



Appeal Decision

Site visit made on 7 May 2015

by R J Maile BSc FRICS

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

Decision date: 2 June 2015

Appeal Ref: APP/V2255/D/15/3005912

Peach House, 109 Ashford Road, Faversham, Kent, ME13 8XW.

- 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 and Mrs S Gee against the decision of Swale Borough Council.
- The application, ref: 14/500150/FULL, was refused by notice dated 16 January 2015.
- The development proposed is erection of a first floor extension over garage, extension of garage and installation of a new chimney stack.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor extension over garage, extension of garage and installation of a new chimney stack at Peach House, 109 Ashford Road, Faversham, Kent, ME13 8XW, in accordance with the terms of the application ref: 14/500150/FULL, dated 19 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no.

- Location Plan – scale 1:1250.
- PH391/01: Plans and Elevations as Existing – scale 1:100.
- PH391/02 Rev B: General Proposals (Ground and First Floor Plans, Front Elevation and Section A-A) – scale 1:100.
- PH391/03 Rev B: Existing and Proposed Rear and Side Elevations – scale 1:100.

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Main Issue

2. The main issue here is the effect of the proposed extension and alterations upon the appearance of the street scene.

Reasons

3. The property comprises a modern detached house which is located within a run of mostly post-war dwellings to the south of the town of Faversham opposite the slip road from the M2 motorway.
4. The scheme before me proposes the erection of a first floor extension over the existing flat roofed garage, together with a minor extension to bring the front elevation of the garage in line with the front of the dwelling. A matching brick chimney stack would also be erected to the south elevation.
5. Concerns have been raised by the Council as to the impact of the first floor extension upon the appearance of the street scene given its proximity to the common boundary with no. 107 to the north, which at present is set away from the boundary by approximately 3m. It has suggested that existing or future occupiers of no. 107 could seek to extend their property to the south, which would create a terracing effect in conjunction with the scheme before me.
6. The Council's Supplementary Planning Guidance No. 5¹ states at paragraph 5.0 that: *"A gap of 2m between a first floor extension and the side boundary is normally required."*
7. The proposals would fall short of this recommendation by including an off-set of 1.3m from the boundary. I am nevertheless satisfied, due to the form of the extension with its pitched roof sloping away from the north boundary and its subservient nature, that the proposal would provide a visual break between the appeal site and no. 107 next door that will be in keeping with the pattern of surrounding development, specifically the housing to the south at nos. 111 to 115 Ashford Road.
8. It is also by no means certain that existing or future owners of no. 107 would wish to extend having regard to the form of that property and the fact that its access to the rear is located to the south side of the house.
9. For all of these reasons I find on the main issue that development as proposed would not have an adverse effect upon the appearance of the street scene and would accord with the thrust of Chapter 6 (Design Issues) of the Framework², "saved" Policies E1, E19 and E24 of the Swale Borough Local Plan (February 2008) and paragraphs 5.0 and 5.1 of the Council's adopted Supplementary Planning Guidance No. 5.

Conditions

10. The Council has suggested a total of two conditions should I be minded to allow the appeal. I have considered these against the tests of the Framework and advice provided by the Government's Planning Practice Guidance issued on 6

¹ Designing an Extension – a Guide for Householders.

² The National Planning Policy Framework.

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March 2014 and find both to be reasonable and necessary in the circumstances of this case. It is also necessary for me to impose a further condition (no. 3).

11. My reasons for the conditions are:
12. Condition 1 is the standard commencement condition imposed in accordance with section 91(1) (a) of the Town and Country Planning Act 1990. Condition 2 will ensure a satisfactory appearance to the completed development in the interests of the visual amenities of the area.
13. As to Condition 3, and otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, both for the avoidance of doubt and in the interests of proper planning.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed.

R. J. Maile

INSPECTOR