

3.2 REFERENCE NO - 17/504171/FULL			
APPLICATION PROPOSAL Proposed replacement residential annexe.			
ADDRESS Little Woottons, Elm Lane, Minster-on-Sea, Kent, ME12 3SQ			
RECOMMENDATION - Refuse			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal, by virtue of its scale and footprint, would amount to a separate dwelling and would be harmful to the character and appearance of the original dwelling.			
REASON FOR REFERRAL TO COMMITTEE Recommendation contrary to the written view of the Parish Council.			
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-on-Sea	APPLICANT Mr & Mrs Woollett AGENT Oakwell Design Ltd	
DECISION DUE DATE 12/10/17	PUBLICITY EXPIRY DATE 19/09/17		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
17/503718/SUB	Submission of details pursuant to condition 3 (details of cladding/weatherboarding) for planning permission 17/502002/FULL)	Approved	19/07/17
17/502002/FULL	Erection of three storage enclosures adjacent to existing workshop	Approved	16/06/17
17/500352/PAPL	Pre-application advice – Four car storage enclosures adjacent to existing boundary	N/A	10/03/17
SW/10/1001	Lawful Development Certificate – Proposed swimming pool enclosure and gym	Refused	21/09/10
SW/89/1404	Outline application for three dwellings	Refused	11/09/89

1.0 DESCRIPTION OF SITE

- 1.01 Little Woottons is a two storey, detached house set within large grounds. The main dwelling, which retains a traditional character, fronts Elm Lane. To its rear (east side), there is a large garden with a number of more modern outbuildings, including an existing detached annexe measuring 10.5m x 6.5m, with a maximum height of 4.3m. To the south, vehicular access is taken from further along Elm Lane, where there is a driveway and a number of storage/workshop outbuildings adjacent to the site boundary. To the north lie a number of dwellings leading towards Chequers Road.
- 1.02 This site forms a boundary of the built up area. The main dwelling and some of land to the rear falls within it (including the location of the proposed replacement annexe) - the rest falls outside of it, and is therefore considered to be within the countryside.
- 1.03 The street scene on the approach towards the site from the north is residential in nature with dwellings of varying designs and sizes. Beyond this, the street scene is open, rural and verdant in nature.

2.0 PROPOSAL

- 2.01 The proposal seeks planning permission for the replacement of the existing detached annexe with a larger one in the same location. It would measure approximately 12.3m in width x 10.8m depth. It would have both pitched and flat roof elements, measuring approximately 2.7m in height to the eaves with a maximum height of 4m.
- 2.02 It would be built in red facing brick with grey slate roof tiles and aluminium joinery. The annexe would be self-sufficient from the main dwelling with all of its own facilities.

3.0 PLANNING CONSTRAINTS

- 3.01 None relevant

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).
- 4.02 Development Plan: Policies CP 4, DM 7 and DM 14 of “Bearing Fruits 2031: The Swale Borough Local Plan 2017”.

5.0 LOCAL REPRESENTATIONS

- 5.01 The adjacent neighbour at 16 Elm Lane, raises no objection and sees no reason why the proposal should not go ahead.

6.0 CONSULTATIONS

- 6.01 Minster Parish Council fully supports the application.

7.0 BACKGROUND PLANS AND PAPERS

- 7.01 A planning statement and accompanying doctor's letter have been submitted to support the application and they set out the personal circumstances which have given rise to it. Mrs Woollett suffers with hypertension, knee problems and severe arthritis which results in her having mobility issues and requiring ground floor accommodation.

The ground floor of the house also has a number of level changes and steps and it is considered that (for this and a number of other reasons) it would not be appropriate to extend or alter the main house or adapt the existing annexe. It is stated that the size and layout of the new annexe (designed with wheelchair access in mind) would allow for Mr & Mrs Woollett to live comfortably within it while family would reside in the main dwelling.

8.0 APPRAISAL

- 8.01 The relevant part of the application site is within the defined built up area boundary in which the principle of development is acceptable, subject to the other relevant considerations outlined below.

Residential Amenity

- 8.02 The annexe would be set approximately 2m in from the boundary with 16 Elm Lane, whereas the existing one is much closer at just 0.5m away. On the other hand, its width would increase by almost 6m. However, the separation distance between the annexe and the main dwelling at 16 Elm Lane would be 8.5m. As a result of this, the large garden at number 16, and its low level, single storey form, I do not believe the proposal would give rise to significantly harmful overbearing or overshadowing impacts upon the neighbour.
- 8.03 There would be 2 windows in the northern elevation facing the neighbouring property. These would serve a bathroom and toilet, but could have been conditioned to be obscure glazed if I were minded to recommend approval. Given the lack of any other surrounding dwellings, I have no concerns in terms of the placement of the rest of the fenestration, and consider there would be no significant harm in terms of overlooking. I consider the proposal acceptable in terms of residential amenity.

Vehicle Parking

- 8.04 The site would retain a large off-street vehicle parking and turning area, and I have no concern regarding the parking provision.

Visual Amenity

- 8.05 The annexe would not be visible in the street scene, nor particularly so from the wider countryside given its gently sloping form away from the site. Given the wide range of design and use of materials in the area, and its single storey form, I have no serious concern in terms of its modern design. In this regard, I consider no significant harm to visual amenity.
- 8.06 I do nonetheless have serious concern in terms of the overall scale of the annexe. Though of a similar depth to the existing annexe, it would be almost 6m wider and, at over 12m, would have a footprint larger than the original house and similar to the house as extended today.
- 8.07 It is appreciated that that the site has evolved over time with a number of outbuildings present, and there is a recent grant of planning permission for the erection of another storage unit (17/502002/FULL). However, I consider these to have varied scales and placements around the site such that no individual one is particularly intrusive. In contrast, the proposed annexe, by virtue of its scale and footprint, would in my view have a dominant and intrusive presence on the site in a manner harmful to the character and appearance of original dwelling, which retains a traditional character. I consider the proposal to be unacceptable in terms of visual amenity as a result. This amounts to a reason for refusal.

Other Matters

- 8.08 The scale and layout of the annexe would allow it to be entirely self-sufficient from the main dwelling with all of its own facilities. I consider there to be a fine balance between that which amounts to an annexe and a new dwelling. This proposal includes a kitchen, dining room, snug, sitting room, study, separate bathroom and toilet, and a bedroom. In my view, I consider the balance to have been tipped such this would amount to a new dwelling, contrary to the nature of application that has been made. This amounts to a reason for refusal. Annexes are generally expected to remain subservient to and reliant upon the main dwelling. The supporting document

states that there is no intention for the annexe to be used for anything other than this, and that the applicants would be happy for it to be removed once it has served its purpose. However the decision cannot be made on this basis. Other than in truly exceptional circumstances, the approval of a permanent building should not be subject to conditions which require the demolition of that building. Any attempt to impose such conditions here would in my view be vulnerable to challenge at appeal, the net result of which would be the deletion of such a condition, leaving the building to remain on site indefinitely.

- 8.09 The supporting statement also makes reference to the previous approval of a new dwelling within the grounds of the dwelling on the opposite side of the road, Sud Regarde (SW/04/1215). However, this application specifically proposed a new dwelling and also addressed the relevant additional considerations such as defined boundaries, private amenity space, separation distances etc. This does not in my view amount to a reason to approve this proposal for an annexe.
- 8.10 Reference has also been made to a previous approval for a large extension to a dwelling to the north east (Martindale) for use as an annexe (SW/11/0064). This however was integrated with the main dwelling with no kitchen and a shared dining room. Again, I do not consider this to amount to a justification to approve this application.
- 8.11 Finally, I refer to the personal circumstances of the applicants and consider whether these outweigh the harm identified above. While it is apparent that the main dwelling makes for an increasingly unsuitable living arrangement, for which I have sympathy, I do not consider this to justify the sheer scale of the annexe proposed, nor to outweigh the harm I have identified above. Ultimately, such personal circumstances cannot justify permanent development that is otherwise unacceptable as the works will inevitably survive well beyond the end of the personal needs, and Members have had to recognise this issue on a number of previous occasions.

9.0 CONCLUSION

- 9.01 Taking into account all of the above; I consider the proposal would be harmful to visual amenity and comparable to a new dwelling, contrary to the nature of the application. I therefore recommend that the planning permission be refused.

10.0 RECOMMENDATION – Refuse for the following reasons:

- (1) The proposed annexe, by virtue of its scale and self-sufficiency from the main dwelling would amount to a new dwelling, contrary to the stated nature of the application. Furthermore, it would, by virtue of its scale and footprint, have a dominant and intrusive presence on the site and would detract from the character and appearance of the original dwelling in a manner harmful to visual amenity. The proposal would therefore be contrary policies CP 4 and DM 14 of 'Bearing Fruits 2031: The Swale Borough Local Plan 2017'.

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.



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