

**A06**

**FH/TH/22/0801**

PROPOSAL: Retrospective application for the change of use of garage to ancillary living accommodation and garage

LOCATION: Waybank Way Hill Minster RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr Jason Drew

APPLICANT: Mr & Mrs Gold

RECOMMENDATION: Approve

Subject to the following conditions:

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

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 05042\_MH02 received 10 June 2022.

**GROUND;**

To secure the proper development of the area.

3 The annexe hereby approved shall be used as ancillary accommodation, incidental to the enjoyment of the main dwellinghouse.

**GROUND:**

To ensure that an independent residential use is not created that would fall below the Nationally Described Space Standards identified within Policies QD03 and QD04 of the Thanet Local Plan, and to safeguard the character, appearance and pattern of development of the area, in accordance with Policies QD02 and paragraph 130 of the National Planning Policy Framework.

**SITE, LOCATION AND DESCRIPTION**

The site is located outside of the urban confines and within a landscape character area at the southern end of Way Hill, on the junction with The Lanes and Grinsell Hill and to the west of Wayside Caravan Park. The site is a large plot with large detached property set in the south western corner of the site.

## RELEVANT PLANNING HISTORY

FH/TH/17/1309 - Erection of detached garage with games room in roof. Granted 15 November 2017

F/TH/13/0408 - Erection of first floor rear extension. Granted 01/07/2017

F/TH/13/0129 - Erection of a first floor extension to rear, together with erection of a 2 storey building incorporating a double garage. Refused 03/05/2013.

F/TH/07/0021 - Erection of a 2-storey rear extension together with railings at first floor to create terraced area. Granted 22 February 2007

## PROPOSED DEVELOPMENT

This is a retrospective application for the change of use of garage to ancillary living accommodation and garage.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2020**

SP24 - Development in the Countryside

SP26 - Landscape Character Areas

SP35 - Quality Development

HO23 - Ancillary Accommodation for a Family Member

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions

TP06 - Car Parking

## NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

No responses have been received.

## CONSULTATIONS

None received.

## COMMENTS

The application is brought before members as the applicant is an employee of the Council.

## **Principle**

The site comprises an existing dwelling and outbuilding that was approved in 2017. The principle of altering outbuildings within the curtilage of an existing dwelling is considered acceptable subject to all other material considerations.

Policy HO23 of the Thanet Local Plan states that: "Proposals to provide an annexe for ancillary accommodation will be permitted where the proposed annexe is:

- Within the curtilage of the principal dwelling and shares its vehicular access;
- Is occupied only in connection with the main dwelling in single family use;
- Is in the same ownership as the main dwelling;
- Designed in such a way as to easily allow the annexe to be used as an integral part of the main dwelling when it is no longer needed for independent occupation;
- Has no boundary demarcation or sub division of the land between the main dwelling and the annexe;
- Of a scale subservient to the principal dwelling and complies with the Council's design policies.

The garage approved on the site as part of the 2017 application (Reference FH/TH/17/1309) included a games room within the roof. It does have a separate vehicular access and google maps show a fence dividing the garden between the main dwelling and the annexe. The application form and design and access statement outlines that the development is for ancillary accommodation for a family member and certificate A has been signed indicating that the site is wholly within the applicant's ownership. Whilst the proposed annexe is located away from the main dwelling and has a separate access, both accesses were in place prior to the 2017 application and it would appear that the fence across the site would be permitted development. Whilst the annexe does not comply with all the requirements of policy HO23, given the arrangement of the site prior to the 2017 decision, and the development approved in 2017, the resulting harm is considered to be limited. The use of the building as an annexe would be controlled by condition and, therefore, the principle of the use as ancillary accommodation is considered to be acceptable.

### **Character and Appearance**

The site is located outside of the urban confines and within the Wantsum North Slopes Landscape Character Area.

Outside of the urban confines policy SP24 requires all development proposals to be of a form, scale and size which is compatible with, and respect the character of, the local area and surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated. Policy SP26 states that within the Landscape Character Area development proposals should demonstrate how their location, scale, design and materials will conserve and enhance Thanet's local distinctiveness. The Wantsum North Slopes landscape is very open with few features and the former shoreline is more distinct in some places than in others, with the variation in the contour pattern. From the upper slopes it affords extensive views across the whole of the former Wantsum Channel to

the slopes on the opposite banks and in many places to the sea. The former shoreline is more distinct in some places than in others, with the variation in the contour pattern.

Paragraph 130 of the National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment and establish and maintain a strong sense of place.

Policy QD02 of the Thanet Local Plan provides general design principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

When compared to the previously approved garage there are no alterations to the location, footprint or materials of the building, however the height is 0.6m lower than approved. On the front elevation there is one garage door, a pedestrian door and a window and at the rear there are two windows and a sliding door in the ground floor and two rooflights and a dormer in the first floor. No openings are located in the side elevations.

Due to the location of the dormer at the rear of the building and the existing boundary treatment, the alterations to the building are not highly prominent from the public realm and, therefore, given the approved building on the site, this development is not considered to result in any significant harm to the character and appearance of the area, in line with policies SP24, SP26, HO23 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

### **Living Conditions**

As noted above the annexe and garage has the same footprint as the approved garage and games room and is smaller in height. It is, therefore, considered that the annexe and garage does not result in any significant loss of light or sense of enclosure above that of the approved development.

Three rooflights were previously approved in the rear elevation, therefore given that the dormer serves a bathroom and that the two rooflights are in a similar location to the rooflights previously approved, these openings are not considered to result in any significant overlooking. Garage doors were previously approved in the ground floor front elevation and three windows were approved in the ground floor rear elevation, therefore given the approved openings and the ground floor location of the remaining doors and windows they are not considered to result in any significant overlooking.

The use of the building as an annexe and garage is not considered to result in any significant noise and disturbance to the neighbouring dwellings.

The alterations to the approved plan and the use of the building as an annexe and garage are therefore not considered to result in any significant harm to the living conditions of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

## **Transportation**

One garage parking space would be retained within the building and off street parking spaces would be retained in front of the annexe and the existing dwelling. It is considered that whilst this development increases the amount of habitable accommodation on the site, it would not result in any significant increase in demand for on street parking or harm to highway safety.

## **Conclusion**

The annexe and garage is not considered to result in any significant adverse impacts upon the character and appearance of the area or the living conditions of the adjacent neighbouring property occupiers, and whilst the arrangement of the site does not comply with all the requirements of policy HO23, given the previously approved building and the proposed condition to ensure that the use remains ancillary, the resulting harm is not considered to warrant refusal of the application. It is therefore recommended that members approve this application.

## **Case Officer**

Duncan Fitt

TITLE:

FH/TH/22/0801

Project

Waybank Way Hill Minster RAMSGATE Kent

