

APPLICATION: MA/09/1009 Date: 10 June 2009 Received: 12 June 2009

APPLICANT: Mr S. Wright

LOCATION: GOLDINGS, ELPHICKS FARM, WATER LANE, HUNTON, MAIDSTONE, KENT, ME15 0SG

PROPOSAL: Demolition of existing garage and erection of a garage/workshop with first floor storage area as shown on drawing number 07/67/35 Rev and 07/67/35 Rev A received on 23 July 2009

AGENDA DATE: 3rd September 2009

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: CC1, C4, BE6, NRM4  
Village Design Statement: N/A  
Government Policy: PPS1, PPS7, PPG15

### **HISTORY**

MA/08/2304 - Erection of a detached garage/store. - REFUSED

### **CONSULTATIONS**

Hunton Parish Council – Wish to see the application REFUSED for the following reasons:-

- The proposed building is inappropriate development on this site and would be visually dominant in the countryside.

Conservation Officer – Wishes to see the application APPROVED for the following reason:-

- This building is appropriate in design, scale and position and will not adversely affect the setting of the listed oast. Conditions re: samples of materials and external joinery details will be appropriate.

## **CONSIDERATIONS**

### The Site

The application site is located within the open countryside, in the parish of Hunton and is within the curtilage of a Grade II listed Oast House, named Goldings. Converted to residential use in 2001 under applications MA/01/1496 and MA/01/1557, the site once formed part of Elphicks Farm, and is in an isolated position surrounded by flat open fields with scattered clusters of agricultural buildings and former farm workers cottages. The surrounding area forms part of River Beault's flood plain and as such the site is within a designated flood zone, namely a Flood Zone 2. There are no other buildings within the curtilage of the Oast House other than a detached two bay garage situated at the end of the driveway to the northwest of the main building.

### Background

Since the building's conversion in 2001, there has only been one application for further development on this site. Under MA/08/2304, a proposal to erect a large detached garage to the south west of the site was submitted. Measuring 17.5m wide and 14.6m deep, the proposed garage would have stood 8m from ground level to ridge height with a clock tower and would have had an eaves of 3.5m. It was refused for following four reasons.

- 1) The proposed building, would not have been a modest building by virtue of its scale and would have appeared visually dominant causing unacceptable harm to the character and appearance of countryside.
- 1) By reason of its scale and general design, the garage would have caused significant harm to the setting of the Grade II listed converted oast house.
- 2) The proposed development would have extended beyond the boundaries of the existing residential curtilage extending into the unspoilt open countryside causing unacceptable harm to the character and appearance of open countryside; and finally
- 3) The proposed development would have resulted in an excessive amount of parking on a residential property which would increase the use of the private motorcar, which is unsustainable and contrary to the principles of sustainable development.

### Proposal

Following the refusal of MA/08/2304, a fresh application has been submitted. It is now proposed to demolish the existing garage, and in its place, erect an 'L-shaped barn' style detached garage with a workshop area and first floor storage. The proposal is within the boundaries of the existing residential curtilage.

Measuring approximately 20m wide on the south elevation, the proposed garage would measure 16m deep on the west elevation and 8.3m deep on the east. The eaves height would measure 2.5 above ground level but on the east elevation this is reduced to 1.5m as a catslide roof is proposed. The ridge height of the building would measure 6.6m above ground level on the west elevation and 6.3m on the east elevation. The garage is required to house a collection of prestige cars which is the applicant's hobby and would accommodate 5 cars. Built on the footprint of the existing garage, within 9m of the dwellinghouse, the proposed building would be clad in timber weatherboard, stained black and have a plain clay tiled roof with timber doors.

### Planning Considerations

The main issues to consider with this application are the impact the proposed development would have upon the character and appearance of the open countryside and its impact upon the setting of a Grade II listed building. There are neighbours within the vicinity of the site but these properties are situated approximately 25m from the site and are screened by a hedge that lines the site boundary. As such, the impact upon the residential amenity of these properties is not considered to be a significant issue in this case.

With regard to the countryside, the Development Plan seeks to restrict householder development to that which is sympathetically relates to the existing house and which does not individually appear visually incongruous in the countryside. Under the Council's adopted SPD Residential Extensions (Adopted May 2009) it is stated that garages and other outbuildings should not impact detrimentally on the space surrounding the dwelling and must be small in scale and clearly ancillary to the main property.

In terms of its scale, the proposed building is clearly a large building, measuring approximately 20m wide at its widest point and having a maximum depth of 16m and height of 6.6m. However in relation to the dwelling it is proposed to serve, it is considered to be modest. Goldings is a Grade II listed 6 Kiln Oast House with each kiln measuring 15.7m from ground level to the top of the cowl. The stowage, in the centre is a three storey building and measures 10.2m from ground level to ridge and 24.4m deep. As such, Goldings appears a tall and imposing building on site and when compared, the proposed garage/workshop building, although a tall building in its own right, would appear a subordinate building to the Oast House. Its bulk would be visibly reduced with the proposed catslide roof on the east elevation and, in addition with a total volume which broadly calculates at 20% of that of the main building, it is considered that the proposed building is of a modest scale, when compared to the existing Oast House. In terms of its appearance, the proposed building would have the appearance of traditional stable building which would, appear as an ancillary building to the Oast House. Given the scale of the building, I do not consider it unreasonable to impose a condition restricting the use of the building to the occupiers of Goldings in order to prevent future development which would be detrimental to the character and appearance of the open countryside and grade II listed building.

Situated 9m east of the Oast House within the residential curtilage, it is considered that the proposed building would be less visually intrusive in the open countryside compared to the Oast itself and would be less visible from a public vantage point i.e. from the drive leading to the site. Situated within the residential curtilage combined with the reduced scale and improved appearance it is considered that the rural character of the surrounding area would be adequately preserved.

In terms of the impact upon the setting of the listed building, the siting of the proposed building within the residential curtilage, in a position which is subordinate to the Oast House, is considered acceptable by the Conservation Officer. The design is considered appropriated as such it is not considered that the development would have significant, detrimental impact on the setting of the listed building. As such the Conservation officer raises no objections.

With regard to parking provision, the development now only proposes 5 enclosed parking spaces whereas it was originally proposed to create 7. Thus two spaces have been removed. Moreover, the repositioning of the garage within the residential curtilage means that development would take place over existing hardstanding which is currently used for the parking of vehicles. It is therefore not considered that there would be a significant or unacceptable increase in parking given that there already is ample parking on site.

The site is not readily visible to the neighbouring properties located to the north east of the site and therefore it is not considered that the proposed development would significantly affect the residential amenity of these dwellings.

#### Conclusion

In conclusion, it is considered that the proposed building is acceptable and has overcome the original reasons for refusal. The proposed development is considered to be in accordance with the provision of the Development Plan and it 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 building hereby permitted shall only be used for purposes incidental to the domestic use of the occupiers of the dwelling known as 'Goldings' and for no other purpose whether permitted under Schedule 2, Part 1, Classes E & F of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification),

Reason: Unrestricted use of the building would cause demonstrable harm to the character, appearance and functioning of the surrounding area and nearby listed building contrary to policies ENV28 of the Maidstone Borough Wide Local Plan 2000 C4 and BE6 of the South East Plan 2009 and PPS7: Sustainable Development in Rural Areas.

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 ENV28 of the Maidstone Borough Wide Local Plan 2000 C4 and BE6 of the South East Plan 2009, PPS7: Sustainable Development in Rural Areas and PPG15 Planning and the Historic Environment.

4. 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) Specification of the proposed timber doors.
- 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 ENV28 of the Maidstone Borough Wide Local Plan 2000 C4 and BE6 of the South East Plan 2009, PPS7: Sustainable Development in Rural Areas and PPG15 Planning and the Historic Environment.

5. The roof lights hereby permitted shall be conservation roof lights and shall be subsequently maintained as such to the satisfaction of the Local Planning Authority.

Reason: To ensure the appearance and the character of the building are maintained in accordance with policies ENV28 of the Maidstone Borough Wide Local Plan 2000 C4 and BE6 of the South East Plan 2009, PPS7: Sustainable Development in Rural Areas and PPG15 Planning and the Historic Environment.

6. The rainwater and wastewater goods shall be cast in aluminium and painted black and shall be subsequently maintained as such to the satisfaction of the Local Planning Authority.

Reason: To ensure the appearance and the character of the building are maintained and in accordance in accordance with policies ENV28 of the Maidstone Borough Wide Local Plan 2000 C4 and BE6 of the South East Plan 2009, PPS7: Sustainable Development in Rural Areas and PPG15 Planning and the Historic Environment.

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.