

<b>2.4 REFERENCE NO - 24/500664/FULL</b>			
<b>PROPOSAL</b> Demolition of existing garage and conservatory and erection of a two storey side extension and single storey rear extension, new front porch and alterations to fenestration. Loft conversion with insertion of front dormer window and 5 roof lights to the rear. Erection of a detached double garage.			
<b>SITE LOCATION</b> Clifton Stockers Hill Rodmersham Kent ME9 0PL			
<b>RECOMMENDATION</b> Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.			
<b>APPLICATION TYPE</b> Householder			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Rodmersham Parish Council Objection			
<b>CASE OFFICER</b> Mandi Pilcher			
<b>WARD</b> West Downs	<b>PARISH/TOWN</b> Rodmersham	<b>COUNCIL</b>	<b>APPLICANT</b> Mr A Whitcroft <b>AGENT</b> CJS Design Services
<b>DECISION REGISTERED</b> 15/02/2024		<b>TARGET DATE</b> 11/04/2024	
<b>BACKGROUND PAPERS AND INFORMATION:</b> <b>Documents referenced in report are as follows: -</b>  All drawings submitted All representations received  The full suite of documents submitted pursuant to the above application are available via the link below: - <a href="https://pa.midkent.gov.uk/online-applications/applicationDetails.do?keyVal=S8WNEPTYJXK00&amp;activeTab=summary">https://pa.midkent.gov.uk/online-applications/applicationDetails.do?keyVal=S8WNEPTYJXK00&amp;activeTab=summary</a>			

## 1. SITE LOCATION AND DESCRIPTION

- 1.1 Clifton is a detached two storey four bedroom dwelling with a detached garage to the side, located within the built up area boundary of Rodmersham. It is set back from the highway with access via a 'U' shaped driveway to the front. There is an existing conservatory and a large private amenity space to the rear.
- 1.2 The surrounding area is characterised by mainly detached properties facing open agricultural land to the north.

## 2. PLANNING HISTORY

- 2.1 **23/505606/FULL** – *Demolition of rear conservatory. Conversion of garage and loft into habitable space, with insertion of front dormers and rear rooflights. Erection of front porch, two storey side, single storey rear extensions and alterations to fenestration. Erection of detached three bay garage.* Application withdrawn on 05.02.2024. This application was withdrawn by the applicant as it would likely have amounted to a refusal, due to the harm the development would cause to the character and appearance of the site and wider area through the overly large extensions proposed. The development has been reduced in scale as part of this application to seek to address these concerns.

## 3. PROPOSED DEVELOPMENT

- 3.1 This application seeks planning permission for the demolition of the existing detached garage and rear conservatory and erection of a two storey side extension and single storey rear extension, new front porch and alterations to fenestration. A loft conversion with the insertion of a dormer window in the front facing roofslope and 5 roof lights in the rear roofslope is also proposed. A detached double garage is proposed to the front of the property.
- 3.2 The proposed rear extension would measure approximately 4m deep by 10.8m wide, with an overall height of 3.8m and 2.2m to the eaves. The roof of the extension will be monopitch and will contain four rooflights. The extension will provide a large kitchen/diner.
- 3.3 The existing garage will be demolished and a two storey side extension erected in its place. It will create an exercise room at ground floor and an en-suite bedroom on the first floor. The extension would measure approximately 3.8m wide by 7.5m deep with a chamfered corner to the rear. The ridge and eaves height would match the existing dwelling. At the front the side extension will feature a projecting gable roof which matches the existing gable roof on the western side of the property. Amendments were made during the course of the application to reduce the scale of the side extension and ensure the development is situated 2m from the boundary of the site.
- 3.4 The proposal includes the conversion of the loft space and the insertion of one front pitched roof dormer centrally placed within the roof slope. To the rear five rooflights will be inserted within the roof slope. The loft conversion would create two en-suite bedrooms.
- 3.5 The front door will be relocated, two windows added in its place and a new porch erected. The front porch would consist of two pillars to create a flat roofed canopy. The overall height of the porch will be 2.6m and it will project 1m from the front wall of the property. Changes are also proposed to the position of two existing first floor windows on the front elevation, widening the gap between these features.
- 3.6 The proposed garage will be located to the front of property and measure approximately 6.1m in depth x 7.9m wide. The height to the eaves would be 2.3m, with an overall height of 4m. The garage would have two garage doors and a single door on the side

elevation. Initially a triple garage was proposed, however the scale was reduced to address visual amenity concerns.

- 3.7 The proposed materials include brickwork, composite cladding, plain roof tiles, white PVC windows and composite doors.

#### 4. CONSULTATION

- 4.1 Two rounds of consultation have been undertaken, during which letters were sent to neighbouring occupiers and a site notice displayed at the application site.

- 4.2 In response to the first round of consultation, three letters from three separate addresses were received objecting to the application for the following summarised reasons (full representations are available online):

<b>Comment</b>	<b>Report reference</b>
No attempt was made by the applicant or agent to consult neighbours prior to the submission of the application.	See paragraph 7.31
Fails to comply with policies CP4, DM11 and DM14 of the Local Plan and SPG due to scale, design and appearance of development and interruption of building line.	See paragraphs 7.8 to 7.14
No other dwellings on Stockers Hill have any extension, outbuilding or garage in front of their building line and similar has been refused in nearby Highsted Valley.	See paragraph 7.11
Garage will be harmful to highway safety as it will obstruct views of motorists and pedestrians.	See paragraph 7.28
Application does not provide required Design and Access Statement or Tree Survey/Report.	See paragraph 7.31
The proposal will obstruct views.	See paragraph 7.31
The proposal will extend over a field drain.	See paragraph 7.31

- 4.3 Further to the receipt of amended drawings which reduced the scale of the side extension and reduced the scale of the garage, neighbouring occupiers were reconsulted. A further four letters from two separate addresses were received in response to this second round of neighbour consultation, objecting to the application (both of these addresses had previously commented as referenced above). The

following further summarised points were raised (points already set out above have not been repeated, full representations are available online):

<b>Comment</b>	<b>Report reference</b>
Garage will shade a considerable part of front garden at neighbouring property (Greenside) from morning sunshine and considerably reduce the amenity value of the garden.	See paragraph 7.18
The garage should be built to the rear of the property.	See paragraph 7.31
The letter of support should be discounted as it is written by the applicant's father.	See paragraph 7.31

- 4.4 In response to the second round of neighbour consultation, one letter in support of the scheme was received, with the following summarised points being raised (full representations are available online):

<b>Comment</b>	<b>Report reference</b>
Property will be updated whilst preserving its character.	See paragraphs 7.8 – 7.13
Many neighbouring dwellings have been significantly extended – neighbouring Greenside has nearly doubled in size.	See paragraph 7.8
Neighbouring property Brownings has a quadruple garage extension and this has no impact on our property.	See paragraph 7.11

- 4.5 **Rodmersham Parish Council** were consulted on two occasions. In response to the first consultation they made the following summarised points, although did not specifically state whether they were objecting to the application (full representations are available online):

<b>Comment</b>	<b>Report reference</b>
Development is vast improvement to the front elevation when compared to the withdrawn application.	See paragraph 2.1
Concerned about triple garage on the front elevation and its impact on the adjacent neighbour and streetscene. Would it be possible to reduce the scale of the garage?	See paragraph 7.11

If approved condition should be added for vegetation screening for the garage to minimise the impact on the streetscene.	See paragraph 7.11
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- 4.6 The application was amended to show a smaller side extension and a two bay garage. Rodmersham Parish Council were re-consulted and the Parish Council confirmed that they raised an objection to the application on the following summarised grounds (full representations are available online):

Comment	Report reference
Noted the garage is slightly smaller (2.5 garages) and the roof is lower by a few courses of tiles but changes are not sufficient enough to ensure there is no damage to the streetscene due to its location in front of the building line.	See paragraph 7.11
Scale of extensions in a rural area – as tested against policy DM11.	See paragraph 7.14
Concerned the following documents have not been provided; streetscene drawing, Design and Access Statement, Tree Survey, visibility splays and block plan for the proposed garage.	See paragraph 7.31

## 5. REPRESENTATIONS

- 5.1 **SBC Tree Officer** – By virtue of the size and location of the new garage on the opposite side of the existing driveway the construction is not considered to compromise the long term health of the Chestnut Tree. However, to ensure the tree's protection during the course of construction a suitably worded condition is required to be attached to any consent.

## 6. DEVELOPMENT PLAN POLICIES

- 6.1 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017** - policies:

**ST3** The Swale settlement strategy  
**CP4** Requiring good design  
**DM7** Vehicle Parking  
**DM14** General development criteria  
**DM16** Alterations and extensions

## 6.2 Supplementary Planning Guidance/Documents

Supplementary Planning Guidance - Designing an Extension – A Guide for Householders

Supplementary Planning Document - Swale Parking Standards

## 7. ASSESSMENT

7.1 This application is reported to the Committee because Rodmersham Parish Council object to the proposal. Considering these comments and the scheme that has been submitted, the committee is recommended to consider the following points:

- The Principle of Development
- Character and appearance
- Living Conditions
- Highway safety and parking

### **Principle**

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.4 Policy ST 3 of the Local Plan 2017 supports the principle of development within the built up area boundary of established towns and villages within the Borough.

7.5 The site lies within the built confines of Rodmersham therefore the principle of development is considered acceptable subject to the consideration of other material planning considerations as discussed below.

### **Character and appearance**

7.6 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.

7.7 Policy CP4 of the Local Plan requires proposals to be of a high quality design that is appropriate to its surroundings in respect of materials, scale, height and massing. Policy DM16 sets out that alterations and extensions to existing properties will respond

positively to style and character of the building being extended, will be appropriately scaled and maintain or enhance the character of the streetscene.

- 7.8 The surrounding area is mainly comprised of detached properties of various styles and designs. The proposed two storey side extension is set off the boundary with the neighbouring property, Turrels, and would maintain a gap of approximately 2m from the shared boundary with this property, following amendments to this element of the proposal. The development now complies with the SPG, which sets out that two storey side extensions in areas of mainly detached or semi-detached housing should be set a minimum of 2m from side boundaries to protect the gaps between properties and maintain a sense of openness. Whilst the development will increase the bulk of the property on the eastern side, given the presence of properties of a similar scale to the proposal in the surrounding area, the side extension is not considered to be inappropriate in scale. The design of the extension mimics the existing gable roof feature on the western side of the dwelling and as such responds well to the existing property.
- 7.9 The proposal includes the conversion of the loft space and the insertion of one front pitched roof dormer centrally placed within the roof slope and two new front windows. To the rear, five rooflights will be inserted within the roof slope. The dormer window would sit comfortably on the property, utilising a pitched roof that echoes the gable roof features on the front elevation.
- 7.10 The proposed rear extension would be single storey, entirely contained on the rear of the property and would not be visible from the highway. It is considered to sit comfortably on the dwelling and will not harm the character and appearance of the site.
- 7.11 The property is set within a large plot and the proposed garage is sited to the front of the property but set back from the highway by approximately 4.3m and 1m from the common boundary with Greenside. The streetscene is characterised by mainly detached properties with large landscaped front gardens. The original submission proposed the erection of a triple garage, which was considered to be overly large for this prominent location. Following discussions with the agent the scheme has been revised and amended drawings have been received reducing the scale to a double garage. The garage will be located forward of the building line set by the dwellings along Stockers Hill, however it is noted that there is a similar garage located to the front of a neighbouring property, Brownings, which lies approximately 23m to the east. As a result, there is, close to the application site already a disruption to this building line and a garage to the front of the dwelling would not be an alien feature in the streetscene. In addition, the submission shows an indicative scheme of landscaping around the side of the garage facing the highway and the adjacent neighbouring property. It is considered with appropriate landscaping, the reduced scale of the garage, along with its set back from the highway and location within an extremely generous frontage that the proposed garage will have a limited impact upon the streetscene. A condition is imposed below to ensure full landscaping details are submitted to the Council for approval.
- 7.12 The application form sets out that the proposed external materials include brickwork, plain tiles, composite cladding, white PVC windows and composite doors. No specific

details have been provided, and it is noted that cladding is not currently present on the property. There is a mixed material palette present in the streetscene and as such it is considered that cladding would be acceptable here, and a condition is imposed below to ensure the specific details are submitted to the Council for approval.

- 7.13 There is a large chestnut tree at the front of the site which contributes positively to the verdant character of the streetscene. It would also assist to some degree in softening the impact of the development. Neighbours have raised concerns about the lack of a tree survey and the impact of the development upon this tree. The Council's Tree Officer has reviewed the scheme and notes that due to the size and location of the new garage on opposite side of the existing driveway, its construction is not likely to compromise the long term health of the tree. However, to ensure the tree's protection during the course of construction, a suitably worded condition has been recommended. A condition to this effect is imposed below and will ensure the development does not impact this important feature at the site.
- 7.14 It is noted that in the objections raised by neighbours, reference is made to policy DM 11, which relates to extensions to dwellings within the countryside. Whilst the site is opposite open fields, it falls within the built confines of Rodmersham as designated by policy ST 3, and as such policy DM 11 would not be relevant here.
- 7.15 Taking the above into account in respect of the character and appearance of the proposal the scheme is considered to comply with policies CP 4 and DM 16 of the Local Plan.

### **Living conditions**

- 7.16 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers. Specifically, policy DM 14 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. Policy DM 16 also requires that alterations or extensions to existing buildings protect residential amenity.
- 7.17 The main properties impacted upon by the proposal are those either side of the application site. Whilst the proposal increases the scale of the host dwelling it will not project beyond the rear elevation of Greenside – the adjacent property located to the west of the application site. Furthermore, the proposed porch is considered to be suitably separated and the proposed two storey extension is on the eastern side of the property and therefore will not impact on the living conditions of the occupiers of Greenside.
- 7.18 The proposed garage will be located to the front of the dwelling, approximately 1m away from the common boundary with Greenside and approximately 5.2m away from the closest part of the neighbouring property itself. Any impacts from this element of the proposal upon this property are therefore considered to be acceptable due to the



separation distance to the neighbouring dwelling and the single storey scale of the garage. The garage may cause some overshadowing of the front garden of this neighbour, but taking into account this does not form part of their private amenity space and the limited height of the garage, any overshadowing is not considered to be significantly harmful.

- 7.19 Turning to the dwelling located to the east, Turrells, this dwelling is located 0.8m to the shared boundary and the proposed two storey side extension will be located 2m from the common boundary. The side extension will not project forwards or rearwards of this neighbour, and will not involve the creation of any side windows. As such, this aspect of the development is not considered to cause any harm to the living conditions of this neighbour. The single storey rear extension is sited approximately 2.3m from the common boundary with Turrells and will project approximately 3m to the rear of the neighbouring dwelling. Due to this limited projection and the gap to the adjacent property any impact from this element of the proposal upon the living conditions of the occupants of Turrells is considered acceptable.
- 7.20 The proposed loft conversion incorporates a front pitched roof dormer and new first floor windows. These would face onto the driveway and the highway and any impact from these windows in respect of potential loss of privacy is considered to be acceptable given there are no dwellings to the north of the site.
- 7.21 There are a number of rooflights proposed within the rear roofslope, however views from these windows will be similar to the views provided from the existing first floor windows, and as such there is not considered to be a loss of privacy for neighbours.
- 7.22 Taking the above into account the proposal is considered to have an acceptable impact upon on the living conditions of surrounding dwellings in accordance with policies DM 14 and DM 16 of the Local Plan 2017.

### **Highway safety and parking**

- 7.23 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

*“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”*

- 7.24 The NPPF also states that:

*“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

- 7.25 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards

are compromised proposals will need to mitigate harm. SBC Vehicle Parking Standards Supplementary Planning Document (SPD) which is pursuant to Policy DM 7 of the Local Plan was adopted by the Council in June 2020 and is a material consideration in the determination of planning applications.

- 7.26 In this case the development will increase the number of bedrooms at the property to six. To accord with the adopted Parking Standards SPD, a six bedroom dwelling proposed in this location should provide three parking spaces. It is noted that the property currently has off road parking provided on the U-shaped driveway. The existing driveway to the front is sufficient to park three vehicles and as such the proposal is acceptable in this regard, and in accordance with the Council's Parking SPD and policy DM 7.
- 7.27 Internally the proposed garage will measure 5.8m in depth and 7.5m in width. The SPD advises that a double garage should measure 7m x 6m to enable vehicles to park within it, and as such the proposed garage does not strictly accord with the SPD due to its depth. However given the adequate parking provision on the driveway, the undersized depth is of not concern in this instance.
- 7.28 Neighbours have raised concerns regarding the proposed garage impacting visibility along Stockers Hill for both drivers and pedestrians. The garage will be set approximately 4.3m away from the front boundary of the site with the highway and due to this setback, it is not considered the garage will have any impact on visibility.

### **Ecology**

- 7.29 The NPPF and Local Plan policy DM 28 requires that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.30 From April 2024, minor developments are required to provide at least 10% Biodiversity Net Gain (BNG). There are exemptions to this, including applications made by householders as defined within article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This application amounts to householder development, and as such is exempt from the need to provide BNG. Notwithstanding this, the additional landscape is likely to provide net gains in biodiversity on the site.

### **Other Matters**

- 7.31 Although the majority of the comments made by interested parties have been discussed by virtue of the appraisal above, of the matters that remain the following points are made. Firstly, it is considered that all relevant drawings and documents have been provided to assess the application. Concerns have also been raised that no attempt was made by the applicant or agent to consult neighbours prior to the submission of the application. There is no requirement for the applicant to notify neighbours of the proposed

development, as all adjoining neighbours would be notified of the planning application by the Council, which the Council has carried out in accordance with its statutory requirements. The loss of a view is not a material planning consideration and matters regarding drainage are considered separately under Building Regulations for a proposal of this scale. In terms of potential alternative locations for the garage, the scheme has been considered on its own merits and finally all representations have been considered.

### **Conclusion**

7.32 On the basis of the above, the scheme is considered to be in compliance with policies ST 3, CP 4, DM 14 and DM 16 of the Local Plan. It is recommended that planning permission is granted.

### **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 permitted shall be carried out in accordance with drawings: WHT-1023-03 Rev E Sheets 1 - 4

- Existing & Proposed Ground Floor Plans & Site Plans
- Existing & Proposed First Floor Plans & Section
- Second Floor Plan & 3D Views
- Elevations Garage & Typical Section

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

(3) No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity.

(4) The Chestnut Tree located at the front of the site must be protected by suitable fencing of a height not less than 1.2m at a distance as specified in Table 1 or Figure 2 of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction' before any equipment, machinery or materials are brought on to the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the area fenced in accordance with this condition and the ground levels within that area shall not be altered, nor shall any excavation be made in this area.

Reason: To safeguard the existing tree to be retained and to ensure a satisfactory setting and external appearance to the development.

- (5) No development beyond the construction of foundations of the proposed garage shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (6) All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of the garage or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (7) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

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

In accordance with paragraph 38 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 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.

In this instance:

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



Ordnance Survey - data derived from OS Premium

 24/500664/FULL - Clifton Stockers Hill Rodmersham ME9 0PL  
Scale: 1:1250

