

<b>2.7 REFERENCE NO - 17/500965/FULL</b>		
<b>APPLICATION PROPOSAL</b> Single storey lean to side extension, first floor extension & other window modifications and as amended by drawing number 1397/5 REV A received on 28th March 2017.		
<b>ADDRESS</b> The Paddock Highsted Valley Rodmersham Kent ME9 0AB		
<b>RECOMMENDATION</b> - Approve		
<b>REASON FOR REFERRAL TO COMMITTEE</b> - Parish Council objection		
<b>WARD</b> West Downs	<b>PARISH/TOWN COUNCIL</b> Rodmersham	<b>APPLICANT</b> Mr Craig Provan <b>AGENT</b> Alpha Design Studio Limited
<b>DECISION DUE DATE</b> 30/06/17	<b>PUBLICITY EXPIRY DATE</b> 13/04/17	
<b>RELEVANT PLANNING HISTORY (including relevant history on adjoining site):</b>		
<b>App No</b>	<b>Summary</b>	
SW/05/1047	Revisions to proposed conversion of former garage/games room to a detached three bedroom dwelling, proposed garden store, proposed stables, tack room, hay store and change of use of land for the keeping of horses - granted.	
SW/04/0461	Conversion of former garage/games room to a detached three bedroom dwelling - granted.	
SW/02/0577	Change of use to single residential property - refused.	

**1.0 DESCRIPTION OF SITE**

- 1.01 This property is a former domestic outbuilding converted to a dwelling following permissions granted in 2004 and 2005, and it is located to the rear (east) of dwellings fronting Highsted Road. The origins of the property mean that it has a unique position and design, with multiple pitched roofs, red brick facings and irregular fenestration. The property has a separate access directly off Highsted Road between neighbouring dwellings. The site is located within the defined built-up area of Rodmersham.
- 1.02 The position of the property is very close to/on the rear boundary of neighbouring dwellings and at a higher level. Accordingly, protection of the privacy of neighbours arising from its use as a dwelling has always been of concern here. The original permissions removed rights for further alterations, including new windows, to ensure that the Council would be able to control future alterations.

**2.0 PROPOSAL**

- 2.01 Planning permission is now sought for a single storey lean-to side extension to the northern elevation, a first floor extension/raising the roof of the central part of the property to create a home office area, and other window modifications. The proposal has been amended in response to concerns raised by the Parish Council and myself. These amendments have reduced the scope for loss of privacy to neighbours and the application now includes:
- Lean-to extension on north elevation protruding by 2.5m featuring patent glazing panels in roof.
  - New roof extension in the central range to create a small office with a high level triangular window facing south (into the site) with a sill a minimum of 1.7m above

finished floor level, and a new rooflight with a cill a minimum 1.7m above finished floor level on the west facing new roof slope.

- Introduction of a new obscured glazed window with a cill height of 1.7m above finished floor levels on west elevation (dramatically reducing the scale of fenestration originally proposed here).
- Internal layout changes to re-plan the interior swapping bedrooms for living areas and vice versa, and moving the entrance to the northern end rather than tight behind the neighbours.

### **3.0 PLANNING CONSTRAINTS**

3.01 Enforcement Notice ENF/12/0028

### **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 generally encourage good design and seek to minimise serious amenity concerns.

4.02 Development Plan: Saved policies E1, E19 and E24 of the adopted Swale Borough Local Plan 2008 are relevant in that they relate to general design criteria, alterations and extensions.

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 consultation and adoption process. It was adopted in 1993, but is specifically referred to in the supporting text to Policy E24, which was saved (and therefore the subject of review by the SoS) in 2010. It should still be afforded significant weight in the decision making process.

### **5.0 LOCAL REPRESENTATIONS**

5.01 None

### **6.0 CONSULTATIONS**

6.01 Rodmersham Parish Council objected to the scheme as originally submitted on the following grounds:

*"Rodmersham Parish Council object to this application. We feel it is an inappropriate development for this property situation and would greatly impinge on neighbours in particular to neighbours on South and South West side.*

*The extensions and window modifications would all impact on the residential amenity."*

6.02 In response to the amended drawings the Parish Council says:

*"Rodmersham Parish Council do believe these revised drawings are an improvement to the original drawings, especially the window alterations, however they still feel this development for this property situation would still greatly impinge on the neighbours in particular to neighbours on the South and South west side."*

### **7.0 BACKGROUND PAPERS AND PLANS**

7.01 Application papers and drawings for application 17/500965/FULL.

## **8.0 APPRAISAL**

8.01 This property is of an unusual design and it sits in an unusual position relative to its neighbours. Potential for overlooking of private rear gardens is high and I can appreciate the Parish Council's concern to avoid any problems. The property does not currently have any significant first floor windows facing the neighbours, but the main entrance is close to the boundary; attracting movement and possible disturbance. The changes proposed will remove this element of possible disturbance by re-locating the main entrance closer to the driveway and away from the boundary.

8.02 However, in its original form the application proposed a large new window which spanned through two floors and faced the neighbours to the west. This has now been deleted in favour of just a new small high level obscure glazed window at ground floor level. This should now avoid any additional loss of privacy. This and other alterations now also show regard for the neighbours' privacy by stipulating the minimum sill heights of new openings as above eye level, and I have recommended conditions to ensure that these are adhered to.

8.03 In other respects the alterations proposed do not radically alter the overall appearance or scale of the property or appear likely to affect the amenities of neighbours. They do include a significant internal re-arrangement of rooms and I have had regard to the possible implications for neighbours of this, but see no reason for concern here.

## **9.0 CONCLUSION**

9.01 Having taken on board the Parish Council's original concerns and negotiated amendments to address them, I am disappointed that the Parish Council maintain its opposition to these minor works, although they do not describe what problems they now foresee in any detail. I do not consider that there are any reasonable grounds to reject this application and I consider that planning permission should be granted for the amended scheme

**10.0 RECOMMENDATION** – GRANT Subject to the following conditions:

### **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 shall be carried out in accordance with the following approved drawing:

Plans & Elevations as Proposed drawing no: 1397/5 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reason: In the interests of visual amenity

- (4) The two new kitchen windows in the South West elevation, and the new rooflight to the Office, shall all have cill heights not less than 1.7m above the finished floor levels of the respective room

Reason: To protect the privacy and amenity of neighbours.

- (5) The new kitchen window in the South West elevation marked “Obscured window” on drawing 1397/5 Rev A shall at all times be fitted with obscured glass and shall be fixed so that it cannot be opened.

Reason: To protect the privacy and amenity of neighbours from views from the first floor of the property.

- (6) No further alteration to the property, whether permitted by Classes A, B, C or D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: To protect the privacy and amenity of neighbours from views from the first floor of the property.

**The Council's Approach to the 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 applicant/agent was advised of minor changes required to the application and these were agreed.

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.