

PLANNING COMMITTEE – 7 February 2019

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 18/505899/FULL		
APPLICATION PROPOSAL Erection of outbuilding in rear garden (Part retrospective).		
ADDRESS Senekol, Southsea Avenue, Private Street, Minster-on-Sea ME12 2LU		
RECOMMENDATION - Grant		
SUMMARY OF REASONS FOR RECOMMENDATION The proposal 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 Minster Cliffs	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Mr Jolyon Allen AGENT
DECISION DUE DATE 14/02/19	PUBLICITY EXPIRY DATE 09/01/19	

Planning History

SW/87/0467

Proposed garage extension with bedroom above and porch extension.

Approved Decision Date: 07/09/1987

Enforcement History

18/500658/OPDEV

Unauthorised structure

Pending Consideration

1.0 DESCRIPTION OF SITE

1.01 Senekol is two storey, detached house with a sizable rear garden, located on the north eastern side of Southsea Avenue within the built up area boundary of Minster. The application site has an area of approximately 1250m², with its rear boundary facing the public open space along the Minster-on-Sea coastline. A vehicle access and a modest garden are located to the front of the property.

1.02 The application site is bounded by residential properties to the east, west and south. The street scene is characterised by detached and semi-detached housing of varying designs and sizes.

- 1.03 The outbuilding subject of this application, is located at the bottom of the rear garden of the property, and is visible from public vantage points rear of the application site.

2.0 PROPOSAL

- 2.01 This part retrospective application seeks permission for the retention and restoration of an outbuilding located in the rear garden of the property. The outbuilding is positioned at the bottom of the garden, on the rear boundary of the application site, and is separated from the main house by approximately 29m. The building measures approximately 5.1m wide by approximately 3.3m deep. It has a pitched roof, measuring approximately 2.2m to the eaves, and approximately 4m in overall height.
- 2.02 The building has a low brick base and a timber frame. The walls are clad with Kent pine, and Kent plain clay tiles are proposed to the roof. Hardwood double glazed windows are proposed in the south, east and west elevations of the outbuilding; with hardwood double glazed doors in the west elevation.
- 2.03 The application form states that the original building, which originated elsewhere, dates from the 1920's, and is in the process of being restored by the applicant using reclaimed materials from the original building, or similar matching materials where the reclaimed materials are damaged. The finished walls will be painted in a slate blue colour.
- 2.04 The rear wall of the outbuilding serves to replace a damaged section of the existing brick wall located along the rear boundary of the application site.
- 2.05 The proposed use of the building is for private garden office/study/storage area.

3.0 PLANNING CONSTRAINTS

- 3.01 None

4.0 POLICY AND CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)
- 4.02 The Swale Borough Local Plan "Bearing Fruits 2031" (adopted 2017). Policies CP4 (good design), DM14 (general development criteria) and DM16 (alterations and extensions).
- 4.03 The Council's adopted Supplementary Planning Guidance (SPG) titled "Designing an Extension" is also relevant, and remains a material planning consideration having been through a formal consultation and adoption process.

5.0 LOCAL REPRESENTATIONS

- 5.01 One representation received from the occupiers of adjacent 'Honfleur', raises the following (summarized) objections:

- The building is an eyesore and very evident from adjoining properties and from all Minster Cliffs footpaths in the area
- The rear boundary wall of the property (*that has been partially demolished*) was built by Swale Borough Council, who own the land immediately to the rear of it
- The potential of the building to become residential

6.0 CONSULTATIONS

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

“The proposal appears to be out of keeping with the character of the area. The information associated with this application is confusing and needs to be clarified via a site meeting”.

7.0 BACKGROUND PAPERS AND PLANS

Application papers and drawings referring to application reference 18/505899/FULL.

8.0 APPRAISAL

Principle of Development

8.01 The property lies within the built up area boundary where the principle of development is acceptable subject to amenity and other relevant policy considerations. The main considerations here are the impact of the proposal upon the residential and visual amenities of the area.

Visual Impact

8.02 The outbuilding is single storey and positioned more than 29m from the host dwelling. Although the footprint is fairly large, it is clearly subordinate to the main dwelling in terms of its height and size, and I do not consider it out of scale given the considerable size of the plot.

8.03 The building is a simple, timber framed structure with a pitched roof. The use of reclaimed Kent pine cladding and Kent plain clay tiles is traditional and appropriate to the location in my view. Any original cladding or tiles that are damaged will be replaced with materials as closely matched to the originals as possible. The finished walls will be painted in a slate blue colour. Although I consider that a more muted colour would help to soften the impact of the building, the colour of the outside walls cannot be controlled as permitted development rights would allow for them to be painted any colour without an application for planning permission being made.

8.04 The specific siting and character of the surroundings must be taken into account. Minster-on-Sea Parish Council raises objection, commenting that the proposal is out of keeping with the character of the area. My view is that in relation to the road, the building being at the rear of the dwelling and set well back from the house is not prominent from public vantage points in Southsea Avenue. As a result of this, there will be no serious impact to the streetscape to the front of the property.

8.05 Whilst the building is visible from public vantage points to the rear of the application site, and specifically from the footpaths adjacent to and beyond the property's rear boundary, I do not consider that the building would cause significant harm to the visual amenities of the area. It is separated from the closest footpath by land owned by Swale Borough Council, and I note that the rear wall of the outbuilding backs onto tall bramble that screens the rear elevation of the building to approximately eaves height, helping to mitigate its visual impact. The pitched roof of the building is clearly visible from this perspective but given that the development is single storey and has been appropriately designed using traditional materials, I do not consider it incongruous. To

the north of the application site is open land sloping down towards the beach and sea; however facing towards the rear boundary of the host property, are the rear gardens of the adjacent residential properties in Southsea Avenue. I therefore consider the character of the area to be mixed. The position of the outbuilding is in my view appropriate; garden buildings are commonly located at the bottom of the garden, and I note that the immediately adjacent property to the east, Cliff House, has a fairly large pergola located close to their rear boundary. Given the appropriate scale and design of the building, and taking into consideration the mixed character of the surrounding area, I do not consider that the proposal would result in significant harm to the appearance of the host building, or the visual amenities of the locality.

Residential Amenity

- 8.06 The outbuilding is single storey, of relatively low height, and is set a sufficient distance away from neighbouring dwellings to prevent a significant detrimental impact on the light or outlook enjoyed by their occupiers.
- 8.07 In view of its single storey nature, I do not consider there would be a significant impact upon privacy. The proposal is set to the north eastern side of the rear garden, approximately 12m from the common boundary with the neighbouring property 'Honfleur'. I take into consideration that the hedge located along the rear section of the common boundary here is low, and that this adjacent property sits on a lower ground level to the application site. However, I note that the host property already has a decked area with a table and chairs located west of the proposal, immediately adjacent to the common boundary with 'Honfleur'. Overlooking already occurs here, and I do not consider that the levels of overlooking would be significantly increased over the current arrangement given that the windows and doors contained in the west elevation of the building would be set back some 12m from the common boundary with this neighbouring property.
- 8.08 The outbuilding would sit approximately 2m from the common boundary with 'Cliff House' to the east, and it would contain one window facing towards the boundary with this neighbour, so the potential for overlooking from this window into the rear garden of 'Cliff House' exists. However, the existing fencing along this section of the common boundary is low, and overlooking currently occurs between the properties here, so I do not consider that the proposal would result in significant additional loss of privacy for this neighbour.
- 8.09 The outbuilding is visible from the windows and gardens of the adjacent neighbouring properties but it is well separated from the nearby dwellings, and given this distance and its single storey nature, I do not consider that the proposal would result in unacceptable unneighbourly impacts in terms of obstructing light and views, or loss of privacy.

Other Matters

- 8.10 Minster-on-Sea Parish Council has commented that "*the information associated with this application is confusing and needs to be clarified via a site meeting*". However, notwithstanding that the application is part retrospective; elevations and a floor plan have been submitted, together with a site plan showing the location of the building. I am therefore satisfied that sufficient information has been submitted to properly assess the application.

8.11 I note the objections raised by the immediately adjacent neighbour. However, I consider the scale and appearance of the development to be acceptable, and the fact that the building is visible from this neighbour's property is, unfortunately, not an overriding consideration. Similarly, the ownership of the rear boundary wall of the host dwelling is not material to the determination of this application.

8.12 With regards to the issue of residential use; the proposal states that the building will be used for the purposes of private garden office/study/storage area. The application does not propose kitchen or bathroom facilities, and as such, I am satisfied that the use will be ancillary to the principal dwelling. The potential future use of the building for residential purposes is not being considered here.

9.0 CONCLUSION

9.01 This is a part retrospective application for retention and restoration of an outbuilding in the rear garden of the property. In my opinion, the proposal would not give rise to any serious amenity concerns, is well positioned on the plot, and it is not considered to significantly harm the character or appearance of the wider area. I recognise the issues raised by the neighbouring residents but they do not in my view amount to a justifiable reason for refusal.

9.02 Taking the above into account, I recommend planning permission be granted.

10.0 RECOMMENDATION – GRANT subject to the following conditions:

CONDITIONS

- (1) The development hereby approved shall be carried out in accordance with the approved drawings: East Elevation, West Elevation, North Elevation, South Elevation and Floor Plan.

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

- (2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those as stated on the application form.

Reason: In the interests of visual amenity.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and 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.

