
Parish:	EAST BERGHOLT
Location:	Kia-Ora, Dazeley's Lane
Proposal:	Erection of single-storey detached building for use as annex for dependent relatives (existing building to be demolished)
Applicant:	Mr and Mrs Dawson
Case Officer:	Lucy Mondon
	Date for Determination: 10.12.09

THE SITE

1. Kia-Ora is a two-storey semi-detached property located within the built up area of East Bergholt and an Area of Outstanding Natural Beauty. The property is set back from Dazeley's Lane; a small track accessed from Manningtree Road that is mainly unmade.
2. The property is sited to the south-east edge of the site. To the side of the property is an area of off-road parking, leading to a timber detached single garage that runs along the north-west boundary with Manor Cottage. A small detached shed lies further to the rear of the site.
3. A footpath runs along Dazeley's Lane to the front of the site. The rear of the site is not visible from public vantage points, being open fields.

THE PROPOSAL

4. The application seeks planning permission for the erection of a detached annex building to provide accommodation for dependent relatives. The annex is proposed to replace the existing garage building, although it will be of a similar form and footprint.
5. The existing garage is constructed of brown stained timber, with a clay pantile roof. There is a small timber addition to the rear of the garage with a felt roof. The existing garage measures almost 10 metres in depth in total, with the frontage visible from the lane being 3.2 metres in width. The small rear addition measures approximately 4.3 metres in width. The height of the garage is 3.15 metres.
6. The proposal would measure 10.5 metres in depth, with the frontage being 3.6 metres in width. The rear range would measure 4.5 metres in width. The height of the annex would be 3.6 metres. The annex is proposed to be weatherboard with a tile roof, the majority of tiles being reused from the existing garage.
7. The original application submission included a detached annex and detached shed, both running along the north-west boundary of the site. Following negotiation however, the application has been amended to only include the annex building. The height of the annex has been reduced in height from 4 metres to 3.6 metres as a result of this amendment. The shed has been reduced to a height of 2.5 metres. As a result, the shed no longer requires planning permission.

RELEVANT HISTORY

8. B/99/01724/FHA – Planning permission granted for the erection of a two-storey side extension, single-storey rear extension and rear conservatory in 2000.

NATIONAL GUIDANCE

9. **PPS1** (Delivering Sustainable Development)

PLANNING POLICIES

10. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

Babergh Local Plan (Alteration No.2) 2006

- **HS35** (Residential Annexes)
- **CN01** (Design Standards)
- **CR02** (AONB Landscape)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

11. PC – Considered application, but unable to arrive at a decision. They have made no further comments following submission of the amended proposals.
12. LHA (footpath) - Informative comments in respect of public rights of way.
13. HoCAM – No adverse impact on AONB. No objection.

REPRESENTATIONS

14. Two letters of objection have been received from the occupants of Manor Cottage. A brief summary of the objections raised is as follows:
 - The original structure has already been extended to the front and back. The application is therefore misleading as the existing structure is two sheds and not one.
 - The proposed building could become a separate dwelling.
 - The proposed shed would be use in connection with the Applicant's renovations business and be of light industrial use, resulting in increased noise and disturbance.
 - The application does not show a third shed within the site and a structure consisting of scaffolding bars and planks. These sheds are sufficient workspace for a domestic dwelling.
 - The combined scale of the two new buildings would result in an unbroken run of 20 metres along the entire length of the garden, which would overshadow Manor Cottage.
 - The scale of the development is out of scale with the existing semi-detached dwelling.
 - The proposed building would exceed the area of the existing building.
 - The proposed buildings would cover approximately 1/3 of the garden.
 - The replacement building is not in keeping with the AONB and is not in line with the residential planning policies for Babergh.

- The proposed buildings will harm the character and setting of the AONB and the countryside.

Additional consultation was undertaken following submission of the amended proposals and two further letters of objection have been received from the occupants of Manor Cottage. In summary the following comments have been made:

- The proposed development exceeds the scale of the existing structure.
- Overdevelopment of the site. The scale of the proposal is disproportionate to the original semi-detached dwelling, which has already doubled in size.
- The proposal will overshadow Manor Cottage.
- The proposed building could become a separate dwelling.
- The development is not in keeping with the AONB and is not in line with the residential planning policies for Babergh. The proposed buildings would harm the character and setting of the AONB and the countryside.

PLANNING CONSIDERATIONS

15. The main planning considerations are:

- Whether the annex is justified in line with saved planning policy HS35
- Highway safety
- Design
- Impact on character of area
- Impact on neighbouring amenity

Policy HS35

16. Policy HS35 states that proposals for detached annexes will only be considered where it can be demonstrated satisfactorily that an annex cannot be provided in the form of an extension. Applications for annexes should explain the need for the annex, demonstrate the functional and practical linkage between the annex and the main dwelling, and give an indication of how the annex would be used if the present need ceases to exist.
17. Within the Design and Access Statement the Applicant has stated that the annex is required in order to provide accommodation and care for elderly relatives. The possibility of having the annex in the form of an extension was considered. However, it was concluded that an extension would be an overdevelopment of the property and would result in a loss of parking facilities.
18. The Design and Access Statement goes on to state that the residents of the annex would be dependent upon the main house for their meals and would not be entirely independent. Should the annex no longer be needed, the building can be used for purposes ancillary to the enjoyment of the host dwelling or be converted to a garage.
19. On this basis it is considered that the proposal accords with the provisions of policy HS35. It is agreed that it would not be appropriate for the annexe to be in the form of an extension to the property as Kia-Ora has already undergone a number of extensions that were granted planning permission in 2000 (ref: B/99/01724/FHA) and further extensions would result in an inappropriate overdevelopment of the property.
20. The need for the annex has been explained and it has been reasoned that the building could be suitably used in conjunction with the dwelling should the use as an annex cease. Further, it is considered that the annex would have a certain amount of reliance on the host dwelling and would not constitute a separate dwelling. Should the annex be used as a separate dwelling, planning permission would be required.

Highway safety

21. Despite the loss of the garage, the property would retain two off-road parking spaces, which is not considered inadequate for a 3/4 bedroom house. As stated in the Design and Access Statement submitted with the application, the annex could be converted back to a garage should its use as an annex cease.

Design and impact on character of area

22. The design of the annex is not considered to be detrimental to the character of the area or the host dwelling due to its scale and subtle materials. The annex would be single-storey in scale and sited to the side of the site, close to the host dwelling.
23. Due to its siting, the annex would not dominate the host property and would not be overly prominent or incongruous within the wider Area of Outstanding Natural Beauty. Further, the materials proposed for the annex (weatherboard and tiles) are considered to be appropriate for an outbuilding in a rural setting. The details of the materials to be used can be secured by condition.

Impact on neighbouring amenity

24. The proposed annexe building is intended to replace an existing outbuilding (comprising a single garage and shed). The proposed building would increase the height of the existing structure by approximately 0.45 metres, measuring 3.6 metres high, and would extend 10.5 metres alongside the boundary between Kia-Ora and Manor Cottage. The boundary treatment between the two properties is a close boarded fence, of approximately 2 metres high, and some planting (including trees) further to the rear of the boundary. The roof of the annex would be visible above the boundary fence, although it will be hipped away from the boundary at an angle of 30°. As such, although the residents of Manor Cottage will experience some impact in terms of the height of the annex (compared to the existing structure), the result is not considered to be significantly detrimental to their current enjoyment of their property in terms of dominance or loss of daylight and sunlight. The annex would be approximately 4 metres away from the side of the conservatory to Manor Cottage and, due to its hipped roof, would allow for daylight and sunlight to reach the property and rear garden.
25. In conclusion, the proposal would not be of detriment to the residential amenity of Manor Cottage.

Other considerations

26. The comments received from the owners of Manor Cottage regarding the proposed use of the annex have been taken into consideration. However, it is important to note that the carrying out of a renovation business on the premises is likely to require a change of use application in its own right. Similarly, the use of the building as an independent dwelling would require planning permission. Any permissions given for an annex would be under the condition that they are to remain ancillary to the host dwelling and incidental to the enjoyment of that dwelling.

REASONS FOR APPROVAL

27. The proposal is considered to be in accordance with saved policies HS35, CN01 and CR02 of the Babergh Local Plan Alteration No. 2 (2006) by reason of its scale, materials and relationship to the host dwelling and adjacent development. The proposal is not considered to materially harm the character or appearance of the Area of Outstanding Natural Beauty or reduce the level of amenity enjoyed by neighbouring occupants and would be acceptable in terms of highway safety.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- Notwithstanding the submitted details, samples of the external facing and roof materials to be agreed.
- External colour finishes to be agreed.
- Annexe to be used as ancillary accommodation to Kia-Ora.