

PLANNING COMMITTEE – 19TH July 2018

PART 3

Report of the Head of Planning

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 18/501788/FULL			
APPLICATION PROPOSAL Erection of a first floor rear extension over existing ground floor extension. A loft conversion with the insertion of two new windows and 5 no. roof lights.			
ADDRESS 89 Chaffes Lane Upchurch Kent ME9 7BG			
RECOMMENDATION Refuse			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposal, by virtue of its scale, will negatively impact on the residential amenity of neighboring dwelling no. 87 Chaffes Lane due to its excessive depth.			
REASON FOR REFERRAL TO COMMITTEE The Parish Council support the application			
WARD Hartlip, Newington And Upchurch	PARISH/TOWN COUNCIL Upchurch	APPLICANT Mr M Parsons AGENT Mr N G Hatton	
DECISION DUE DATE 20/06/18	PUBLICITY EXPIRY DATE 04/06/18		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/78/0289	Rear extension	Approved	08/05/78

1.0 DESCRIPTION OF SITE

1.01 89 Chaffes Lane is a semi detached, two storey dwelling located within the built up area boundary of Upchurch. The property has a hardstanding driveway to the front and private amenity space to the rear. The dwelling has an existing single storey flat-roofed rear extension spanning the full width of the rear elevation to a depth of almost 3m..

1.02 The east side of Chaffes Lane where no. 89 is situated is characterised by pairs of brick built two storey semi detached dwellings, well spaced in their plots.

2.0 PROPOSAL

2.01 The application seeks to erect a first floor rear extension over the entirety of the existing ground floor rear extension, so projecting almost 3m to the rear along the shared boundary with no. 87 Chaffes Lane. The extension will be 6m in width across the rear of the existing dwelling with a gable end (including a second floor window)

facing down the garden. Also proposed is a loft conversion with the insertion of two new windows and six roof lights in the existing and new roofslopes.

2.03 The proposed extension will allow for the enlargement of two bedrooms on the first floor and provide a new master bedroom and en suite in the loft space.

2.04 The proposed materials include tiles to match the existing roof, matching brickwork with new render and matching UPVC windows.

3.0 PLANNING CONSTRAINTS

4.01 None relevant.

4.0 POLICY AND OTHER CONSIDERATIONS

5.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

5.02 Development Plan: Policies CP4, DM14 and DM16 of “Bearing Fruits 2031: The Swale Borough Local Plan 2017”.

5.03 The Council’s adopted Supplementary Planning Guidance (SPG) entitled “Designing an Extension – A Guide for Householders”.

6.0 LOCAL REPRESENTATIONS

6.01 No representations have been received from local residents.

7.0 CONSULTATIONS

7.01 Upchurch Parish Council supports the application, subject to residential comments.

8.0 BACKGROUND PAPERS AND PLANS

8.01 Application papers for application 18/501788/FULL.

9.0 APPRAISAL

Principle of Development

9.01 The application site is located within the defined built up area boundary of Upchurch where the principle of development is acceptable subject to relevant policy considerations and local amenity impacts.

Visual Impact

9.02 The proposed extension will be located all to the rear of no. 89 so will not be visible in the streetscene. The new roof will be pitched and remain subservient to the existing dwelling and will be tiled to match the original roof. Although the addition of roof lights to the front elevation will be visible in the streetscene, I consider that this will be a minor alteration and will not have a significant impact on the appearance of the dwelling and consider it acceptable. Overall, I consider the application acceptable in relation to its impact on visual amenity.

Residential Amenity

- 9.03 The proposed extension will impact upon the neighbouring property at no. 87 Chaffes Lane. The Council's SPG entitled "Designing an Extension" states that for rear extensions close to the common boundary, a maximum projection of 1.8m at first floor level is allowed. This extension would sit right on the common boundary with no. 87 and would extend almost 3m to the rear at first floor level which I consider will cause unacceptable harm, giving rise to overshadowing, loss of outlook and would be significantly overbearing.
- 9.04 The agent was advised that the 3m projection would not be accepted but did not wish to submit amended drawings.
- 9.05 I have no objections to the insertion of velux windows associated with the loft conversion as I do not believe that any significant harm will be caused to residential amenity as a result of these, however, were I to be minded to recommend the application for approval I would insist on obscure glazed windows for the two windows in the side elevations. The additional windows proposed to the rear do not result in any additional overlooking and therefore I consider them acceptable.

Parking

- 9.06 The proposal includes the addition of another bedroom, turning the property into a four bedroom dwelling. However, the driveway to the front of the dwelling is large enough to comfortably park two cars which is compliant with the KCC standards which state two parking spaces are required for a four bedroom property. Therefore I consider this aspect of the proposal acceptable.

10.0 CONCLUSION

- 10.01 I consider that the proposal is acceptable with regard to its impact on visual amenities and has adequate parking provision for a four bedroom dwelling. However the extension will project rearwards by an unacceptable amount in relation to the amenities of the neighbouring property no. 87. Therefore I recommend that planning permission should be refused.

11.0 RECOMMENDATION –REFUSE for the following reasons:

- (1) The proposed rear extension by virtue of its excessive depth and positioning would amount to an oppressive and overbearing structure that would give rise to a loss of outlook and overshadowing and would therefore have an adverse impact on the residential amenity of the occupiers of 87 Chaffes Lane. The proposal would therefore be contrary to policies CP4, DM14, DM16 of "Bearing Fruits 2031: The Swale Borough Local Plan 2017" and 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 has 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.

