

**PLANNING COMMITTEE – 27 MAY 2021****DEFERRED ITEM**

Report of the Head of Planning

**DEFERRED ITEMS**

Reports shown in previous Minutes as being deferred from that Meeting

<b>REFERENCE NO - 21/500414/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of part single, part two storey rear extension with internal alterations.		
<b>ADDRESS</b> 21 Bobbing Hill Bobbing Sittingbourne Kent ME9 8NY		
<b>RECOMMENDATION</b> Grant, subject to conditions.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Originally called in by Cllr Woodford. Was deferred at the 1 <sup>st</sup> April Planning Committee for amendments to be sought.		
<b>WARD</b> Bobbing, Iwade And Lower Halstow	<b>PARISH/TOWN COUNCIL</b> Bobbing	<b>APPLICANT</b> Cassie Burton <b>AGENT</b> APX Architecture LTD
<b>DECISION DUE DATE</b> 31/05/21	<b>PUBLICITY EXPIRY DATE</b> 10/03/21	

**Planning History**

None.

**1. BACKGROUND**

- 1.1 This application was reported to the Planning Committee at the Meeting on 1<sup>st</sup> April this year. The original report is attached as an Appendix.
- 1.2 At that Meeting, Members agreed to defer the application to allow for discussions regarding the submission of a joint application with the attached neighbour, and to amend the scheme regarding the impact on the property to the north.
- 1.3 This report will not repeat the information and consideration of the pertinent issues relating to the application contained in the original report and will instead deal solely with the discussions had between Officers and the applicant/agent relating to reducing the impact of the extensions on residential amenity.

**2. LOCAL REPRESENTATIONS**

- 2.1 No additional consultation was carried out however one objection was received from no.23 Bobbing Hill. This is summarised below:
  - Extension does not comply with the SPG
  - The site is already to the rear of no.23 so their ability to extend should be limited
  - Lack of sunlight cause by two storey extension

- Existing outbuildings in gardens already block out sunlight
- New ground floor side window will cause a loss of privacy

### 3. CONSULTATIONS

3.1 No additional consultations were carried out.

### 4. APPRAISAL

- 4.1 The previous committee report is attached for reference as an appendix. This includes detail relating to local representations and a full assessment of the scheme relating to visual and residential amenity. This report assesses the amendments and additional information submitted since the 1<sup>st</sup> April Planning Committee.
- 4.2 Members will recall that the two storey and single storey element were originally designed to project 4m to the rear of the dwelling. This is contrary to guidance within the Council's SPG on extensions – which is the start point for considering such applications together with Policy DM16 of the Local Plan - and the proposal was considered to cause an unacceptable overbearing impact on both the attached neighbouring property at no.19 and the neighbour to the north no.23.
- 4.3 Through discussions with Officers an amended scheme has been proposed which reduces the overall projection of the two storey element of the extension by 0.5m and also chamfers off the corner of this extension to the north. In addition to this medical information has been submitted detailing the specialist needs of the applicant's son and why the extension is being sought. The applicant requires a larger room for their son who is autistic and registered disabled. The larger room will allow for space for special sensory items as advised by specialists. The applicants intend to move their son to the only double bedroom in the property and therefore require an additional double bedroom to the rear for themselves. Whilst the personal circumstances of an applicant can be a material consideration, I would advise that they will rarely hold such weight in isolation that would override conflict with the development plan. As such, whilst I sympathise with the applicant in terms of their specific need for the extension, this is not in itself a determinative factor.
- 4.4 The reduction of the two storey projection by 0.5m results in a 3.5m projection to the rear of the property at first floor level. The guidance in the Council's SPG recommends that two storey extensions should be restricted to a maximum depth of 1.8m, but does allow some flexibility when an extension is set in from the shared boundary. In this instance, a gap of 1.7m would separate the two storey extension from the shared boundary with no.23 – and a gap of 3.1 metres to the dwelling itself. I also note that the property at No 23 has an existing single storey rear extension across the entire rear elevation, and that this projects forward of the existing rear building line of the application property – and that as a result the projection is not as extensive in relation to No 23 as appears from the block plan submitted with the application. I further note that the closest first floor window to the neighbouring dwelling at No 23 appears to be to a bathroom, and that impacts on light and outlook to such non-habitable rooms are not generally held to be of significance. As a result, although the amendment to the extension is limited to a relatively small reduction at first floor level, I consider this to be sufficient to reduce impacts on the neighbouring property to an acceptable level.

- 4.5 Concern has also been raised about the addition of a ground floor side window. This window is situated 1.1m from the shared boundary with a 2m high close boarded fence running the boundary line. Views out of this window would be extremely limited and it is not considered that the residential use of the property is likely to cause unacceptable noise and disturbance to the neighbouring property.
- 4.6 The extent of the single storey extension in relation to No 19 to the south would remain at 4 metres in depth. This again would be contrary to guidance in the SPG which recommends a maximum depth of 3 metres. There would be some impact on this property arising from the depth of the extension, although I note that the location of the extension to the north of No 19 would mean there would be no loss of sunlight to the property or garden. I also note that the closest window at No 19 affected by the proposal would be a kitchen. I further note that the occupant of this property has written in to support the application, although this in itself is not reason to approve. However on balance, I do not consider that this impact would be sufficiently harmful on its own to warrant refusal.
- 4.7 I would also give some weight to the personal circumstances of the applicant which were not known at the time this application was first reported to committee. Whilst I would only give limited weight to this (as advised above, personal circumstances can rarely be given significant weight), it adds weight to my recommendation to approve the scheme.

## 5. CONCLUSION

- 5.1 In summary, it is considered that the 0.5m reduced projection and chamfering of the corner of the extension has helped improve the relationship between the proposed extension and neighbouring dwellings, and would not give rise to unacceptable impacts, despite not complying with the SPG. The personal circumstances of the applicant provide some further limited weight in favour of this. Through these amendments a less harmful scheme has been achieved which does not result in a significant loss of residential amenity for neighbouring properties.

## 6. RECOMMENDATION

GRANT Subject to the following conditions:

### CONDITIONS to include

- (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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, colour and texture.  
  
Reason: In the interests of visual amenity
- (3) The development hereby approved shall be carried out in accordance with the following approved drawings:

20\_123\_03B Proposed Block Plan  
20\_123\_04C Proposed Floor Plans  
20\_123\_05B Proposed Elevations

Reason: In the interests of proper planning.

### **The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 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.

