

2.2 REFERENCE NO - 18/506279/FULL			
APPLICATION PROPOSAL Conversion of existing garage to provide extra ancillary living space, with the relocation of workshop to combined study space. (Revision of 18/502040/FULL).			
ADDRESS Orchard Cottage Keycol Hill Bobbing Sittingbourne Kent ME9 8NE			
RECOMMENDATION - Approve			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection.			
WARD Hartlip, Newington And Upchurch		PARISH/TOWN COUNCIL Newington	APPLICANT Ms L and J Cashford and Hales AGENT Olson Design Group
DECISION DUE DATE 04/02/19		PUBLICITY EXPIRY DATE 18/01/19	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
18/502040/FULL	Change of use from workshop to ancillary accommodation to main dwelling house.	Approved	08/06/18

1.0 DESCRIPTION OF SITE

- 1.01 This property is a semi-detached dwelling which lies in the countryside outside of any defined built-up area boundary, and has a long narrow rear garden extending towards the railway line. To the rear of the site lies open countryside. The garden already features one large outbuilding which has permission to be used as ancillary living accommodation to the main dwelling.
- 1.02 The streetscene is characterised by residential dwellings of a mixed scale and design.

2.0 PROPOSAL

- 2.01 This application seeks an alternative conversion of the existing outbuilding to provide extra ancillary living space. Use of the outbuilding as ancillary accommodation with a garage, workshop, living room and one bedroom was approved under application 18/502040/FULL and this application now seeks to extend the ancillary accommodation to two units as the property is now being used as supported housing to accommodate adults requiring care, but who can live as a family with less care and support than some others.
- 2.02 The application would utilise the existing footprint of the outbuilding to provide two one bedroom units each with a living room and bathroom as annexes to the main house with a shared area between the two annexes stated as a workshop/study. The majority of works would occur internally, allowing for the rearrangement of rooms and the removal of the garage.
- 2.03 Externally there will be the addition of a set of doors to the east elevation and the removal of the garage door with a window and door put in its place. The existing door on the south elevation will be blocked up and moved approximately 1.6m to the east.

- 2.04 Upon request the applicant has submitted a supporting statement outlining why the two annexes are required. The statement outlines that the use of the main dwelling and the annex accommodation will be for the supported housing of four people that are able live independently with a degree of care and support. It clarifies that the shared space between the two annexes will be used as an office space for carers to allow residents personal space.
- 2.05 The site is currently considered as a C3 dwellinghouse and this application will not change this use class. The dwelling and the annex will be occupied by no more than four residents living together as a single household where care is provided. The applicant has confirmed that meals will be eaten and cooked together in the main house but each resident will have the opportunity for independent living with their own bedroom, living room and bathroom.

3.0 PLANNING CONSTRAINTS

- 3.01 Potential Archaeological Importance

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).
- 4.02 Development Plan: ST3, CP4, DM7, DM14 and DM16 of Bearing Fruits 2031: The Swale Borough Local Plan.

5.0 LOCAL REPRESENTATIONS

- 5.01 No neighbouring comments have been received.

6.0 CONSULTATIONS

- 6.01 The Parish Council has objected to the application stating:
- There is a Health and Safety issue regarding the parking between the house and the annex.
 - There is no kitchen in the annex so residents will have to go to the main house and the annex is not linked to the house.
 - Following the decision for Ashfield Court Farm (18/505431/FULL), if Swale Borough Council's policy is that a care annex must be attached to the main building a precedent has been set.
 - There is insufficient parking on the drive for staff, the resident owners and visitors and this may create additional parking on the Highway.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers for application 18/500834/FULL.

8.0 APPRAISAL

Principle of Development

- 8.03 I note that use of the outbuilding as ancillary accommodation was approved under application 18/502040/FULL and therefore I consider the principle of the development is acceptable.
- 8.04 The outbuilding would be used for ancillary living purposes and can only be accessed via the driveway to the dwelling. The proposed annexes will each contain a bedroom, ensuite, utility and living space and will be dependent on the main dwelling for their kitchen facilities. Whilst I am mindful of the potential for independent residential use, I do not consider that this application could be refused on this basis. I have recommended a condition restricting the use of the building to prevent use as separate residential units.

Visual Impact

- 8.05 There will be only minor changes to the external appearance of the annex with the removal of the existing garage door and its replacement with matching brickwork and a new window and door. The existing door on the south elevation will be blocked up and moved approximately 1.6m to the east. Notwithstanding these minor alterations the annex is situated to the rear of the garden of Orchard Cottage and therefore is only visible from limited public viewpoints. Taking this into account I consider that the minor external changes are acceptable in design terms.

Residential Amenity

- 8.06 Properties in this area generally have long gardens and so the building would be at least 25m from any surrounding dwelling. I also note that there is an array of various sized outbuildings/sheds in the rear gardens of the surrounding dwellings and therefore do not consider the outbuilding to be particularly incongruous.
- 8.07 I consider that there would be no easily available views from the annexe and that even with the additional set of doors that overlooking would not be a significant concern. I consider the proposal acceptable in terms of residential amenity. The windows close to the boundary on the rear south elevation are high level and obscured glazed and serve bathrooms so I do not consider that there will any significant impact on residential amenity to this regard.

Highways

- 8.08 The Parish Council has objected to the proposal in relation to insufficient parking on site however the applicant has since responded to clarify that situation stating:

“Currently there is an area that is raised and surrounded by a low ornamental wall. It is our intention to remove this wall and return the whole site to a level gravelled parking area. You may remember that the actual grassed area of the garden is to the right side of the annex, which it is our intention to retain.

The rear of the property is very long and, we would expect the gravelled area to accommodate four / five cars at a time with a dedicated turning space to ensure that all vehicles could exit to property facing forwards (no backing out onto the main road!). There is also one parking space situated at the front of the house.

We have never yet had a person placed with us who could drive and it is fair to say that not all of our staff can drive or use their cars to get to work either, which is why we purchase homes with good links to public transport and close to local facilities.

However; I think that it would be a fair and reasonable assertion that we could expect anything from 2 – 4 cars at any given time of day dependent upon whether all staff are driving to work. Realistically, some of our staff use buses, cycle or walk. Movement of staff cars would be between the 8 – 10.30 am and 8 – 10.30 pm as a general rule. These are reasonable hours of the day and not dissimilar to the movement of the general populous.”

- 8.09 The proposal is unlikely to lead to vehicles parking on the highway as there is sufficient parking at the site. Similarly, I do not consider that the proposal would not result in any notable increase in traffic as the site is remaining in residential use.

Other Matters

- 8.11 The Parish Council has referred to an application for an annexe at Ashfield Court Farm 18/505431/FULL in their objection. This application was refused in December 2018 but I do not consider the current application at Orchard Cottage has the same issues as this. The Parish Council considers that this refusal may set a precedent for care annexes to be attached to the main dwelling however I believe this view has been misinterpreted from the Case Officer’s report which stated:

“Most commonly this type of accommodation is in the form of an extension to an existing building with limited facilities and a physical connection between the two elements so it can be incorporated in the main dwelling as a single residential unit when no longer required”

- 8.12 The case officer refers to the typical features of an annex and the Council has recently approved several annexes that are detached from the main dwellings and I would note that the Council has no specific guidance for “care annexes” needing to be physically linked to the main dwelling, although where separate access is possible or the sites are within the countryside this may be looked at more closely to avoid a new separate dwelling being created. The main issue with the proposal at Ashfield Court Farm was the lack of functional dependence on the main dwelling. I do not consider this is a concern with the current proposal at Orchard Cottage as there would still remain a functional link with the main dwelling and no extension of the outbuilding’s footprint would occur. The refusal of one annex does not set a precedent and I believe this application can be considered on its own merits as it is dissimilar to the refusal at Ashfield Court Farm.
- 8.13 I note that the site lies in a site of potential archaeological importance however as no ground works are proposed I am satisfied that the works are acceptable. I also note that on the previous submission 18/502040/FULL it was confirmed by the County Archaeological Officer that no archaeological measures were required.

9.0 CONCLUSION

- 9.01 On the basis of the above, I do not consider this scheme will give rise to any serious harm to residential amenity nor would the scheme cause harm to the parking amenities of the immediate area sufficient to justify refusing planning permission.

10.0 RECOMMENDATION – GRANT Subject to the following conditions**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 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) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reason: In the interests of visual amenity.

- (3) The outbuilding accommodation hereby permitted shall be used only for the purposes ancillary or incidental to the residential use of Orchard Cottage, Keycol Hill, Bobbing and shall not at any time be used as separate dwellings.

Reason: In the interests of the amenities of the area.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this case, the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

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.

