

OFFICERS REPORT

Application No: Y19/0131/FH

Location: 35 Coast Drive Lydd On Sea Romney Marsh Kent TN29 9NL

Proposal Single storey rear extension following demolition of existing extension and conservatory.

ASSESSMENT

Performance data:-

Date application valid: 06.02.2019

Applicable 8/13/16 week target date: 03.04.2019

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA)? N

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? N

SITE VISIT

Carried out site visit on 19.03.2019

The site and proposals were assessed from the public highway and application site and the key features noted as set out in the report:

SITE

The application site is a single storey detached dwelling in the settlement of Lydd on Sea, there are no designations on the local policies map. The application property is a modest bungalow finished in white painted smooth render and concrete tile roof. There is an existing single storey extension and conservatory to the rear of the dwelling and a good sized amenity area. There is off road parking to the front of the property and an attached garage to the side. To the front and rear of the property is the Dungeness, Romney Marsh and Rye Bay area of Special Scientific Interest. The rear of the application site is not visible from any public footpaths.

HISTORY

No recent of relevant planning history

PROPOSAL

The application proposes the erection of a single storey rear flat roofed extension to replace the existing conservatory and single storey rear extension. The proposal would also include the part conversion of the existing attached garage, retaining the garage appearance from the front elevation and storage area. The proposed extension would be finished in materials to match the host dwelling with the exception of the flat roof which would be constructed of fibreglass. The proposed rear extension would measure approximately 12 metres in width, 6.5 metres in length at its longest point and 1.8 metres at its shortest and 3.1 metres in height.

CONSULTATION RESPONSES

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

Lydd Town Council raised no objections

REPRESENTATIONS

0 representations received

PUBLICITY

Neighbours notified by letter. Expiry date: 06.03.2019

RELEVANT POLICIES

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.

Shepway District Local Plan Review saved policies: SD1, BE1, BE8, TR12

Shepway Core Strategy Local Plan: DSD

Emerging Shepway District Local Plan Review: HB1, HB8, T2

National Planning Policy Framework: Paragraph 12

National Planning Policy Guidance

APPRAISAL

The main issues to be considered are design and visual impact and the impact on amenities of the neighbouring properties.

Design and visual impact

The property, is one of a group of six similar bungalows (36-29). To the northern elevation is a car port and flat-roofed garage structure that, together, run along most of the northern side of the dwelling. The car port structure appears to be shared with the adjacent property, extending across both driveways. Consequently, the view from the street at this point is of a flat-roofed structure. The proposed extension is to the rear elevation and would not be readily visible from a public place as views from Coast Drive are precluded by the existing structure and from the rear, there are no near public vantage points. It is therefore considered that the proposal would have a neutral impact on the surrounding area. However, design is a key component of adopted policies and saved policy BE8 of the SDLPR and emerging policy HB8 of the PPLP requires that alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line and detailing of the original building. The proposed extension would sit comfortably within the rear amenity area and a good sized garden would still be retained. The extension would be single storey and replace the existing rear extension and conservatory, with part of the existing garage (forming a store) and the car port retained. Whilst a flat-roofed design for extensions is not encouraged, as stated previously the proposal would not be generally visible from a public place or public footpath and is not overlooked by neighbouring properties. It is larger than may normally be considered to be an adjunct to the existing structure. However, on balance, taking into consideration the above, the proposal is considered not to dominate the existing dwelling and would not be visible within the wider

street scene, which would be largely unaffected, given the existing view of a flat-roofed structure. Consequently, in this situation and for this property, it is considered that the proposal does not conflict with the aims of local policies contained within the existing or emerging local plans.

Amenities of neighbouring occupants

The proposed extension would be single storey; as such, the proposed windows and doors are not considered likely to result in any significant overlooking to neighbouring properties over and above that which is already possible. Saved policy BE8 states that extensions to existing buildings should be designed so as to fall within a 45 degree line of the centre point of the closest ground floor window of neighbouring property so as to not cause undue overshadowing. The proposed extension is considered to satisfy this 45 degree policy requirement and would also not result in significant overshadowing to either of the immediate neighbouring properties.

Overall the residential amenities of neighbouring properties are considered safeguarded.

Parking and highways

The site is currently served by at least two off road parking spaces to the front of the dwelling, which would be retained and unaffected by the proposed partial garage conversion and rear extension. KCC no longer recognises garages as parking space and it is therefore considered unreasonable to continue to require the garage as parking space. The proposal includes the addition of one new bedroom however as there is sufficient off road parking provision to the front of the property, it is considered that it would be unreasonable to refuse the proposal on this aspect. It is therefore considered that the proposed development is acceptable in terms of highway safety and parking.

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: D Wilkins Position: Planning Officer Date: 02.04.2019

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

Name: Robert Allan Position: Development Management Team Leader Date: 03/04/19