



Appeal Decision

Site visit made on 20 September 2021

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2021.

Appeal Ref: APP/V2255/D/21/3271581

Hamiltons, Scarborough Drive, Minster, Sheerness, Kent, ME12 2LW

- 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 Hamilton against the decision of Swale Borough Council.
 - The application Ref 20/505521/FULL, dated 17 November 2020, was refused by notice dated 22 January 2021.
 - The development proposed is the erection of a first-floor extension to provide two bedrooms.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the appeal was lodged, a revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. In my opinion, this does not materially change the planning policy context in respect of the main issues.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the streetscene; and whether the development would provide adequate living conditions for the occupants of the dwelling, with particular regard to external amenity space.

Reasons

Character and Appearance

4. The appeal property is a detached one bedroom single-storey bungalow, which is situated within a relatively small plot in a residential area. Although house types in the area are mixed, including a substantial number of two storey dwellings, the property is viewed against its immediate neighbours, which are either single storey or 'chalet' style properties.
5. The proposal is to enlarge the dwelling by constructing a first-floor extension to provide a two-bedroom property with kitchen, living and dining space on the ground floor. The footprint of the dwelling would not change, but its height would be increased by just over 1m at ridge level and by 1.2m at the eaves. Dormer windows would be constructed on both the front and rear facing elevations.

6. Policies CP4, DM14 and DM16 of the Swale Borough Local Plan 2017 (LP) require new development, including extensions to (amongst other things) be of high-quality design; be sympathetic in terms of scale, detail and appearance; and maintain or enhance the character of the streetscene. These policies are supplemented by the Council's Supplementary Planning Guidance – Designing an Extension. In addition, paragraph 130 of the Framework has similar requirements.
7. I have taken into consideration the mix of house types in the immediate locality and the close proximity of two storey dwellings on the opposite side of Scarborough Drive. However, as stated above, the site is viewed in the context of dwellings that are of a different character and, as such, the proposal would result in a building that would appear at odds with those adjoining. Consequently, it would be unacceptably harmful to the character and appearance of the streetscene and would conflict with the relevant policies of the LP and the provisions of the Framework, as referred to above.

Amenity Space

8. The Council considers that the proposal would result in a dwelling that could be occupied by a family and that the amount of outdoor amenity space would be inadequate for the occupants. The Council has not referred me to any specific standards or guidelines on this issue, but I acknowledge the limited depth and area of the existing garden space, which will not change. My attention has also been drawn to the planning history of the site, which indicates that the amount of garden space was an issue when planning permission was granted for the one-bedroom bungalow in 2017.
9. The Council has quoted conflict with Policies CP4, DM14 and DM16 of the LP. However, these do directly refer to external space. Nevertheless, paragraph 130 f) of the Framework states that developments should create places with a high standard of amenity for existing and future users.
10. Although the external amenity space would be smaller than that enjoyed by other properties in the area, the space would be flat and be enclosed by fencing. The occupants would have privacy, natural light and a space to sit out and play. In addition, the property would remain a relatively small dwelling and the number of occupants would be likely to be limited. Consequently, I do not find against the proposal on this issue.

Conclusion

11. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR