

PLANNING COMMITTEE – 17 DECEMBER 2015

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 15/506410/FULL			
APPLICATION PROPOSAL			
First floor side extension over existing garage, two-storey side extensions at rear, single storey rear extension, first floor front and side extensions, three dormers at front and three dormers at rear			
ADDRESS 90 Scrapsgate Road Minster-on-sea Kent ME12 2DJ			
RECOMMENDATION Approval			
SUMMARY OF REASONS FOR RECOMMENDATION			
The proposal would not give rise to serious concerns regarding residential or visual amenities and would not unacceptably harm the existing character of the streetscene.			
REASON FOR REFERRAL TO COMMITTEE			
Recommendation is contrary to Parish Council view			
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster On Sea	APPLICANT Mr P Donnelly AGENT Richard Baker Partnership	
DECISION DUE DATE 09/10/15	PUBLICITY EXPIRY DATE 05/10/15		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
15/502602/FULL	Erection of two storey side extension, single storey rear extension and creation of front first floor extension.	Withdrawn	16/6/2015

1.0 DESCRIPTION OF SITE

1.01 90 Scrapsgate comprises a simply designed chalet bungalow with a pitched roof and side facing gables. There is a flat roof garage attached to the side of the property.

1.02 The property enjoys substantial private amenity space, extending to approximately 33m in depth and 15m in width.

- 1.03 The frontage to the property is made up of hardstanding in front of the garage and hard landscaping in front of the remainder of the property.
- 1.04 The bungalow is set forward of the building line of the adjacent two properties. The surrounding properties in the streetscene are a variety of styles and designs including both bungalows and two storey dwellings.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for a number of extensions to the existing bungalow. The property will be extended above and to the rear of the existing garage at two storey height. On the opposite flank a first floor extension is also proposed with a front facing pitched roof element and the roof of the existing dwelling raised. A single storey extension is proposed to the rear with a depth of 3m. A canopy is proposed along the front elevation. Two dormers and one rooflight are proposed on the front elevation with a pitched roof element above the window in the projecting element. On the rear elevation three dormer windows are proposed. One rooflight is shown in the side elevation.
- 2.02 The property as existing has a width of 13.3m (including the garage) with a depth of 8.2m at its deepest point (the garage has a depth of 7m). The existing dwelling measures 2.5m to the eaves and 6.2m in overall height.
- 2.03 The resultant property would have a width which matches the existing dwelling. In terms of the proposed depth, along the south elevation it would measure 12m. At ground floor level the remainder of the property will have an approximate depth of 11m. At first floor level the property will have a width to match the proposed ground floor. The depth of the first floor will vary with the south flank, as discussed above, having a depth of 12m whilst the remainder of the first floor has a depth ranging between 7.2m and 7.9m. In terms of its height, the proposal will increase the height of the dwelling to 6.8m with an eaves height of 4m.
- 2.04 The roof of the proposed dwelling when viewed from the front elevation will be pitched with hipped ends. The property has a number of varying roof styles which are largely pitched in style, the exception being a flat roofed single storey rear extension.
- 2.05 To the front of the property the development will incorporate hardstanding to provide parking space.

3.0 PLANNING CONSTRAINTS

- 3.01 Environment Agency Flood Zone 3

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: E1, E19 and E24 of the Swale Borough Local Plan 2008

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.

National Planning Policy Framework (NPPF)

The NPPF was released on 27th March 2012 with immediate effect, however, para 214 states “that for 12 months from this publication date, decision-makers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.”

The 12 month period noted above has now expired, as such, it is necessary for a review of the consistency between the policies contained within the Swale Borough Local Plan 2008 and the NPPF.

This has been carried out in the form of a report agreed by the Local Development Framework Panel on 12 December 2012. Policies E1, E19 and E24 are considered to accord with the NPPF for the purposes of determining this application and as such, these policies can still be afforded significant weight in the decision-making process.

5.0 LOCAL REPRESENTATIONS

5.01 A site notice was displayed near to the application site and surrounding neighbours were sent a letter notifying them of the application. One response has been received from the occupier of No.88 Scrapsgate, objecting to the application on the following grounds:

- The proposed property would be very close, large and overbearing;
- The property would block light to the side of the property which includes windows and a door;
- The kitchen and bathroom would need to be artificially lit;
- Would add to problems of drainage in the locality.

6.0 CONSULTATIONS

6.01 Minster Parish Council objects to the application on the grounds that “*The proposal is considered overbearing due to its close proximity to the road*” and that the scheme is not in keeping with the character and appearance of the streetscene.

- 6.02 Kent Highway Services (KHS) originally raised concern about bringing the garage door closer to the highway, reducing parking space. Amended plans were requested based upon the above comments, and the plans have been changed. I discussed these with KHS who now raise no objection to the proposal.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and correspondence relating to planning reference 15/506410/FULL.

8.0 APPRAISAL

The application site lies within the built up area boundary where the principle of development is accepted. Therefore I believe that the main considerations in this case are as follows:

- Impact upon residential amenities;
- Impact upon visual amenities;
- Parking provision and layout;
- Flood Risk Implications.

Residential Amenities

- 8.01 In relation to the impact upon residential amenities it is firstly noted that the host property sits forward of the two properties either side of the application site. As such, I am of the view that careful consideration should be given to the impact that the proposal would have upon these two dwellings in particular.
- 8.02 I note the objection received from the occupier of No.88 and respond as follows. No.88 has an L shaped frontage with a garage and window at ground floor level. A key consideration to take into account here is that the host property lies to the north of No.88. Therefore I do not consider that the proposal would lead to a significant reduction in sunlight received to the front windows of this property.
- 8.03 In relation to the points raised regarding the flank windows and doors, although these would suffer from a degree of loss of light by virtue of the closer proximity of the property I do not consider that these flank windows can be afforded a significant amount of weight. They are not principle windows and the current arrangement means that they already face the garage and gable wall of the existing property. Furthermore, flank windows are afforded less weight when considering impact upon neighbouring dwellings as to do so would give occupiers with flank facing windows significant rights over land that they do not own. Finally, the proposal does not extend beyond the rear elevation of No.88 and as such will have no additional impact upon the neighbouring property in this regard. As such, having balanced the points above I take the view that the proposal would not impact unacceptably upon the residential amenities of this neighbouring dwelling.

- 8.04 The proposal also includes a side facing rooflight in the south elevation, facing towards No.88. This rooflight will serve a shower room and as such would be expected to be obscure glazed. To ensure this I have included a relevant condition which requires the window to be obscured and non opening until the cill height is 1.7m above the internal finished floor level.
- 8.05 On the opposite side, the proposal will not move the existing flank wall of the dwelling any closer to No.92. I also note that No.92 has a detached garage located forward and to the side of the front elevation of this property. As such there is a gap of approximately 3m between the flank wall of the host property and No.92. I also take into account that the overall height of the dwelling will be limited to an increase of 0.6m. Although the eaves height of the dwelling will be increased I do not consider that when assessed from the perspective of No.92, due to the gap between the properties and the limited overall height increase that the impact would be unacceptable. Furthermore, the proposal would not extend beyond the rear of No.92 and therefore will have no impact upon the rear aspect or private amenity space of this neighbouring dwelling.

Visual amenities and impact upon the streetscene

- 8.06 The proposal has been amended since the original drawings were submitted which included reducing the ridge height and replacing a rear facing gable with a dormer window. The front elevation of the property will also remain in the same position as existing. When viewed from the front, the property will have a pitched roof with hipped ends and small scale, pitched roof dormer windows. As such, in an area of mixed dwelling types I take the view that the extensions as proposed would not have an unacceptable impact upon visual amenities.
- 8.07 I also note the Parish Council's comments and respond as follows. The increase in ridge height is only proposed to be by 0.6m and therefore I believe that although the scale of the property will be greater it will not be so significantly enlarged to be, in my opinion a dominant and unacceptable proposal in the context of the streetscene. I also taken into consideration that although the proximity of the dwelling to the highway is emphasised due to the two adjacent properties being set back, Scrapsgate does include some properties which are a similar distance from the highway in comparison to the application site. Furthermore, and as noted above, the front elevation of the property will be moved no closer to the highway than the current arrangement. Therefore, due to a combination of these factors I do not consider that the proposal would have an unacceptable impact upon the existing character of the streetscene.
- 8.08 Although a number of properties along Scrapsgate are detached in nature, there are instances within close proximity of the application site where properties are built up to or close to the common boundary. I do not consider that the surrounding and host property could be described as well spaced. Therefore, extending above the garage in this case would not in my opinion

create a terracing effect, significantly over and above what is already present in the streetscene.

Parking provision and layout

- 8.09 The amendments made to the drawings also dealt with comments from KHS in relation to the parking provision and layout at the site. Along this part of Scrapsgate it is at times difficult to clearly define the footway due to an overlap with various property frontages. The initial drawings indicated that the front elevation of the garage would be moved closer to the highway which would not allow for enough space in front of the garage without overhanging the highway. As such, an amendment has been made which retains the existing position of the front elevation of the garage. The result of this is that the parking arrangement in front of the garage allows for a situation that is no worse than the current arrangement and includes an additional parking space. I also note that the garage meets the preferred garage size guidelines as set by KHS. KHS now raise no objection to the proposal and as such I consider that the parking has been adequately dealt with.

Flood Risk

- 8.10 The application site lies within Flood Zone 3. I have received confirmation from the agent that the finished floor levels of the extension will be no lower than the finished floor levels of the existing property which is an acceptable approach to take. To ensure this I have included a condition to ensure that floor levels are no lower than the existing dwelling.

9.0 CONCLUSION

- 9.01 In overall terms, despite objections from the Parish Council and the neighbouring occupier I consider that the proposal would not give rise to serious concerns relating to either residential or visual amenities. I also take the view that the proposal would not have an unacceptable impact on streetscene and the flood risk and parking arrangements at the site have been adequately dealt with. I 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 used in the construction of the external surfaces of the development hereby permitted shall be as detailed in the application form.

Reasons: In the interests of visual amenities.

- (3) The development hereby approved shall be carried out in accordance with the following approved plans: 2485/1A and 2485/5B.

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

- (4) The garage hereby approved shall be kept available for the parking of vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land or in such a position as to preclude vehicular access thereto.

Reasons: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- (5) The area shown on the submitted plan as vehicle parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the new accommodation hereby permitted.

Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- (6) The rooflight in the south elevation shall be obscure glazed and incapable of being opened and shall be maintained as such unless the cill height is at least 1.7m above inside floor level.

Reasons: To protect the privacy of neighbouring occupiers.

- (7) The finished floor levels of the extension hereby permitted shall be no lower than the existing floor levels of the dwelling.

Reasons: To protect the safety of future occupiers of the development from increased flood risk.

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 applicant/agent was advised of minor changes required to the application and these were agreed.

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.