

<b>2.3 REFERENCE NO - 22/505674/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of single storey front and rear extensions, first floor side extension, front dormer windows and rear balcony.		
<b>ADDRESS</b> 17 Heron Close Lower Halstow Kent ME9 7EF		
<b>RECOMMENDATION</b> That planning permission is Granted subject to conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposed development would not harm the streetscene, and following amendments it would not have an undue impact upon neighbouring amenities, and would therefore accord with the development plan.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council objection and call in from Cllr Clark		
<b>WARD</b> Bobbing, Iwade And Lower Halstow	<b>PARISH/TOWN COUNCIL</b> Lower Halstow	<b>APPLICANT</b> Mr & Mrs Plumbe <b>AGENT</b> APX Architecture Ltd
<b>DECISION DUE DATE</b> 10/03/23	<b>PUBLICITY EXPIRY DATE</b> 21/02/23	<b>CASE OFFICER</b> Megan Harris

**Planning History**

None relevant

**1. DESCRIPTION OF SITE**

- 1.1 17 Heron Close is a two storey detached property located within the built up area boundary of Lower Halstow. There is an attached double garage to the side of the property, and single storey extension to the rear, which is used as an annexe. To the front of the garage is a driveway, whilst the remainder of the site frontage is soft landscaped. To the rear of the property is private amenity space.
- 1.2 The property is located on a housing estate surrounded by detached dwellings of a similar scale. To the north of the property is open space.

**2. PROPOSAL**

- 2.1 This application seeks planning permission for the erection of single storey front and rear extensions, a first floor side extension, front dormer windows and rear balcony.
- 2.2 The front extension will be located to the side of the existing kitchen and will have a footprint of 1.5m x 3m. It will provide a utility room. At the rear, a single storey extension is proposed that will project 2.5m from the rear wall of the dwelling, with a width of 8.5m. It will have a flat roof with a height of 3.1m, which matches the height of the existing single storey extension at the property. This extension will provide a larger living/dining room.
- 2.3 A first floor side extension is proposed above the existing double garage on the eastern side of the property. Following amendments to reduce its scale and overcome amenity concerns, the first floor extension will now have a length of 6.7m. The extension will raise the ridge height of the garage by approximately 1m, and will feature a mansard style

roof. The first floor extension will be accommodated within this roof space. There will be a pitched roof dormer in the front elevation, and two rooflights at the rear, and the extension will provide a bedroom.

- 2.4 A pitched roof dormer is also proposed on the front elevation of the property, which will serve the existing stairwell. A balcony is proposed on the new flat roof rear extension. It will have a footprint of 2m x 4.6m and following amendments to address overlooking concerns, will have 1.8m high privacy screens along both sides of the balcony.
- 2.5 Internal alterations are proposed on the ground and first floor, with the annexe accommodation on the ground floor being converted into an open plan kitchen and family room. The existing kitchen will be converted to a porch and WC. On the first floor, one of the bedrooms will be converted into an en-suite. The existing property currently has five bedrooms when including the annexe, and the proposal will reduce the number of bedrooms to three.

### **3. PLANNING CONSTRAINTS**

- 3.1 None

### **4. POLICY AND CONSIDERATIONS**

#### **Bearing Fruits 2031: The Swale Borough Local Plan 2017**

**CP4** (Design)

**DM7** (Parking)

**DM14** (General development criteria)

**DM16** (Alterations and extensions)

#### **Supplementary Planning Guidance (SPG)**

Designing an Extension: A Guide for Householders  
SBC Parking Standards 2020

### **5. LOCAL REPRESENTATIONS**

- 5.1 Letters were sent to neighbouring occupiers and a site notice placed in the vicinity.
- 5.2 Five objections have been received from two neighbouring properties. Their contents are summarised below:
  - Loss of light and overshadowing
  - Overlooking from rear balcony and rear dormer will overlook neighbours gardens, taking away privacy.
  - Amended plans do not prevent overshadowing from the side extension or loss of privacy from the balcony.
  - Party wall surveys have been requested, and the decision should be delayed until the results on these surveys are known.
- 5.3 Cllr Clark has requested the application is called in to planning committee if the application is recommended for approval because he has concerns regarding overshadowing of the side window at No. 17 and overlooking of the gardens of both neighbours from the proposed balcony.

5.4 Lower Halstow Parish Council objected to both the original and amended scheme. Their comments are summarised below:

- Development blocks daylight to neighbours.
- Development results in loss of privacy to neighbouring rear gardens.

## 6. CONSULTATIONS

6.1 None

## 7. BACKGROUND PAPERS AND PLANS

7.1 Plans and documents provided as part of application 22/505674/FULL.

## 8. APPRAISAL

8.1 The main matters for consideration as part of this application are: - the principle of development, impact upon visual amenities and living conditions of neighbours, and highways.

### Principle

8.2 Policy ST3 of the Swale Local Plan 2017 supports the principle of development within the built-up area boundary of established towns and villages within the borough.

8.3 The application site is located within the built-up area boundary of Lower Halstow, where the principle of domestic extensions and alterations are acceptable, subject to other material planning considerations.

### Character and appearance

8.4 Policy DM16 of the Local Plan supports alterations and extensions to existing buildings where they reflect the scale and massing of the existing building, preserve features of interest and reinforce local distinctiveness.

8.5 Policy CP4 of the Local Plan requires development proposals to be of high-quality design and to be in keeping with the character of the area. It states that particular regard should be paid to the scale, height, materials, detailing, mass, bulk, articulation and site coverage of any future proposals.

8.6 The property is located in a housing estate, on a large plot. The surrounding area is characterised by large two storey properties, on generous plots, though there are some differences in the design of the surrounding dwellings.

8.7 The side extension and works to the front elevation of the property will be clearly visible in the streetscene. The side extension will be set 1.2m from the boundary. The accommodation will be contained within the roof space. Whilst this involves raising the ridge line of the garage roof, this would be by approximately 1m, and given this limited increase in height I do not consider the development will erode the openness currently experienced to the side of the dwelling. The extension would be subservient in scale to the main dwelling and does not overwhelm the existing form of the property in my view.

- 8.8 Two pitched roof dormers are proposed on the front elevation, which will match the scale and design of the existing dormer on the front elevation. I consider these features will relate well to the appearance of the existing property. The front extension would not project beyond the existing kitchen and garage and would appear as a small continuation of the catslide roof feature on the property.
- 8.9 The rear extension is modest and well designed and of limited visual impact due to its location.
- 8.10 Materials which match the existing dwelling will be used on the development, and I have included a condition below to secure this. This will ensure the proposal blends in with the existing property.
- 8.11 Overall, I am satisfied that the scheme is acceptable in terms of its impact upon the appearance of the existing dwelling and wider streetscene. The small increase in the height of the roof to the garage to accommodate a first floor would not lead to any material loss of gap or openness compared to existing. As such I consider this would accord with policies CP4, DM14 and DM16 of the Local Plan.

### **Living conditions**

- 8.12 Policy DM14 states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight, give rise to an unreasonable loss of privacy, or result in an unreasonable loss of outlook or in excessive noise or odour pollution.
- 8.13 The main properties that will be impacted by the development are those either side of the site. Over the course of the application, the drawings have been amended to address a harmful impact to the living conditions at No. 15 to the east from the side extension and rear balcony. There is a window in the side elevation of No. 15 which serves a dining room and faces towards the application site, at a distance of approx. 2.75m.
- 8.14 The application originally proposed a much larger first floor extension which extended to the same depth as the existing two storey element of the dwelling. Following concerns raised about the effect of this on the neighbour's window, the extension has been reduced in depth by 3 metres. The amended plans show the location of the extension in relation to the neighbour's window, and it no longer directly obscures this window. Taking into account the more limited scale of the extension, its siting in relation to the neighbour's window, the existing outlook from this window which already faces towards the existing dwelling at No 17, and the fact that the extension would not interrupt the provision of sunlight to the neighbours window, I am satisfied that any reduction in light would be relatively limited.
- 8.15 The other works proposed as part of the development, including the front and rear extensions and additional front dormer are set on the western side of the property, a considerable distance from No. 15 and as such I do not consider these elements will result in any unacceptable impacts to amenity at this property. The balcony proposed at the rear is on the west side of the property and was amended to include a 1.8m high privacy screen. I am satisfied this will limit overlooking of No. 15 to an acceptable level. I include a condition below to ensure the privacy screens are provided prior to the first use of the balcony and are maintained in perpetuity.

- 8.16 Turning to consider the impact to No. 19 to the west, the side extension will be located on the eastern side of the property and as such it would not impact upon No. 19. The rear extension will be located approximately 1.2m from the side boundary with No. 19, and will project approximately 3.9m past the rear elevation of this neighbour. The SPG advises that single storey rear extensions close to common boundaries should project a maximum of 3m, but does note that leaving a gap to the boundary may offset this requirement. Taking into account the 1.2m gap to the boundary and 3m gap between the respective dwellings, I do not consider the projection proposed here would cause unacceptable harm to residential amenity.
- 8.17 The proposed balcony will be located on top of the proposed extension, and as such will be in close proximity to the boundary with No. 19. A privacy screen is also proposed along the western boundary of the balcony, which I consider would mitigate any overlooking impacts to an acceptable level. The screen would add to the bulk of the extension although I note that it would pass the 45 degree light test in the BRE Daylight and Sunlight guidance which is commonly used to assess such impacts. Taking this into account, along with the 3m separation distance between the balcony and No. 19, I do not consider any significant harm to amenity will occur.
- 8.18 The front extension is small in scale and taking into account it will be set roughly 6.3m from No. 19, I don't believe it will cause any significant harm to living conditions at this neighbour.
- 8.19 Overall, I am satisfied that the amended plans have addressed concerns raised in relation to the original plans submitted and whilst I note the objections raised by the Parish Council and neighbours, I consider the development will not cause any significant harm to neighbouring amenity for the reasons set out above, and would comply with policy DM14 of the Local Plan.

### **Highways**

- 8.20 Policy DM7 states that parking requirements in respect of any new proposed developments should be in accordance with Kent County Council vehicle parking standards, until such time that Swale Borough Council adopts its own parking standards. As Members are aware, Swale has now adopted its own Supplementary Planning Document (SPD) entitled 'Parking Standards'.
- 8.21 The development will reduce the number of bedrooms at the property from five to three, and as such would not create additional demand for parking. In any case, I note that a three bedroom property in this location should provide two to three spaces, as set out in the SBC Parking Standards SPD and there is sufficient space for two vehicles on the front driveway which would accord with the lower end of the parking provision set out in the SPD. I also note that the double garage at the property that can be utilised for parking. As such, I consider the parking provision to be acceptable and note the proposal complies with policy DM7 of the Local Plan.

### **Other Matters**

- 8.22 An objector has referenced the need for party wall surveys to be carried out. This is not a planning matter and as such cannot be taken into account here.

## **9. CONCLUSION**

- 9.1 Following the submission of amended plans which have significantly reduced the bulk of the proposed first floor side extension and provided privacy screens to the balcony, I am

satisfied that the development would not adversely impact the amenity of neighbours. The scheme is well designed in relation to the existing property, and in my view will not harm the character and appearance of the property or wider area. On this basis, I consider that the development would accord with policies CP4, DM14 and DM16 of the Local Plan and I recommend that planning permission is granted.

- 10. RECOMMENDATION** - that planning permission is granted 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.

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 development hereby approved shall be carried out in accordance with approved drawings: 22\_96\_04 Rev D, 22\_96\_05 Rev D, 22\_96\_06 Rev B, 22\_96\_07, 22\_96\_08 Rev D and 22\_96\_09 Rev B.

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

- (3) 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.

- (4) The privacy screens shown on drawing no. 22\_96\_05 Rev D and 22\_96\_08 Rev D shall be installed prior to the first use of the balcony hereby permitted and shall be maintained in perpetuity.

Reason: In the interests of residential amenity.

### **The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

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.

