

OFFICERS REPORT

Application No: Y19/0557/FH
Location: 11 Merritt Road Greatstone New Romney Kent TN28 8SZ
Proposal Erection of a detached annexe in rear garden

ASSESSMENT

Performance data:-

Date application valid: 07.05.19
Applicable 8/13/16 week target date: 02.07.19
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 detached chalet bungalow on Merritt Road in the settlement of Greatstone. The building has a brick façade, grey tiled roof and white UPVC windows. The front foofslope features pitched roof dormer windows. The site features an area of hardstanding to the front and side, and a garden to the rear. The site is bound by a brick boundary wall with black railings and gates. The application site is located within an area identified as being at low/moderate flood risk in the year 2115 as identified by the Strategic Flood Risk Assessment.

RELEVANT HISTORY

Y05/0134/SH: Variation of condition 5 of planning permission Y01/0400/SH to allow the installation of 3 Velux windows to the rear roofslope. Approved.
Y01/0400/SH: Erection of a detached dwelling. Approved.
Y01/0174/SH: Siting of a mobile home prior to and during construction of a chalet bungalow. Non-determination.
90/1182/SH: Outline application for the erection of a detached bungalow with garage. Approved.
87/0561/SH: Erection of a chalet bungalow. Approved.

PROPOSAL

The application proposes the erection of an annexe building to the side of the existing building. The annexe would have a brick façade, grey tiled pitched roof and two pitched roof dormer windows on the front roofslope. The building would have a total height of approximately 6m, a width of 7m and a depth of 5m.

Internally, the building would allow for two floors of accommodation; a lounge and W.C at ground floor level and a bedroom and bathroom at first floor level. The applicant has not provided any information in relation to the intended use of the annexe.

CONSULTATION RESPONSES

None received.

REPRESENTATIONS

None received.

PUBLICITY

Neighbours notified by letter. Expiry date 30.05.19

Site notice displayed. Expiry date N/A

Advertised in press. Expiry date N/A

RELEVANT POLICIES

Local Plan Review Saved Policies: SD1, HO13, BE1, BE8, TR12

Core Strategy Local Plan: DSD

Places and Policies Local Plan Submission Draft: HB1, HB8, HB9, T2

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:

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

Saved Policy H013 of the Local Plan Review (LPR) states that proposals for extensions to existing dwellings to accommodate people with special housing requirements will be permitted where a certain criteria is met. Amongst the criteria is a requirement for the annexe to be

attached to the dwelling. The proposed annexe is not attached to the existing dwelling and no justification has been provided as to why the annexe could not be incorporated into the main body of the existing house, contrary to criteria A. Due to its detachment, it would not be possible to revert the annexe to part of the main house when the need for it has ceased, contrary to criteria B. The applicant has failed to provide any information in relation to the intended use of the annexe, and it is unclear if the building will be used in an ancillary nature, contrary to criteria C. Criteria D relates to neighbouring amenity which is addressed in further detail below. The site is located in flood zone 1 as identified by the Environment Agency, criteria E does not therefore apply.

In addition to the above, emerging policy HB9 of the Places and Policies Local Plan (PPLP) states that proposals for detached annexe accommodation will only be permitted subject to nine criteria points against which the application has been assessed as follows:

Criteria 1: It has not been demonstrated that the annexe could not be attached to the main house.

Criteria 2: The existing residential property enjoys a lawful residential use.

Criteria 3: relates to neighbouring amenity which is assessed in detail below.

Criteria 4: The proposed scale of the building, in terms of its size, two-storey appearance and siting fronting the street scene would not appear modest or sympathetic to the proportion of the main house.

Criteria 5: The proposed layout appears to demonstrate the facilities required for a self-contained unit. It is acknowledged that there is no kitchen room, however a kitchenette facility could be installed. There is no clear dependency on the main dwelling.

Criteria 6: The proposed annexe would reflect the architectural form and detailing of the main house, however its two storey form, height, mass and siting fronting the street scene would appear as a new dwelling rather than an ancillary and visually subordinate annexe.

Criteria 7: The resultant bulk of the annexe would fail to appear subservient in relation to the main house.

Criteria 8: N/A

Criteria 9: No supporting information has been submitted to justify the need for the annexe accommodation.

For the reasons outlined above, the applicant has failed to demonstrate that the annexe accommodation could not be incorporated into the main house. The application also fails to demonstrate that the annexe would be used in an ancillary manner with a clear dependency on the main house. The height, massing and design of the building would appear as a new dwelling in the street scene, and would fail to appear subservient or sympathetic in relation to the main house. The application is therefore contrary to the criteria within saved policies HO13 and BE8 of the LPR and emerging policies HB8 and HB9 of the PPLP, which seek to ensure that annexe accommodation is sensitively designed and maintains dependency on the main house.

Amenities of neighbouring occupiers

The site directly adjoins the rear garden of 12 The Parade. Due to the significant separation distance it is considered that the proposed annexe would not result in any undue overshadowing or sense of enclosure to the occupants on this property. The rear elevation of the proposed annexe would feature ground floor windows, which would be shielded by the existing rear boundary treatment. The rear roofslope would feature two rooflights, however their orientation would result in upwards views only. For this reason the building would not result in any overlooking to the rear of 12 The Parade.

There are no neighbouring properties to the south of the site that would be affected by the development. The properties to the west of the site are separated by the main highway, and as such the proposed building is unlikely to have any harmful impacts on the amenity of the occupants of these properties.

Parking and highways

No details have been provided in relation to the proposed parking arrangement at the property. It is noted that the site features an area of hardstanding to the front of the dwelling which provides at least one car parking space. Uncontrolled on-street parking is also available on the road. It is considered that the proposed annexe would not result in a significant uplift in vehicular movement or car parking at the site that would warrant refusal on transport grounds and the application is considered acceptable in this regard.

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 of the building which would not appear subservient in relation to the main house, and the lack of clear dependency on the host property.

Case Officer: I.Hills

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

Name: I.Hills Position: Planning Officer Date: 26.06.2019

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

Name: D Campbell Position: DM Team Date: 02.07.19