

APPLICATION: MA/11/1779 Date: 17 October 2011 Received: 23 November 2011

APPLICANT: Mr Tony Caudwell

LOCATION: HAZELDENE, DEAN STREET, EAST FARLEIGH, MAIDSTONE, KENT, ME15 0PS

PARISH: East Farleigh

PROPOSAL: Erection of a replacement two storey dwelling and detached double garage with the demolition of the existing dwelling and outbuildings (Resubmission of MA/11/1031) as shown on drawing nos. P616/1A, P616/2A, P616/3A, P616/4A and A4 site location plan received on 18th October 2011 and P616/5B and P616/6B received on 23rd November 2011.

AGENDA DATE: 15th December 2011

CASE OFFICER: Richard Timms

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

- it is contrary to views expressed by the Parish Council

## **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV28, H32
- The South East Plan 2009: CC1, CC6, C4, BE6
- Government Policy: PPS1, PPS3, PPS5, PPS7

## **2. HISTORY**

MA/11/1031 - Erection of a replacement two storey dwelling and detached double garage with the demolition of the existing dwelling and outbuildings – REFUSED

MA/06/1072 - An application for a certificate of lawfulness for an existing development being for the change of use from plant nursery to residential garden – APPROVED

MA/95/1674 - Demolition of existing nursery buildings formation of new vehicular access and private drive and erection of 5 no. detached five bedroom houses with associated garaging/parking – REFUSED & DISMISSED

MA/76/1639 - Erection of Double Garage – APPROVED WITH CONDITIONS

53/0095A/MK3 - Bungalow – APPROVED

53/0095/MK3 - Bungalow – APPROVED

### **3. CONSULTATIONS**

- 3.1 **East Farleigh Parish Council:** Would like to see the application approved and request that the application is reported to Planning Committee.
- 3.2 **Conservation Officer:** No objections – *"The proposal would have no significant impact on the character of the adjacent conservation area."*
- 3.3 **KCC Highways Engineer:** No objections subject to setting back gates 5.5m from the road and visibility splays being maintained above a height of 900mm.

### **4. REPRESENTATIONS**

- 4.1 **Neighbours:** No representations received.

### **5. CONSIDERATIONS**

#### **5.1 Introduction**

- 5.1.1 This is an application to replace a bungalow with a two storey dwelling and detached double garage, with the demolition of outbuildings at 'Hazeldene', Dean Street, East Farleigh.

#### **5.2 Site Description**

- 5.2.1 The application relates to a bungalow with a large garden on the west side of Dean Street. The property was originally a commercial plant nursery but is now entirely in residential use with surrounding garden. The site has a gentle slope from south to the north and is located in the open countryside with no special landscape designation.
- 5.2.2 The bungalow is at the north end of the site set back from the road by around 20m with gardens and driveways to the front. The bungalow is of simple form with a gabled pitch roof, finished with red bricks under a concrete tile roof. There are rooflights on the front and rear roof slopes, a rear conservatory and flat roof single storey extensions on both sides. There are two access points, close to and on the north and south sides of the bungalow. There are also a number of single storey outbuildings in the northern part of the site some of which were associated with the former nursery. Boundary treatments include fencing, ragstone walling and trees/hedges. Since an application earlier in the year to replace the bungalow, numerous trees have been cut down at the site.

5.2.3 To the north of the site are the rear gardens of houses on Forge Lane and the garden and car park of the Walnut Tree public house. To the west is a parcel of agricultural land and to the south is the house 4 Dane Park and other houses within Dane Park. Opposite to the east are Dean Street and a large agricultural field on the other side. The Dean Street Conservation Area is immediately north of the site with its south edge running along the northern boundary of the site.

### **5.3 Planning History**

5.3.1 Permission was refused under delegated powers in August 2011 to replace the existing bungalow with a two storey dwelling under application MA/11/1031 for the following reason –

*The proposal would, by reason of its height, bulk and mass, be a more visually intrusive development than the existing bungalow it would replace to the detriment of the character and appearance of the countryside hereabouts. As such, the proposal is contrary to policies ENV28 and H32 of the Maidstone Borough-Wide Local Plan 2000 and policies CC6 and C4 of the South East Plan 2009.*

5.3.2 That application proposed a 2.5 storey, six bedroom house with rooms in the roofspace, ridge height 7.6m, eaves 4.5m and with a footprint of around 200m<sup>2</sup>.

### **5.4 Proposal**

5.4.1 Permission is now sought for a two storey house with a basement. The plans show 5 bedrooms on the first floor with a family room, kitchen, dining room, sitting room and study on the ground floor and a games room, gym, wet room and utility room in the basement and six wc's/bathrooms.

5.4.2 It would be sited behind, and around 10m west of the existing bungalow. This would see it set back from Dean Street by 34m at its closest point with a large parking and turning area in front. The house would be around 20m from the north boundary of the site. It would have an irregular shaped footprint of around 205m<sup>2</sup>, with a main two storey frontage width to Dean Street of some 16m and maximum depth of 11m.

5.4.3 The central ridge heights of the house would be 6.6m, with higher ridge lines on the sides of 7.1m and a main eaves of 4.5m. On the front would be a two storey hipped gable projection at the south end, a central two storey timber framed gable, and a 'catslide' type roof at the north end. On the rear would be a two storey hipped gable on the north side and single storey projections covering the remainder. To the sides would be two storey hipped projections. A detached double garage is also proposed to the north and in front of the house with hipped roofs and ridge height 4.9m, eaves 2.3m. This would be accessed by the

large parking and turning area and so a large amount of off-street parking would be provided in the garage and on the driveway.

- 5.4.4 Materials proposed are a clay tile roof, hung tiles to the first floor, multi stock bricks to the ground floor and herringbone brickwork above the central timber framed gable entrance.
- 5.4.5 The house would be set into the ground slightly with the land reduced by around 0.45m and re-graded up to Dean Street. The result would be the finished floor level being around 1m lower than Dean Street. As part of the proposals various single storey outbuildings would be removed. The development is expected to meet at least Level 3 of the Code for Sustainable Homes. The plans also show new gates at the existing entrance with 0.9m ragstone walling either side but this does not require planning permission.
- 5.4.6 The differences from the last refusal are essentially a reduction in the ridge height by 1m, reducing the mass, and setting the house just under 10m further back into the site.

## **5.5 Assessment**

- 5.5.1 Policy H32 of the Local Plan relates to the '*rebuilding of dwellings in the countryside*' and can allow this as an exception to the normal constraints for development in the countryside. There are a number of criteria, the first of which states that the present dwelling must have a lawful use, the second that the present dwelling is not the result of a temporary planning permission and the third, that the new dwelling is no more visually intrusive than the original dwelling. The remaining criteria relate to ensuring the existing dwelling is removed, safe access and the amenity of neighbours.
- 5.5.2 The present dwelling does have a lawful use and is not the result of a temporary permission so I consider the main issues are the visual impact of the proposals compared to the existing bungalow, impact upon neighbouring amenity and any highway issues.

## **5.6 Visual Impact on Countryside**

- 5.6.1 A key requirement of policy H32 is that the new dwelling should be no more visually intrusive than the original dwelling. This is because if dwellings are replaced with larger and more intrusive buildings, this, both individually and cumulatively, erodes the openness of the countryside.
- 5.6.2 In this case, the site is mainly undeveloped with the bungalow and outbuildings (single storey buildings) on the north side and some trees scattered across the site. Medium to long range views are possible through the site and beyond to the

west and the road frontage is mainly open, apart from a post and wire fence and small section of hedge along the southern part. As such, one of the main characteristics of the site is that of openness. In terms of the surrounding countryside, there is a grouping of development around the junction where Dean Street meets Forge Lane to the northeast and some development lining parts Dean Street but I would still describe this area as having only sporadic and minor development. Landscape cover is mainly open fields or orchards and so the surrounding area is generally open and undeveloped.

- 5.6.3 The existing bungalow is of very simple form being of rectangular footprint under a pitched roof with gable ends. There are some flat roof single storey extensions on both sides and the rear. No elevation plans have been provided of the existing bungalow, but having checked the original approved plans from 1953, the bungalow has a ridge height of around 5.6m and eaves of around 2.4m. The submitted plans do show the footprint of the bungalow of some 160m<sup>2</sup> which includes the extensions. Basically, the bungalow is relatively small in terms of its footprint, mass and height and it has a simple form.
- 5.6.4 The latest proposal would still have a far greater mass, would be taller and would have a larger footprint than the bungalow. The mass would be much greater than the bungalow mainly due to the introduction of the first floor which obviously requires a higher eaves level. The ridge height would increase by between 1m-1.5m and the eaves by 2.1m. The presence of wide two storey projections to the front and rear and a central gable to the front also increase the bulk of the building. There are also two storey projections on either side which add to the mass.
- 5.6.5 The house would have a footprint of around 205m<sup>2</sup> which represents a 28% increase on the bungalow and the internal floorspace would be around 560m<sup>2</sup> representing a 115% increase. It would have a main two storey width of 16m which is 3.6m wider than the frontage width of the main part of the bungalow (without the set back side extensions). This increase in footprint and width, coupled with the height and mass, results in a replacement that is much larger than the existing bungalow. I note the agent has tried to break up the massing with varying roof lines, projections, hips, gables and materials. However, I consider that this does little to escape the fact that this is a large two storey house replacing a simple, modest bungalow, and it actually creates a confusing building with little cohesion and a poor appearance.
- 5.6.6 The new house is set back 10m further into the site than the bungalow where the land is slightly lower and would be set down slightly. This set back and lower height would serve to reduce some prominence from Dean Street. However, the new house would still be clearly visible from the road, and even more now numerous trees have been felled at the site. Even with the set back and set down from Dean Street, it would still have a much greater visual presence within

the area than the bungalow. I also consider the extremely large driveway and turning area is excessive and would add to the visual intrusion of the proposals.

- 5.6.7 As part of the proposals, existing outbuildings within the garden would be removed. These outbuildings are all single storey, and whilst they are more easily seen from Dean Street since trees have been felled, they still have a limited impact upon the area. Indeed, similar sized buildings could be erected without needing planning permission anyway so I give this little weight. With this in mind, their removal is not overriding grounds to allow a large two storey house in place of a bungalow.
- 5.6.8 In conclusion, the proposals are for a larger and more visually intrusive building than the existing bungalow, contrary to policy H32. The result would be a sizeable erosion of the current open character of the site and in turn harm to the openness of the surrounding countryside. The development would be intrusive from Dean Street and visible against a backdrop of medium range views and the skyline, which would increase its prominence. It would therefore harm the character and appearance of the countryside here contrary to policy ENV28 of the Local Plan. Whilst each case must be judged on its own merits, I am also mindful that if this were repeated for other small houses in rural areas, the cumulative effect would be very harmful to the countryside.

## **5.7 Residential Amenity**

- 5.7.1 The new house would be over 30m from the nearest neighbouring property 'Greywalls' to the northwest, and 20m from its garden. At this distance there would be no detrimental impacts upon residential amenity.

## **5.8 Other Matters**

- 5.8.1 The dwelling would be a sufficient distance (20m) from the Conservation Area such that it would not harm its setting and I note the Conservation Officer raises no objections.

## **6. CONCLUSION**

- 6.1.1 I consider the proposed house would still be much larger than the existing bungalow and more visually intrusive contrary to policy H32. This larger and more intrusive development would result in harm to character and appearance of the countryside through erosion of the openness of the site and the surrounding area contrary to policy ENV28 of the Local Plan. I therefore recommend the application for refusal for the following reason.

## **7. RECOMMENDATION**

REFUSE PLANNING PERMISSION for the following reason:

1. The proposal would, by reason of its height, bulk and mass, be a more visually intrusive development than the existing bungalow it would replace to the detriment of the character and appearance of the countryside hereabouts. As such, the proposal is contrary to policies ENV28 and H32 of the Maidstone Borough-Wide Local Plan 2000 and policies CC6 and C4 of the South East Plan 2009.