

OFFICERS REPORT

Application No: Y19/1307/FH

Location: Broadfields The Minnis Rhodes Minnis Canterbury Kent CT4 6XX

Proposal Erection of porch to front elevation of dwelling together with the erection of detached garage with home office above.

ASSESSMENT

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Application No: Y19/1307/FH

Location: Broadfields The Minnis Rhodes Minnis Canterbury Kent CT4 6XX

Proposal: Erection of a detached garage with home office above and erection of porch to front elevation of main dwelling.

ASSESSMENT

Performance data:-

Date application valid: 15.11.19
Applicable 8/13/16 week target date: 10.01.20
Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? No
If Yes, revised 8/13/16 week target date: N/A
Is the application being determined after 26 weeks without a PPA or a PEA? No

SITE VISIT

A visit to the application site has been carried out. The key features noted are set out within the report.

SITE

The application relates to a two-storey detached property in Rhodes Minnis. The site is located outside of any established settlement boundary and is therefore considered to be in the countryside in planning policy terms. It lies within the Kent Downs Area of Outstanding Natural Beauty (AONB) and Special Landscape Area (SLA).

The application building has a two-storey form with a white render faade at ground floor level with light green cladding at first floor level. The roof is pitched, with a clay-tiled finish. The building is located within a large open plot which adjoins fields to the rear. There is a hard-surfaced driveway to the south side of the dwelling, with a car parking area and swimming pool to the rear. The wider street scene is rural in character, formed of detached dwellings of mixed architectural style, set within spacious plots bordered by hedgerows and mature trees.

RELEVANT HISTORY

Y16/0741/SH: Erection of a porch to side (south) elevation and erection of a single storey rear

extension following demolition of existing conservatory together with a replacement detached garage.

Approved with conditions

PROPOSAL

This application seeks planning permission for the erection of a detached double garage with a home office above, located to the rear/east of the main building. The structure would have a width of approximately 8.6m with a pitched roof measuring 5.7m in height. The structure would have an oak-clad finish with clay roof tiles.

Permission is also sought for the erection of an oak-framed porch with a clay-tiled pitched roof on the front elevation of the main dwelling.

CONSULTATION RESPONSES

None received.

REPRESENTATIONS

One (1) representation has been received and is available in full on the planning file. The main points raised are summarised below.

- The garage is of an unacceptable height that will disrupt views
- The concrete base has been carried out prior to the application for permission
- The garage will not compliment the surrounding agricultural buildings
- Vermin on the site

PUBLICITY

Neighbours notified by letter. Expiry date 09.12.19

RELEVANT POLICIES

Local Plan Review Saved Policies: SD1, BE1, BE8, BE16, CO1, CO4, CO21, TR12

Core Strategy Local Plan: DSD, CSD4

Places and Policies Local Plan Submission Draft: HB1, HB8, T2, NE3

The Submission draft of the Places and Policies Local Plan (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: SS1, CSD4

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: Paragraphs 12, 124, 127

APPRAISAL

Design and visual appearance

Policy BE8 of the Shepway District Local Plan Review states that alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line, and detailing of the original building. Emerging policy HB8 of the Places and Policies Local Plan states that proposals for alterations and extensions to dwellings in the countryside should be proportionate to the size and scale of the original dwelling and must not adversely impact on the quality and character of the landscape or be detrimental to the rural setting, and garages should be set back six metres from the highway boundary.

The proposal follows a previous application for a similar development that was granted permission in 2016. The size of the garage in the current application has been increased in size to allow for a second floor of accommodation in the roof space, which is described as a home office with a balcony on the rear roofslope. The proposed garage would be single-storey with room in the roof, with an open area providing two car parking spaces. The finish would be oak cladding with a clay-tiled pitched roof.

Given the form of the building, its barn-end roof form and siting within the plot, it is considered that the garage would represent an appropriate and subservient addition to the plot that would not detract from the character of the host property, or the wider SLA or AONB. The building would be located within the curtilage of a residential building, surrounded by various other domestic and agricultural buildings. The addition of a detached garage on the plot would not result in a significant level of visual clutter on the site that would cause harm to the wider landscape.

The proposed front porch would have an oak-framed finish that would not relate well to the material finish or character of the faade of the host building. Whilst this element of the proposal is regrettable as it would detract from the visual attractiveness of the faade of the building, given its minor scale and clearly subservient appearance, the visual harm that would result is not of a magnitude that would warrant refusal of the application on design grounds. The porch structure could be easily removed from the front elevation of the building at a future point without harming the fabric of the main building.

It is noted that the roof form of the main dwelling is shown incorrectly on the elevation drawings submitted with the application. This has not materially altered the ability of the Local Planning Authority to fully assess the impact of the proposal given that photographs of the dwelling are available.

On balance, whilst a degree of visual harm would be caused as a result of the proposal, it is considered that this impact would be less than significant, and overall the character of the host property, the setting of the wider landscape and the natural beauty of the AONB and SLA would be retained in accordance with policies BE1, BE8, CO4 and CO21 of the Shepway District Local Plan Review and emerging policies HB1, HB8 and NE3 of the Places and Policies Local Plan.

Amenities of neighbouring occupiers

The proposed garage would be of a considerable distance to the rear elevations of the neighbouring properties on either side of the site. Because of this separation distance, no overshadowing or sense of enclosure would result to either of these properties. Use of the building as a garage and home office would not be out of keeping with the residential use of the site. The loss of a view from neighbouring properties is not a material planning consideration that would warrant refusal of the application.

The application site is bordered by mature trees along the southern and northern boundaries, adjoining 'Oaken Gates' and 'Forest Edge' respectively. Because of this extensive screening between the properties, it is considered unlikely that the proposed balcony on the rear roofslope of the garage building would result in any overlooking to the windows on the main buildings or garden areas of the neighbouring properties.

It is noted that the agent has indicated at point 6 of the application form that no trees would be impacted by this development despite their fairly close proximity to the development site.

The trees in question are not protected under planning law (by TPO or other status) and no protection measures are proposed to be enforced via planning condition for this reason.

Any potential works to trees outside of the applicant's ownership that arise as part of the scheme would be a civil issue between the applicant and the relevant owners.

The provision of a porch extension on the front elevation of the property would have a neutral impact on the amenity of neighbouring properties.

Parking and highways

The proposed car parking provision on the site would provide ample space for occupants and visitors to the site, in line with current parking standards. The garage would be set well back from the main highway by more than 6m, providing sufficient room for access/egress, cleaning and maintenance purposes in accordance with policy HB8. The development is considered acceptable in transport terms.

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: 09.01.2020

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

Name: N/A Position: Date: