

PLANNING COMMITTEE – 2 JULY 2015

PART 3

Report of the Head of Planning

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 15/501721/FULL			
APPLICATION PROPOSAL Erection of part single storey and part double storey rear extension, changes to fenestration and creation of dropped kerb at existing entrances.			
ADDRESS 19 Seathorpe Avenue Minster-on-sea Kent ME12 2HU			
RECOMMENDATION - Refusal			
SUMMARY OF REASONS FOR REFUSAL Proposal is contrary to policies contained in both the Council’s Supplementary Planning Guidance, Designing an Extension – A Guide for Householders and the Local Plan.			
REASON FOR REFERRAL TO COMMITTEE Recommendation contrary to Parish Council view			
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster	APPLICANT Mr John Maude AGENT Holly Hill Architectural	
DECISION DUE DATE 14/05/15	PUBLICITY EXPIRY DATE 14/05/15	OFFICER SITE VISIT DATE 28/4/2015	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
None			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 19 Seathorpe Avenue is a detached bungalow with a landscaped garden to the front, hardstanding to the side of the property and a generous enclosed private amenity space to the rear.
- 1.02 The surrounding properties are predominately a mixture of one and two storey detached dwellings, and are of a variety of styles and designs as is common within the Minster Cliffs area.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for a part single-storey and part two-storey rear extension. The extension will be approximately 11.8m in width, matching the width of the existing property, and will project from the existing rear wall by 4m. The central element of the extension is two-storey in height with a pitched roof,

measuring 4.2m to the eaves and 6m to the ridgeline and rising above the existing roof ridge by 1.2m. Either side of this central section there will be a largely flat roofed single storey element which appears from the rear as a pitched roof extension. In the new first floor rear gable full height glazed double doors are shown behind a juliet balcony rail to serve a new bedroom.

- 2.02 The application also proposes two additional dropped kerbs; a new window on the north elevation at ground floor level; and a new door and window at ground floor level on the south elevation. However, because Seathorpe Avenue is an unclassified road and the windows and door are at ground floor level these elements of the scheme do not require planning permission and therefore will not be assessed.

3.0 PLANNING CONSTRAINTS

- 3.01 None relevant.

4.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are relevant in terms of encouraging sustainable housing development within existing urban areas. They also encourage good design standards and minimising the potential impacts of any development upon the amenity of neighbouring residents.
- 5.02 The adopted Swale Borough Local Plan 2008 echoes a similar sentiment, and policies E1, E19, E24, H2 and T3 in particular encourage the provision of high-quality housing development within sustainable locations, with adequate parking provision, and minimising potential amenity impacts for local residents.
- 5.03 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.
- 5.04 The Council's adopted Supplementary Planning Guidance (SPG) entitled "Designing an Extension" is relevant and states, at paragraph 3.1, that *"traditionally, extensions to buildings are smaller and less significant than the main building. Over-large extensions can destroy the appearance of the house and have a serious effect upon the area as a whole."*

5.0 LOCAL REPRESENTATIONS

- 5.01 Two letters of objection have been received from neighbouring properties: the adjacent property to the south, no. 17 Seathorpe Avenue, and one of the properties to the rear, no.22 Lynmouth Drive, raising the following summarised points:
- Unacceptable impact on privacy of the dwelling to the rear caused by the proposal being 4m closer to the properties, the full height balcony doors and the proposed roof windows, it is suggested that a conventional window would be better
 - Loss of light to the adjacent dwelling.
- 5.02 There was a small discrepancy in the originally submitted drawings in that the side facing roof lights were indicated upon the proposed floorplan but not on the proposed elevation. An amended plan has now been received which correctly shows the roof

lights on the proposed elevations. Due to this I have re-consulted with the adjacent properties, nos. 17 and 21 Seathorpe Avenue with the consultation period expiring on 2 July 2015. I will update Members at the meeting if any further representations have been received.

6.0 CONSULTATIONS

- 6.01 Minster Parish Council commented on the application stating that their *“support is subject to mitigation measures being put in place to resolve any negative impact on the amenities neighbouring properties might reasonably be expected to enjoy particularly in relation to any overlooking / loss of privacy issues.”*

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawings referring to the application reference 15/501721/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. The main considerations in this case concern the impact upon residential amenities and the impact upon the character of the existing bungalow and visual amenities.

Residential Amenity

- 8.02 Paragraph 5.7 of the SPG states that *“for single storey rear extensions close to your neighbours common boundary, the Borough Council considers that a maximum projection of 3m will be allowed. A first floor extension should not exceed 1.8m”*. Paragraph 5.9 of the SPG then goes on to say 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 In this case, the host property is detached with the flank elevation set in from the common boundary with no.21 by 2.8m. The flank wall of that property is then set in a further 3m from the common boundary. I also note that the rear elevation of no.21 is set approximately 5.4m further back than the existing rear elevation of no.19. As such, the 4m extension proposed would have a minimal impact upon the residential amenities of this property in my opinion.
- 8.04 I note the objection received from the occupier of no.17 Seathorpe Avenue and respond as follows. There is a 3m gap between the flank wall of the host property and the common boundary with no.17 and then in addition to this the flank wall of no.17 is set in from the boundary by 3.6m. The rear wall of the extension would sit approximately 0.8m back from the rear wall of no.17. Therefore, when the proposed depth of the rear projection is combined with the distance between the two properties, even considering the increase in height proposed, I consider that any impact upon the residential amenities of this neighbouring dwelling would be limited and not amount to a reason for refusal in this instance.
- 8.05 In terms of the properties to the rear: paragraph 6.1 of the SPG states that *“windows to the rear should be at least 21m from the windows of other houses to the rear.”* An objection has been raised from the occupiers of no.22 Lynmouth Drive to the rear and the Parish Council have also raised the point regarding mitigation measures

being put in place to protect the amenities of neighbouring occupiers in terms of overlooking and loss of privacy.

- 8.06 There are two properties to the rear which share a common boundary with the host property: nos. 22 and 24 Lynmouth Drive. Taking into account the 4m projection of the proposed extension, the rear window proposed would be approximately 28m from the rear of No.22 and 26m from the rear of No.24. As such, the distance is above the minimum as set out in the SPG and by virtue of this I do not consider that the proposal would lead to unacceptable levels of mutual overlooking or a significant loss of privacy for the occupiers of the neighbouring properties.
- 8.06 I also note the location of two side facing roof lights indicated on the proposed first floor plan. However, the cross section as shown on the drawings clearly indicates that the cill level would be 1.7m above finished floor level. As such, I am of the opinion that these have been appropriately positioned in order not to give rise to unacceptable levels of overlooking of the adjacent properties.

Impact upon the character of the existing property and visual amenities

- 8.06 The host property is a fairly simply designed bungalow with a pitched roof and side facing gable ends. The rear of the property is L shaped with a small projecting element with a pitched roof, the ridgeline of which is turned 90 degrees from the ridgeline of the main dwelling.
- 8.07 As above: paragraph 3.1 of the SPG states that *“extensions should respect or reflect the character and appearance of the existing building”* and paragraph 3.1 goes onto state that *“traditionally, extensions to buildings are smaller and less significant than the main building. Over-large extensions can destroy the appearance of the house and have a serious effect upon the area as a whole.”*
- 8.08 The proposed extension would be comprised of three distinct roof styles with the two storey element having a rear facing gable and then the two side elements being comprised of a largely flat roof with a false slope to the rear. This would give the rear of the property a confused and jarring appearance in my opinion.
- 8.09 The ridgeline of the two storey element would be approximately 1.2m above the existing ridgeline of the bungalow. When viewed from the rear and side the extension, by virtue of its scale, would largely subsume the relatively simple form of the existing bungalow and have a seriously detrimental impact upon its character. Furthermore, the proposal gives the dwelling a confused, contrived appearance with a variety of competing roof slopes, completely detracting from what is currently a simply designed bungalow.
- 8.09 I also consider that the extension would sit uncomfortably within the street scene, where it would be visible above the existing roof ridge, and would be harmful to the character and appearance of the wider area.

9.0 CONCLUSION

- 9.01 Although I do not consider that the development would have a serious impact upon local amenity (due to the separation distances involved and the position of neighbouring dwellings), the proposal represents a design approach which is unacceptable. The scale of the extension, when combined with the resultant competing roof slopes, would have a seriously detrimental impact upon the character

of the host property, eroding its simple form, and impacting unacceptably upon local visual amenity.

9.02 Therefore I recommend that planning permission should be refused.

10.0 RECOMMENDATION – REFUSE for the following reasons:

The proposal to extend the dwelling to the rear, which includes both single storey and two storey elements with a variety of competing roofslopes would, by virtue of its overbearing scale and poor design give the dwelling a confused, contrived appearance, detrimentally altering the character of this simply designed bungalow and impacting unacceptably upon visual amenities. Therefore the proposal would be contrary to Policies E1, E19 and E24 of the Swale Borough Local Plan and the adopted Supplementary Planning Guidance, Designing an Extension – A Guide for Householders.

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:

This application was not considered to comply with the provisions of the Development Plan and NPPF as submitted, and would have required substantial changes such that a new application would be required.

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.