

2.5 REFERENCE NO - 15/501894/FULL			
APPLICATION PROPOSAL Part two storey, part single storey rear extension, demolition of existing garage, erection of 1.8m high close boarded timber fence and alterations of vehicular access.			
ADDRESS 90 Bell Road Sittingbourne Kent ME10 4HE			
RECOMMENDATION – Approve			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would not give rise to unacceptable harm to residential or visual amenities.			
REASON FOR REFERRAL TO COMMITTEE Neighbour objections and upon the request of the Ward Member			
WARD St Michaels	PARISH/TOWN COUNCIL	APPLICANT Mr & Mrs Tom Cunningham AGENT Alpha Design Studio Limited	
DECISION DUE DATE 29/04/15	PUBLICITY EXPIRY DATE 29/04/15	OFFICER SITE VISIT DATE 26/3/2015	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/89/0828	Construction of pitched roof porch	Approved	13/7/1989

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 No.90 Bell Road is a two storey detached dwelling with an attached garage located to the side.
- 1.02 The property has a fairly substantial frontage which includes a driveway and a landscaped garden.
- 1.03 The property has a generous amount of private amenity space to the rear, extending to approximately 45m in length.
- 1.04 The surrounding properties are a mixture of detached and semi detached properties. Adjacent to the host property, on either side are two pairs of semi detached properties. The nearby dwellings are characterised by generous plot sizes.

2.0 PROPOSAL

- 2.01 This proposal seeks planning permission for a two storey rear extension, demolition of the existing garage, the erection of a 1.8m high close boarded timber fence and the widening of the existing vehicular access.
- 2.02 The extension at ground floor level will project by 5.5m level and would be 8.2m in width, matching the width of the widest part of the existing property. The ground floor element will have a flat roof. At first floor level, the proposal projects by 3m with a width of 6.2m. The first floor has a pitched roof, matching the design of the existing roof.

- 2.03 Within the application description and shown on the submitted drawings is also a 1.8m high close boarded timber fence which would run along the common boundary with No.88 Bell Road and the widening of the existing vehicular access from 3m to 4m. However, neither of these require planning permission and as such an assessment will not be made of these elements.

3.0 PLANNING CONSTRAINTS

- 3.01 None

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 Development Plan: E1, E19 and E24 of the Swale Borough Local Plan 2008. Supplementary Planning Documents: Designing an Extension – A Guide for Householders
- 4.02 Adopted SPG entitled “Designing an Extension - A Guide for Householders”, was adopted by the Council in 1993 after a period of consultation with the public, local and national consultees, and is specifically referred to in the supporting text for saved Policy E24 of the Local Plan. It therefore remains a material consideration to be afforded substantial weight in the decision making process.

5.0 LOCAL REPRESENTATIONS

- 5.01 Three letters of objection have been received from neighbouring properties, Nos. 88, 92 and 94 Bell Road, raising the following summarised points:
- Extension would restrict light to the side ground floor kitchen windows and possibly the side landing and bathroom windows at first floor level of No.92 Bell Road;
 - Ground floor extension is built extremely close to the boundary with No.92 and as such it is not clear that the guttering and drainage would be entirely contained within the boundary of No.90;
 - Extension is of an excessive size;
 - The visual appearance would be out of keeping with other properties;
 - Loss of privacy and increased overlooking;

6.0 CONSULTATIONS

- 6.01 The Ward Member at the time of the submission of the application. Councillor Bennett, requested that the application be reported to the Planning Committee, commenting that

“After careful consideration I would like this application to go to Planning Committee for the same reasons given by the objectors and also the fact there has been 3 letters of objection.”

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawings referring to the application reference 15/501894/FULL.

8.0 APPRAISAL

- 8.01 The application site is located within the built up area boundary and as such the principle of development is accepted. Therefore, the main considerations in this application concern the impact of the proposal upon residential and visual amenities.

Residential Amenity

- 8.02 Paragraph 5.0 of the SPG states at Paragraph 5.7 that *“For single storey rear extensions close to your neighbour’s common boundary, the Borough Council considers that a maximum projection of 3m will be allowed. A first floor extension should not exceed 1.8m (with two storey rear extensions the potential impact can be even greater). Leaving a gap to the boundary with your neighbour may offset this requirement slightly depending on the distance allowed”*. Paragraph 5.9 of the SPG then goes on to state that *“On well spaced detached properties or where an extension is to be built away from the boundary a larger extension may be acceptable.”*
- 8.03 The host property is detached and part of the existing side wall is built up to the common boundary with No.92 Bell Road. The proposed ground floor extension would be built 0.1m in from the common boundary with No.92. However, the flank wall of No.92 is set in from the boundary by approximately 2.8m. In addition to this, No.92 has a detached garage located close to the common boundary with No.90, projecting rearwards in a similar location to the proposed rear extension. As such I do not consider that the proposed ground floor element would have an unacceptable impact upon the residential amenities of No.92 due to the combination of the gap between the properties and the position of the detached garage.
- 8.04 On the opposite side, the flank wall of the extension would be set in from the common boundary with No.88 Bell Road by 3.7m. The main rear wall of No.88 is broadly in line with the rear wall of the host property. However, this neighbouring property has a rearward extending element built close to the common boundary with No.90. As such, when the gap between the flank wall of the ground floor extension and the common boundary is considered, alongside No.88 having a rearward projecting element I believe that this part of the proposal would have minimal impact upon the neighbouring amenities of No.88 Bell Road.
- 8.05 At first floor level, the extension will be set in by 2m from the common boundary with No.92. The SPG states that if a first floor extension is located on the common boundary then a maximum projection of 1.8m is normally allowed. However, in this case, not only is there a 2m gap between the flank wall of the first floor extension and the common boundary with No.92, the flank wall of No.92 is also set in from the common boundary with the host property by 3.5m. As such, I consider the 5.5m separation between the proposed flank wall of the first floor extension and the flank wall of No.92 is a suitable distance to protect the neighbouring amenities of this property. On the opposite side, the flank wall of the first floor extension will be set in by 3.7m from the common boundary with No.88. As such, I also take the view that by virtue of this distance this element of the proposal would not impact unacceptably upon the residential amenities of this property.
- 8.06 Further to the above I note that No.92 has side windows at both ground and first floor level. The objection from No.92 has been raised on the grounds that the proposal would restrict light to these openings. Firstly, the kitchen also has rear glazed doors which will allow light into this room. Secondly, notwithstanding the assessment carried out above, it is the Council’s well established practice that overshadowing to flank windows should not be a sole reason for the refusal of planning permission for an

otherwise acceptable scheme, because to do so would in effect give the occupiers of properties with flank facing windows significant rights over land which they do not own. Therefore I consider that taking these points into account that the application is acceptable in terms of its impact upon the side windows of No.92 Bell Road.

- 8.07 I also note the objection received from No.94 Bell Road on the matter of loss of privacy and overlooking. This property is separated from the host dwelling by No.92 Bell Road. Furthermore, the proposal does not introduce any side windows on the flank elevation which would face towards No.94. Therefore, the rear windows proposed would look down the garden, common with every dwelling along this part of Bell Road. As such I consider that the proposal would have an insignificant impact on the residential amenities of this property.

Visual Amenity

- 8.08 In terms of visual amenity an objection has also been raised on the grounds that the extension is of an excessive scale and out of keeping with other extensions in the vicinity. I am of the view that although this is a fairly large extension, when viewed in the context of the substantial plot and the detached nature of the property, it sits comfortably upon the rear of the dwelling. Further to this, there are a number of different styles of properties in this part of Bell Road and considering the extension is exclusively on the rear of the property I take the view that the extension would be acceptable in terms of its impact upon visual amenities.

Parking

- 8.09 The application also proposes the demolition of the existing garage which is located on the north side of the property, closest to No.88 Bell Road. Where the garage is currently situated there will be ample room to park at least one vehicle to the side of the property, screening it from the streetscene. Therefore I consider that the parking arrangements have been suitably considered in this application.

Other Matters

- 8.10 A further matter raised by an objector was in relation to the application not making it clear that the entirety of the proposal would be contained within the boundary of No.90 Bell Road. The site location plan submitted with the application clearly marks the boundary and the drawings show the works proposed are within the boundary. As such I consider this point requires no further elaboration.

9.0 CONCLUSION

- 9.01 Careful consideration has been given to the amenities of the neighbouring properties in this application. Due to the location of the rear garage within the curtilage of No.92, and the rearward projecting element of No.88 I consider that the ground floor extension would have a limited impact upon neighbouring amenities. In terms of the first floor element, this is set in from the common boundary on both sides and as such I consider this is also acceptable. In overall terms I believe the application to have been designed appropriately and therefore recommend that planning permission 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) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reasons: In the interests of visual amenity.

- (3) No additional side windows shall be inserted into the side elevation of the extension hereby approved.

Reasons: To ensure the privacy of neighbouring occupiers.

- (4) The development hereby approved shall be carried out in accordance with the following drawing: 1327/3.

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

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.

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.