

## REPORT SUMMARY

<b>REFERENCE NO -</b> 17/502386/FULL			
<b>APPLICATION PROPOSAL –</b> Erection of annex/garage with storage/games room above			
<b>ADDRESS –</b> The Haven, Hunton Road, Marden			
<b>RECOMMENDATION -</b> APPROVE WITH CONDITIONS			
<b>SUMMARY OF REASONS FOR RECOMMENDATION -</b> The proposal is considered to comply with the Development Plan and there are no overriding material considerations to indicate a refusal. The development is considered to preserve the character and appearance of the countryside and would not result in significant residential amenity, flooding or parking issues.			
<b>REASON FOR REFERRAL TO COMMITTEE -</b> The recommendation is contrary to the views of Marden Parish Council who have requested that it is referred to Planning Committee.			
<b>WARD</b> Marden & Yalding	<b>PARISH/TOWN COUNCIL</b> Marden	<b>APPLICANT</b> Mr Friend <b>AGENT</b> Michael Tamsett Architectural Designs	
<b>DECISION DUE DATE</b> 06/07/17	<b>PUBLICITY EXPIRY DATE</b> 14/07/17	<b>OFFICER SITE VISIT DATE</b> 22/05/17	
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
92/0813	Demolition of existing dwelling and erection of new four-bedroom detached house	Approved	13/07/92

## MAIN REPORT

### **1.0 DESCRIPTION OF SITE**

1.01 This application relates to a detached dwelling, which is located in the open countryside in the parish of Marden. The dwelling is constructed of brick under a tiled roof, with 2 dormers to the front roof slope. The dwelling is set some distance back from the road, with a low wall and mature trees to the frontage.

### **2.0 PROPOSAL**

2.01 Planning Permission is sought for the erection of an annex/garage building with storage/games room over. The annex accommodation would not be fully self-contained, comprising lounge, bedroom and wet room, with no kitchen facilities. One parking space would be provided within the building.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

Maidstone Borough-Wide Local Plan 2000: ENV28, H31, H33

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Supplementary Planning Documents: "Residential Extensions"  
Draft Maidstone Local Plan (2011-2031): SP17, DM1, DM34, DM36, DM37

#### **4.0 LOCAL REPRESENTATIONS**

4.01 **Local Residents:** 3 representations received (from 1 property) from local residents raising the following (summarised) issues:

- Land ownership
- multiple occupancy (5 cars in drive) & noise and traffic therefrom
- covenants
- appearance/facilities not appropriate to garage
- another scheme could be more suitable
- parking
- outside original boundary

#### **5.0 CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

5.01 **Marden Parish Council:** Raises objections on the basis of siting, scale, mass and design, detrimental to character of the countryside, out of character, flooding and land ownership.

5.02 **KCC Highways:** no objection.

#### **6.0 APPRAISAL**

##### **Main Issue**

6.01 The key issue for consideration relates to:

- Visual impact upon the character and appearance of countryside

##### **Main Issue - Visual Impact**

6.02 Although the building would have a fairly substantial footprint, its scale has been significantly reduced through pre-application advice and the proposal now, importantly, would utilise a hipped roof to the South side (Road facing) elevation, which would help to reduce its bulk and visual impact. The building would be located fairly close to the house, so would not appear isolated and it would be set a good distance back from the road. Given the hipped design of the roof, the building is considered modest in relation to the existing house and the design of the building would be sympathetic to the existing house. Dormers are in keeping with the character of the site as there are dormers to the front elevation of the house.

6.03 Also, it is considered that, due to the existing landscaping and the alignment of the road, the building would not be prominent in public views. To the East, there is a well

established mature hedge alongside the road providing screening and mature trees to the front of the site and would also restrict views. To the West, the curvature of the road is such that again, views are somewhat limited and in general public views are mainly restricted to short range views which are softened by existing landscaping.

6.04 Although dormers are proposed, these would be to the rear (east), where again, they are not considered prominent and the single-storey eaves height and use of rooflights would ensure that the building retains a single storey appearance to its front (west). It would be of a modest scale in relation to the existing house it is considered and it is concluded that the proposal is in line with the aims of the Supplementary Planning Document "Residential Extensions".

6.05 The site area does include a minor increase in the area of residential land to the Eastern side of the site, as it incorporates a strip of land which was not within the site boundary when the dwelling was permitted in 1992, but has been incorporated into the existing garden of the site. It is estimated to be in the region of 9 m in width. However, this additional area allows for the proposed building to be sited where it is not directly in front of the house, and therefore has a more sympathetic appearance and the land in question is not considered of any important character nor is it of a significant scale. It is land which is located immediately alongside the existing house and private garden area and it is therefore land which is unlikely to be used for agricultural purposes. Fencing to the side boundary is of a post and rail type which is traditional and in keeping with the character of the countryside. The loss of this land to residential use is not, therefore, considered to constitute a significant encroachment of the countryside nor to result in significant harm to its character or appearance to a degree to justify a refusal.

6.06 It is therefore concluded that the scale, design and siting are such that the development would not result in significant harm to the character, appearance or openness of the countryside. It is considered to comply with the aims of policies ENV28 and H33 of the local plan and policies DM1, DM34 and DM36 of the emerging plan.

### **Other Matters**

6.07 Taking other matters in turn, including matters raised in representations, the following comments are made:

Residential amenity – the site is well separated from neighbouring properties such that there are no significant light, outlook or privacy issues;

Flooding – the proposal is for a minor scale of development and the environment agency are therefore not a statutory consultee. The Government does not require a detailed flood risk assessment to be submitted for this type of development, nor is it required to be subject to intense scrutiny. The development does not include fully self-contained facilities and therefore any occupant would have use of the existing house, as the accommodation is dependent upon the kitchen facilities within the house. The floor level is shown to be no lower than the floor level of the house (in fact it is stated to be 50 mm higher) and this is considered sufficient information and flood mitigation for this scale of development. There are therefore no flooding grounds to refuse this minor development upon.

Parking – sufficient parking for a number of vehicles would be retained upon the driveway with an additional space within the garage. This is considered sufficient for this rural location.

Trees – no important trees would be required to be removed as a result of the development.

Ecology – due to the scale of the development and the character of the site, there are no significant ecological issues.

Multiple occupancy – no change of use to a house in multiple occupation has been applied for and such use would therefore require a separate application. The number of cars upon a driveway of 5 is not considered unreasonable for use as a domestic dwelling. As the proposal is simply for ancillary accommodation, with no additional units proposed, there are no significant noise or traffic issues.

Covenants – this is not a material planning consideration.

Pre-application advice – the merits of a different scheme are not relevant, as the proposal which has been applied for is that which must be assessed.

Land ownership – the plans have been amended to remove a section of the site from within the red line which was understood to be outside of the applicant's ownership. A land registry search does not indicate a need for a certificate B based upon the revised site area.

Facilities – it is not uncommon to have ancillary accommodation and a storage/games room within an outbuilding at a dwelling.

## **7.0 CONCLUSION**

7.01 The matters raised in representations have been fully considered. However, taking all of the above into account, the proposal is considered to comply with the Development Plan and there are no overriding material considerations to indicate a refusal. The development is considered to preserve the character and appearance of the countryside and there are no significant residential amenity, parking or flooding issues. Approval is therefore recommended.

## **8.0 RECOMMENDATION**

8.01 GRANT planning permission subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

A site location plan received on 30/05/17, drawing number 17/1075B received on 14/06/17 and floorplans and elevations only upon drawing number 17/1074A received on 13/06/17;

Reason: To ensure the quality of the development is maintained and to prevent harm to the character and appearance of the countryside.

(3) The bricks and tiles to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling unless otherwise agreed in writing by the local planning authority;

Reason: To ensure a satisfactory appearance to the development.

(4) The building hereby permitted shall only be used for purposes ancillary to the use of the main house known as The Haven, shown within the red line upon the site location plan and it shall not be used as a separate independent dwelling;

Reason: Its use as a separate dwelling would be contrary to the Development Plan and would have an unsatisfactory relationship with the existing house.

Case Officer: Louise Welsford