

OFFICERS REPORT

Application No: Y19/1036/FH

Location: Humble Bee Lodge Barrow Hill Sellindge Ashford Kent TN25 6JH

Proposal Extension incorporating annexe. Erection of detached double garage.
Extension to existing double garage.

ASSESSMENT

Performance data:-

Date application valid: 10/09/2019

Applicable 8/13/16 week target date: 05/11/2019

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? Y

If Yes, revised 8/13/16 week target date: 10.01.20

Is the application being determined after 26 weeks without a PPA or a PEA? Y/N

SITE VISIT

A visit to the application site has been carried out. The key features noted are set out within the report.

SITE DESCRIPTION

The application site is outside of the defined settlement boundary, within the village of Sellindge. To the rear of the application site and on the opposite side of the road are open fields giving the area a rural feel. The application property itself is a detached, brick dwelling which is set back from the highway with a large front garden. To the front of the site is a long access strip which is partially obscured from the road by a well-maintained low wall with hedge.

RELEVANT HISTORY

Y17/0525/SH: Erection of detached garage to the front of property. Refused.

95/0076/SH: Erection of a detached dwelling (alternative to design approved under planning permission 93/0749/SH) (as amplified by letter dated 29th March 1995). Approved with conditions.

Syuker, Barrow Hill

Y13/0580/SH: Conversion of existing workshop to accommodation for elderly relatives including external alterations together with the erection of a replacement garage/workshop to side elevation. Approved with conditions.

PROPOSAL

To the main house, a substantial extension and remodelling of the dwelling is proposed. To the southern side of the dwelling a hip to gable roof extension is proposed. To the northern side of the dwelling a 6.6 metre wide two-storey side extension is proposed with gabled roof. Three flat roofed front dormers and a front rooflight are proposed. A double height glazed entrance is proposed to the front elevation.

A large front extension / front wing is proposed; 20 metres in depth, 6.9 metres wide, with a gable end roof and a ridge height of 6.21 metres. The extension includes ground floor accommodation and accommodation in the roof served by three south facing flat roofed dormers, and five north facing rooflights. At ground floor level a garage door, entrance door and two windows are proposed to the southern elevation, with two pairs of glazed doors proposed to the east facing elevation.

To the rear of the dwelling, a flat roofed single storey extension is proposed; 7 metres in depth and 14.3 metres in width, with two roof lanterns, rear folding glazed doors and two further sets of glazed doors. At first floor level four sets of glazed doors with glazed Juliet balconies and a window are proposed. At roof level a full width roof dormer extension is proposed; 18.7 metres wide with a flat roof, three sets of glazed doors with Juliet balustrades and three other glazed panels. The dormer facing material is annotated as 'cladding', the cladding material is unconfirmed.

Internally, to the front end of the ground floor of the proposed front wing, a self-contained annex is proposed with a living room / kitchen, bedroom and bathroom. A double garage is proposed alongside this, above which a long attic space is proposed which is annotated as 'storage / games room'. Within the ground floor of the extended main house, an open plan kitchen / lounge/ dining area is proposed, with a separate living room, a utility room, and a W.C. At first floor, three en-suite bedrooms and a bathroom are proposed. At second floor / roof level a further three bedrooms (one en-suite) are proposed.

To the rear garden area, it is proposed that a garage outbuilding be extended / replaced to form a larger building comprising a gymnasium, hot tub, sauna, W.C. and double garage. The proposed outbuilding is 24.2 metres deep and 5.6 metres wide, with a gable-end roof form and a ridge height of 5.2 metres. Materials proposed are a brick base, rendered walls, and a slate roof.

A detached double garage is proposed to the front curtilage of the property. The proposed garage is 6 metres deep and 6.5 metres wide, with a hipped roof with a ridge height of 5.15 metres. Materials proposed are a brick base, rendered walls, and a slate roof.

It is proposed that the northern entrance to the site would be blocked up and new gated entrance formed to the southern side of the site. Drawings showing the proposed appearance of the entrance and gates have not been provided.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Sellinge Parish Council: Comment

Support the application, provided that conditions are applied to ensure that the double garage is not used for living accommodation and the gym is used for the family only and no for any commercial purpose.

REPRESENTATIONS

One (1) representation received and is available in full on the planning file. The main points raised are summarised below.

- o The erection of a large detached double garage in front of the property would reduce light into our property and severely restrict our outlook.

PUBLICITY

Neighbours notified by letter. Expiry date 07/10/2019

RELEVANT POLICIES

Local Plan Review Saved Policies: SD1, BE1, BE8, CO1, TR12

Core Strategy Local Plan: DSD, CSD4

Places and Policies Local Plan Submission Draft: HB1, HB8, HB9, T2

The Submission draft of the Places and Policies Local Plan (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. 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, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

Core Strategy Review Submission Draft 2019: SS1, CSD4

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.

NPPF: Paragraphs 12, 124, 127.

APPRAISAL

Design and visual appearance

The recent planning history for the property comprises the refusal of a detached garage under application Y17/0525/SH. This building was considered to be inappropriate as it would have been set in front of the building line of the existing dwelling and would have been of materials-render walls and a slate roof, out of keeping with the prevailing character of surrounding development which is brick faced with brown tiled roofs.

Under the current application the following is proposed:

- o A detached garage to the front curtilage, similar in nature and appearance to that previously refused.
- o Substantial extension and remodelling of the main dwelling.
- o The addition of a front wing including self-contained annex accommodation.
- o Enlarged / replacement outbuilding to rear garden.

The property and its neighbours are set outside of the settlement boundary; the four dwellings are all set well back from the highway and this separation provides an open /countryside character to the street scene as the opposite side of the road is open countryside.

Policy CO1 requires that development in the countryside maintains or enhances the particular quality and character of the countryside, and is of a high standard of design and, sympathetic in scale and appearance to its setting.

Saved Policy BE8 requires that alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line, and detailing of the original building and should not have a detrimental impact upon the street scene. Permission will not be granted for loft conversions requiring dormer extensions which are large in proportion to the existing roof, as these can completely alter the proportion of the building, presenting a top-heavy and flat-roofed appearance.

Emerging Policy BH8 has similar design objectives, requiring that alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line and detailing of the original building and not have a detrimental impact on the street scene. Proposals for alterations and extensions to dwellings in the countryside should be proportionate to the size and scale of the original dwelling and must not adversely impact on the quality and character of the landscape or be detrimental to the rural setting.

The four dwellings set outside of the settlement boundaries are all set back from the road along a consistent building line. It is acknowledged that this building line is breached by the large front wing to the property to the north; Syuker, which was granted under application Y13/0580/SH. This was however granted on the basis that an elderly relative required annex accommodation and 24-hour care and evidence of this need was provided. The extension proposed was of materials to match the main house (brick and brown tiled roof) Furthermore, this neighbouring property is very well screened from the road by high coniferous planting along the front boundary.

In the case of the application property, the proposed extensions to the main dwelling are considered to be excessive in scale, they would not respect the proportions and form of the main house, the main house would be remodelled / subsumed by the proposed development which would result in an dwelling of a substantially larger scale, which accommodation across three floors and large front and rear extensions. The proposed front wing is excessive in scale

and depth; the need for a double garage (one of three proposed) and the need for annex accommodation has not been demonstrated as no supporting statement or explanation of the proposed development has been provided.

The proposal to finish the enlarged dwelling in render (colour / finish unconfirmed) with a slate roof, would result in an unduly prominent appearance which would be out of keeping with the prevailing character of the surrounding development which is brick faced with brown tiles roofs.

The proposed dormers to the front roofslope and side of the front wing are of flat roof form with clad cheeks (cladding material unconfirmed), which would not be entirely sympathetic, again materials would be out of keeping with the locality and flat roof forms are not in keeping with the main roof form. The proposed rear dormer is entirely inappropriate; a full width flat roofed block which would dominate the rear roof slope and would result in a three storey / top heavy appearance. A clad finish would add to the prominence of the feature.

The proposed rear outbuilding is of an excessive scale and depth and would not have the appearance of an appropriate subordinate garden outbuilding. Again, the need for three double garages has not been justified, and gym facilities could be accommodated in a much smaller building. Again, the proposed materials, render walls and slate roof, are out of keeping with the character of the immediate area and would be unduly prominent.

The proposed detached front garage would have a similar inappropriate impact to that previously refused, being set well forward of the existing building line and being of materials which are out of keeping with the character of the locality. The need for three double garages has not been justified.

The proposed alterations to the front boundary have not been fully explained as no elevation drawings of this element of the scheme have been provided. High boundary walls and gates would be out of keeping with the character of the street scene which is open in nature.

Overall, it is considered that the proposed scheme represents an excessive amount of development which would result in an overdeveloped plot. The proposed extensions to the dwelling are excessive, are not sympathetic to the character and proportions of the existing dwelling, and in conjunction with the materials proposed would result in an inappropriate and unduly prominent appearance. The scale of the proposed front wing and rear outbuilding are excessive, have not been justified, and again would result in unduly prominent development which would harm the character of the property. The proposed garage to the front curtilage fails to respect the existing building line and would have a harmful visual impact.

The proposed scheme is contrary to policies CO1, BE1, BE8, HB1 and HB8 and warrants refusal on these grounds.

Amenities of neighbouring occupiers

The proposed enlarged dwelling would result in a significantly increased footprint and bulk. To the norther side of the site this would be set alongside the existing dwelling and front wing of 'Syukur', other than the proposed single storey rear extension. The bulk of the extensions would not therefore have a harmful impact to this side. To the southern side of the site, the proposed enlarged dwelling is set away from the side boundary of the site. The proposed garage and rear outbuilding are set directly alongside the side boundary and would impact upon the outlook from the front and rear windows of the neighbouring dwelling to the south,

Humblebee House. These windows would however continue to have an open primary aspect to the front and rear however, and it is considered that the development would not have a harmful impact of a scale which warrants the refusal of planning permission.

In regard to privacy, the proposed new windows, dormer and rooflights to the front of the dwelling and the front wing would not cause harmful overlooking. The proposed rear fenestration, across three floors, would provide an increased level of overlooking, this would only however be by oblique views to the rear gardens to either side as the main views would be of the rear garden of the application property.

The proposed enlarged dwelling and annex would facilitate an increased occupancy of the property and could lead to additional activity within the site and increased comings and goings. The resultant level of activity would be unlikely to cause significant harm to amenity as it would still be domestic / residential in nature.

Overall it is considered that significant harm to neighbouring amenity would not be caused.

The proposed annex accommodation

Policy HB9 states that:

Annexes to accommodate those people with special housing requirements due to a need for supervision and care, including elderly relatives or disabled persons, especially in the countryside, should be attached wherever possible. Proposals for attached annexes will be judged against the relevant criteria in Policy HB8. The attached annexe shall have internal access to the existing dwelling and should be physically capable of being incorporated into the main dwelling when the need for the annexe ceases.

In this case, whilst the proposed annex is attached to the main dwelling, it would at the end of the proposed front wing with a garage in between. The annex provides full self-contained accommodation with its own separate entrance from the driveway. Therefore, the proposed annex has no internal access to the main dwelling, is not capable of being incorporated into the main dwelling, and no explanation of the need for, or proposed use of the annex has been provided. It is therefore considered that the proposed annex accommodation has not been justified, and as detailed above the annex forms part of a front extension which is considered to be of an excessive scale and unduly prominent appearance.

Parking and highways

The application includes a new gated access and boundary treatment alterations; full details of these elements of the scheme have not been provided. The principle of an access in this location does not raise highway safety concerns. Were the scheme to have been considered acceptable in all other regards, full details of the proposed access, gates and boundary treatments, and the provision and retention of adequate visibility splays could have been secured by planning condition.

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.

Other issues raised

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 that planning permission should be refused due to:

Reason(s) for Refusal.

1. The proposed extensions to the main dwelling are excessive in scale, and fail to respect the proportions, character and appearance of the existing dwelling. The proposed rear roof extension is of an excessive scale and bulk and inappropriate flat roofed form and would result in a top-heavy appearance. The proposed rear outbuilding is of an excessive footprint. The proposed garage to the front curtilage is set beyond the established front building line of the property and would be unduly prominent. The proposed materials; rendered walls and slate roofs to the extended dwelling and outbuildings, would be out of keeping with the character of the existing property and surrounding development. The overall resultant appearance would be that of an overdeveloped property, and the development as a whole fails to respect the character of the existing property and the prevailing character of the street scene. The proposed development is contrary to saved local plan policies CO1, BE1 and BE8, and emerging Places and Policies Local Plan policies HB1 and HB8.

2. The proposed annex accommodation would not have internal access to the existing dwelling and would not be physically capable of being incorporated into the main dwelling when the need for the annexe ceases. Furthermore, the need for the proposed annex accommodation and the nature of the proposed occupation has not been explained. The proposed annex accommodation is therefore contrary to emerging Places and Policies Local Plan policy HB9.

Case Officer: I.Hills

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

Name: I.Hills Position: Planning Officer Date: 20.12.2019

Report and draft decision notice agreed and passed to admin to issue decision.

Name: D Campbell Position: DM Team Leader Date: 08.01.20