

Appeal Decision

Site visit made on 19 December 2016

by Timothy C King BA(Hons) MRTPI

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

Decision date: 16th January 2017

Appeal Ref: APP/V2255/D/16/3161478

25 Preston Grove, Faversham, ME13 8JY

- 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 Timothy Keen against the decision of Swale Borough Council.
 - The application Ref 16/504192/FULL dated 14 May 2016, was refused by notice dated 26 July 2016.
 - The development proposed is '*Demolition of existing conservatory and erection of proposed two storey side extension together with single storey front and rear extensions.*'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council raises objections only to the proposed two-storey side extension and I agree with this approach. As such, I will limit my assessment to this element of the proposal only.
3. I note that the property lies within the locally designated Faversham Conservation Area. Although the Council has not referred to this as an issue in its reason for refusal I have a statutory duty under S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to regard this as a material consideration.

Main Issue

4. The main issue in this appeal is the proposal's effect on the character and appearance of the surrounding area.

Reasons

5. The appeal dwelling is a two-storey semi-detached property set in from its common boundary with No 23. The proposal seeks to build a two-storey side addition which would extend the dwelling to approximately 1m from the side boundary. The development, which would have the single storey front and rear additions attached, would rise to the host dwelling's ridge height but would be slightly recessed at first floor level.
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6. From my site visit I observed that the properties along the eastern side of Preston, although of varying style, are similarly semi-detached in form with significant spaces between the dwellings' flank walls and side boundaries and this is an important characteristic of the general development pattern. It is this feature which the proposal seeks to partly infill.
7. Such instances are specifically addressed in the Council's Supplementary Planning Guidance 'Designing an Extension: A Guide for Householders' (SPG) which, for such developments, indicates that a gap of 2m between the first floor flank wall side extension and the boundary is normally required. The appellant, in his grounds of appeal, counters this asserting that the appeal dwelling is set back from No 23, the first floor of the extension would also be set back from No 25's main frontage, and a gap of some 1m would still remain.
8. Whilst I agree that these are mitigating measures to be taken into account I also consider that the extension's design, without any step-down from the main ridge height, would not make for a sufficient degree of subordination to the host dwelling. This, to my mind, overrides the measures already mentioned, and is particularly important given the general building pattern and the conservation area location.
9. Directly related to the above I have had regard to Policies E1, E19 and E24 of the Swale Borough Local Plan (LP) which together, amongst other things, indicate that development should respond to its local context and maintain the character of the streetscene. In this instance I consider that the extension's form and appearance would impact on the general feeling of openness, unduly affecting the streetscene.
10. In relation to the area's designation, and with regard to the statutory test I have referred to earlier, I do not therefore consider that the proposal would preserve or enhance the character or appearance of the Conservation Area. Although I find that the harm would be less than substantial there are insufficient public benefits arising from the proposal which would outweigh the degree of harm identified.
11. The appellant has indicated that other similar extensions have been built along the street. However, I have not been provided with details of such and was unable to earmark any parallel examples from walking along the street. I have also had regard to the appellant's personal circumstances which, he considers, necessitates the development. However, I do not consider these as so significant as to outweigh the visual harm I have identified would result from the proposal.
12. Finally, whilst the single storey front and rear extensions might be considered acceptable in themselves the rear addition, although extending across the main dwelling, would also be partly attached to the proposed side extension whilst the front extension is wholly dependent on the side extension's erection. As such, I am unable to issue a split decision as the scheme's individual elements are not fully severable.
13. I conclude that the proposal would be harmful to the character and appearance of the surrounding area, contrary to the aims of LP Policies E1, E19 and E24 and also relevant advice contained within the Council's SPG.

14. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR