

- a) **DOV/17/00409 – Erection of a front porch and single storey side extension with rear dormer to create self-contained annexe at Kenden, Station Road, Martin**

Reason for reporting to Committee: Number of views contrary to officer's recommendation.

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policies and Guidance**

#### Core Strategy (CS) Policies

- CP1 – Martin Mill falls within the definition of a Hamlet as set out in the Settlement Type Hierarchy of the Core Strategy.
- Policy DM1 – Development is not permitted on land outside the urban boundaries and rural settlement confines unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- Policy DM9 – Accommodation for dependent relatives is permitted subject to the following criteria:
  - “i. The accommodation is designed and located so as to be able to function as ancillary accommodation to the principal dwelling and revert to single family accommodation once the use has ceased;
  - ii. The accommodation is of a size and design appropriate to the needs of the intended occupant; and
  - iii. The proposal is acceptable in terms of flood risk.”
- Policy DM15 – Seeks to protect the countryside for its own sake

#### National Planning Policy Framework (NPPF)

- The NPPF has 12 core principles set out in paragraph 17 which amongst other things seek to secure high quality design and a good standard of amenity for all existing and future residents.
- NPPF – is relevant as the proposal should seek to be of a high design quality and take the opportunity to improve the visual quality and character of the area. Paragraphs 56-58, 61 and 64 seek to promote good design and resist poor design.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development and advises that context should form part of the decision making around design.

d) **Relevant Planning History**

None

e) **Consultee and Third Party Responses**

Parish Council: Supports the application subject to the following criteria: The extension to be single storey only to retain the profile of the building, the annexe to be part of one dwelling and an opaque window to be inserted to maintain the privacy of the neighbouring property.

Public Representations: There have been 6 letters of objection received from the public consultation of the application. A summary of the responses is set out as follows:

- The proposal is considered an overdevelopment of the site, overbearing, out of scale, dominant and out of character
- The proposal would result in the loss of light to side windows of The Nook, overshadowing would occur to The Nook and there would be would harm the living conditions of the occupiers of The Nook.
- The existing changes to the building and the land cause harm to character and appearance and the proposal would make this worse
- The proposal is unsuitable to function as an annexe and is tantamount to a new dwelling

There have been 5 letters of support received as a result of the public consultation.

f)

1. **The Site and the Proposal**

- 1.1 The existing building is a single storey modest sized dwelling. It has a square form with a symmetrical frontage – having a centrally located front door with windows on either side. It has a pitched roof. It appears that some recent changes have taken place to the front and side garden of the property – with car parking along the side and to the front of the site. This area could probably accommodate 3-4 cars.
- 1.2 The building has two single storey rear extensions. One is deeper than the other. A deep single storey rear extension exists on the eastern side of the building (it had been a detached laundry building has been recently converted and linked to the main dwelling), whereas a shallower single storey rear extension is located adjacent to where the proposed extension is to be located.
- 1.3 There is a generous side space between the building and the western boundary, which is defined by a thick hedge along its length.
- 1.4 The adjacent building to the west (the Nook) is a Victorian two storey cottage, which appears to have been extended to the rear at two storey level. The Nook has two ground floor windows and one obscure glazed first floor window on its flank elevation facing toward the application property. To the rear there are patio doors and upper floor windows that have angled views towards the application site. From within the application garden, the ground floor windows in the rear elevation of The Nook are not visible due to the height and depth of the hedge along the boundary.
- 1.5 Within Station Road there is an eclectic mix of house types of various sizes and ages and there is no uniform pattern of development and no common separation between buildings.
- 1.6 The application drawings have been amended from their original submission. The rear dormer extension has been reduced in size so that it sits within the roof slope and the measurements on the amended drawings show the '45 degree angle' taken from the centre line of the windows/doors in the rear elevation of The Nook.
- 1.7 The proposed side extension substantially fills the gap between the property and the western side boundary leaving an approx. 1.35m to 1.46m separation to it. The front/side section of the extension has a matching pitched roof design and continues the ridge line of the existing building across. Within the rear roof slope a dormer window is proposed – this faces down the garden.
- 1.8 The rear section of the side extension would have a matching flat roof

to match the existing design and depth of the recently constructed single storey rear extension. The extension projects as deep as the existing rear extension to the property and would square-off this section of the building.

- 1.9 The proposed extension would project deeper than the rear elevation of The Nook by some 4.4m. The drawings indicate the 45 degree angle of view, from the nearest ground floor windows in the rear elevation of The Nook to the rear of the proposed extension, would not be breached.
- 1.10 The proposed extension is intended to accommodate dependent relatives – the parents of the applicant. The accommodation comprises a bedroom and bathroom to the front of the extension with living area and kitchenette to the rear. Patio doors would open out to a short patio area in the rear garden that would be fenced along one side, but there would remain open (unenclosed) views along the depth of the garden. From within the living area a staircase is also proposed to a further bedroom within the roof space – facilitated by the proposed dormer window. There is a side access to a door leading into the living area, and also an internal door leading between the existing building and the proposed extension.
- 1.11 The accommodation is proposed primarily because of the mother's health. Two bedrooms are required as the parents have separate bedrooms in their existing accommodation and would like to maintain this arrangement. Details of the mother's health and her lack of mobility have been submitted with the application.
- 1.12 In addition to the side extension, a front porch is proposed. This would extend forward of the building by some 1.5m. It would have a gabled roof design and would be enclosed, with finishes to match the existing.

## **2. Main Issues**

2.1 The main issues are:

- Whether the proposal is acceptable in principle
- Whether the proposal harms the character and appearance of the area
- Whether the proposal harms residential amenity

## **3. Assessment**

### The Principle of Development:

- 3.1 The application site does not fall within a village settlement and Policy DM1 applies to the proposed development. Policy DM1 allows development outside the villages confines if the development is ancillary to existing development. In this case, the proposal is for an extension to an existing dwelling, which is normally recognised as an ancillary form of development. The justification for the extension for dependent relatives is also considered to be ancillary to the use and function of the existing development.
- 3.2 Policy DM9 allows new accommodation for dependent relatives subject to certain criteria being met, as set out above. The proposal seeks to extend an existing dwelling and has been designed to match the design and appearance of the existing building. The extension is to the side of the existing dwelling so as to provide a separate means of access to the accommodation via a side door, but the extension also retains a means of access to the accommodation from the existing building. Apart from a fence along a short section of a patio area, the rear garden area is not being sub divided. This would allow and retain unimpeded access for the occupiers to the whole garden area and would allow inter-connectivity between the existing and the proposed accommodation. Two bedrooms are proposed for the reasons set out above. This is not an unusual or an unreasonable request. The accommodation is designed to match the depth of the existing dwelling and is proportionate in size and matching in design with the existing building.
- 3.3 The application site is not located close to an area at risk from flooding.
- 3.4 In conclusion, the proposed accommodation would satisfy the requirements of Policies DM1 and Policy DM9. In addition, planning conditions could be imposed to require the proposed accommodation to revert back to be used with the main dwelling once there is no longer justification for the dependent relatives to be accommodated.

### Character and Appearance of the area:

- 3.5 The application property falls within the hamlet of Martin Mill within the wider countryside. This section of the hamlet comprises mostly a linear form of residential development fronting onto Station Road. There is a mix of house types and designs along this short stretch, but no design uniformity or uniformity in the separation between buildings.
- 3.6 The application property appears to have been recently renovated with the refurbishment of its laundry building to the rear and its connection to the main building, through the single storey rear extension (seemingly constructed under permitted development rights) and through the changes to the front garden area to create a larger parking area that is mostly covered by Type 1 road plantings.

The property appears as a modest sized bungalow, symmetrically designed with a centrally located front door with windows either side.

- 3.7 The proposal seeks to replicate the existing design and appearance of the bungalow by extending the building to the side using a matching pitched roof and ridge line, matching window designs and proportions and matching materials and finishes. The width of the extension would be less than the width of the existing building and overall it would appear as a subsidiary, subservient addition to the property. The symmetry of the building would not be retained, but this design element is not essential to the general physical attributes of the dwelling and how it relates to the street scene. The new porch is modest in size and does not project significantly from the front elevation. It is suitable in design and appearance as a front addition without affecting the visual amenities of the street scene.
- 3.8 The separation of the extension to the highway would be retained – the extension would come no closer than the existing building, whilst the gap to the western boundary would be reduced. This reduction in the space around the building would not adversely affect the spatial character of the street scene because there is already a variety in the separation between the buildings and therefore no uniformity in the spatial character of the area that is necessary to adhere to.
- 3.9 The proposed extension would match the existing design and appearance of the bungalow and it would not appear prominent or obtrusive in its context.
- 3.10 Policy DM15 seeks to protect the countryside for its own sake. The application property is surrounded by built development such that the proposal to extend across the side garden would not encroach into the wide, open countryside. It is considered that the countryside would be safeguarded as a result of this development.
- 3.11 In conclusion, it is considered that the character and appearance of the area would be safeguarded. The requirements for good design in the Kent design Guide and the NPPF are considered to be met.

#### Residential Amenity:

- 3.12 The main issue is to consider how the proposed extension might affect the occupiers of The Nook, the adjacent dwellinghouse. There are two ground floor windows in the flank elevation of The Nook that face across the flank boundary hedge and the application site. The hedge is visible from these windows. These side windows are not large and do not appear to serve the dwelling as principal windows because their outlook is limited by the distance to the boundary, the boundary hedge and their outlook would be further limited should a 2m high fence be erected along the boundary under the opportunities available through

'permitted development'. In other words, the occupiers of The Nook should not reasonably expect to rely on these windows to provide the principle outlook, light and ventilation to serve the ground floor of the property.

- 3.13 The nearest windows/doors in the rear elevation of The Nook (which appear to be within the extended part of the house) have an outlook down the garden and across at an angle to the application site. The submitted drawings indicate that the extension would not breach the 45 degree line from the centre of these doors/windows. This satisfies the Council's 'rule of thumb' in helping to assess the degree of impact from an extension on existing neighbouring windows. As such, the rear extension by reason of its angle from the centre line of the windows in the rear elevation of The Nook and in addition by reason of the separation between the proposed extension and its single storey height (assisted by the flat roof design) would not cause undue harm to the outlook from these windows.
- 3.14 The proposed extension has a pitched roof and consideration should be given to its proximity to the side boundary and how this would affect the 3 windows in the side elevation of The Nook (ground and first floors). The application site is orientated east of The Nook such that any loss of light or overshadowing might only occur during the early mornings. For the reasons set out above, these ground floor windows cannot rely on unimpeded sunlight and outlook as they are to the side of the house and their existing outlook and light are susceptible and vulnerable to changing circumstances. The first floor side window is a secondary window and is obscure glazed – it therefore has less importance in how it serves the dwelling and the proposal is going to least affect the room it serves.
- 3.15 As such, it is considered that whilst there may be some impact on the living conditions of the occupiers of The Nook, the impact is not unduly harmful to justify the application being refused.
- 3.16 The impact upon other neighbouring properties has been taken into account and no harm would arise as a result of the distance between properties.

Conclusion:

- 3.17 The proposal complies with Policies DM1, DM9 and DM15 of the Core Strategy.
- 3.18 It is considered that the proposed development is of good design and would preserve the character and appearance of the street scene.
- 3.19 Whilst there may be some impact upon the living conditions of the occupiers of the adjacent dwelling house, this impact is not considered

to be adverse.

g)

**Recommendation**

- I PERMISSION BE GRANTED subject to conditions to include:
  - i) Standard 3 year permission, ii) Approval of submitted and specified drawings, iii) Requirement of materials and finishes to match iv) Requirement for obscure glazing to the window in the west facing elevation of the extension v) Requirement for the accommodation to be ancillary and for it to revert to form part of the main house when the justification for the accommodation no longer applies
  
- II Powers be delegated to the Head of Regeneration and Development to settle any necessary wording or additional reasons for refusal in line with the recommendations and as resolved by the Planning Committee.

Case Officer:

Vic Hester