

<b>2.2 REFERENCE NO - 15/504647/FULL</b>			
<b>APPLICATION PROPOSAL</b> Proposed side & rear extensions			
<b>ADDRESS:</b> Petergate Tunstall Road Tunstall Kent ME10 1YQ			
<b>RECOMMENDATION - Approve</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> Proposal is in accordance with national and local planning policy			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council Objection			
<b>WARD</b> Woodstock	<b>PARISH/TOWN COUNCIL</b> Tunstall	<b>APPLICANT</b> Mr and Mrs S Edwards <b>AGENT</b>	
<b>DECISION DUE DATE</b> 13/08/15	<b>PUBLICITY EXPIRY DATE</b> 23/07/15		
<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>
15/502890/FULL	Erection of side and rear extension with attached garage	Withdrawn	04.06.2015

**1.0 DESCRIPTION OF SITE**

- 1.01 The property is a fairly large traditionally designed detached two-storey house set in spacious gardens to both the front and the rear. The property is situated within Tunstall Road, which is characterised by a ribbon of road frontage, mainly detached, properties with large gardens. The property is set within the built-up area boundary of Sittingbourne, and is not subject to any planning constraints. A recent application for extensions to the property (15/502890/FULL) was withdrawn by the applicant in response to local concerns.
- 1.02 The property has prominent front gable roof and a catslide roof on the western elevation which has large side facing bedroom dormer window, and linked to this is a flat roofed single storey garage building.

**2.0 PROPOSAL**

- 2.01 The proposal is for a two storey side extension with a part two storey and part single storey rear extension. A small porch is proposed over a side door to the right hand side of the property. The proposed side and rear extensions would extend over the existing catslide roof in the form of a matching gable to the front, to mirror the eastern side of the front elevation. To the west of this, there would be a new element of catslide roof, extended down over a single storey

side extension which is essentially where the garage now is. Overall the new single storey part of the extensions will be further from the side boundary than the garage currently is, so the overall width of the property will be reduced. The proposed extensions, at their nearest points, would be situated 1.2 metres from the western boundary (the garage is currently approximately 400m from that boundary) and 3.0 metres (3.5m existing) on the eastern side.

- 2.02 To the rear, the two-storey part of the rear extension would have a depth of 4.1 metres, with a single storey flat-roofed element protruding a further 1.9 metres, giving an overall extension to the rear at ground floor level of 6m (excluding the current rear two-storey bay window).
- 2.03 The proposed extensions, at their nearest points, would be situated 1.5 metres from the western boundary (single storey level, with an existing garage on the other side of the boundary), and 3.5 metres on the eastern side.
- 2.04 The proposed works would involve removal of the large first floor side facing bedroom, replacing this only with three rooflights to bathrooms, removing an existing issue of possible overlooking and loss of privacy to the neighbouring property which has a number of side windows.

### 3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Approximate Ridge Height (m)	7.8m	7.8m	n/a
Approximate Eaves Height (m)	2.5m – 5.5m	2.1m-5.5m	n/a
Approximate Depth (m)	10.0m	14.8m (max)	+4.8m
Approximate Width (m)	15.8m	15.2m	-0.6m

### 4.0 PLANNING CONSTRAINTS

None.

### 5.0 POLICY AND OTHER CONSIDERATIONS

Swale Borough Local Plan 2008: Policies E1, E19 and E24.  
National Planning Policy Framework: Paragraphs 56 & 66.

### 6.0 LOCAL REPRESENTATIONS

- 6.01 Three letters and emails of objection have been received from local residents. The objections raised can be summarised as follows:

- At the informal site meeting, although there was a visit to the property known as ‘Verann’, there was no visit to ‘Ballochantuy’
- Contrary to assertions made by the applicant and their agent, no consultation or agreement has been sought or taken place on these new plans, which we still find unacceptable.
- The revised plans have made the proposed footprint of the property even bigger

- These plans amount to a virtual rebuild of the property, raising the roof and with a substantial increase in both width and depth of the property
- Too close to our boundary, closer than the previous application
- These plans are no better than the previous ones
- Would dominate and overshadow our property, with significant loss of light in the mornings
- Loss of privacy to eastern side of our property – will view directly into our living spaces
- Not in keeping with other houses in Tunstall Road and the area in general
- Topography makes the situation worse, as the existing garage is virtually invisible from our house
- Existing hedge not shown on drawings
- Would overlook our garden to the rear
- Might undermine the foundations of our garage
- Flat roof element is not attractive
- Numerous bedrooms and bathrooms exceed the physical needs of the applicants. I therefore query whether this property is being designed for a business purpose in the future.
- Past planning applications on our property were refused – ours were much more modest
- Pre-planning advice not-requested, contrary to the NPPF
- Prominent and well-recognised property close to a conservation area
- If application is not refused, suggest that Members make a site visit to see for themselves

6.02 An email of support from the owners of the property to the east (Verann) has also been received. The points contained therein may be summarised as follows:

- We met with the applicants to go through their new proposal and drawings; *'it is obvious that they have been sympathetic to our previous objections'*
- Previous proposed garage removed, reduced rear extension, no impact on our sunlight
- *'Because of this we have no objections to the building work going ahead, apart from control of workers vehicles, which needs to be managed to avoid chaos on the road'*

## 7.0 CONSULTATIONS

7.01 Tunstall Parish Council object to the proposal on the following grounds:

*'Tunstall Parish Council's Members note that a previous application has been withdrawn and this is a new submission. The Parish Council objects to this application on the following grounds:*

- *On the grounds of over-intensive development of the site, to the detriment of both neighbours.*

- *Adjacent properties had planning permission refused for extending their property SW/07/0451 and SW/07/1291 refers.*
- *Due to the large scale of the design this would be out of keeping with neighbouring dwellings.*
- *Closeness of development to adjacent properties and loss of privacy to neighbouring properties due to the height of the building. These new changes mean that the extension now goes further out from the back of the existing build and this will have an impact on the adjacent right-hand side property 'Verann', blocking light and overshadowing this building*
- *Query whether a public right of way runs on land included in this proposal.'*

7.02 The applicant's agent has responded to the objections raised. He notes the informal site meeting with Members of the Parish Council and neighbours, and states that:

*'Subsequently our plans were revised to reduce the impact on the southern side and preserve the view from 'Ballochantuy' across the applicants garden even though this is not a planning requirement.*

*This to some extent reduces the applicants privacy because of the elevated position of the neighbouring property.*

*On the northern side the garage was omitted to the satisfaction of the owners of 'Verann'.*

*To compensate for the loss of space elsewhere a further 1m projection was added to the ground floor rear extension and this now has a flat roof to reduce any possible impact on neighbours.*

*On the advice of the planning officer due to time constraints, this application was withdrawn and the revised drawings were submitted as a new application ref. 15/504647/FULL. These revised drawings can be viewed under this reference on the MKPS website.*

*My clients were very surprised after their efforts of conciliation and reduction of their proposals to find that the owners of 'Ballochantuy' retained their objection as did the Parish Council. Also the Parish Council objected on behalf of the owners of 'Verann' who had agreed with the drawing amendments prior to the resubmission.*

*They (the owners of 'Verann') have now submitted a letter in support of the application to clarify this.*

*The Parish in their letter of objection did refer to the refusals SW/07/0451 and SW/07/1291 on a nearby property.*

*This property (on the south side of ‘Ballochantuy’), was a bungalow to be extended up to a two storey house on a relatively narrow plot and an entirely different set of circumstances to the current application.’*

## **8.0 BACKGROUND PAPERS AND PLANS**

- 8.01 Application papers and correspondence relating to planning reference 15/504647.  
Application papers and correspondence relating to planning reference 15/502890.

## **9.0 APPRAISAL**

- 9.01 Firstly, it should be noted that the principle of development on this site is acceptable, the property being within the established built-up area boundary. The house is one of a number of large mature properties in spacious plots, and I can see considerable potential for alterations which do not upset the well established and attractive character of this streetscene.
- 9.02 Having considered the detail of the revised proposal and all representations submitted, I conclude that the proposals are acceptable. Whilst the proposed two storey element of the extensions would change the façade of the property, I am not of the opinion that this would be detrimental to visual amenity. Whilst the present catslide to the western side is visually pleasing, the proposed extension is a mirror of the existing eastern side of the frontage. This will bring a symmetry to the front elevation which will not be detrimental to visual amenity.
- 9.03 The small single storey flat roofed element at the rear has been designed as a direct response to the concerns of neighbours, concerned that an extended two storey element would spoil their views. The applicant has therefore incorporated this part of the design (which will actually compromise his own privacy, if approved), in response to this concern. It is therefore somewhat surprising that this flat-roofed element should be one of the causes for objection. I am of the opinion that the design is acceptable, presenting a more contemporary but still sympathetic addition to the property, with simple lines of design.
- 9.04 As noted above, the present design has been arrived at in response to concerns from the neighbours on both sides with regard to the erosion of their residential amenity. As noted above, the owners of ‘Verann’ have actually noted their support for the proposal, as it fully addresses their previous concerns. The design has also been altered from the previous application in order to support the requirements of the neighbouring properties, as noted in the previous paragraph.
- 9.04 With regard to highway safety and amenity, the loss of the existing garage is not an issue of concern as the existing driveway to the property would provide ample parking for the property.

- 9.06 Planning applications at other properties within the area have been referred to, but these do not constitute a precedent; as any application must be judged on its own individual merits, and the present proposal is very different from those mentioned. Tunstall Road presents a number of building styles with properties of varying sizes; any increase in size or difference if design would therefore not spoil the rhythm of the street scene.
- 9.10 The proposed drawing shows three rooflights only on the first floor level western side. These serve bathrooms, en-suites etc., not habitable rooms; but in order to ensure privacy for the owners of the adjacent property, I have included conditions 3 & 4 below, to ensure that they are obscure glazed, and that no further windows can be inserted at a later date.
- 9.11 The concerns regarding the foundations of the neighbouring garage are a building control matter, and there is no extant public footpath on the site.
- 9.12 Pre-application advice is certainly strongly encouraged, but the NPPF does not make it a requirement. The NPPF does, however note within Paragraph 66 that 'Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.' I was greatly encouraged by the applicant's desire to have an informal site meeting with neighbours, the Parish Council, and the Case Officer, in order to take their views into consideration. My perception of the new proposal is that he has done just that, and as such has fully complied with the requirements of Paragraph 66 of the NPPF.

## **10.0 CONCLUSION**

- 10.01 I am therefore satisfied that the concerns of the objectors have been heard and steps taken to comply with those concerns. As the proposal is fully in accordance with both local and national planning policy, I therefore recommend that the application be approved, subject to strict conformity with the conditions listed below.

## **11.0 RECOMMENDATION – GRANT** Subject to the following conditions:

### **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) Prior to the commencement of development, details of the external finishing materials to be used on the development hereby permitted shall be submitted

to and approved in writing by the Local Planning Authority and works shall be implemented in accordance with the approved details.

Reasons: In the interests of visual amenity and to ensure that these details are approved before works commence.

- (3) Before the development hereby permitted is first used, the proposed rooflights in the first floor western sloping roof of the extension shall be obscure glazed and shall subsequently be maintained as such.

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

- (4) No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in either the western or eastern facing first floor walls or roof slopes hereby permitted.

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

- (5) The flat roof area of the rear extension shall not be used as a balcony or sitting out area and there shall be no other use of the roof area unless for maintenance.

Reasons: In order to prevent overlooking and loss of amenity to adjoining properties

### **Council's approach to this application**

The Council recognises the advice in paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) and seeks to work with applicants in a positive and proactive manner by offering a pre-application advice service; and seeking to find solutions to any obstacles to approval of applications having due regard to the responses to consultation, where it can reasonably be expected that amendments to an application will result in an approval without resulting in a significant change to the nature of the application and the application can then be amended and determined in accordance with statutory timescales.

In this case the proposal was submitted to the Council's Planning Committee, and the applicant/agent had the opportunity to address the Committee.

- 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.