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Mrs Lauren Thear  
24 Russett Farm  
Rainham  
Gillingham  
Kent  
ME8 7AT

11 August 2022

Dear Mrs Thear,

**APPLICATION REF:** 22/502765/PAPL  
**PROPOSAL:** Construction of 1no. Granny Annexe within boundary lines  
**ADDRESS:** Yentik Poot Lane Upchurch Sittingbourne Kent

I write further to the above-mentioned pre-application enquiry. I have considered the information submitted and would offer the following advice.

**Planning History:**

SW/75/0949 – Garage and loft conversion - Approved pre-1990

Decision Date: 17.11.1975

**Constraints:**

Area of Archaeological Potential  
Area of High Landscape Value  
Flood Zones 2 and 3  
Swale Explosives Sites  
Rural Lanes

**Policies:**

The National Planning Policy Framework (NPPF): paragraphs 8 (dimensions to sustainable development), 11 (presumption in favour of sustainable development)

Bearing Fruits 2031: The Swale Borough Local Plan 2017:

Policy ST1 Delivering sustainable development in Swale  
Policy ST3 The Swale settlement strategy

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**Planning and Development**

Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT  
e: [planningtechnicians@swale.gov.uk](mailto:planningtechnicians@swale.gov.uk) w: [www.swale.gov.uk](http://www.swale.gov.uk)

Policy ST5	The Sittingbourne Area Strategy
Policy CP4	Requiring good design
Policy DM7	Vehicle Parking
Policy DM14	General development criteria
Policy DM19	Sustainable design and construction
Policy DM24	Conserving and enhancing valued landscapes
Policy DM26	Rural Lanes
Policy DM28	Biodiversity and geological conservation

Swale Borough Council Parking Standards 2020

Designing an Extension: A Guide for Householders

### **Proposal**

The development proposal relates to the erection of an annexe to the north of the existing dwelling. The plans provided indicate that the proposed annexe will be single storey and have three bedrooms, two bathrooms, a walk-in-wardrobe to the master bedroom, a living room, a dining room/kitchen and a utility room.

### **Assessment:**

Based on the information provided, the following matters are considered to be relevant to the assessment of the proposal:

- Principle of Development
- Impact on Visual Amenity
- Impact on Neighbouring Amenity
- Flood Risk
- Parking/Highways

### Principle of Development

Policy ST3 of the Swale Local Plan 2017, which sets out the settlement strategy for the borough, states that any new proposed development should be concentrated on land within the defined built-up area boundaries of established towns and villages. The policy states that where an application site is located outside of the built-up area boundary of the village, *'development will not be permitted, unless supported by national planning policy and (the applicant is) able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.'*

In this case, the application site is located outside of the built-up area boundary of Upchurch village. Although the site is located within the countryside and development tends to be more restricted in this location, the current local plan policy allows for modest extensions and alterations to existing dwellings and for the erection of ancillary outbuildings within the curtilage of existing properties where they are of an appropriate scale, mass, and appearance. Accordingly, the principle of erecting an annexe within the garden of an existing property may be acceptable in this location, subject to the proposal meeting the other policy requirements set out below.

### Impact on Visual Amenity

Policy CP4 of the Swale Local Plan 2017 requires development proposals to be of high-quality design and to be in keeping with the character of the area. It states that particular regard should be paid to the scale, height, materials, detailing, mass, bulk, articulation and site coverage of any future proposals.

Policy DM24 of the Swale Local Plan 2017 states that where development located within an Area of High Landscape Value (Kent and Swale Level) is considered, the proposal will be subject to the conservation and enhancement of the landscapes and subject to the avoidance, minimisation and mitigation of any adverse landscape impacts as appropriate. The policy states that where significant adverse impacts remain, in order to be considered, the social and/or economic benefits of the proposal should significantly and demonstrably outweigh harm to the Kent or Swale level landscape value of the designation concerned.

Policy DM26 of the Swale Local Plan 2017 aims to conserve designated rural lanes in the borough due to their key contribution to rural amenity, nature conservation and to the character of the landscape. The policy states that planning permission will not be granted for development that would either physically, or as a result of traffic levels, significantly harm the character of rural lanes.

The proposed new annexe is to be sited adjacent to Poot Lane on land to the north of the main house. It is not clear from the plans provided whether the land in question forms part of the curtilage of Yentik and aerial photos of the site indicate that the land is being used as an orchard and does not appear to be maintained as garden land. Any new proposed annexe should be located within the curtilage of the main house so it is recommended that the proposed location should be revisited with a view to locating the proposed annexe closer to the main house. The siting of the proposed annexe should also respect the common building line along the road and any new proposed outbuildings should ideally not be erected forward of the front elevation to reduce the potential impact of the proposal upon the character of the streetscene.

With regards to the design and scale of the proposal, as a general rule, any new proposed annexes should be clearly ancillary to the main house in size and they should remain dependent upon the access serving and/or the facilities within main house.

In the case of the proposed outbuilding as delineated on the plans provided, the floorplan indicates that the proposed new outbuilding will provide fairly extensive self-contained accommodation and that the proposed annexe will have three bedrooms, its own kitchen/dining room, a living room and laundry facilities so the proposed structure will have no degree of dependency upon the facilities within main house. In its current form it is likely that the proposed annexe would be viewed as a new dwelling in the countryside, the principal of which is contrary to policy ST3 of the Swale Local Plan 2017.

In order consider the annexe as ancillary accommodation, a proposed new annexe should be of a reduced scale. In general, a granny annexe should provide accommodation for one or two individuals rather than providing family accommodation. In addition, it should be located within the designated curtilage of the main house and should also share some facilities with the main house (for example, laundry facilities, cooking facilities, shared accesses etc.).

As the surrounding land is a designated area of high landscape value and the road is also designated as a rural lane, the impact of any future proposal upon the rural character and

appearance site and road adjacent to the site should be kept to a minimum as the land is in a sensitive location. Accordingly, the bulk and scale of the proposed annexe should be reduced and it should be discreetly sited away from the road to minimise the potential impact upon the surrounding area. The proposed annexe should also be constructed using materials which are characteristic of the wider area.

Taking the above into account, I would recommend that the design and siting of the proposed annexe should be revisited and the scale should be reduced to ensure that it meets the criteria described above.

#### Impact on Neighbouring Amenity

Policy DM14 states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight, in an unreasonable loss of privacy, in an unreasonable loss of outlook or in excessive noise or odour pollution.

As the site is located in a rural area and the nearest neighbouring properties are located at least 33 metres away, the proposal is unlikely to impact neighbouring access to daylight or sunlight, or to impact neighbouring outlook or privacy due to the distance between properties.

#### Flood Risk

Policy DM21 of the Swale Local Plan 2017 relates to water, flooding and drainage. The policy states that when considering the water-related, flooding and drainage implications of development, development proposals should accord with national planning policy and planning practice guidance and avoid inappropriate development in areas at risk of flooding and in areas where development would increase flood risk elsewhere.

The policy states that site specific flood risk assessments should be carried out to the satisfaction of the Environment Agency and, where relevant, the Internal Drainage Board. These assessments should include details of new flood alleviation and flood defence measures to be installed and maintained by the developer. The policy also sets out other requirements and states that within areas at risk of flooding, a suitable flood warning and emergency plan which has been approved by the relevant emergency planning regime should also be submitted.

The application site is located within flood zones 2 and 3. Accordingly a flood risk assessment should be submitted with any future application and the report should contain details of flood resilience measures that will be employed in the construction of the proposed annexe.

Advice will be sought from the Environment Agency in the event of an application and they will assess whether the proposal is acceptable from a flooding perspective. Please note that they do not generally support the creation of new sleeping accommodation on the ground floor within flood zone 3 unless the accommodation proposed provides a means of escape.

#### Parking/Highways

In accordance with Policy DM7 of the Swale Local Plan 2017, parking provision should be in accordance with the Swale Borough Council Parking Standards SPD.

It is unclear how many bedrooms the existing property benefits from and what the current parking arrangements are on the site. However, it is assumed that the total number of bedrooms on the site will exceed four in total once the annexe is constructed. Swale Borough Council Parking Standards 2020 SPD states that dwellings in rural areas with four or more bedrooms require a minimum of 3 parking spaces and the number of parking spaces on the site will need to be demonstrated in the event a future application.

## **Other**

**Area of Archaeological Potential** – The application site is located within an area of archaeological potential. Accordingly, Kent County Council will be consulted on any future application. It is possible that they may require conditions to be added to any future consent to ensure that any archaeological finds which are discovered during the construction phase of the development are appropriately recorded.

## **Conclusion**

The principle of erecting an annexe on the site may be acceptable. However, the annexe delineated on the drawings provided would be considered a new dwelling in the countryside. Accordingly the proposed annexe would need to be significantly reduced in size and relocated within the residential curtilage of the main house in order to be supported. It would also need to be demonstrated that the proposed annexe had some degree of dependency on the main house. Due to the sensitivity of the site, the location, scale and construction materials should be carefully considered to minimise the potential impact upon the surrounding landscape and upon the rural lane. It is also recommended that you contact the Environment Agency prior to any future submission to obtain their views as to whether they would support the creation of new sleeping accommodation on the ground floor in this location owing to the potential flood risk.

Should you wish to submit an application for planning permission there are National and Local requirements to make the application valid. The validation checklist of what is required at application stage can be found online at:

<https://www.swale.gov.uk/how-to-submit-an-application/>

If you wish to submit an application you can do so online at:

[www.planningportal.co.uk/applications](http://www.planningportal.co.uk/applications)

The advice given above does not indicate any formal decision by the Council as Local Planning Authority. Any views or opinions are given in good faith and to the best of ability, without prejudice to the formal consideration of any planning application. The final decision on any application that you may make can only be taken after the Council has consulted local people, statutory consultees and any other interested parties. The final decision on an application will then be made by senior officers or by the Council's Planning Committee and will be based on all of the information available at that time.

The advice will be carefully considered in reaching a decision or recommendation on any resulting application; subject to the proviso that circumstances and information may change or come to light that could alter that position. It should be noted that the weight given to pre-application advice notes will decline over time.

Please be aware that the above is Officer advice and does not legislate for the fact that there is the possibility that any planning application can be determined by the Council's Planning

Committee where the final decision would be made by Members.

I trust the above is of assistance.

Yours Sincerely,

Alexis Stanyer  
Planning Officer

**The above comments are the informal opinion of an officer. They are not binding on the Council or on any future decisions.**

**This letter is the Council's final response to this request for pre-application advice and no further correspondence will be entered into. Any amendments to the proposal will require a new application for pre-application advice.**