

REPORT SUMMARY

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| REFERENCE NO - 15/500911/FULL | | |
| APPLICATION PROPOSAL Demolition of existing outhouse. Alterations and erection of a ground floor rear extension, side extension at first floor and roof level, entrance porch, chimney stack, placement of windows and rooflights and erection of a new carport. | | |
| ADDRESS 2 Boyton Court Cottages Boyton Court Road Sutton Valence Kent ME17 3EG | | |
| RECOMMENDATION | | |
| SUMMARY OF REASONS FOR RECOMMENDATION: The proposal is not considered to be out of character or scale with the existing cottage ' will not result in any material harm to the rural character of the area or that of the special landscape area and will not result in any material harm to the outlook or amenity of the adjoining property. | | |
| REASON FOR REFERRAL TO COMMITTEE Contrary to the views of Sutton Valence Parish Council | | |
| WARD Sutton Valence And Langley Ward | PARISH/TOWN COUNCIL Sutton Valence | APPLICANT Mr And Mrs Graves AGENT Judd Architecture Ltd |
| DECISION DUE DATE 26/03/15 | PUBLICITY EXPIRY DATE 26/03/15 | OFFICER SITE VISIT DATE 10 th July 2015 |

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The site is occupied by a semi detached cottage which has already been extended by a single storey side addition with accommodation in the roof space above. The cottage is located on the west side of Boyton Court Road. To the rear of this property is a detached outbuilding sited 3 metres away from the property.
- 1.02 Site lies within the open country side also falling within a Special Landscape Area (SLA).

2.0 PROPOSAL:

- 2.01 This is one of two amended applications submitted to address a previous refusal to extend this property submitted under ref: MA/14/500307. Both amended applications are being brought forward for determination at this Planning Committee.

2.02 This proposal has 4 main elements to it as follows:

2.03 **Front porch:** This will be capped by interlocking gable roof . The porch will have a width of 3.7 metres, an average depth of just over 1.5 metres, an eaves height of 2.421 and a ridge height of 3.313 metres. Attached to the south elevation of the porch is a flight of steps 1.7 metres in length enclosed by railings.

2.04 **First floor side addition:** The existing side addition has main eaves height of just over 4.2 metres and a ridge height of just over 6.6 metres. It is intended to raise the height of this addition to provide additional accommodation which can be accessed from the first floor of the adjoining cottage. The proposed eaves height will just under 6 metres and the proposed ridge height just under 9 metres making the addition now clearly appear as two storey with first floor windows and a dormer in the south facing roofslope.

2.05 **Single storey rear addition:** It is intended to demolish the existing single storey outbuilding on the common boundary with adjoining cottage to the north. It will be replaced by a flat roofed extension having a maximum projection on the common boundary with the adjoining cottage of just under 8.5 metres. The addition then steps back just under 4 metres with its flank wall lining through with the flank wall of the existing flank addition.

2.06 The flat roof's will be capped by a 'sedum' roof treatment, essentially a natural roof covering which will be maintained to give the appearance of a grass covering. The effective height of the addition on the common boundary with the adjoining cottage will be just over 2 metres. This will step up to just over 2.7 metres for a rooflight set back just over 640mm from the adjoining boundary. The exterior of the addition will be clad in timber boarding.

2.07 **Detached garage:** This is to be sited just under 12 metres to the south of the existing flank addition and set back just under 5 metres from the road. It will be an open fronted pitched roof timber clad structure having a footprint of 8.25 x 5.2 metres, an eaves height of 2.086 metres and a ridge height of just over 4.8 metres.

3.0 POLICY AND OTHER CONSIDERATIONS:

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: H33, ENV28, ENV34

4.0 RELEVANT HISTORY:

4.01 15/502129: Demolition of existing outhouse. Alterations and erection of a ground floor rear extension, side extension at first floor and roof level, entrance porch, chimney stack, placement of windows and rooflights and erection of a new carport- **FOR DETERMINATION AT THIS MEETING**

- 4.02 14/500307: Ground floor rear extensions, side extension at first floor and roof level, entrance porch, chimney stack, placement of windows and roof-lights, car port and related alterations. – **REFUSED** 3rd October 2014 on the grounds that the proposals are not modest and would visually overwhelm the semi-detached pair of cottages to the detriment of the character of the cottages and to the wider Special Landscape Area.
- 4.03 81/0443- Details of detached bungalow pursuant to 80/391- Granted – 12/5/1981
- 4.04 79/1638- Addition of sitting and bedroom to existing – Granted 15/11/1979

5.0 LOCAL REPRESENTATIONS

- 5.01 **Sutton Valence Parish Council:** Object on the grounds that the proposal represents an overdevelopment of the site.
- 5.02 8 properties notified of the proposal – 4 objections received that are summarised as follows:
- While proposal more modest in its impact still represents overdevelopment out of scale with and harmful to the appearance of these cottages.
 - Rear addition does not respect local vernacular and harmful to appearance of area as a consequence.
 - Contrary to adopted policies relating to extension to properties within the countryside, as such harmful to rural character of the area and wider and Special Landscape Area'.
 - Result in creation of an unmaintainable void.
 - Result in loss of light to kitchen and be overbearing
 - Proposed garage and car port harmful to street scene.
 - No attention has been paid to the possibility of potential subsidence on the locality.
 - Failure to carry out adequate neighbour consultations.

7.0 CONSULTATIONS

- 7.01 **MBC Heritage advisor:** No significant impact on any nearby Listed Buildings. However property forms one of a pair of late 19th century cottages and considers that proposal will appear out of scale and overly dominant in relation to the original modest cottage. The front porch and window bay would also harm the design and symmetry of these cottages.
- 7.02 **KCC Archaeology:** No objection

6.0 APPRAISAL:

- 6.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 6.02 Members are reminded that application ref: 14/500307 was presented to the Planning Committee with a favourable recommendation. Despite this Members exercised their right to balance the issues differently and the application was refused on the grounds set out above. Attached as appendix 1 is a copy of the Committee Report that members took into account before reaching a decision to refuse the application. The refused proposal will be shown on screen at the Committee presentation.
- 6.03 As application ref: 14/500307 was the subject of a favourable officer recommendation consideration must be given as to whether there has been any material change in (a) the policy circumstances since this application was recommended for approval and (b) whether the current proposal is materially different from application ref: 14/500307.
- 6.04 Dealing first with whether there has been any material change in in policy circumstances, the adopted local plan, residential extensions SPD and the NPPF were all material planning considerations in force when application ref:14/500307 was determined. As this still remains the position the policy background remains materially unchanged. .
- 6.05 Regarding the size, design and siting of the proposed additions, the only significant change relates to the rear addition which has been amended to a contemporary flat roofed design. Though this does not reflect the traditional design and proportions of the existing cottage it not considered there is any inherent design objection to this approach particularly as the rear addition will not appear as a prominent feature in any public vantage point.
- 6.06 As such it is not considered that the impact of the proposed additions or proposed garage in their impact on the character and appearance of the cottage or the wider area or impact on the outlook or amenity of the adjoining property is sufficiently altered to warrant a different recommendation from that made in connection with application ref:14/500307.
- 6.07 Other Matters:**
- 6.08 The creation of an unmaintainable void is not a material planning consideration that can be taken into account in the determination of this application. Subsidence is a Building Control concern and apart from reminding the applicant of their duty of care in carrying out the development is also not a material planning consideration.

7.0 CONCLUSIONS

- 7.01 In the absence of any (a) material alteration to the policy background (b) given the close similarities of much of the current proposal in size, design and siting terms to that recommended for approval under ref:14/500307 and (c) there

being no sustainable design objections to the contemporary rear addition, it is considered that there are no grounds for raising objection and it is recommended that planning permission be granted for the proposal.

8.0 RECOMMENDATION

GRANT PLANNING PERMISSION

- 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 shall not commence until details of all external material to be used in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved materials.

Reason: In the interests of visual amenity.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:200-225(consec).

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers

INFORMATIVES:

1. In carrying out this development you are advised that this planning permission does not grant permission to carry out built development in any way encroach onto land not in your ownership or control without first obtaining the prior consent of the relevant landowner.
2. You are reminded of your duty of care in implementing this planning permission to ensure that the structural integrity of any adjoining land or buildings is not compromised in any way.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

Planning Committee Report

In this instance the application was acceptable as submitted.

Case Officer: Graham Parkinson

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

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.