

PLANNING COMMITTEE – 14 SEPTEMBER 2017

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

REFERENCE NO - 17/503438/FULL		
APPLICATION PROPOSAL Erection of a detached annexe as amended by drawing DC/264 received 21 August 2017.		
ADDRESS Sunset, Southsea Avenue, Minster-on-sea, Sheerness, Kent, ME12 2JX		
RECOMMENDATION - Approval		
SUMMARY OF REASONS FOR RECOMMENDATION. Development would provide additional, annexe accommodation without giving rise to any serious amenity concerns.		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection.		
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Mrs Jayne Wheatley AGENT Deva Design
DECISION DUE DATE 25/08/17	PUBLICITY EXPIRY DATE 10/08/17	

1.0 DESCRIPTION OF SITE

- 1.01 The property is a detached house situated within the built up area of Minster. It is set back from the road with parking to the front and side, and a detached garage to the rear. There is an area of overgrown open space to the west (owned by SBC), and other dwellings to the east and north.
- 1.02 Land levels slope downwards to the south here, so the foot of the garden is approximately 2m lower than the ground floor of the house. The rear garden is generous, and there are a number of large mature trees spread across it.
- 1.03 The neighbouring property, Cosworth House, has two large outbuildings along the common boundary with Sunset, one roughly halfway down the garden and one at the bottom.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for a detached annexe at the foot of the garden. It will measure approximately 10.5m x 8.5m x 3m high with a flat roof (3.5m to top of lantern light), and will provide a bedroom, office, shower room and lounge area. Some of the existing trees would need to be removed to make room for the development.

- 2.02 An amended drawing has been received to show additional tree planting to be carried out on the site (discussed below).

3.0 SUMMARY INFORMATION

	Proposed
Approximate Ridge Height (m)	3m
Approximate Eaves Height (m)	3m
Approximate Depth (m)	10.5m
Approximate Width (m)	8.5m
No. of Storeys	1

4.0 PLANNING CONSTRAINTS

- 4.01 None.

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) encourage development subject to design and amenity considerations.
- 5.02 Policies CP4 (good design), DM7 (Parking), DM14 (general criteria), and DM16 (alterations and extensions) of the adopted SBLP2017 are relevant.

6.0 LOCAL REPRESENTATIONS

- 6.01 Letters were sent to neighbouring residents and a site notice displayed, but no comments were received.

7.0 CONSULTATIONS

- 7.01 Minster Parish Council objects, commenting:

“The description does not match the proposal. This is a self-contained dwelling not an annexe. Approval would set an unacceptable precedent for neighbouring properties to apply for similar development without the adequate parking provision or access to support it.”

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 The application is supported by relevant drawings.

9.0 APPRAISAL

- 9.01 The principle of development is acceptable within the built up area, subject to considerations as set out below.
- 9.02 I consider the scale and design of the annexe to be acceptable. It is 0.5m taller than an incidental building within the garden would be permitted under Permitted Development rights afforded to the property, but the flat roof helps to reduce the bulk and scale of the building and the drop in levels from the main house (and the neighbouring house) will help to reduce the scale, prominence and visual impact of

the development in views from the rear windows. The external materials are acceptable and would not be out of place here.

- 9.03 The outbuildings at the neighbouring property would help to obscure views of the annexe from their rear windows, and significant mutual overlooking would not be likely due to the position of proposed windows, the existing 1.8m fence, the distance between the existing houses and the annexe, and the presence of existing mature trees. Any significant overshadowing or overbearing aspect is unlikely due to scale and position, and the change in land levels. I therefore don't consider that there will be any serious harm to residential amenity as a result of this annexe.
- 9.04 Whilst I note the Parish Council's comments, the level of accommodation within the annexe is not excessive in my opinion, and it is unlikely that it would ever become a separate dwelling due to its location, its proximity to and interdependence with the main dwelling, and the limited means of access (through the garden for Sunset). Furthermore the Council owns the open land to the side and there would therefore be little opportunity for a separate access to be created.
- 9.05 Nevertheless I've recommended condition 4 below, which restricts its use to ancillary / incidental only because the layout of the site is such that independent residential use (rather than ancillary annexe use) would give rise to amenity issues for the main property and neighbouring residents, due to proximity, overlooking, etc.
- 9.06 I was initially concerned about the loss of the mature trees on site, but they are not subject to any TPO and the site is not within a conservation area so there is no restriction on their removal. On discussing this with the applicant she explained that she intended to remove some of them anyway as they were now obscuring the neighbour's sea views, but intended to replant trees along the western boundary to continue encouraging wildlife into her garden. Further to this the agent has submitted an amended drawing showing new trees to be planted, which are secured by condition below.

10.0 CONCLUSION

- 10.01 The proposed annexe is of an acceptable scale and design, and would be unlikely to give rise to any serious amenity issues in my opinion. Due to its intimate relationship with the main dwelling and the limited access it's unlikely that it could or would be used as a separate dwelling, but condition 4 is suggested to prevent this in any instance.
- 10.02 Taking the above into account I recommend that planning permission should be granted.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

- 2) No development shall take place other than in accordance with drawing DC/264 received 21 August 2017.

Reason: For the avoidance of doubt.

- 3) The two new native species trees shown on drawing DC/264 shall be planted within the next available planting season following completion of the development hereby approved. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: In the interest of local visual amenity and biodiversity.

- 4) The annexe hereby permitted shall only be used for purposes ancillary and/or incidental to the primary residential use of the main dwelling known as Sunset, Southsea Avenue, Minster, ME12 2JX and shall not be used as a separate dwelling.

Reason: As independent residential use would be harmful to neighbouring residential amenity, and in recognition of the terms of the application.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance the applicant/agent was advised of minor changes required to the application and these were agreed.

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.