

OFFICERS REPORT

Application No: Y18/1378/FH

Location: Greenacre Cliff Road Hythe Kent CT21 5XQ

Proposal Erection of a two storey side extension with glazed link atrium connecting two and a half storey side extension and single storey front extension with balcony and installation of grey fibre cement cladding

ASSESSMENT

Performance data:-

Date application valid: 31.10.18

Applicable 8/13/16 week target date: 26.12.18

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 dwelling on Cliff Road. The application site comprises the main building, a two-storey brick faade with clay-tiled pitched roof. The building features a single-storey flat roof side extension. The site features a large front garden with sweeping driveway, shielded from Cliff Road by a dwarf boundary wall and mature hedgerow which extends around the whole curtilage of the property. To the rear is a narrow garden area.

The surrounding Cliff Road street scene is formed of other detached buildings, predominantly two-storeys in height. The street scene is characterised by large properties of varying design, with substantial front garden areas, mature trees and hedgerows. Generally, there is spacing between the properties and their side boundaries on one or both sides.

The application site is adjoined by Sene Valley Golf Course to the rear, which forms part of the Kent Downs Area of Outstanding Natural Beauty (AONB) and is a designated Special Landscape Area.

The site is situated within an Area of Special Character, which is defined in the Local Plan Review as 'areas of special environmental quality, including detached houses in large gardens with much mature vegetation, which contribute significantly to the attractive appearance and character of their surroundings, and of important skylines'.

RELEVANT HISTORY

87/0332/SH: Erection of an extension to the rear. Approved.

PROPOSAL

The application seeks to remodel the existing building, through the construction of a substantial two-storey side extension and single storey front extension constructed in contemporary materials. The resultant faade would comprise 2no. two-storey gable features with a flat roof link, adjoining the main body of the original house, and a single-storey front extension with balcony above.

The main bulk of the building as proposed would have a width of approximately 26m, a total height of 8.5m with an eaves height of 6m, and a depth of 9m. It would be 8.5m wider, 2m taller and 2m deeper than the existing building.

The proposed material finishes comprise white render walls with areas of dark grey fibre cement cladding and cedar wood detailing, slate roof tiles and grey aluminium windows and doors.

Internally, the property would feature four double bedrooms, a TV room, kitchenette and double garage at ground floor level. The first floor would consist of two office rooms, a living room, an open plan kitchen/dining room and a balcony. A further double bedroom with en-suite would be at second floor level. A landscaping plan has been submitted, detailing the location of a driveway area and lawn/garden to the front of the plot.

CONSULTATION RESPONSES

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

Hythe Town Council
No objection.

REPRESENTATIONS

One (1) letter of objection has been received raising the following points:

- The building appears to be overdevelopment of the site
- Impact of the proposal on neighbouring properties has not been shown
- Ensure that the black pine tree is retained.

PUBLICITY

Neighbours notified by letter. Expiry date 18.12.18

Site notice displayed. Expiry date N/A

Advertised in press. Expiry date N/A

RELEVANT POLICIES

Local Plan Review Saved Policies: SD1, BE1, BE8, BE12, BE16, TR12, CO4

Core Strategy Local Plan: DSD, CSD4

Places and Policies Local Plan Submission Draft: HB5, HB8, T3, T5, 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: 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, 170, 172

NPPG: Paragraph: 006 Reference ID: 21b-006-20190315, Paragraph: 001 Reference ID: 26-001-20140306, Paragraph: 001 Reference ID: 8-001-20140306, Paragraph: 003 Reference ID: 8-003-20140306

APPRAISAL

Design and visual appearance

The site is situated within an Area of Special Character as defined in the Local Plan Review. Policy BE12 of the Local Plan Review states that planning permission for further development within Areas of Special Character will not be granted if the development will harm the existing character of that area, by reason of either a loss of existing vegetation, especially in relation to important skylines; or a greater visual impact of buildings. The Planning Authority will protect such areas from development which would fail to make a positive contribution to the character and appearance of the area.

Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

Policy HB8 of the Places and Policies Local Plan states that alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line and detailing of the original building and not have a detrimental impact on the street scene, either by themselves or cumulatively.

The proposed extensions would result in a building that spans the entire width of the plot, with a roof form taller than existing. The front extension would increase the depth of the property by 2m. The overall scale, height and bulk of the proposed extensions would not be sympathetic to the main house or the character of the wider area. By infilling the space between the western side boundary, the dwelling would appear cramped and overly dominant in the street scene, where spacing between side boundaries is a characteristic feature of neighbouring properties. The proposed gable features and contemporary material finishes, which would appear stark and not in keeping with the wider vernacular, would exacerbate this visual impact.

The proposed extensions would result in a building that has greater visual impact on the surrounding Special Character Area, which Policy BE12 specifically seeks to resist. The increased size of the property would fail to conserve or enhance the setting of the Kent Downs AONB, and no justification has been provided to demonstrate that the development is in the public interest. For these reasons, the development fails to comply with emerging Policies HB8 and BE3 of the Places and Policies Local Plan, saved Policies BE12 and CO4 of the Local Plan Review and the core principles of the NPPF.

The design and access statement submitted with the application highlights a development in close proximity to the application site, which was granted permission in 2010. The spatial and policy context of the applications vary significantly, and each planning application is assessed on its own merits. The development quoted does not form a precedent against which this application can be judged.

Amenities of neighbouring occupiers

Policy HB8 states that alterations and extensions should protect the residential amenity of the occupants of neighbouring properties and ensure avoidance of unacceptable overlooking and inter-looking.

The proposed building would extend up to the western boundary adjoining Heatherlea. Whilst the proposed extensions would introduce significant bulk on this portion of the site, the footprint would sit within the existing building lines of Heatherlea. It is therefore considered that the extensions would not cause significant overshadowing or a sense of enclosure to the occupiers of this property. There are no upper floor windows of the side elevation of the proposed building, therefore no overlooking would result.

The proposed single-storey front extension with balcony above would introduce significant bulk alongside and in front of The Junipers, to the east of the site. The extension of the front of the building has the potential to cause overshadowing to the side windows of Junipers, however it is acknowledged that these windows are already overshadowed by the existing building. It is therefore considered that the additional impact of the front extension is not of a magnitude that warrants refusal of the application in itself.

The proposed front balcony at first floor level would be glazed, with a privacy screen on the eastern boundary facing the Junipers. Views to the side and front windows of this property would therefore be shielded. Whilst a balcony in this location would introduce views from the application site to the front garden of the Junipers, it is acknowledged that this area is already overlooked from the street and from neighbouring properties. It is therefore considered that the level of additional overlooking, which would only be available at a certain angle given the height and depth of the privacy screen, would be minimal and would not cause a significant loss of privacy to the occupiers of this property.

Parking and highways

The proposal includes a replacement double garage and a driveway area for off-street parking is in accordance with the Local Planning Authority's parking standards. No cycle parking is proposed, albeit secure cycle parking facilities could be facilitated in the garage. Overall the proposal is considered to have an acceptable impact on the surrounding highways network in accordance with Policy T2 of the Places & Policies Local Plan.

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 scale, height and bulk of the proposed extensions which would detract from the character of the main house, would appear overly dominant and incongruous in the street scene and would cause visual harm to the Special Character Area and the setting of the Kent Downs AONB.

Case Officer: IHILLS

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

Name: IHILLS Position: Planning Officer Date: 10.04.2019

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

Name: D.Campbell Position: DM team Leader Date: 09.05.19