

3.2 14/503392/FULL			
APPLICATION PROPOSAL			
Two storey side extension, to form living accommodation for an elderly relative as amended by drawings received 11 November 2014			
ADDRESS 36 Sanspareil Avenue Minster-on-sea Kent ME12 3LE			
RECOMMENDATION Refusal			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL			
Proposal is contrary to policies contained in the Council's Supplementary Planning Guidance, Designing an Extension – A Guide for Householders			
REASON FOR REFERRAL TO COMMITTEE			
Recommendation contrary to Parish Council views			
WARD Sheppey Central	PARISH/TOWN Minster	COUNCIL	APPLICANT Mr Robert Shoebridge AGENT KCR Design
DECISION DUE DATE 20/11/14	PUBLICITY EXPIRY DATE 20/11/14	OFFICER SITE VISIT DATE 7/11/2014	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/06/0262	Conversion of garage to study/wc.	Approved	24.04.2006

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 36 Sanspareil Avenue is a two storey, semi-detached dwelling.
- 1.02 Sanspareil Avenue is approximately 0.4km in length meeting Barton Hill Drive to the east and Parsonage Chase to the west.
- 1.03 The street has a variety of property styles with a large number of detached dwellings. The street also includes semi-detached properties and a limited number of terraces comprised of 3 bungalows.
- 1.04 To the front and side of the property is a paved driveway with private amenity space to the rear.
- 1.05 The adjacent property, known as 'Summerwinds' is a detached, chalet bungalow.

2.0 PROPOSAL

- 2.01 The application seeks planning permission for a two storey side extension which will serve as accommodation for the applicant's elderly relative. The extension measures 2.8m in width and 8m in depth.
- 2.02 The front elevation of the extension is set back from the front elevation of the main dwelling by approximately 0.5m. The pitched roof design of the existing dwelling is proposed to be retained for the extension. The ridge height of the extension roof is set approximately 0.2m below the ridge height of the main dwelling house.
- 2.03 There are two windows in the side elevation which will serve a w.c. at ground floor level and a bathroom at first floor level. Drawing 01, Revision A is annotated as to indicate these windows as being obscure glazed.
- 2.04 A door is proposed on the front elevation with a window at ground floor and first floor level. On the rear elevation glazed doors are proposed at ground floor level and a window at first floor level.
- 2.05 The internal floor area of the extension will be made up of a lounge/diner, kitchen and w.c. at ground floor level and a bedroom and bathroom at first floor level.
- 2.06 On the originally submitted documents there was no internal connection between the existing property and the proposed extension. After discussions with the agent an internal connecting door between the lounge/diner of the existing dwelling and the lounge/diner of the proposed extension has been added.
- 2.07 The justification for the proposal provided by the agent is as follows:

"I would point out to you that this extension is to allow my client to care for his elderly father (a gentleman of some advanced years) thereby affording him a safe, secure and caring environment in which to live.

The extension is subordinate to the main dwelling.

It is 800mm from the boundary, if the neighbour built an extension that would have to be set back from the boundary, thereby keeping the sense of openness.

There is no side parking in use, just a concrete hard standing, all parking remains at the front of the property."

3.0 PLANNING CONSTRAINTS

- 3.01 None

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Development Plan: E1, E19 and E24 of the Swale Borough Local Plan 2008.
Supplementary Planning Documents: Designing an Extension – A Guide for Householders

The Council's SPG entitled "Designing an Extension - A Guide for Householders", was adopted by the Council in 1993 after a period of consultation with the public, local and national consultees, and is specifically referred to in the supporting text for saved Policy E24 of the Local Plan. It therefore remains a material consideration to be afforded substantial weight in the decision making process.

National Planning Policy Framework (NPPF)

The NPPF was released on 27th March 2012 with immediate effect, however, para 214 states "that for 12 months from this publication date, decision-makers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework."

The 12 month period noted above has now expired, as such, it is necessary for a review of the consistency between the policies contained within the Swale Borough Local Plan 2008 and the NPPF.

This has been carried out in the form of a report agreed by the Local Development Framework Panel on 12 December 2012. Policies E1, E19 and E24 are considered to accord with the NPPF for the purposes of determining this application and as such, these policies can still be afforded significant weight in the decision-making process.

5.0 LOCAL REPRESENTATIONS

5.01 None received, the deadline for comments expired on 20th October 2014.

6.0 CONSULTATIONS

6.01 Minster Parish Council supports the application for the following reason:
"The proposal compliments the neighbouring properties."

7.0 BACKGROUND PAPERS AND PLANS

7.01 Application papers and drawings referring to application reference 14/503392/FULL.

8.0 APPRAISAL

8.01 In my opinion there are three key issues to consider in the determination of this application which are:

- The impact that the proposal would have upon the character of the existing streetscene;
- The impact upon the available parking space within the curtilage of the property;
- The effect of the proposal on neighbouring amenities

Impact on the streetscene

- 8.02 Paragraph 5.0 of the SPG states that *“Where a two storey side extension to a house is proposed in an area of mainly detached or semi-detached housing, the Council is anxious to see that the area should not become “terraced” in character, losing the sense of openness. Residents of such a street have a right to expect that the character should be retained. Houses should not be physically or visually linked, especially at first floor level as the space between buildings is important in preserving the areas character and sense of openness. A gap of 2m between a first floor extension and the side boundary is normally required.”*
- 8.03 The flank wall of the proposed extension is set in by 0.8m from the common boundary with the adjacent property, ‘Summerwinds.’ The adjacent property is a detached chalet bungalow, which is set in from the common boundary by approximately 2.5m.
- 8.04 Detached bungalows are the predominant style of property in Sanspareil Avenue but the street is also comprised of semi-detached bungalows, semi-detached two storey dwellings, chalet bungalows and small terraces of three bungalows. Although the property type is mixed, in overall terms the streetscene is characterised by its openness, especially at first floor level. Whilst the adjacent dwelling is a chalet bungalow, it has a high ridgeline, almost approaching that of the dwelling on the application site. In my view, the space between the two properties is important and contributes markedly to the character of the area. As such, in this case I am of the opinion that there is a requirement for a distance of 2m from the flank wall of the extension to the common boundary, as set out in the above policy in order to resist a terracing effect from occurring.
- 8.05 The 0.8m distance as proposed falls some way short of this, and if permitted would seriously erode the sense of openness that currently exists, especially at first floor level which the above policy attaches the most significance to protecting. Therefore the proposal would cause significant and unacceptable harm to the established character of the streetscene. Furthermore, if the adjacent dwelling was to be extended to the side in a similar fashion then this would only serve to further exacerbate the loss of openness, to the detriment of visual amenities and contrary to the policy as set out above.

Impact upon Parking

- 8.06 In terms of car parking, paragraph 7.0 of the SPG states that *“Extensions or conversions of garages to extra accommodation, which reduce available*

parking space and increase parking on roads are not likely to be acceptable. Nor is the provision of all car parking in the front garden a suitable alternative.”

- 8.07 In this case there is a paved driveway in front of and also to the side of the existing dwelling, where the extension is proposed. Although I appreciate that the hardstanding is fairly substantial, by virtue of the proposed siting of the extension the occupiers would be left with no other option than to park in front of the property. As the existing driveway extends to the side of the property there is the potential to park cars in this location which is set back from the front of the property. The effect of this is that there is the possibility of partially screening vehicles from view, the prospect of which would be lost if the proposal was permitted in this location. Increased use of the area in front of the house for parking would increase the visual and physical impact of cars in the streetscene which would have a significantly detrimental impact upon the streetscene, contrary to the policy as set out above and to the relevant policies of the Local Plan.

Neighbouring Amenities

- 8.08 Although the proposal introduces two windows, one at ground floor and one at first floor into the flank elevation of the proposed extension, these are both annotated as obscure glazed as they serve a downstairs w.c. and an upstairs bathroom. As such, I do not envisage that the proposal would increase overlooking to the adjacent property to an unacceptable level.
- 8.09 The proposed extension will project no further than the existing property and will be broadly in line with the rear elevation of both the adjoining and the adjacent property. Therefore I do not consider that the proposal would give rise to any adverse impact impacts upon neighbouring amenities.

Agent's Justification for Proposal

- 8.10 Although I recognise that the extension would provide living accommodation for the applicant's elderly relative and have some sympathy with the circumstances, no evidence has been submitted demonstrating that other options (including provision of ground floor accommodation, or reducing the scale of the accommodation proposed) have been submitted, nor has any evidence been provided to demonstrate that the personal circumstances of the applicant and his family are truly exceptional. Personal circumstances are rarely sufficient to justify the grant of planning permission for an otherwise acceptable scheme. In this case, I do not consider that the applicant's personal circumstances are sufficient to outweigh the material planning harm I have identified above.

9.0 CONCLUSION

- 9.01 On the basis of the above assessment the proposal would have a significantly detrimental impact upon the streetscene due to the loss of a sense of openness and the requirement for the car parking to be located entirely to the frontage of the property. Although the applicant's circumstances and requirement for the

proposal have been taken into consideration I am of the view that this does not override the significant harm that the proposal would do to the streetscene. As such, I recommend that this planning permission be refused.

11.0 RECOMMENDATION – REFUSE for the following reasons:

- (1) The two storey side extension by virtue of its proximity to the party boundary would result in a deterioration of the sense of openness within the immediate area and would have a detrimental impact on the established character of the streetscene. The proposal would be contrary to the Council's adopted Supplementary Planning Guidance - Designing an Extension: A Guide for Householders and Policies E1, E19 and E24 of the Swale Borough Local Plan 2008.
- (2) The proposed extension would require all parking to be located in front of the property which would give rise to harm to the character and appearance of the streetscene, contrary to policies E1, E19 and E24 of the Swale Borough Local Plan 2008, and to paragraph 7.0 of the Council's adopted Supplementary Planning Guidance, entitled "Designing an Extension - A Guide for Householders".

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

This application was not considered to comply with the provisions of the Development Plan and NPPF as submitted, and would have required substantial changes such that a new application would be required.

It is noted that the applicant/agent did not engage in any formal pre-application discussions.

The applicant is advised to seek pre-application advice on any resubmission.

Case Officer: Paul Gregory

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.