

- a) **DOV/20/00519 – Erection of a detached annexe for ancillary use for gym/hobby room (existing outbuilding to be demolished) - Farm Cottage, Cherry Lane, Great Mongeham**

Reason for Report: Seven contrary views

- b) **Summary of Recommendation**

Planning Permission be GRANTED

- c) **Planning Policy and Guidance**

Dover District Core Strategy

- DM1- Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM9 - Accommodation for dependent relatives will be permitted provided it is:
  - i. Designed and located so as to be able to function as ancillary accommodation to the principal (not main) dwelling and revert to single family accommodation as part of the main dwelling once the use has ceased;
  - ii. Of a size and design appropriate to the needs of the intended occupant; and
  - iii. Acceptable in terms of flood risk.
- DM11 - Development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies. Development that would generate high levels of travel will only be permitted within the urban areas in locations that are, or can be made to be, well served by a range of means of transport.
- DM13 - Provision for parking should be a design led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives. Provision for non-residential development, and for residential cycle provision, should be informed by Kent County Council Guidance SPG4, or any successor. Provision for residential development should be informed by the guidance in the Table for Residential Parking.

National Planning Policy Framework (2019) (NPPF)

- Paragraph 2 states that “planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”.
- Paragraph 7 seeks to achieve sustainable development.
- Paragraph 8 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These three overarching objectives are interdependent and need to be pursued in a mutually supportive way.
- Paragraph 11 states that where development accords with an up-to-date development plan it should be approved without delay; or where there are no relevant policies or the most important policies for the determination of the application are out of date, then also granting permission unless: there is a clear reason for refusing the proposed development due to conflict with an area/asset of particular importance (as

identified in the framework); and/or where any adverse impacts of granting permission significantly and demonstrably outweigh the benefits, when taking the Framework as a whole, then planning permission should be refused.

- Paragraph 127 requires that planning policies should ensure that well-designed places are achieved, with the creation of high-quality buildings and places being fundamental to what planning and development process should achieve.
- Paragraph 130 requires that permission be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area.
- Paragraph 170 requires that the planning system contributes to and enhances the natural and local environment, by recognising the intrinsic character and beauty of the countryside, protecting valued landscapes, geological conservation interests and soils, recognising the value of ecosystems, minimising impacts on, and where possible enhancing, biodiversity, preventing pollution and remediating contamination.

#### Kent Design Guide

#### National Design Guide

#### d) **Relevant Planning History**

02/00459 - Erection of detached dwelling and alterations to vehicular access - Refused

02/01422 - Erection of detached dwelling and construction of vehicular access – Refused

04/00920 - Construction of uPVC conservatory and construction of garage, widening of parking area already existing, widen existing access - Granted

#### e) **Consultee and Third-Party Responses**

Great Mongeham Parish Council – objects - the proposed building is too big, going from one storey to two will be an over development of the site and will be out of keeping with the surrounding area. It will also overlook the neighbouring properties.

County Archaeologist – no comments received

East Kent Public Rights of Way – no comments received

A total of seven individuals have raised objections to the proposal summarised as follows:

- Overlooking and loss of privacy
- Precedent would be set for development
- Overshadowing to neighbouring properties
- Limited access as rural road
- Belief that the annexe will later become a separate dwelling
- Size of proposal isn't appropriate for desired use

In addition, four letters of support have been received, raising the following points:

- Appropriate for the property
- Desired use as a gym is good for wellbeing
- Replaces existing building
- Windows are appropriately located
- Another neighbour has already built in their garden
- The development retains off road parking spaces

## 1. **The Site and the Proposal**

- 1.1 The application site relates to a detached two storey cottage on the northeast of Cherry Lane in Great Mongeham. This property is finished in pink painted brick with brown uPVC windows and doors, with a thatched roof.
- 1.2 The site is located within the village confines of Great Mongeham. The principal elevation of the cottage faces away from Cherry Lane. The site contains a gravelled car parking area sufficient for at least 4 cars to the southeast of the cottage. To the rear of this is a single storey outbuilding (faced in black painted boarding). A shed lies to the southeast of this parking area on the boundary to Cherry Lane.
- 1.3 Farm Cottage is bounded by Orchard House to the north, Pippin Cottage to the southeast and Remembrance to the east. The area comprises a quiet, well established residential area comprising a mixture of single storey and two storey dwellings which are both detached, and semi-detached.
- 1.4 The application is for a detached annexe located to the southeast of the main dwellinghouse and on the site of the existing outbuilding. The annexe would measure 7.3 metres wide by 6.2 metres deep with a maximum height of 6.7 metres. The annexe would be for ancillary use as a gym/hobby room and be finished in black horizontal boarding with the roof finished in small plain tiles. The proposed design aims to compliment a neighbouring property and to match the shed which will be retained.
- 1.5 The proposal has been amended and reduced in size in order to address concerns raised by neighbours. In particular, its design has been modified considerably, moving away from a somewhat residential design, with an interplay of steep roof pitches and dormer windows, to a more modest, simplified form, more in keeping with the appearance of a residential outbuilding. The annexe now has a simple pitched roof with a single dormer, and has been reduced from 6.2 metres to 5.9 metres in height (to the ridge).

## 2. **Main Issues**

- 2.1 The main issues for consideration are considered to be:
- The principle of the development
  - Residential amenity
  - The character and appearance of the area

### **Assessment**

#### **The Principle of Development**

- 2.1 The site is located within the settlement confines and the creation of ancillary residential accommodation in this location would accord with Policies CP1 and DM1.

As such, the development is acceptable in principle, subject to impact on visual and residential amenity and other material considerations.

### Character and Appearance

- 2.2 The NPPF states that planning decisions should ensure that developments 'will function well and add to the overall quality of the area', be 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping', be 'sympathetic to local character and history' and 'establish or maintain a strong sense of place' (paragraph 127). Furthermore, paragraph 170 states that 'Planning policies and decisions should contribute to and enhance the natural and local environment by... recognising the intrinsic character and beauty of the countryside'.
- 2.3 The proposed annexe would be visible from the public highway, as viewed from the entrance to the driveway/ parking area. The annexe replaces an existing outbuilding that has been in this location for a number of years.
- 2.4 The annexe appears to have been designed to be sensitive to its proposed location, with material finish to be the same as is currently there, timber boarding, with a slate roof and timber framed windows. The timber boarding is already present within Cherry Lane and as such would complement the character and appearance of the street scene and surrounding area.
- 2.5 The proposed annexe has been amended following officer advice, reducing the height and mass of the building and simplifying its form, to allow the main dwellinghouse to remain the dominant building on the application site.
- 2.6 The scale and appearance of the development is considered to be acceptable for its intended use in such a location and is considered to fit within its context.

### Residential Amenity

- 2.7 The nearest property to the proposed extension is Remembrance which is to the northeast of the application site. The roof of the annex facing Remembrance would contain a high level roof light to avoid overlooking. Amendments were sought to reduce the height and to reduce the number of dormer windows. Amendments were also sought to reduce the overall massing of the annexe.
- 2.8 As a consequence, it is not considered that there would be any undue harm to the living conditions of the occupants of 'Remembrance' caused by the annexe.
- 2.9 The other properties which share a boundary with the host dwelling are Orchard House to the north and Pippin Cottage to the southeast. Orchard House is set at over 25 metres away from the proposed annexe and separated by trees and garden land. As a consequence, it is not considered that the occupants would experience any change to their current level of amenity. Pippin Cottage is set closer to the boundary of the proposed annexe, although it will be noted that the proposed annexe is set on the footprint of the existing outbuilding. The additional height of the new building should not result in any undue overshadowing to the property as it is located to the northwest of Pippin Cottage, and any increase in overshadowing would be modest and would fall towards the garden land of the application site. Furthermore, Pippin Cottage is separated from the proposed annexe with dense, high planting along the boundary. It is not considered that Pippin Cottage would experience an overbearing impact, overshadowing or any loss of privacy from the annexe.

2.10 As a consequence, it is not considered that there would be any harm to the living conditions of the occupants of Orchard House and Pippen Cottage caused by this outbuilding.

### **3. Conclusion**

3.1 The proposed erection of a detached annexe for use as a gym and hobby room, due to its design and appearance, as agreed through the modifications sought to the proposal, would result in an outbuilding that would appear in keeping with the character and appearance of the street scene and surrounding area. Furthermore, for the reasons outlined above, the development would be unlikely to result in any unacceptable harmful impacts to the residential amenities of surrounding occupiers in respect of overshadowing, overbearing or loss of privacy. Consequently, the proposals would accord with the aims and objectives of the NPPF.

3.2 It is therefore recommended that planning permission be granted.

### **g) Recommendation**

I Planning permission GRANTED subject to the imposition of the following conditions:

(1) 3-year time limit for commencement, (2) compliance with the approved plans. (3) Annexe to only be used for uses ancillary to main dwellinghouse (4) Confirmation that the cill of the rooflight would be no lower than 1.7m above the first floor level and consideration to the removal of PD rights to avoid any new window openings.

II Powers be delegated to the Head of Planning, Regeneration and Development to settle any necessary issues in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Case Officer

Amber Tonkin