

3.4 REFERENCE NO - 15/506335/FULL			
APPLICATION PROPOSAL			
Erection of first floor side extension and balcony and amendment to elevations of conservatory permitted under application SW/15/502989/FULL			
ADDRESS 226 Chequers Road Minster-on-sea Kent ME12 3SJ			
RECOMMENDATION - REFUSE			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL			
Proposal is contrary to policies contained in the Council's adopted Local Plan and Supplementary Planning Guidance, Designing an Extension – A Guide for Householders			
REASON FOR REFERRAL TO COMMITTEE			
Recommendation contrary to Parish Council view			
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster	APPLICANT Mr And Mrs P Sumner AGENT Lander Planning	
DECISION DUE DATE 05/10/15	PUBLICITY EXPIRY DATE 17/9/2015	OFFICER SITE VISIT DATE 27/8/2015	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
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
14/503148/FULL	Alterations and extensions to an existing dwelling	Refused	12/01/2015
15/502989/FULL	Revision to planning application 14/503148/FULL. Demolition of existing garage and side extension. Extensions to rear and side of property and terracing. Alterations to elevations and new vehicular entrance into site and carport to side/rear	Approved	26/06/2015

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 first floor side extension which will incorporate a third pitched roof dormer onto the front elevation of the property, together with alterations to the conservatory that was approved under 15/502989/FULL, and a balcony. The extension will increase the width of the property at first floor level by approximately 4.5m. The existing ridgeline 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 located behind a wall which sits forward of the side addition, currently containing the sitting room, utility room and third bedroom. The application approved under 15/502989/FULL included a conservatory located in the same position as the existing patio and this application would alter the conservatory to become the ground floor of the side extension.
- 2.03 To the rear a balcony is proposed with a 1.8m high glazed screen. The alterations to the remainder of the rear of the property including the centrally located pitched roof element and the remainder of the balcony have already been approved under 15/502989/FULL.
- 2.04 The agent has prepared a detailed Planning Statement with Appendices which makes the following summarised comments:
- *“Assessed against Local Plan policy it has been outlined that the proposal represents a ‘modest’ extension which is appropriate in terms of its bulk and scale as well as in the context of the site and the location.*
 - *In terms of the Designing an Extension SPG, the net increase in floorspace (taking into account the floorspace permitted under the 2015 application) will increase the overall floorspace by 15% compared with the existing dwelling and by 237% compared with the original dwelling prior to any extensions. This exceeds the 60% increase limit (compared with the original dwellinghouse). However, it is relevant that the wording of the SPG allows for occasions where an increase of over 60% will be permissible. There is therefore scope to assess proposals on an individual and pragmatic basis and the impact that they would have on the character and appearance of the countryside in that location.*
 - *It has been outlined that the proposals are entirely in keeping with the streetscene and will not cause harm to it or to the character of the countryside. It is submitted therefore that the proposals should be assessed in a common sense way, on its merits rather than on the basis of an arbitrary percentage increase restriction set out within a very dated SPG. Given the*

considerable age of the SPG it is furthermore considered that the weight to be attributed to this document should be very limited.

- *It has been outlined within this Statement that the locality should not be described as ‘isolated rural’ in its character, but as ‘urban/rural periphery’ given the close proximity of the built up area to both the east and west of the site and the fact that the road is interspersed with housing along it. For this reason and given that the scale of the proposed extensions are appropriate, it is not considered that the proposal would cause any harm to the appearance or character of the countryside in this location.*
- *It is a material consideration of great weight that the property could be extended fairly considerably without the need for a planning application. A three meter, two storey extension would increase the floorspace of the original dwelling by **314%** and a four meter, one storey extension would increase this by **265%**, considerably more than the planning application proposal is seeking. An eight meter extension would increase the floorspace even further. The application proposal should be assessed against these fallback permitted development options. The application proposal represents a better designed development than the permitted development options which would have large areas of flat roofs and uninteresting elevations.*
- *It is also relevant that planning permissions have been approved on the site for a one and a half storey side extension and a large rear extension which have not been built out, but would have increased the floorspace of the property beyond that sought within this application. The increase in floorspace over the original floorspace which was approved at 228 Chequers Road (**220%**) neighbouring the site is also a material consideration.*
- *The proposal will maintain a 4 bedroom house and will not significantly alter the affordability it. The housing need in the area for family housing is therefore not affected by the proposal. It has been outlined that the scheme is well designed and will protect the amenities of neighbouring properties.*
- *The proposal has thus been demonstrated to be in compliance with Local Plan policies E1, E6, E19, E24 and RC4 and the NPPF.”*

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: Saved policies E1, E6, E19, E24 and RC4 of the Swale Borough Local Plan 2008

Supplementary Planning Documents (SPG): 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.

6.0 CONSULTATIONS

- 6.01 Minster Parish Council supports the application for the following reason: *“Minster-on-sea PC supports this quality building”*

- 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, drawings and Planning Statement, including Appendices for application reference 15/506335/FULL.

- 7.02 Application papers and correspondence for application references 15/502989/FULL; 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 upon neighbouring amenities.

Rural Restraint

- 8.01 Members may recall that an application for extensions and alterations to this property was reported to Planning Committee on 8th January 2015. This application also proposed a side extension at full two storey height, amongst other alterations and was refused for the following reason:

“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'."

- 8.02 Due to the above it must firstly be considered as to whether there has been a significant change in policy since this previous application was refused or if any other material planning considerations would impact upon the decision that was made.
- 8.03 In policy terms the application would be assessed against the same policies as the proposal previously refused. Policy RC4 of the Swale Borough Local Plan 2008 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."*
- 8.04 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."*
- 8.05 It is important to note that since the above referenced planning application was refused a subsequent application (15/502989/FULL) has been submitted to the Council and approved under delegated powers. Although this proposal increased the floorspace by an additional 27.44sq m (on an already substantially extended property) it was considered that the scale and bulk of the property would remain fundamentally the same. The reason for this was because the application largely involved the reconfiguration of the floorspace and the elevation visible from the highway remained unaltered. The proposal also incorporated a number of design improvements. As such the view was taken that the retention of the character of the property and the enhanced design outweighed the floorspace increase.
- 8.06 In this current case it is relevant that No.226 Chequers Road was originally a fairly simply designed bungalow with a floor area of approximately 75sq m. The property has been subject to seven planning applications since 1985, five of which permitted an increase in the size of the property. Taking into account that the recently approved application submitted under 15/502989/FULL has not yet been implemented, the property currently has a floorspace of 153.51sq m which already represents an increase of 105% of the original floor area. The proposal approved under 15/502989/FULL granted permission for an increase of 27.44sq m and the proposal being considered now would add approximately a further 30sq m. In total this would represent an increase of the original floorspace of 181%. This is over three times the maximum scale of extensions to dwellings in the rural area normally allowed by the above policy contained in the SPG.
- 8.07 Even taking into consideration the recently approved application I take the view that the existing configuration of the floorspace results in a property which still retains a modest appearance and sense of scale. However, the scheme now proposed, by extending the front elevation sideways at two storey height, along with the increased bulk and scale will in my opinion 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.

- 8.09 It is also worth noting that not only was an application for an increase in floorspace which enlarged the scale of the front elevation refused under 14/503148/FULL but a previous application which proposed a similar development was also refused under SW/05/0075 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.
- 8.10 During the course of the application the agent has provided a number of examples of schemes that they believe could be constructed as permitted development. I am aware that there is a possible fall back position of extending the rear of the property at single storey level under the Neighbour Consultation Scheme. However, in this case, I take the view that a fundamental reason for this proposal being unacceptable is the extended front elevation and by virtue of this the increase in bulk and scale in the designated countryside and harm to the streetscene. As such I take the view that the possible fall back position should not impact upon the recommendation reached in this application.

Impact Upon Neighbouring Amenities

- 8.11 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.
- 8.12 In relation to the impact upon neighbouring amenities, the proposal also incorporates a large balcony area on top of the rear flat roofed extension. 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.”*
- 8.13 The plots of the host and adjacent properties are of a substantial size and the properties are well spaced and detached. Under planning application 15/502989/FULL balcony areas were permitted with obscure glazed panels. This has also been indicated in this application. Therefore in this case I do not consider that the proposal would give rise to unacceptable levels of overlooking and as such I take the view that the impact upon neighbouring amenities would not be unacceptable.

9.0 CONCLUSION

- 9.01 A similar scheme to what is being considered here was reported to, and refused by Planning Committee Members for the reason as set out above. In the intervening period an extension which retained the modest scale of the property whilst also incorporating a number of design improvements was submitted to the Council and approved under delegated powers. As such, I now take the view that the proposal, which increases the bulk and scale of the property along the front elevation would not represent a modest extension in the countryside. The property which has been considerably extended over the course of five approved planning applications 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:

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 saved 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.