

Officer Report

Application No.	Y19/1482/FH
Site Address	6 Sturdy Close Hythe Kent CT21 6AG
Officer Name	Isabelle Hills
Proposal	Erection of a first floor rear extension.

Recommendation

Report Number	RD-421095
Recommended Decision	Recommended to be Approved
Recommendation Date	17 March 2020

Report

Date application valid: 21.01.2020

Applicable 8/13/16 week target date: 17.03.2020

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? No

If Yes, revised 8/13/16 week target date:

Is the application being determined after 26 weeks without a PPA or a PEA? N

SITE VISIT

The site and proposals were assessed from on site and the following key features noted:

SITE

The application site is a two storey semi-detached property on Sturdy Close within the settlement of Hythe. The application site is located within flood zones 2 and 3. In terms of materials the dwelling is finished in facing brick, plain tile roof and uPVC fenestration.

RELEVANT HISTORY

Y19/1102/FH Certificate of lawful development (existing) for the erection of a first floor rear extension. LDC Refuse.

PROPOSAL

This application seeks retrospective planning permission the erection of a first floor extension above an existing single storey outshot. The extension is the full height of the host dwelling, with a reduced ridge. While it features some materials to match the host dwelling, it also sees the introduction of hanging clay tile to the first floor elevation of the extension and a barn-hipped roof form.

CONSULTATION RESPONSES

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

Hythe Town Council – no response received. Expiry 06.03.2020

REPRESENTATIONS

6 neighbour objections have been received and are summarised below –

- Extension not in keeping with the neighbouring properties
- Extension is partially tile-hung in a cottage style compared to neighbouring properties constructed with brickwork
- Concerns with other developments like this being constructed in the area
- Request that the extension be taken down
- Doesn't blend in with existing properties in Sturdy Close, Cobay and Fisher Close
- Covenants on the land restricting extensions being built
- Concerns that full consultation has not been carried out with neighbours

PUBLICITY

Neighbours notified by letter. Expiry date 06.03.2020

RELEVANT POLICIES

Local Plan Review Saved Policies: SD1, BE1, BE8

Core Strategy Local Plan: DSD

Places and Policies Local Plan Submission Draft: HB1, HB8

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.

APPRAISAL

Design and visual appearance

The extension has been erected to provide additional floor space to the first floor rear bedroom of the property. The first floor extension follows the eaves line of the host dwelling but the ridge height is set down lower, with the addition of a barn-hipped roof to assist reducing its overall height and reflecting the form of the main roof. Moreover, the extension does not extend the full width of the rear elevation and does not project as far rearwards as the existing conservatory. Therefore the extension is considered to be of an acceptable scale and proportions and does not appear to visually dominate the host dwelling.

The extension has been finished in tile hanging with white uPVC fenestration to match existing fenestration. It is noted that some neighbour comments objected to the finish of the extension in tile-hanging as they feel this is out of character. It is acknowledged that this choice of material does not necessarily conform to the prevailing materials pallet of the area, however it is not considered that this causes any significant visual harm to the host property nor to the character of the surrounding area, particularly as the extension is felt to read as an adjunct to the host property. Therefore on balance the choice of materials are considered to be acceptable with regard to their visual impact.

Neighbour objections have also been raised relating to the impact the extension has on the streetscene. From visiting the site it is noted that the extension is readily visible from Sturdy Close, given the orientation of the property. However as mentioned above, the extension is not considered to appear as an overly dominant feature and the choice of materials are not considered to result in a detrimental visual impact.

As the application property is one of a pair of semi-detached dwellings, regard must be had for the impact on the symmetry of the pair. Prior to the construction of the first floor extension which is the subject of this application, the rear elevations of 6 Sturdy Close and 6A were not completely symmetrical, with no. 6 having a large rear conservatory. It is acknowledged that the erection of a first floor rear extension has somewhat further unbalanced the symmetry, however the extension is considered to read as a subservient addition and as such it is not considered that significant visual harm has resulted to the pair or to the wider streetscene.

Neighbour comments have raised concerns that permitting this development could set a precedent for other extensions to be constructed in this area. However the granting of this application would not necessarily set a precedent, as each application is assessed on its own merits.

It is therefore considered on balance that the extension has an acceptable visual impact on the host property, pair of semi's and the wider streetscene.

Amenities of neighbouring occupiers

Given the narrow width of the extension and the separation distance between it and the closest windows of no. 6A, it is considered that the extension does not result in significant overshadowing or a significant overbearing impact to the neighbouring property. The extension is therefore considered acceptable with regards to its impact upon neighbouring occupants.

Parking and highways

The development has not resulted in the addition of any bedrooms within the property nor has it altered existing parking arrangements and as such it is not considered to have impacted upon parking or highways.

Other issues

The site lies within Flood Zones 2 & 3 however as this application relates to a first floor extension only, it is not considered necessary for any flood risk mitigation measures to be carried out. The development is therefore considered to have an acceptable impact upon flooding.

It is noted that neighbour comments make reference to a covenant which restricts building. However covenants are not material planning considerations and are a private legal matter – therefore this point does not influence the determination of the planning application.

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: I.Hills

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

Name: I.Hills Position: Planning Officer Date: 17.03.2020

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

Name: D Campbell Position: DM Team Leader Date: 17.03.20

Suggested Informatives (2)

1

Your attention is drawn to the fact that this planning permission has been approved on the basis of drawings 'Proposed Rear Extension' received 23.12.2019 and 'Site Plan and Block Plan' received 20.01.2020.

2

In coming to this decision, the Council has had regard to the following policies -

Local Plan Review Saved Policies: SD1, BE1, BE8

Core Strategy Local Plan: DSD

Places and Policies Local Plan Submission Draft: HB1, HB8

NPPF