

Recommendation Sheet Application Number: 19/00882/AS

Location: Claremont, Canterbury Road, Chilham, Canterbury, Kent, CT4 8DX
Proposal: Erection of garage and addition of balcony to rear elevation of dwelling
(part retrospective - balcony).

Decision Level: **DEL** Decision Code: **PERM** Date cleared by officer: **14/01/2020**
(a) 7/2R 1S (b) Parish Council/X (c) -

RECOMMENDATION

Permit

Conditions on grant

- 1 The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

- 2 The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

- 3 The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

Reason: In the interests of visual amenity.

- 4 Within 3 months of the date of this decision, a privacy screen shall be installed on the western (side) elevation for its full extent to a height of 1.8m above the finished floor level with obscured glass (privacy level/grade 3 or higher) and maintained in accordance with the approved details and retained at all times.

Reason: To ensure the privacy of the occupants of Hazelmere.

Notes

1 Working with the Applicant

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,

- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted
- the applicant was provided the opportunity to submit amendments to the scheme/ address issues.

Plans/Documents approved

Existing Site and Location Plan DP/GAR/001 A - received 19/06/2019

Proposed site plan DP/GAR/004 - received 17/06/2019

Proposed elevations DP/BR/006 - received 17/06/2019

Proposed garage plans and elevations DP/BR/007 - received 14/01/2020

Balcony Details DP/BR/008 - received 31/10/2019

AGREED	
SPO	
JDCM	

Officer's Assessment Sheet

Policy Monitoring NOT Required

Application Number:19/00882/AS

Stat. Class: CHSE

Application Date: 15 June 2019
Registration Date: 20 June 2019

Case Officer: Colm McKee
8/13 week Date: 15 August 2019

Applicant: **Mr D Peattie** Claremont Canterbury Road Chilham, Canterbury, Kent, CT4 8DX

Correspondent: **Mr P Simmons** 11 Quarry Wood Ashford Kent, TN25 7EY

Location: Claremont, Canterbury Road, Chilham, Canterbury, Kent, CT4 8DX

Proposal: Erection of garage and addition of balcony to rear elevation of dwelling

MATERIAL CONSIDERATIONS (Case Officer to complete)

Ashford Local Plan 2030	SP1 SP6 HOU8 ENV3a
Government Guidance	NPPF, NPPG
SPG/SPD/VDS/Neighbourhood Plans	SPG9, SPG 10, Residential Parking, Landscape Character SPD, Chilham VDS
Other	None

SAFEGUARDING

Conservation Area	Not in a conservation area
Listed Building	Not a listed Building

ENVIRONMENTAL IMPACT ASSESSMENT

Is an E/A required?	Reason for Decision:
YES/NO	Not Schedule 2 Development
Is formal screening opinion required? Y/N	
Has screening opinion been issued? Y/N	

ASSESSMENT

Site and Surroundings

The site is on the Canterbury Road, Chilham and is adjacent to open countryside to the east and woodland to the north.

The site consists of a dwelling and associated curtilage, the bulk of which is to the rear.

A garage was approved via application 14/00101/AS which also included a rear extension (Proposed rear extension, roof extension with side windows and dormers to the rear and erection of a detached garage with workshop in roof space).

This permission has been implemented, and the bulk of the works are substantially complete – however the garage has not been built. This is addressed in the main body of this report.

It is noted that the land rises to the north and this is of some relevance in the assessment of the application.

Proposal

Erection of garage and addition of balcony to rear elevation of dwelling.

Relevant History

DC	FA	13/00652/AS	Proposed new vehicular access	PERM	31/07/2013
DC	FA	14/00101/AS	Proposed rear extension, roof extension with side windows and dormers to the rear and erection of a detached garage with workshop in roof space	PERM	16/04/2014

Representations

Ward Member

HAS WARD MEMBER REQUESTED APPLICATION GO TO COMMITTEE ? **NO**

Parish Council - No objection

Neighbours

Three representations were received, two of which specified objections. One did not specify an objection, but concerns were raised.

Objections (2) _

The objection letters raised the following material issues:

- Overdevelopment
- Over bearing due to height of garage / dominant structure
- Light pollution from garage and balcony
- Privacy and noise impacts from both garage and balcony
- The proposal is contrary Ashford Council's own policy for Downs North.
- The garage and balcony are not sympathetic to semi-rural location.

Other Representations (1) _

One letter was received which specified it was not an objection.

This was from the immediate neighbour to the west. Comments were made regarding the previous removal of the natural hedge at the border which has resulted in an alleged loss of privacy. The residents would like the hedge replaced, otherwise they feel the balcony would be too obtrusive.

The applicants have replied to this stating their intention is to replant the hedge. This is addressed further in this report.

Government Guidance/Development Plan Policy/SPG/Other

The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017) and the Kent Minerals and Waste Local Plan (2016).

For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).

Government Guidance

See the policy sheet for relevant policies.

DP Policy

See the policy sheet for relevant policies.

SPG

See the policy sheet for relevant policies.

SPD

See the policy sheet for relevant policies.

Village/Parish Design Statements / Neighbourhood Plans

See policy sheet for relevant policies

Assessment

Visual Amenity, design and impact on the LCA.

Garage: The objection in relation to the appearance, over bearing nature and conflict with the semi-rural location are noted. The garage building is typical of such a development, and would be comfortably contained within the site. It is acknowledged that the garage would sit to the north of the site where the land rises, however this in itself is not a reason for refusal if there is no visual harm and the proposal would not be excessively dominant when considering screening around the site on approach from the east and given the woodland to the north which affords a good degree of screening from outside of the site.

The garage would be comfortably contained within the site, and would remain subservient to the dwelling. The proposed garage would be a well-proportioned building and would clearly appear as an ancillary outbuilding to the existing dwelling.

Set back from the road, the development would not be obvious from outside the site and there would be limited harm to the wider landscape and surrounding countryside. The proposed materials are acceptable complimenting the existing adjacent building.

As stated previously in this report, there has been a previous approval for a garage which has not been built.

Balcony: Following site inspection, the balcony was under construction. The balcony would be to the rear and relates to the design style of the house. Such an addition would not be uncommon for a modern dwelling of this style. The imposition of a condition for a privacy screen (see residential amenity section below) would not be visible from outside of the site.

Residential amenity

The garage is to the rear and no amenity concerns have been identified. Objections were received from the occupants of two properties who are not immediately adjacent to the site. The location and form of the garage has been given due consideration in relation to all residential properties in proximity and no adverse impacts have been identified. The separation distance between the garage, even given its elevated position due to the rising topography of the site would not result in an overbearing form of development or result in harmful overlooking.

The position of the balcony must be given due consideration. Comments were made by the residents at the closest property, Hazelmere, which is to the west / south west. The letter raised the fact that hedging had been removed, and as such they consider that the balcony would be too obtrusive, if it were not replaced. The applicant has stated his intention to replant along this boundary. However, given the height of the balcony, a privacy screen to the western side of the balcony can be secured by way of condition to ensure that there would not be a loss of privacy to the occupiers of this neighbouring dwelling.

In light of the above, any harm as a result can be mitigated through condition.

Parking

The site would have suitable parking irrespective of the garage and as such there is no concerns.

Issues raised through representations

Light pollution: Such a development would not give rise to unacceptable light pollution. There is no evidence to suggest otherwise.

Noise impact: There is nothing to suggest there would be any unacceptable noise impacts. If this were to be the case there is legislation outside of planning that would be applicable.

One letter of representation states the proposal conflicts with the Council's own policy for Downs North. It is not clear which specific policy this comment relates to however as noted previously no unacceptable visual impact has been identified and the proposal would have a negligible impact on both the LCA and the semi-rural location, and the immediate locality.

Comments were made in which were considered to speculate to the future use of the site. The application has been assessed as presented and speculative comments cannot be considered.

The applicant has confirmed that the intention of the workshop was for personal hobbies (arts and crafts).

Working with the applicant

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation and the decision notice.

Conclusion

In light of the above assessment the proposals would constitute sustainable development in accordance with the Local Plan and NPPF and I therefore recommend approval.

No demonstrable harm has been identified subject to conditions.

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 below 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.

Dated: 13/12/2019

Signed

RB

Case Officer