

**Application No:** Y18/0060/SH

**Location of Site:** Due South, Romney Road, Lydd, Romney Marsh, Kent, TN29 9LN

**Development:** Erection of front porch and construction of vehicle crossover

**Applicant:** Mr Clive Kattenhorn

**Agent:** Mr Keith Hammond

**Date Valid:** 12.01.18

**Expiry Date:** 09.03.18

**PEA Date:** 27.03.18

**Date of Committee:** 20.03.18

**Officer Contact:** Alex Kalorkoti

## **SUMMARY**

This report considers whether planning permission should be granted for the erection of a front porch and construction of a vehicle crossover. The report recommends that planning permission is refused as the extent of the parking area proposed to the front of the application site in proportion to the front garden area as a whole, in conjunction with the tarmac crossover, would be incongruous in the street scene and would have a detrimental visual impact on the application site and the surrounding area, contrary to saved policies SD1 and BE1 of the Shepway District Local Plan Review.

**RECOMMENDATION:** That planning permission be refused for the reason set out at the end of the report.

## **1.0 THE PROPOSAL**

- 1.1 The proposal would see the existing porch demolished to make way for a larger pitch roofed porch which would extend 2.4m beyond the front elevation of the house and would be 3.7m wide, providing for an entranceway and bathroom. It would be finished with slates to match the roof of the main house and white painted render over the blockwork.
- 1.2 The proposal is also for the setting out of three parking spaces to the front of the main house, including a vehicular crossover, all finished with permeable tarmac. This would span 7.45m of the site's total width of 8.3m and would extend out from the front of the proposed enlarged porch up to the proposed vehicle crossover providing access to the highway.

## **2.0 SITE DESIGNATIONS**

2.1 The following apply to the site:

- Outside settlement boundary
- Area of Archaeological Potential
- Romney Marshes Internal Drainage Board Area
- Adjacent to Local Wildlife Site
- Adjacent to SSSI

## **3.0 LOCATION AND DESCRIPTION OF SITE**

- 3.1 The application site is located on the north west side of the main road into Lydd and is a two storey semi-detached dwellinghouse finished with painted brick, a mixture of uPVC and timber windows, and a tiled roof.
- 3.2 There is access to an existing garage at the rear of the property via an unmade road to the north east of the other half of the semi-detached pair. At the front of the property, it can be seen that the owner has been parking on the grass-covered front garden area.
- 3.3 The property to the north east has no parking on the front garden area, whilst that to the south west has an access from Romney Road, to allow parking to the side of the house, retaining the front garden.

## **4.0 RELEVANT PLANNING HISTORY**

4.1 There is no relevant planning history in relation to this application.

## **5.0 CONSULTATION RESPONSES**

5.1 Consultation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below.

5.2 Lydd Town Council  
Support the proposal.

5.3 Kent Highways and Transportation  
Raised no objection subject to the use of a bound surface for the first 5 metres of the access from the edge of the highway, and provision of measures to prevent the discharge of surface water onto the highway being secured.

5.4 KCC Archaeology

No response received.

## **6.0 REPRESENTATIONS**

6.1 No representations were received in relation to this proposal.

## **7.0 RELEVANT POLICY GUIDANCE**

7.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1 and the policies can be found in full via the following links:

<http://www.shepway.gov.uk/planning/planning-policy/local-plan>

<https://www.shepway.gov.uk/planning/planning-policy/documents-and-guidance>

<https://www.gov.uk/government/collections/planning-practice-guidance>

7.2 The following policies of the Shepway District Local Plan Review apply: SD1, BE1, BE8, TR11, TR12.

7.3 The following policies of the Shepway Local Plan Core Strategy apply: DSD.

7.4 The following Supplementary Planning Documents apply: Kent Design Guide

7.5 The following paragraphs of the National Planning Policy Framework are of particular relevance to this application:

17 – Core planning principles

## **8.0 APPRAISAL**

8.1 The main considerations in the determination of this application are design and visual appearance, amenities of neighbouring occupiers, parking and highways, and archaeology.

### **Design and Visual Appearance**

8.2 Beginning with the proposed front porch extension as described in section 1.1, it is considered that the design and materials would be acceptable with no significant or detrimental impact on the character or appearance of the house or the street scene.

8.3 Turning to the proposed parking spaces and vehicle crossover, these would span 7.45m of the site's total width of 8.3m and would extend out from the

front of the proposed enlarged porch up to the proposed vehicle crossover providing access to the highway. The street scene is predominantly turfed front gardens and a grass verge punctuated by narrower accesses to driveways. The large area of tarmac hard-standing, together with the level of parking to the front of the main house – up to three cars – would present a stark and urbanising form of development in this edge-of-settlement, semi-rural site that would be both incongruous and detrimental to the established character of the application site and the surrounding area, contrary to saved policies SD1 and BE1 of the Shepway District Local Plan Review.

### **Amenities of Neighbouring Occupiers**

- 8.4 It is considered that the proposed porch would not result in any detrimental impact upon the living conditions of neighbouring occupiers by way of overshadowing impact or overbearing/enclosing presence. Likewise, it is considered that the parking and vehicle crossover are not of sufficient scale or of a use which would lead to any significant or detrimental impact on the amenities of neighbouring occupiers from comings and goings.
- 8.5 With regard to overlooking, the proposed front porch does include a window to the side elevation, however it is noted that this would serve a wet-room and could therefore reasonably be obscure glazed by condition. In any case, it is noted that the side elevation of the neighbouring property does not include any openings which could be susceptible to interlooking and any additional overlooking would fall to the front of the houses which are not considered to constitute private amenity space, being readily visible from the public realm. Consequently, there is considered to be no likely loss of privacy.
- 8.6 In light of the above, the proposal is considered to be acceptable with regard to safeguarding the amenities of neighbouring occupiers in accordance with saved policy SD1 of the Shepway District Local Plan Review. .

### **Parking and Highways**

- 8.7 The proposal would not result in any increase in the number of bedrooms within the main house of the application site, nor would it result in any decrease in the off-street parking provision to serve the house. As a result, the proposal is considered to be acceptable with regard to the provision of parking and highway safety issues which could arise from the need for additional on-street parking in the surrounding area.
- 8.8 Having established that the verge can remain unobstructed, Kent Highways and Transportation have raised no objection with regard to visibility splays and have requested that a bound surface is secured for the first 5 metres of the access from the edge of the highway, along with measures to prevent the discharge of surface water onto the highway. As the proposed parking area is shown to be permeable tarmac this isn't an issue. and can reasonably be secured by condition.

- 8.9 In light of the above, the proposal is considered to be acceptable with regard to highway safety in accordance with saved policies TR11 and TR12 of the Shepway District Local Plan Review.

### **Archaeology**

- 8.10 No response was received from KCC Archaeology, but as the proposed enlarged front porch would fall partly on the footprint of an existing front porch structure which is to be demolished and within close proximity to the existing house on what is likely to be previously disturbed ground, it is considered that this element of the proposal would be unlikely to impact on the safeguarding of remains of archaeological interest. Further, it is considered that due to the minor level of excavation required to lay a permeable tarmac surface between the principal elevation of the house and the highway, this element of the proposal would also not result in a detrimental impact in this regard.
- 8.11 In light of the above, it is not considered necessary to require an archaeological watching brief and the proposal is considered to be acceptable with regard to safeguarding remains of archaeological interest.

### **Biodiversity**

- 8.12 The application site is on the opposite side of the road to the Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest (SSSI) and the Lydd Common and Pastures Local Wildlife Site. As the application site was not in or likely to affect the SSSI, being separated by the existing carriageway, in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 and Natural England's Impact Risk Zones for Sites of Special Scientific Interest, comments were not sought from Natural England. The same consideration was applied in respect of the Local Wildlife Site and the Kent Wildlife Trust were not consulted.

### **Environmental Impact Assessment Regulations 2017**

- 8.13 In accordance with the EIA Regulations, as the site does not fall within a sensitive area and is not deemed likely to impact upon one, it does not need to be screened under these regulations.

### **Human Rights**

- 8.14 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

8.15 The application is being presented to Committee as the officer recommendation differs strongly from the view of the Town Council, which supports the proposal.

## **9.0 BACKGROUND DOCUMENTS**

9.1 The consultation responses set out at Section 5.0 and any representations at Section 6.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

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**RECOMMENDATION – That planning permission be refused for the following reason:**

1. The parking area and vehicular crossover proposed to the front of the application site, by virtue of their material and extent in proportion to the front garden area, would appear unattractive and incongruous in the established street scene and would have a detrimental visual impact upon the character of the application site and the surrounding area. This would be exacerbated by the parking of cars across the site frontage. As such the development is contrary to saved policies SD1 and BE1 of the Shepway District Local Plan Review, which seek to maintain and improve the character of the built environment, ensure a high standard of layout and design for all new development, and ensure that it would accord with existing development in the locality.
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