



Appeal Decision

Site visit made on 21 July 2015

by **Philip Willmer BSc Dip Arch RIBA**

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

Decision date: 10 August 2015

Appeal Ref: APP/V2255/W/3004285

Oad Irons, Oad Street, Borden, Sittingbourne, Kent, ME9 8LB.

- 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 B and G Patel against the decision of Swale Borough Council.
 - The application Ref 14/503765/FULL, dated 14 September 2014.
 - The development proposed is described as *removal of main roof (rooms are within roof space) and addition of full height first floor and roof; single storey porch extension in front; and new boundary wall on west and southern boundaries.*
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council did not determine the application within the prescribed period but its appeal statement indicated that it would have refused the application for the same reason as it refused an earlier identical application (Ref: SW/13/1574), namely that: *the proposed extension by virtue of its scale and massing, in particular the removal of the main roof and the addition of a full height first floor, would result in an immodest extension to a dwelling located in a rural area in a manner harmful to the character of the countryside. The proposal is therefore contrary to saved Policies E1, E6, E24 and RC4 of the Swale Borough Local Plan (Adopted February 2008) (LP) and Supplementary Planning Guidance 5 (1993) Designing an Extension – A Guide for Householders.*

Main Issue

3. I have considered the application afresh and consider the main issue to be the effect of the proposed development on the host building, the character and appearance of the surrounding area and the setting of The Old House, listed grade II.

Reasons

4. The property the subject of this appeal is a substantial four-bedroom chalet style bungalow set in a large mature garden plot. I understand from the Council's evidence that as the dwelling is located outside any built-up area boundary, as defined in the Swale Borough Local Plan (Adopted February 2008)
-

www.planningportal.gov.uk/planninginspectorate

Appeal Decision APP/V2255/W/3004285

(LP), it therefore falls to be considered as being located in the wider countryside of the Borough.

5. The appellants propose the removal of the existing roof and the creation of a full height first floor extension, changing the form of the dwelling from a chalet bungalow to a two-storey house. In addition to a single storey porch addition, it is also proposed to replace a section of the fence to the south and west boundaries with a new 1.8 metre high brick built boundary wall.
6. The proposed development would not result in a significant increase in the footprint of the dwelling or any increase in the general provision of accommodation. However, due to the form and design of the existing roof, it would result in the first floor rooms becoming larger and more convenient by reason of the increased headroom provided.
7. LP Policy E6 states that the quality, character and amenity value of the wider countryside will be protected and where possible enhanced and that development proposals in respect of, amongst other things, extensions to existing dwellings, will therefore only be permitted where they are modest. LP Policy RC4 specifically addresses extensions to dwellings in the rural area and serves to reinforce the Council's approach set out in LP Policy E6. It advises, amongst other matters, that for dwellings in the rural area with an existing external ground floor area of 50 square metres or more, only modest extensions (taking into account any previous additions undertaken) of an appropriate scale, mass and appearance to the location will be permitted. LP Policy E1 is a more overarching policy in terms of both the protection of the natural environment and the need for high quality design to reflect the characteristics and features of the site and locality, while LP Policy E24 considers directly the need for high quality design.
8. The core planning principles of the National Planning Policy Framework (the Framework) recognise the intrinsic character and beauty of the countryside. Furthermore, it also advises that it is important to plan positively for the achievement of high quality inclusive design for all development.
9. Due to its three-dimensional form and location within the mature garden plot, the existing chalet has a limited impact on the surrounding countryside, notwithstanding the triple garage and games room sited well to the rear of the chalet. Furthermore, it has very limited visual impact on the setting of the neighbouring property, The Old House, listed grade II.
10. However, the proposed addition of a full extra storey would not only result in an increase in height of the dwelling of about 2.5 metres or so, but also a significant increase in the overall bulk and three dimensional form of the building. In addition, due to the gable-to-gable form of the roof, the lack of any modulation and limited fenestration to the flank walls, the proposed dwelling would have a somewhat bland and imposing presence.
11. The appellants propose the replacement of a significant part of the existing boundary fence with a 1.8 metre high brick wall. I consider that a wall of the design proposed would appear as an uncharacteristic suburban feature in this rural location that would cause further harm to the character and appearance of the area.

Appeal Decision APP/V2255/W/3004285

12.I conclude in respect of the main issue that the extension, as designed, would completely subsume the existing chalet and result in the property as extended being prominent in the landscape, all to the detriment of the host building, the character and appearance of the area and thereby to the setting of the listed building. Accordingly, the development fails to accord with the objectives of the Framework and LP Policies E1, E6, E24 and RC4 as they relate to these considerations.

Other Matters

13.I can appreciate the appellants' desire to improve the layout and convenience of the existing first floor accommodation and I have noted the support for the proposal from neighbouring residential occupiers. However, these considerations do not outweigh the harm that I have identified to the host building, the rural area and the setting of the listed building if the development were to go ahead.

Conclusions

14.For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR