



Appeal Decision

Site visit made on 7 December 2023

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2023

Appeal Ref: APP/V2255/D/23/3331117

**201 Queenborough Road, Halfway, Minster On Sea, Sheppey,
Kent ME12 3EL**

- 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 W Gaffney against the decision of Swale Borough Council.
 - The application Ref 23/502486/FULL, dated 17 May 2023, was refused by notice dated 3 August 2023.
 - The development proposed is installation of a pitched roof dormer to the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for installation of a pitched roof dormer to the front elevation at 201 Queenborough Road, Halfway, Minster on Sea, Sheppey, Kent ME12 3EL in accordance with the terms of the application, Ref 23/502486/FULL, dated 17 May 2023, 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 approved plans: DC/910, DC/911, DC/912, DC/913.
 - 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.

Main Issue

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

Reasons

3. The appeal relates to a detached house which forms part of a group of properties that line the south eastern side of Queenborough Road. The properties are set behind a grass verge, and vary in their design, materials and front building lines. The appeal property comprises two storeys with a large catslide roof to part of its front elevation. While the neighbouring properties to either side vary in their character, there are some other properties of the same design within this group. No.195 includes a front dormer to its catslide roof, of similar scale to the appeal scheme.
4. The Council refer to the document 'Designing an Extension: A Guide for Householders' (the Guidance) which states that dormers should be in

proportion with the roof and only as large as necessary to allow light into the roofspace, and goes on to describe guidelines for scale and proportions. The proposed dormer would be large, dominating much of the front cat slide roof and would appear to be larger than required to provide internal lighting to the proposed office. However, the dormer would be set in from the remaining roofslopes of the cat slide roof, allowing that roof form to remain apparent. Its eaves level would match that of the main house and its ridgeline would be well below that of the main roof. The proposed front window would adhere to the lines and proportions of those other windows in the front of the property. For these reasons together, the extension would not cause harm to the character of the property.

5. The extension would be apparent in views from the street. However, given the attributes of the proposal described above together with the varied character of the group in which the property lies, the proposal would not cause harm to the character or appearance of the area. While the front dormer at no.195 received planning permission before the Guidance was issued, it nonetheless forms part of the established character of this group of properties.
6. Overall, the proposal would be acceptable in terms of its effects on the host property and the character of the area. It would comply with policies CP4 and DM14 of the LP¹ which together require good design which is appropriate to its surroundings and the building being extended.
7. By reason of its scale, the proposal would not fully adhere to the Guidance cited above. In turn, the proposal would conflict with LP Policy DM14 which requires that development proposals adhere to adopted guidance. However, this conflict exists with guidance which clearly states its intention is to provide points for householders to consider, and which states that extensions should respect the character and appearance of the existing building, which I have found to be the case here. As such I attach limited weight to the conflict with the specific section of the Guidance mentioned and find the proposal to be compliant with the development plan taken as a whole.

Conditions

8. The Council has highlighted conditions that it considers would be appropriate and I have considered these in light of the Planning Practice Guidance (PPG). In addition to the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of visual amenity, materials should be conditioned to match those existing.

Conclusion

9. Although the proposal would conflict with parts of the development plan, for the reasons given I afford those conflicts limited weight, and the proposal should be regarded as being compliant with the development plan when read as a whole. The appeal is therefore allowed.

C Shearing

INSPECTOR

¹ Bearing Fruits 2031: The Swale Borough Local Plan, adopted July 2017 (the LP)