

PLANNING COMMITTEE – 1 FEBRUARY 2018**PART 3**

Report of the Head of Planning

PART 3Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 17/506506/FULL			
APPLICATION PROPOSAL Demolition of existing rear extension and erection of a new single storey rear extension.			
ADDRESS 47 Princes Avenue Minster-on-sea Sheerness Kent ME12 2HJ			
RECOMMENDATION Refuse subject to outstanding representations (closing date 26 January 2018)			
SUMMARY OF REASONS FOR REFUSAL The proposal, by virtue of its scale will result in the loss of all private amenity space at the dwelling. It will also negatively impact on the residential amenity of neighbouring dwelling No. 45 Princes Avenue due to its excessive depth.			
REASON FOR REFERRAL TO COMMITTEE Parish Council support application			
WARD Minster Cliffs	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT Mr & Mrs M Woods AGENT Redsquare Architects Ltd
DECISION DUE DATE 16/02/18	PUBLICITY EXPIRY DATE 26/01/18		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/07/0043	Outline application for the erection of two chalet bungalows (to replace existing bungalow)	APPROVED	12.03.2007
An application for reserved matters relating to the above application was not submitted, therefore this proposal was taken no further and the permission has expired.			

1.0 DESCRIPTION OF SITE

- 1.01 47 Princes Avenue is a detached bungalow located within the built up area of Minster. The property is situated to the rear of the plot, with a large garden and driveway to the front, and private amenity space to the rear.
- 1.02 Princes Avenue is an unmade road characterised by varied styles of properties, although the dwellings immediately to the south of the property are also bungalows of a similar scale and design. No. 47 is the last property on the eastern side of the road.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for the erection of a single storey rear extension. It would involve the demolition of the existing rear extension (for which no planning history can be found). The proposed extension would project from the rear wall of the existing dwelling by 6.45m and have a width of 14.6m. The proposed extension would have a pitched roof with a maximum height of approximately 4.9m, slightly above the ridge height on the existing bungalow.
- 2.02 The proposed extension will provide a large living area comprised of a lounge, dining area and kitchen. It will also create a fourth bedroom and En-suite.
- 2.03 The proposed materials include tiles to match the existing roof, and weatherboarding to the walls of the extension.
- 2.04 Due to the scale of the extension almost the entirety of the private amenity space to the rear of the property will be lost.
- 2.05 The surrounding neighbours were consulted on the proposal and a site notice was also posted. The closing date for all comments is 26th January 2018, and this report is therefore subject to the receipt of any additional comments, which will be reported at the meeting.

3.0 PLANNING CONSTRAINTS

- 3.01 None.

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 No comments had been received at the time of writing, but as at 2.05 above the final closing date is 26th January and any comments received will be reported to Members at the meeting.

6.0 CONSULTATIONS

- 6.01 Minster Parish Council support the application.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers for application 17/506506/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 The proposed extension will be situated mainly to the rear of No. 47, although it does project 4.25m to the side (north) of the dwelling, so will be visible from the street scene. I consider the proposal acceptable in terms of its design due to the varied housing styles on Princes Avenue. The roof will be pitched, and of a similar ridge height to the roof on the existing property. It will be tiled to match the original roof, and the extension will be clad in weatherboarding. I consider the proposed materials acceptable in this case due to the lack of uniform housing in the surrounding area, and the location of the property at the end of the street, away from public vantage points. Overall, I consider the application acceptable in terms of design and in relation to its impact on visual amenity.

Residential Amenity

- 8.03 The proposed extension will impact upon the neighbouring property at no. 45 Princes Avenue. The rear wall of the existing dwelling extends past the neighbouring property by approximately 4m. The proposed extension will project a further 6.4m to the rear. The Council's SPG entitled "*Designing an Extension*" states that for rear extensions close to the common boundary, a maximum projection of 3m is allowed. Although there is a 2.1m gap between the extension and the common boundary, due to the fact the existing dwelling is already situated further back than no. 45, I consider the impact that the proposed extension will have on the adjacent dwelling will be unacceptable. The rear extension will extend almost the full length of the garden at No. 45, and although it will only be single storey, it will be clearly visible from the neighbour's garden, resulting in a loss of outlook and sense of enclosure for the occupiers of no. 45. I consider this would amount to a justifiable reason for refusal.
- 8.04 Regarding the neighbouring dwelling to the rear, Gallons Lapp, the proposed extension will be located approximately 13m away. The Council usually requires a distance of 21m between windows to the rear and other houses to the rear, however in this case I consider due to both properties being bungalows, the amount of mutual overlooking will be reduced. I also note there is a large amount of foliage along the common boundary between the properties, again reducing the amount of overlooking that could occur. Furthermore I note that the rear elevation of the proposed extension has been designed to include 3 high level windows and a mainly solid door to minimise any potential overlooking towards the dwelling to the rear – Gallons Lapp. Taking all of this into account I consider the proposed extension will not cause unacceptable harm to the amenities of the occupiers of Gallons Lapp.
- 8.05 Regarding the residential amenity of the occupiers of the property, the proposal will result in the loss of all the private amenity space to the rear due to the scale of the proposed extension. Taking into account the additional bedroom in the proposed extension, the property will become a four bedroom dwelling, which is likely to be a family home and therefore a private garden will be vital. I consider the lack of a private

rear garden will be detrimental to the living conditions of the occupiers of the house and this would amount to a reason for refusal.

Parking

- 8.06 The proposal includes the addition of another bedroom, turning the property into a four bedroom bungalow. However the driveway to the front of the dwelling is large enough to comfortably park two cars which is compliant with the KCC standards (as set out in Kent Design Guide Review: Interim Guidance Note 3 20 November 2008 – Residential Parking), which state two parking spaces are required for a four bedroom property. Therefore I consider this aspect of the proposal acceptable.

9.0 CONCLUSION

- 9.01 I consider the proposal is acceptable with regard to its impact on visual amenities and has adequate parking provision for a four bedroom dwelling. However, the extension will project rearwards by an unacceptable amount in relation to neighbouring property, no. 45. Furthermore the loss of all private amenity space to the rear will have a detrimental impact to the amenity of the occupiers of the dwelling. Therefore I recommend planning permission should be refused.

10.0 RECOMMENDATION –REFUSE for the following reasons:

- 1) The proposed rear extension, by virtue of its excessive depth and positioning would amount to an oppressive and overbearing structure that would have an adverse impact to the residential amenity of the occupiers of 45 Princes Avenue. The proposal would therefore be contrary to policies CP4, DM14 and DM16 of “Bearing Fruits 2031: The Swale Borough Local Plan 2017” and the Council’s adopted Supplementary Planning Guidance entitled “Designing an Extension: A Guide for Householders”.
- 2) The proposed extension, by virtue of its scale and position, would fail to provide any private amenity space to the rear of the property, which would be significantly detrimental to the living conditions of its occupants. The proposal would therefore be harmful to residential amenity in a manner contrary to policies CP4, DM14 and DM16 of “Bearing Fruits 2031: The Swale Borough Local Plan 2017”.

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 to be fundamentally contrary to the provisions of the Development Plan and the NPPF, and there were not considered to be any solutions to resolve this conflict.

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.

