

Application Number	20/00610/AS
Location	Withy Farm, Goldups Lane, Chilham CT4 8JG
Grid Reference	604072 / 154350
Parish Council	Chilham
Ward	Downs North Ward
Application Description	Part change of use of land from agricultural to residential and erection of detached ancillary annexe accommodation.
Applicant	Mr H Digby-Baker
Site Area	0.01 hectares

(a) 10/4R/6S (b) Parish Council R (c)

Introduction

1. This application is reported to the Planning Committee at the request of the Ward Member, Cllr Dehnel.
2. The application was previously reported to the Planning Committee on 9th December 2020, (see Appendix 1). The decision was deferred pending officers seeking assurances that the building would not be used as an independent dwelling and that services would be shared with the main house. Members also sought an amendment to the design to a single storey building.

Site and Surroundings

3. The application site comprises land to the rear of Withy Farm (previously known as Cona). The site is located on the southern side of Goldups Lane in the parish of Chilham. There is also a rear access to the site from Beaney's Lane.
4. The site is located in the North Downs Area of Outstanding Natural Beauty (AONB) and the Challock Mid-Kent Downs Kent character area.
5. To the north of the site, across Goldups Lane, are arable fields. To the east of the site are the rear gardens of the properties at Nos. 1 to 6 Goldups Lane Cottages. To the south of the site is Beaney's Lane, which is a narrow rural

lane with several properties located to the southeast towards Shottenden Road. To the west of the site are various agricultural barns, stables and associated hard standing belonging to the applicant, with open fields beyond.



Figure 1 - Site location / block plan

Proposal

6. Planning permission is sought for a part change of use of land from agricultural to residential and proposed erection of detached ancillary annexe accommodation to serve Withy Farm House. The proposed building would include a garage, a kitchen/living area, a bedroom, an office and a bathroom.
7. The site of the proposed annexe would be partly located within an existing parking area for the main dwelling and partly within an adjacent grassed area that is used as a paddock (Figure 1 above). The paddock does not form part of the residential curtilage, so the part of it proposed for siting the application building would be incorporated into the curtilage of the main house. An aerial photograph of the site is shown at Figure 2 and a photograph of the existing parking area and adjacent paddock is shown at Figure 3.

8. The proposed annexe footprint would measure 13.5m x 6.5m and would be 2.5m to the eaves and a maximum height of 4.8m to the top of the pitched roof. The proportions of the building were reduced during the course of the application from the two storey building originally proposed. The proposed floor plans / elevations are shown in Figures 4 to 6 below.



Figure 2 – Aerial photograph of site



Figure 3 – Photo of existing parking area and adjacent paddock

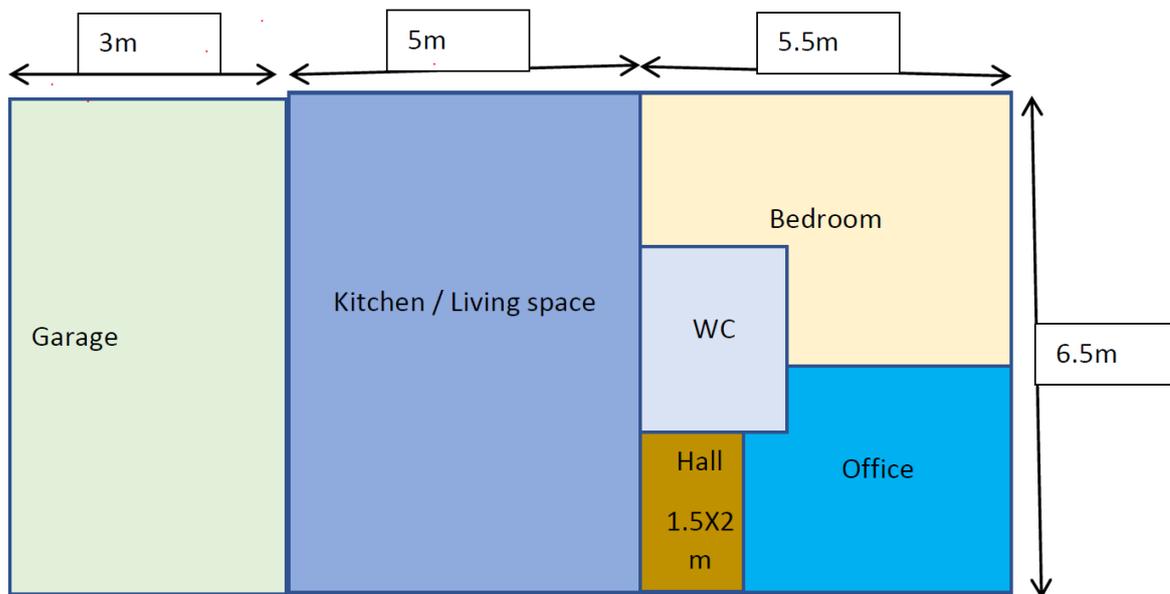


Figure 4 – Proposed ground floor plan

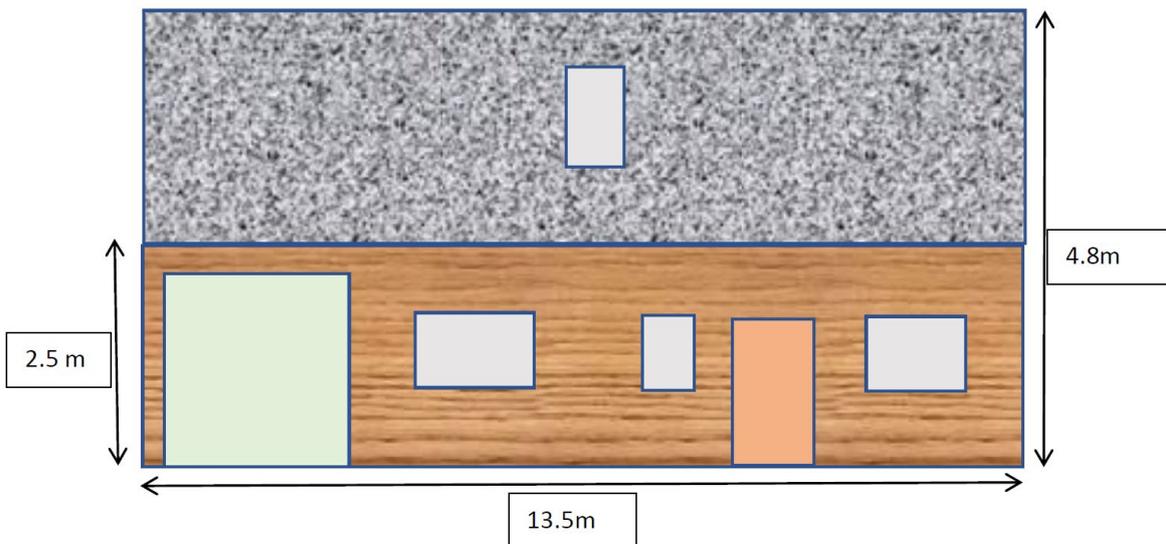


Figure 5 – Proposed front elevation

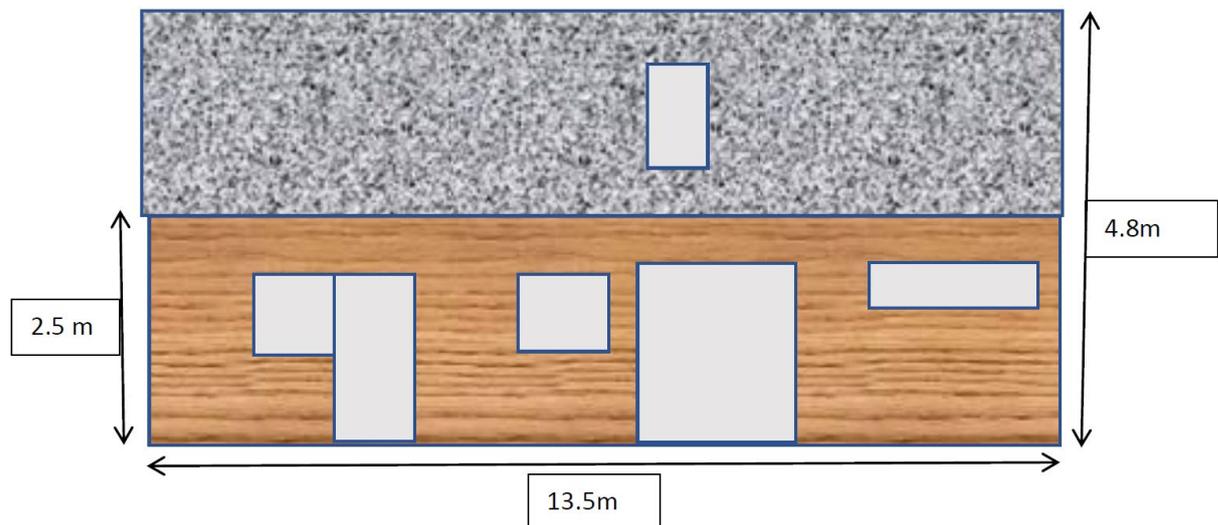


Figure 6 – Proposed rear elevation

Planning History

None of relevance.

Consultations – scheme as originally submitted

Ward Member: Cllr Dehnel has requested for the application to be determined by the Planning Committee.

Parish Council: Object for the following reasons:

- The development is outside the curtilage of the main property;
- The existing dwelling has an attached annexe that was approved and added in 2014 as standalone was not permitted at that time [**DMM Comment:** *It is understood that part of the main dwelling could be used as annexe accommodation and this is in fact used intermittently; however this does not impact the acceptability of the current proposed scheme*];
- The applicant has inadequately demonstrated the clear need for a standalone annexe;
- The proposal is contrary to Policy HOU5 [**DMM Comment:** *The proposal should be assessed against Policy HOU9 and not HOU5 as it relates to a standalone annexe and not a new residential dwelling in the countryside*];
- The development would destroy agricultural land;
- Harm to the character and appearance of the area;
- The site is visually prominent being part of an area of farmland bordered by low hedges and will be visible from the Faversham direction, and from Beaney's Lane and Fisher Street given that it is 2 storeys [**DMM Comment:** *the design has been revised to single storey*];
- Too large;
- The accommodation should be single storey only [**DMM Comment:** *the design has been revised to single storey*];
- An annexe with a proposed one bedroom would not require 3 parking spaces, which exceeds even Ashford Borough Council parking standards [**DMM Comment:** *The parking space as amended would be for the main dwelling and the annexe accommodation would also be connected to the main dwelling*];
- Impact of external lighting on wildlife and ecology given the location is so exposed [**DMM Comment:** *A planning condition is recommended in relation to external lighting*];
- The development seeks to use the Beaney's Lane access as the main access to the annexe indicating a desire to separate this development from the main dwelling;
- The entrance to the site should be from Goldups Lane, not Beaney's Lane [**DMM Comment:** *There is already an existing access to the site from Beaney's Lane*];
- Beaney's Lane has no proper laid tarmac and there is no space to pass other cars – the road needs to be improved;
- Lack of provision for foul sewage [**DMM Comment:** *This matter could be dealt with by way of a planning condition*];
- The accommodation should not be used by Air B&B or as a holiday let;

Neighbours: 15 neighbours consulted; 4 objections and 6 support received.

Objections

- The development is outside the curtilage of the main property;

- Change of use of the land is not required as there is adequate space within the curtilage;
- Harm to the character and appearance of the area;
- Overly visible development;
- This is not a standalone annexe and should be treated as a new dwelling;
- Clear breach of Policy HOU5;
- There is already an existing annexe at the property that is rented out on a regular basis [**DMM Comment:** *It is understood that part of the main dwelling could be used as annexe accommodation and this is in fact used intermittently; however this does not impact the acceptability of the current proposed scheme*];
- Why does the applicant need another annexe?;
- It would be easy for the garage to be 'walled up' and converted to a dwelling [**DMM Comment:** *The proposal no longer includes a car barn*];
- The purpose of the application is to add another rental property to the site [**DMM Comment:** *This is speculation only and not a material planning consideration*];
- There is no identified need for the annexe;
- The applicant has requested access to the annexe from Beaney's Lane making this a standalone property with no reference to the original house [**DMM Comment:** *There is already an existing access to the site from Beaney's Lane*];
- The proposal would set a dangerous precedent for other developers;
- Large vehicles already have problems accessing Beaney's Lane;
- Beaney's Lane is extremely narrow and is not tarmacked;
- Additional traffic along Beaney's Lane would exacerbate the parking situation and cause further damage to the roadway;

Support

- The comments by Chilham Parish Council do not reflect the views of the majority of people who live in Shottenden;
- The comments by Chilham Parish Council are over the top and unfounded;
- How is this cart barn going to set a precedent when the four others in the village have not i.e. The Old Plough, Prior Past, Mathew Barn and Orchard View (only recently granted);
- There are other examples in the immediate area;
- It will not be an eyesore and would be in keeping with the area;
- Withy Farm does not have a garage and it does not seem unreasonable to have covered parking;
- The property has always had access on to Beaney's Lane and this would not change;
- The proposal would not affect the dark skies;
- The owners have agricultural land and obviously require office accommodation and parking for their cars and farm vehicles etc;
- No objections to holiday let and we should encourage visitors to the area who enjoy walking in the area, and will likely bring extra trade to Chilham.

Planning Policy

9. The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019) and the Kent Minerals and Waste Local Plan (2016).
10. The Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
11. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan to 2030

HOU9 – Standalone Annexes

ENV3b – Landscape Character and Design in AONBs

ENV4 – Light Pollution and Dark Skies

TRA3a – Parking Standards for Residential Development

12. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

SPG9 – Domestic Garage and Outbuildings in Urban and Rural Areas

Residential Parking SPD

Landscape Character SPD

Dark Skies SPD

Government Advice

National Planning Policy Framework (NPPF) 2018

13. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework

(NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF.

14. At the heart of the NPPF is a presumption in favour of sustainable development and the mechanism for applying this is set out at paragraph 11.

Assessment

15. The key issues to consider are as follows:

- Principle;
- Visual amenity;
- Residential amenity;
- Highways safety.

Members' reasons for deferral

16. Members have previously expressed concerns that the building would be used as an independent dwelling and that services would not be shared with the main house. Members also expressed concern about the scale of the original two storey design and sought an amendment to a single storey building. Following the decision being deferred at 9th December 2020 planning committee, the applicant has confirmed the annexe will be occupied by a family member; and, will share electric, water, drainage, broadband and laundry services with the host dwelling (paragraph 20 below). Furthermore, the design has been amended to a single storey building (Figures 5 & 6 above).

Principle

17. Policy HOU9 states that proposals for detached annexe accommodation to residential property will be permitted where:
- a) The existing dwelling enjoys a lawful residential use;
 - b) The proposed annexe would not materially harm any neighbouring uses, including the living conditions of nearby residents;
 - c) The proposed annexe is suitable in size, scale and materials and clearly ancillary and visually subordinate to the principal dwelling;
 - d) It is sited to achieve a clear dependency is retained between the annexe and the main building at all times and;
 - e) The annex is sited to ensure a clear dependency is retained between the annex and the main building at all times;
 - f) The proposed annexe is designed to ensure it does not result in significant harm to the overall character and appearance of the surrounding area taking into account the surrounding built form and street scene.

18. Given the fact the existing dwelling enjoys a lawful residential use, there are no in principle objections to the proposed development subject to compliance with the remaining parts of Policy HOU9. These matters will be discussed under the following sections of the report.
19. The proposed development does not relate to a new residential dwelling in the countryside as implied under the representations section of this report; therefore Policy HOU5 is not applicable in this instance. The proposed development comprises annexe accommodation for the main dwelling and a condition to restrict the use to ancillary residential accommodation is recommended accordingly (paragraph 20 below).

Visual Amenity

20. Whilst the proposed annexe would be fairly large in terms of its footprint, this would not be excessive or unreasonable given the overall size of the plot of land, and the single storey form. As such, the proposed annexe would be visually subordinate to the main dwelling and has been sited so as to ensure a clear dependency is retained with the house in line with parts (d) and (e) of Policy HOU9. There is an existing pathway that would connect the proposed annexe to the rear of the main house, as shown in Figure 1 above. The applicant has confirmed that the outbuilding will not be used as an independent dwelling, it will be occupied by a family member, and will share services with the main house. It will share the electric and water meters, it will share the existing foul drainage system, it will have the same broadband connection and occupiers of the annexe will use the laundry facilities in the main house. A planning condition is recommended to ensure the annexe remains ancillary to the host dwelling, worded such as "*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 Withy Farm and as garage space for purposes incidental to the enjoyment of the dwelling known as Withy Farm, both as shown on the approved floor plan*".
21. The proposed annexe would be set back from Goldups Lane by a considerable distance behind the main dwelling and adjacent properties at Nos. 1 to 6 Goldups Lane Cottages, as well as from Beaney's Lane. In the light of this and the amended single storey design, it would not appear dominant or visually intrusive within the street scene or surrounding area. Furthermore, as a subordinate building in amongst the existing built form on the site, it would not appear incongruous nor detract from the scenic beauty of the wider AONB designated landscape. Materials can be secured by condition, and it is also recommended that details of external lighting are submitted for approval. As such, the proposal would also comply with parts (c) and (f) of Policy HOU9.
22. The change of use of part of the site from agricultural land to residential would also have a very limited and acceptable impact on the surrounding

countryside. It would amount to a relatively minor increase in the curtilage parking area, and this encroachment into a paddock would be deemed appropriate.

Residential Amenity

23. Given the siting of the proposed annexe and the separation distance to the rear of the nearest neighbouring property at No. 1 Goldups Lane Cottages (approximately 28m away), it is deemed there would be no unacceptable harm caused to the residential amenity of the occupiers in terms of loss of daylight / sunlight, loss of outlook, loss of privacy or noise and disturbance.

Highway Safety and Access

24. The proposed annexe would provide a covered vehicle parking space. The proposed building would partly be located in an area of existing open parking for the main dwelling. However, there is ample parking at the site and this would continue to be provided in line with vehicle parking standards.
25. There are two established vehicular accesses to the site; one at the front from Goldups Lane and one to the rear from Beaney's Lane. The proposed annexe building would be accessed from Beaney's Lane; there would be no reason to refuse the application on this basis. It is clear from the aerial photograph at Figure 2 that there is existing parking in the area and this can already be accessed from Beaney's Lane.

Other Matters

26. The proposed development is not caught by Stodmarsh due to the fact it relates to annexe accommodation for an existing dwelling.
27. The site is located within an area that is covered by Policy EMP6 ('Fibre to the Premises'); however the proposal itself does not represent 'qualifying development'.

Human Rights Issues

28. I have also taken into account the human rights issues relevant to this application. In my view, the "Assessment" section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

29. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

30. The provision of a detached annexe at the site is acceptable and would comply with the requirements of Development Plan policy, Central Government guidance and SPG9.
31. Members of the Planning Committee have previously expressed concerns that the building would be used as an independent dwelling and that services would not be shared with the main house. Members also expressed concern about the scale of the original two storey design and sought an amendment to the to a single storey building. The applicant has confirmed the annexe will be occupied by a family member; and, will share electric, water, drainage, broadband and laundry services with the host dwelling. Furthermore, the design has been amended to a single storey building.
32. In light of the above I recommend that planning permission is granted subject to conditions.

Recommendation

1. Standard time condition
2. In accordance with approved plans
3. Materials to be approved
4. Obscure glazing – roof lights and side windows
5. Ancillary residential accommodation only (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 Wither Farm and as garage space for purposes incidental to the enjoyment of the dwelling known as Wither Farm, both as shown on the approved floor plan)
6. External lighting
7. Foul drainage
8. Approved development available for inspection

Note to Applicant

1. Working with the Applicant

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

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.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 19/01768/AS)

Contact Officer: Paul Howson

Email: paul.howson@ashford.gov.uk

Telephone: (01233) 330237

Appendix 1 –

Committee report as presented to members 9th December 2020

Application Number	20/00610/AS
Location	Withy Farm, Goldups Lane, Chilham CT4 8JG
Grid Reference	604072 / 154350
Parish Council	Chilham
Ward	Downs North Ward
Application Description	Part change of use of land from agricultural to residential and erection of detached car barn with ancillary annexe accommodation above.
Applicant	Mr H Digby-Baker
Site Area	0.01 hectares
(b) 10/4R/6S	(b) Parish Council R (c)

Introduction

33. This application is reported to the Planning Committee at the request of the Ward Member, Cllr Dehnel.

Site and Surroundings

34. The application site comprises land to the rear of Withy Farm (previously known as Cona). The site is located on the southern side of Goldups Lane in the parish of Chilham. There is also a rear access to the site from Beaney's Lane.
35. The site is located in the North Downs Area of Outstanding Natural Beauty (AONB) and the Challock Mid-Kent Downs Kent character area.
36. To the north of the site, across Goldups Lane, are arable fields. To the east of the site are the rear gardens of the properties at Nos. 1 to 6 Goldups Lane Cottages. To the south of the site is Beaney's Lane, which is a narrow rural lane with several properties located to the southeast towards Shottenden Road. To the west of the site are various agricultural barns, stables and associated hard standing belonging to the applicant, with open fields beyond.



Figure 2 - Site location plan

Proposal

37. Planning permission is sought for part change of use of land from agricultural to residential and proposed erection of a detached car barn with ancillary annexe accommodation above. The proposed car barn would include covered space for 3 vehicles and the first floor accommodation would comprise an open plan office / living room with kitchen, bedroom and shower room.
38. The site of the proposed car barn / annexe would be partly located within an existing parking area for the main dwelling and partly within an adjacent

grassed area that is used as a paddock. The paddock does not form part of the residential curtilage, so the part of it proposed for siting the application building would be incorporated into the curtilage of the main house. An aerial photograph of the site is shown at Figure 2 and a photograph of the existing parking area and adjacent paddock is shown at Figure 3.

39. The proposed car barn / annexe would measure 11.5m in width, 8.35m in depth, approximately 2.3m to the eaves level and a maximum height of 5.9m to the top of the pitched roof. The proportions of the building were reduced during the course of the application. The proposed car barn / annexe would include 3 roof lights on the eastern elevation facing towards the rear of No. 1 Goldups Lane Cottages, 3 rear dormers on the western elevation and a total of 3 first floor side windows.
40. The proposed car barn / annexe would be finished in timber cladding with roof tiles and timber doors. The proposed floor plans / elevations are shown in Figures 4 to 8 below.



Figure 2 – Aerial photograph of site



Figure 3 – Photo of existing parking area and adjacent paddock

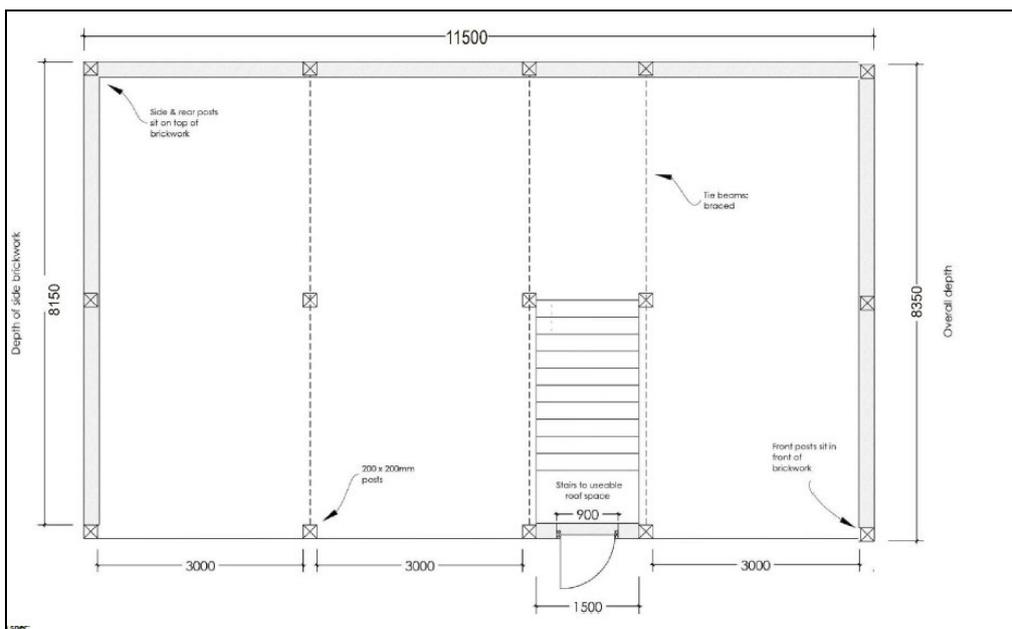


Figure 4 – Proposed ground floor plan

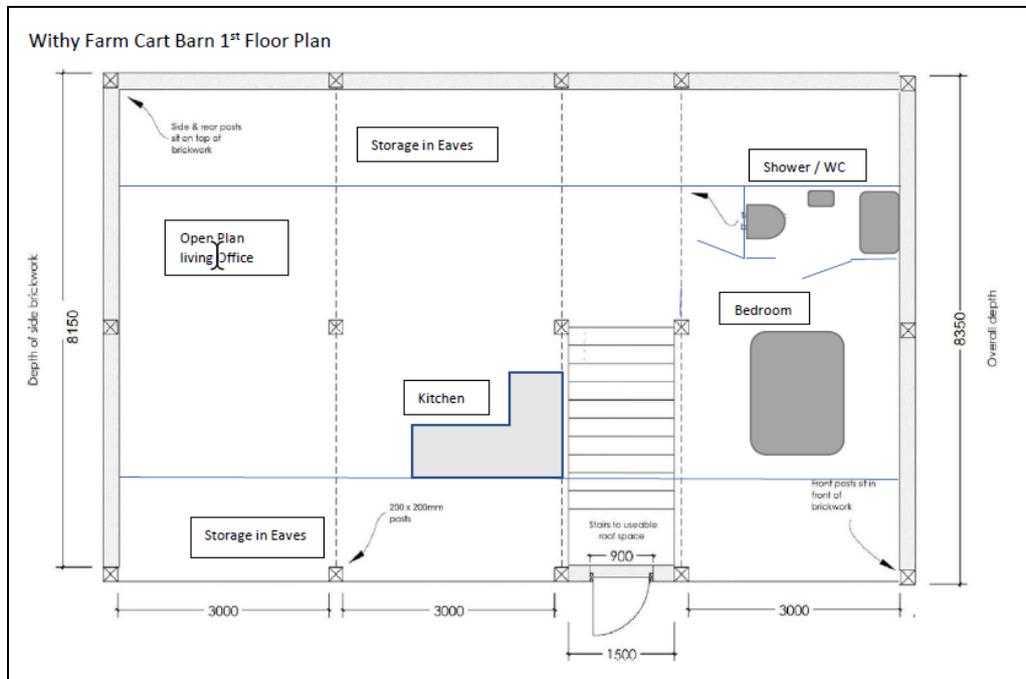


Figure 5 – Proposed first floor plan

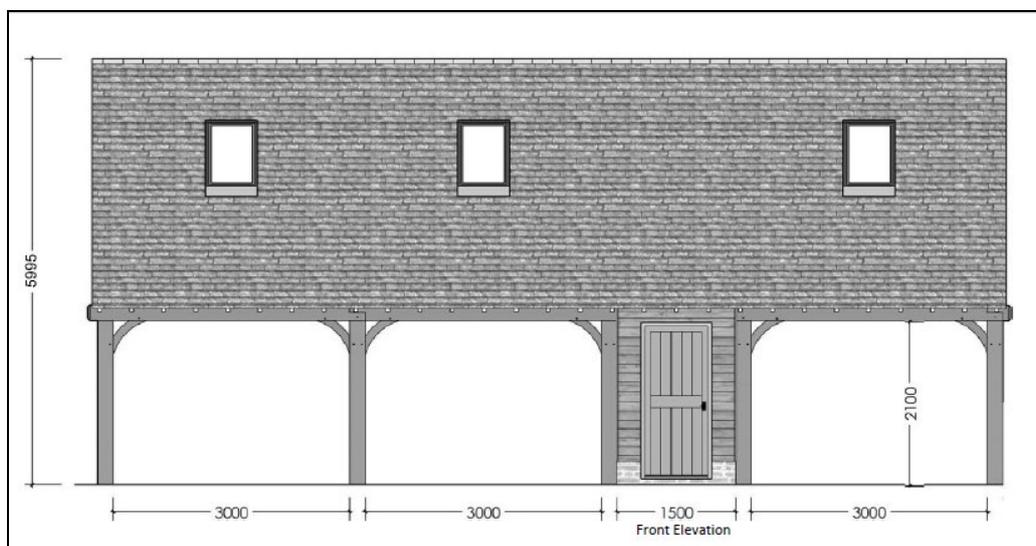


Figure 6 – Proposed eastern elevation

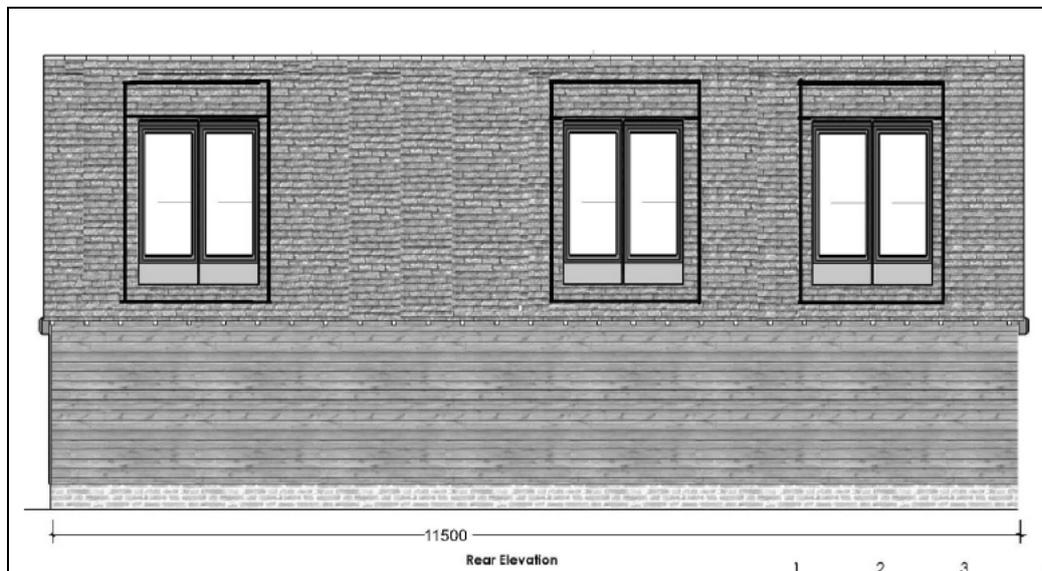


Figure 7 – Proposed western elevation



Figure 8 – Proposed north and south elevations

Planning History

None of relevance.

Consultations

Ward Member: Cllr Dehnel has requested for the application to be determined by the Planning Committee.

Parish Council: Object for the following reasons:

- The development is outside the curtilage of the main property;
- The existing dwelling has an attached annexe that was approved and added in 2014 as standalone was not permitted at that time [**DMM Comment:** *It is understood that part of the main dwelling could be used as annexe accommodation and this is in fact used intermittently; however this does not impact the acceptability of the current proposed scheme*];
- The applicant has inadequately demonstrated the clear need for a standalone annexe;
- The proposal is contrary to Policy HOU5 [**DMM Comment:** *The proposal should be assessed against Policy HOU9 and not HOU5 as it relates to a standalone annexe and not a new residential dwelling in the countryside*];
- The development would destroy agricultural land;
- Harm to the character and appearance of the area;
- The site is visually prominent being part of an area of farmland bordered by low hedges and will be visible from the Faversham direction, and from Beaney's Lane and Fisher Street given that it is 2 storeys;
- Too large;
- The accommodation should be single storey only;
- An annexe with a proposed one bedroom would not require 3 parking spaces, which exceeds even Ashford Borough Council parking standards [**DMM Comment:** *The parking spaces would be for the main dwelling and the annexe accommodation would also be connected to the main dwelling*];
- Impact of external lighting on wildlife and ecology given the location is so exposed [**DMM Comment:** *A planning condition is recommended in relation to external lighting*];
- The development seeks to use the Beaney's Lane access as the main access to the annexe indicating a desire to separate this development from the main dwelling;
- The entrance to the site should be from Goldups Lane, not Beaney's Lane [**DMM Comment:** *There is already an existing access to the site from Beaney's Lane*];
- Beaney's Lane has no proper laid tarmac and there is no space to pass other cars – the road needs to be improved;
- Lack of provision for foul sewage [**DMM Comment:** *This matter could be dealt with by way of a planning condition*];
- The accommodation should not be used by Air B&B or as a holiday let;

Neighbours: 15 neighbours consulted; 4 objections and 6 support received.

Objections

- The development is outside the curtilage of the main property;

- Change of use of the land is not required as there is adequate space within the curtilage;
- Harm to the character and appearance of the area;
- Overly visible development;
- This is not a standalone annexe and should be treated as a new dwelling;
- Clear breach of Policy HOU5;
- There is already an existing annexe at the property that is rented out on a regular basis [**DMM Comment:** *It is understood that part of the main dwelling could be used as annexe accommodation and this is in fact used intermittently; however this does not impact the acceptability of the current proposed scheme*];
- Why does the applicant need another annexe?;
- It would be easy for the garage to be 'walled up' and converted to a dwelling [**DMM Comment:** *A planning condition is recommended to ensure the car barn remains open fronted*];
- The purpose of the application is to add another rental property to the site [**DMM Comment:** *This is speculation only and not a material planning consideration*];
- There is no identified need for the annexe;
- The applicant has requested access to the annexe from Beaney's Lane making this a standalone property with no reference to the original house [**DMM Comment:** *There is already an existing access to the site from Beaney's Lane*];
- The proposal would set a dangerous precedent for other developers;
- Large vehicles already have problems accessing Beaney's Lane;
- Beaney's Lane is extremely narrow and is not tarmacked;
- Additional traffic along Beaney's Lane would exacerbate the parking situation and cause further damage to the roadway;

Support

- The comments by Chilham Parish Council do not reflect the views of the majority of people who live in Shottenden;
- The comments by Chilham Parish Council are over the top and unfounded;
- How is this cart barn going to set a precedent when the four others in the village have not i.e. The Old Plough, Prior Past, Mathew Barn and Orchard View (only recently granted);
- There are other examples in the immediate area;
- It will not be an eyesore and would be in keeping with the area;
- Withy Farm does not have a garage and it does not seem unreasonable to have covered parking;
- The property has always had access on to Beaney's Lane and this would not change;
- The proposal would not affect the dark skies;
- The owners have agricultural land and obviously require office accommodation and parking for their cars and farm vehicles etc;
- No objections to holiday let and we should encourage visitors to the area who enjoy walking in the area, and will likely bring extra trade to Chilham.

Planning Policy

41. The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019) and the Kent Minerals and Waste Local Plan (2016).
42. The Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
43. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan to 2030

HOU9 – Standalone Annexes

ENV3b – Landscape Character and Design in AONBs

ENV4 – Light Pollution and Dark Skies

TRA3a – Parking Standards for Residential Development

44. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

SPG9 – Domestic Garage and Outbuildings in Urban and Rural Areas

Residential Parking SPD

Landscape Character SPD

Dark Skies SPD

Government Advice

National Planning Policy Framework (NPPF) 2018

45. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.

A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF.

46. At the heart of the NPPF is a presumption in favour of sustainable development and the mechanism for applying this is set out at paragraph 11.

Assessment

47. The key issues to consider are as follows:

- Principle;
- Visual amenity;
- Residential amenity;
- Highways safety.

Principle

48. Policy HOU9 states that proposals for detached annexe accommodation to residential property will be permitted where:

- g) The existing dwelling enjoys a lawful residential use;
- h) The proposed annexe would not materially harm any neighbouring uses, including the living conditions of nearby residents;
- i) The proposed annexe is suitable in size, scale and materials and clearly ancillary and visually subordinate to the principal dwelling;
- j) It is sited to achieve a clear dependency is retained between the annexe and the main building at all times and;
- k) The annex is sited to ensure a clear dependency is retained between the annex and the main building at all times;
- l) The proposed annexe is designed to ensure it does not result in significant harm to the overall character and appearance of the surrounding area taking into account the surrounding built form and street scene.

49. Given the fact the existing dwelling enjoys a lawful residential use, there are no in principle objections to the proposed development subject to compliance with the remaining parts of Policy HOU9. These matters will be discussed under the following sections of the report.

50. The proposed development does not relate to a new residential dwelling in the countryside as implied under the representations section of this report; therefore Policy HOU5 is not applicable in this instance. The proposed development comprises annexe accommodation for the main dwelling and an ancillary residential accommodation condition is recommended accordingly.

Visual Amenity

51. Whilst the proposed car barn / annexe would be fairly large in terms of its footprint, this would not be excessive or unreasonable given the overall size of the plot of land. The main dwelling does not currently have a garage and covered space for 3 cars is considered appropriate. The proposed car barn / annexe would be visually subordinate to the main dwelling and has been sited so as to ensure a clear dependency is retained with the house in line with parts (d) and (e) of Policy HOU9.
52. The proposed car barn / annexe would be set back from Goldups Lane by a considerable distance behind the main dwelling and adjacent properties at Nos. 1 to 6 Goldups Lane Cottages, as well as from Beaney's Lane. As such it would not appear overly dominant or visually intrusive within the street scene or surrounding area. Furthermore, as a subordinate building in amongst the existing built form on the site, it would not detract from the scenic beauty of the wider AONB designated landscape. The use of timber cladding would also be sensitive to the rural environment.
53. There may be views of the building from some vantage points; however these would be limited. The provision of detached garages with annexe accommodation above is not an uncommon sight in the Borough, particularly within the countryside, and would not appear incongruous or out of keeping. There are also other examples of this type of development in the locality. As such, the proposal would also comply with parts (c) and (f) of Policy HOU9.
54. It is recommended that a planning condition be imposed to ensure the car barn remains open fronted and is not enclosed at a later stage. It is also recommended that details of external lighting are submitted for approval.
55. The change of use of part of the site from agricultural land to residential would also have a very limited and acceptable impact on the surrounding countryside. It would amount to a relatively minor increase in the curtilage parking area, and this encroachment into a paddock would be deemed appropriate.

Residential Amenity

56. Given the siting of the proposed car barn / annexe and the separation distance to the rear of the nearest neighbouring property at No. 1 Goldups Lane Cottages (approximately 28m away), it is deemed there would be no unacceptable harm caused to the residential amenity of the existing occupiers in terms of loss of daylight / sunlight, loss of outlook, loss of privacy or noise and disturbance.

57. The eastern elevation facing towards the neighbouring property would include 3 roof lights; however these would be angled upwards and a planning condition is recommended to ensure they are obscured glazed to mitigate against any potential overlooking. This is also recommended for the 3 first floor side windows, which would all be secondary windows or serving a bathroom.

Highway Safety and Access

58. The proposed car barn / annexe would provide covered space for up to 3 vehicles. The proposed car barn would partly be located in an area of existing open parking for the main dwelling. Overall I am satisfied there is ample parking at the site and this would continue to be provided in line with policy.
59. There are two established vehicular accesses to the site; one at the front from Goldups Lane and one to the rear from Beaney's Lane. The proposed car barn / annexe would be accessed from Beaney's Lane and I am satisfied there would be no reason to refuse the application on this basis. It is clear from the aerial photograph at Figure 2 that there is existing parking in the area and this can already being accessed from Beaney's Lane.

Other Matters

60. The proposed development is not caught by Stodmarsh due to the fact it relates to annexe accommodation for an existing dwelling.
61. The site is located within an area that is covered by Policy EMP6 ('Fibre to the Premises'); however the proposal itself does not represent 'qualifying development'.

Human Rights Issues

62. I have also taken into account the human rights issues relevant to this application. In my view, the "Assessment" section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

63. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals

focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

64. The provision of a car barn / annexe at the site is acceptable and would comply with the requirements of Development Plan policy, Central Government guidance and SPG9.
65. In light of the above I recommend that planning permission is granted subject to conditions.

Recommendation

9. Standard time condition
10. In accordance with approved plans
11. Materials approved
12. Obscure glazing – roof lights and side windows
13. Car barn to remain open fronted
14. Ancillary residential accommodation only
15. External lighting
16. Foul drainage
17. Approved development available for inspection

Note to Applicant

2. Working with the Applicant

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,

- by adhering to the requirements of the Development Management Customer Charter.

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.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 19/01768/AS)

Contact Officer: Georgina Galley

Email: georgina.galley@ashford.gov.uk

Telephone: (01233) 330264