

Officer Report

Application No.	26/1115/FH
Site Address	The Glen, Cliff Road, Hythe, CT21 5XQ
Officer Name	Macey Douglas
Proposal	Replacement dwelling with carport, alterations to access, associated landscaping works & swimming pool.

Recommendation

Report Number	RD-440913
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	15 September 2026

Site

The site is a detached bungalow within the defined settlement boundary of Hythe.

The application site is accessed via a sloped driveway to the southern side of Cliff Road. At the end of the driveway, the neighbouring dwelling, Sun Ridge lies to the right and the entrance to the Glen is to the left. Sun Ridge, and the existing bungalow at The Glen, rest on top of a former railway embankment.

To the western end of the bungalow there is a raised patio area with a basement garage underneath.

The site is situated within an area of land instability (zone D). There are several trees within the site, many of which are young and small.

Relevant Site History

Y15/0214/SH - Installation of a rear dormer with balcony including installation of front/rear roof lights and replacement first floor side window in connection with use of roof space as additional living accommodation - Approved with Conditions

Proposal

Planning permission is sought for the erection of a two-storey detached dwelling with a detached car port, associated landscaping works as well as a swimming pool.

The dwelling and car port are of a flat roof design, both of which feature a green roof with the main dwelling also featuring several solar panels to the roof slope. The dwelling features an inset balcony to the southern elevation overlooking the area to the rear of the property with a frameless glass balustrade.

The property is proposed to be finished in vertical timber cladding, with brick to the first floor and the retaining walls. The connecting link element would feature a metal roof and cladding to the central part, breaking up the amount of cladding and brickwork proposed. The windows would be aluminium framed with those to the side elevations angled within the timber cladding to window reveal. To the rear of the property would be a small single storey element finished in timber cladding, connected to the main property by a glazed link to serve as a home office.

The car port would be suitable for two off street parking spaces and would provide bicycle storage for a minimum of 6 bikes. The car port would also feature an area for bin storage.

The rear amenity area would feature an area of hardstanding surrounding the swimming pool with a lawn area to the southwestern corner.

The proposal would also see a partial redirection of the existing driveway creating a large resin bonded driveway providing a turning area for vehicles.

Consultation Responses

Affinity Water - No objection

Hythe Town Council – No objection

KCC highways - No comments

KCC Ecology - No objection subject to conditions

Building Control - No objection subject to condition regarding slope stability

KCC Archaeology - No additional information required

Arboricultural Officer - No objection subject to conditions

Representations

No representations have been received.

Relevant Policies

Places and Policies Local Plan 2020: HB1, HB3, HB10, T2, T5

NPPF (2026)

DM3: Determining development proposals

S4: Principle of development within settlements

DP3: Key principles for well-designed places

P3: Living conditions and pollution

NPPG

Appraisal

Principle

The application site is located within the settlement of Hythe. This area is one of the districts sustainable locations and the principle of the proposal of a replacement dwelling on the plot is therefore acceptable. This principal acceptance is subject to other material considerations as set out within the remainder of the report.

It is noted that the proposal would not be positioned on the same footprint as the existing dwelling and therefore a condition will be imposed regarding the first occupancy of the dwelling.

Design and Visual Appearance

The proposed dwelling while is of a flat roof design, given that it would take a contemporary approach and would be of a high-quality design. This is considered to be acceptable given that the street scene is varied in regard to design and subject to conditions requiring finer details as well as samples of materials to ensure that this high quality is carried through during the construction of the dwelling.

Although the replacement dwelling would be of a greater scale than the property it would replace, given the scale of the application site itself it is not considered that it would overwhelm the site and would comfortably sit within the plot.

Given that the site itself is set down from Cliff Road, it would not have an impact upon the character and appearance of the immediate street scene. However, given the sites positioning within the cliff, it has the potential of being visible from Seabrook Road. Nevertheless, it is not considered that the proposed dwelling would appear out of place within the cliff given the varied design of properties visible from Seabrook Road subject to conditions regarding materials and finer detailing.

For the reasons stated above, the proposal is considered to be acceptable in regard to its design and visual appearance.

Residential Amenity

The proposed development given its proximity to the neighbouring occupants of Sun Ridge, including its separation distance and orientation, it would not lead to a loss of light overbearing impact upon this property. In addition, it is not considered that it would result in a loss of privacy through interlooking or overlooking for the same reasons.

Therefore, in light of the above the proposed development is not considered to result in harm to the residential amenity of neighbouring occupants.

Amenity of Future Occupants

The proposed dwelling would provide an adequate internal floor area and provide ample storage within the dwelling exceeding the nationally described s-space standard requirement.

Sufficient external amenity provision would be retained as a result of the replacement dwelling, in line with Policy requirements.

A good standard of living would be achieved for future occupants of the replacement dwelling and in this regard is considered to be acceptable.

Parking and Highway Safety

The proposal would not alter the access from Cliff Road itself, however, it would change the location of the driveway closer to the property and lead to an area of hardstanding suitable for off street parking and as an appropriate turning area.

The proposed area of hardstanding as well as car port would provide an adequate amount of off-street parking for a minimum of two vehicles. This would meet the aims of policy T2 of the PPLP and is considered to be acceptable in this regard.

Slope Stability

Part of the site is located within an area of known land instability, category 'D' which sets out that slope instability problems probably present or have occurred in the past.

A Desktop Slope Stability Report (dated May 2026) has been submitted in support of the application, and which concludes that it is essential the site geology and hydrogeology should be thoroughly investigated with boreholes and machine dug pits or specialist surveys

Should the application be approved then a suitably worded condition would be applied to ensure that the issues with slope stability are sufficiently addressed.

Arboricultural Matters

Through consultation with the LPA's Arboricultural Officer, although the proposed development would lead to the loss of twelve individual trees as well as a group of trees as set out with the Tree Report and Tree Protection Plan (TPP), given that the trees are small and young, there are no objections to their loss. However, given that some of the trees proposed to be removed have a life expectancy of over 40 years, and no replacement planting has been proposed, a condition will be imposed requiring full details of all proposed tree planting of no less than twelve individual trees to enhance and integrate the application site in accordance with policy HB1 of the PPLP.

In regard to the protection of the retained trees, given that the majority are outside of the immediate development area, a condition will be imposed setting out that the development should be carried out in accordance within the submitted Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and the Tree Protection Plan to protect the trees during the development period.

In light of the above the proposed development is acceptable in regard to arboricultural matters.

Ecology and Biodiversity

The initial preliminary bat roost assessment outlined that one of the buildings on site (B2) and trees (T5) had the potential suitability for bats. Two emergence surveys were conducted as well as an endoscope survey of T5 during the first emergence survey. T5 and B2 was considered following the survey that it was unsuitable for roosting bats however, multiple species were recorded for commuting and foraging, therefore the activity was considered to be 'moderate' in relation to bats within and around the site. Through consultation with KCC,

a condition should be imposed regarding sensitive lighting and appropriate enhancements to ensure the protection of these species.

The site has the potential to impact great crested newts, reptiles, breeding birds, dormice, badgers and hedgehogs. Through consultation with KCC Ecology, they have confirmed that the proposed precautionary measures provided within the PEA are acceptable and therefore subject to a condition requiring the works being carried out in accordance with these precautionary measures the proposal would be acceptable in regard to the protection of these species.

Furthermore, in regard to the potential ecological enhancement opportunities on site, in accordance with the PEA a condition will be imposed requiring details of a Biodiversity Enhancement Plan (BEP) to be submitted to ensure that the development incorporates biodiversity enhancements.

In regard to Biodiversity Net Gain (BNG), the application was submitted prior to August 6th, 2026, and therefore the previous BNG exemptions apply. Therefore, as the proposed development would be a self-build, subject to a condition, the proposed development is considered to be exempt from BNG. This is considered acceptable.

Bin and Bike Store

The proposed car port to the north eastern corner of the site proposes both bin and bike store within it. This is considered to be acceptable and would meet the aims of policy T5. Given that these are proposed within the car port, it is not considered necessary to require details to be submitted via condition.

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.

Recommendation

Considering the above, the proposal is a sustainable development that complies with the Places and Policies Local Plan and the NPPF and is recommended for approval subject to conditions.

Recommended Conditions (16)

1

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason:

In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2

The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents which were all received on 10.07.26:

- 01 Site Location Plan
- 02 Existing and Proposed Block Plans
- 03 Existing Site Layout
- 04 Proposed Ground Floor Masterplan
- 05 Proposed Roof Plan Masterplan
- 06 Proposed Floor Plans
- 07 Proposed South and East Elevations
- 08 Proposed North and West Elevations
- 09 Proposed Sections AA and BB
- 10 Proposed Section CC
- 11 Existing Plans and Elevations

Design and Access Statement

J26-000031_P2_Arb_TCP

J26-000031_P2_Arb_TSS

J26-000031_P2_The Glen Arboricultural Impact Assessment and Method Statement

J26-000031_P3 - The Glen, Cliff Road Bat Survey Report

GES_PBRA and Emergence Report 2026

J26-000031_The Glen GES Preliminary Ecological Appraisal

54960 The Glen Cliff Road Hythe Archaeological Desk Based Assessment

40558-L-R1-A-G-RJM-VH Review of Slope Stability Letter

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.

3

No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

In the interest of visual amenity.

4

No development beyond the construction of foundations shall take place until the relevant details set out below have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-

(a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),

(b) 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade),

(c) 1:100 elevation detailing the locations of all expansion joints in facades.

(d) prior to installation - Details of any satellite dishes or antenna,

(e) prior to installation - Details of rainwater goods, eaves, and fascias

(f) prior to installation - details of vents, , external pipes, meters etc.

(g) prior to installation - Details of external entrance steps, handrails and balustrades

(h) mortar colour(s)

Reason:

Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

(a) Prior to commencement of the development the applicant shall obtain, from a suitably qualified engineer, a written slope stability report advising on the effect the development will have on the stability of the site and all adjoining land and properties. The report is to include, but need not be limited to, the types of proposed foundations, the effect that any excavations into sloping ground will have, types of retaining structures necessary, surface and foul drainage, the effect of any increase/decrease of site loadings, the possible effect to the stability of any adjoining properties, and any other factors needed to ensure the stability of the site and all adjoining land, properties and associated services. The report should also include a method statement which indicates measures to be adopted during the construction phase to ensure that development does not cause instability to

adjoining retaining walls, land and buildings. No development shall take place until this report has been submitted to and approved in writing by the Local Planning Authority.

(b) No works other than those approved shall be carried out unless details of these have first been submitted to and approved by the Local Planning Authority.

(c) All works recommended in the approved slope stability report and method statement (and any alternative works approved) shall be carried out as set out in the approved documents and upon completion confirmation from a suitably qualified engineer that the approved works have been carried out in full shall be submitted to the Local Planning Authority prior to the building being occupied.

Reason:

The site lies within, or within the influence of an area identified as being subject to soil instability as detailed on the Ordnance Survey Geological Survey and it is necessary to ensure that appropriate works are carried out in order to ensure the stability of the site and the development and the adjoining land and buildings.

6

No further development, whether permitted by Classes A, B, C, D, E, F, G or H of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason:

In the interests of the amenities of the area.

7

Prior to the first occupation of any dwelling hereby permitted, one electric vehicle charging point per dwelling shall be provided, in accordance with specifications and in location(s) that have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interest of sustainable development and reducing carbon emissions.

8

The dwellings hereby permitted shall use no more than 110 litres of water per person per day.

Reason:

In the interest of sustainable development and minimising water consumption.

9

Prior to the commencement of development all recommendations relating to tree removal, retention and protection as set out within the submitted Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and the Tree Protection Plan (TPP) (document ref J26-000031_P2) created by Greenspace Ecological Solutions in June 2026 shall be implemented. The protection measures shall be retained in position and all recommendations within the report shall be followed at all times until the completion of the development, and the land so enclosed shall be kept clear of all contractors' materials and machinery. The existing soil levels within the root protection areas (RPAs) of the trees shall not be altered unless under the supervision of the appointed arboriculturist and expressly agreed in writing by the Council.

Reason:

Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will be safeguarded and will not be damaged during the period of construction.

10

Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting of no less than twelve individual trees of native species shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and

species in the first suitable planting season.

Reason:

To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

11

No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

Reason:

Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

12

Within three months of works commencing, a detailed plan showing how the development shall enhance and maintain biodiversity shall be submitted to, and approved in writing by, the local planning authority. This will include the enhancement measures as detailed in section 7.1 of the submitted Preliminary Ecological Appraisal (GES, March 2026). The approved measures shall be implemented and retained thereafter.

Reason:

To protect and enhance biodiversity within the site.

13

From commencement of works (including site and vegetation clearance), to avoid impacts to the adjacent deciduous woodland and protected and priority species, the precautionary mitigation shall be implemented as detailed in the Preliminary

Ecological Appraisal (GES, March 2026) for the duration of construction.

Reason:

To protect and avoid harmful impact upon the deciduous woodland and protected priority species.

14

No external lighting, whether temporary or permanent, shall be installed on the site unless details are submitted to and approved in writing by the local planning authority. The plan shall show the type and locations of external lighting, as well as the expected light spill in lux levels, to demonstrate that areas to be lit shall not adversely impact biodiversity or the adjacent deciduous woodland. All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and shall be maintained thereafter.

Reason:

To avoid impacting protected species.

15

The dwelling hereby permitted shall be constructed as self-build or custom housebuilding within the meaning of section 1(A1) of the Self-build and Custom Housebuilding Act 2015. No occupation shall take place until evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling(s) has been constructed in accordance with this requirement, including confirmation that the occupant(s) had primary input into the final design and layout of the dwelling.

Reason:

To ensure that the development qualifies for the self/custom build exemption from the mandatory requirement to deliver biodiversity net gain, in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

16

Written notification of the date of the first occupation of the replacement dwelling hereby approved shall be submitted to the Local Planning Authority within fourteen days of first occupation. The existing dwelling shall thereafter be demolished within six months of the first occupation date of the approved replacement dwelling and all

resulting materials removed from the site.

Reason: The erection of a dwelling is only acceptable within this location on the basis that it replaces the existing dwelling on the site.