

APPLICATION: MA/09/1552 Date: 25<sup>th</sup> August 2009 Received: 27<sup>th</sup> August 2009

APPLICANT: Mrs Cunningham

LOCATION: HIGH MEADOWS, STEDE HILL, HARRIETSHAM, MAIDSTONE, KENT,  
ME17 1NR

PROPOSAL: Erection of a rear/side single storey conservatory to replace existing lean-to extension as shown on Design and Access statement and drawing nos. 3435/01, 3435/02, 3435/03, 3435/04 and 3435/05 received 27/08/09.

AGENDA DATE: 15<sup>th</sup> October 2009

CASE OFFICER: Kathryn Altieri

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

- It is contrary to views expressed by the Parish Council and Cllr D. Marshall

### **POLICIES**

Maidstone Borough-Wide Local Plan 2000: H33, ENV28, ENV33, ENV34, ENV45

South East plan 2009: CC6, C3, C4, BE6

Village Design Statement: Not applicable

Government Policy: PPS1 - Delivering Sustainable Development, PPS3 - Housing

PPG9 - Rural Buildings, PPG15 - Planning and Historic Environment

'Planning Guidance Notes - Converting Rural Buildings'

### **HISTORY**

MA/08/1194 - Erection of side and rear conservatory - refused

MA/94/1327 - Conversion of barn to a dwelling, erection of detached double garage & renovation & re-roofing of the stable block - approved/granted with conditions

### **CONSULTATIONS**

Newspaper Advertisement Expiry Date: 25/09/09

Parish Council: Harrietsham Parish Council wish to see the application approved but gave and gave no further comment.

Cllr D. Marshall stated;

*If you are minded to refuse this application, please report it to the Planning Committee for the reasons set out below:*

- *There appears to be some confusion over the type of materials to be used*
- *The proposed conservatory replaces an existing structure.*

Conservation Officer: Wishes to see the application refused;

*"The proposed conservatory, by reason of its form and design, is fundamentally out of character with the converted barn to which it would be attached."*

## **REPRESENTATIONS**

Neighbours: No response

## **CONSIDERATIONS**

### **The Site**

The application site relates to a residential barn, known as 'High Meadows' that was converted under planning permission MA/94/1327. The two storey barn is made up of dark stained weatherboarding with a slate roof and it is positioned within its own extensive land, set back some 25m from Stede Hill. A block of stables is also found to the north-east corner of the site and there is an existing side extension to the southern flank of the barn that is of a good quality design, well related to the existing building.

The whole site lies within the open countryside, as well as the Kent Downs Area of Outstanding Natural Beauty and the North Downs Special Landscape Area, as designated by the Maidstone Borough Wide Local Plan 2000. In addition, a public footpath (KH209B) runs east to west along the northern boundary of 'High Meadows'.

The surrounding area is sparsely populated with other residential properties of differing scale, design and age, including two Grade II\* listed buildings sited to the west of the application site. There is no evidence of this converted barn ever being part of this group of listed buildings, known as 'Harrietsham Manor' and 'The Cottage', but under approval MA/94/1327, the barn was considered to be of sound construction and worthy of retention due to its traditional form that is in keeping with the surrounding Kentish countryside.

### **The Proposal**

The proposal is for the erection of a side/rear conservatory that would replace the existing single storey side extension.

The proposal would have a general 'L' shape that would wrap around the south-eastern corner of the converted barn. The proposed development would project from the

southern flank by 3.6m and extend towards the rear by 12m, projecting beyond the rear elevation of the property by 3.6m. From the rear, the proposal would measure 7.6m wide.

In terms of height, the proposed hipped roof conservatory would stand 3.5m from its ridge to ground level and 2.4m from its eaves.

The proposal would have a face brick plinth some 0.7m in height from ground level, the sides would be dark stained shiplap weatherboarding with black timbered clear glazing and the roof would be black timbered with anti-sun grey glass infill panels.

### **Planning Issues**

The permitted development rights of 'High Meadows' were removed when the barn was converted to a dwelling under planning permission MA/94/1327. The reason for this was to ensure that the original form and character of the original building is maintained.

The most relevant policy under the Maidstone Borough-Wide Local Plan 2000 relating to householder development within the open countryside is Policy H33, although regard should be had to the aims of policy ENV45 that allows the conversion of rural buildings to residential use.

#### Impact upon the neighbours

The proposal would be more than 40m away from any neighbouring property. It is therefore considered, because of the proposal's scale, design and location, that there would be no significant detrimental impact upon the residential amenity of any neighbour, in terms of loss of privacy, outlook, daylight and sunlight.

#### Impact upon the parking

Due to the proposal's location and nature, it would not significantly impact upon the parking provision within the area or generate any need.

#### Impact upon the property and surrounding area

In relation to policy H33, the main issues that need to be considered are points two, three and four which state;

*"Extensions to dwellings in the countryside will not be permitted if they:*

- ii, Overwhelm or destroy the original form of the existing house; or*
- iii, Are poorly designed or unsympathetically related to the existing house; or*
- iv, Result in a development which individually or cumulatively is visually incongruous in the countryside"*

In addition, policies ENV33 and ENV34 require priority to be given to the scenic quality and character of the landscape over other planning considerations, with ENV33 relating to nationally recognised Areas of Outstanding Natural Beauty and ENV34 relating to Special Landscape Areas.

This will be considered within this report as well as what has been written in the document produced by Maidstone Borough Council, known as '*Planning Guidance Notes (no.9) - Converting Rural Buildings*'.

The residential conversion of this barn was initially approved because it was the only means of providing a suitable re-use of an unlisted building that contributes positively towards the character of the Kentish countryside, the Area of Outstanding Natural Beauty and Special Landscape Area. In addition, the conversion has maintained and preserved the building's character and simple agricultural form.

Generally, once a building is converted, it is unlikely that subsequent extensions would be approved. Indeed, the proposal is contrary to advice given in the 'Maidstone Borough Council Guidance Note Number 9: Converting rural buildings'. This document advises that extensions to a converted rural building are usually not allowed, with two exceptions given as follows;

- i. *the re-instatement of "missing" parts of the building, where adequate evidence of their previous existence is available and where such re-instatement would be visually beneficial and historically correct.*
- ii. *minor single storey extension to a building of particular value, which would not be viable for a new use without such additional accommodation and subject to fundamentally not altering the bulk, scale, character or appearance of the building and is essential rather than desirable.*

It is considered that this proposal would not qualify for either of these circumstances, as a conservatory is not essential for the continued residential use of the barn or an "original missing part".

To elaborate, it is considered that this proposal would add an overly domesticated feature to the barn and therefore significantly change its appearance for the worse. The proposed conservatory would be visible from the highway located to the front of the dwelling and slight views would also be afforded from the public footpath which runs along the northern boundary of the application site. In addition, in terms of its scale, the proposed conservatory would have a footprint some 64% larger than the original single storey section to the barn that would be removed and its volume would be more than 50% that of this original element.

As the converted barn is a rural building with significant character, the proposal would detrimentally alter its form and views of the proposal would appear visually incongruous in the open countryside and designated Area of Outstanding Natural Beauty and Special Landscape Area.

Indeed, the excessively sized proposal would sit awkwardly with the simple, linear shape of this converted barn and the level of glazing would not compliment the main building, in terms of scale or design. With all of this considered, the proposal would result in a disjointed development that would not preserve or enhance the historic fabric or integrity of the site.

The Conservation Officer is in agreement and recommends refusal on the grounds that;

*"The proposed conservatory, by reason of its form and design, is fundamentally out of character with the converted barn to which it would be attached."*

It should also be noted that the same proposed development for 'High Meadows' was refused 18<sup>th</sup> August 2008. This is a material consideration in the determination of this application and there has been no overriding justification to approve this development since then, in terms of need or policy. I therefore believe that the same reason for refusal under MA/08/1194 stands.

### **Conclusion**

Since the proposed development is unacceptable in principle, the development would relate unsympathetically to and destroy the original form of this converted property. This would result in a development which individually and cumulatively would be visually incongruous in the countryside and its design would fail to protect and enhance the character of the surrounding countryside within an Area of Outstanding Natural Beauty and Special Landscape Area.

For the reasons stated above it is considered that the proposal is not in accordance with policies H33, ENV28, ENV33 and ENV34 of the Maidstone Borough-Wide Local Plan 2000 and policies CC6, C3 and C4 of the South East Regional Plan 2009. On this basis, I therefore recommend the application for refusal

### **RECOMMENDATION**

**REFUSE PLANNING PERMISSION** for the following reasons:

1. The proposed development is not considered to be an appropriate extension to a rural building and would not relate sympathetically to this converted barn. As a result, the proposal, by virtue of its size and design, would severely erode the original agricultural form and character of this rural building and be visually incongruous in the open countryside, Area of Outstanding Natural Beauty and Special Landscape Area. This is contrary to policies H33, ENV28, ENV33 and ENV34 of the Maidstone Borough-Wide Local Plan 2000, policies CC6, C3, C4 of the South East Regional Plan 2009 and MBC Planning Guidance Notes – 'Converting Rural Buildings'.