

APPLICATION: MA/09/2013 Date: 2 November 2009 Received: 5 November 2009

APPLICANT: Mr & Mrs Curley

LOCATION: CONIFER FARM, EMMET HILL LANE, LADDINGFORD, MAIDSTONE, KENT, ME18 6BG

PARISH: Yalding

PROPOSAL: Erection of a two storey rear extension and a chimney as shown on the site location plan and drawing numbers DENRA/1655/1, DENRA/1655/2 & DENRA/1655/3 received on 05/11/09.

AGENDA DATE: 4th February 2010

CASE OFFICER: Angela Welsford

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.

The South East Plan RSS 2009: CC1, CC4, CC6, C4, NRM4.

Village Design Statement: Not applicable.

Government Policy: PPS1 - Delivering Sustainable Development;
PPS7 - Sustainable Development in Rural Areas;
PPS25 - Development & Flood Risk.

Other: Maidstone Local Development Framework, Residential Extensions Supplementary Planning Document.

RELEVANT PLANNING HISTORY

MA/06/1141	Replacement dwelling	APPROVED
------------	----------------------	----------

CONSULTATIONS

YALDING PARISH COUNCIL: 23/12/09 – “still objects as per our previous note. We do wish for it to be taken to the planning committee meeting where we will be represented.”

15/12/09 - "object to this planning application. We would refer you to planning application number MA/06/1141 whereby permission was granted for the demolition of an existing dwelling and a replacement dwelling. The new dwelling was not to exceed the size of the footprint of the then existing dwelling. This new application seeks to increase this footprint without justification and Yalding Parish Council objects to this increase. We would also request that officers satisfy themselves that all of the conditions placed upon the permission MA/06/1141 have been fully complied with. Also the design is out of character with the existing dwelling."

CONSIDERATIONS

The Site

This application relates to a detached dwelling located on a large plot in open countryside on the eastern side of Emmett Hill Lane, which falls within Yalding parish. The land is identified as being liable to flood.

The modern, chalet-style building was erected as a replacement dwelling under reference MA/06/1141. It stands on a raised plinth of approximately 0.9m with a floodable void beneath, as required by the Environment Agency under condition 8 of MA/06/1141.

The site is set well back from Emmett Hill Lane, (approximately 70m at the closest point), and the dwelling is screened from view by very high, established conifer hedging, both along the site boundaries, and also along the boundary of the adjacent orchard with the lane.

The Proposal

Planning permission is sought for the erection of a two storey rear extension and a chimney. The extension would run right across the back of the property at ground level, and project 4m from the rear building line. It would feature a mansard-style roof in order to keep the eaves level low (approximately 2.2m from the plinth), but still provide some full-height first floor accommodation (the existing rooms have sloping ceilings). The ridge height would match that of the main section of the existing building (approximately 6.4m from the plinth). It would provide two bedrooms and a bathroom at first floor level, taking the total bedrooms to five (an increase of one over the existing situation) and allowing the master bedroom to be moved from the ground floor to the first floor – a definite improvement given that the site is within a flood plain. At ground floor level it would provide a kitchen/breakfast room and a utility room, plus a sitting room in place of the master bedroom. The chimney would serve the lounge, and be positioned on the eastern side of the house.

PLANNING CONSIDERATIONS

Main Issue – Impact on the Countryside

In my view the proposal would relate sympathetically to the design of the existing building and would not overwhelm or destroy the form of the existing house as a chalet-style dwelling. Indeed, the eaves height would actually be lower than that of the existing building, and the ridge height would not exceed that of the main section. The chimney is a traditional feature that would add interest. I do not therefore consider that the resultant building would appear visually incongruous in the countryside. Not only is the dwelling screened from view by the established conifer hedging and a further belt of such hedging at the roadside, but also it is set back approximately 70m at the closest point (front, south-west corner) from Emmett Hill Lane, which then bends away from it, such that even if all the hedging were to be removed, it would not, in my view, appear significantly visually prominent as a result of this proposal, or cause harm to or erode the openness of the countryside, which does not fall within a designated Area of Outstanding Natural Beauty or Special Landscape Area.

Yalding Parish Council has objected to the proposal on the grounds that it is an extension to a replacement dwelling that was limited in its size, and the proposal would now enlarge it above that size. However, the purpose of such size limitation seems to me to be to protect the rural character, openness and appearance of the countryside, and for the reasons mentioned in the preceding paragraph, I do not consider that this proposal would compromise those aims. On balance, therefore, I consider it to be acceptable.

Amenity of Neighbours

There are no neighbouring dwellings that could be affected in terms of daylight, sunlight, privacy or outlook/overbearing impact.

Flooding

The site lies within a flood plain. However, the dwelling has been constructed on a raised terrace with a floodable void underneath to allow the passage of flood water, and the drawings show that the extension would be constructed on the same principle. Given that it is an existing dwelling, and no ground floor sleeping accommodation is proposed, I consider the application to be acceptable in terms of flooding.

Conclusion

Taking all of the above into consideration, the proposal is considered to comply with Development Plan policy and there are no overriding material considerations to indicate a refusal. Consequently, I recommend approval with conditions as set out below.

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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building in terms of colour, type, texture and finish;

Reason: To ensure a satisfactory appearance to the development in accordance with Policies C4 of The South East Plan RSS 2009 and ENV28 & H33 of the Maidstone Borough Wide Local Plan 2000.

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.