to conserve and enhance heritage assets and complement the character of the area. I am not convinced that the Council's Supplementary Planning Guidance 'Designing an Extension – A Guide for Householders' is relevant to the appeal as it relates to extensions to dwellings, and not outbuildings as is the case in this instance.

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**Conditions**

11. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring external materials to match those on the existing building would provide for a satisfactory appearance.

**Conclusion**

12. Based on the preceding and all matters advanced, the appeal is allowed.

*C Hall*  
INSPECTOR