

<b>2.10 REFERENCE NO - 14/502557/FULL</b>			
<b>APPLICATION PROPOSAL</b> Conversion of part of existing garage to accessible bedroom and en-suite with dayroom as ancillary use to main building, to include utility room.			
<b>ADDRESS</b> Moordean Oak Lane Minster-on-sea Kent ME12 3QP			
<b>RECOMMENDATION APPROVE</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The alterations to convert the detached garage into an additional bedroom and a day room and utility room would not harm visual or residential amenity, nor would it harm highway safety or convenience.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council objection			
<b>WARD</b> Minster Cliffs	<b>PARISH/TOWN</b> Minster	<b>COUNCIL</b>	<b>APPLICANT</b> Ms L And J Cashford And Hales <b>AGENT</b> Olson Design Group
<b>DECISION DUE DATE</b> 05/11/14	<b>PUBLICITY EXPIRY DATE</b> 05/11/14	<b>OFFICER SITE VISIT DATE</b> 23/09/14	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/501705/LAWP RO	Lawful Development Certificate (Proposed) for the use of the property as a Residential Care home for six people	Approved	17.12.14
SW/07/0187	Conversion of existing integral garage into a family room and utility room and replacement detached triple garage and workshop	Approved	05.04.2007

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

- 1.01 The site consists of a modern detached treble garage, which consists of a double car port with an attached large single garage.
- 1.02 The garage is sited within the domestic curtilage of a large detached dwelling “Moordean” and is situated off Oak Lane, within a predominantly residential area within the north eastern fringes of Minster-on-Sea.

**2.0 PROPOSAL**

- 2.01 It is proposed to convert the detached treble single storey garage into an annex to the main house at “Moordean”, which has obtained a Lawful Development Certificate for a residential care home for 6 people.
- 2.02 The building is to be used for the laundering of six people’s clothing and bedding, who will be resident in the main house at “Moordean”. It will require the use of two domestic sized washing machines and two domestic sized tumble driers.”
- 2.03 The remaining part of the annex would contain a bedroom, day room and en-suite and used to increase the independence and skills of a resident who would like to eventually obtain her own independent flat. At present, she still requires support and help to achieve an acceptable level of independence.

2.04 The proposal also involves the infilling of one of the currently open carport spaces and this would involve building an external wall to the front elevation and an internal wall. A window within the west flank elevation would be relocated further to the south to serve the proposed bedroom. Two rooflights are proposed within the southern roof slope and one rooflight proposed within the north elevation. These would provide light to the en-suite, utility/laundry room and day room.

### **3.0 SUMMARY INFORMATION**

3.01 The applicant's agent has submitted a statement, giving a summary of the background information relating to the application.

### **4.0 PLANNING CONSTRAINTS**

4.01 None identified.

### **5.0 POLICY AND OTHER CONSIDERATIONS**

5.01 Policies E1 (general development criteria), E19 (Achieving High Quality Design and Distinctiveness) E24 (Alterations and Extensions) and T3 (Vehicle Parking) of the Swale Borough Local Plan 2008 are relevant.

5.02 The Council's adopted Supplementary Planning Guidance entitled "Designing an Extension – A Guide for Householders" is relevant. Paragraphs 7.0 and 7.1 relate to vehicle parking and the impact this can have on visual amenity.

### **6.0 LOCAL REPRESENTATIONS**

6.1 Minster-on-Sea Parish Council – raise objections to these proposals for the following reasons:-

- The site is in an unsuitable location sited off a narrow access road with sharp bends.
- The impact upon the neighbour's residential amenities is critical.
- There is inadequate parking space for residents, staff and visitors on the site.
- However, it is accepted that the use of the detached building as a care home for a maximum of 6 people is normally permitted development.

6.2 Six letters of objection have been received from local residents which raise the following issues:

- Increased traffic generation to and from the site by staff attending to the people at the care home.
- Insufficient on-site car parking space and vehicle turning space.
- Access difficulties for people in wheel chairs that need to move about on the site.
- The access road into the site is incapable of accommodating an increased level of vehicular traffic to and from the site.
- The southern elevation of the detached garage is close to the boundary with the adjoining dwelling and the windows in this elevation of the garage will overlook the adjoining dwelling at "Applegarth".
- The proposed utility room would be used as a laundry for the main house staff and residents, which will have an impact upon the adjoining neighbours.
- The proposed day room would be used by residents from the main house, leading to more noise and disturbance for neighbours.

- The use of “Moordean” as a care home for people with behavioural difficulties will have an adverse impact upon the adjoining neighbours.
- The adjoining caravan site will generate vehicular traffic onto Oak Lane, which would be adversely affected by increased traffic from the care home.
- The proposals would lead to increased noise, disturbance and inconvenience for local residents.

## **7.0 CONSULTATIONS**

7.01 No internal or external consultations were required for the application.

## **8.0 BACKGROUND PAPERS AND PLANS**

8.1 The submitted application forms and plans.

## **9.0 APPRAISAL**

### **Principle of Development**

9.01 The use of an existing garage on the site as an ancillary building for a small care home that has been established by a Lawful Development Certificate to still fall under the Use Class C3 – dwellinghouse, would be acceptable in my view. There are many annexes to dwellings across this borough and nationally and providing that the use of the annexe is truly ancillary (Members will note the condition below restricting use to an annexe only), then such a use would be entirely appropriate within a residential area.

### **Visual Impact**

9.02 The submitted plans have been amended and the window in the southern elevation of the garage building has been deleted and replaced by two small roof lights. The works to the building would in my view have very little impact on the visual amenities of the area. The existing parking area at the site (an in-out driveway which arcs to the front of the building) is not prominent in views from public vantage points such that the displacement of any vehicles to this area as the result of the conversion of the garage would not harm the visual amenities of the area.

### **Residential Amenity**

9.03 It is considered that the small scale nature of these proposals is such that the residential amenities of the adjoining residents would not be adversely affected to such an extent as to warrant refusal of these proposals. The level of activity within the building would be small and would not harm the amenities of local residents. The small scale nature of these proposals is such that there would not be significant increases in vehicle movements to and from the site that would undermine the residential amenities of the occupants of the adjoining properties to such an extent as to justify the refusal of these proposals.

### **Highways**

9.04 The proposal would be unlikely to lead to vehicles parking in the highway – there is sufficient parking at the site. Similarly, the proposal would not result in any notable increase in traffic using the Oak Lane given the fact that the use of the property would remain as residential.

**Other issues**

- 9.05 Members should note that any matters in respect of the use of the property as a care home should be given limited weight given the fact that a Lawful Development Certificate has established that such a use does not require planning permission.

**10.0 CONCLUSION**

- 10.01 It is considered that there are no planning objections to these proposals and as a result a recommendation of approval has been made.

**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 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 development shall be carried out in accordance with the following approved drawings which were received on the 26<sup>th</sup>.September 2014.

Proposed Ground Floor Layout & Elevations Ref. No. 53000.5 Rev.C

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

3. 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.

4. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Moordean, Oak Lane.

Reason: Its use as a separate unit would be contrary to the provisions of the development plan.

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

None

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.