

PLANNING COMMITTEE – 1 FEBRUARY 2018**PART 2**

Report of the Head of Planning

PART 2Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 17/506378/FULL			
APPLICATION PROPOSAL Erection of a two storey side extension.			
ADDRESS 29 Seathorpe Avenue Minster-on-sea Sheerness Kent ME12 2HU			
RECOMMENDATION GRANT subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal is acceptable in principle and would not be significantly harmful to residential or visual amenity.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection			
WARD Minster Cliffs	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT John Barker AGENT
DECISION DUE DATE 14/02/18	PUBLICITY EXPIRY DATE 12/01/18		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/06/1192	Two storey rear extension	APPROVED	14.11.2006
SW/91/0829	Ground and first floor extension	APPROVED	24.09.1991
SW/89/0133	Outline application for chalet bungalow with integral garage	REFUSED	28.04.1989

1.0 DESCRIPTION OF SITE

- 1.01 29 Seathorpe Avenue is a detached, two storey dwelling located within the built up area boundary of Minster. It is located on a relatively large plot with a driveway to the front of the property, an existing detached garage to the south of the dwelling and large garden to the rear.
- 1.02 The property is located on Seathorpe Avenue, which is characterised by a mix of dwellings of various scales and designs. Immediately to the north of No. 29 is a detached bungalow, and to the south is a property with a large barn hipped roof that has a maximum height similar to that of the application property.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for the erection of a two storey side extension. The proposed extension will be situated on the south of the property, and will measure 12.1m deep by 4.98m wide, with a height of approximately 4.8m to the eaves and a maximum ridge height of 7.1m, which matches the ridge height of the existing property.
- 2.02 The proposed side extension will provide a garage and store room on the ground floor. The internal width of the garage will be 4.12m and stairs to the first floor will be located in the store room. On the first floor, the side extension will provide a lounge, kitchen and bathroom.
- 2.03 The originally submitted plans included three, first floor windows in the flank wall of the extension. Due to the limited distance between the dwellings, these windows could lead to overlooking at the neighbouring property, No. 23. The applicant was advised to alter these windows to reduce the impact of overlooking, and amended plans were submitted on the 8th January 2018, removing two of the windows, and obscure glazing the remaining one, with an opening high level fanlight.

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).
- 4.02 Development Plan: Policies CP4, DM14 and DM16 of "Bearing Fruits 2031: The Swale Borough Local Plan 2017".
- 4.03 The Council's adopted Supplementary Planning Guidance entitled "Designing an Extension – A Guide for Householders".

5.0 LOCAL REPRESENTATIONS

- 5.01 One letter was received from a neighbour stating *'I am extremely concerned that my kitchen window will be completely overshadowed and overlooked by this new dwelling. I have a "right to light". This application will remove light from my ground floor kitchen and bathroom windows. It looks as though there will be less than a metre between the buildings.'*

6.0 CONSULTATIONS

- 6.01 Minster-on-Sea Parish Council objects to the proposal, commenting as follows:

"This application is alleged to be misleading. Although it is described as a two-storey side extension, this appears to be the construction of a separate dwelling with no shared facilities. In addition, can the Planning Officer check the light available to the kitchen window of No. 23 as this appears to be minimal."

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers for application 17/506378/FULL.

8.0 APPRAISAL

Principle of Development

- 8.01 The application site is situated within the defined built up area boundary of Minster where the principle of development is acceptable subject to relevant policy considerations and local amenity impacts.

Visual Impact

- 8.02 Seathorpe Avenue is characterised by a mixture of property designs at varying scales, with the scale of gaps between properties varying along the street. Side extensions can lead to streets appearing terraced in character, and losing the sense of openness due to the lack of gaps in between properties. In this case, I note the proposed extension will be situated approximately 0.6m from the boundary with No. 23 and approximately 3m from the neighbouring dwelling and therefore contrary to the Council's SPG .However due to the lack of uniform housing forms in the area and a variety of spacing between dwellings , I consider these distances acceptable and I do not consider the proposed side extension will adversely impact the wider street scene or give rise to a terracing effect.
- 8.03 The proposed two storey extension would be situated on the south side of the dwelling, and would be similar in appearance to the pitched roof on the north side of the property. It would be constructed using materials that match those on the existing dwelling. As such, I consider the proposal will not have a harmful impact on the character or appearance of the dwelling or the wider streetscape.

Residential Amenity

- 8.04 I consider the main impact to residential amenity will be felt at neighbouring property No. 23 Seathorpe Avenue. I note the proposed side extension will project 2.2m further than the front wall at the adjacent property. However I note that the proposed projection is in line with the majority of the surrounding properties and do not consider it will cause exceptional harm with regard to overbearing impacts or significantly affect the established building line. No. 23 has been significantly extended to the rear (the OS extract has not yet been updated to reflect the current site circumstances), and the rear wall of the extension will project no further than the rear wall at No. 23. In this regard, whilst the rear extension projects 3m at first floor level I am satisfied that the proposal accords with the advice of the SPG and would not give rise to significant harm to the amenity of those neighbouring residents.
- 8.05 Following amendments, the only window proposed in the flank wall of the extension will be obscure glazed and non-opening other than the high level fanlight, which I consider acceptable. With regard to the comments received from the adjoining neighbour concerning overlooking issues, I consider the amended plans address this issue.
- 8.06 With reference to the objection received from the Parish Council, a condition will be included to prevent the use of the extension as separate accommodation, and its intimate relationship with the host property will also reduce the likelihood of it

becoming a separate dwelling. With regard to the proposed extension blocking light to the kitchen window at No. 23 (a concern that the occupiers of No. 23 also raised), I note there will be approximately 3m between the dwellings. I consider although this distance is small, it is not harmful enough to justify a reason for refusal in this case.

- 8.07 Regarding impact to other neighbouring amenities, due to the distances involved between the host property and other surrounding dwellings, I do not consider the proposal will cause unacceptable harm to residential amenity at neighbouring properties.

Parking

- 8.08 The proposal includes the demolition of the existing garage at the property. The ground floor of the extension will provide a new garage, which will measure 4.4m in width and 8.7m in length, which is larger than the KCC recommended minimum dimensions of 3.6m x 5.5m. A condition will be placed upon the garage to ensure it is used only for the parking of vehicles. There is also a large amount of hardstanding to the front of the property that is currently used as car parking, which will not be effected by the application. As the proposal will not alter the amount of parking provided at the dwelling, it is acceptable in this regard.

9.0 CONCLUSION

- 9.01 Taking into account all of the above, I consider the proposal will not give rise to unacceptable harm to visual or residential amenities and note the parking provision at the property will remain the same. As such, I recommend planning permission be granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

- 1) The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which the permission is granted.

Reason: 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 development hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reason: In the interests of visual amenity.

- 3) The development hereby approved shall be carried out in accordance with the following approved drawings: JB-002 Rev B, JB-003 Rev A and JB-004 Rev B.

Reason: 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 (as amended) (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.

Reason: 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 extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as No. 29 Seathorpe Avenue.

Reason: As its use as a separate unit of accommodation would be contrary to the provisions of the development plan for the area.

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 and submitted.

The application was considered by the Planning Committee where the applicant/agent has 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.

