

## **DCL/18/03**

**Application No:** Y18/0139/SH

**Location of Site:** 15 Highridge Hythe Kent CT21 5TE

**Development:** Erection of single storey rear extension and two storey rear/side extension following demolition of garage, together with erection of a single storey outbuilding with raised deck

**Applicant:** Mr & Mrs Fleury-Watts

**Agent:** Mr John Verkaik  
JV Architects  
Broadfield Road  
Folkestone  
CT20 2JT

**Date Valid:** 16.03.18

**Expiry Date:** 11.05.18

**PEA Date:** PEA requested

**Date of Committee:** 29.05.18

**Officer Contact:** Alexander Kalorkoti

### **SUMMARY**

This report considers whether planning permission should be granted for a single storey rear extension and two storey side/rear extension to the main house, as well as a single storey outbuilding with raised deck. The report recommends that planning permission be refused as it is considered that the design and layout of the proposal would have a significant and detrimental visual impact on the character and appearance of the house, and would appear incongruous in the street scene. The amenities of existing and future occupants are safeguarded and there are no highway safety concerns.

<b>RECOMMENDATION:</b> That planning permission be refused for the reason set out at the end of the report.
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## **1.0 THE PROPOSAL**

- 1.1 The proposal is for a single storey rear extension with a mono-pitched roof finished in GRP (Glass-reinforced plastic), and a two storey side / rear extension designed with a dual pitched roof finished in concrete plain tiles. The two storey extension would have a side gable, like the main house, with a first floor extension partially within the roofspace proposed to the front and rear elevations. Both elements are proposed to be finished with a brickwork plinth and render.
- 1.2 The proposed outbuilding for use as a summer-house would be located at the furthest extent of the rear garden and has been designed with a flat-roof and front decked area. It is proposed to be clad in timber, with a single-ply roof membrane.

## **2.0 SITE DESIGNATIONS**

- 2.1 The following apply to the site:

- Inside settlement boundary

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

- 3.1 The application site is within the settlement boundary of Hythe in a predominantly residential area characterised by a mix of two-storey properties and single storey properties with rooms in the roof, all of varying architectural styles. The main building of the application site is a two storey semi-detached dwellinghouse with a pitched roof and large, flat-roofed rear dormer. The site also includes a detached garage structure to the side of the main house, with off-street parking on a sloping driveway in front. The house is finished with rendered brickwork, concrete plain tiles and white uPVC windows and doors.
- 3.2 The topography of the site is dramatic, with levels rising significantly towards the rear of the site. However, in terms of land stability, the site falls within Class B of the British Geological Survey, which indicates that slope instability problems are not likely to occur but consideration to potential problems of adjacent areas impacting on the site should always be considered.

## **4.0 RELEVANT PLANNING HISTORY**

- 4.1 The most relevant planning history in relation to this application is a certificate of lawfulness which was approved for a rear dormer window and side porch to the main house under reference Y14/0210/SH.

## **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/>

- 5.2 Hythe Town Council

Support - subject to due diligence being given to excavation and the provision of retaining walls.

## **6.0 PUBLICITY**

- 6.1 Neighbours letters expiry date 24.04.18

## **7.0 REPRESENTATIONS**

- 7.1 Representation responses are available in full on the planning file on the Council's website:

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

Two representations were received and are available in full on the planning file. The main points raised are summarised below.

- Object on the basis that retaining walls would be required to construct the proposed extensions and are omitted from the plans;
- Land and soil stability concerns;
- Concern around impact on access to mains drainage shared by neighbouring properties.

## **8.0 RELEVANT POLICY GUIDANCE**

- 8.1 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>

- 8.2 The following saved policies of the Shepway District Local Plan Review apply: SD1, BE1, BE8, TR12

- 8.3 The following policies of the Shepway Local Plan Core Strategy apply:  
DSD
- 8.4 The following Supplementary Planning Documents apply:  
Kent Design Guide: Interim Guidance Note 3
- 8.5 The following paragraphs of the National Planning Policy Framework are of particular relevance to this application:
- 17 – Core Planning Principles

## **9.0 APPRAISAL**

### **Relevant Material Planning Considerations**

- 9.1 The relevant issues for consideration with regard to this current application are design and visual appearance, neighbouring amenity, and parking and highways matters.

### **Design and Visual Appearance**

- 9.2 The proposed single storey rear extension has been designed with a shallow, mono-pitched roof that would meet the rear elevation of the main house below the first floor windows and would include two roof lanterns. Although saved policy BE8 resists flat-roofed extensions, provision is made to allow those that would not be generally visible from a public place; that would serve only as an adjunct to the main dwelling; or where they are the only practicable means of providing an extension.
- 9.3 Due to the location of the proposed single storey extension to the rear of the main house which would preclude any views from public vantage points, as well as the difficulty in providing a dual-pitched roof for this aspect of the scheme, it is considered that this element of the proposal is acceptable with regard to design and visual appearance.
- 9.4 Turning to the proposed two storey rear/side extension, it is noted that this element of the proposal has been designed with a dual pitched roof which would have a ridge line lower than that of the main house, although it would have a slacker angle than the main roof; 32 degrees as opposed to 40 degrees. The first floor extension would also interrupt the eaves lines to the front and rear elevations, but overall it is considered that these features would not be significantly detrimental to the character of the building or the street scene.
- 9.5 However, at two-storeys and with only the westernmost corner of the main house attached to the proposed two storey extension, this significant addition would appear visually distinct, with considerable additional mass to the side and rear of the main house that is not considered likely to appear as subservient, or physically or architecturally related to the existing dwelling,

and which would significantly erode the spaciousness of the plot, to the detriment of the character of both the existing building and the street scene.

- 9.6 The side garage extension of the neighbouring property, 13 Highridge, is noted. However, this is attached wholly to the side of the existing property and is significantly lower in height, appearing as a subservient extension that does not dominate the existing structure.
- 9.7 Turning to the proposed outbuilding in the rear garden, this has been designed in a simple form with a mono-pitched flat-roof and small decked area to the front elevation. A similar style of structure can be seen in the garden of the adjacent property. Despite the topography of the site that would place it at an elevated position, it is considered that due to the relative location at the furthest extent of the long and narrow garden, this element of the proposal would not be readily visible in views from the public realm. As such, although the outbuilding has been designed with a flat-roof, it is considered that it would not be readily visible from the public realm and it would have no significant or detrimental visual harm on character of the street scene.

### **Amenities of Neighbouring Occupiers**

- 9.8 With regard to overshadowing or an overbearing /enclosing presence, the impact has been assessed for the occupiers of the neighbouring properties Nos. 13 and 17. The submitted block plans demonstrate that the two storey rear/side extension would be unlikely to impact unacceptably upon either neighbour, given its location away from the common boundary with No. 17 and the position in-line with the side of No. 13, which is a blank elevation. Further, although the proposed single storey element of the proposal would fall within a 45-degree angle taken from the nearest ground floor window of the neighbouring property, No.17, as the proposal would not protrude much above the height of the existing boundary fence, it is considered that the proposal would have no significant detrimental impact on the amenities of neighbouring occupiers by way of overshadowing, or an overbearing / enclosing presence. As the proposed outbuilding is of a modest scale, and is located toward the furthest extent of the rear garden, it is considered that this element of the proposal would not have any detrimental impact from overshadowing, or an overbearing / enclosing presence.
- 9.9 Turning to overlooking, in relation to the proposed two storey extension, it is noted that there are no new windows proposed to the side elevation facing towards the neighbouring property, No.13, whilst for the proposed first floor rear window, due to the steeply rising topography of the site and the low boundary treatments along much of the side boundaries of the rear gardens, a high degree of overlooking between neighbouring rear gardens currently exists, a consideration that must also be applied to the proposed outbuilding.
- 9.10 Consequently, it is considered that there will be little additional overlooking above that already possible from the existing property or as a result of the reasonable use of the garden areas and overall, the proposal is considered

to be acceptable with regard to impact on the amenities of neighbouring occupiers.

### **Parking and Highways**

9.11 The proposal would provide for a new dining room and study at ground floor, with a master bedroom and en-suite at first floor. As a result of the proposed addition of a fourth bedroom, the parking requirement of the site would change. However, it is considered that the retained driveway would be sufficient to provide the two independently accessible parking spaces recommended by the Kent Design Guide: Interim Guidance Note 3. As such, it is considered that the proposal is acceptable with regard to parking and would not result in any issues of highway safety.

### **Other Issues**

9.12 As referenced above, in terms of land stability, the site falls within Class B of the British Geological Survey, which indicates that slope instability problems are not likely to occur. As such, it is considered that the proposal could proceed without any further controls in relation to slope stability and is therefore acceptable in this regard.

### **Human Rights**

9.13 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.

9.14 This application is reported to Committee due to the views of Hythe Town Council.

## **10.0 BACKGROUND DOCUMENTS**

10.1 The consultation responses set out at Section 5.0 and any representations at Section 7.0 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 proposed two-storey rear extension would result in an architecturally distinct structure of significant additional mass, positioned to the side and rear of the main dwelling that would not appear subservient, or physically or architecturally related to the existing property. It would also significantly erode the spaciousness of the plot to the detriment of the character of both the existing building and the street scene. As such the proposal is contrary to saved policies SD1, BE1 and BE8 of the Shepway District Local Plan Review, which seek a high standard of layout and design for all new development, which should also accord with existing development in the locality, and reflect the scale and proportions of existing buildings.
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