

A02 **FH/TH/16/0916**

PROPOSAL: Retrospective application for erection of single storey rear extension with balcony

LOCATION: 1 St Magnus Court St Magnus Close BIRCHINGTON Kent CT7 9UP

WARD: Birchington North

AGENT: No agent

APPLICANT: Mr R Brown

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 03 B and 04 C received 10 August 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of use, obscure glazed privacy screens at a minimum height of 1.8m shall be erected along the sides of the balcony hereby approved, in accordance with the approved plan 04 C received 10 August 2016. The privacy screens shall be thereafter maintained.

GROUND:

To safeguard the privacy and residential amenities currently enjoyed by the occupiers of adjacent neighbouring properties, in accordance with Policy D1 of the Thanet Local Plan.

4 The 1no. window to the West side elevation of the extension hereby approved shall be provided and maintained with an obscure glazed non opening window, in accordance with approved plan 04 C received 10 August 2016.

GROUND:

To safeguard the privacy and residential amenities currently enjoyed by the occupiers of adjacent neighbouring properties, in accordance with Policy D1 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

St Magnus Court is a residential Courtyard development of modern two storey terraced houses, located off St Magnus Close, of a variety of designs. St Magnus Close, adjacent to the site is characterised by relatively uniform designed modern two storey detached and semi-detached houses, with garages to the side elevations.

1 St Magnus Court is an end of terrace house designed with a gabled tiled roof and a ground floor front porch.

RELEVANT PLANNING HISTORY

FH/TH/15/1317 - Erection of single storey rear extension with balcony - Granted 11/02/16

NM/TH/16/0950 - Non-material amendment of planning reference FH/TH/15/1317 to allow for colour changes; cladding and rendering from white to light grey, downpipe and guttering from black to white - Granted 04/08/16

PROPOSED DEVELOPMENT

This is a retrospective application for the erection of a single storey rear extension with balcony and raised platform. The extension measures 4m in depth, at a height of 3.75m at the highest point given the falling ground levels to the North of the site towards the sea. The extension extends 6m in width, set off the boundary to the adjoined neighbour to the East by approx. 3m and 2.1m to the West. The raised platform extends a depth of 1.5m from the rear elevation of the extension with steps in the centre of the rear. Finally the balcony is set in from the rear and side elevations of the extension and extends 1.8m in depth of a reduced width of 4m with 1.8m obscure glazed privacy screens to each side elevation.

This application follows the previous consent reference FH/TH/15/1317 for the erection of a single storey rear extension with balcony. The extension which is now being considered is 0.25m higher than the previous consent with an alternative type of window to the West side. The window to the East side elevation has been omitted from this application.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. One letter of objection has been received. The objection raises the following concerns:

- The increased height of the extension has resulted in a loss of light and overshadowing to our property.
- The obscure glazed screens will result in a further loss of light and overshadowing.
- The increased height of the extension and the height of the internal floor levels results in a loss of privacy as the existing window overlooks the wall and into to our house and rear garden.
- The neighbours have turned their garage into a room and now park their numerous vehicles on the street, which results in a lack of parking for other residents.
- The extension can also be seen within the street and diminishes the amenity and connectivity to the sea.

CONSULTATIONS

None received.

COMMENTS

This application has been called in to Committee by Councillor Coleman-Cooke on the grounds of adverse impacts of a loss of privacy, loss of light and overlooking to the neighbouring property occupiers.

The main considerations with regard to this planning application will be the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

The previous application for the erection of a single storey rear extension with balcony was found to be acceptable and therefore members should only consider the changes to the original consent of the increase in height by 0.25m and the different type of window to the West Side Elevation.

Character and Appearance

The single storey extension, by virtue of its location to the rear has limited visibility within the street scene, and is only visible from Northward views between number 19 St Magnus Court and 1 St Magnus Close. Given its relatively modest depth of 4m and single storey nature, the extension appears clearly subservient to the main house, and therefore I do not consider it to appear significantly intrusive to the character and appearance of the area. The proposal is therefore considered to be acceptable in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The extension and raised platform are located approx. 3m from the side boundary with number 2 St Magnus Court to the East, and given the existing configurations of the adjoining properties, the proposed extension will only extend a further 1.5m from the existing rear elevation of the neighbouring garage. Additionally the nearest opening to the extension within the neighbouring property is a garage door, which is not considered to serve a primary

habitable room. Therefore whilst the extension has risen in height by 0.25m, it is considered the modest depth of the extension beyond their rear elevation along with the sufficient separation distance to the neighbouring property will prevent any significant adverse impacts with regard to a loss of light or sense of enclosure.

There is a separation distance of approx. 3m between the extension and raised platform and the neighbouring property to the West, 19 St Magnus Close. Whilst the location and orientation of the neighbouring property in relation to the extension results in some loss of outlook from the rear window of the neighbouring property, the neighbouring properties rear window is relatively wide and therefore offers a good degree of outlook, which is not significantly infringed by the extension. Furthermore it is not the only window serving the living room, as there is a large bay window to the front elevation. The addition in height of 0.25m is considered to be a relatively modest increase in height, which when taken with the single storey nature of the proposal, together with the separation distance to the neighbour and the size and number of windows serving the nearest affected room in the neighbouring property, is not considered to result in significant harm to the living conditions of the neighbouring property occupiers.

Concern has been raised regarding the increased height of 0.25m of the obscure glazed privacy screens to the balcony, however given the material of the screens which consists of obscure glass; light will easily pass through limiting any impacts of additional bulk and massing. Furthermore the obscure glazed screens are set in from the extensions side elevations and will retain sufficient separation distance to each neighbouring property to prevent any harm.

In terms of overlooking, the extension includes 1no. three paned obscure glazed fixed shut window facing the adjacent neighbour to the West 19 St Magnus Close. Given the size of the window and its location, some of the window is visible above the boundary wall, creating a perception of overlooking. However as the window is obscure glazed and fixed shut there is no actual overlooking created by the proposal and as such the impact upon neighbouring privacy is considered to be acceptable.

The raised platform is located 0.7m above ground level, however the limited depth of the raised platform of 1.5m does not encourage the siting of tables and chairs, with its function being to serve as an entry and exit to the property and garden. Therefore I do not consider it likely that people will congregate or spend any length of time in this area, leading to significantly harmful impacts of overlooking.

The balcony has a relatively modest depth of 1.8m which minimises any wider views which may be gained, and a width of 4m which is set in from each side elevation of the extension. This allows for a separation distance of 3.8m to the adjacent neighbour at 19 St Magnus Close to the West and a separation distance of 4m to the adjoined neighbour 2 St Magnus Court to the East. Both sides of the balcony will also have a 1.8m obscure glazed privacy screen which extends the full depth of the balcony, preventing any direct overlooking to the most private amenity space of neighbouring properties rear gardens. I consider that by virtue of the constrained size of the proposed balcony, its central location within the site and the height and depth of the privacy screens, sufficient restrictions and separation distance will exist to prevent any direct overlooking of private amenity space.

Overall I consider, given the scale and location of the extension, together with its relationship with the adjacent neighbour properties, that sufficient restrictions and separation distances are in place to prevent any significant adverse impacts as a result of the increase of the extension height by 0.25m and the differing window design to the West side elevations, when compared to the original consent. The proposal is therefore considered to be acceptable in terms of residential amenity, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Other Matters

Concerns have been raised regarding the conversion of the garage into a room serving 1 St Magnus Court. This conversion is permitted development, and does not form part of this application. Therefore this conversion does not impinge on the material planning considerations when determining this application.

Conclusion

The impact upon the character and appearance of the area and neighbouring property occupiers living conditions is considered to be acceptable. It is therefore recommended that members approve the application.

Case Officer

Jenny Suttle

TITLE: FH/TH/16/0916

Project 1 St Magnus Court St Magnus Close BIRCHINGTON Kent CT7 9UP

Scale:

