

- a) **DOV/21/01264 – Conversion of detached garage to ancillary annexe accommodation including the erection of side dormer window, extension of first-floor terrace and alterations to windows and doors - White Cliff Cottage, The Front, St Margaret’s Bay**

Reason for report – Called in due to the number of objections.

- b) **Summary of Recommendation**

Planning permission be granted, subject to conditions

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010) (CS)

DM1, DM11, DM13, DM15, DM16

National Planning Policy Framework (NPPF) (2021)

7, 8, 11, 130, 174, 176, 180

Draft Dover District Local Plan

The Consultation Draft Dover District Local Plan is a material planning consideration in the determination of this planning application. At this stage in the plan-making process however the policies of the draft Plan have little weight and are not considered to materially affect the assessment of this application and the recommendation as set out.

The Kent Design Guide (KDG)

- d) **Relevant Planning History**

DOV/21/00507 - Erection of a raised summer house (part retrospective) Granted

DOV/04/00855 - Erection of two storey rear extension – Granted

DOV/99/00018 - Proposed detached double garage – Granted

- e) **Consultee and Third-Party Representations**

KCC PROW: Have no comments to make.

Natural England: This application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. DDC has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

St Margaret’s Parish Council – Objects - This proposal would harm the setting, being in the AONB and adjacent to the SSSI. The Parish Council is discouraging traffic from this area and the application, if granted, would set a precedent - the site is significantly outside the village confines.

Third Party Representations:

13 objections have been received. Material considerations are summarised below. Matters such as impact on an individual's property value, financial intentions of the applicant etc. are not material planning considerations and are not included below.

- Out of keeping with the area.
- Would be the only residential accommodation in this area of woodland on the South Foreland
- Use as holiday accommodation would result in increased traffic.
- Damage to Beach Road Path and SSSI
- Impact on ecology/wildlife
- Increased vehicle parking
- There is restricted access to this area
- Harmful visual impact in AONB and
- Increase in light pollution.
- The conversion will be completely self-contained and could be used as a dwelling.

*Officer comment:* A number of objections refer to the conversion being used as a holiday let or a dwellinghouse. However, Members are advised that the application is for a residential annexe not a holiday let or a dwellinghouse.

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

### The Site

- 1.1 The application site comprises a detached two-storey residential garage located within the residential curtilage of a property known as White Cliffe Cottage, located within the rural AONB and a SSSI. The site is located within a small cluster of residential dwellings located within the South Foreland Valley between The Front and Beach Road. Vehicle access to the application site is afforded from Beach Road while the neighbouring properties have access from The Front.
- 1.2 The application site is an irregular shaped plot and the existing garage is located towards north boundary adjacent to Beach Road while the house is approx. 45m to the south and adjacent to a property known as White Cliffe Bungalow. The main garden area for the house is the front garden located between the garage and house. There are a number of mature trees within the site and along the boundary and the immediate area has a woodland character.
- 1.3 This section of Beach Road is an unmade track running east to west parallel to The Front. PROW ER38/7 runs along the Saxon Shore Way to the south of the site.

### The Proposal

- 1.4 The proposal is for the conversion of an existing detached garage to ancillary annexe accommodation including the erection of side/rear dormer window, the extension of a first-floor terrace and alterations to the existing windows and doors. The existing garage is a two-storey building with parking at ground floor level with a first floor storage/workshop within the roof space above. Access to the first floor level is via an external stepped/raised access platform at the rear and side of the garage.
- 1.5 The proposals comprise ground floor kitchen/dining/living accommodation and a shower room with new internal stairs to the first floor level which presumably would be used as a bedroom or workspace. The existing external raised access platform would be extended to create a raised decking area on the northeast elevation. The proposed

dormer window would be located on the rear elevation facing towards the garden. The existing garage doors would be replaced with bifold doors with a replacement window above. The existing window and door on the southern elevation would be replaced with two windows.

## **2. Main Issues**

2.1 The main issues for consideration are:

- Principle of the annexe conversion
- Design and visual amenity
- Impact on rural locality and AONB
- Impact on Residential Amenity
- Highway Considerations

### **Assessment**

2.2 The application site is located outside of the settlement confines and therefore within the countryside for planning purposes. However, the proposed annexe conversion would be located within an existing residential curtilage and would be ancillary to the main residential dwelling and would therefore comply with policy DM1 of the CS subject to other material considerations.

2.3 The external alterations comprise a new dormer window which would be located on the rear elevation of the building and would face towards the application garden away from Beach Road. There would be no increase in the overall height of the building and the dormer extension would be set below the ridge and in from the side of the roof. As such the dormer window would not be significantly visible outside the application site. The first floor terrace extension would infill a gap between the building and the existing raised platform/terrace access and would not be readily discernible as a result. The replacement of the garage doors with bifold doors would create a more residential/domestic appearance, however these works are at ground level and would have a limited visual impact outside the application site, due to the mature boundary vegetation screening. In addition, the proposals would be wholly located within the existing residential curtilage and there would be no encroachment into the open countryside and AONB. Overall, the proposed external alterations would not result in any significant detrimental visual harm and by virtue of the scale, siting, design and tree screening around the site, it is considered that the proposals would conserve the character of the AONB.

2.4 The conversion includes the provision of new windows, including a dormer and glazed bifold doors. As such the conversion works would result in some increase in light pollution in the SSSI and AONB. However, this is a small scale building located within an established residential garden and the mature boundary trees/vegetation would screen the majority of the building from public views. As such any increase in light pollution would be minimal and would not have a significantly detrimental impact on the rural location or AONB. It is also noted that the building already has a first floor window and the new bifold doors and ground floor openings would constitute permitted development and do not require planning permission.

2.5 Given the separation distances involved the conversion of the garage to ancillary living accommodation would not result in any significant adverse neighbour amenity.

2.6 The conversion of the garage would result in the removal of two garage parking spaces. However, the site plan indicates that there would be three on-site/driveway parking spaces adjacent the building which would not be affected by the proposed

conversion works. Three on-site parking spaces for the application property would be in accordance with policy DM13 and there would be no change to the existing vehicle access arrangements. No objections are raised in terms of parking or vehicle access.

- 2.7 A number of objections have been raised regarding an increase in vehicle movements. However, as the annexe conversion would be ancillary to the existing residential property in accordance with policy DM1, there would be no significant increase in vehicle movements to and from the site. In addition, the condition of the Beach Road access track is not a material planning consideration for this type of ancillary residential development.
- 2.8 Several objectors have referred to the annexe as a holiday let or a new separate dwelling. Members are advised that the application description is for an ancillary residential annexe and the application should be determined accordingly. Notwithstanding this the living accommodation proposed for the conversion would constitute a small self-contained unit and the building is located at the opposite end of the site to the main house and therefore benefits from a degree of separation from the main house. As such, the converted annexe could be seen as tantamount to a new dwelling in the countryside and would conflict with CS policies as this would be an inappropriate and unsustainable location for a new dwelling in the AONB. Further, the internal floor area would not be a sufficient size for an independent dwelling. As such, it is considered necessary to secure the ancillary residential use of the annexe by condition.

#### Appropriate Assessment

- 2.9 The Natural England have made comments regarding the potential net increase in residential accommodation and impacts to the coastal Special Protection Area(s) and Ramsar Site(s). However, as the proposal is for ancillary residential accommodation, rather than new / additional residential accommodation the Council are of the view that there would be no significant impact on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 2.10 Notwithstanding this, detailed surveys at Sandwich Bay and Pegwell Bay were carried out in 2011, 2012 and 2018. However, applying a precautionary approach and with the best scientific knowledge in the field, it is not currently possible to discount the potential for housing development within Dover district, when considered in-combination with all other housing development within the district, to have a likely significant effect on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 2.11 Following consultation with Natural England, the identified pathway for such a likely significant effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves.
- 2.12 The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing the harmful effects of housing development on the sites.
- 2.13 Given the limited scale of the development proposed by this application, a contribution towards the Councils Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy will not be required as the costs of administration would negate the benefit of collecting a contribution. However, the development would still be mitigated by the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy as the Council will draw on existing resources to fully implement the agreed Strategy.

- 2.14 Having had regard to the proposed mitigation measures, were the application to be considered acceptable, it is considered that the proposal would not have a likely significant adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites. The mitigation measures (which were agreed following receipt of ecological advice and in consultation with Natural England) will ensure that the harmful effects on the designated site, caused by recreational activities from existing and new residents, will be effectively managed.

### **3. Conclusion**

- 3.1 Overall, it is therefore considered that the proposed annexe conversion would not result in any significant adverse harm to existing residential amenities, highway safety or the visual amenity of the rural locality and the proposal would conserve the character of the AONB. As such, the proposal would comply with Paragraphs 130, 174 and 176 of the NPPF and Policies DM1, DM15 and DM16 of the CS and is recommended for approval.

### **g) Recommendation**

- I. Planning permission be GRANTED, subject to the following conditions:
- 1 Time;
  - 2 Approved plans;
  - 3 Annexe accommodation only and tied to existing.

Case Officer

Andrew Jolly