

R16

F/TH/14/0026

PROPOSAL: Erection of a single storey rear extension
LOCATION: 91 WESTBROOK AVENUE, MARGATE, CT9 5HD
WARD: Westbrook
AGENT: In Touch (Family Mosaic)
APPLICANT: Mr Stokes
RECOMMENDATION: **Refuse**

For the following reason:

- 1 The proposed extension, by virtue of its height, depth and relationship with no. 93 Westbrook Avenue, would have an overbearing impact and result in the creation a sense of enclosure, significantly harmful to the living conditions of the occupiers of the neighbouring property, contrary to Thanet Local Plan Policy D1.

SITE, LOCATION AND DESCRIPTION

The application property is a two storey semi detached dwelling within a residential area. This part of Westbrook Avenue is largely characterised by street frontage development consisting of semi detached and detached dwellings.

RELEVANT PLANNING HISTORY

Permission was granted for the demolition of outhouses and erection of two storey side extension under reference TH/88/0747 in 1988.

PROPOSED DEVELOPMENT

The proposal is a single storey rear extension which would provide a bedroom and shower room.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

D1 – Design

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice has been posted.

One letter of support has been received welcoming the extension as it is a necessity for the quality of life for the property occupier who is registered disabled and is chronically sick.

One letter of objection has been received from neighbouring property occupiers outlining the following concerns:

- No pre-application submission was made
- Application form has been completed incorrectly as there are trees on site
- Site and location plans fail to show relationship between site and neighbouring property
- Plans do not show whether boundary treatment will be retained or changed
- Poorly designed-will be out of keeping with existing dwelling
- Maintenance of the extension
- Does not comply with Part M Building Regulations
- The height, length and location of extension will be dominant and overbearing, restricting views and causing overshadowing
- Extract fan from shower room will discharge towards property boundary
- Would reduce daylight to the dwelling on site

COMMENTS

The application has been brought before planning committee because it has been called-in by Cllr Mick Thomlinson to consider the specific circumstances of the applicant and that it will not adversely impact the character and appearance of the surrounding area. The main considerations in assessing the application are character and appearance, living conditions, highway safety and the applicant's personal circumstances.

Character and appearance

The proposed extension would be to the rear of the property and as such would not be visible from the street. The property is constructed of red brick and render and the proposed extension would be constructed in brick. Conditions could be placed on a consent requiring the bricks to match that of the main dwelling. Therefore it is considered that the impacts upon the character and appearance of the surrounding area are acceptable.

Impact on living conditions

The proposed extension would have a depth of 5.77 metres and height of 2.75 metres. This has been reduced in depth from an original proposal for an extension of 6.775 metres. It is flat roof in design and would be 20cm from the property boundary between the site and no. 93 Westbrook Avenue which is currently treated by a timber fence. These properties are not attached; however no. 93 has a single storey rear extension which has a highly glazed rear elevation which adjoins the property boundary. Due to the proposed extension's height, the proposed depth and proximity to the neighbouring property, specifically in relation to the nearest rear facing habitable room window, it is considered that the proposed extension would have an overbearing impact and create a sense of enclosure to the occupiers of no. 93 Westbrook Avenue.

The objection letter received has also raised concerns that the extractor fan would be located at the boundary; however amended plans do not show this.

It is considered that the proposed extension would be detrimental to the living conditions of no. 93 Westbrook Avenue.

Highway safety

The proposal would provide an additional bedroom and bathroom. The property has a garage and off street parking to the front. Furthermore the surrounding area is considered to have capacity to absorb additional vehicles parked on street which could be generated by the proposal.

Other matters

The applicant is registered disabled as he has cardiovascular, pulmonary and respiratory conditions requiring a minimum of 12 hours per day on oxygen. He has difficulty with negotiating stairs to access bedroom, bathroom and toileting facilities. The proposed extension would provide these facilities at ground floor for the applicant. The need for this accommodation at ground floor and the personal circumstances of the applicant are a material consideration. In these circumstances, consideration of the need should be balanced against the harm.

The NPPF provides no advice regarding the weight to be given to personal circumstances. Previous guidance, in PPG1 (paragraph 38), the document "The Planning System – General Principles" (2005) and the extant Circular 11/95 on personal permissions make it very clear that whilst in some exceptional circumstances the personal situation of an occupier may be material to the consideration of a planning application, if the proposed development entails works of a permanent nature, they will remain long after the personal circumstances of the applicant have ceased to be material.

Whilst the applicant has not demonstrated whether other options were considered such as a reconfiguration of the internal layout, he has submitted amended plans which reduce the depth of the extension. The applicant's agent has confirmed that there is not scope to decrease the depth of the extension further.

Conclusion

The decision is finely balanced. Having taken into account the above guidance and policy objectives and the needs of the applicant, it is my view that the harm to the living conditions of the neighbouring property occupiers is such that the application is recommended for refusal.

Case Officer
Cheryl Macer

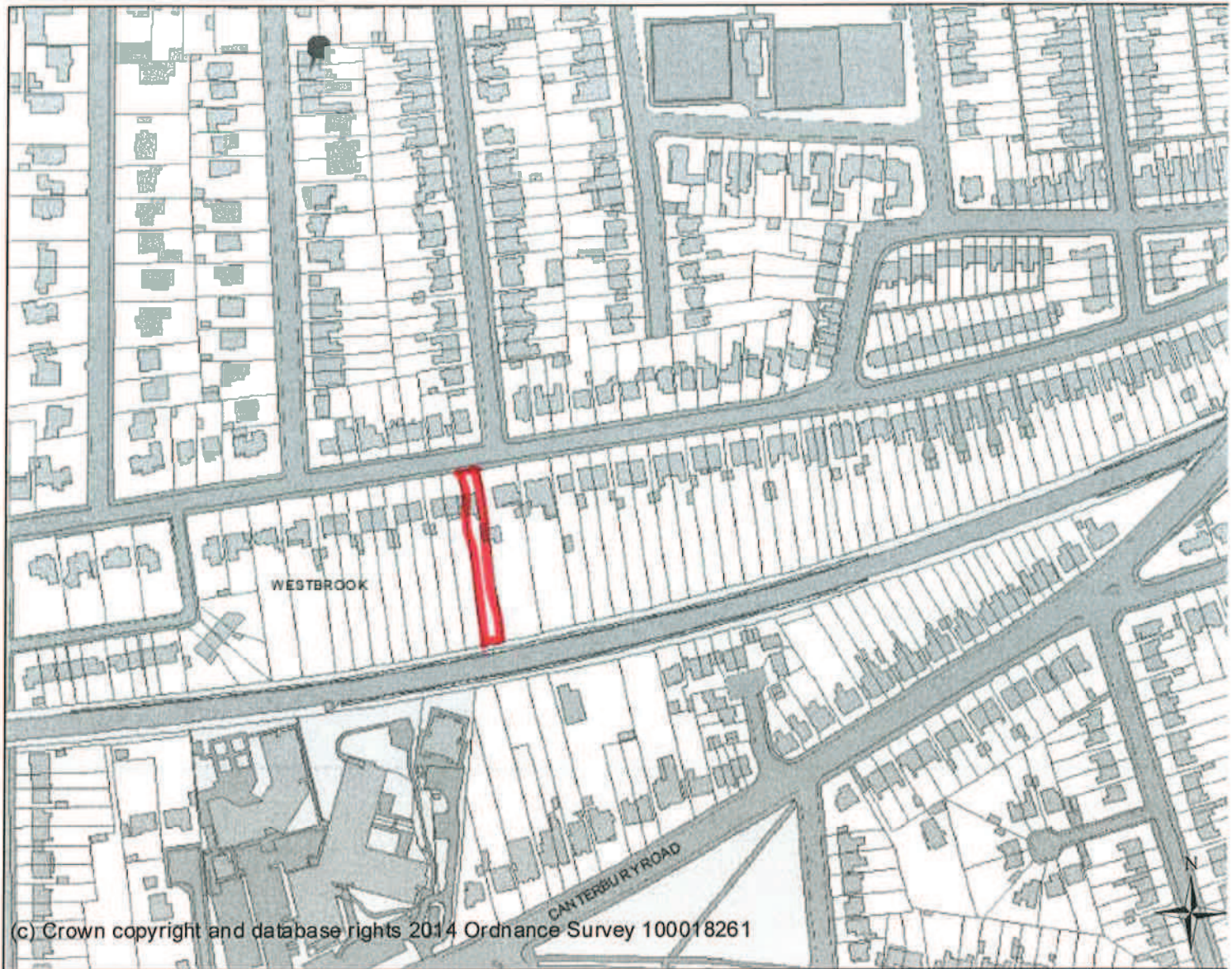
Title: 91 Westbrook Avenue

Project name: F/TH/0026

Notes:

Scale: 1:2,972

Author:



Legend

91 WESTBROOK AVENUE, MARGATE
F/TH/14/0026

