

Officer Report

Application No.	25/1567/FH
Site Address	9 Orr Close, Hawkinge, CT18 7QT
Officer Name	Lizzy Nash
Proposal	Change of use of existing attached residential annex to a treatment room.

Recommendation

Report Number	RD-438581
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	16 October 2025

Report

Site

The proposal building is an end of terrace two storey dwelling with a pitched roof. The building includes a single storey porch to its front elevation, and a single storey converted garage attached to its side elevation. The front of the building has been paved and is available for the parking of vehicles. The surrounding close is a mix of terraced and semi-detached dwellings with one detached property at the entrance to the close, these dwellings have varied materials and designs but a shared character with the use of front facing gables being common alongside mono pitched front porches.

The site sits within the settlement boundary of Hawkinge but also sits within the National Landscape, SSSI Impact Risk Zone and an Archaeological Notification Area.

Relevant Site History

25/0774/FH – Single storey extension to the existing porch, single storey rear extension and works to the driveway including dropped kerb – Approved with Conditions

20/0240/FH – Conversion of garage into a living accommodation together with erection of a single storey rear extension - Approved with Conditions

Y11/0384/SH – Variation of condition 4 of planning permission 99/1143/SH to allow use of garage as living accommodation together with erection of a single storey rear extension – Approved with Conditions

99/1143/SH – Erection of 28 no. 2 bed houses, 48 no. 3 bed houses, 37 no. 4 bed houses together with garages/parking, formation of new vehicular access, construction of roads and provision of public open space (as amended) – Approved with Conditions

Proposal

The application seeks permission to allow the converted garage to be used as a treatment room. This would allow the homeowner to run her business from home.

The treatment room would be:

- Open Monday to Friday
- Between 4 and 5 clients a day
- No more than one client at a time
- Treatments would include taking, manual and holistic therapies

Opening hours would be as follows:

Monday: 9:00am – 13:00pm

Tuesday: 8:00am – 18:00pm

Wednesday: 8:00am – 18:00pm

Thursday: 8:00am – 18:00pm

Friday: 9:00am – 13:00pm

Saturday: Closed

Sunday: Closed

Bank Holidays: Closed

The proposal drawings include the single storey rear extension permitted under 25/0774/FH no alterations are proposed to the extension. No external alterations are proposed to the front elevation of the converted attached garage.

Consultation Responses

Consultation responses are available in full on the planning file.

Hawkinge Parish HaCouncil – Object: Excessive traffic movement and parking in residential area.

KCC Highways and Transportation – No objection. Subject to condition restricting number of visitors and that parking area shown is kept available.

Representations

Five representations have been received objecting to the proposal. They are summarised below:

- Already run as a business
- Nuisance parking
- Pedestrian safety
- Over intensification of use
- Harm to amenity of neighbours
- Emergency Vehicle Access

Relevant Policies

NPPF and NPPG

Paragraph 11, 48, 131 and 135

Places and Policies Local Plan (PPLP):

HB1, HB8 and T2

Appraisal

Principle

The proposal seeks permission to convert the existing bedroom within the converted annexe into a treatment room, to be used by the occupant of 9 Orr Close as part of their business. This would

introduce a small-scale commercial use within a site that is currently in residential use, located within a wider estate predominantly comprising residential dwellings.

Small-scale home-based businesses can be acceptable in planning terms, provided they do not result in material harm to the character or amenity of the area. In this case, the proposed use is limited to a single treatment room, operated solely by the occupant of 9 Orr Close, with no additional staff. As such, the proposal is considered acceptable in principle, subject to assessment against the relevant material planning considerations.

Design and Appearance

The submitted proposed plans illustrate the rear extension and alterations to the driveway, which have already been approved under application 25/0774/FH and do not form part of this current proposal. These approved works can be implemented independently of the proposed change of use. The approved driveway alterations have already been completed, while works to the rear extension have not yet commenced.

No external changes are proposed as part of this submission. As such, the proposed use of the annexe as a treatment room would not result in any impact on the character or appearance of the street scene.

Residential Amenity

Policy HB1 and HB8 of the PPLP both state that proposals should protect the residential amenity of neighbouring occupants through a loss of privacy, increased noise and disturbance or overbearing impact.

The proposed use is limited to a single therapy treatment room, accommodating one client at a time. As such, it is unlikely to generate noise levels beyond those typically associated with residential use. While the proposal would result in some additional vehicle movements due to client visits, these would be restricted to the specified opening hours and are not expected to cause unacceptable noise or disturbance to neighbouring properties.

The treatment room is to be operated solely by the occupant of 9 Orr Close. To ensure the use remains small-scale and does not intensify, it is considered reasonable to impose a condition restricting operation to the occupiers of the dwelling. This would prevent the space from being rented out to third parties and safeguard the residential amenity of neighbouring occupants by avoiding a more intensive commercial use.

No external alterations are proposed that would result in an increase in overlooking or overshadowing above and beyond that approved under 25/0774/FH.

In light of the above the proposal is considered to be consistent with the aims of HB1 and HB8 of the PPLP.

Highways Safety

Under Policy T2, a dwelling of this size and in this location is required to provide two vehicle parking spaces. The proposed treatment room would generate a need for one additional space. However, following consultation with Kent County Council Highways and Transportation, a fourth parking

space was requested to accommodate waiting clients. As a result, the site is expected to provide a total of four parking spaces.

Prior to the works approved under the 2025 application, parking was available for two vehicles in tandem in front of the converted garage. The implementation of the approved additional hardstanding has since created two further parking spaces in front of the main dwelling. As shown on the submitted plans, the site now accommodates four parking spaces: two in tandem in front of the garage and two independently accessible spaces in front of the main dwelling. The tandem arrangement is considered acceptable for the residential parking requirement, while the independently accessible spaces are suitable for the treatment room use. To ensure these spaces remain available for visitors to the site, it would be appropriate to impose a condition securing their retention should the application be approved.

In light of the above the proposal site would meet the requirements for parking in line with KCC Highways and Transportation's comments and therefore maintains highway safety.

Delegation

The objection raised by the Town Council is noted; however, it relates specifically to concerns over 'excessive traffic movement and parking'. In accordance with paragraph 8.3.1 part f iv. of the Council's Constitution, where an objection from a Town or Parish Council is based on a technical matter—and the relevant technical consultee is satisfied with the proposal—the application may be determined under delegated powers. In this case, KCC Highways and Transportation (the technical body for highways) does not object to the application, subject to the relevant conditions, and therefore the application can be determined under delegated powers.

Other Matters

The site is within both an Archaeological notification area and SSSI impact risk zone, however due to the minor scale of the development mitigation measures are not required.

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.

Duty to cooperate

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance the application was acceptable following the submission of an amended block plan as submitted.

Recommendation

Considering the above, it is the view of this officer that the proposal should be granted planning permission as it is considered 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 (7)

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 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 drawings and documents:

PL10 Rev P2 Proposed Site Plan (Received: 14/10/2025)

Design and Access Statement (Received: 19/08/2025)

PL03 Proposed Elevations (Received: 18/08/2025)

PL11 Proposed Plans (Received: 18/08/2025)

Agent Clarification Email (Received: 13/10/2025)

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

The use of the premises as outlined in red on the approved plan PL11 Proposed Plans (Received: 18/08/2025) hereby permitted shall not take place on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times:

Monday: 9:00am - 13:00pm

Tuesday: 8:00am - 18:00pm

Wednesday: 8:00am - 18:00pm

Thursday: 8:00am - 18:00pm

Friday: 9:00am - 13:00pm

Reason: In the interests of residential amenity.

4

There shall be no more than one client receiving treatment in connection with the use hereby approved on site at any time.

Reason: In the interests of residential amenity

5

The treatment room hereby approved shall be operated only by the occupants of 9 Orr Close, Hawkinge and shall not be leased, rented or sold to any other party.

Reason: To minimise an over-intensive use of the site and to protect the amenity of neighbouring properties.

6

The approved change of use to a treatment room shall be strictly limited to the room identified within the red line boundary on drawing PL11 Proposed Plans (Received: 18/08/2025). This permission does not extend to the main dwelling or any other part of the site, which shall remain in residential use.

Reason: In the interests of residential amenity

7

The parking area identified on drawing no. PL10 Rev P2 – Proposed Site Plan (Received: 14/10/2025) shall be retained and kept available for vehicle parking at all times. No permanent development, whether permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent order revoking or re-enacting that Order—shall take place on the land shown, or in any location that would obstruct vehicular access to this parking area.

Reason: In the interests of highway safety and convenience.