



Planning Inspectorate

Appeal Decision

Site visit made on 27 April 2026

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2026

Appeal Ref: 6005456

2 The Mall, Faversham, Kent, ME13 8JL

- 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 Ben Martin against the decision of Swale Borough Council.
 - The application Ref is 25/505072/FULL.
 - The development proposed is a single storey rear infill extension with mono-pitch glazed roof.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear infill extension with mono-pitch glazed roof at 2 The Mall, Faversham, Kent, ME13 8JL in accordance with the terms of the application ref 25/505072/FULL, 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 not be constructed other than in accordance with the materials specified within the application form and plans.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 25.011A_001, 25.011A_002, 25.011A_010, 25.011A_011, 25.011A_012, 25.011A_013, 25.011A_014 and 25.011A_015.

Main issue

2. The main issue in this appeal is the effect of the proposed development on the living conditions of adjoining occupiers.

Reasons

3. The proposed extension would project from the main rear elevation of the house and extend to the depth of the closet wing, hence infilling the area between this terraced house and its neighbour.
4. Policy DM 16 of the adopted Swale Borough Local Plan (2017) states that planning permission will be granted for alterations and extensions to buildings provided they, amongst other matters, protect residential amenity. Policy DM 14 sets out general development criteria for all development proposals, including that they cause no significant harm to amenity, and they accord with adopted supplementary planning documents and guidance of the Council. The Council have produced Supplementary Planning Guidance: Designing and Extension – A Guide for Householders (SPG). I am not aware of the date of adoption of this or whether it was subject to public consultation. However, it is referenced in the supporting text

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to Policy DM 16 as a material consideration to the determination of proposals; I have had regard to the SPG as a material consideration.

5. The SPG says the Council considers that, for single storey rear extensions close to a common boundary, a maximum projection of 3.0m will be allowed. The depth of the proposed extension would be 6m on the boundary with 4 The Mall. Whilst that is in excess of the figure in the SPG, that depth would lead to little intrusion to the neighbouring property. There is an existing boundary wall between the properties and the drawings show this being utilised for the extension with only a very limited increase in height. The extension is then designed whereby an aluminium flamed structure is set inside the boundary wall, with a mono-pitched roof.
6. The limited height over the boundary wall and these design features would notably reduce the massing of the extension as it lies on the boundary with No. 4 The Mall. This would ensure the proposal is not oppressive or overbearing to the outlook from the windows or the garden space of that property. For similar reasons and from my observations at the site visit, I consider the design approach of the extension ensure there would not be an appreciable effect on levels of light.
7. Thus, in this instance the extension as proposed would not be a significant harm to residential amenity, which is the test set out in development plan policies referred to earlier. The living conditions of adjoining occupiers would be not be materially harmed, notwithstanding that the depth exceeds the numerical figure in the SPG.
8. The design and scale of the extension would respect the host property, and the style and character of the surrounding area, being a modest change to the rear of the building. It would not be visible from the street and have limited presence in the area, due to the location. The character and appearance of the Faversham Conservation Area, within which the site lies, would be preserved.
9. The proposals would therefore accord with the objectives of Policies CP 4, DM 14, DM 16 and DM 33 of the Local Plan, and Policies FAV10 and FAV11 of the Faversham Neighbourhood Plan (2024) which, amongst other matters, seek to ensure development is of high-quality design and preserves the features of conservation areas.
10. I have attached a condition requiring the development to be constructed of materials as shown in the drawings, to ensure a satisfactory appearance to the development. A condition has been attached specifying the approved drawings in the interests of precision. There is no need to attach the appellant's suggested condition relating to obscure glazing as the boundary wall prevents views to the neighbour. I see no need to remove permitted development rights for openings in the house, since that would be a matter unrelated to the development the subject of this appeal. There is also no need for a condition requiring retention of the as-built extension, as any replacement structure would require planning permission. As the scheme is small-scale, I do not see a need for a condition limiting hours of construction.
11. For the reasons given above I conclude the proposed development is consistent with the development plan. The appeal is allowed.

C J Leigh

INSPECTOR