
Appeal Decision

Site visit made on 7 February 2017

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

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

Decision date: 21 February 2017

Appeal Ref: APP/V2255/D/16/3165644

155 Westerham Road, Sittingbourne ME10 1XH

- 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 Miss Chaplin against the decision of Swale Borough Council.
 - The application Ref 16/506983/FULL, dated 21 September 2016, was refused by notice dated 23 November 2016.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 155 Westerham Road, Sittingbourne ME10 1XH in accordance with the terms of the application, Ref 16/506983/FULL, dated 21 September 2016, 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 development hereby permitted shall be carried out in accordance with the following approved plans: WR01 Rev 2 and WR02 Rev 2.
 - 3) 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.
 - 4) The ground floor rear window serving the room labelled as 'Bathroom' on drawing number WR02 Rev 2 shall be obscure glazed and shall be kept as such in perpetuity.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a two storey semi-detached dwelling which occupies a corner location. Properties in the area typically comprise semi-detached or short terraces and are laid out behind reasonably generous front gardens. Where they are sited on a corner, the flank walls of the buildings are generally set back from the side boundaries. This helps to give the area a fairly relaxed, spacious layout which contributes positively to local distinctiveness. The appeal property is typical of this arrangement. However, a 2m high wall is
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- positioned close to the edge of the footpath on side boundary with Westerham Road.
4. The proposed two storey side extension would extend the flank wall of the property to within 0.4m of this side boundary. As such, it would, to a degree, reduce the locally distinctive space to the side of the property. Nevertheless, that space has already been closed down somewhat by the side boundary wall. Moreover, the houses on the opposite site of Westerham Road are set well back from the road. Consequently, I consider that the particular circumstances of this case would ensure that the proposal would allow adequate space to be retained around the building to maintain the characteristic layout of the area.
 5. The Council has also expressed concern that the proposed extension would have an oppressive and overbearing effect on users of the adjoining footpath. However, the footpath is reasonably wide and, considered in the overall context and scale of the street scene, the extension would take up a short length of the footpath. I have already found that the proposal would allow adequate space to be maintained around the building and this would contribute to the feeling of openness experienced by footpath users.
 6. Therefore, I conclude that the proposal would not have a harmful effect on the character and appearance of the area. As such, it would accord with Policies E1, E19 and E24 of the *Swale Borough Local Plan 2008* to the extent that they require proposals to respond positively to the characteristics of the locality, be well sited and of a scale and design appropriate to the location. The proposal would also accord with Policies CP4, DM14 and DM16 of the emerging *Swale Borough Local Plan Bearing Fruits 20131* and the advice in the Council's *Designing an Extension Planning and Development Guidelines* insofar as they have similar aims.

Conditions

7. The Council has suggested four conditions. With amendments for clarity, I find that they meet the tests set out in the Planning Practice Guidance. I have imposed a condition specifying the approved drawings as this provides certainty. A condition requiring the external materials to be used in the extension to match those of the existing building is necessary to safeguard the character and appearance of the area. A condition requiring the proposed ground floor bathroom window to have obscured glazing is necessary to ensure the privacy of occupiers of the building.

Conclusion

8. For the reasons set out above, the appeal should be allowed.

Simon Warder

INSPECTOR