

**APPENDIX 1**

Report to Planning Committee – 22 July 2021

ITEM 2.1

**PLANNING COMMITTEE – 22 JULY 2021****PART 2**

Report of the Head of Planning

**PART 2**Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 21/502251/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of a first floor rear extension, single storey side link extension to existing garage, and a detached garage. Conversion of existing garage to habitable space, including insertion of flat roof side dormer.		
<b>ADDRESS</b> Sycamore Lodge Newhouse Lane Sheldwich Faversham Kent ME13 9QR		
<b>RECOMMENDATION</b> - Approve		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council objection		
<b>WARD</b> Boughton And Courtenay	<b>PARISH/TOWN COUNCIL</b> Sheldwich	<b>APPLICANT</b> Mr Tom Wilson <b>AGENT</b> Edgington Architectural Services Ltd
<b>DECISION DUE DATE</b> 23/06/21	<b>PUBLICITY EXPIRY DATE</b> 03/06/21	

**Planning History for Sycamore Lodge**

SW/95/0621

Demolish and rebuild lean-to extension at rear, erect new porch and garage

Approved Decision Date: 08.09.1995

**Planning History for Adjacent Properties****South House**

17/504927/FULL

New outbuilding containing garages, studio, swimming pool changing facilities and games room.

Approved Decision Date: 28.11.2017

14/503389/FULL

New outbuilding containing garages, swimming pool changing facilities, guest accommodation, music room (private use) and ancillary accommodation

Approved Decision Date: 05.12.2014

SW/11/0208

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Application to replace extant planning permission to extend the time limits for implementation (SW/08/0309).

Approved Decision Date: 04.04.2011

SW/08/0309

Renewal of permission SW/02/0527 for new out-building containing garages, studio, swimming pool, changing facilities & games room.

Approved Decision Date: 12.05.2008

SW/02/0527

New out building containing garages, a studio, swimming pool changing facilities and a games room.

Approved Decision Date: 02.04.2003

**New House Farm Cottage**

18/505832/FULL

Demolition of the existing garage and erection of single storey sunspace and pottery studio. Remodelling the immediate landscape surrounding the proposed building.

Approved Decision Date: 16.01.2019

SW/12/1395

Replacement garage

Approved Decision Date: 28.12.2012

**Newhouse Court**

SW/13/0791

Demolition of existing timber garage and replacement with bespoke 'cartshed' style garage.

Approved Decision Date: 08.08.2013

SW/11/0874

Demolition of a lean-to outhouse, previously used as a boiler house. Formation of an internal door opening in the existing gable wall leading to a single storey extension comprising a garden room (See also SW/11/0875 for Listed Building Consent)

Approved Decision Date: 06.09.2011

**1. DESCRIPTION OF SITE**

- 1.1 The property is a traditionally designed detached cottage, formerly known as Gosmere Cottage. It stands in a relatively isolated location outside the confines of any Local Plan defined built up area and thus in the countryside for planning purposes. This is an area where new residential development, and even the scale of extensions, is strictly controlled. The area is not subject to any special national policy designations as the site lies outside the Kent Downs Area of Outstanding Natural Beauty (AONB), the boundary of which runs along Newhouse Lane. However, the locality has a pleasant and unspoilt rural character that the current appearance of the cottage, set as it is behind a tall thick hedge, does not detract from.

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- 1.2 Although Sycamore Lodge itself is not a listed building, nor is it set within a conservation area, all of its nearest neighbours are listed buildings including the properties on the opposite side of Newhouse Lane and, being set right next to the AONB, the site is sensitive.
- 1.3 The property has previously been extended after planning permission was granted in 1995. These works added a front porch, rebuilding of an existing lean-to rear extension as a full width catslide roof with two dormers providing light to a new rear bedroom and bathroom, and added a detached double garage. A condition of the 1995 planning permission means that the conversion of the garage to living accommodation requires planning permission.
- 1.4 The Council's records show that in 1995 the curtilage of the property was far smaller than is shown in the current submission, with the current garage being built right on the then northern boundary. However, it appears that from a point between 2003 and 2008 additional land has been acquired and used as an extension to the garden; land which wraps around the northern and western sides of the original curtilage, significantly enlarging the garden. No planning permission has been sought or granted for any such use of this additional land, but it appears that this use has been ongoing for over 10 years and as such the enlarged garden area would be lawful and immune from any possible planning enforcement action.
- 1.5 Properties opposite have all had planning permission granted for outbuildings of suitable design and appearance, as noted above.

**2. PROPOSAL**

- 2.1 The current application (in its amended form) seeks planning permission for the erection of a first floor rear extension (without increasing the footprint of the property), conversion of the existing modern garage to habitable space, including insertion of a small dormer window, and connecting the garage to the house via a new single storey link extension. A new free-standing triple garage with with a clay tiled roof providing a games room and store above is also proposed.
- 2.2 This new garage would be on land beyond the original curtilage of the property and close to the new northern boundary of the larger site, and will be set back from Newhouse Lane. The new garage would measure approximately 12m wide x 6.5m depth, the overall height would measure 5.62m to the ridge, with half hipped ends. Originally the garage was shown with three flat roofed dormer windows on the front and three rooflights on the rear to light the games room and storage area, but the design has since been amended to show just six rooflights; three on each of the front and back roofslopes.
- 2.3 The applicant's Design and Access Statement describes the property as follows:

*The main dwelling is probably 100-150years old and probably a former farmhouse or farm workers cottage. It is likely that it had brick elevations originally, with a kent peg tile roof which is still existent. At some point during its history the cottage has been rendered, but then never painted.*

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*Planning permission was granted in 1995 (SW/95/0621) for the erection of the front porch, along with the rebuild of an existing lean-to rear extension as a full width catslide roof, with the insertion of two dormers providing light to a new rear bedroom and bathroom. The proposal also included a detached double garage, which has been rendered to match the appearance of the dwelling.*

and the proposals as:

*The proposal is to replace the existing first floor rear lean-to roof (with dormers) as the accommodation is severely compromised by a lack of headroom to the rooms at the back of the house. The first floor extension will be built over the footprint of the ground floor rear extension in order to maximise the usable space.*

*At ground floor level, the existing lean-to extension on the side of the house will be demolished and a new single storey extension built which will link the house with the adjacent detached garage.*

*In the main house, there are to be extensive internal alterations to create a large open plan space with kitchen, dining and family room area in an L-shape configuration. A doorway will access the new link, which will be a sun room/garden room with ground floor WC provided. with a larger extension. A utility/laundry room is formed in the rear left corner by the staircase.*

*The configuration at first floor level will change. The existing rooms to the rear were set lower than the existing first floor. This step is to be removed so that all first floor accommodation is on one level. The existing modern built-in wardrobes are to be removed in order to create a larger middle bedroom and the landing is extended to access a new family bathroom. A new master bedroom suite then takes up the rest of the space created by the extension.*

*The link extension abuts the existing detached garage, which is to be converted into additional habitable accommodation. There will be a separate play room/games room for the applicant's children and then a small shower room and changing room, for a future swimming pool. A new staircase is to be fitted to access the loft space, which will become a guest bedroom, with a new dormer window provided.*

*Separately, a new detached garage building is to be erected to the north east of the dwelling. The siting of this has been changed in accordance with advice given at the pre-application stage. The garage has three parking bays with space for perimeter storage/racking.*

**3. PLANNING CONSTRAINTS**

None

**4. POLICY AND CONSIDERATIONS**

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4.1 Bearing Fruits 2031: The Swale Borough Local Plan 2017 policies:

ST3 (The Swale settlement strategy)

CP4 (Design)

DM11 (Extensions to, and replacement of, dwellings in the rural area)

DM14 (General development criteria)

DM16 (Alterations and extensions)

DM24 (Conserving and enhancing valued landscapes)

Policy ST3 states:

*At locations in the open countryside, outside the built-up area boundaries shown on the Proposals Map, development will not be permitted, unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.*

Policy CP4 states that the Borough Council expects development to be of high quality design and should, amongst other requirements, provide development that is appropriate to its context in respect of scale, height and massing, both in relation to its surroundings and its individual details.

Policy DM11 States:

*The Borough Council will permit the rebuilding of an existing dwelling in the rural area only if the proposed new dwelling is of a similar size and proportion, an appropriate scale, mass and appearance in relation to the original dwelling and location, or where it constitutes the most effective use of the land.*

*The Council will permit extensions (taking into account any previous additions undertaken) to existing dwellings in the rural areas where they are of an appropriate scale, mass, and appearance in relation to the location.*

4.2 The Council's Supplementary Planning Guidance (SPG) 'Designing an Extension – A Guide for Householders' will also be a relevant consideration. Paragraph 3.3 of the SPG states:

*In the countryside, scale is of particular importance. In rural areas, policies are designed to maintain their attractive character and the extension of a small cottage to create a large house will normally be resisted. The Council will not normally approve an extension to a dwelling in a rural area if it results in an increase of more than 60% of the property's original floorspace. In many cases even extensions of this size are not acceptable. You should consult a planning officer prior to considering such an extension.'*

**5. LOCAL REPRESENTATIONS**

5.1 Four letters of objection from neighbours (and from residents further from the site) have been received raising the following summarised concerns:

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- Site is close to the Kent Downs AONB and listed buildings; views will be spoilt and properties will lose value
- Loss of privacy to neighbours from upper floor of new garage,
- Disproportional to size of existing, more than doubling the size of the property
- Property has previously been extended and the proposed extensions and garage are larger than the original cottage
- Will affect the quiet enjoyment of nearby properties
- Applicant runs a plumbing firm from home which has increased noise levels
- Property was previously occupied by two adults, now it is six and the extension may allow for more occupants, with resultant increases in traffic on a narrow lane used by walkers, horse riders, cyclists and unsuitable for heavy traffic
- Materials not in keeping, including use of UPVC windows
- Recent removal of trees, one of which was not affected by the proposal
- Increased light pollution may affect the habitat of owls and other birdlife
- The additional garden land is subject to a 'no build' covenant, which the planning permission would be contrary to

**6. CONSULTATIONS**

6.1 Sheldwich, Badlesmere and Leaveland Parish Council has objected to the application based on the following concerns:

*“Land use is questionable  
Dimensionally not in keeping with current build  
Materials not in keeping with other properties  
Not within couture's of original building”*

**7. BACKGROUND PAPERS AND PLANS**

7.1 Application papers and drawings referring to application reference 20/502251/FULL.

**8. APPRAISAL**

8.1 The property is not a listed building, but it is located within the designated countryside and close to the Kent Downs Area of Outstanding Natural Beauty (AONB), across the lane from two listed buildings. It has previously been slightly extended and the additions proposed now are relatively modest, although they do involve a new link to the modern garage, which in itself would be converted to additional living space. The main considerations in the case concern the proposal's scale and design, impact on upon the listed buildings and upon the character of the wider area.

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- 8.2 Extending the cottage again would be considered under policy DM11 and the SPG advice regarding scale, which is normally limited to modest extensions, to ensure that any extension does not dominate the original property, or appear as a new dwelling in the countryside.
- 8.3 Although the proposal increases the floorspace of the cottage, the 1995 alterations did not provide much of an increase and even with the additional space proposed now (much of which uses the existing garage), my calculations indicate that the floorspace of the extensions would be in accordance with the Council's guidance for rural extensions; and that the proposals are modest and well designed. The ridge and eaves heights of the first floor extension at the rear are set slightly below those of the main cottage, which helps to break up the massing and gives a subservient appearance to the extension. The property benefits from plenty of external space for parking behind a tall hedge and I see no real objection to the conversion of the garage to ancillary accommodation. Nor is the garage set so far from the cottage that the sunroom link is too large.
- 8.4 The proposed detached garage is set some distance from the house in a forward position. However, it is still 10m away from Owens Court Road and there is a dense hedge along the roadside here. The design has now been toned down and the front dormers deleted. It now has an appropriate appearance with a traditional rural form, similar to outbuildings as approved for the gardens of the listed buildings across the lane.
- 8.5 I note the Parish Council's comments regarding the garden enlargement which occurred here before the current applicant's recent purchase of the property. However, as mentioned above, it is clear from the Council's own aerial photography records that the boundary line was moved many years ago to enlarge the garden around the cottage, and that this use is now lawful. This matter should not now affect the Council's decision on this application. Nor should the question of any private covenant affect the current application.
- 8.6 In terms of the concerns from the neighbours regarding privacy, Sycamore Lodge is quite an isolated dwelling with dense landscaping surrounding the whole of the property. The nearest property to the front is Newhouse Court and is over 25m away with a highway separating the properties. To the rear, Gosmere Farm is approximately 190m away. I see no reasonable objection to this application on amenity grounds.

**9. CONCLUSION**

- 9.1 In overall terms, I consider these proposals to be well considered, and I do not consider that they will have any significant impact on the property's surroundings, any neighbour, or on the settings of the AONB or nearby listed buildings.

**10. RECOMMENDATION – Approve 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 the permission is granted.

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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 development hereby approved shall be carried out in accordance with the approved drawings 20/18/09, 20/18/10, 20/18/11, 20/18/12, 20/18/13, 20/18/14A and 20/18/15A, including the facing materials specified thereon.

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) The garage/outbuilding hereby permitted shall be used only for uses ordinarily incidental to the enjoyment of the occupiers of the dwelling house.

Reason: As its use for any other purpose would be contrary to the provisions of the development plan for the area.

**The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 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.

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.

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