



Appeal Decision

Site visit made on 8 March 2022

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 8 April 2022

Appeal Ref: APP/E2205/D/21/3284136

Pilgrims, Pilgrims Lane, Chilham, Kent, CT4 8AA.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Gary Petts against the decision of Ashford Borough Council.
 - The application Ref 21/01460/AS, dated 9 August 2021, was refused by notice dated 14 September 2021.
 - The development proposed is extension of existing bungalow and provision of an annexe for a dependant relative.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Although not mentioned on the application form, from the Council's decision notice, I note that the proposal also included for a new detached double garage and workshop. Accordingly, I shall therefore also consider this additional building shown on drawing number 21041.5 B as part of this appeal.

Main Issue

3. I consider the main issues to be the effect of the proposed development on the character and appearance of the surrounding countryside and whether the proposed annexe has a demonstratable functional relationship with the principal dwelling.

Reasons

4. The appeal property, Pilgrims is a modest detached bungalow. It is located on the north side of the lane. The dwelling sits on an open site, on rising ground above and well back from the lane. The neighbouring development generally comprises bungalows.
5. The appellant proposes the extension of the existing bungalow, provision of a detached annexe for a dependant relative and a detached double garage and workshop.

Proposed garage and workshop:

6. This detached building would be just 4.3 meters in height with a modest footprint, close to the main dwelling and would have the appearance of a typical rural outbuilding. Accordingly, as its function would be incidental to the main dwelling, I

concur with the Council's assessment that it would not alone cause harm to the character and appearance of the surrounding countryside.

Extension to dwelling:

7. Policy HOU8 of the Ashford Local Plan 2030 (Adopted February 2019) (LP), requires amongst other things, at criterion c) that *the proposed extension is suitable in size, scale and materials to the existing dwelling to which it should be physically linked, also taking into account the existing standard of accommodation for extensions to smaller rural properties*; and at, criterion d) *that the proposed extension is designed to ensure that it does not result in significant harm to the overall character and appearance of the area taking into account the surrounding built form and/or streetscene*.
8. Further to LP Policy HOU8, Supplementary Planning Guidance Note 10 Domestic Extensions in Urban and Rural Areas (June 2004) (SPG10) at paragraph 3.4 states that extensions to dwellings in the countryside can be accommodated as a matter of principle providing that the visual impact of the resultant enlarged dwelling is one that – *expresses a coherent design form; does not result in a poorly proportioned or intrusive building in the landscape; and does not undermine the dominance of the landscape through unacceptable cumulative levels of household related development at the site over time*.
9. The existing bungalow is a modest two-bedroom dwelling with a living room, study kitchen and bathroom all on one level. What is proposed, as a result of the additions, would appear as a substantial two-storey property with four bedrooms, three bathrooms together with one open and one covered balcony at first floor level and in addition to a kitchen, utility room and boot room three reception rooms and cloak room on the ground floor. The prominence of building as extended would be further enhanced by the verticality of the design together with the height and dominant gable roof design.
10. Based on the scheme design before me I can only conclude that because of its overall footprint, scale, three-dimensional form and massing the proposed extension would completely subsume the existing bungalow. Furthermore, the extension would result in a poorly proportioned and unsympathetic form of development that would be detrimental to the host dwelling and the open, rural character of the surrounding area. As a result, the development would cause significant harm to the visual amenity of the locality and would not preserve the intrinsic character and beauty of the countryside. The proposal would therefore fail to accord with criterion c) and d) of LP Policy HOU8 or paragraph 3.4 of SPG10 as set out above.

Proposed annexe:

11. LP Policy HOU9 sets out the criterion by which standalone annexe buildings will be considered, amongst other things, it requires at: Criterion c) *the proposed annexe is suitable in size, scale and materials and to be visually subordinate to the principal dwelling*; Criterion d) *it is sited to achieve a clear dependency is retained between the annexe and the main building at all times*; Criterion e) *the annexe is sited to ensure clear dependency is retained between the annexe and the main building at all times, and*; Criterion f) *the proposed annexe is designed to ensure it does not result in significant harm to the overall character and appearance of the surrounding area taking into account the surrounding built form and street scene*.
12. I understand from the evidence before me that proposed annexe has been designed to cater for the needs of a disabled relative and a live in carer. It would comprise two bedrooms, kitchen, dining area and bathrooms. Accordingly, what is

proposed is a substantial building and therefore, given its size and level of accommodation it could, as identified by the Council be occupied as a self-contained independent dwelling without any functional relationship to the principal dwelling.

13. Further, the proposed annexe would be located some considerable distance from the host property at the very rear of the residential curtilage. Accordingly, given the proposed siting there would appear little functional relationship between the annexe and the host property. Further, given the separation distance and having regard to the surrounding land the annexe could be provided it with its own private curtilage.
14. Although, it would be aligned with other outbuildings the proposed annexe would nevertheless be located some considerable distance to the rear of the host property. In my judgement therefore it would constitute a backland form of development and would thereby fail to relate to or be sympathetic to the existing residential built form in the locality.
15. For these reasons I consider that the proposed annexe as designed and sited could be occupied independently from the principal dwelling without any functional or clear dependency on the main dwelling it would serve. This would be contrary to the requirements of criterion c), d) and e) of LP Policy HOU9.
16. In addition, due to its siting and scale the proposed annexe would fail to appear as a subordinate outbuilding to the host property. Accordingly, it would result in significant visual harm to the surrounding countryside contrary to criterion f) of LP Policy HOU9.

Other Matters

17. In respect of the extension to the host property I note the appellant's comments concerning possible development through the implementation of permitted development rights that the property may enjoy. However, this would be subject to separate approval and as there is no evidence to suggest that the impacts described would come to pass, this consideration has minimal weight in my decision.
18. The appellant has referred me to his analysis of other properties in the vicinity of Pilgrims, including the various extensions and additions built over time. Whatever the background to those cases, they are not an appropriate justification for permitting the extension to the existing bungalow here, which I have considered on its individual design and planning merits and its impact on the host property and the character and appearance of the area.
19. I note that the appellant would be prepared to re-site the proposed annexe. However, this would be a matter for the Council's consideration in the first instance and therefore falls outside the scope of this appeal.
20. I appreciate that the proposed annexe has been designed to cater for the needs of a disabled relative and their carer. While I am sympathetic to these matters, on balance, they do not outweigh the harm the annexe as designed would cause in the long term to the character and appearance of the countryside.

Conclusions

21. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR