

R03

FH/TH/22/1332

PROPOSAL: Erection of first floor side extension together with dormer to the rear and alterations to roof, erection of balcony area to front elevation and juliet balcony to rear elevation

LOCATION: 2 The Ridings MARGATE Kent CT9 3EJ

WARD: Cliftonville East

AGENT: Mr Mark Staples

APPLICANT: Mr J Hamilton

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The proposed development, by virtue of its scale, form, design and location would result in a disjointed and unrelated form and appearance which would be disproportionate, architecturally unrelated and incompatible with the host property and the surrounding built environment. The proposed development would therefore result in severe harm to the character and appearance of the area, contrary to Policy QD02 of the Thanet Local Plan and paragraphs 130 and 134 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

No. 2 The Ridings is a late 20th century large single storey bungalow set on a moderate plot fronting The Ridings and the public open amenity space/seafront beyond. The application property has a wide frontage and is a staggered formation, with the main body of the dwelling set forward with a higher roof form, and an attached garage/side projection which is set back and set under a lower pitched roof which is set down from the roof of the main body of the property.

RELEVANT PLANNING HISTORY

FH/TH/21/1352 - Erection of first floor side and rear extension together with erection of front balcony and alterations to fenestration. Refused 27 October 2021 for the following reason; "The proposed development, by virtue of its scale, form, design and location would result in a disjointed and unrelated form and appearance to the of the host property which would be disproportionate, architecturally unrelated and incompatible with the host property and the surrounding built environment. The proposed development would therefore result in severe harm to the character and appearance of the area, contrary to Policy QD02 of the Thanet Local Plan and paragraphs 130 and 134 of the National Planning Policy Framework."

PROPOSED DEVELOPMENT

The proposed development is the erection of first floor side extension together with dormer to the rear and alterations to roof, erection of balcony area to front elevation and juliet balcony to rear elevation.

Compared to the previously refused application (Reference FH/TH/21/1352) the only amendment is the removal of the proposed rear extension.

DEVELOPMENT PLAN POLICIES

SP35 - Quality Development
QD02 - General Design Principles
QD03 - Living Conditions
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

No responses have been received.

CONSULTATIONS

None.

COMMENTS

The application has been called to Planning Committee by Cllr Towing on the grounds that the application should be supported in terms of the impact on the character of the area.

Principle

The site comprises an existing dwelling located within the urban confines of Margate. The principle of extending and altering an existing dwelling is considered acceptable subject to all other material considerations.

Character and Appearance

Paragraph 130 of the National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment and establish and maintain a strong sense of place.

Policy QD02 of the Thanet Local Plan provides general design principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

The proposed extension would form a full two storey frontage to the recessed section of the bungalow. A projecting balcony would extend from the first floor front elevation accessed via 2No. doors with window surrounds. The existing openings would remain in the ground floor front elevation. The eaves height of this extension would extend 2.5m higher than the eaves height of the main body of the application property to the principal elevation, with a pitched roof above.

This provision of a two storey frontage and the significantly raised eaves height to the recessed section of the property would alter the form of the property creating a two storey section that would dominate the forward section of the property, with the eaves differentiation forming an abrupt increase in height between the front elevation of the main body of the property and the extended section. The proposed projecting balcony will form a prominent protruding feature which does not relate to the remainder of the host property. There are provisions of balconies within this row of properties fronting The Ridings, however, these are predominantly integrated within the roof slopes or main body of the host property.

This extension is, therefore, considered to result in a separate design and form to the recessed element, which would be disproportionate and architecturally unrelated to the form and design of the main body of the property, appearing as two separate units. This is considered to result in a disjointed, uncomfortable and discordant appearance and form to the host property.

The rear section of the first floor rear extension would have a similar appearance to a flat roof dormer. This section would be set down from the proposed ridge and would extend flush with the side elevation. This element would be visible between the properties, however it would have reduced prominence and visibility when compared to the front section due to its rear location. This part of the proposed extension is therefore not considered to be significantly harmful to the character and appearance of the area.

Additional information has been submitted with this application from the previous application to support the design of the proposal when considering the development in the area. It is acknowledged that the application property is set within a row of two storey and single storey dwellings with some variation to the designs. These dwellings comprise integrated and comfortable, balanced designs. This proposal would see the form, scale and appearance of the property significantly altered through the addition of a bulk two storey section and a projecting balcony resulting in a dwelling which has a disjointed form and appearance which would also be severely out of keeping with the integrated design and forms of the surrounding built environment.

The side first floor extension has not been altered in design from the previously refused application. The refusal was issued as the decision of the Council on the planning proposal, and is given significant weight in the determination of this resubmission. The additional

information submitted does not provide significant evidence to alter the previous determination of the Council to refuse the planning application on design grounds.

The proposed development is therefore considered to be incompatible with the host property and surrounding built environment, resulting in severe harm to the character and appearance of the area, contrary to Policy QD02 of the Thanet Local Plan and paragraphs 130 and 132 of the National Planning Policy Framework.

Living Conditions

The proposed additional built form associated with the first floor extension is predominantly located within the existing footprint and built form of the host property, sufficient separation distance and there would be sufficient separation distance to the adjacent neighbours to prevent any significant loss of light or sense of enclosure.

In terms of overlooking, the proposed first floor doors and windows and balcony to the front elevation will face the street and public open amenity space beyond, with side views to the adjacent neighbour to the east's side elevation/roofslope and front garden, which does not form private amenity space. This siting and relationship with the adjacent neighbour and spaces is not considered to result in harmful overlooking.

The proposed development would introduce first floor windows and doors to the rear elevation. Views from these windows and doors to adjacent neighbours to the side will be oblique views which are not considered to be significantly harmful.

There would be a separation distance of approximately 30m to the rear neighbour, which is considered sufficient to avoid any significant opportunity for overlooking. As such, this element is not considered to result in harmful overlooking.

The proposed development is therefore considered to be acceptable in terms of residential amenity, in accordance with Policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

No changes are proposed to the off road parking arrangements for the property. It is noted that there are no restrictions to parking on The Ridings and surrounding roads. It is not considered that the addition of two bedrooms to the property would generate a significant amount of traffic above that currently associated with the dwelling.

Given the above, it is not considered that there would be any adverse impact on highway safety or parking in the surrounding area from the proposed development.

Conclusion

The proposed extension is considered to result in significant harm to the character and appearance of the area due to its disjointed and unrelated form and appearance which would be disproportionate, architecturally unrelated and incompatible with the host property and the surrounding built environment. The Council has previously considered the same first

floor extensions and balcony under application reference FH/TH/21/1352 and the application was refused for this reason. This previous decision forms a significant material consideration in the determination of this application.

The need for consistency in decision making has been tested in the courts with two recent cases being R (Midcounties Co-Operative Limited) v Forest of Dean District Council [2017] EWHC 2050 and Baroness Cumberlege v Secretary of State for Communities & Local Government [2017] EWHC 2057. In both of these cases the decision makers failed to provide clear reasons for departing from their original position and the decisions were quashed by the High Court.

Given how recently the previous application was determined, the absence of any amendments to address the previous reason for refusal, or changes to local or national policy since this decision was made, it is considered that this material consideration must be given significant weight and there is no justified reason for departing from this previous position. It is therefore recommended that the application is refused.

Case Officer

Duncan Fitt

TITLE:

FH/TH/22/1332

Project

2 The Ridings MARGATE Kent CT9 3EJ

