

<b>2.3 REFERENCE NO - 14/506851/FULL</b>			
<b>APPLICATION PROPOSAL</b> Demolition of existing bungalow and proposed detached house.			
<b>ADDRESS</b> Adj Cedar Lodge Whybornes Chase, Minster-on-sea Kent ME12 2HZ			
<b>RECOMMENDATION</b> GRANT with conditions			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> Application site is a sustainable location within the built up area where the provision of new dwellings is in accordance with local and national policy, and the development would not give rise to serious amenity impacts or justifiable reasons for refusal.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Called in by Ward Member			
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN COUNCIL</b> Minster	<b>APPLICANT</b> Mr Keith French <b>AGENT</b> Mr Nigel Sands	
<b>DECISION DUE DATE</b> 10/03/15	<b>PUBLICITY EXPIRY DATE</b> 10/03/15	<b>OFFICER SITE VISIT DATE</b>	
<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>
14/506863	Erection of a detached house and detached garage.	Pending	
This application –presented elsewhere on this agenda – seeks planning permission for a replacement detached dwelling and garage on the site of the former bungalow (now demolished). This scheme represents an amendment to planning permission granted for a replacement house granted last year under SW/14/0515 (below).			
SW/14/0516	Erection of two semi-detached dwellings on land adjacent to Cedar Lodge	Refused	09.12.14
Members may recall this application, which was refused planning permission at committee last year. It proposed the erection of a pair of semi detached houses on land to the side of Cedar Lodge (previously used as garden) on the grounds that “their bulk, scale and proximity to the boundaries of the site, would amount to cramped development which would be out of character with the surrounding properties and would harm the open character and appearance of the streetscene.”			
SW/14/0515	Demolition of existing bungalow and erection of detached house.	Approved	16.06.14
Planning permission granted last year under delegated powers. The proposed dwelling was of an acceptable scale and design and would not give rise to any serious amenity concerns. Application 14/506863 (noted above) seeks to alter the design of the proposed house.			

## **MAIN REPORT**

### **1.0 DESCRIPTION OF SITE**

- 1.01 Cedar Lodge was a detached bungalow situated on an unmade road within the built up area of Minster. The building sat to the north / left-hand-half of the plot close to the site frontage, with the remainder of the site providing a generous garden.
- 1.02 The dwelling has, however, recently been demolished (permission for demolition and replacement was granted under SW/14/0515, which is discussed at section 7 below) and the site has largely been cleared. There remains, however, a small greenhouse towards the rear of the plot and a small detached garage towards the front of the plot (adjacent to the northern boundary with “Santorini”) as well as some small trees / large bushes along the site frontage and low-level vegetation towards the rear of the plot.
- 1.03 The area is characterised by a mix of bungalows, chalet bungalows and two-storey houses, generally detached, and with generous plot sizes and rear gardens. Land levels slope downwards to the north, with the entrance to Norwood Rise being the lowest point and the area to the north of Santorini the highest.
- 1.04 As is common along unmade roads on the Island there is a degree of frontage parking, on a grassed verge, at both Cedar Lodge and a number of neighbouring properties.
- 1.05 The street scene is very mixed here, and very few dwellings look alike in the immediate surroundings. There is also approximately a 50/50 mix of two-storey and single-storey / chalet dwellings, and it should be noted that the now-demolished bungalow, Cedar Lodge, would be replaced with a two-storey house as approved under SW/14/0515 (discussed below).

### **2.0 PROPOSAL**

- 2.01 This application seeks planning permission for the erection of a detached house between Cedar Lodge and the neighbouring property known as “Santorini,” on land previously forming the side garden of the now-demolished bungalow.
- 2.02 The proposed dwelling will measure approximately 7.5m to the ridge (5.2m to eaves); a maximum of 10.5m deep and approximately 9m wide. It will be set approximately 6m back from the highway edge, with a garden measuring approximately 16m deep.
- 2.03 External materials are proposed as red stock brick with contrast yellow banding at ground floor; cream-coloured weatherboard at first floor; grey roof tiles and uPVC windows.

2.04 Three bedrooms, an ensuite and a bathroom will be provided at first floor, with a kitchen, lounge / dining room and integral garage at ground floor. The bedrooms are situated to the front of the house, with the bathrooms and stairwell to the rear, which will be served by high level windows to minimise opportunities for overlooking of neighbouring properties.

2.05 One parking space and a garden are provided to the front of the house.

### 3.0 SUMMARY INFORMATION

	Proposed
Site Area (ha)	0.1ha
Approximate Ridge Height	7.5m
Approximate Eaves Height	5.2m
Approximate Depth	10.5m
Approximate Width	9m
Parking Spaces	2 (incl. integral garage)
No. of Residential Units	1

### 4.0 POLICY AND OTHER CONSIDERATIONS

4.01 Policies E1, E19, H2 and T3 of the adopted Swale Borough Local Plan 2008 are relevant, and encourage the provision of well-designed new residential developments within existing built up areas of the Borough, subject to provision of appropriate levels of parking and no serious amenity impacts.

4.02 This is supported by the general thrust of the National Planning Policy Framework, which encourages sustainable development as a priority. The above Local Plan policies are considered to be in compliance with the NPPF.

### 5.0 LOCAL REPRESENTATIONS

5.01 Minster-on-Sea Parish Council *“is pleased its previous concerns have been addressed.”*

5.02 Four letters of objection have been submitted by local residents, raising the following summarised concerns:

- Overlooking and loss of privacy;
- Loss of light to existing properties;
- *“A detached house would be out of character and look out of place especially in Whybornes Chase where the dwellings around are either detached chalet bungalows or bungalows;”*
- A bungalow would sit better on the site;
- Plot is too small to accommodate a detached house;

- Tandem parking will encourage parking on the highway;
- Part of the ground floor layout is not labelled and the intended use is unclear;
- Any planning permission should be subject to a condition restricting extension of the property in future and preventing change of use to two or more dwellings;
- The proposed side entrance will give rise to loss of privacy for the adjacent property (Santorini); and
- Damage to the road by construction vehicles.

5.03 One letter comments that the erection of two houses on a single plot would “*cut out our view,*” and also suggests that the applicant did not inform them of the proposed development. Members should be clear, however, that these items are not material planning considerations. Nevertheless the applicant has provided me with copies of the solicitor’s searches for the neighbour in question which clearly note the intention to demolish the existing property and erect two dwellings in its place.

## **6.0 CONSULTATIONS**

6.01 Councillor Booth has requested that this application be reported to the Planning Committee, stating: “*the reasons being as previously identified, overbearing, out of keeping with character of the area, inappropriate scale and presence.*”

## **7.0 BACKGROUND PAPERS AND PLANS**

7.01 Members will be aware of the following applications, as noted above:

7.02 SW/14/0516 – Members refused planning permission earlier this year for the erection of a pair of semi-detached houses on the current application site. The reason for refusal was given as:

*“The proposed dwellings, by virtue of their bulk, scale and proximity to the boundaries of the site, would amount to cramped development which would be out of character with the surrounding properties and would harm the open character and appearance of the streetscene. The application is therefore considered to be contrary to saved policies E1 and E19 of the adopted Swale Borough Local Plan 2008 and to the advice of paragraphs 56 and 57 of the National Planning Policy Framework.”*

7.03 SW/14/0415 – this application sought planning permission for demolition of the existing bungalow on site (now demolished) and erection of a detached house. The application was approved last year under delegated powers as no objections were received. This application was also highlighted within the committee report for the above.

## **8.0 APPRAISAL**

### **Principle of Development**

- 8.01 The application site is within the defined built up area of Minster and has good access to local shops, services and amenities. Further provision is available at Sheerness, which can be accessed via local public transport links or a short drive.
- 8.02 I therefore consider this to be a sustainable location for residential development and consider the proposal acceptable in principle, in accordance with the above adopted local and national policies.

### **Visual Impact**

- 8.03 Whilst I note local objections I consider the proposal to be of an acceptable scale and design and believe that it would sit comfortably within the street scene. The design of the house is not dissimilar to numerous other properties within Minster, and the local area.
- 8.04 Comments have been submitted to the effect that a bungalow would be more appropriate but I do not agree. Santorini (immediately adjacent) and Broad View beyond that, as well as Warren (opposite), 32 Brecon Chase (to the rear) and a number of other properties further along the road are all two-storey or have two-storey elements. There is also a mix of chalet bungalows and bungalows within the street scene, and I do not believe that any particular type of dwelling constitutes a predominant form of development within Whybornes Chase.
- 8.05 I therefore do not consider that a house, rather than a bungalow, would give rise to any serious harm to the character or appearance of the street scene. (Furthermore the previous refusal did not stipulate the form of the dwelling as being a concern, and it would be unreasonable to raise such a matter at this stage.)
- 8.06 I would also note that the fully hipped roof form, which pitches away from the boundaries, as well as the set-back of the property within the site, would help to reduce its visual scale and bulk. Members should also note that land levels slope downwards to the north, and that Santorini will stand significantly higher than the proposed house.

### **Residential Amenity**

- 8.07 The proposed house would provide a good standard of amenity for future occupants in terms of internal living space and external garden areas.
- 8.08 The erection of a single house rather than a pair of semis allows for a more spacious layout within the site, to the benefit of both future occupants and neighbouring residents. Greater space to the side of the dwelling is achieved

over the previously refused scheme. The proposed dwelling would be situated approximately 2m from the side boundary with Santorini, which is in accordance with the advice of the Council's adopted SPG (as above) and would, in my opinion, minimise any loss of light to that property. Members may also recall from the previous site visit that Santorini sits at a higher level than the application site, and the roof of the proposed dwelling hips in away from the boundaries – both of which further reduce the potential for overshadowing and the visual bulk of the property.

8.09 There are no first floor side windows proposed and only high-level first floor rear windows (which serve the bathroom and stairwell). I have also recommended the condition below which restricts the insertion of further windows / openings. I am therefore confident that the development would not give rise to any serious overlooking of surrounding properties or consequent significant loss of amenity for neighbouring residents.

8.10 The amenity of occupants of the new dwelling to the north of the application site (permitted under SW/14/0515 and reapplied for under 14/506863, as above), is unlikely to be seriously compromised due to its position and orientation in relation to the proposed dwelling. A gap of 2m would be retained between the two new properties.

8.11 I do not consider that there would be any harmful amenity impacts upon those properties on the opposite side of Whybornes Chase due to the distances between existing and proposed dwellings.

### **Highways**

8.12 The proposed dwelling would feature two parking spaces – an integral garage and a space to the front. (I note local reference to the garage not being labelled on the drawings – the amended drawing corrects this.) I am awaiting amended plans showing an additional parking space to the front of the dwelling and will update Members at the Meeting.

8.13 I note local concern in regards to parking on the highway. The amended plans I have requested will show a parking layout in accordance with County parking standards, and should not give rise to excessive on street parking here.

8.14 I also note local concern in regards to construction vehicles damaging the road. This is not a planning consideration but the applicant has indicated that they would be willing to put right any damage caused during construction.

### **Landscaping**

8.15 There would be sufficient space within the site to achieve a good planting / landscaping scheme. Planting details have been provided on the submitted drawings and include native species such as Dogwood, Hawthorn and Hazel, and the conditions below secure implementation of this scheme. I therefore have no serious concerns in this regard.

8.16 The submitted drawings also include details of paving to be used on the driveway and patio areas, and I have no serious concerns in this regard either.

## 9.0 CONCLUSION

9.01 The application proposes a new dwelling within a sustainable location and is thus in accordance with the general thrust of local and national policy in terms of sustainable development. The house itself is of an acceptable scale and design, and would not give rise to any serious amenity concerns. Subject to the receipt of amended plans, the scheme would be acceptable in respect of highway safety and convenience.

9.02 I am firmly of the view that this proposal addresses the concerns raised by Members and local residents under the previous application (ref. SW/14/0516), and I therefore recommend, subject to the receipt of amended plans and to the addition of a condition relating to these plans, that planning permission should be granted.

## 10.0 RECOMMENDATION – GRANT Subject to the following conditions:

- (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.

Reasons: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) No development shall take place until details of all external materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interest of visual amenity.

- (3) The sustainable construction measures stated within the submitted Sustainability Statement shall be implemented as detailed unless otherwise agreed in writing by the Local Planning Authority.

Reasons: In the interest of promoting energy efficiency and sustainable development.

- (4) The scheme of tree planting and landscaping shown on the submitted plans shall be carried out within 12 months of the completion of the development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority.

Reasons: In the interests of the visual amenities of the area.

- (5) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Friday 0730 - 1800 hours, Saturdays 0830 - 1300 hours unless in association with an emergency or with the prior written approval of the District Planning Authority.

Reasons: In the interests of residential amenity.

- (6) The garage and parking space to the front shown on drawing 13/2476/12d, received 2 April 2015 shall be kept available for the parking of vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land or in such a position as to preclude vehicular access thereto.

Reasons: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- (7) No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in the north or south facing first floor walls or roof slopes of the dwellings hereby permitted, unless otherwise agreed in writing with the Local Planning Authority.

Reasons: To prevent the overlooking of adjoining properties and to safeguard the privacy of their occupiers.

### **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 agent was advised of minor changes required to the application and these were agreed. The application was subsequently 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.