

APPLICATION: MA/10/0791 Date: 6 May 2010 Received: 16 August 2010

APPLICANT: Mr P Bradley

LOCATION: 3, RANDALLS ROW, HIGH BANKS, LOOSE, MAIDSTONE, KENT,
ME15 0EG

PARISH: Loose

PROPOSAL: An application for listed building consent for erection of single storey rear extension (re-submission of MA/09/0726) as shown on drawing number(s) 05 rev A, 07 Rev A, 10 and 08 Rev A and a site location plan upon drawing no. 01 Rev A received on 10/05/10, drawing no. 09 Rev B received on 16/08/10, drawing no. 01 Rev B received on 23/07/10 and a Heritage Statement received on 21/07/10.

AGENDA DATE: 23rd September 2010

CASE OFFICER: Louise Welsford

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

- it is contrary to views expressed by the Parish Council
- Councillor Sherreard has requested it be reported for the reason set out in the report

POLICIES

Government Policy: PPS5.

1.0 HISTORY

- 1.1 09/0727 and 09/0726 Erection of a single storey rear conservatory (planning and listed building consent applications) – Refused.
- 1.2 These applications were refused for the following reasons:
 1. The proposed conservatory by virtue of its design, in particular, the pitched roof and double glazing would cause significant harm to the character, appearance and form of the listed building and would detract from the traditional and historic appearance of a terrace of listed buildings, contrary to policy BE6 of the South East Plan 2009 and advice contained within PPG15:Planning and the Historic Environment.
 2. The proposed conservatory by virtue of its depth and height, attached to an existing extension would cause an unacceptable overbearing impact on both of

the adjoining neighbour's private area of garden, much to the detriment of the residential amenity of the neighbouring properties, contrary to policy CC6 of the South east Plan and advice contained within Supplementary Planning Document: Residential Extensions adopted May 2009. (planning application only).

- 1.3 The policies of the South East Plan and PPG15 referred to in the reasons for refusal are no longer in existence, however, the issues referred to are still covered in the policies listed above and are discussed below.
- 1.4 07/0967 Erection of shed/workshop – Approved
- 1.5 01/0386 and 01/0388 Creation of hardstanding for car and base for summerhouse (planning and Listed Building Consent applications) – Approved
- 1.6 81/0871 Conservatory – Approved

2.0 CONSULTATIONS

2.1 Loose Parish Council: wishes to see the application refused. The Parish Council agreed that they see no reason to change their stance from last time (applications MA/09/0726 and MA/09/0727). The unsympathetic nature of the proposed plans to a Listed Building, and within the beautiful Conservation Area of Loose, was considered to be unacceptable, as was the overshadowing factor to the neighbouring properties. Strongly urge consideration of the overwhelming effect this added extension will have on the quaint row of historical cottages in Loose.

- These applications are felt to be unsympathetic and unacceptable to a listed historical building, which is situated within the Conservation area of Loose.(contrary to PPG15 section 3.3, 3.13, 3.14)
- The property is being robbed of its current aesthetic character. (PPG15).
- There are major concerns for the overshadowing effect this extension will have on neighbouring properties. (see PPS1 document points 34 & 38 in particular).
- It is felt this extension will have an overwhelming effect to the quaint row of historical cottages.
- This development neither preserves nor enhances the special character of the area.

The Parish Council would also like to point out that items 5&6 on the supplementary statement supplied in relation to heritage asset, clearly fails.

"5. By not affecting the sensitive elements of the heritage asset or its setting"- It is felt that this application clearly does affect the sensitive elements, as this property is listed, within a conservation area, and is situated within an area as designated 'article four'.

"6. By having an appropriate scale and detailing"- It is felt that the scale and style is out of keeping with the size and historical significance of the existing building.

Please consider carefully the effect this development will have; to the building itself which has historical significance within the Conservation Area of Loose, and to local residents.

(Officer comments: PPG15 has now been replaced by PPS5. The proposal is discussed in relation to PPS5 below).

2.2 Maidstone Borough Council Conservation Officer: Wishes to see the application approved, subject to conditions regarding joinery and render mix and colour.

3.0 REPRESENTATIONS

3.1 Councillor Sherreard:

"I have a few deep concerns regarding the impact that the proposed development will have on the neighbouring properties especially considering that all buildings concerned are listed.

Due to the previous development history on this site I feel that any further changes would have a dire effect on privacy and sunlight for the neighbours properties contrary to CC6 of the South East Plan.

I also do not feel that the new application satisfies the reasons for the previous refusal and in fact still runs contrary to BE6 of the South East Plan and PPG 15 – the character of listed buildings.

I know that you have already been made aware that there are also inaccuracies within the application drawings.

Therefore I respectfully ask that you consider refusing this application, however if you are minded to approve it may I request that this is sent to the planning committee".

(Officer comments: The South East Plan and PPG15 have now ceased to be in effect. However, the impact in respect of the now relevant policies in relation to these issues is discussed below. The issue regarding the inaccuracy of the block plan has now been addressed, through the submission of an amended block plan).

3.2 Neighbours: Objections have been received from three neighbouring properties. These raise a number of objections, namely:

- Impact upon the historic environment, including impact upon the Grade II Listed Building, the Listed terrace and the Conservation Area
- Impact upon the Area of Local Landscape Importance
- Residential amenity, including loss of light, overshadowing, overbearing, loss of privacy, outlook and light pollution

- Impact on drains
- Design
- Scale

PLANNING CONSIDERATIONS

4.0 SITE AND SITUATION

4.1 The application site contains an eighteenth century, Grade II Listed, mid-terraced cottage. The front elevation is constructed of red brick in Flemish Bond to the ground floor and white weatherboarding to the first floor, under a plain tiled roof. A rendered rear extension was added prior to 1981, having accommodation upon two floors. Nos. 1-5 within the row are all Grade II Listed, although the end cottage, to the north, known as Forge Cottage, is not listed. The site is located within Loose Conservation Area and the village envelope of Loose. It also falls within an Area of Local Landscape Importance.

5.0 PROPOSAL

- 5.1 Listed Building Consent is sought for the erection of a single storey rear extension. The extension would have a footprint of approximately 4m x 2.5m. Its walls would be rendered and it would have a flat, felt roof with a raised rooflight.
- 5.2 This application follows the refusal of application MA/09/0726, which was refused upon the grounds of the impact upon the Listed Building and Listed terrace. The full reason for refusal is given above.
- 5.3 The main differences between the previous scheme and this scheme are that the proposal has been reduced in scale, from a maximum height of approximately 3.5m to 3m and from a maximum depth of approximately 3.8m to 2.5m. Also, the pitched roof has been replaced by a flat roof.

CONSIDERATIONS

The key issue relating to this proposal is the impact upon the character and appearance of the Grade II Listed Building and the historic environment.

6.0 Historical Impact

- 6.1 PPS5 seeks the conservation of heritage assets in a manner appropriate to their significance.
- 6.2 The building is a designated heritage asset, because it is Grade II Listed and also part of a Conservation Area.

6.3 The applicant submits that the key elements of the sensitivity of the building are the principal (front) elevation to High Banks, the main roof form to all elevations, (including dormers and materials) and the setting and sense of place to High Banks. I agree with this assessment. The front elevation of the terrace maintains much of its historical character and the appearance of its frontage and its situation within the narrow High Banks gives it a good sense of place.

6.4 To the rear elevation, to my mind, a lot of the original character of this building has already been lost due to the existing, unsympathetic extension. The scale of this particular building has already been substantially altered by the said extension. (The small scale of the cottages may be said to be a key feature of some of the other cottages).

6.5 The proposed extension is of a simple design and I consider that the following may be said in its support: -

- It would be of a small scale. Its footprint would be only approximately 4m wide x 2.5m deep and its maximum height approximately 3m. Whilst I accept that the cottage itself is relatively small, I nevertheless consider it to be a subservient addition to the existing house.
- It would have no direct intervention with the original historic structure. It would simply be attached to a modern, and, in my opinion, unsympathetic extension.
- It would maintain the existing main roof form to the terrace as a whole, which is a positive feature of the terrace in general.
- It would generally not be visible in the public realm. It would not be visible from High Banks, as it would be to the rear and to Mill Street (to the north west), there is an existing wall and close-boarded fence, which prevents views of the ground floor of the rear of the building. An existing garage to the south-east of Mill Street also prevents clear views.

6.6 Importantly, it is also noted that the Conservation Officer raises no objection to the proposal.

6.7 As stated, the proposal is of no particular aesthetic merit. However, it is of a simple design, and small scale and although it would be modern in appearance, it would not be attached to the original historic structure. Whilst double glazing is not to be encouraged in listed buildings, the new windows would be to an extension which is clearly modern in appearance and not within the original building. A joinery condition can be attached to ensure high quality joinery details. As stated, given the scale, the extent to which it would be visible in the public realm and the Conservation Officer's comments, the design is, on balance, considered acceptable. The use of render is in keeping with the existing rear extension.

6.8 The previously refused proposal was for a different design and included a pitched roof. Given the points above and the changes proposed to the design, it is considered that the previous reason for refusal has been addressed and that the use of double glazing in this extension of the proposed design would not, on its own justify a refusal which would be sustainable at appeal.

6.9 Taking all of the above into account, it is concluded, on balance, that the impact upon the heritage environment (including the impact upon the Grade II Listed Building, its setting, the Listed terrace as a whole and the Conservation Area) is acceptable.

7.0 Other Issues

7.1 Drainage/the position of mains drains is an issue which is dealt with under the Building Regulations.

7.2 Concerns have been expressed as to the precedent this would cause. As Members will be aware, each case must be assessed upon its own merits. I have assessed this application upon its own merits.

7.3 The impact upon residential amenity and the Area of Local Landscape Importance are not Listed Building issues (they are planning issues).

8.0 CONCLUSION

8.1 Taking all of the above into account, it is concluded, on balance, that the previous reason for refusal has been addressed and that the proposal would not result in significant harm to the character, appearance or setting of the Grade II Listed Building or to the historic environment and Conservation Area.

8.2 Approval is therefore recommended.

RECOMMENDATION

GRANT LISTED BUILDING CONSENT subject to the following conditions:

1. The works to which this consent relates must be begun before the expiration of three years from the date of this consent;

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 new external and internal joinery, in the form of large scale drawings, have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To preserve the setting, character and appearance of the Grade II Listed building and the Conservation Area, in accordance with PPS5.

3. The development shall not commence until full details of the render mix and colour of the finish of the extension have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To preserve the setting, character and appearance of the Grade II Listed building and the Conservation Area, in accordance with PPS5.

Informatives set out below

Joinery details should show flush casements, with no more than 6mm double glazing.

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 there are no overriding material considerations to indicate a refusal of planning consent.