

REFERENCE NO -	19/503119/FULL	
APPLICATION PROPOSAL		
Conversion of redundant garage to assisted living annex to provide ancillary residential accommodation.		
ADDRESS Great Fowle Hall Farmhouse, Darman Lane, Paddock Wood, Tonbridge, Kent TN12 6PW		
RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions		
SUMMARY OF REASONS FOR RECOMMENDATION		
<ul style="list-style-type: none"> The proposed scale of the accommodation, proximity to the main dwelling and the use of the existing access, garden and facilities (electric, foul water and sewerage) ensures that the conversion will remain dependent on the main dwelling house of Great Fowlehall Farmhouse and so can be considered to be ancillary accommodation and will be conditioned as such. The proposed development would result in a conversion of the existing building without significant alteration to the building therefore, it is considered that there would be no impact upon the setting of the adjacent listed building or the surrounding area. The FRA demonstrates that the building is safe for its lifetime whilst considering flood risk providing the recommendations in the supporting Flood Risk Assessment are adhered to, the development is considered by the Environmental Consultants appointed to be suitable in this location. The site is located within a flood warning service area and due to the distance of the existing farmhouse to the proposed annex it will be possible to seek refuge in the upper levels of the farmhouse or the wider site area if a flood occurs. 		
REASON FOR REFERRAL TO COMMITTEE		
Yalding Parish Council has requested that the application be considered by the Planning Committee if Officers are minded to recommend approval.		
WARD Marden and Yalding	PARISH/TOWN COUNCIL Yalding	APPLICANT Mrs Budgen AGENT Bloomfields Ltd
TARGET DECISION DATE 22.08.2019	PUBLICITY EXPIRY DATE 07.08.2019	

Relevant Planning History

86/0909 - Conversion of oasthouse to dwelling (revised scheme) including conversion of outbuilding to private garage. PER

Although the application reference for 86/0909 relates to the conversion of the Oast House, the outbuilding referred to in the description is the building proposed to be converted and extended under the proposed application ref 19/503119/FULL. As such, the building is not curtilage listed, but does have an established ancillary residential use in association with the Farmhouse due to its conversion to a garage and use for purposes ancillary to the Farmhouse for more than 10 years (since 1986).

MAIN REPORT

1. DESCRIPTION OF SITE

The site is located to the west of Darman Lane and to the south-west of Yalding village within the open countryside. The site is accessed via a long narrow track which serves Great Fowlehall Farmhouse, Great Fowlehall Oast House and Great Fowlehall Byre House which are all residential dwellings. Great Fowlehall Farmhouse is the only listed building within the vicinity. The application site and the surrounding area are not subject to any land designations as defined in Maidstone's Adopted Local Plan (2017) but is within Flood Risk Zone 2 and 3.

2. PROPOSAL

- 2.01 This application seeks planning permission for the conversion of the existing garage to an assisted-living annex for a relative. The building is currently in use as a workshop/storage for the main farmhouse. However, due to changes to the applicants' familial requirements, an application has been made to convert the existing building on site. The proposal will increase the built footprint from 98m² to 107m² and the existing eaves height will be increased to accommodate the raised ground floor. With reference to the NPPF, given that the extension is to result in an increase in built footprint of less than 250m², the proposed extension (53.1m²) is considered to be a minor development when assessing the flood risk, not a new dwelling.
- 2.02 The annex will include a kitchen/dining, living room, two bedrooms (one for professional live in carer), bathroom and a rehab gym. The proposal would seek a modest extension to the southern elevation in order to simplify the footprint/floorplan of the building for design purposes, and a raise in eaves height to accommodate a raised internal floor level to meet Environment Agency requirements in regards to flood risk. An area for parking and maneuvering would still remain as existing, available for the main farmhouse and the annex.
- 2.03 It is understood that the building had a temporary roof fitted by the previous owners after the original was damaged (which remains to this day); this will be replaced with tiles to match the existing main farmhouse. All other materials used are proposed to be matching the existing building.

3. POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Maidstone Borough Local Plan 2017:

DM1 – Principles of good design

DM4 – Development affecting designated and non-designated heritage assets

DM30 – Design principles in the countryside

SP17 – Countryside

SP18 – Historic Environment

SPG 4 - KCC Parking Standards (2006)

Maidstone Local Development Framework, Residential Extensions Supplementary Planning Document (2009)

4. LOCAL REPRESENTATIONS

Local Residents:

Planning Committee Report

4.01 Two representations received from local residents raising the following (summarised) supporting comments:

- Enhance the area around the farmhouse
- It will make good use of a redundant and untidy building

4.02 There were no objections against the proposal from local residents.

5. 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)

Yalding Parish Council

5.01 The Parish Council raise concerns regarding the proposal representing a new dwelling in an isolated and unsustainable countryside location that would not have good access to public transport and would be remote from local services and facilities, resulting in further occupants being reliant on private motor vehicle to travel for access to day to day needs. Further comment that the site is within a flood risk zone where new dwellings should not be permitted and there is no overriding justification to allow this development in this location as it has not been demonstrated that the proposal would not pose a risk to life and property.

Conservation officer

5.02 Having reviewed the application I do not believe the proposals would have a detrimental impact on the setting of nearby listed buildings, and I do not have any reason to object from a conservation point of view. The works have the potential to enhance the appearance of the building, subject to confirmation of the proposed materials particularly the roof covering. The reduction of the proposed balcony could be an improvement to the design.

6. APPRAISAL

Main Issues

6.01 The key issues for consideration relate to:

- Principle of development
- Design, materials and visual impact
- Residential amenity
- Parking and highway safety
- Impact on listed building
- Flood risk
- Justification for the conversion

Principle of development

6.02 The site is located to the west of Darman Lane and to the south-west of Yalding village within the open countryside. The building is currently used as a garage for domestic storage for Great Fowlehall Farmhouse. The garage was originally converted to a domestic garage as part of the Oast House conversion permitted under 86/0909 for the conversion of oasthouse to dwelling (revised scheme) to outbuilding to private garage.

6.03 Paragraph 163 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk

assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) The development is appropriately flood resistant and resilient;
- c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) Any residual risk can be safely managed; and
- e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Footnote 50 and 51 of the NPPF:

A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

This includes householder development, small non-residential extensions (with a footprint of less than 250m²) and changes of use; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the sequential and exception tests should be applied as appropriate.

- 6.04 Policy SP17 states that the countryside is a sensitive location within which to integrate new development and the council will expect proposals to respect the high quality and distinctive landscapes of the borough in accordance with policy DM30.
- 6.05 DM30 states that the type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features. Policy DM32 also states that a proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling.
- 6.06 Policy DM1 of the local plan requires, inter-alia, all development to respond positively to, and where possible enhance, the character of the area, having particular regard to, amongst other things, scale, height, mass and bulk.
- 6.07 Paragraph 5.28 of the residential extensions SPD states that Garages and other outbuildings should not impact detrimentally on the space surrounding buildings. They must be smaller in scale and clearly ancillary to the property.
- 6.08 Paragraph 5.29 further states that their scale should not exceed what might reasonably be expected for the function of the building. Garages and outbuildings for domestic purposes do not normally need to exceed a single storey in height or have excessive volume.

- 6.09 Paragraph 5.30 states that there should be no adverse impact on the character or openness of the countryside. In order to contain the sprawl of buildings, any separate buildings should be located close to the original dwelling.
- 6.10 Garages and outbuildings should not compete with the main house and consequently should be sympathetically positioned away from the front of the house and should be simpler buildings. Often secondary buildings or extensions were traditionally erected with simplicity of design and more easily available materials. This may be used to good effect to reinforce the distinction between the original building and the subservience of the extension.
- 6.11 In this case the proposal will increase the built footprint from 98m² to 107m² and the existing eaves height will be increased to accommodate the raised ground floor. I consider the proposed increase in both footprint and eaves height, would result in a modest alteration to the existing built form and would remain subservient in size and scale to the adjacent buildings. With reference to the NPPF, given that the extension is to result in an increase in built footprint of less than 250m², the proposed extension (53.1m²) could be considered to be a minor development when assessing the flood risk not a new dwelling.
- 6.12 The design of the building is practical and through its conversion would reflect the existing built form and would not adversely affect the visual amenity of the surrounding area. The proposed development would result in a conversion of the existing building without significant alteration to the building, therefore, it is considered that there would be no impact upon the setting of the adjacent listed building or the surrounding area.
- 6.13 The FRA demonstrates that the building is safe for its lifetime whilst considering flood risk providing the recommendations in the supporting Flood Risk Assessment are adhered to, the development is considered by their Environmental Consultants appointed to be suitable in this location. The site is located within a flood warning service area and due to the distance of the existing farmhouse to the proposed annex it will be possible to seek refuge in the upper levels of the farmhouse or the wider site area if need be.

Design, materials and visual impact

- 6.14 Government guidance in the NPPF (para. 124) states that good design is a key aspect of sustainable development that creates better places in which to live and work and helps make development acceptable to communities. The NPPF further states (para. 130) that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.15 Policy DM1 of the adopted Maidstone Borough Local Plan states that proposals which would create high quality design and meet certain criteria (14 in total) will be permitted. One of the criteria to be met is that development should *respond positively to, and where possible enhance, the local, natural or historic character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage – incorporating a high quality, modern design approach and making use of vernacular materials where appropriate.*
- 6.16 Policy DM30 of the adopted Maidstone Borough Local Plan relating to design principles in the countryside states that proposals which would create high quality design, satisfy the requirements of other policies in this plan and meet certain criteria (5 in total) will be permitted. Amongst the criteria to be are the following:

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- The type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features;
- Impacts on the appearance and character of the landscape would be appropriately mitigated;
- Any new buildings should, where practicable, be located adjacent to existing buildings or be unobtrusively located and well screened by existing or proposed vegetation which reflect the landscape character of the area.

- 6.17 The building is currently used as storage ancillary to the main dwelling. A car port is attached to the eastern elevation of the structure which, in my opinion, does not look particularly attractive when compared to the various structures and buildings surrounding the site. The proposal will incorporate the demolition of this car port which will benefit the visual amenity of the surrounding residential dwellings.
- 6.18 The existing roof is currently metal corrugated sheets which were fitted by the previous owners after the original was damaged. Visually, this roof does not appear in keeping with the surrounding properties and looks out of character for the area. The planning agent has confirmed that this will be replaced with tiles to match the existing main farmhouse. All other materials used are proposed to be matching the existing building.
- 6.19 The proposed annex will not visible from the highway due to the large track that runs from Darman Lane to the building, but will be visible from the Oast house and partially visible from the Byre House.
- 6.20 The design of the building is practical and through its conversion it would reflect the existing built form and would not adversely affect the visual amenity of the surrounding area. The proposed development would result in a conversion of the existing building without significant alteration to the building, and given the distance to the listed farmhouse, it is considered that there would be no impact upon the setting of the adjacent listed building or the surrounding area.
- 6.21 In regards to the proposed balcony area to the western and southern elevations of the proposed annex, due to its location and minor scale (1 metre in depth and 2 metres high including the balustrade) I do not consider the balcony to detrimentally impact the space surrounding the building and it would be sited so it is not be visible from the Oast House to the north and in a position to not cause residential amenity issues.
- 6.22 The balcony will provide a flat level area for the elderly occupier to exit the building in a safe and convenient way. Although there are steps proposed to depart the building from the balcony area and the front door it has been designed so, in the future, if a ramp and wheelchair access is necessary minor alterations can be made (subject to the relevant permissions) to enable the occupier to access the annex without disruption which is why there is a larger door frame proposed.
- 6.23 I do not consider the proposed annex to adversely impact the character of the area or openness of the countryside as it will be located close to the original dwelling, it would be single storey and would not have an excessive volume for its proposed use.

Residential Amenity

- 6.24 The proposal is of a sympathetic design and in keeping with the main dwelling and the surrounding area therefore, I do not consider the proposed annex to have a detrimental impact on the outlook for the adjacent neighbouring properties. This will protect residential amenity and prevent the creation of a separate dwelling.

- 6.25 Due to the siting, orientation and proximity of the host dwelling to the other surrounding properties I would not consider there to be any residential amenity issues in terms of outlook, overshadowing, noise and disturbance.
- 6.26 A condition will be placed on the permission to restrict the annex to not be sub-divided, separated or altered in any way so as to create a separate self-contained unit; and shall only be used as ancillary accommodation to the main dwelling currently known as Great Fowle Hall Farmhouse.

Parking and highway safety

The proposal would provide sufficient space for vehicles to enter the site, park and egress the site in a forward gear. It is considered that the proposal would not result in any parking and highways impact that would significantly and demonstrably outweigh the benefits. The proposal would attract no more than the existing number of daily trips from the adjoining household.

Impact on Listed Building

- 6.27 The proposed development would result in a conversion of the existing building without significant alteration to the building therefore, it is considered that there would be no impact upon the setting of the adjacent listed building or the surrounding area.
- 6.28 If permission is forthcoming, a condition stating the proposal shall not commence above slab level until, 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 to ensure the materials used are as similar to the existing Farmhouse and give a satisfactory appearance which would be sympathetic to the listed building.
- 6.29 The existing building is of a sufficient distance from the Farmhouse and of a sympathetic design and scale that it would not detrimentally impact its setting and would therefore be acceptable in terms of impact on the listed building.

Landscaping

- 6.30 The proposed site layout allows for the retention of existing mature trees and vegetation along the boundaries of the site, protection of these during construction can be secured by planning condition.

Other Matters

Flood Risk

- 6.31 With reference to the Environment Agency (EA) Flood Map for Planning, the proposed development is located within Flood Zones 2 and 3. The existing building is considered to be 'Less Vulnerable' under the NPPF. Post-development, there will be a change in vulnerability classification to 'More Vulnerable'.
- 6.32 The submission includes a detailed Flood Risk Assessment report by Ambiental. It states that the proposed development is intended for residential use and subsequently the development must be safe for its lifetime (100 years +CC). Finished floor levels therefore should either be raised 300mm above the general ground level of the site or 600mm above the estimated river or sea flood level. As such; the floor levels have been raised to meet the Environment Agency requirements. Voids are proposed underneath the parts of the building to ensure that there is no loss of floodplain storage post-development and to prevent an increase in flood risk elsewhere.

- 6.33 The FRA demonstrates that the building is safe for its lifetime whilst considering flood risk providing the recommendations in the supporting Flood Risk Assessment are adhered to, the development is considered by the Environmental Consultants to be suitable in this location. The site is located within a flood warning service area and due to the distance of the existing farmhouse to the proposed annex it will be possible to seek refuge in the upper levels of the farmhouse or the wider site area if need be.
- 6.34 The parish council have stated a concern about the lack of safe access and egress from the site during time of flooding. The distance from the proposed annex to the main dwelling is approximately 27 metres. Together with the flood warning service, raised floor levels and the distance from the proposed annex to the main dwelling I would consider the risk of potential issues in terms of safe access to the main dwelling and egress during the time of flooding to be low/unlikely.

Justification for the conversion

- 6.35 Within the comments received from the parish council it refers to there being no overriding evidence of any justification for this development but there are in fact compelling reasons for the applicant needing to provide assisted living accommodation for the applicant's elderly parent.
- 6.36 The personal circumstances surrounding this application that have been raised in a planning statement, and supported by accompanying documentation, which I appreciate may not be available for everyone to view due to its sensitive nature, is considered that the need remains ancillary to that of the main dwelling. As stated, a condition will be placed on the permission to ensure the annex will remain ancillary to the main dwelling. The supporting letter accompanied the submission gives a brief summation of the health issues surrounding the need for this application and that the existing home is no longer suitable, as it would need considerable adaption and this would not be feasible given the listed status of the building. The family's needs would be better served by accommodation on a single level, which could be adapted for disabled living.
- 6.37 The proposed conversion has been designed to maximize independence, whilst also providing an enjoyable and safe open plan living. The size of the accommodation being proposed is not excessive, and is proportionate to the identified need, taking into account practical considerations.
- 6.38 The conversion of an existing building also ensures minimal impact on the surrounding area and provides long term viable use for an existing building and conserves and enhances the character and appearance of the building.

7. CONCLUSION

- 7.01 The proposed scale of accommodation, proximity to the main dwelling and the use of the existing access, garden and facilities (electric, foul water and sewerage) ensures that the conversion will remain dependent on the main dwelling house of Great Fowlehall Farmhouse and so can be considered to be ancillary accommodation.
- 7.02 The FRA demonstrates that the building is safe for its lifetime whilst considering flood risk providing the recommendations in the supporting Flood Risk Assessment are adhered to, the development is considered by the Environmental Consultants to be suitable in this location. The site is located within a flood warning service area and due to the distance of the existing farmhouse to the proposed annex it will be possible to seek refuge in the upper levels of the farmhouse or the wider site area if need be.

- 7.03 It is considered that the conversion of this building is a sustainable development in meeting the social requirements of existing residents in a manner that ensures that there are not any adverse impacts that would significantly and demonstrably outweigh the benefits of the application. The proposal would not cause any visual harm, preserving the landscape character of the area; there would not be any adverse impact upon residential amenity; there would not be any material increase in vehicle movements at the site and there would be sufficient space for vehicle parking and movement to ensure the safety and convenience of the highway.
- 7.04 In light of the above, approval is recommended subject to the conditions set out below.

8. 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 development hereby permitted shall be carried out in accordance with the following approved plans/drawings:

Householder Application

1441 001 – Existing plans and elevations

1441P002C – Proposed plans and elevations

1441P003A – Location plans existing

1441P004A – Location plans proposed

Reason: To ensure the quality of the development is maintained and to prevent harm to the character, appearance and visual amenity of the area.

- 3) The development hereby approved shall not commence above slab level until, 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.

- 4) The additional accommodation to the principal dwelling hereby permitted shall not be sub-divided, separated or altered in any way so as to create a separate self-contained unit; and shall only be used as ancillary accommodation to the main dwelling currently known as Great Fowle Hall Farmhouse, Darman Lane, Paddock Wood, Tonbridge Kent.

Reason: Its use as a separate unit would result in an unsatisfactory relationship with the principal dwelling and would be contrary to the provisions of the development plan for the area within which the site is located.

INFORMATIVES

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- 1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

Case Officer: Sophie Bowden