

REPORT SUMMARY

REFERENCE NO - 17/501593/FULL			
APPLICATION PROPOSAL - Erection of swimming pool structure			
ADDRESS - Great Oak Farm, Friday Street, East Sutton, Maidstone, Kent, ME17 3EA			
RECOMMENDATION - Approval			
SUMMARY OF REASONS FOR RECOMMENDATION -			
<ul style="list-style-type: none"> • The existing barn on the site has an authorised use as a residential dwelling. • The policies of the adopted and emerging Local Plan do not prohibit the extension of dwellings in the countryside or Special Landscape Area. • The proposed swimming pool structure will be of similar proportions to an existing temporary building on the site that is to be removed and is acceptable in design terms. 			
REASON FOR REFERRAL TO COMMITTEE – At the request of the Parish Council as the recommendation is contrary to their views.			
WARD Headcorn	PARISH/TOWN COUNCIL East Sutton	APPLICANT Damon Bridger AGENT	
DECISION DUE DATE 16/05/17	PUBLICITY EXPIRY DATE 14/06/17	OFFICER SITE VISIT DATE 03/05/17	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
16/507995/FULL	Erection of Alpaca field shelters	Approved	25.01.2017
16/504716/FULL	Below ground swimming pool & a re-location of house curtilage.	Approved	19.09.2016
16/500887/FULL	Installation of false chimney stacks	Approved	22.03.2016
15/507792/FULL	Relocation of log cabin to be used as holiday let	Approved	21.01.2016
15/505877/PNQCL A	Prior notification for the proposed operational development - design and external appearance impacts on the building	Prior Approval Granted	22.09.2015
15/502332/FULL	Erection of agricultural storage barn and repositioning of animal husbandry barn as approved under application MA/13/0895 Erection of agricultural storage barn and repositioning of animal husbandry barn as approved under application MA/13/0895	Approved	13.07.2015
14/505560/LAWP RO	An application for a Certificate of Lawful Development for a proposed use under the provisions of Class MB(a), Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) being the use of an existing agricultural building and land within its curtilage as a dwelling (in accordance with Condition MB.2(3) of the above Order).	Approved	20.02.2015
14/502032/PNBC M	Prior approval - Change of use of Agricultural building to a dwelling house	Planning Required	24.10.2014

13/1014	Change of use of land for the siting of a temporary dwelling for a period of three years	Refused Appeal Dismissed	06.08.2013 29.05.2014
09/0861	Erection of an agricultural barn	Refused Appeal Dismissed	14.09.09 02.09.10

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site comprises a former agricultural barn that is presently being converted to a residential dwelling. The property is located to the western side of Friday Street and is within the open countryside in the parish of East Sutton. This site is also within a designated Special Landscape Area in the adopted Maidstone Borough-Wide Local Plan 2000.
- 1.02 The dwelling is located some 40m from Friday Street and there is mature landscaping along the boundaries with the highway. There is a vehicular access to the south of the property which is via a lengthy driveway that extends in a westerly direction into the site before turning north to reach the property. There is currently a log cabin building situated directly to the south west of the property and this has an approved use as a temporary dwelling. It is due to be removed by December 2017.
- 1.03 The application property is situated in an extensive area of land that is presently used as an alpaca farm and there are a number of structures associated with this. The approved residential curtilage of the site measures 32m x 25m. The surrounding area is characterised by open countryside together with sporadic residential development. The closest dwellings are Hecton Cottage to the north east and Stream Farm to the south east.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for the erection of a detached swimming pool structure. Permission was granted in 2016 under reference 16/504716/FULL for a below ground swimming pool together with the relocation of the house curtilage. At that time, it was proposed that the swimming pool would be heated in the summer months by an air source heat pump. Since then, work has progressed on the conversion of the barn to a dwelling and the applicant has found that the ground source heat pump that will provide heating and hot water for the house will also have sufficient capacity to heat the swimming pool on a year round basis. In order to achieve this however, it will be necessary to insulate the swimming pool and therefore an enclosure is proposed.
- 2.02 The building will be located to the south eastern corner of the curtilage of the converted barn. It will occupy an area of 16.8m x 10.1m and will have a ridge height of 5.45m and a height to eaves of 2.525m. The roof will be hipped on all sides and will be finished in Kentish clay peg tiles. The building will be comprised of an oak frame and the northern, southern and western elevations will be glazed with bi-folding doors proposed on the south western corner. The eastern elevation facing towards Friday Street will be finished in timber weatherboarding painted black.

2.03 The block plan that accompanies the application was amended on 30.5.2017 to identify the location of the temporary log cabin on the site and is annotated to show that it will be removed by December 2017.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Borough-Wide Local Plan 2000: ENV28; ENV34; H33
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Supplementary Planning Documents: Residential Extensions 2009.
Draft Maidstone Local Plan (2011-2031): DM34; DM36.

4.0 LOCAL REPRESENTATIONS

4.01 **Local Residents:** No comments received.

5.0 CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

5.01 **East Sutton Parish Council – First Response:** The Parish Council resolved that this application should be refused and are prepared to go to committee. Reasons for objection:

- Overdevelopment on a sensitive rural site;
- Materials are not in keeping with surrounding buildings;
- Building is intrusive.

5.02 **East Sutton Parish Council – Response to Amended Block Plan:** The Parish Council do not wish to change their decision and still wish to see this application refused and are prepared to go to committee.

5.03 **KCC Public Rights of Way:** Public Right of Way KH533 footpath runs along the southern boundary of the site and should not affect the application.

6.0 APPRAISAL

Main Issues

6.01 The key issues for consideration relate to:

- The principle of the proposal in this countryside location;
- The design and visual impact.

Principle of the Proposal in the Countryside:

6.02 The planning history of this site indicates that the established use of this former agricultural barn is now a residential dwelling. Policy ENV28 identifies specific types of development that are accepted (in principle) within the countryside as well as

those forms of development identified by other policies within the plan. Accordingly, Policy H33 permits extensions to dwellings in the countryside subject to meeting specific criteria. This policy would also relate to outbuildings and other structures within the curtilage of a dwelling. In addition, the application site is located within a Special Landscape Area as defined within Policy ENV34.

- 6.03 As a residential dwelling, it is not therefore unacceptable in principle to consider an extension to this property and in this case, the proposed addition will take the form of a detached outbuilding. The Parish Council have put forward their concerns that the swimming pool structure is an overdevelopment of the site. The dwelling itself is 2-storey with a pitched roof and occupies an area of 22.5m x 12.5m which extends to a footprint of 281.25 square metres. Previously, there have been approvals for the installation of false chimney stacks and a below ground swimming pool, the latter of which is related to this current application. The building will extend to 169.7square metres and 5.45m in height and is considered to be broadly proportionate to the main dwelling. Amenity areas will also be retained to the east and south of the property. The applicant has also put forward that there is a precedent for this type of development in the locality as Stream Farm to the east of Great Oak Farm also has a swimming pool with a detached pool house.
- 6.04 There is also a temporary dwelling on the site and initially, the drawings failed to detail its presence. In my opinion, if both this and the proposal were to be located on the site, this would be overdevelopment that in principle would not accord with Policy H33 or Policy ENV34. Consequently, the block plan has been amended and annotated to identify the removal of the temporary dwelling by December 2017. This enables the imposition of an appropriate condition to ensure that the building is removed prior to the implementation of significant works for the proposed swimming pool enclosure.
- 6.05 In view of these circumstances, I do not believe that this proposal would represent an overdevelopment of the site.

Visual Impact

- 6.06 A key principle of policies H33 and ENV34 is the protection of the visual qualities and character of the countryside and Special Landscape Areas. The appearance and specification of materials have been a cause for concern in the responses from the Parish Council. As noted previously, the dwelling that this proposal is associated with is quite substantial and the scale of the proposed outbuilding would be proportionate to the existing property. I am also mindful that the present temporary dwelling that was granted approval on appeal in 2013 is also directly adjacent to the now converted barn. This measures 14.5m x 8.6m and has a maximum height of 4.8m. The building has a tiled roof and the exterior walls are finished in black stained timber boarding.
- 6.07 The reason for imposing a temporary permission in 2013 was to enable the applicant sufficient scope to demonstrate the necessity for an agricultural workers dwelling on the site in relation to the establishment of the alpaca farm. Since that time however there have been amendments to permitted development rights that allow the conversion of agricultural buildings to residential dwellings. Consequently, the applicant has now been able to establish a permanent dwelling through the conversion of the existing barn and the issues surrounding the temporary dwelling are no longer relevant. In both the originally refused planning application and subsequent appeal, the design and impact of the building on the countryside were not identified as a cause for concern. Essentially, when the temporary dwelling is removed, the swimming pool

enclosure will introduce a structure of similar proportions and appearance, albeit more closely related to the dwelling.

- 6.08 The design is broadly reflective of a rural building and accordingly would be appropriate in the context of the existing dwelling. The use of glazing to the northern, southern and western elevations will prevent the building from appearing overly bulky and the finish of the eastern elevation (facing Friday Street) in timber weatherboarding painted black is characteristic of the existing property. The applicant has also agreed that they would be amenable to accepting a condition regarding the provision of soft landscaping around the building to provide screening. There is sufficient scope along the boundaries to achieve this and accordingly I recommend that a condition be included in the recommendation requiring the submission of a landscaping scheme.
- 6.09 In terms of the openness of the countryside, the proposal will essentially be seen against the backdrop of the existing dwelling in the same way as the present temporary dwelling on the site. The property is also situated some 40m from the highway and the boundaries are defined by mature landscaping. In this regard, I am of the opinion that by virtue of these characteristics, the proposal will not have a significant impact upon the openness of the countryside.

Other Matters

- 6.10 In view of the distances between the application site and the neighbouring residential dwellings, I am of the opinion that there are no likely impacts upon the amenities of these householders.

7.0 CONCLUSION

- 7.01 This proposal represents the addition of an outbuilding within the curtilage of a dwelling in the open countryside and Special Landscape Area. Whilst such locations are particularly sensitive to new development, the adopted and emerging Local Plan do not directly prohibit residential extensions in these areas. In view of the design of the swimming pool enclosure and the fact that it will be seen against the backdrop of the existing dwelling, I am satisfied that there will be no significant harm to the quality or character of the countryside. I have considered the comments of the Parish Council however in balancing the issues raised it would appear that the individual details of this case would not merit a recommendation of refusal. I therefore consider that subject to appropriate conditions, this application should be approved.

8.0 RECOMMENDATION

- 8.01 GRANT planning permission subject to the following conditions:

- 01 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.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 200.01 Revision A; 200.02.

Reason: To clarify which plans have been approved.

- 03 The development hereby approved shall not commence above slab level until, written details and samples of the materials to be used in the construction of the external surfaces of the building 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.

- 04 The development hereby approved shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed and include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide screening along the boundaries of the development hereby approved.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 05 The use of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the commencement of use, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 06 The development hereby approved shall not commence above slab level until the temporary dwelling identified on drawing number 200.01 Revision A has been removed in its entirety from the site.

Reason: In the interests of the visual amenities of the locality.

Case Officer: Georgina Quinn