

OFFICERS REPORT

Application No: Y19/0186/FH

Location: 81 Williamson Road Lydd On Sea Romney Marsh Kent TN29 9NZ

Proposal Erection of a part single storey and part two storey side & rear extension following the demolition of existing rear extensions & garage & installation of rear dormer and 3 no velux windows to the front elevation and associated loft conversion.

ASSESSMENT

Performance data:-

Date application valid: 18/02/2019

Applicable 8/13/16 week target date: 15/04/2019

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 the following key features noted:

SITE

The application site is a semi-detached single storey dwelling within the settlement boundary in the parish of Lydd, there are no other designations on the local policies map. To the immediate rear of the application property is the Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest.

The application property is a modestly sized, single storey dwelling with pitched roof and a detached garage to the side with off road parking for approximately three vehicles. The dwelling is finished in facing brickwork, painted render, plain tile roof and uPVC fenestration. There is a small amenity area to the front of the dwelling and large rear garden with several small outbuildings.

RELEVANT HISTORY

No recent or relevant planning history

PROPOSAL

The proposal is for the erection of a single storey flat roofed rear extension, side extension, rear dormer window, roof lights to the front roof slope and a front porch.

The proposed rear extension would be finished in render to match the host dwelling and would extend the full width of the dwelling for approximately 4.6 metres and then a further 6.3 metres at approximately half the width with doors proposed to open into the rear garden, giving an extension of approximately 10.9 metres in length. The existing flat roof extension is

approximately 3.5 metres in length.

The proposed side extension would extend the host dwelling by approximately 1 metre and would continue the existing eaves and ridge height of the main dwelling and be finished in materials to match. The proposed side extension would also require the addition of a front porch, also proposed under this application, as a new means of entrance to the host dwelling. A flat-roofed rear dormer window would be added, in part accommodated by the proposed side extension.

CONSULTATION RESPONSES

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

Lydd Town Council
No response received

Natural England
No comments to make on application

REPRESENTATIONS

0 representations received

PUBLICITY

Neighbours notified by letter. Expiry date 15/03/2019

RELEVANT POLICIES

Local Plan Review Saved Policies: BE1, BE8, TR12

Core Strategy Local Plan: DSD

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

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:

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: 11, 130
NPPG

APPRAISAL

Design and visual appearance

Although it is noted that the proposed extension would replace the existing garage and outbuildings and fall within the 45 degree line taken from a neighbouring property, at nearly 11 metres in length, the proposal would add significant bulk to the dwelling and could not be considered to be a subservient addition to the host building, despite its single-storey height. The proposed extension would also include the introduction of a large flat roof that would be contrary to saved policy BE8 and emerging policy HB8 which states that permission will not be given for flat-roofed extensions unless the proposal is not visible from a public place and the extension would serve only as an adjunct to the main building. As mentioned previously, the extension, due to its size, cannot be considered an adjunct and there is a public footpath located to the north of the application site from which the proposal would be readily visible from, therefore detracting from the character and appearance of both the host dwelling and the wider area. Overall, the proposed rear extension would not serve as an adjunct to the main dwelling, would contain a large flat roof, would be visible from a public place and would significantly alter the appearance of the dwelling from public vantage points. The proposal for the rear extension would therefore be contrary to saved policies BE1 and BE8 and emerging policies HB1 and HB8.

The proposed side extension is found to be more acceptable owing to the small scale of development, the applicant proposes to use matching materials and follow the existing build lines, keeping the eaves and ridge height the same as the host dwelling. Although it is noted that the proposed side extension and introduction of a front porch would alter the appearance of the dwelling from the street scene, this is not considered to be significantly harmful and would not warrant a refusal on this basis. A one metre distance to the boundary is maintained, thus avoiding a terracing effect.

The rear dormer window is identified within the application and does appear to form part of the complete works associated with extending the roof. This too would be visible from the footpath to the north and would be a large, flat-roofed feature on the rear roof slope that would alter the character of the dwelling. It is considered that this would result in an extension to the roof that is large in proportion to both the existing and proposed roof and would be visible from the footpath to the north. Dormer windows are not a feature of the surrounding properties, so the addition would also be considered incongruous.

Amenities of neighbouring occupiers

There are no windows proposed in the side elevation of the single storey rear extension, which is also found to meet the 45 degree requirement set out in policy HB8 which requires extensions to fall within a 45 degree line from the centre point of the nearest ground floor window of a habitable room or kitchen in neighbouring property in order to prevent overshadowing. Although the proposed rear extension would not increase the level of overlooking already possible or create potential overshadowing to neighbouring property, this does not overcome the proposed proportionality of rear extension when compared to the host dwelling.

Owing to the dimensions of the proposed side extension and positioning of the windows in relationship to the existing dwelling and the neighbouring property at no. 79 Williamson Road

and the retention of the existing 1.8 metre high close boarded fence, it is not considered that the addition of windows in this elevation would create any significant increase in overshadowing or overlooking than what is currently possible and would therefore satisfy the policy requirements of BE8 and HB8.

The proposed dormer to the rear roof slope would introduce windows at first floor level which do not currently exist on the host dwelling or the dwellings in the vicinity, which have a single storey character with a low, pitched roof. It is considered that this would be of principal concern to the immediate neighbouring properties at no. 79 and no. 83 Williamson Road as the new windows at the first floor level, which would serve a bedroom, would directly overlook the rear garden areas of the neighbouring properties. It is considered that the separation distance would not be so significant as to avoid undue loss of privacy and it is considered that views from this new vantage point would directly overlook the private outdoor amenity space of nos. 79 and 83 Williamson Road. In light of the above, the proposal is considered to be unacceptable with regard to loss of privacy to neighbouring occupiers, contrary to saved policy BE8.

In light of the above, the proposal is considered to be unacceptable with regard to impact on neighbouring amenity due to loss of privacy for neighbouring occupiers as a result of overlooking.

Parking and highways

The proposal would result in the existing two-bedroom bungalow being enlarged to a three-bedroom house to include the loss of the existing garage, however KCC no longer recognises garages as parking space and it is therefore considered unreasonable to continue to require the garage as parking space. In addition, the location of the proposed side extension would reduce the off-street parking provision of the site which is currently available in the form of the hardstanding driveway to the side and front of the main house. The Kent Design Guide: Interim Guidance Note 3 recommends that two independently accessible spaces are provided to serve the resultant three-bedroom house in this location. It is considered that the proposal would result in only one off-street parking space being available on the site. Notwithstanding this, the extent of the shortfall in off-street parking is considered to be relatively minor and the quiet residential nature of Williamson Road is noted. As a result, it is considered that the proposal is acceptable with regard to parking and would not give rise to a level of additional on-street parking so as to create issues of highway safety.

In light of the above, the proposal is considered to be acceptable with regard to parking and highways.

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 that planning permission should be refused due to the poor design and detrimental visual impact of the proposal on the character and appearance of the house and street scene and undue loss of privacy resulting from overlooking impact on the amenities of neighbouring occupiers.

Case Officer:

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

Name: D Wilkins Position: Planning Officer Date: 12/04/2019

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

Name: Robert Allan Position: DM Team Leader Date: 15/04/19