

Officer Report

Application No.	20/1528/FH
Site Address	Salters House, Salters Lane, Brookland, Romney Marsh, TN29 9RF
Officer Name	Isabelle Hills
Proposal	Section 73 application for the variation of condition 2 (submitted plans) for planning application Y18/0822/FH (Erection of a single storey front extension)

Recommendation

Report Number	RD-423517
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	01 December 2020

Report

Performance data:-

Date application valid: 29.10.2020

Applicable 8/13/16 week target date: 24.12.2020

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? No

SITE

The application site is within (but on the edge of) the defined settlement boundary, with the built up area which is located to the east and south of the site with open fields to the north and west. The application property itself is a detached, two storey dwelling with an attached garage. To the front of the dwelling is a large area of hardstanding which provides off street parking.

The application site is identified to have archaeological potential and is within flood zones 2&3 as identified by the Environment Agency. The site is also within a local landscape area.

RELEVANT HISTORY

Y06/0920/SH Erection of a two storey dwelling with detached double garage. Approved with conditions.

Y09/1015/SH Erection of a two-storey dwelling (alternative scheme to that approved under planning permission Y06/0920/SH). Approved with conditions.

Y18/0133/SH Conversion of existing attached garage to habitable space and erection of detached garage. Refused.

Y18/0822/FH Erection of a single storey front extension. Approved with conditions.

Y19/0167/FH Conversion of the existing loft along with the installation of x2 rooflight's to the front and rear roof slopes and x2 Cabrio balcony windows to the front elevation. Approved with conditions.

PROPOSAL

This application seeks to vary condition 2 (submitted plans) of planning application Y18/0822/FH which granted planning permission for the erection of a single storey front extension.

The extension would adjoin the existing garage with a pitched roof and would provide a replacement garage and the existing garage would be converted into a games room. The extension would have an approximate length of 6.9 metres and an approximate width of 5.65 metres. The extension is proposed to be approximately 3.9 metres in height.

The extension would be constructed with brickwork and finished in timber weatherboarding, with clay tiles, grey composite roof lights, uPVC with timber effect fenestration, white uPVC fascia's and Soffits and black uPVC rainwater goods.

This application seeks to re-use the existing garage doors and re-position these on the front elevation of the extension rather than installing glazed bi-folding doors.

CONSULTATION RESPONSES

Brookland Parish Council – expiry 25.11.2020. No objection.

REPRESENTATIONS

One representation has been received and summarised below –

- Object to any further proposed building or extensions at the address
- Current application fails to consider the effects of the proposal i.e how it will damage the root system to at least three mature Ash trees
- Existing property when built altered the water table and floods drains in wet seasons
- Property has already reduced sunlight along the back of neighbouring gardens
- Concerned if a single storey extension is approved, permission will then be sought for a second storey
- Building forward would result in a loss of a view
- Property is already large in comparison to those around and sits on a small plot than neighbouring properties

PUBLICITY

Neighbours notified by letter. Expiry 25.11.2020

RELEVANT POLICIES

Places and Policies Local Plan: HB1, HB8

Shepway Core Strategy Local Plan: DSD

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.

National Planning Policy Framework

National Planning Policy Guidance

APPRAISAL

The main issues to be considered are design and visual impact, the impact on amenities of the neighbouring properties and the impact upon parking and highways. Planning permission was granted for the extension under application Y18/0822/FH and the only change under this application is the replacement of the bi-fold doors to the front elevation of the extension with two garage doors.

Since the granting of application Y18/0822/FH the Shepway District Local Plan Review saved policies (SDLPR) have been replaced with the Places and Policies Local Plan (PPLP). SDLPR policies BE1 and BE8 which the application was originally assessed against have been replaced with policies HB1 and HB8 of the PPLP which essentially provide the same objectives for applications to be assessed against.

The comment received objecting to any further proposed building works at the address are noted. However the extension itself does already benefit from planning permission.

The extension would have a lower ridge and eaves height than the main dwelling and would have a pitched roof which is considered to be in keeping with the character of the host dwelling. The extension would be situated forward of the existing principle elevation. However, due to being attached to the existing double garage and being single storey, it is considered that this does not appear significantly visually dominant in relation to the host dwelling and subsequently would be a subservient addition. Furthermore, due to the stand along nature of the dwelling this is not considered to be an issue in terms of the extensions potential impact upon the streetscene nor is it felt that the single storey extension would result in the dwelling appearing overly dominant in comparison to neighbouring dwellings.

The materials proposed are considered remain to be acceptable and in keeping with the character of the host property. The garage is also considered to be set back a sufficient enough distance from the highway to ensure a vehicle can stand clear of the highway whilst the doors are being opened or for cleaning or maintenance purposes.

The proposed replacement of the bi-fold doors with garage doors is not felt would have a significantly adverse impact upon the nature or character of the development and therefore would have an acceptable visual appearance.

Therefore overall the proposal is considered complies with policies HB1 and HB8 of the PPLP.

Consultation comments have raised concerns that if this application is approved then planning permission may then be sought for an additional storey on top. The principle of a single storey extension in this location has already been deemed acceptable under the original application. Any proposal to extend atop this extension would require planning permission and would need to be subject to a new planning application.

Amenities of neighbouring occupants

The original application considered the proposal to have an acceptable impact upon the amenity of neighbouring occupants.

The proposal includes the installation of x4 rooflights to the proposed roof slope, however these would be situated approximately 2.8 metres above the finished floor level of the proposed extension. Due to this it is considered unlikely that these would give rise to overlooking of neighbouring properties, especially due to the significant separation distance between the properties.

Furthermore, it is considered due to the separation distance between the host dwelling and neighbouring properties, the proposed extension would not give rise to a significant overshadowing or overbearing impact to the detriment of neighbouring amenity as was concluded under the original application.

Due to being located on the ground floor there are no concerns that the installation of garage doors to the front elevation instead of bi-fold doors would result in any unacceptable overlooking to neighbouring occupants.

Comments relating to a loss of the countryside view are noted. However the loss of a view is not a material planning consideration and therefore this cannot form part of the assessment of the application.

Parking and Highways

Planning permission for the dwelling was granted in 2010 (reference Y09/1015/SH) with condition 3 of this permission restricting the use of the garage to parking space. However, KCC Highways no longer recognise garages as parking spaces and as such the loss of the existing garage is not considered to result in the loss of available parking on site. Given the large driveway there appears to be sufficient off-street parking to serve the dwelling following the conversion of the garage and as such there are no objections on these grounds.

Flooding

The location of the site lies within Flood Zones 2 and 3 as identified by the Environment Agency. Since the proposed application is for a household extension, it is not a statutory requirement to consult the Environment Agency in this case. However, as per the Government's standing advice regarding flood risk, confirmation was needed regarding the proposed finished floor levels and the estimated flood level. Drawing no. 1714-22 Rev A received 07.10.2020 confirms that finished floor levels would match existing finished floor levels on site. This will be secured by condition and therefore complies with the government requirements and no further flood resistance measures need to be completed.

Comments raising concerns with the impact the existing building has had on the water tables and drainage within the area are noted. This application, being a single storey extension to a single dwelling is not considered would have a significantly adverse impact upon drainage within the area and therefore in this instance is considered acceptable given its size and nature.

Other issues

A consultation response raises concerns that the proposal fails to consider the effects of the proposal on mature trees within the location. There are trees located to the eastern border of the site within close proximity to the existing garage. The proposed extension would be constructed to adjoin the existing garage and there is existing hardstanding where the extension is proposed to be located. As a result I am satisfied that in this instance the proposed development would not result in a significantly adverse impact upon existing trees within the vicinity.

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:

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

Name: I.Hills Position: Planning Officer Date: 01.12.2020

Agreed by:

Name: D Campbell Position: DM Team Leader Date: 04.12.2020

Recommended Conditions (3)

1

The development must be begun on or before 1st August 2021.

Reason:

As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

2

The development hereby permitted shall not be carried out except in complete accordance with the details and materials shown on the submitted plans, numbers 1714-16 (Proposed Site Plan), 1714-23 Rev A (Proposed Section A-A), 1714-19 (Proposed Elevations), 1714-24 Rev A (Proposed Section B-B), 1714-18 (Proposed Section A-A And Section B-B), 1714-21 Rev A (Detail Floor Plans), 1714-22 Rev A (Detail Front Elevation), 1714-17 (Proposed Floor Plans), 1714-20 (Proposed Elevations And Section A-A), 1714-01 (Location Plan) received 07.10.2020.

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of Places and Policies Local Plan policies HB1 and HB8 of the Shepway District Local Plan Review.

3

The finished floor levels in the extension hereby permitted shall be no lower than those in the ground floor of the existing building, as confirmed on drawing no. 1714-22 Rev A received 07.10.2020

Reason:

To ensure the development is safe from risk of flooding.

Suggested Informatives (1)

1

This application has been assessed on the basis of the following planning policies:

Places and Policies Local Plan: HB1, HB8

Shepway Core Strategy Local Plan: DSD

Core Strategy Review Submission Draft 2019

National Planning Policy Framework

National Planning Policy Guidance