

**PLANNING COMMITTEE – 16<sup>th</sup> AUGUST 2018**

**PART 3**

Report of the Head of Planning

**PART 3**

Applications for which **REFUSAL** is recommended

<b>3.1 REFERENCE NO - 18/502643/FULL</b>			
<b>APPLICATION PROPOSAL</b> Erection of a single storey side and rear extension with a pitched roof. Re-position of garden side wall.			
<b>ADDRESS</b> 3 Chetney View Iwade Sittingbourne Kent ME9 8SQ			
<b>RECOMMENDATION</b> - Refuse			
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> The proposed re-positioning of the garden side wall would result in looking prominent and intrusive which would cause demonstrable harm to the open character and appearance of the street scene.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Called in by Councillor Clarke			
<b>WARD</b> Bobbing, Iwade And Lower Halstow	<b>PARISH/TOWN COUNCIL</b> Iwade	<b>APPLICANT</b> Mr Gary Fitchett <b>AGENT</b> Deva Design	
<b>DECISION DUE DATE</b> 21/08/18	<b>PUBLICITY EXPIRY DATE</b> 20/06/18		
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
SW/01/0375	Approval of Reserved Matters of SW/00/340 for erection of 130 dwellings together with roads, sewers and all ancillary works – Approval of Reserved Matters	Approval of Reserved Matters	20/09/2001
SW/00/0340	Outline Application for Residential development and future expansion of primary school – Grant of Outline.	Grant of Outline	13/10/2000

**1.0 DESCRIPTION OF SITE**

1.01 The application site is a detached house situated within the built up area boundary of Iwade. 3 Chetney View forms part of a residential development approved under Approval of Reserved Matters application SW/01/0375. The property has an enclosed rear garden with a garage and drive situated to the rear which is accessed to the south of the property within Saxon Walk. The Streetscene is characterised by residential properties of similar designs and sizes.

1.02 The application site is situated on the corner of Chetney View and Saxon Walk which is a curved road and the dwellings are generally set back from the road giving a sense of openness to this area.

## 2.0 PROPOSAL

2.01 The application seeks permission for a single storey side and rear extension with a pitched roof and the insertion of 4no. rooflights. The garden side wall situated to the south of the property would be repositioned towards the boundary line. The plans originally submitted showed the garden wall being re-positioned right to the boundary line, but they have since been amended to show the wall being re-positioned closer to the property with planting to the front and further alterations to the fenestration on the proposed side and rear extensions.

2.02 The result of the single storey side and rear extension would be L shaped in form. The side extension element would extend to the side of the property by 2.7m and would have a length measurement of 5.6m. The side extension would also extend from the existing rear of the property and sit in line with the existing side elevation to the south of the property. The rear extension would project from the rear by 2.7m sitting in line with the existing inset north side elevation and have an overall width of approximately 8.1m (including the width of the side extension). For both the proposed side and rear extensions the proposed height measurement to the eaves would be 2.4m and have an overall maximum height of approximately 3.5m.

2.03 The proposal includes the re-positioning of the garden side wall towards the boundary line. At the widest point this will be moved approximately 2.6m from the existing position and approximately 0.75m at the closest point.

## 3.0 SUMMARY INFORMATION

	<b>Proposed</b>
Approximate Ridge Height (m)	3.5m
Approximate Eaves Height (m)	2.4m
Approximate Depth (m)	2.7m (Rear extension). 5.6m (Side extension)
Approximate Width (m)	8.1m (Side + Rear extension)
No. of Storeys	1
Re-position distance of garden wall	2.6m outwards (widest point) 0.7m outwards (closest point)

## 4.0 PLANNING CONSTRAINTS

4.01 The site lies within an area of potential archaeological importance.

## 5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).
- 5.02 Policies CP4 (good design), DM14 (general criteria), and DM16 (extensions and alterations) of the adopted Swale Borough Local Plan 2017 are relevant.
- 5.03 Policy CP4 states that all development proposals should be “of a high quality design that is appropriate to its surroundings”, “enrich the qualities of the existing environment,” and “retain and enhance features which contribute to local character and distinctiveness”.

Policy DM14 requires (amongst others) that developments “reflect the positive characteristics and features of the site and locality” and “be both well sited and of a scale, design, appearance and detail that is sympathetic and appropriate to the location”.

- 5.04 Council’s adopted SPG “Designing an Extension” is also relevant.

## **6.0 LOCAL REPRESENTATIONS**

- 6.01 One letter of objection has been received, raising the following summarised comments:

- Siting of garden wall closer to the road could impact on line of sight when entering Saxon Walk from either direction.
- No alternative pathway and pedestrians are required to share the road space with vehicle users.
- Respondent’s property at a level of 50cm lower than application site, siting of garden wall will have a negative and major impact on the outlook from the front elevation of home and negative effect on value of home, and
- Estate housing density is high in this area of Iwade and believe existing walls and boundaries as per original design and planning consent should be maintained.

- 6.02 The application has been called in by Councillor Roger Clarke.

## **7.0 CONSULTATIONS**

- 7.01 Iwade Parish Council has no objection save that neighbours comments are taken into account and if possible acted upon.
- 7.02 The County Archaeological Officer confirms no archaeological measures are required.

## **8.0 BACKGROUND PAPERS AND PLANS**

- 8.01 The application is accompanied by all necessary drawings.

## **9.0 APPRAISAL**

### **Principle of Development**

- 9.01 The site is situated within the defined built up area boundary of Iwade and as such the principle of the development is acceptable subject to the other relevant policy considerations outlined below. The main considerations in the determination of this planning application are the appearance of the side and rear extensions and the re-

positioning of the side garden wall in relation to the house itself and to the local area and the impact upon the residential and visual amenities in the area.

### Visual Impact

- 9.02 The proposed side and rear extension is situated within the rear of the garden of the host property surrounded by a 2m high wall, I note due to the corner plot position only the upper section of the proposed extensions would be viewed from public vantage points. In this case the extensions would have a pitched roof which I believe would reduce the visual impact of the extension and I also note the application form shows the materials would match those on the existing dwelling which I consider acceptable as this would not detract from the appearance of the existing property. I consider the single storey side and rear extension to be acceptable in terms of visual amenity.
- 9.03 The proposal also includes the re-positioning of the existing side garden wall towards the boundary line of the host property. The main consideration with regards to this element of the proposal is the impact of the proposal upon the visual amenities of the area. The application site is situated on the corner of Chetney View and Saxon Walk which is a curved road where the dwellings are generally set back from the road giving a sense of openness to this area.
- 9.04 The Council generally resists garden walls being moved outwards on residential estates. The re-positioning of the wall would be visible from various public vantage points due to the corner position of the property and as such this element of the proposal would have a harmful effect on the surrounding streetscene. The re-positioning of the wall which at its widest point would extend by a further 2.6m (approximately) towards the road would in my view be unacceptable – it would have a detrimental impact on the sense of openness of the area and in my view the wall in its new position would look prominent and intrusive within the open setting of Saxon Walk, particularly as there is no alternative pathway along the south side of this host property, but a grass verge.
- 9.05 I am aware that 5 Chetney View has previously had approval for moving the existing fencing enclosing the rear garden out to within the garden perimeter and existing hedge line. Each application is determined on a case by case basis and when looking at the approval for 5 Chetney View the applications do differ. With regards to 5 Chetney View the hedge was existing and the officer determining the application considered:

*“The existing hedgerow also does a lot to minimise the visual impact of the fence. The planting is mature and grown to such a degree that only a small part of the fence can actually be seen from the highway.....I consider that the fence itself would not be prominent or seriously harmful to the visual amenity”.*

In this case the entirety of the wall, which is approximately 2m high is visible from public vantage points and by moving it approximately 2.6m (at its widest point) on a curve it would become more prominent and in turn harmful to the visual amenity of Saxon Walk. There would be very limited opportunity for planting to soften its appearance.

- 9.06 On the basis of the above assessment with regards to the re-positioning of the wall I consider this element of the proposal unacceptable. It would be prominent and harmful to the character and appearance of the street scene and visual amenity in a manner contrary to policies CP4 and DM 14 (General development Criteria) of the Swale Borough Local Plan 2017 policies in particular (7):

*‘Be both well sited and of a scale, design, appearance and detail that is sympathetic and appropriate to the location’.*

### **Residential Amenity**

- 9.07 The proposed side extension is situated to the south of the host property where it would be a distance of approximately 14m away from No. 9 Saxon Walk which is situated to the south and as such I believe this is an acceptable distance away as there is a boundary wall and a road separating the two dwellings.
- 9.08 The Council’s Supplementary Planning Guidance entitled “Designing an Extension” generally considers 3m rear extensions along the common boundary to be acceptable. The proposed extension would project to the rear by 2.7m with a distance from the common boundary with no.1 Chetney View of approximately 1.6m and as such this complies with the guidance. I consider that the proposal would not give rise to unacceptable levels of overshadowing to this dwelling. It is also important to note that the drive and garage belonging to no.1 Chetney View sits between the two properties and there are no windows proposed within the side elevation of the proposed extension. There would be no significant loss of privacy.
- 9.09 The distance to the common boundary with no.2 and no.4 Saxon Walk situated to the rear of the host property, from the proposed extension as shown on the block plan is approximately 21m and to the rear elevation of no.2 and no.4 would be approximately 22m. The SPG usually requires 21m between windows to the rear and other houses to the rear and as such I believe this to be an acceptable distance away. I also note the rear garage belonging to no.3 Chetney View sits between the host property and these properties. Taking this into consideration I do not envisage loss of privacy to the dwellings to the rear..

### **10.0 CONCLUSION**

- 10.01 I consider the single storey side and rear extension to be acceptable in terms of residential amenity however taking into account all of the above with regards to the re-positioning of the existing side garden wall further towards the boundary I consider this element of the proposal would be detrimental to the visual amenity of the area and I therefore recommend that planning permission is refused.

### **11.0 RECOMMENDATION – Refuse for the following reason:**

- (1) The proposed re-positioning of the garden wall towards the boundary would result in a prominent and intrusive structure which would cause demonstrable harm to the character and appearance of the streetscene and to the visual amenities of the area in a manner contrary to policy CP4 and DM14 of the Swale Borough Local Plan 2017.

### **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.

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.

