



Appeal Decision

Site visit made on 24 June 2025

by **H Lock BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 July 2025

Appeal Ref: APP/A2280/D/25/3365954

2 Tudor Farm Cottages, Stoke Road, Upper Stoke, Rochester, ME3 9SF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms & Mr E & C Cordner & Bishop against the decision of Medway Council.
 - The application Ref is MC/25/0381.
 - The development proposed is alterations and extensions to include the demolition of the existing detached garage and rear single-storey bathroom extension and the construction of single and two storey extensions at the side and rear to provide additional habitable accommodation and an attached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The location of the appeal site is identified as within Hoo St Werburgh on the planning application form and decision notice, but Upper Stoke on all other documents submitted with the application and appeal. Although normally the address would be taken from the original application form, given the proximity to 'Upper Stoke' seen on the ground, I have used that in the address above.

Main Issues

3. The main issues are (1) the effect of the proposal on the character and appearance of the dwelling and the surrounding area; and (2) the need for the development, having regard to the personal circumstances of an occupant of the dwelling.

Reasons

Character and Appearance

4. The appeal property is a semi-detached house that forms part of a small group of dwellings and farm buildings set within an open rural landscape. The two detached houses within this group (referred to as Tudor Heights and The New House) appear to be much larger than the semi-detached pair of cottages, albeit the footprint of the attached house (No.1) has been widely extended at ground floor. Although this housing group is set back some distance from Stoke Road, each property is visible in varying degrees from the road, and from the public footpath of the England Coast Path which passes nearby. As an end property, views of the front and side of the appeal dwelling are particularly visible on approach from the core of the settlement of Upper Stoke to the north-east.

5. The existing cottage is reasonably narrow with a large side garden. Despite the width of the side extension at No.1, its lower height means that the narrow proportions of the original pair remain apparent. The Council raises no objection to the full two-storey element of the proposed side extension. I share this assessment, given its sensitive and subservient design, other alterations which have taken place in this group, and an unimplemented planning permission for a two-storey side extension at No.1 (ref. MC/16/1023). However, the cumulative width of the proposed side extension, and the combined massing of the side and rear extensions, would appear unacceptably dominant relative to the scale of the host property. I do not consider that the extensions being set back from the front elevation and down from the main ridge are sufficient to make the proposal appear subservient, as suggested by the appellants.
6. Amongst other criteria, Policy BNE25 of the Medway Local Plan 2003 (LP) requires all development in the countryside to maintain, and wherever possible enhance, the character and amenity of the countryside. The policy preamble indicates that, in the countryside, extensions would not be expected to result in more than a 25% increase over the original dwelling's floorspace, albeit with some flexibility. The proposal would exceed this figure by some margin, and given the existing footprint and floorspace of the cottage, I do not regard the scale of the proposed additions to be 'modest', as required by point (vi) of the policy.
7. In contrast to the simple architecture of the cottage, the proposal would introduce a range of pitched roofed elements that would appear incongruous on the property. Although some elements at the rear may have limited public visual impact, the complex design would be apparent in wider views. From some directions, the appeal property would be partly screened by the neighbouring houses with trees in front, and the agricultural buildings, but from others its front and side elevations would be more exposed. Whilst I acknowledge that from Stoke Road the views may be quite distant, the scale and design of the proposals would nevertheless 'draw the eye'. There would be closer views from the public footpath which passes near this housing group. The replacement of the flat-roofed rear extension would not be an enhancement to justify the scale of the proposal.
8. I appreciate that the two detached houses are notable features in this landscape, and the appellants have identified some planning permissions granted for them. However, limited information has been supplied of the specific schemes and the planning policies in place at the time those applications were approved. From the information supplied, The New House permission appears to pre-date the adoption of the current Local Plan, as does a two-storey extension at Tudor Heights. Moreover, it is not known what the 'starting point' was for those detached properties. According to the Council's report in respect of extensions approved at No.1 (ref. MC/16/1023), the two-storey element had a width of approximately 4.5m, and therefore materially narrower than proposed in this case. Few details have been supplied of a development cited at Cooling Street to enable any comparison.
9. I therefore conclude that the proposal would detract from the character and appearance of the appeal property and the surrounding area, in conflict with LP Policy BNE25, and the requirements of LP Policy BNE1 for extensions to be satisfactory in matters such as scale, mass, proportion and details, and to respect the scale, appearance and location of buildings, spaces and the visual amenity of the surrounding area. For these reasons it would not accord with the design

objectives of paragraphs 131 and 135 of the National Planning Policy Framework, and would undermine the intrinsic character and beauty of the countryside in conflict with paragraph 187.

Need for the Proposal

10. The appellants have set out a need for the accommodation above the proposed garage, and for the replacement of the existing steep staircase and the improvement of circulation spaces. The Public Sector Equality Duty contained in section 149 of the Equality Act 2010 is engaged due to protected characteristics of one of the proposed occupants of the dwelling which are relevant to the development.
11. However, the proposal includes considerably more accommodation than required to meet this specific need, and would not be solely or mainly used by persons with protected characteristics. Whilst I acknowledge that dismissing the appeal would not secure the accessible accommodation above the proposed garage and the internal circulation improvements, it is not evident that the need may only be met by an extension of the size and form proposed. Having balanced the need for the development and the adverse impact on the character and appearance of the dwelling and the wider countryside, on the basis of the information provided, personal circumstances would not outweigh the identified harm.
12. The appellants advise that the existing bathroom extension is unsound, and that there is evidence of structural movement elsewhere. I also appreciate that the construction of the existing building would not meet current standards of insulation, that there is no first-floor bathroom, and that the property has other layout limitations. Again, it does not appear that addressing these issues is dependent on extensions of the size and form proposed. As such, they offer limited weight to the specifics of this proposal.
13. I therefore conclude that the scale of the proposed extensions would not be justified by the specified need, and that it would be proportionate and necessary to dismiss the appeal.

Other Matters

14. Representations have been made about issues relating to drainage and maintenance of the private access road. However, these are civil matters between the parties and do not affect the determination of this appeal.
15. I note the appellants' comments about the processing of the application, but such matters cannot be explored in a Section 78 planning appeal, which has been considered on its planning merits.

Conclusion

16. For the reasons given above the appeal should be dismissed.

H Lock

INSPECTOR