

<b>3.3 REFERENCE NO - 14/500703/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Demolition of existing dwelling, Erection of three detached dwellings with integral double garage and new access			
<b>ADDRESS</b> Glen Lodge Queenborough Drive Minster-on-sea Kent ME12 2JN			
<b>RECOMMENDATION REFUSAL</b>			
<b>SUMMARY OF REASONS FOR REFUSAL</b>			
The proposed dwellings by virtue of their siting and the provision of front balconies on the site would afford direct overlooking, loss of privacy and consequent harm to the residential amenities of the occupiers of the dwelling on the opposite side of the highway. The proposal is therefore contrary to policy E1 of the Swale Borough Local Plan.			
<b>REASON FOR REFERRAL TO COMMITTEE:</b>			
Parish Council support the application			
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN</b> Minster	<b>COUNCIL</b>	<b>APPLICANT</b> Mr D Flannery <b>AGENT</b> Michael Gittings Associates
<b>DECISION DUE DATE</b> 16/09/14	<b>PUBLICITY EXPIRY DATE</b> 16.09.14	<b>OFFICER SITE VISIT DATE</b> 14.10.14	
<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SW/08/1173	Single dwelling	Withdrawn	2008
SW/11/1288	Redevelopment of the site for 4 dwellings	Refused	05.12.11
SW/12/1515	Redevelopment of the site for 4 dwellings & dismissed at appeal	Refused	22.01.13

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

1.01 “Glen Lodge” is a large, modern detached house which is situated within the built up area of Minster. It is set back from the road frontage within a large plot, which is largely screened by a substantial hedgerow and mature tree planting along the frontage of the site. There is a large parking and turning area to the front of the house and the site overlooks the junction of Queenborough Road and Glenwood Drive.

- 1.02 The site is situated within a predominantly residential area and there is a wide variation in the type and design of dwellings in the immediate vicinity.
- 1.03 Ground levels within the area slope considerably downwards to the south and the residential properties on the other side of Queenborough Road are at a substantially lower level than the application site.
- 1.04 Planning permission was refused for the development of the site with 4 x 3 storey houses with rooms in the roof space with front facing balconies under application SW/11/1288. Permission was refused, amongst other things, due to overlooking of properties opposite from the balconies.
- 1.05 Planning permission was refused for development of the site with 4 x three storey houses with rooms in the roof space under application SW/12/1515, for reasons relating to harm to the amenities of the occupiers of the adjacent dwelling, and on harm to the character and appearance of the streetscene.

## **2.0 PROPOSAL**

- 2.01 The application seeks planning permission for the demolition of the existing dwelling at “Glen Lodge”, Queenborough Drive, Minster and the redevelopment of the site for the construction of three detached houses
- 2.02 The dwellings will be set in an east – west alignment across the width of the plot and would be staggered marginally backwards in a line from each other. Each dwelling would measure approximately 14.2m by 12.5m deep. The depth includes a full-height front projection and a single storey rear projection. The houses would stand approximately 13m high when viewed from Queenborough Drive. It should be noted that the site slopes upwards towards the rear of the units and the houses would appear as single storey units with rooms in the roof from the rear.
- 2.03 The plots incorporate parking and turning spaces to the front, with front and rear gardens of between 8m and 14m deep by 13m wide.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

Saved Policies E1, E10, E11, E19, H2, T3 and T4 of the Swale Borough Local Plan 2008 are relevant.

The Council’s adopted Supplementary Planning Guidance (SPG) entitled “Designing an Extension; A Guide for Householders” is also relevant in this instance, although the application is for new dwellings.

#### **4.0 LOCAL REPRESENTATIONS**

4.1 Minster Parish Council support the application, stating that it raises no objection to the application and commends the applicant's efforts to address the previous concerns it had expressed.

4.2 12 representations raising objection have been received, summarised as follows:

- There is no doubt that this development will cause noise nuisance and when finished loss of privacy to some extent for us but other neighbours will have a complete loss of privacy, particularly our elderly next door neighbour at no. 31 Glenwood Drive whose garden is actually on Queenborough Drive directly opposite the proposed development;
- The 3 dwellings will not only be overlooking they will be invading the privacy of the occupier of 31 Glenwood Drive for the simple reason the balconies on these dwellings will be occupied by people that can then see straight into the conservatory, and garden at no.31
- The houses have a considerable amount of bedrooms, meaning more than 2 cars would be needed. This will lead to the occupants trying to park anywhere in the surrounding area;
- Loss of soft landscaping, including very large trees. This will leave the area looking like a concrete jungle;
- Dwellings oversized for their plot;
- The existing dwelling does not directly overlook no.31 Glenwood Drive. These proposed dwellings would;
- This application for taller dwellings, which will directly face Queenborough Drive. with front balconies, will severely impair my privacy and quality of life. This impairment would in fact be tripled by the 3 proposed houses
- Lack of parking for dwellings will lead to blocking access of property opposite
- Dispensing of one balcony from the central house within the row of three houses will make no difference to the overall lack of privacy and in particular the occupier of 31, Glenwood Drive.
- There will be insufficient space on the site for the parking of vehicles that will be generated by these proposals.
- An arboricultural assessment should have accompanied the application

#### **5.0 CONSULTATIONS**

5.01 Kent Highway Services have no objections subject to standard conditions.

5.02 The County Ecologist has no objections subject to standard conditions to safeguard wildlife species on the site.

**6.0 BACKGROUND PAPERS** – The submitted forms, detailed plans, a Preliminary Ecological Appraisal and a Reptile Survey Report,

## **7.0 APPRAISAL**

### **Principle of Development**

- 7.01 The site is located within the defined built-up area Minster-on-Sea and is within a sustainable location. The principle of residential development is therefore acceptable, subject to matters of detail.

### **Residential Amenity**

- 7.02 The dwelling on the easternmost plot would lie broadly in line with the adjacent dwelling, and would not in my view give rise to significant overshadowing or loss of outlook. I do not envisage overlooking to this dwelling. In my view this scheme successfully overcomes the reason for refusal for SW/12/1255.
- 7.03 The provision of large glazed balconies at first floor level, which would afford a large amount of overlooking a number of adjoining properties at a lower level on the opposite side of Queenborough Drive, is a matter of concern from a planning point of view. The applicant has tried to address this concern by amending the scheme by deleting the front balcony from plot 2
- 7.04 However, the row of three detached houses would still feature large glazed balconies for plots 1 and 3. In my view, these balconies would give rise to harmful overlooking of 31 Glenwood Drive, on the opposite corner with Queenborough Drive, which is open to view from the road due to the open chain-link fence on the side boundary of the site. Planning permission has been previously refused (SW/11/1288) due to overlooking into the private amenity space for this dwelling. Although it is noted that this area is open from the highway and that passing pedestrians can see into the rear of the property and the private amenity space, the constant perception of overlooking from the proposed dwellings, and any actual overlooking that might occur amount in my opinion to a reason for refusal here.

### **Visual Amenity**

- 7.05 The proposed dwellings would be of an acceptable design. In my view they would complement the existing mix of dwelling types and sizes in the vicinity. The reduction in number and in height from those previously proposed (four dwellings, each with three storeys fronting the highway) results in my view in a more spacious development, which would not cause harm to the character and appearance of the streetscene. The hardstanding to the front would not in my view be excessive.

## Highways

- 7.06 I note the objections of local residents on the basis of insufficient parking. However – each property would have two parking spaces (in accordance with parking standards) and a double garage. I do not consider that the parking layout proposed would result in a high level of on-street parking here, and I have no reason to suspect that parking would take place blocking a particular drive in the vicinity.

## Other Matters

- 7.07 The application is supported by a Preliminary Ecological Appraisal, which indicates there is a low potential for any protected species on the site. The County Ecologist raise no objection and agrees the conclusion of the report.

## 8.0 CONCLUSION

- 8.01 It is considered that the balconies to the front of Plots 1 and 3 would give rise to serious overlooking of 31 Glenwood Drive, across the road.

## 9.0 RECOMMENDATION – REFUSE for the following reasons:

1. The proposed dwellings, by virtue of their location relative to the dwelling opposite and due to the proposed balconies to the front of Plots 1 and 3, give rise to serious overlooking for the dwelling opposite the site at 31 Glenwood Drive, Minster,. The proposal is therefore contrary to Policies E1, E19 and H2 of the Swale Borough Local Plan 2008

### 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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

## INFORMATIVES

Case Officer: Harry Heywood

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.