
Appeal Decision

Site visit made on 14 June 2021

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2021

Appeal Ref: APP/V2255/W/20/3262949

St James Court, 11 Minster Road, Minster-On-Sea ME12 3JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Doric Clapson against the decision of Swale Borough Council.
 - The application Ref 20/503112/FULL, dated 13 July 2020, was refused by notice dated 18 September 2020.
 - The development proposed is reform roof to accommodate two 1-bedroom flats and extend existing external staircase to provide access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons

3. The proposed roof design with roof extension projecting from the rear roof slope would add significant built form at the top of the existing building. The roof alterations would appear as a large and bulky addition at roof level. The roof addition would be visually harmful by virtue of it appearing as a dominant feature and an excessively large addition at the top of the building. Given this is an end of terrace property, the visual harm arising from the proposed development would be clearly visible from the surrounding area.
4. It is contested that the proposal's built form would be commensurate to that of neighbouring buildings in respect of overall height, scale, mass and proportions. I acknowledge that there is a mix of building designs and forms along this part of Minster Road. However, I have not been directed to any end of terrace property that is prominently visible within the street scene that would be directly comparable in size and form to the proposal that is before me. I, therefore, give the existing mixed character of the area little weight in support of the proposal.
5. For the above reasons, I conclude that the proposed development would be harmful to the character and appearance of the host property and the area. The proposal would, therefore, conflict with Policies CP4, DM14 and DM16 of the Bearing Fruits 2031: The Swale Borough Local Plan 2017 and Supplementary Planning Guidance (SPG) "Designing and Extension – A Guide

for Householders”. These policies and SPG seek, amongst other matters, development to be sympathetic and appropriate to its location and to achieve a high quality of design. Furthermore, I find that the proposal would not make a positive contribution to local distinctiveness, which is also a requirement of these policies.

Other Matters

6. The Council has identified that the development would result in a net increase in residential accommodation at the site that may result in increased recreational disturbance to the Special Protection Area and Ramsar sites. Given that I am dismissing this appeal for other reasons it has not been necessary for me to consider this matter in any further detail or require an appropriate assessment to be undertaken to assess the development’s effect upon the integrity of the protected habitat.
7. The Council cannot demonstrate a five-year supply of deliverable housing sites, although the supply of 4.6 year is not a substantial shortfall. Nonetheless, given there is not a five-year supply of deliverable sites in place, the provisions of footnote 7, paragraph 11d)ii of the National Planning Policy Framework (the Framework) should be applied.
8. Set against the harm identified there would be limited social and economic benefits associated with the proposal. Two additional dwellings would make little difference to the overall supply of housing and the support two extra households would provide to the local economy would also be minimal. The proposal could secure investment leading to the renovation of the exterior of the host property which could bring about a visual enhancement to the existing building. However, the harm that I have identified to the character and appearance of the property is not outweighed by the refurbishment of the existing building. Consequently, the adverse impacts on the character and appearance of the host property and the area would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

9. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

Nicola Davies

INSPECTOR