

APPLICATION: MA/09/1774 Date: 1 October 2009 Received: 2 October 2009
APPLICANT: Mr J Robinson
LOCATION: SWAN OAST, STAPLEHURST ROAD, MARDEN, TONBRIDGE, KENT,
TN12 9BW
PARISH: Marden
PROPOSAL: Demolition of existing conservatory and erection of a brick, oak and
tile garden room as shown on Drawing Nos 09/1129/01 and scale
1:1250 site location plan received on 01 October 2009
AGENDA DATE: 4th February 2010
CASE OFFICER: Laura Gregory

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by the Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV28, H33
South East Plan 2009: CC6, C4
Village Design Statement: Marden Village Design Statement
Government Policy: PPS1, PPS3
MBC SPD Residential Extension (Adopted May 2009)
Planning Guidance Notes 9: Converting Rural Buildings

HISTORY

07/0559 - Removal of existing conservatory and replacement with a single storey rear orangery - REFUSED

CONSULTATIONS

MBC Conservation Officer – Recommends that the application should be APPROVED

"This is an old oast conversion which has many features which would not longer be considered to be appropriate. The existing conservatory is fundamentally out of

character with the oast, and its replacement in the form of the proposed is to be welcomed. Conditions re samples of materials and external joinery details will be appropriate"

REPRESENTATIONS

Marden Parish Council – Wish to see the application REFUSED

"Whilst Cllrs had no objection in principle to the extension if the footprint was no bigger than the existing, they wished to refuse if kept as indicated on plan (Residential Extensions SPD Extensions within the Countryside - Paragraph 5.14)

CONSIDERATIONS

The Site

The application site is a converted oast house, known as Swan Oast located within the parish of Marden. The property is not a listed building or within a Conservation Area and is not subject to any environmental restrictions other than those which relate to the countryside. The dwelling is not overlooked by any neighbouring residential property and has a landscaped garden to the side and rear.

Once part of Hurst Green Farm, the Oast House is located within a cluster of former farm buildings, immediately south of Staplehurst Road. A traditional Oast House, comprising of cylindrical kilns and two storey stowage constructed in red brick in English garden wall bond, the building is in an attractive setting and its the conversion has ensured its preservation. However, when the conversion was originally granted in 1963, permitted development rights were not removed and as such, a large and unsightly conservatory has been erected to the back of the Oast House. The structure is visually degrading and does little to preserve or enhance the character of the building.

Proposal

Planning permission is sought for the erection of a garden room replacing an existing conservatory to the rear of the building

The proposal is a resubmission of a scheme previously refused under MA/07/0559. In the previous proposal, it was proposed to replace the conservatory with a single storey orangery. Measuring 5m deep and 8.9m wide, the proposed orangery would have been a built structure with timber window and door frames and an aluminium roof with clear glass infill panels. By virtue of its design and scale, the development was considered unacceptable for the reason that the proposal would have resulted in an inappropriate addition to a converted oast house and, would have destroyed the simple form and character of the building.

As such, the proposal has now been amended and resubmitted. In terms of design, a pitched roof with Kent Peg tiles is now proposed and the extension has been reduced in depth to 4.5m. The width has been increased to 10.7m but this is because the extension now attached to a small boiler room to the side of the building. The eaves height of the garden roof would measure 2.2m above ground level and the ridge height 4.2m above ground level.

Planning Considerations

The main issues to consider are the impact the proposed development would have on the character and appearance of the open countryside and on the character and appearance of the building.

Impact on the countryside

When considering proposal for extensions in the open countryside the overall aim of the Council is to protect the countryside for the sake of its intrinsic character and beauty, As such any residential extension should be limited in scale and should not cause an adverse impact on the character and openness of the countryside.

In terms of scale, the proposed extension is of a modest size and the impact is such that the development would neither appear to overwhelm or destroy the form of building. Positioned on the rear elevation, the development would not be visible from road and given that the development proposed is on an existing residential plot, it is considered that the proposal would not cause significant or detrimental erosion of the open character of the countryside. As such the visual impact of the development is considered to be minimal.

Impact on the Oast House

Planning Guidance Note 9: Converting Rural Buildings which deals with the conversion of rural buildings and MBC SPD Residential Extension, advise that extensions to converted oast house will not be allowed unless they are either the re-instatement of a missing part or a minor single-storey extension to a building of particular value, required in order to render it viable for a new use, since the main aim in allowing conversion in the first place is to preserve the character of the building with as little change as possible. None of these scenarios are represented in this application, however it is considered that this application is an exception.

The Oast House is neither listed or in a Conservation Area and as such, when it was converted back in the 1960's it was not converted in a sympathetic manner and, no measures were put in place to preserve the building i.e. removing permitted development rights. As such an unattractive modern white conservatory has been erected to the back of the building. This conservatory is visually degrading and unsympathetic to the building. Its construction has causes significant visual harm to the overall appearance of Oast and is fundamentally out of character with a building of this kind.

In contrast the proposed extension, although larger in footprint than the conservatory, is more sympathetic to the Oast House, The pitched roof design and rectilinear shape respects the form of the original building and the Kent peg tiled roof is traditional to the dwellings in the Kent countryside. The extension is well proportioned in relation to the main building and would enhance the overall character and appearance of the building. The Conservation Officer considers the proposal to be more acceptable than the previous proposal acceptable and welcomes the replacement of the conservatory, requesting only that samples of materials and adjoining are submitted to ensure that the character of the building is maintained.

Planning permission is only required because the extension is more than 4m deep and exceeds 4m in height. Had it been 4m deep and 4m high it would have constituted permitted development and would not require the benefit of planning permission.

Impact on Residential Amenity

The site is not adjacent to or overlooked by any neighbouring property and therefore, it is not considered that the proposed development would result in any harm to residential amenity.

The proposal does not result in the creation of any additional bedrooms to the dwelling and given that there is off road parking for at least three cars on the driveway, it is considered that the development would not result in any detrimental highway or parking issues.

Conclusion

In conclusion, for the reasons stated above the proposed development is considered to be in accordance with the provisions of the Development Plan and is considered to be acceptable. It is therefore recommended that the application be approved subject to the following conditions

RECOMMENDATION

GRANT PLANNING PERMISSION 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;

Reason: In accordance with the provisions 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 shall not commence until, full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-
 - a) New internal joinery in the form of large scale drawings.
 - b) New external joinery in the form of large scale drawings.

The development shall be carried out in accordance with the approved details;

Reason: To ensure the appearance and the character of the building are maintained in accordance with policies H33 of the Maidstone Borough Wide Local Plan 2000 and C4 and CC6 of the South East Plan 2009

3. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development in accordance with policies H33 of the Maidstone Borough Wide Local Plan 2000 and C4 and CC6 of the South East Plan 2009.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.