



Appeal Decision

Site visit made on 31 January 2023

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2023

Appeal Ref: APP/V2255/D/22/3305206

8 Park Road, Faversham ME13 8ES

- 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 Alexander Rozema against the decision of Swale Borough Council.
 - The application Ref 22/501594/FULL, dated 25 March 2022, was refused by notice dated 27 July 2022.
 - The development is the construction of a single storey ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey ground floor rear extension in accordance with the terms of the application, Ref 22/501594/FULL, dated 25 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 778/1A and 003 Rev 4.
 - 2) Within 2 months of the date of this decision, details of the colour and finish to the adjoining wall of the extension with No 9 Park Road shall be submitted to and approved in writing by the local planning authority. The agreed details shall be fully implemented within 4 months of them being approved.

Main Issues

2. The main issues are: whether the development preserves or enhances the character or appearance of this part of the Faversham Conservation Area; and the effect of the development on the living conditions of the occupiers of the adjoining residential property at No 9 Park Road.

Reasons

Conservation Area

3. The appeal property comprises a two storey terraced house located on the western side of Park Road and close to its junction with Chapel Street. At the rear there is a two storey extension adjoining the common boundary with No 7 Park Road, and beyond that a single storey extension with a mono pitched roof. Between the two storey extension and the rear common boundary with No 9 Park Road, a single storey extension has been constructed with a mono pitched roof facing No 9 and which has a rendered finish apart from the side of the

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common wall facing No 9 which is untreated blockwork. The Council advises that the extension is 2.2m wide x 3.05m deep x a maximum 2.8m high. It is this extension which is the subject of this appeal and which permission is sought to retain. This is not to be confused with an earlier application which was refused planning permission by the Council and which the agent advises was for a longer depth of 3.94m¹.

4. Beyond the extension, a covered but open structure has also been constructed, extending to the end of the single storey extension. However, this is not shown on the submitted plans and therefore does not form part of my consideration of this appeal.
5. Because of its location within the Conservation Area, there is a statutory duty for special attention to be given to the desirability of preserving or enhancing the character or appearance of that area. In that respect, the Council is concerned that the rendered finish in particular is inappropriate and detracts from the appearance of the Conservation Area. Although the appellant suggests that did not appear to be a specific concern from the transcript of the Committee Minutes of the meeting on 21 July 2022, I note that the formal minutes included references to concern about design generally including materials.
6. The size of the extension, and particularly its depth, largely complies with the Council's Supplementary Planning Guidance on extensions which refer to extensions being a maximum of 3m in depth. As the officer report notes, such infill extensions are fairly typical on a property of this sort and indeed I noticed other similar extensions nearby. Although there is a glimpsed view of the extension from Chapel Street it is primarily the roof structure only and it is by no means prominent in the street scene.
7. Turning to materials, the roof tiles match those of the main roof. Although the walls have been finished in render rather than matching brickwork to the main house, there is considerable evidence of rendered finishes elsewhere. This includes the adjoining property at No 9, where the whole of the ground floor and side boundary wall are rendered, the front elevations of several properties along Park Road, and the rear elevations of properties in Chapel Street, including rear extensions. I therefore do not consider that the argument that a rendered finish is inappropriate to the area can be reasonably sustained.
8. Part of the Council's concern appears to relate to the unfinished treatment of the boundary wall of the extension facing No 9. That is understandable and I agree it currently looks unsightly. However, a condition can be imposed to require details of an acceptable finish to be applied and I note that the appellant is agreeable to such a condition.
9. For the reasons set out I find that, subject to an appropriate condition, both the character and appearance of the Conservation Area would be preserved. The development therefore complies with policies CP4, DM14, DM16 and DM33 of the Council's Local Plan Bearing Fruits 2031 (LP) in that amongst other criteria set out in those policies, it is appropriate to its location and surroundings, is an appropriate design and quality, and would preserve the features that contribute to the special character of the Conservation Area.

¹ Application reference 18/505539/FUL

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Living conditions

10. At my site visit I was able to inspect the relationship of the extension with No 9 from within the latter's rear garden as there is a right of access to the appeal property at the rear. I noted No 9 has a rear facing window to a living room which also appears to have been increased in size from the original at some point in the past. There is also a large window and door facing the extension wall which serve a kitchen. As with any extension on the common boundary between properties, there is bound to be some impact arising. That is the case here, and indeed I note from a photograph in the grounds of appeal that the previous common boundary treatment between the two properties consisted of a high boundary wall with a trellis fencing on top. That would also have had some impact upon light entering the rear facing window of No 9 and also outlook from the room it serves. Although the boundary wall of the extension apparently projects slightly over the rear common boundary, given the limited depth and height of the extension, I do not consider that any impact in respect of loss of light or outlook is of such an extent that permission should be refused for that reason alone.
11. I therefore find that the impact upon the living conditions of the occupiers of No 9 is acceptable. Accordingly, the development complies with policies CP4, DM14 and DM16 of the LP in that amongst other criteria set out in those policies, there is no significant harm to amenity.
12. Part of the concern from the adjoining occupier at No 9 appears to relate to the apparent encroachment of the rear common boundary by the flank wall of the extension. However, I note that from a planning point of view the requisite ownership certificate has been served and that the issue is primarily a civil one, as officers advised in their report to the Planning Committee, which would need to be resolved between the parties as a separate matter to the planning process.

Conclusion

13. For the reasons set out above, the character and appearance of the Conservation Area would be preserved, and there would be no significant harm to the living conditions of the occupiers of No 9 Park Road.
14. A condition for the development to be built in accordance with the approved plans is necessary in the interests of certainty. A condition requiring details of the finish of the flank wall of the extension facing No 9 and for that finish to be completed within a reasonable timetable, is also necessary in the interests of visual amenity.
15. Accordingly, the appeal is allowed and planning permission granted.

Kim Bennett

INSPECTOR

