

2.7 REFERENCE NO - 16/505709/FULL			
APPLICATION PROPOSAL First floor & single storey extensions.			
ADDRESS 89 Scarborough Drive, Minster-on-Sea, Kent, ME12 2NQ			
RECOMMENDATION – Approve			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would not give rise to unacceptable harm to residential amenity and would not seriously harm the character and appearance of the street scene.			
REASON FOR REFERRAL TO COMMITTEE At the request of Councillor Andy Booth.			
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster-on-Sea	APPLICANT Mr & Mrs McKinley AGENT Alpha Design Studio Limited	
DECISION DUE DATE 31/08/16	PUBLICITY EXPIRY DATE 04/08/16	OFFICER SITE VISIT DATE 23/08/16	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/79/1276	Renewal of temporary permission for siting of a caravan for a two year period	Approved	20/11/1979
SW/78/1340	Siting of a caravan for a two year period	Approved	18/12/1978
SW/78/1232	Demolition of existing bungalow and erection of new bungalow	Approved	29/11/1978

1.0 DESCRIPTION OF SITE

- 1.01 89 Scarborough Drive is a detached, modest sized bungalow situated close to the junction with Seaside Avenue. The building itself is in a rather poor condition at present.
- 1.02 The property is set significantly back from the main road and general building line, and has a large garden and driveway to the front.
- 1.03 There is much smaller private amenity space to the rear, which has boundaries with properties in Augustine Road and Seaside Avenue. The gardens, and in particular the rear, have become quite overgrown.
- 1.04 There is a small cluster of bungalows in this part of Scarborough Drive and Seaside Avenue; however the street scene as a whole is particularly mixed with dwellings of considerably varying designs and sizes.

2.0 PROPOSAL

- 2.01 The proposal seeks planning permission for both single storey and first floor extensions, as part of the overall refurbishment of the property. There is a small outbuilding to the side which would be demolished.

- 2.02 The overall footprint of the property would increase by a maximum of 7m in width and 1.6m in length. The maximum height of the property would be 7.6m, although the bulk of the dwelling would be approximately 6m in height, reducing to 3.1m at single storey level.
- 2.03 The proposal would introduce 2 bedrooms at first floor level, both with en-suite bathrooms. There would be an integral garage with 2 parking spaces to the front.
- 2.04 The refurbished dwelling would be of a modern design, finished in white painted render, with light grey coloured composite weatherboarding at first floor level and slate tiles on the roof.

3.0 PLANNING CONSTRAINTS

None relevant

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and The National Planning Practice Guidance (NPPG): The NPPF and NPPG are relevant in that they encourage good design and seek to minimise serious amenity concerns.
- 4.02 Development Plan: Saved policies E1, E19, E24 and T3 of the adopted Swale Borough Council Local Plan 2008 and policies CP 4, DM 7, DM 14 and DM 16 of the emerging Swale Borough Council Local Plan Bearing Fruits 2031 are relevant in that they relate to general development criteria and design, alterations and extensions, and parking considerations.
- 4.03 Supplementary Planning Documents: The Council's adopted Supplementary Planning Guidance entitled "Designing an Extension" is also relevant, and remains a material consideration having been through a formal review and adoption process. The Adopted SPG entitled "Designing an Extension - A Guide for Householders", was adopted by the Council in 1993 after a period of consultation with the public, local and national consultees, and is specifically referred to in the supporting text for saved Policy E24 of the Local Plan. It therefore remains a material consideration to be afforded substantial weight in the decision making process.
- 4.04 National Planning Policy Framework (NPPF)
- 4.05 The NPPF was released on 27th March 2012 with immediate effect, however, para 214 states "that for 12 months from this publication date, decision-makers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework."
- 4.06 The 12 month period noted above has now expired, as such, it is necessary for a review of the consistency between the policies contained within the Swale Borough Local Plan 2008 and the NPPF.
- 4.07 This has been carried out in the form of a report agreed by the Local Development Framework Panel on 12 December 2012. Saved policies E1, E19, E24 and T3 are considered to accord with the NPPF for the purposes of determining this application and as such, these policies can still be afforded significant weight in the decision-making process.

5.0 LOCAL REPRESENTATIONS

5.01 The surrounding neighbours were sent letters notifying them of the application. Five representations objecting to the proposal were received within the consultation period. As a result, I contacted the Ward Members for Minster Cliffs, and Cllr Andy Booth requested that the application be called in to Planning Committee. The comments are summarised below:

- Loss of privacy if front balcony looks into number 89
- It is not clear if the flat roof garage/study would be used as a terrace – objection if it would be
- A two storey building, and the proposed use of materials is not in keeping with the surrounding properties and would ruin the aesthetic look and character of the area
- Are there any proposed improvements to the boundary fencing and landscaping?
- It would overlook/overshadow the surrounding properties and gardens
- The issue of overlooking should be specified in any consent granted
- Would foundation be dug within 3m of neighbouring property?

6.0 CONSULTATIONS

6.01 Minster-on-Sea Parish Council support the application subject to no serious harm being found to neighbouring amenity.

7.0 BACKGROUND PAPERS AND PLANS

7.02 The application reference to which this proposal refers to is 16/505709/FULL.

7.03 The applications listed in the history above are for reference, and are not particularly relevant to this case.

8.0 APPRAISAL

8.01 The application site is located within the defined built up area boundary of Minster in which the principle of development is acceptable subject to amenity and other relevant policy considerations. I believe the main considerations here to be the impact of the proposal upon the residential and visual amenities of the area, including the impact upon residential parking.

Residential Amenity

8.02 The dwelling would extend approximately 7m past the rear of number 87. However in this case, the building is already set significantly to the rear, and there would remain a 5m gap separating them. Additionally, this part of the extended dwelling would be single storey and flat roofed, and so I do not consider that there would be significant additional harm in terms of overshadowing or an overbearing impact here.

8.03 There would remain at least 9.4m between the rear of numbers 32 and 34 Seaside Avenue and the south eastern flank elevation of the dwelling. This would be a flat roofed, single storey element and there would be an additional 2m to any first floor element, for a total gap of at least 11.4m. There is no currently adopted guidance on the specific relationship between rear and flank elevations, however 11m at first floor level has historically been considered acceptable. As such, I do not consider that there would be significant harm in terms of overshadowing or an overbearing impact here.

- 8.04 The dwelling is already set significantly rearwards of number 91. The gap between them would remain at least 9.2m (just 0.3m shorter than existing). The height of the dwelling at this point would increase by just 1.7m. Given this, and the fact the application site is set to the south west of number 91, I do not consider that there would be significant additional harm in terms of overshadowing or an overbearing impact here.
- 8.05 There would remain over 21m to any other surrounding property, and so I consider that there would be no serious harm in terms of overshadowing or an overbearing impact in this regard.
- 8.06 I have considered the objections raised by surrounding properties in terms of overlooking. There would be minimal fenestration in the flank elevations and those that are proposed at first floor would be high level. The 2 roof lights to the rear would also be high level. The remaining first floor windows to the rear would serve a bathroom, which would be conditioned to be obscure glazed, and a landing/stairway. There would be over 21m to any dwelling directly to the rear in Augustine Road. There are no properties directly to the front. Although number 91 is set forwards of the site, they do not directly face each other. In any case, the closest first floor window here is a small, triangular gable window and designed in such a way as to minimise the potential for any sideways overlooking, in my opinion. As such, and despite the concerns raised, I am of the view that the design and arrangement of fenestration proposed would cause no serious harm in terms of overlooking (concern regarding the balcony discussed below).
- 8.07 There would be a balcony to the front, forming part of the flat roof above the garage and study. Concern was raised by number 87 about the potential for overlooking from it, and from the whole flat roof if it were to be used as a terrace/balcony. I do not consider there to be the potential for significant overlooking in terms of the balcony itself as shown. In terms of the remaining flat roof, a condition would be imposed to prevent its use as an additional balcony/terrace area. Overall, I do not consider that there would be significant harm to residential amenity in terms of overlooking.

Visual Amenity

- 8.08 Concern has been raised regarding the property being out of keeping with, and dwarfing, the surrounding bungalows, in terms of its introducing a first floor, and its design and use of materials. Whilst I acknowledge that many of the immediately neighbouring properties are bungalows, properties in Scarborough Drive and indeed Minster as a whole are considerably varied in design and size featuring large two storey dwellings down to bungalows of this size, and traditional to modern designs. The use of materials is particularly varied with different brick types, rendering and weatherboarding used. As such, I consider that the design would not seriously alter the character and appearance of the street scene.

Parking

- 8.09 The parking requirement for a 3 bed dwelling in a suburban location is 2 spaces per unit. This is sufficiently accounted for in this case, and would therefore not give rise to significant additional on street parking, in my view.
- 8.10 Although the provision of parking to the front of a dwelling is generally discouraged, I note several examples in Scarborough Drive in which this is the case. Given this, and the fact that it would be set significantly further back from the main road than in most

cases here, I do not consider that the proposed parking would significantly harm the street scene.

Other Matters

8.11 A query was raised regarding the proximity of the foundations to the neighbouring property. This would not be a planning matter.

8.12 A query was raised asking whether there were any proposed improvements to the landscaping/fencing. Landscaping schemes would not usually be sought in minor applications such as this, and while I would expect that the overgrown gardens would be tended to and improved, I consider the proposal to be acceptable in its own right.

9.0 CONCLUSION

9.01 I do consider this to be a finely balanced application. However overall, and due to the existing footprint already being significantly rearwards of the general building line, the proposal would not in my view give rise to harm to residential or visual amenity, or to highway safety and convenience. I therefore recommend that planning permission is granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby approved, including the specification of materials to be used in the construction of the external surfaces, shall be carried out in accordance with the approved drawing numbers 1369/3 and 1369/4.

Reason: For the avoidance of doubt and in the interests of visual amenity.

- (3) As shown on approved drawing number 1369/4, the proposed roof lights shall have a sill height of at least 1.7m above inside finished floor level, and the proposed window in the first floor south eastern flank elevation shall have a sill height of at least 2m above inside finished floor level.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.

- (4) Before the development hereby approved is first used, the window serving the first floor rear bathroom shall be obscure glazed and shall be kept as such in perpetuity.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of the future occupiers.

- (5) The flat roof area above the garage and study shall not be used as a balcony or sitting out area and there shall be no other use of the roof area unless for maintenance.

Reason: In order to prevent overlooking and to safeguard the privacy of neighbouring occupiers.

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:

- 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 acceptable as submitted and no further assistance was required.

The application was considered by the Planning Committee where the applicant/agent had 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.