

## PLANNING COMMITTEE

**APPLICATION NUMBER:** CA//19/00219/FUL

**SITE LOCATION:** 15 Ridgeway Road, Herne, CT6 7LL

**PROPOSAL:** Proposed use of garage as ancillary accommodation and associated external alterations.

**APPLICATION TYPE:** FULL APPLICATION

**DATE REGISTERED:** 07 January 2019

**TARGET DATE:** 04 April 2019

**LISTED BUILDING:** NOT LISTED

**CONSERVATION AREA:** NO

**WARD:** Herne and Broomfield

**APPLICANT:** Mr and Mrs Tilbury

**AGENT:** Mr Sullivan

**CASE OFFICER:** Alastair Curran

**WEB LINK:** [https://publicaccess.canterbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= CANTE\\_DCAPR\\_121768](https://publicaccess.canterbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= CANTE_DCAPR_121768)

**RECOMMENDATION:** Grant subject to safeguarding conditions

### SITE LOCATION AND DESCRIPTION

1. The application site is a large 'L' shaped plot with the host dwelling being a two storey semi-detached dwelling with a shallow pitched roof and is constructed of yellow brick and stone cladding. There is parking in the form of a detached two-bay garage to the rear and a small parking area to the front of the site. There is a swimming pool located towards the rear of the site behind 17 Ridgeway Road.
2. The streetscene is one of a varied character with a mix of dwelling types and architectural styles prevalent. Adjacent to the application site is a semi-detached

bungalow with a small flat roofed extension adjacent to the side access of 15 Ridgeway Road. The site is located within an Area of High Landscape Value with woodland located to the rear of the site.

### RELEVANT PLANNING HISTORY

3. **CA//16/02438:** full planning application refused for a detached two-storey annex with parking following demolition of detached garage on the grounds of the size and nature of the accommodation proposed, as it was considered that the proposal would result in the creation of a new independent dwelling and would represent an unsustainable form of backland development. The applicant also failed to enter into a legal agreement to secure the necessary SAMMs mitigation measures for the Thanet Coast and Sandwich Bay SPA.

### PROPOSED DEVELOPMENT

4. Full planning permission is sought for the use of the existing garage as ancillary accommodation and associated external alterations. The scheme has been amended over the course of the application to retain the existing footprint of the garage and create a greater connection between the annex and host dwelling.

### CONSULTATIONS

**Herne and Broomfield Parish Council:** Object to the application on the grounds that they consider that their comments on the reasons for refusing the previous application apply, in relation to the annex could easily be converted into a separate dwelling and as such, would constitute backland development.

### REPRESENTATIONS

5. Neighbouring occupiers adjoining the site were notified in writing and no objections were received.

### DEVELOPMENT PLAN POLICIES

#### **Canterbury District Local Plan 2017**

**DBE1** - All development to incorporate sustainable design and construction measures.

**DBE3** - Development proposals to be of high quality, to be assessed against specific amenity, visual, landscape, accessibility and highways criteria.

**DBE6** - Alterations and extensions to respect character of the original building, to not result in overshadowing and overlooking and to avoid detriment to the amenity and character of the locality. Particular care to be given to works to heritage assets.

**LB2** - Impact of the development on Areas of High Landscape Value.

**T9** - Parking and cycle provision to have regard to identified standards.

#### **Supplementary Planning Guidance/Documents**

## ASSESSMENT

6. The application is brought before the Planning Committee to determine as the application has been called in by the Parish Council. The main considerations in the assessment of this application are:

- Character and appearance
- Living conditions
- Highway safety and parking
- Other Considerations

### **Character and appearance**

7. Section 12 of the National Planning Policy Framework (NPPF) states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place; respond to local character and history; reflect the identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 127 states that the need to always secure high quality design should underpin decision-taking and states that design should contribute positively to making places better for people. Policy DBE3 of the Canterbury District Local Plan 2017 endorsed this, requiring new proposals to be of high quality design which responds to the objectives of sustainable development. Policy DBE3 also requires that development should be considered against a range of criteria including its visual impact, the form of the development in terms of the efficient use of land, layout, landscape, density and mix, scale, massing, materials, finish and architectural detail.
8. Policy DBE6 of the Canterbury District Local Plan 2017 requires alterations and extensions to respect character of the original building, to not result in overshadowing and overlooking and to avoid detriment to the amenity and character of the locality.
9. The proposal would see the conversion of the existing garage located to the rear of the main dwelling and is not readily visible from Ridgeway Road. As the application is for the conversion of an existing structure, the existing footprint will remain the same as existing. The proposal includes the replacement of the existing flat roof with a shallow pitched roof, which is considered to be more in keeping with the character of the host dwelling. The application also includes alterations to the fenestration of the existing building, in the form of new windows and doors to the front and rear of the building. Given the residential nature of the site and limited visibility of the existing building, the proposed alterations are considered to not have a harmful impact on the character and appearance of the streetscene or the Area of High Landscape Value.
10. Taking the above into account, the proposed development is considered to be in accordance with policies DBE1, DBE3, DBE6 and LB2 of the Canterbury District Local Plan 2017 and the NPPF.

## **Living conditions**

11. Paragraph 127 of NPPF states that planning decisions should aim to secure a good standard of amenity for all existing and future occupants of land and buildings. Policies DBE3 and DBE6 of the Canterbury District Local Plan 2017 accord with this.
12. Given the nature of the works proposed and the separation distance with surrounding development, the application is considered to have an acceptable impact on the living conditions of neighbouring property occupiers in accordance with policies DBE3 and DBE6 of the Canterbury District Local Plan 2017 and the NPPF.

## **Highway safety and parking**

13. Policy DBE3 of the Canterbury District Local Plan 2017 states that when assessing design quality, safe movement within and around a proposed development must be a consideration. Policy T9 states that Kent County Council's guide to vehicle parking will be applied when assessing new development.
14. It is considered that the proposal would not result in a harmful impact on highway safety as the development would not result in a significant intensification of the existing access. Although the proposal would see the loss of two garage bays, the application site is currently served by sufficient off-road parking to the front and rear of the site to serve the development, in accordance with policy T9 of the Canterbury District Local Plan 2017.

## **Other matters**

15. With regards to the potential for the proposed annex to be used as a separate dwelling, given its limited size, visual connection and access to the annex from the host dwelling and its location within the plot, the proposal is considered to form an ancillary outbuilding. Furthermore, the additional information provided with the application confirms that the proposed annex will rely on the host dwelling for food preparation and washing facilities and as such, officers are satisfied that the proposal amounts to ancillary accommodation. A condition should be imposed upon any grant of permission to ensure the accommodation remains ancillary to the main dwelling.

## **RECOMMENDATION**

16. Given the above, the proposed development is considered to be in accordance with policies DBE1, DBE3, DBE6, LB2 and T9 of the Canterbury District Local Plan 2017 and the NPPF. It is therefore recommended that planning permission be granted subject to conditions.

## DRAFT CONDITIONS FOR DECISION NOTICE

Application No: CA/19/00219/FUL

Proposal: Proposed use of garage as ancillary accommodation and associated external alterations.

Location: 15 Ridgeway Road, Herne, CT6 7LL

### CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON:** In pursuance of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the submitted drawings received 03/04/2019:

- 19/21/03A
- 19/21/05A
- 19/21/04A
- 19/21/06A

**REASON:** To secure the proper development of the area.

3. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 15 Ridgeway Road, Herne.

**REASON:** To prevent the formation of a substandard dwelling without adequate independent living space, amenities, access and car parking in accordance with policy DBE3 of the Canterbury District Local Plan 2017.