

REPORT SUMMARY

REFERENCE NO: - 22/503721/FULL		
APPLICATION PROPOSAL: Demolition of existing porch and erection of a part single storey, part two storey side extension.		
ADDRESS: 2 Wierton Corner Cottages, Wierton Hill, Boughton Monchelsea, Kent, ME17 4JT		
RECOMMENDATION: GRANT subject to the planning conditions set out in Section 8.0 of the report		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out below it is considered that the proposed development would be acceptable and would not cause significant visual harm, or harm to neighbouring amenity, the setting of listed buildings or highway safety nor be unacceptable in terms of any other material planning considerations such that the proposed development is considered to be in accordance with current Development Plan Policy and planning guidance.		
REASON FOR REFERRAL TO COMMITTEE: The application has been called in by Boughton Monchelsea Parish Council by reason of the recommendation being contrary to their comments (see report below for reasons).		
WARD: Boughton Monchelsea And Chart Sutton	PARISH/TOWN COUNCIL: Boughton Monchelsea	APPLICANT: Mr Reuben Wilkinson AGENT: Mr Peter Smithdale
CASE OFFICER: Angela Welsford	VALIDATION DATE: 02/08/22	DECISION DUE DATE: 23/12/22
ADVERTISED AS A DEPARTURE: NO		

Relevant Planning History

MA/75/1046

Extensions and improvements to two cottages (1 & 2 Wierton Corner Cottages)
Approved 04.03.1976

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is located near the junction of Wierton Hill with Wierton Road and East Hall Hill in the rural hamlet of Wierton. This is classed as countryside for the purposes of planning and falls within the Greensand Ridge Landscape of Local Value designation.
- 1.02 It is a fairly large but irregularly shaped plot containing the right-hand one of a pair of semi-detached rag stone cottages with brick quoins and a slate roof. The cottages front onto Wierton Hill. Parking for the application property is in the eastern section of the site, beyond the rear garden belonging to the attached cottage, and is accessed via East Hall Hill.
- 1.03 There are listed buildings in the vicinity –Wierton Hall Farm Cottage on the north side of East Hall Hill, on the corner, and further north-east (approximately 50m from the site), Wierton Hall. The area is also identified as having the potential for discovery of archaeological remains.

2. PROPOSAL

- 2.01 Planning permission is sought for the erection of a part single-storey, part two-storey side extension. This would require the removal of the existing modern porch.
- 2.02 In line with officer advice and in an attempt to address concerns raised by the Parish Council, the proposal has been amended from the original submission to reduce the scale of the extension by narrowing its width and increasing the set-back from the front building line of the host dwelling.
- 2.03 The extension would be set back 0.8m from the front building line of the host dwelling and would protrude 3.65m from the original flank wall. Its roof would be double-pitched with a central valley, the ridges set 1.8m lower than the ridge of the host dwelling and the eaves dropped by 0.2m.
- 2.04 Proposed materials are high quality, being rag stone with red brick quoins matching the host cottage to both the front and side elevations, and cream render with red brick quoins to the rear elevation, all beneath a natural slate roof.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):
Policies SP17, SP18, DM1, DM3, DM4, DM23, DM30, DM32

Emerging Policies: Maidstone Borough Council – Local Plan Review Regulation 22 Submission. The Regulation 22 Submission comprises the draft plan for submission (Regulation 19) dated October 2021, the representations and the proposed main modifications. It is a material consideration and some weight must be attached to the document because of the stage it has reached. This weight is limited, as it has yet to be the subject of an examination in public.

Relevant Policies:

Policy LPRSP9 – Development in the countryside

Policy LPRSP15 – Principles of Good Design

Policy LPRQ&D4 – Design principle in the countryside

LPRHou11 – Rebuilding, Extending and Subdivision of Dwellings in the countryside

Policy LPRSP14 (B) – The Historic Environment

Policy LPRENV 1 – Historic Environment

Policy LPRTRA4 - Parking Matters

Neighbourhood Plan:

Boughton Monchelsea Neighbourhood Development Plan - Policies PWP7, PWP8, PWP12

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Supplementary Planning Documents: Residential Extensions SPD (adopted May 2009)

4. LOCAL REPRESENTATIONS

Local Residents: 1 representation received from a local resident raising the following (summarised) issues:

- the extension would unbalance the appearance of the cottages;

- too many extra new builds have been passed in the area, harming its character;
- the Parish Council advises no new builds on the south side of the B2163.

5. CONSULTATIONS

Boughton Monchelsea Parish Council

5.01 Response to original proposal:

"The Parish Council wish to see the application refused for the following planning reasons. If MBC are minded to approve it the application should be reported to planning committee for decision. The proposal constitutes overdevelopment, almost doubling the size of the house, changing its nature and character and compromising the composition of both semi-detached properties The Boughton Monchelsea Neighbourhood Plan discourages development to the south of Heath Road The proposal is in the vicinity of two listed buildings".

Response to consultation on amended proposal:

Despite revised details, objection and call-in to Planning Committee maintained, proposal still constitutes overdevelopment. Reasons given reiterate those above.

KCC Archaeological Officer

5.02 No response to consultation.

MBC Conservation Officer

5.03 No objection.

The proposed extension will be sited to the side elevation and would not be visible from the listed buildings. The development would consist of sympathetic materials and would not dominate the area. Due to the location of the extension and the separation distance between the listed buildings and the application site, no harm would be caused to the setting of the Grade II listed Wierton Hall and Wierton Hall Farm Cottage.

6. APPRAISAL

The key issue is:

- Visual impact.

Policy Context/Principle of Development

- 6.01 Policy DM1 (Principles of good design) outlines the importance of high-quality design for any proposal. Amongst other things, well-designed proposals respond positively to their context in visual terms, respecting landscape character and the settings of heritage assets, as well as preserving the amenities of neighbouring occupiers.
- 6.02 The countryside is a valuable and finite resource which should be protected for its own sake and for the benefit of future generations. Consequently, development there should be limited and Local Plan Policy SP17 requires that "*Development*

proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area."

- 6.03 Nevertheless, extensions to existing rural dwellings are one of the exception types of development which, in principle, are permissible in the countryside. Consequently, Policy DM30 requires, *inter-alia*, that such extensions are of a scale which relates sympathetically to the existing building and the rural area and that they have no significant adverse impact upon the form, appearance or setting of the host building, whilst Policy DM32 echoes similar sentiments, requiring that extensions to rural dwellings are well-designed and sympathetically related to the existing dwelling without overwhelming or destroying the original form of the dwelling; and that householder development is individually and cumulatively visually acceptable in the countryside.
- 6.04 Further design guidance is provided in the Council's adopted Residential Extensions SPD. This states on page 47 that *"an extension should be modest in size, subservient to the original dwelling and should not overwhelm or destroy its original form"* and that *"an extension should cause no adverse impact on the character or openness of the countryside"*. Since the term "modest" is open to interpretation, the SPD explains that judgement in that respect will be made on the basis of the impact of the extension on the character of the countryside, its impact on the form and appearance of the original building, and the scale of the extension. In relation to scale, paragraph 5.18 states, *"in considering an extension to a residential dwelling in the countryside, the Local Planning Authority would normally judge an application as modest or limited in size if, in itself and cumulatively with previous extensions, it would result in an increase of no more than 50% in the volume of the dwelling"*. Examples of well-designed extensions to rural dwellings given in the SPD show them to be subservient to the host property in terms of scale and positioning, stepped back from its building lines, and including design elements from the original building.
- 6.05 In relation to the nearby listed buildings, Section 66(1) of the Town & Country Planning Act 1990 requires the LPA to have special regard to the desirability of preserving their settings, and that is also a requirement of Local Plan policy and the NPPF.
- 6.06 In its objection to the application, Boughton Monchelsea Parish Council has cited as part of its reason that the *"Boughton Monchelsea Neighbourhood Plan discourages development to the south of Heath Road"* and a local resident has likewise stated that the Parish Council advises there should be *"no new builds on the south side of the B2163"*. However, the Boughton Monchelsea Neighbourhood Development Plan does not contain a policy which specifically deals with extensions to existing dwellings, and Policy RH1 is referring to the location of new housing development when it states *"Proposals for new residential development to the south of Heath Road (B2163) will not be supported unless they conform with national and local rural exception policies."* Moreover, it is an accepted and well-established tenet of planning that each case must be decided on its own merits, so it would not be reasonable to apply a blanket prohibition on all new development in this way without having regard to the type of proposal and whether that type of development is deemed acceptable in principle in this location by the policies of the Maidstone Borough Local Plan and the NPPF. In this case, as set out above, there is general Development Plan policy support for extensions to existing rural dwellings, subject to appropriate scale, design and impact on the surroundings and neighbours etc. It is therefore concluded that the development is acceptable in principle. The finer detail will now be considered.

Visual Impact

- 6.07 The extension has been designed in accordance with design guidance in the Council's adopted Residential Extensions SPD, incorporating a definite and noticeable 0.8m setback of the entire front elevation from the front building line of the existing cottage, as well as a lowered eaves line (0.2m) and significantly lowered ridge line (1.8m). The first floor of its rear elevation would also be stepped in from the original rear building line, by approximately 350mm. These measures would clearly subordinate the extension to the host building, making it appear visually subservient and allowing it to be read as a sympathetic, later addition which respects the character and form of the existing building and the semi-detached pair of which that is a part.
- 6.08 The original cottage was extremely modest in the accommodation provided: just two rooms on each of the ground and first floors, plus one in the attic. It has been previously extended, jointly with No 1 during the 1970s, but only to provide a small kitchen at ground level and internal sanitary facilities on the first floor. The majority of that previous, joint extension, related to the attached cottage (which has subsequently been further extended – MA/07/1810). In purely volumetric terms, the extension now proposed would exceed 50% of the volume of the original cottage, both individually and when taken cumulatively with the previous extension. That said, it is considered that the scale of the proposal would nevertheless appear visually modest and would not overwhelm the original building. Furthermore, the proposal has been amended to reduce the scale from that originally proposed and it is considered that the proportions would now be acceptable and well-related to those of the host building.
- 6.09 Moreover, the advice in the adopted SPD is clear that assessment of acceptability should be made on the basis of a combination of three elements, the scale in purely volumetric/dimensional terms being one of those, with the others being the impact on the character and form of the original building and the impact on the countryside. As explained in paragraph 6.07 above, the addition would be clearly subservient to the original building and would not overwhelm its character or form, it is considered. For these same reasons, it is not considered that the proposal would cause harm to the character, appearance or openness of the countryside in the Greensand Ridge Landscape of Local Value. It would not result in the dwelling becoming obtrusive; would not erode the openness of any rural views due to its position and its relatively modest dimensions. The longest range public view would be on approach from the south, up Wierton Hill, and in that the extension would be seen against the backdrop of the larger and taller existing building. In views from East Hall Hill and coming down Wierton Road, it would be behind the existing cottages; and there would be a limited range of view from directly in front because of the bending configuration of the road, the lack of pavement and the degree of setback of the extension.
- 6.10 Concern has been raised by the Parish Council and a local resident regarding the impact on the setting of nearby listed buildings. However, the Conservation Officer does not object to the application on heritage grounds and has advised that, in his opinion, the development would consist of sympathetic materials and would not dominate the area, and that due to its location and the separation distance between the listed buildings and the application site, no harm would be caused to the setting of the Grade II listed Wierton Hall and Wierton Hall Farm Cottage.
- 6.11 To conclude on the issue of visual impact, therefore, it is considered that the proposed extension would appear as a well-designed and appropriately scaled, subservient addition that respects the character and form of the original cottage and that would not harm the character of the rural surroundings or the setting of nearby listed buildings. High-quality materials are proposed which would match those used in the existing building, namely rag stone with red brick quoins to the front and side elevations, with a natural slate roof. The use of cream render on the rear elevation is considered acceptable, given the very limited public visibility of

that area, and would relate sympathetically to the buff bricks used in the existing rear extension. It is noted that the existing cottage has exposed rafter feet and shaped lower tips to the barge boards and, in line with the design advice in the SPD that detailing should match, it is considered that these details should be replicated on the extension. Subject to conditions securing these high-quality materials and matching detailing, it is considered that the visual impact of the proposal would be acceptable.

Other Matters

- 6.12 Residential Amenity: The development would not affect the levels of daylight, sunlight or outlook enjoyed by neighbouring occupiers since it would be set behind the existing building in relation to the attached cottage, and all other nearby dwellings are a significant distance away. There would not be any new openings in a position to cause a loss of privacy to the attached cottage or its garden and again, all other nearby dwellings are too far away to be significantly adversely impacted in this respect.
- 6.13 Parking/Highway Safety: The development would not impact parking provision or highway safety. Although an additional bedroom would be created, the parking provision requirement under Local Plan Policy DM23 would remain the same.
- 6.14 Archaeology: In the absence of specialist advice to the contrary, and in view of the relatively small area of groundworks proposed, in a location where, given the presence of the modern porch (to be removed), a degree of development must have already taken place, it is not considered that any archaeological mitigation measures are justified.
- 6.15 Biodiversity/Ecological Enhancement: Due to the nature and relative scale of the development and the existing residential use of the site, it is not considered that any ecological surveys are required.

Policy DM1 of the Local Plan sets out, at point viii, that proposals should '*protect and enhance any on-site biodiversity and geodiversity features where appropriate, or provide mitigation.*' This is in line with the NPPF and advice in the Residential Extensions SPD and it is considered that some biodiversity enhancement measures should be provided, both integrated into the new building work and within the curtilage. This matter can be dealt with by way of a planning condition.

- 6.16 Renewables: The NPPF, Local Plan and Residential Extensions SPD all seek to promote the use of renewables and energy efficient buildings. It is noted that there is already an electric vehicle charging point at the property, plus the applicant has advised that the coal boiler has been replaced with a pellet boiler and the coal fire in the lounge with a log stove. However, the applicant has also expressed a positive interest in providing solar panels at the property and has confirmed his willingness to accept a condition securing these as part of the development (either photo voltaic on the extension roof or potentially solar thermal on the existing south-facing roof slope of the cottage). It is considered that a condition securing a small-scale renewable energy installation would not be unreasonable to offset the environmental impact of the building works and the resultant larger building.

PUBLIC SECTOR EQUALITY DUTY

- 6.17 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 For the reasons set out above it is considered that the proposed development would be acceptable and would not cause significant visual harm, harm to neighbouring amenity or the setting of listed buildings, nor be unacceptable in terms of any other material planning considerations such that the proposed development is considered to be in accordance with current Development Plan Policy and planning guidance. Subject to appropriate conditions, therefore, approval is recommended

8. RECOMMENDATION

GRANT planning permission subject to the following conditions

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

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 hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan and Proposed Section AA Rev B received on 29/07/2022, and Block Plan Rev E, Proposed West Elevation Rev D, Proposed South Elevation Rev E, Proposed East Elevation Rev D, Proposed Basement Floor Plan Rev C, Proposed Ground Floor Plan Rev E, Proposed First Floor Plan Rev C, Proposed Second Floor Plan Rev C, Proposed Section BB Rev C and Proposed Section CC Rev C received on 13/11/2022;

Reason: To clarify which plans have been approved.
- 3) The materials to be used in the development hereby permitted shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority. The rag stone, bricks used in the quoins and window surrounds, and the slate used on the roof shall match those used in the existing building.

Reason: To ensure a satisfactory appearance to the development.
- 4) The development shall not proceed above slab level until full details at a suggested scale of 1:5 of the eaves and roof verge/barge boards of the extension have been submitted to and approved in writing by the Local Planning Authority. These details shall show exposed rafter feet and shaped tips to the barge boards, both to match those on the original cottage. The development shall be carried out in accordance with the approved details.

Reason: To ensure a sympathetic relationship between the extension and the original cottage and in the interest of preserving the character and appearance of the surrounding rural area.

- 5) The extension hereby approved shall not commence above slab level until details of a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through at least one integrated method into the design and appearance of the extension by means such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first use of the extension and all features shall be maintained thereafter.

Reason: To enhance the ecology and biodiversity on the site in the future.

- 6) The development shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the extension and maintained thereafter;

Reason: To ensure an energy efficient form of development. Details are required prior to commencements as these methods may impact or influence the overall appearance of development.

INFORMATIVES

- 1) You are advised that there is a separate application process to discharge planning conditions which require written approval of details. You can apply online at, or download forms from, www.planningportal.co.uk (search for 'discharge of conditions')
- 2) Details pursuant to Condition 5 should show, on a scaled drawing, the type and number of the proposed ecological enhancements as well as their intended positions, including, where appropriate, the height above ground level to demonstrate that this would be appropriate for the species for which it is intended. Any bird boxes should face north or east and bat boxes should face south. Where planting is proposed, please also supply details of the number of plants of each species as well as the intended size on planting (eg: pot size in litres). Some helpful advice may be found at:
- <https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators>
- <https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/>
- <https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>
- <https://www.wildlifetrusts.org/actions/how-build-hedgehog-home>
- <https://www.woodlandtrust.org.uk/blog/2019/09/how-to-build-a-bug-hotel/>
- 3) Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.
- 4) It is the responsibility of the developer to ensure, before the development hereby approved is commenced, that approval under the Building Regulations (where

required) and any other necessary approvals have been obtained, and that the details shown on the plans hereby approved agree in every aspect with those approved under such legislation.

5) Your attention is drawn to the following working practices which should be met in carrying out the development:

- Your attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228: 2009 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition: if necessary, you should contact the Council's environmental health department regarding noise control requirements.
- Clearance and burning of existing woodland or rubbish must be carried out without nuisance from smoke etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Council's environmental health department.
- Plant and machinery used for demolition and construction should only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.
- Vehicles in connection with the construction of the development should only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.
- The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside the normal working hours is advisable. Where possible, the developer shall provide residents with a name of a person and maintain dedicated telephone number to deal with any noise complaints or queries about the work.
- Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.
- It is recommended that the developer produces a Site Waste Management Plan in order to reduce the volumes of waste produced, increase recycling potential and divert materials from landfill. This best practice has been demonstrated to both increase the sustainability of a project and maximise profits by reducing the cost of waste disposal.
- Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

If relevant, the applicant must consult the Environmental Health Manager regarding an Environmental Permit under the Environmental Protection Act 1990.

Case Officer: Angela Welsford

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.