

OFFICERS REPORT

Application No: Y19/1293/FH

Location: Bower Wood Farm Harvest Lane Stelling Minnis Canterbury Kent CT4 6AX

Proposal Erection of a detached garage.

ASSESSMENT

Performance data:-

Date application valid: 12.11.2019

Applicable 8/13/16 week target date: 07.01.2020

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) No

If Yes, revised 8/13/16 week target date:

Is the application being determined after 26 weeks without a PPA or a PEA No

SITE VISIT

A site visit was carried out. The site and proposals were assessed from around the site and key features are noted in the assessment.

SITE

The application site is located outside of any settlement boundary, but within the AONB and SLA. The site is also adjacent to, but not within, the Stelling Minnis Common Land. The area subject of the proposed garage is located off the access drive which connects the property to Harvest Lane, in close proximity to other subservient outbuildings in association with the main dwelling.

The site and its access track is situated towards the southern end of an unsurfaced track off Bossingham road, which serves about half a dozen properties.

RELEVANT HISTORY

Y14/1409/SH - Erection of a replacement two storey dwelling and replacement double garage. Approved with conditions

PROPOSAL

This application seeks planning permission for the erection of a detached garage, sited approximately 39m south of the main dwelling.

The garage would measure approximately 8.6m x 7.5m and 6.4m in height with an eaves height level of approximately 2.3m.

The garage has been designed with a half-hipped roof and would be finished in facing brickwork, plain clay tiles and painted metal fenestration, all to match the host dwelling.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Stelling Minnis Parish Council have not commented on the application.

REPRESENTATIONS

None received

PUBLICITY

Neighbours notified by letter. Expiry date 09.12.2019

RELEVANT POLICIES

Local Plan Review Saved Policies: SD1, BE1, BE8, CO1, CO21

Core Strategy Local Plan: DSD, CSD4

Places and Policies Local Plan Submission Draft: HB1, HB8, NE3

The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

Core Strategy Review Submission Draft 2019: DSD

The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection.

NPPF

NPPG

APPRAISAL

Design and visual appearance

The garage would be sited at the end of a private driveway that is fairly well screened by trees / hedges. The garage would not appear readily visible from the wider streetscene, AONB / SLA as to warrant a reason for refusal with regards to visual impact.

The garage, whilst larger than that previously approved under the Y14 application, would still appear subservient when read against the host building and the wider residential plot.

The use of matching materials would ensure that the outbuilding would relate well to its residential setting.

The agent has justified the large panes of glass in the western elevation on the grounds that the site is remote and the high level window would allow light into the building without allowing anyone on the outside see the contents contained within.

There is no first floor shown on the plans and therefore it is reasonable to expect that this outbuilding is intended for purposes incidental to the residential dwelling and that the space would not be used for separate living accommodation of any form.

Amenities of neighbouring occupiers

Given the remote location of the proposed garage it is considered that the development would not adversely impact upon residential amenity of nearby neighbours with regards to overshadowing or overbearing.

Parking and highways

Garage spaces are not essential with regards to providing adequate parking provision at a site and there appears ample off-street parking provision within the site to provide parking for at least two vehicles, in line with KGG IGN3 and emerging policy T2 of the PPLP.

Environmental Impact Assessment

In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1 & 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

RECOMMENDATION

In light of the above, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Case Officer:

Report and draft decision notice completed and passed to senior officer.

Name: Katy Claw Position: Planning Officer Date: 07.01.2020

Report and draft decision notice agreed and passed to admin to issue decision.

Name: N/A Position: Date: