

## PLANNING COMMITTEE – 8 JANUARY 2015

## PART 3

Report of the Head of Planning

## PART 3

Applications for which **REFUSAL** is recommended

<b>3.1 14/503148/FULL</b>			
<b>APPLICATION PROPOSAL</b> Alterations and extensions to an existing dwelling			
<b>ADDRESS</b> 226 Chequers Road Minster-on-sea Kent ME12 3SJ			
<b>RECOMMENDATION</b> Refusal			
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> Proposal is contrary to policies contained in the Council's Supplementary Planning Guidance, Designing an Extension – A Guide for Householders			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Recommendation contrary to Parish Council view			
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN COUNCIL</b> Minster	<b>APPLICANT</b> Mr Sumner <b>AGENT</b> Design Quarter UK Ltd	
<b>DECISION DUE DATE</b> 24/12/14	<b>PUBLICITY EXPIRY DATE</b> 24/12/14	<b>OFFICER SITE VISIT DATE</b> 3/12/2014	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
SW/85/0488	Loft Conversion	Refused	15/7/1985
SW/85/0778	Loft Conversion	Approved	6/9/1985
SW/88/0812	Side Extension	Approved	22/7/1988
SW/88/1714	Rear Extension	Approved	10/2/1989
SW/92/0462	Lounge Extension	Approved	21/5/1992
SW/05/0075	First floor extension and resited garage	Refused	18/3/2005

## MAIN REPORT

## 1.0 DESCRIPTION OF SITE

- 1.01 226 Chequers Road is a detached, chalet bungalow with two dormer windows on the front elevation and rear and side additions. There is a garage adjacent to the property.
- 1.02 The property is located on an access road parallel to the main highway which inclines slightly as you move eastwards.

- 1.03 There is a fairly large frontage to the property which includes a driveway and landscaped garden. To the rear is an extremely substantial private garden, extending to approximately 20m in width and 82m in length.
- 1.04 The two adjacent properties are detached, the building line of No.228 Chequers Road is roughly similar to the application property whilst No.224 is set back.
- 1.05 The site is located in the designated countryside to the east of Minster.

## **2.0 PROPOSAL**

- 2.01 The application seeks planning permission for a two storey side extension which will incorporate a third pitched roof dormer onto the front roofslope of the property. The extension will increase the width of the property by approximately 4.5m. The existing ridge line of the roof will be continued to incorporate the extension.
- 2.02 The property as existing is an approximate L shape at ground floor level with a patio area located behind a wall which sits forward of the side addition, currently containing the sitting room, utility room and third bedroom. The proposal would infill the patio area at ground floor level and then include an additional extension at first floor level.
- 2.03 The rear elevation of the property as existing has a recessed area which will also be infilled as part of this proposal to create a continuous elevation at ground floor level.
- 2.04 At first floor level a centrally located pitched roof element would be constructed with a large amount of glazing to serve an internal void and landing. The height of the pitch of this element is 0.6m above the ridge line of the property.
- 2.05 External doors are proposed in the existing rear dormer windows to provide access to the rear flat roofed elements of the property to be used as balconies at first floor level.

## **3.0 PLANNING CONSTRAINTS**

- 3.01 Potential Archaeological Importance

## **4.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Development Plan: E1, E6, E19, E24 and RC4 of the Swale Borough Local Plan 2008

## Supplementary Planning Documents: Designing an Extension - A Guide for Householders

Adopted 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, E6, E19, E24 and RC4 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 Adjoining neighbours have been consulted and a site notice displayed. No responses have been received at the time of writing this report. However, the site notice does not expire until 24<sup>th</sup> December 2014 and as such Members will be updated if any representations are received.

## 6.0 CONSULTATIONS

- 6.01 Minster Parish Council supports the application for the following reason:  
*“Minster-on-Sea Parish Council considers this a great improvement and supports the proposal.”*
- 6.02 The County Archaeological Officer confirms that *“no archaeological measures are required in connection with the proposal.”*

## 7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawings referring to application references 14/503148/FULL; SW/05/0075; SW/92/0462; SW/88/1714; SW/88/0812; SW/85/0778 and SW/85/0488.

## 8.0 APPRAISAL

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

- The scale of the proposal in terms of rural restraint policies;
- The effect of the proposal on neighbouring amenities

### Rural Restraint

8.02 Policy RC4 of the Swale Borough Local Plan deals with extensions to dwellings in the rural area. This states that *"for dwellings in the rural area with an existing external ground floor area of 50 square metres or more (and where this has been so for at least ten years), the Borough Council will permit only modest extensions (taking into account any previous additions undertaken) of an appropriate scale, mass, and appearance to the location."*

8.03 Paragraph 3.3 of the SPG states that *"In the countryside, scale is of particular importance. In rural areas, policies, are designed to maintain their attractive character and the extension of a small cottage to create a large house will normally be resisted. The Council will not normally approve an extension to a dwelling in a rural area if it results in an increase of more than 60% of the property's original floorspace."*

8.04 No.226 Chequers Road was originally a fairly simply designed bungalow with a floorarea of approximately 75sq m. The property has been subject to six planning applications since 1985, four of which have increased the size of the property. The property as existing now has a floorspace of 153.51sq m which already represents an increase of 105% of the original floor area. The proposal being considered here adds a further 62.42sq m which in total represents an increase of the original floorspace of 188%. This is over three times the maximum scale of extensions to dwellings in the rural area normally allowed by the above policy.

8.05 Although the dwelling has been significantly extended by previous extensions in the past, the existing configuration of the floor area results in a property, when viewed from the highway which still retains a modest appearance and sense of scale. However, the scheme now proposed, by virtue of extending the front elevation and the increased bulk and scale overall will in my view result in the loss of the original character of the dwelling. This is not necessarily unacceptable. However - the development proposed here would give rise to a dwelling of unacceptable bulk and scale, which would appear obtrusive and would harm the visual amenities of the streetscene and the character and appearance of the countryside.

8.06 It is also worth noting that a previous application was refused under SW/05/0075 for a scheme which proposed a similar increase in floorspace on the grounds that the proposal would not involve a modest extension to the original dwelling and would be unacceptable in principle in the rural area. Due

to the assessment made above I see no reason in this current application to make a different recommendation.

#### Impact Upon Neighbouring Amenities

- 8.07 The properties along this part of Chequers Road are detached and the flank wall of the proposed extension would be 5.5m from the neighbouring property, No.228 Chequers Road. No.224 is set back from the host property and as such after taking into account the increased bulk of the property there would be little impact upon neighbouring amenities.
- 8.08 The proposal also incorporates two large balcony areas on top of the rear flat roofed extension which are accessed from external doors from two of the first floor bedrooms. Paragraph 8.0 of the SPG states that *“When considering applications for flat roofed extensions, the roof will not normally be allowed to be used as a balcony due to the resultant privacy problems for neighbours which can so often occur. The Council will seek to ensure that no doorway opens onto such a roof and may impose a condition preventing use of such an area as a balcony. Only in exceptional circumstances will a balcony arrangement be approved.”*
- 8.09 The plots of the host and adjacent properties are of a substantial size and the properties are well spaced and detached. As such, in this case, if the application had been found to be acceptable in all other aspects then obscuring panels could have been required on the side of the balconies as a condition, to prevent any overlooking. However, due to the unacceptability of the proposal in terms of rural restraint policies this amendment was not sought. Therefore, the impact upon neighbouring amenities is not found to be unacceptable.

### **9.0 CONCLUSION**

- 9.01 This property has already been significantly extended and the additional development proposed in this scheme would result in a dwelling significant in bulk and scale, which would harm the character and appearance of the streetscene and those of the countryside.

### **10.0 RECOMMENDATION –REFUSE for the following reasons:**

- (1) The cumulative effect of the proposed extension, and the existing extensions to the dwelling, would, by virtue of its bulk and scale, not involve a modest extension to the original dwelling, would result in an obtrusive structure, harmful to the character and appearance of the streetscene and the countryside, contrary to policies E1, E6, E19, E24 and RC4 of the Swale Borough Local Plan 2008 and to paragraph 3.3 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 the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

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.