

REFERENCE NO - 14/503907/FULL		
APPLICATION PROPOSAL To construct a timber framed and timber clad garage/storage area to the rear boundary of the property. Access via track to rear of ruins barn road.		
ADDRESS 2 Ruins Barn Road Tunstall Kent ME10 4HS		
RECOMMENDATION - Approve		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposal is in accordance with national and local policy.		
REASON FOR REFERRAL TO COMMITTEE Parish Council recommends refusal		
WARD Woodstock	PARISH/TOWN COUNCIL Tunstall	APPLICANT Mrs Jennifer Zaluska AGENT
DECISION DUE DATE 15/01/15	PUBLICITY EXPIRY DATE 15/01/15	

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1.0 DESCRIPTION OF SITE

- 1.01 The property is situated on the edge of Sittingbourne, within the built up area boundary. The site of the garage is at the rear end of the garden serving the property, and is itself served by an unmade track leading alongside no.30 Ruins Barn Road and then extending behind all of the properties. It appears that a smaller garage originally stood on the site. The property is not the subject of any specific planning constraints.

2.0 PROPOSAL

- 2.01 This is a retrospective application for the retention of a detached garage to the rear of 2 Ruins Barn Road, Tunstall. The garage has a ridge height of four metres, a length of 8.1 metres and a width of 5.3 metres. The structure is finished in pale grey painted weatherboarding with a black corrugated onduline roof.

3.0 SUMMARY INFORMATION

None

4.0 PLANNING CONSTRAINTS

None.

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 Policies E1 and E19 of the Swale Borough Local Plan 2008.

6.0 LOCAL REPRESENTATIONS

6.01 Objections, with photographs, have been received from a local resident. The points contained therein may be summarised as follows:

- *Built without planning permission*
- *Size is too large*
- *All we can see is 'this hideous black mass...it is visible from every aspect of our homes'*
- *Too large and too high*
- *Overlooking and poor visual appearance*
- *We no longer can see the trees beyond*
- *Why are there windows in the eaves?*
- *Roofing material is black corrugated- out of keeping*
- *Owner needs to take the roof off and either have a flat roof or one the same size as his neighbour*
- *'Please ensure that the application is REJECTED'*

7.0 CONSULTATIONS

7.01 Tunstall Parish Council recommends refusal on the following grounds:

- *The building dominates neighbours' back gardens*
- *This is a retrospective application*
- *Size not in keeping with other garages*
- *If approved, please add condition(s) to restrict use to ancillary use only and no residential use*

8.0 BACKGROUND PAPERS AND PLANS

8.01 Application papers and drawings relating to planning reference 14/503907.
Application papers and drawings relating to planning reference SW/10/1481.

9.0 APPRAISAL

9.01 The main issue to consider appears to be the effect of the building on visual and residential amenity.

9.02 As noted, the application is retrospective, so the effects of the building can be seen now, and are not the subject of conjecture.

9.03 The building is fairly well designed and finished. The weatherboarding has been painted pale grey, which minimises its visual impact. A great number of rural outbuildings within the borough are roofed in the corrugated fabric known as Onduline, and I consider it to be a suitable material to use in such circumstances.

9.04 The main objection appears to be aimed at the height and scale of the building, which is four metres high at the ridge. Whilst this is higher than the

adjacent garages, I do not consider it to be an excessive height. Indeed, a garage building with a ridge height of 5.3 metres was approved at the rear of no.28 Ruins Barn Road in 2010 under planning reference SW/10/1481. It is difficult to recommend refusal of the present application, when a taller garage in the same road has been previously approved.

9.05 I acknowledge the neighbour's comments and photographs which show the garage roof from his rear windows. However, I note that the garage is situated nearly fifteen metres from the rear windows of the neighbour's property and much as it may seem unfair, there is no right to a view enshrined within planning law.

9.06 I also acknowledge the points raised by the Parish Council, and note the requests for a condition/conditions restricting the building's use. I therefore recommend the inclusion of the condition below, should Members be inclined to approve the proposal.

10.0 CONCLUSION

10.01 Whilst I acknowledge the points raised by the neighbour and the Parish Council, I am not of the opinion that the building represents an unacceptable erosion of visual or residential amenity, and am further of the opinion that the proposal is in accord with the relevant policies. I therefore recommend that the application be approved, subject to strict accordance with the condition included below.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

1 The garage hereby permitted shall be used only for purposes incidental to the use of the main dwellinghouse, and for no commercial purpose.

Reason: In the interest of residential amenity.

Council's approach to the application

The Council recognises the advice in paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) and seeks to work with applicants in a positive and proactive manner by offering a pre-application advice service; having a duty planner service; and seeking to find solutions to any obstacles to approval of applications having due regard to the responses to consultation, where it can reasonably be expected that amendments to an application will result in an approval without resulting in a significant change to the nature of the application and the application can then be amended and determined in accordance with statutory timescales.

In this case the proposal was considered by the Planning Committee.

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.