

Officer's Assessment Sheet

Application Number PA/2025/1989
Type **Householder planning permission**
Location Elm Cottage, 5 Gothic Cottages, Westwell Lane, West of Westwell, Westwell, Ashford, TN26 1AH
Proposal Conversion of an existing detached garage to create a residential annexe, including the erection of a single-storey rear extension
Case Officer Rebecca Potter
Registration Date 28/10/2025 **Consultation Ends** 02/12/2025
Valid Date 10/11/2025 **Deadline Date** 05/01/2026
Applicant Mr Daniel Aiano
Agent Mrs Harriet Bedford

Environmental Impact Assessment

Is EIA Required: No Reason:

RECOMMENDATION

Approve with Conditions

Site and Surroundings

The application site comprises a semi-detached dwelling and its associated garage located on the eastern side of Westwell Lane in the Parish of Westwell.

The site is located in the countryside in the Charing Heath Farmlands Landscape Character Area. Beyond the railway line to the northeast of the site is the boundary of the North Downs National Landscape. There is a Public Right of Way (AW124 – Public Footpath) to the east of the site. The property is not listed and is not in a Conservation Area. The site is located in Flood Zone 1 with a low risk of flooding and is within the Stour catchment.

Proposal

The application seeks planning permission for the extension to, and conversion of, the detached garage into an annexe.

Relevant Planning History

None relevant.

Planning Policy

The Development Plan for Ashford borough comprises:

- i. the Ashford Local Plan 2030 (adopted February 2019),
- ii. the Chilmington Green AAP (adopted July 2013),
- iii. the Wye Neighbourhood Plan (adopted March 2016),
- iv. the Rolvenden Neighbourhood Plan (adopted December 2019),
- v. the Boughton Aluph & Eastwell Neighbourhood Plan (adopted October 2021)
- vi. the Egerton Neighbourhood Plan (adopted March 2022)
- vii. the Charing Neighbourhood Plan (adopted July 2023)
- viii. the Pluckley Neighbourhood Plan Review 2023 (adopted July 2024)
- ix. the Aldington & Bonnington Neighbourhood Plan (adopted October 2024)
- x. the Tenterden Neighbourhood Plan (adopted October 2024)
- xi. the Kent Minerals and Waste Local Plan 2024 to 2039 (2025) & the Kent Minerals Sites Plan (2020)

The relevant policies from the Development Plan relating to this application are as follows:

Ashford Local Plan 2030

SP1,
SP6,
HOU9,
ENV3a,
TRA3a.

Draft Ashford Local Plan 2042

On the 31 July 2025, the Council's Cabinet approved a consultation version of the draft Ashford Local Plan 2042 (Regulation 18). Consultation on the draft Ashford Local Plan will take place on 18 August – 13 October 2025. At present, the policies in this emerging Local Plan should be afforded limited weight.

Supplementary Planning Documents

Landscape Character SPD 2011
Residential Parking SPD 2010

Supplementary Planning Guidance

SPG9 Domestic Garages and Outbuildings in Urban and Rural Areas (adopted June 2004)
SPG10 Domestic Extensions in Urban and Rural Areas (adopted June 2004)

Informal Design Guidance Notes

Climate Change Guidance for Development Management 2022

Government Guidance

National Planning Policy Framework December 2024
Planning Practice Guidance

Consultations

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Westwell Parish Council

No objection.

Neighbour Consultations

There were 4 neighbours consulted on this case but no letters of representation were received.

National Annexe Planning Consultancy (NAPC)

Support the application.

Assessment

The main considerations in the assessment of this application are:

- Principle,
- Visual Amenity,
- Residential Amenity,
- Highway Safety & Parking.

Principle

The application site falls outside of the built confines, where development is generally restricted. However, the proposal relates to the conversion of the garage into annexe accommodation, which would be used in association with the existing residential property (5 Gothic Cottages) and therefore would constitute householder development, the principle of which is generally acceptable. Local plan policy HOU9 relates to standalone annexes and states that proposals 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.

The applicant has confirmed that the annexe would be occupied by dependent family members, with private living space required between the three generations of the family who currently occupy the main dwelling. The proposed annexe would comprise the existing garage building, which is located to the side of the dwelling, and set back from the principal elevation. The outbuilding is sited extremely close to the main dwelling and, owing to its scale and external materials, there would be a clear association between the main dwelling and the annexe. The occupiers of the annexe would share the driveway and parking with the occupiers of the main dwelling, which would strengthen the association.

Overall, it is considered that there would be a clear dependency between the annexe and the main dwelling, and there would be a clear visual association between the two buildings. As such, it is considered that the principle of the proposal would be acceptable, subject to the site-specific considerations. In this instance, the main considerations in the determination of this application are visual amenity, residential amenity, and highway safety.

Visual Amenity

The application building is set back from the main highway and, owing to the vegetative screening to the front of the site, is not highly visible from the highway. As such, the application building has little impact on the character and appearance of the street scene.

The proposal would not alter the scale of the garage when viewed from the front. The garage door would be replaced with a window unit, designed to match the main dwelling, with the remaining area infilled using bricks to match the existing. There would therefore be limited visual change when the site is viewed from the public realm, with the single-storey rear extension not visible from public vantage points.

Overall, it is considered that the proposal would have little to no impact on the character and appearance of the wider area. The proposal would therefore comply with sub-paragraph (f) of policy HOU9 in relation to visual amenity.

Residential Amenity

The site has two immediate neighbours, Number 4 to the southwest and Number 6 to the northeast. Whilst number 4 would be the closest to the proposed development, it is separated from the shared boundary by an existing outbuilding. As such, it is considered that the proposed extension to the application garage would not create an unacceptable impact in terms of loss of daylight/sunlight, loss of outlook, overbearing impact or loss of privacy. Furthermore, owing to the separation distance between the application building and Number 6, it is considered that this would also be the case for this neighbour.

Overall, it is considered that the proposal would not be detrimental to the living conditions of existing and future occupiers of the neighbouring properties. The proposal would therefore comply with sub-paragraph (b) of policy HOU9 in relation to residential amenity.

Highway Safety & Parking

The conversion of the garage would result in the loss of this space for parking; however, it is acknowledged that garages can no longer be considered as designated parking spaces. Furthermore, there is a generous area of hardstanding within the application site that would accommodate vehicle parking for a large number of cars, above and beyond the parking requirement set out in Policy TRA3a of the Local Plan. Furthermore, the annexe

would share the same site entrance as the host dwelling, with no changes to this proposed.

In light of the above, it is therefore considered that the proposal would not be detrimental to the highway safety of the site or the surrounding road network.

Conclusion

In light of the above assessment, the proposed development is compliant with the relevant policies of the Ashford Local Plan 2030, SPG Note 9 and Central Government guidance. With no overriding harm identified, it is therefore recommended that the application is approved, subject to conditions.

Working with the applicant

In accordance with paragraph 39 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner, as explained in the note to the applicant included in the recommendation and the decision notice.

Human Rights

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 represents an appropriate balance between the interests and rights of the applicant (to enjoy his 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) and the wider public interest.

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 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 permitted shall be carried out in accordance with the following approved plans and documents:

Description	Date
Annexe Drawings - PL 001	3 November 2025
Location Plan	4 November 2025
Proposed Block Plan	10 November 2025

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

Reason: In the interests of the visual amenity of the locality.

- 4 The building hereby approved shall only be used for living accommodation ancillary to Elm Cottage (5 Gothic Cottages), TN26 1AH and shall not be subdivided, nor used as a separate dwelling, or for any other purpose.

Reason: So that any other use of the building is the subject of a separate planning application to be determined on its merits, having regard to the amenity of the area.

Informatives:

- In accordance with paragraph 39 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.

In this instance, the application was acceptable as submitted, and no further assistance was required.

- The applicant is reminded of the need for the development to satisfy the requirements of the Building Regulations and in respect of climate change in particular the following documents:

- Approved Document L (Conservation of fuel and power)
- Approved Document F (Ventilation)
- Approved Document O (overheating)
- Approved Document S (Infrastructure for electric charging vehicles)

- **Biodiversity Net Gain**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Ashford Borough Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply and these are set out in [The Biodiversity Gain Requirements Exemptions Regulations 2024](#).

This permission will not require the approval of a Biodiversity Gain Plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.