

REPORT SUMMARY
19th December 2017

REFERENCE NO - 17/505399/FULL			
APPLICATION PROPOSAL - Garage/Store (works started).			
ADDRESS - The Stables, Street Farm, The Street, Boxley, Kent, ME14 3DR			
RECOMMENDATION - APPROVAL			
SUMMARY OF REASONS FOR RECOMMENDATION – Although this is a retrospective application, the submission is considered to comply with the policies of the Development Plan and National Planning Policy Framework, and there are no overriding material considerations to indicate a refusal of planning permission.			
REASON FOR REFERRAL TO COMMITTEE – At the request of Boxley Parish Council			
WARD Boxley	PARISH/TOWN COUNCIL Boxley	APPLICANT Mr. K. Done	
DECISION DUE DATE 20/12/2017	PUBLICITY EXPIRY DATE 29/11/2017	OFFICER SITE VISIT DATE 08/11/2017	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
16/500889/FULL	Variation of Condition (02) of planning permission MA/13/1348 - Demolition of redundant cattle shed and other structures and conversion of traditional courtyard buildings to provide 2 no. dwellings with access, parking and landscaping (to allow the use of hand made clay tiles in place of Kent peg tiles).	Refused	11.04.2016
14/0682	An application to discharge conditions relating to MA/13/1348 (Demolition of redundant cattle shed and other structures and conversion of traditional courtyard buildings to provide 2 no. dwellings) being conditions 3 (materials), 6 (landscaping), 8 (fencing), 9 (drainage), and 12 (lighting).	Approval	19.08.2014
14/501511/FULL	Conversion of redundant farm building to dwelling	Approval	26.02.2015
13/1348	Demolition of redundant cattle shed and other structures and conversion of traditional courtyard buildings to provide 2 no. dwellings with access, parking and landscaping	Approval	26.09.2013
10/1732	Demolition of redundant cattle shed and other structures and conversion of disused traditional courtyard buildings to provide 4.no. dwellings with access, parking and landscaping	Approval	02.03.2011

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 Street Farm is located on the western edge of Boxley village within the open countryside as defined by the Maidstone Borough Local Plan. It is also within the Kent Downs Area of Outstanding Natural Beauty (AONB). Street Farm is comprised of a complex of former farm buildings that have been converted into 3 residential dwellings. To the south and west is open farmland and directly to the west is a large, modern agricultural building. To the east there are grade II listed buildings known as Malthouse Cottage and Yew Trees House which are residential in use. They are separated from the application site by brick boundary wall.
- 1.02 The application itself relates to the northernmost dwelling which is known as The Stables and is part of the complex of former farm buildings that have been converted to residential. The property has private amenity space to the south with access and parking to the west. The western boundary of the property is defined by a close boarded fence together with brick piers.

2.0 PROPOSAL

- 2.01 This application seeks retrospective planning permission for the erection of a garage/store building for the dwelling within the Street Farm that is now known as The Stables. This is the northernmost building within the complex and the garage/store is located some 4.5m from the southern elevation of the property, within its private garden area. The building is largely finished, with works yet to be completed in respect of the tiling of the roof.
- 2.02 The building is 5m in width and 14m in length. It has a pitched roof with a height to eaves of 2.2m and a maximum height of 3.8m. The ground varies in level, rising slightly to the north and consequently, there is a retaining wall of 600mm in height around the northern end of the building. The exterior of the garage/store is finished in timber boarding with cedar shingles. The only opening is located on the western elevation and this is comprised of solid timber garage doors.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Local Plan 2017: SP17; SP19; DM1; DM3; DM4; DM30 and DM32
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Supplementary Planning Documents: Residential Extensions 2017

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 **Boxley Parish Council:**

Objection. The original development on this site was granted in 2010 with the permission emphasising the importance of retaining the character including the 'traditional courtyard' and open nature of the original farm. At the time of granting, MBC imposed conditions on materials to ensure this happened. The developer has ignored previous conditions and has now erected a structure that does not resemble or reflect the buildings that exist around it. The new structure has cedar shingles and not clay tiles used in other buildings. It is therefore considered not in keeping with the character of the immediate area, and it will have a harmful effect on the visual impact as viewed from the AONB. The Parish Council is appalled to see this application submitted when the applicant has not complied with the conditions on the two previous applications which have result in an appeal. The Parish Council does not approve of retrospective applications. The Paris Council would like this reported to the planning committee.

6.0 **APPRAISAL**

Main Issues

6.01 The key issues for consideration relate to:

- **Design and visual impact with particular reference to the AONB;**
- **Retrospective planning permission.**

Design and Visual Impact

6.02 The building has been designed with reference to the character and appearance of the residential conversions that were recently approved at Street Farm. The buildings have a somewhat courtyard feel in terms of their arrangement and proximity to each other and the boundaries around them are mostly defined by close boarded timber fencing. The building that is subject of this application is situated at 90° to the host dwelling and there is a separation distance of 4.5m. It is also located on a lower ground level to The Stables and is seen within the context of the amenity space for the property. The building is largely screened to the north by The Stables; to the east by the existing brick boundary wall; to the south by the other dwellings within the Street Farm complex; and to the west by the boundary fence and brick piers as well as the existing substantial agricultural building. Essentially, its presence is contained within the existing built form that surrounds it.

6.03 In terms of design, the garage/store is reflective of the rural character of the other buildings within Street Farm. Timber boarding is representative of Kentish design. I have considered the concerns raised by the Parish Council in respect of the use of cedar shingles for the roof instead of Kent peg tiles however, the overall colour and texture will blend in satisfactorily with its surroundings, particularly when they have weathered. The Street Farm complex lies outside of the Conservation Area and I do not believe that the garage/store will detract from the setting of the neighbouring listed buildings.

6.04 Essentially, the scale, design and materials used in this development are, in my opinion, appropriate to this location and will not detract from the character of the countryside or quality of the AONB.

Retrospective Planning Permission

- 6.05 The comments of the Parish Council raise their disapproval of retrospective planning applications. I would agree that it is regrettable that permission was not sought prior to the commencement of construction however, in advising on effective planning enforcement, Planning Practice Guidance states that as there are a range of ways in which local authority's can tackle alleged breaches of planning control. The type of action taken should be proportionate. This is also advised in paragraph 207 of the NPPF. Accordingly, a retrospective planning application can be invited if this is the most effective means of regularising the situation and this is the case here. Given that there is no material harm identified by the retention of this building I believe that a retrospective application is the most suitable means of dealing with this particular breach of planning control.

Other Matters

- 6.06 The Parish Council have raised their concerns over issues relating to the original planning permission for the conversion of the existing buildings to residential dwellings in respect of roof tiles and rainwater goods. It is my understanding that these matters are presently the subject of an appeal that is awaiting decision.

7.0 CONCLUSION

- 7.01 On balance, I consider that this proposal is acceptable having regard to the relevant provisions of the Development Plan; NPPF and all other material considerations. I therefore recommend approval.

8.0 RECOMMENDATION

GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: SGLP1; SGSP1; SFG1.

Reason: To clarify which plans have been approved.

2. The materials to be used in the construction of the external surfaces of the building hereby permitted shall accord with those specified in the application submission;

Reason: To ensure a satisfactory appearance to the development.

3. The garage/store hereby permitted shall only be used for purposes incidental to the domestic use of the related dwelling house and/or the parking of private motor vehicles and for no other purposes or use;

Reason: To prevent the introduction of uses which would cause demonstrable harm to the enjoyment of their properties by adjoining residential occupiers.