

OFFICERS REPORT

Application No: Y16/1184/SH

Location: 48 Tanners Hill Gardens Hythe Kent CT21 5HX

Proposal Erection of two storey rear extension and two single storey rear extensions.

ASSESSMENT

Performance data:-

Date application valid: 21.10.216

Applicable 8/13/16 week target date: 16.12.2016

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

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

Carried out site visit on 24.11.2016.

The site and proposals were assessed from the site.

SITE

The application property is a two-storey, semi-detached dwelling located in the boundaries of Hythe Town. The property is located on a hill with levels falling gradually from west to east.

The site is located in an Area of Archaeological Potential.

HISTORY

None.

PROPOSAL

This application is for the construction of a two storey rear extension with a pitched roof measuring about single storey extensions to either side.

The two storey extension will measure about 4m projection by 5m width and will be inset from the western boundary of the site by about 2m and from the eastern boundary of the site by about 2.5m. This extension will have a hipped roof.

To the eastern side of the two storey extension is proposed a single storey extension with a flat roof which projects about 2.85m. To the western side of the two storey extension will be a further single storey extension with monopitched roof which projects about 3m and projects past the side flank to the existing house up to the western boundary of the site.

The materials proposed are painted render at ground floor level, matching roof tiles and fibre-cement boarding at first floor level.

The various extensions allow for the reorganisation of domestic internal space and an additional bedroom.

CONSULTATION RESPONSES

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

Hythe Town Council - support subject to concerns regarding loss of light to neighbouring properties being addressed.

REPRESENTATIONS

1 representations has been received :

- Neighbouring dwelling to the west has flank wall windows which will lose light;
- Impact on the efficiency of neighbours solar panels.

PUBLICITY

Neighbours notified by letter. Expiry date 16.11.2016

RELEVANT POLICIES

Shepway District Local Plan Review: BE1, BE8

Shepway Core Strategy Local Plan: DSD, SD1

APPRAISAL

Design and visual appearance

The extensions are not seen from the street and will not impact on the existing street scene. The extensions are of a scale and design that are acceptable as an extension to the original house. The materials proposed are painted render at ground floor level, matching roof tiles and fibre-cement boarding at first floor level. There is no objection to the use of these materials.

Amenities of neighbouring occupiers

In this case it is relevant to take permitted development rights of the applicant into account as a 'fallback' position.

Due to the inset of at least 2m from the side boundaries of the site a two storey rear extension could be built under permitted development rights if limited in depth to 3m projection. The two single storey extensions are of a size and height that they can be built under permitted development rights.

As such the only real consideration in this case is the impact of the additional meter of depth of the proposed two storey extension over that of what can be built without planning permission.

Policy BE8 of the SDLPR reads :

In considering planning applications, the following criteria will apply:

- extensions should not cause undue overshadowing of neighbouring property and should allow adequate light and ventilation to existing rooms within the building; single storey extensions should be designed so as to fall within a 45-degree angle from the centre of the nearest ground floor window of a habitable room or the kitchen of the neighbouring property. In the case of two-storey extensions, the 45-degree angle is taken from the closest quarter-point of the nearest ground floor window of a habitable room or kitchen;
- side extensions may be added to detached or semi-detached dwellings where space is available; care should be taken to avoid creating a terracing effect which could result by extending up to the boundary; a minimum distance of 1 metre should be maintained from the boundary and any part of the extension above single storey level including the roof;
- permission will not be given for flat-roofed extensions, unless the proposed extension would not be generally visible from a public place and would serve only as an adjunct to the main building, or the provision of a flat roof is the only practicable means of providing an extension;
- permission will not be granted for loft conversions requiring dormer extensions which are large in proportion to the existing roof, as these can completely alter the proportion of the building, presenting a top-heavy and flat-roofed appearance. Planning applications for extensions in roof spaces which front a highway will be refused where the proposed structure would damage the character of the existing building and would appear incongruous in the streetscene;
- alterations or extensions which cause undue loss of privacy for occupiers of neighbouring properties through overlooking windows, doors or balconies should be avoided;
- garages should be set back 5.5 metres from the highway boundary, to enable a vehicle to stand clear of the highway whilst the doors are being opened or for cleaning or maintenance purposes. In exceptional circumstances this may be reduced to 1 metre, but forward opening swing doors would not be permitted.

In this consideration it is noted that for the neighbouring dwelling to the east that property has a conservatory and SDC takes into account any conservatory as part of the consideration of policy BE8 of the saved local plan. As such no objection is raised to the proposal under policy BE8 in respect to the amenities of the neighbours to the east.

The neighbouring dwelling to the west, no. 49, is set further back within its plot than no. 48. No 49 projects past the original dwellinghouse of 48 and is located at a higher ground level than the application dwelling by around 0.5m. Onto the rear of no. 49 has been constructed a large conservatory with has a full height block wall on its eastern flank to no. 48. There are 3 windows in the original flank wall of no. 49 - one is a secondary windows to a bedroom, one a kitchen window - with a door into the conservatory and the third serving a bathroom. (The proposed block plan is misleading as that house is not represented in the same form as the application dwelling in the same drawing. As the site has been visited any lack of clarity of the plan does not prejudice the determination of the application.)

Whilst the proposed 2 storey extension will project 1m further than could be achieved under permitted development rights and projects will project about 2m beyond the rear elevation of the main body of the adjacent house, no. 49 with a separation of around 3.3m.

On balance of the combined factors that both the bedroom and kitchen have a door/window into the southern elevation of the property, a bathroom is a non-habitable space and a similar development could be built without planning permission impacts in the living conditions of occupiers of no. 49 by virtue of loss of outlook or daylight would not warrant the refusal of the planning application.

In terms of overshadowing the extent and duration of overshadowing of neighbouring gardens as a result of this proposal would not warrant the refusal of the planning application.

No new situation of a loss of privacy will occur from this proposal. A condition preventing the insertion of first floor flank wall windows will prevent views into the bedrooms of adjacent dwellings at a later date.

Parking and highways

Most dwellings in this road rely on on-street parking, although some properties have created parking in their front gardens. The addition on one bedroom will not cause any significant change to parking demands within the street and no objection is raised in respect to parking or highways matters.

Archaeology

The case officer missed consulting the County Archaeologist but has looked at recent planning permissions for rear extensions of neighbouring properties within the same Area of Archaeological Potential and note that the KCC Archaeologist did not require any archaeological measures. (Y14/0563/SH - no. 37 and Y12/11124/SH - no. 44) There is no reason to think therefore that this proposal would require an archaeological watching brief.

Other matters

In terms of impact on the efficiency of the neighbours solar panels this is not a material planning consideration but given the panels are on the neighbours main dwelling roof and given the orientation and relative location of the adjacent dwellings not impact on the solar panels would be expected.

Local finance consideration

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy. New Homes Bonus payments are not considered to be a material consideration in the

RECOMMENDATION

HUMAN RIGHTS

Case Officer:

Name: W Simpson Position: Planner Date: 08.12.2016

Name: _____ Position: _____ Date: _____

Senior Officer

Name: _____ Position: _____ Date: _____

Name: _____ Position: _____ Date: _____