

2.3 REFERENCE NO - 17/505973/FULL			
APPLICATION PROPOSAL Retrospective - demolish metal frame workshop and replace with outdoor timber office with change of use from outbuilding to B1 business use.			
ADDRESS 2 Sunnyside Avenue Minster-On-Sea Kent ME12 2EN			
RECOMMENDATION GRANT subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposed development would not give rise to significant harm to visual or residential amenity that would justify refusal.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection.			
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Mr Mark Roach AGENT	
DECISION DUE DATE 08/02/18	PUBLICITY EXPIRY DATE 19/01/18		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
None relevant.	N/A	N/A	N/A

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 2 Sunnyside Avenue is a detached bungalow located within the built up area boundary of Minster. The property has a large open frontage with hardstanding to the front, adjacent to the proposed office.
- 1.02 The site is located at a junction and has a frontage that faces out onto Sunnyside Avenue but amenity space that extends along Scrapsgate Road.
- 1.03 The proposed timber office is located to the front of the dwelling, in the same location as a previous lawful structure (albeit slightly smaller) and is visible from public vantage points on Sunnyside Avenue. There is a large hedge that extends along the boundary of the property, obscuring the majority of the office from view from Scrapsgate Road.

2.0 PROPOSAL

- 2.01 This retrospective planning application seeks permission for the demolition of a metal frame workshop and the construction of a timber office, used for B1 business use.
- 2.02 The building is used as a base for a Sports kit and Workwear Suppliers, “Stadium Sports”, employing a total of 4 people (maximum of 2 per day) with opening hours of 09:00-16:00 Monday to Friday. The use constitutes a small family run business, with the employees being the homeowners and their relatives.

- 2.03 The outbuilding is an unconventional shape but has a width at the widest point of 6.5m and a depth at the deepest point of 8.5m with an overall total height of 2.5m. The total floor space covered by the proposal is approximately 36m².
- 2.04 The building has timber frame walls with a tongue and groove finish, timber framed windows and wooden doors and a flat felt roof.
- 2.05 The applicant was advised to submit a supporting statement however this was not received.

3.0 PLANNING CONSTRAINTS

- 3.01 The site lies within Flood Zone 3

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).
- 4.02 Development Plan: Policies CP4, DM7, DM14 and DM16 of “Bearing Fruits 2031: The Swale Borough Local Plan 2017”.

5.0 LOCAL REPRESENTATIONS

- 5.01 No comments have been made by neighbouring residents.

6.0 CONSULTATIONS

- 6.01 Minster-on-Sea Parish Council raises objection, commenting as follows:

“The proposal does not comply with the street scene in respect of building lines for either Sunnyside Avenue or Scrapsgate Road. It also impacts negatively on the site lines for motor vehicles using the Sunnyside Avenue to Scrapsgate Road junction preventing drivers from seeing and being seen with appropriate visibility splays. It is a commercial premises - inappropriate in a residential setting.”

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawings referring to application reference 17/505973/FULL.

8.0 APPRAISAL

- 8.01 The application site lies within the built up area boundary where the principle of development is acceptable subject to other considerations. In this instance the impact on visual and residential amenity must be considered as well as the potential impact on highway safety.

Visual Impact

- 8.02 Sunnyside Avenue is characterised by a mixture of detached and semi-detached properties consisting of bungalows and two storey dwellings. The proposed development is a single storey timber office located to the front of 2 Sunnyside Avenue and is visible from public vantage points along Sunnyside Avenue. The

application site in question is an end of road corner plot located at the junction joining Scrapsgate Road.

- 8.03 I note the objection raised by the Parish Council regarding the proposal's lack of conformity to the building lines on Sunnyside Avenue and Scrapsgate Road but I give weight to the apparent lack of a strong building line on Sunnyside Avenue as there are a variety of property styles that are not uniformly placed along the road. No. 2 Sunnyside Avenue is set back from its neighbour and has private amenity space that extends to the side and front of the property as opposed to the rear, and whilst the building is visible from the street, it is not prominent. I also give weight to the fact that it replaced a fairly unattractive steel frame building in a similar location.
- 8.04 I do not believe that the comparison to the building lines on Scrapsgate road holds a significant amount of weight as the development is obscured by a hedge from this perspective and therefore the impact of development on the visual amenity of this streetscene is successfully mitigated.
- 8.05 In my opinion the siting of the proposal is appropriate and the development does not create an overbearing impact on the street scene or cause significant harm to visual amenities.

Residential Amenity

- 8.06 As 2 Sunnyside Avenue is a corner plot there is no directly adjacent neighbour to the west of the property. Consequently the only neighbour with the potential to be directly impacted as a result of this application is 4 Sunnyside Avenue which is situated on the east side of 2 Sunnyside Avenue and has the proposal directly facing its side wall. Notwithstanding this, the adjacent neighbour 4 Sunnyside Avenue is approximately 10.3m from the proposed development which I consider is a sufficient distance to maintain privacy and therefore in my opinion it is unlikely to be negatively impacted by this proposal.
- 8.07 With regards to the potential impact on other neighbours on Sunnyside Avenue I believe that the development is a sufficient distance from them so as not to have a significant impact on residential amenity and from the perspective of any neighbours located on Scrapsgate Road the development is hidden from view so I consider the potential impact to be minimal.
- 8.08 The applicant has confirmed that although many of the customers will be online there is the potential for customers to visit the site and has stated that this would be of a very small scale with a maximum of two customers a day during busy periods. As the proposed opening hours of the business are between 09:00 and 16:00 which is typical of a working day and there are stated to be few customers visiting the site, I do not consider that there will be additional disturbance to immediate residents and do not consider that this particular business use will be out of place in a residential setting.
- 8.09 Members will note that no objections have been received from local residents with regards what appears to be a low key business use here. I give this some weight, but lack of objection is not in itself a reason for granting permission. The applicants have set out that a small number of customers will visit the site and it seems to me that the specific business use carried out is comparatively un-intensive and unlikely to generate large numbers of visitors. I recommend imposing conditions 1 and 2 below, which respectively restrict the use of the building to the specific company applying for

permission, and prevent any part of the building being used for retail purposes falling within Use Class A1

Highways

- 8.10 There is a large section of existing hardstanding to the front of the property and adjacent to the proposed office which is suitable for parking. There are at least three 5.0m x 3.6m car parking spaces all with full access on and off of the site which accords with adopted Kent Vehicle Parking Standards.
- 8.11 With reference to the Parish Council's comments regarding the impact of the proposal on visibility at the junction, I note that the office is almost completely obscured by a large hedge at the junction so I do not believe the proposal to have any additional negative impact on the site lines of the junction and note that the Highways Authority could find no issues to raise.
- 8.12 I therefore determine that there would be no resulting harm to highway safety or indeed it would seem unlikely that additional parking on the street would also occur as a result of this development as the current provisions are acceptable.

9.0 CONCLUSION

- 9.01 Taking into account all of the above, I consider the proposal will not give rise to unacceptable harm to visual or residential amenities and consider that highway safety is maintained. I also note that sufficient parking provision has been demonstrated and as such recommend that retrospective planning permission be granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

- (1) The building and use hereby approved shall be used for office purposes only, and for no other use whatsoever, including any use that might be granted deemed consent by the Town And Country Planning (General Permitted Development) (England) Order 2015 (as amended), and shall be used solely for "Stadium Sports" and for no other business purposes.

Reason: In accordance with the terms of the application, and in the interests of residential amenity and highway safety and convenience.

- (2) No part of the building shall be used for retail purposes falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In accordance with the terms of the application, and in the interests of residential amenity and highway safety and convenience.

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 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.

