

REPORT SUMMARY

REFERENCE NUMBER: 24/504256/FULL		
APPLICATION PROPOSAL: (Retrospective) Use of existing residential annex (Building 1) as a self-contained dwelling (Use Class C3), with conversion of adjacent approved garage/store building (Building 2) as annexe to Building 1.		
ADDRESS: Land adjoining Copp William Farm, Marden Road, Staplehurst, TN12 0PB		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions.		
SUMMARY OF REASONS FOR RECOMMENDATION: <ul style="list-style-type: none"> No alterations proposed to the external appearance of the existing buildings. Any impact on visual amenity, or the character and setting of the Grade II listed building is limited. 		
REASON FOR REFERRAL TO COMMITTEE: Call in from Staplehurst Parish Council for the reasons set out in section 5 of this report.		
WARD: Staplehurst	PARISH Staplehurst	COUNCIL: APPLICANT: Mr and Mrs Harrison AGENT: C. B. Wright & Associates Ltd
CASE OFFICER: Sam Cowdry	VALIDATION DATE: 15/10/24	DECISION DUE DATE: 30/01/25
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

- 16/502308/FULL Demolition of existing garage and replacement with barn Approved 02.06.2016.
- 16/502309/LBC Listed Building Consent for demolition of existing garage and replacement with barn. Approved 02.06.2016.
- 17/503895/FULL Conversion of barn to garage and annexe accommodation to main house. Approved 12.09.2017.
- 17/503896/LBC Listed Building Consent for conversion of barn to garage and annexe accommodation to main house. Approved 12.09.2017.
- 19/500855/FULL Erection of a detached oak framed garage/store building. Approved 30.04.2019.
- 20/502699/FULL Creation of outdoor swimming pool with erection of oak framed building to house pool plant, store, and potting shed. Approved 20.08.2020.

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 The application site is in the countryside a short distance (30 metres) from the Staplehurst settlement boundary. The site is on the land to the west of the grade II listed building called Copp William House. The land in the red line application boundary includes a sizeable driveway for parking, as well as a building (labelled building 1) to the north of the site, and a building labelled 'building 2' to the west.

1.02 The eastern site boundary is marked by a post and rail fence and a 1.6m close board fence. These fences separate buildings on the application site from Copp William Farm. The existing boundary to Marden Road is an imposing 2 metre high close board fence.

2. PROPOSAL

2.01 This retrospective planning application relates firstly to the use of the existing residential annex (Building 1) as a self-contained dwelling (Use Class C3), and secondly the conversion of the adjacent approved garage/store building (Building 2) to an annexe to Building 1.

2.02 The application site and the adjacent listed building were originally on the same residential plot. This arrangement can be seen on the site location plan for the 2016 permission included below.

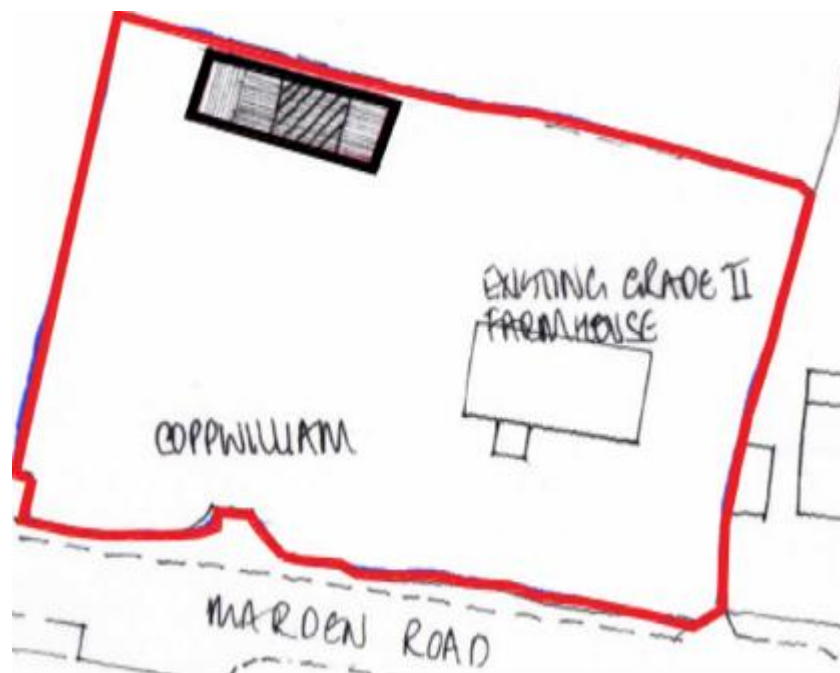


Figure 1 Site location plan in 2016

2.03 The two buildings which are the subject of this current application include building 1. Building 1 was constructed under permission 17/503895/FULL. There is a condition attached to this permission which only allows a use ancillary to the main dwelling (Copp William House).

2.04 The current application seeks the continued use of Building 1 as a self-contained dwelling. The dwelling consisting of a living room, kitchen/ dining area, shower room, bedroom, and wardrobe. There are no changes to the external appearance of the building.

2.05 Building 2 was originally constructed as a garage/ store. This application seeks the continued use of Building 2 as an annexe to Building 1. Building 2 has a kitchen/ living room and dining room, with an additional two bedrooms upstairs. There are no external alterations to Building 2. The block plan on the next page is the current site layout.

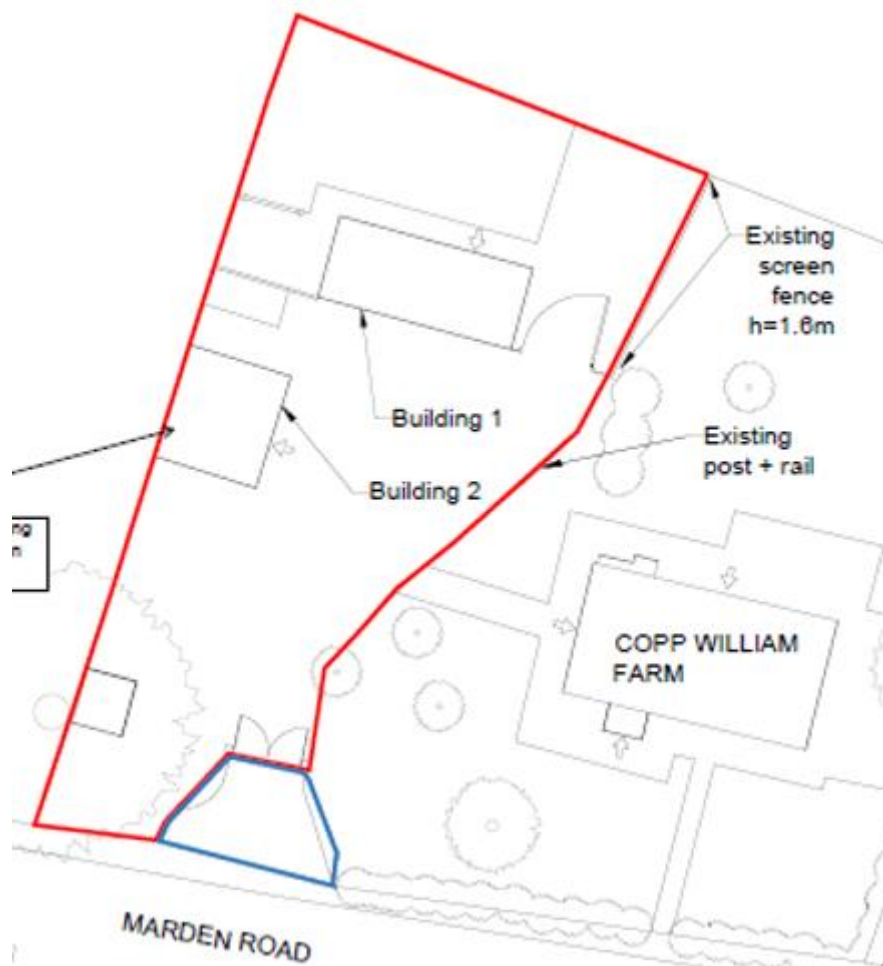


Figure 2: Site block plan

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Local Plan Review 2024

- LPRSS1: Maidstone borough spatial strategy
- LPRSP9: Development in the countryside
- LPRSP10: Housing
- LPRSP10(A): Housing mix
- LPRSP12: Sustainable transport
- LPRSP14: Environment
- LPRSP14(A): Natural environment
- LPRSP14(B): Historic environment
- LPRSP14(C): Climate change
- LPRSP15: Principles of good design
- LPRHOU11: Subdivision of buildings in the countryside
- LPRENV1: Development affecting heritage assets.
- LPRQD1: Sustainable design
- LPRQD2: External lighting
- LPRQD4: Design principles in the countryside
- LPRQD5: Conversion of rural buildings
- LPRQD6: Technical standards
- LPRTRA2: Assessing the transport impacts of development.
- LPRTRA4: Parking

Staplehurst Neighbourhood Plan

Policies PW2, PW4

The National Planning Policy Framework (NPPF):
Section 12- Achieving well designed and beautiful places.
Section 16- Conserving and enhancing the historic environment.

National Planning Practice Guidance (NPPG):

Supplementary Planning Documents:
Residential Extensions SPD (2009)

4. LOCAL REPRESENTATIONS

Local residents:

4.01 No representations have been received from residents.

Staplehurst Parish Council

4.02 Objection

- The adjacent building Copp William Farm is one of the oldest continuously occupied properties in the country, and is a significant historic asset in the Parish.
- outbuilding has not been occupied for 7 years as application only approved 5 years ago, in 2019.
- application is seeking to sub divide a plot of historic value.
- This intensification of residential accommodation in this rural location harmfully consolidates sporadic development resulting in domestication and harm to the intrinsic character and appearance of the rural landscape.
- Contrary to the Maidstone Local Plan Review (2024) policies LPRSP9, LPRSP15, LPRQD4 , LPRENV1, LPRRQD5 and LPRHOU9.
- Contrary to the Staplehurst Neighbourhood Plan policy PW2.
- Recommend refusal and referral to the MBC committee if officers are minded to approve.
- If permission is given request a condition that the annex is tied to the main house.

5. CONSULTATIONS

MBC Conservation Officer

5.01 No objection. There are no concerns as there are no changes to appearance or materials.

6. APPRAISAL

6.01 The application site is in the countryside. The starting point for assessment of applications in the countryside is policy LPRSP9. policy LPRSP9 states: "Development proposals in the countryside will not be permitted unless..."

- a) proposals "...will not result in significant harm to the rural character and appearance of the area..." and
- b) proposals "...accord with other policies in this plan".

6.02 The key issues are:

- Character and appearance (policies LPRSP15 and LPRQD4)
- Conversion and subdivision of rural buildings (policies LPRQD5 and LPRHOU11)
- Heritage (policies LPRSP14(B) and LPRENV1)
- Parking, traffic, and transport (policies LPRTRA2 and LPRTRA4)
- Standard of accommodation (policies LPRSP15, LPRQD4 and LPRQD6)
- Residential amenity (policies LPRSP15, LPRQD4 and LPRQD6)

Character and appearance (policies LPRSP15 and LPRQD4)

- 6.03 Policy LPRSP15 states that development must “*Respond positively to, and where possible enhance, the local, natural, or historic character of the area. Particular regard should be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage*” Policy QD4 has similar aims and objectives.
- 6.04 The application site whilst in the countryside is located at the end of a linear row of existing 8 detached houses that stretch from the application site to the Staplehurst settlement boundary. A further three detached houses are located opposite the application site on the south side of Marden Road.
- 6.05 Whilst in the countryside the character and appearance of the area to the south and east of the application site is of built development with a strong visual and physical relationship with Staplehurst. It is highlighted that the application site is on the edge of this area of built development with an open field to the west and north.
- 6.06 In this context it is found that very limited harm has been caused to local character and appearance by the conversion of the existing residential buildings to a form a separate self-contained residential dwelling. The buildings were originally in a residential curtilage. Whilst there would be impact from the intensification of the use, this would be substantially short of the necessary ‘significant harm’ threshold given in policy LPRSP9.

Conversion and subdivision of rural buildings (policies LPRQD5 and LPRHOU11)

- 6.07 As an exception to the normal constraint of development in the countryside, policies LPRQD5 and LPRHOU11 allow for the conversion and subdivision of rural buildings.
- 6.08 Policy LPRQD5 is primarily aimed at proposals to convert commercial buildings to residential use however the current application (for conversion of existing residential buildings) is in accordance with the criteria listed.
- 6.09 The design and appearance of the existing permanent buildings are in keeping with site context and there are no physical building changes were required as part of the conversion. The converted buildings are in the setting of the grade II listed Copp William House. There is sufficient room in the curtilage to accommodate parking demand, access arrangements and external amenity space.
- 6.10 Policy LPRQD5 seeks to prevent harmful impacts on the countryside from fencing subdividing curtilages. Most of the new boundary subdividing the plot is a post and rail fence with a small area of close boarded fencing at the rear of the site. It is found that this fencing does not result in harm to ‘landscape character’ or ‘visual amenity’. The current application is in accordance with LPRHOU11 with criteria relating to internal space standards, parking and amenity assessed elsewhere in this report.
- 6.11 It is also highlighted that the subdivision of existing buildings in the countryside is specifically supported in the following NPPF advice:
“*Planning...decisions should avoid the development of isolated homes in the countryside unless ...:
... the development would involve the subdivision of an existing residential building...*”

Heritage (policies LPRSP14(B) and LPRENV1)

- 6.12 The local planning authority has a statutory duty to have special regard to the desirability of preserving listed buildings and their settings under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.13 Policy LPRSP14(B) relates to the historic environment requiring that, inter-alia, the characteristics of heritage assets are protected, and design is sensitive to heritage assets and their settings. Policy LPRENV1 also relates to development affecting designated heritage assets and requires applicants to ensure that new development affecting heritage assets conserve, and where possible enhance, the significance of the heritage asset.
- 6.14 The NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. When considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be); and that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 6.15 The application site was originally part of the curtilage and is adjacent to the grade II listed building Copp William House. The official listing for Copp William House is provided below:

"House, formerly cottages, now house. C15, with late C16 or early C17, C19 and C20 alterations. Timber framed. Front elevation clad with red brick in Flemish bond. Both floors of right gable end tile-hung. Plain tile roof. Open hall of 2 unequal-length timber-framed bays, with storeyed end bay to left. 2 storeys. Former gable end jetty to left. Steeply-pitched hipped roof with gablets. Filleted brick stack in front slope of roof towards centre (towards right end of narrow left hall bay). Slender rear brick stack to left. Irregular fenestration of two 3-light leaded casements. Segmental heads to ground-floor windows. Ribbed door in brick porch to left end. Blocked doorway, also with segmental head, and now containing 2-light casement, to right end. Red brick lean-to to left. Timber-framed rear lean-to. Interior: exposed framing. Low ceilings. Shaped jowls to principal posts. Cambered, doubly-chamfered arch-braced tie-beam to central hall truss. Axial tie-beam to storeyed left end bay. Plain-chamfered axial beam of heavy scantling to inserted hall floor. Left ground-floor fireplace with plain brick jambs and chamfered wooden bressumer. Chamfered brick fireplace with chamfered bressumer to first floor above. Broad floorboards. Marked on tithe map as Burnt House".

The proposal retains the current layout and retains existing buildings such that the character of the Grade II listed building is conserved. The existing close boarded to the front boundary is not related to the current application. The subdivision inside the site is by a post and rail fence along the boundary of the driveway. The visual impact from the internal fencing is found to be acceptable. The application is in accordance with the requirements of policies LPRSP14(B) and LPRENV1.

Parking, traffic, and transport (policies LPRTRA2 and LPRTRA4)

- 6.16 Policy LPRSP15 states that applications must accommodate vehicular movements generated by the proposal on the local highway network and through the site access. LPRQD4 states that proposals must not result in unacceptable traffic levels on nearby roads or unsympathetic changes to the character of rural lanes.
- 6.17 NPPF guidance states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or

the residual cumulative impacts on the road network would be severe" (NPPF para 111).

- 6.18 Policy LPRTRA4 of the Local Plan Review directs KCC's Interim Guidance Note 3 (IGN3) for an assessment of car parking standards for new residential development. For a suburban edge development minimum of 1.5 spaces are required for 1 and 2 bed houses and 2 spaces are required for both 3 bedroom and 4+ bedroom houses in the same location.
- 6.19 The site possesses a substantial parking area, with suitable parking provision for both a 2 bedroom dwelling and the existing Copp William Farm. The loss of garage space at Building 2 is unlikely to lead to a significant parking challenge on this site. The aerial photograph below from January 2025 illustrates the adequate parking space associated with the proposed new dwelling, and Copp William Farm:

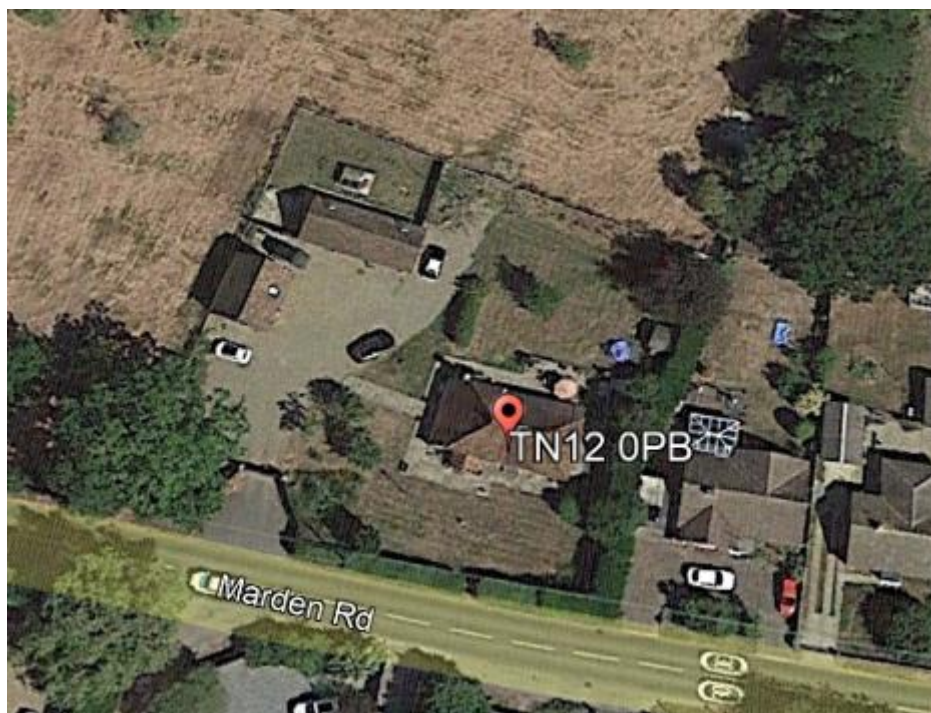


Figure2- Aerial photo showing extent of parking space.

Standard of accommodation (policies LPRSP15, LPRQD4 and LPRQD6)

- 6.20 The first test associated with Policy LPRHOU11(3) states that: *The proposal will ensure that any ... dwellings meet the minimum space standards.* This can be assessed against the Technical Standards and Private Amenity Standards outlined in LPRQD6 and LPRQD7 respectively.
- 6.21 Building 1 has one bedroom and a bedroom/wardrobe. The building has a total floorspace of approximately 70sqm which is acceptable for a 2-storey dwelling, with 2 bedrooms and bed space for up to 4 people. Building 2 is an annexe to Building 1 with total floor space of approximately 65.5sqm. This building would possess two bedrooms, each containing double beds.
- 6.22 In terms of private amenity space, the proposed self-contained dwelling would possess private amenity space located directly adjacent to the dwelling. The rear garden would be of a footprint larger than the ground floor of the proposed dwelling and would be broadly rectangular in shape. Building 2 would also have access to this space given the ancillary relationship. The dwelling and annexe would not be subject to any undue extent of overshadowing, loss of outlook or loss of privacy.

Residential amenity (policies LPRSP15, LPRQD4 and LPRQD6)

- 6.23 The closest neighbouring dwelling would be Copp William Farm. The annexe is not of scale whereby impacts would be overbearing or would impact light. No issues were found in relation to privacy or overlooking in relation to its use as a separate unit.. The rear garden is disconnected from Copp William Farm by a close board fence.

Other matters

- 6.24 It is recommended that condition requires renewable or low carbon sources of energy for the new separate accommodation. This is justified given that the use as a self-contained dwelling rather than an annexe will contribute an additional extent of energy consumption.

Public Sector Equality Duty.

- 6.25 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

Community Infrastructure Levy

- 6.26 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.

7. CONCLUSION

- 7.01 The application includes no external alterations to the existing buildings, and as such there is deemed to be limited harm to the character and appearance of the countryside, or the significance of the adjacent Grade II Listed Building. The proposed dwelling would be acceptable in terms of residential and neighbouring amenity, Highways/ Parking and satisfies all other material planning considerations. The application complies with the NPPF, and Local Plan and as such is recommended approval subject to conditions.

8. RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions and/or informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee:

- 1) The development hereby permitted shall be maintained in accordance with the following approved plans:
Drawing No. 2426-PL02 (Existing Drawings) – received 11.10.2024
Drawing No. 2426/PL01 (Existing and Proposed Block and Site Location Plans) – received 14.10.2024
Reason: To clarify which plans have been approved.
- 2) The materials to be used in the development hereby approved shall be maintained as existing.
Reason: To ensure a satisfactory appearance to the development

- 3) The use hereby permitted shall cease and all equipment, and materials brought onto the land for the purposes of such use shall be removed within 6 weeks of the date of the failure to meet any one of the requirements set out in (i) to (iv) below:
- i) Within 3 months of this decision, a Site Development Scheme, hereafter referred to as the 'Scheme', shall have been submitted for the written approval of the Local Planning Authority. The Scheme shall include:
 - a) Details of measures to enhance ecology on site.
 - b) Details of any existing or proposed external lighting on the boundary of and within the site.
 - c) Details of renewable or low carbon energy sources.
 - d) A timetable for implementation of the Scheme including a) to e) with all details implemented in accordance with the agreed timetable and all details retained for the lifetime of the development.
 - ii) Within 11 months of the date of this decision the Scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the Scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Scheme shall have been approved by the Secretary of State.
 - iv) The approved Scheme shall have been carried out and completed in accordance with the approved timetable and thereafter maintained and retained as approved.
Reason: To ensure the visual amenity, character, and appearance of the countryside location.
- 4) The enhancement of ecology on the site, required by condition 3 (site development scheme) shall include the installation of ecological enhancements such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors.
Reason: To enhance ecology on the site.
- 5) Details of a decentralised and renewable or low carbon source of energy, as required by Condition 3, shall include details of how a decentralised and renewable or low-carbon sources of energy shall be incorporated into the development to provide at least 10% of total annual energy requirements of the development and measures to improve energy efficiency.
Reason: To ensure an energy efficient form of development.
- 6) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority.
- a) be in accordance with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light, GN01, dated 2011 (and any subsequent revisions)
 - b) follow the recommendations within the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting'.
 - c) include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill.
 - d) provide evidence that external lighting has been designed to be the minimum necessary.
- The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.
- Reason: To safeguard the character and appearance of the countryside and protected species
- 7) Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no further

development within Schedule 2, Part 1 shall be carried out within the curtilage of the self-contained dwellinghouse hereby approved.

Reason: To safeguard the character and appearance of the designated heritage asset; to safeguard the character and appearance of the countryside hereabouts; and in the interests of residential amenity.

- 8) The ancillary accommodation named 'Building 2' hereby permitted shall not be subdivided, 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 labelled as 'Building 1' within Drawing No. 2426/PL01 (*Existing and Proposed Block and Site Location Plans*) received 14.10.2024. Reason: Its use as a separate unit would result in an unsatisfactory relationship with the principal dwelling.