



Planning Inspectorate

Appeal Decision

Site visit made on 23 March 2026

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2026

Appeal Ref: 6003297

58 Roseleigh Road, Sittingbourne, KENT ME10 1RR

- 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 Mr Martin Sayer against the decision of Swale Borough Council.
 - The application Ref is 25/502836/FULL.
 - The development proposed is the erection of a single storey rear extension including 1 no. rooflight.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of proposed development from the Council's decision notice as this clearly and succinctly describes the act of development only.

Main Issue

3. The main issue raised by this appeal is the effect of the proposed development on the living conditions of the occupiers of No.57 Roseleigh Road, particularly in regard to outlook and light.

Reasons

4. The occupiers of neighbouring properties should reasonably expect to enjoy an acceptable outlook as part of their residential lives. The visually overbearing impact of the rear extension in outlook, given its proposed size and close proximity to the adjoining occupiers, would diminish the enjoyment of the residential living environment, particularly that of the outdoor amenity space, for the neighbouring occupiers. This would harm the enjoyment the existing occupiers should reasonably expect to enjoy.
5. Notwithstanding the above, the extension would be to the north west of No.57 Roseleigh Road and, taking into account the orientation of the sun, would not cast overshadowing over the existing dwelling to the south east. Natural light would not be obstructed to No.57 Roseleigh Road as a result of the development. Consequently, I do not consider the proposal would create significant harm in respect of light impacts.
6. A list of planning permission reference numbers has been provided by the appellant relating to other similar developments. I acknowledge that there may be examples of other similar extensions to dwellings in the locality, however I have not been

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provided the full details of any of those cases that might enable me to compare what similarity, if any, those developments would have to that which is before me. Even if there are other similar examples locally, this does not justify other development where harm would result.

7. It has been suggested that the proposal would satisfy the criteria for Prior Approval for Larger Home Extension. However, I have not been provided with evidence that would indicate such criteria would be met or that any such approval is in place here. This offers little weight in support of the proposal.
8. No objections to the proposal have been received from existing neighbouring occupiers, including that of the occupiers of No.57 Roseleigh Road. Whilst this may be so, this does not make an unacceptable development acceptable or justify the proposed development.
9. I acknowledge that the proposal would be to the rear of the property and, therefore, would not be open to general public views. It would be constructed of similar materials to that of the host property. Whilst these are merits of the proposed scheme, they do not overcome my above concerns. I note that there are existing dormer style roof additions at the rear of properties, however, I have considered the appeal on the basis of the proposal that is before me.
10. For these reasons, I conclude that the proposed development would be harmful to the living conditions of the occupiers of No.57 Roseleigh Road, particularly in regard to outlook. The proposal would, therefore, conflict with Policies DM14 and DM15 of the Swale Borough Local Plan and the provisions of the National Planning Policy Framework. These policies seek, amongst other matters, residential extensions to protect residential amenity.

Conclusion

11. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR