



Appeal Decision

Site visit made on 14th May 2025

by **P H Wallace BSc (Hons) DipMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 June 2025

Appeal Ref: APP/V2255/D/25/3362107

30 Harps Avenue, Minster-on-Sea, Kent ME12 3PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Cinar against the decision of Swale Borough Council.
 - The application Ref is 25/500021/FULL.
 - The development proposed is a two storey side extension.
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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 area.

Reasons

3. The appeal property is a semi-detached, two-storey dwelling situated on a corner plot within a residential estate. The estate exhibits a high degree of uniformity, characterised by consistent architectural styles, regular plot sizes and evenly spaced buildings which combine to create a strong and identifiable sense of place. The carefully planned separation between buildings provides an openness which contributes positively to the character and appearance of the area.
4. The semi-detached pairs fronting the north and east sides of Harps Avenue are separated by narrow gaps. Where the road turns the corner, and where the appeal property is located, these gaps widen perceptually. The plots here have a distinctive splayed layout with the space between buildings widening from back to front.
5. The proposal is a two storey side extension comprising a garage with bedroom over. The front of the extension would be set back from the main wall of the dwelling with the ridge lower but matching the existing hipped roof design. A bin store is proposed between the extension and the boundary with No. 28 Harps Avenue, narrowing front to rear and terminating at a point where the northern tip of the extension adjoins the common (side) boundary.
6. The Council's Supplementary Planning Guidance (SPG) 'Designing an Extension - A Guide for Householders' states that to avoid a loss of openness, houses should

not be physically or visually linked, and that a gap of 2m should normally be required between a first floor extension and the side boundary.

7. Whilst the front of the extension is set off the side boundary by a reasonable distance, as the site tapers to the rear much of the extension would immediately adjoin the side boundary, abutting it where the rearward part of the extension ends. From the street the perception would be of a notable reduction in the width of the gap between the properties. This would harmfully erode the sense of space between the dwellings, which is an important characteristic of the area. While the angled juxtaposition of No.'s 28 and 30 Harps Avenue avoids the risk of a "terracing" effect, in terms of the appearance of a continuous row of properties, I share the Council's concern that the gap between the properties would be lost in the event of a comparable development at no.28. Such an eventuality would compound the unacceptable harm identified. While the design of the extension has been appropriately scaled to respect the host building, its appearance does not overcome the harm identified in respect of the erosion of the openness between the buildings.
8. The appellant has referred to an appeal decision (APP/V2255/D/19/3236298) for a two-storey side extension that was allowed despite not complying with the SPG. The appeal is said to be very similar to the current proposal as the property is situated on a bend. From that case, I note the proposed extension was above and behind an existing attached garage and would be no closer to the adjoining property than the garage. Furthermore, while the full 2m separation distance from the side boundary, as sought by the SPG, would not be achieved, the extension would still be set off the boundary. These factors appear to have contributed to the conclusion that the development would retain the spaciousness between the properties. Each case must be assessed on its own merits, and I am satisfied the circumstances applying in that appeal are materially different to the current proposal.
9. For the reasons given, the proposed development would harm the character and appearance of the area. It would conflict with Policies CP4, DM14 and DM16 of Bearing Fruits 2031: The Swale Borough Local Plan (2017), which seek to promote local distinctiveness and strengthen sense of place and state development must maintain or enhance the built environment and the character of the streetscene. It would also conflict with paragraph 5.0 of the Designing an Extension: A Guide for Householders SPG, which states two-storey side extensions should not result in the loss of openness between properties and Paragraph 135 of the National Planning Policy Framework which seeks developments that are visually attractive, sympathetic to local character including the surrounding built environment and maintain a strong sense of place.
10. The Council is satisfied the development would not cause harm to the living conditions of neighbours and the car parking demand arising from an additional bedroom would not have an unacceptable impact on the operation of the highway. I have no reason to disagree with these conclusions and compliance with the development plan in these respects is a neutral factor.

Conclusion

11. I conclude the proposal would conflict with the development plan and the material considerations do not indicate the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

PH Wallace

INSPECTOR