

**PLANNING COMMITTEE – 2 JULY 2015**

**PART 2**

Report of the Head of Planning

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Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 15/502978/FULL</b>			
<b>APPLICATION PROPOSAL</b> Single-storey side and rear extension			
<b>ADDRESS</b> 8 Rooks View Bobbing Kent ME9 8GB			
<b>RECOMMENDATION</b> Approval			
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> The proposal would not give rise to unacceptable harm to residential or visual amenities.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Upon the request of Councillor Ben Stokes			
<b>WARD</b> Grove Ward	<b>PARISH/TOWN</b> Bobbing	<b>COUNCIL</b>	<b>APPLICANT</b> Mr Stuart Usher <b>AGENT</b>
<b>DECISION DUE DATE</b> 18.06.15	<b>PUBLICITY EXPIRY DATE</b> 18/06/15	<b>OFFICER SITE VISIT DATE</b> 11.6.2015	
<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/10/1463	Lawful Development Certificate for the conversion of loft from storage to bedroom with 3 rear and 1 side rooflight (existing).	Approved	21.04.2011
SW/12/0230	Lawful Development Certificate for construction of a new brick built extension to the side and rear of the property including windows and to the front and patio doors to the rear. (Proposed)	Approved	7.3.2012
14/505725/LAWPRO	An application for a Certificate of Lawful Development for a proposed development being rear and side extension.	Approved	12.01.2015

## **MAIN REPORT**

### **1.0 DESCRIPTION OF SITE**

- 1.01 No.8 Rooks View is a relatively modern two storey detached property sited within an estate of houses of a similar scale and design. The property has a detached double garage located in front of the dwelling. The frontage also includes a driveway and a landscaped garden.
- 1.02 To the rear of the property is private amenity space measuring approximately 15m deep by 15m wide, and enclosed by a 1.8m close-boarded fence. Part of the rear garden is covered in a decked patio area, and a small (original) conservatory projects off the rear elevation.
- 1.03 The estate is generally well-spaced and the neighbouring properties feature similar-sized gardens.

### **2.0 PROPOSAL**

- 2.01 This application seeks planning permission for a single storey side and rear wrap-around extension.
- 2.02 The extension will project sideways from the existing flank wall of the property by 2.5m at a depth of 8.6m (to approximately level with the rear elevation). The flank wall will then be stepped in by 0.2m and project from the main rear wall of the dwelling by 4m. On the opposite side of the property the extension will be set in from the existing flank wall by 2.7m to avoid the existing kitchen window.
- 2.03 The extension will have a fully hipped roof, measuring 2.3m to the eaves. The overall height will be 3.4m for the side element of the extension and 3.75m for the rear element. The side element will also include a parapet wall.

### **3.0 PLANNING CONSTRAINTS**

- 3.01 None relevant.

### **4.0 POLICY AND OTHER CONSIDERATIONS**

- 4.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are relevant in terms of encouraging good design standards and minimising the potential impacts of any development upon the amenity of neighbouring residents.
- 4.02 The adopted Swale Borough Local Plan 2008 echoes a similar sentiment, and policies E1, E19, E24 in particular encourage the provision of high-quality development and minimising potential amenity impacts for local residents. Policy RC4 aims to restrict development within the countryside and recommends that extensions to rural properties do not increase the floor space of the original property by more than 60% in total.

4.03 The publication draft of the emerging Local Plan, entitled Bearing Fruits 2031, was agreed by Members at Full Council late last year and, as such, carries some weight in the determination of planning applications. Policies DM14, DM16, DM19 are relevant in this instance.

4.04 The Council's adopted Supplementary Planning Guidance entitled "Designing an Extension" is also relevant, and provides general design guidance. The SPG remains a material consideration, having been through a formal review and adoption process.

## **5.0 LOCAL REPRESENTATIONS**

5.1 None received

## **6.0 CONSULTATIONS**

6.01 Councillor Ben Stokes called the application to planning committee stating:

*"Owing to a number of phone calls complaining about planning application Ref 15/502978/Full at 8 Rooks View Bobbing I am calling it in to Committee"*

6.02 Bobbing Parish Council states *"Councillors raise no objection to this application."*

## **7.0 BACKGROUND PAPERS AND PLANS**

7.01 Application papers and drawings referring to application reference 15/502978/FULL.

## **8.0 APPRAISAL**

8.01 In my opinion there are two key issues to consider in the determination of this application which are:

- The principle of development;
- The effect of the proposal on neighbouring amenities

### Principle of Development

8.02 Whilst the site lies within the countryside, its immediate context is that of a medium-sized modern housing estate, which is primarily characterised by large detached dwellings situated on generous plots. Therefore, whilst the site is covered by the Council's established policies of rural restraint it is, in real terms, far removed from the type of property those policies were designed to protect. The purpose of policy RC4 is to protect the character and appearance of the countryside and to retain a stock of smaller dwellings in the countryside. Neither of these are particularly pertinent here, and in any case this proposal is quite modest in terms of the impact on the host property.

- 8.03 I therefore believe that the general thrust of policies E6 and RC4 is complied with in this case, and I consider that the proposal is acceptable in principle, subject to compliance with relevant Development Management policies.

#### Residential Amenity

- 8.03 Paragraph 5.7 of the SPG states that *“for single storey extensions close to your neighbour’s common boundary, the Borough Council considers that a maximum [rearward] projection of 3m will be allowed.”* Paragraph 5.9 goes onto 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.”*
- 8.04 The closest properties to the side extension are nos. 6 and 7 Rooks View, which are located to the north, with the rear of these dwellings facing towards the application site. The distance between the flank wall of the side extension and the rear of these properties would be approximately 14m to the closest point of no.6 and 16m to the closest point of no.7.
- 8.05 I take the view that due to the extension being single storey with the roof pitching away from the common boundary, combined with the distance to the closest properties, nos. 6 and 7, the proposal will have little impact upon the neighbouring amenities of these properties.
- 8.05 I also take into account that a side extension of the width proposed in this application, but that did not wrap around the rear of the property, could be built under permitted development and still extend past the rear wall by 4m (subject to certain other criteria in terms of size and position). Although the wrap-around couldn’t be constructed under permitted development, an extension which has exactly the same impact on no.6 and no.7 Rooks View could be built without the need for planning permission.
- 8.06 On the opposite side, the existing flank wall of the host property is approximately 2m away from the closest flank wall of the adjacent property, no.9 Rooks View. The extension projects from the rear wall by 4m, however, the flank wall of the extension is set 2.7m in from the side wall of the main dwelling. As such, the flank wall of the extension would be 4.7m away from the flank wall of no.9. Due to the distance between the extension and the adjacent property I am of the opinion that the proposal would have minimal impact upon the neighbouring amenities of this neighbouring dwelling.
- 8.07 To the rear, the extension would be approximately 21.5m away from the rear of the closest property, no.3 Rooks View. Due to the single storey scale of the proposal and the amount of separation between the dwellings I consider that the proposal would also have an extremely limited impact upon the neighbouring amenities of the property to the rear.

## 9.0 CONCLUSION

9.00 Although the property is located in the countryside, the context of the dwelling and its location within a housing estate results in the application, in my view, not being required to be assessed against policies of rural restraint. Notwithstanding this, I consider that the proposal is a modest extension of an appropriate scale and design, and which would not give rise to harm to neighbouring amenities. Accordingly I recommend 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) 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.

### **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.