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<b>Trottscliffe Downs</b>	<b>564142 159899</b>	<b>3 March 2008</b>	<b>TM/07/04463/FL</b>
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Proposal:	Conversion and extension of outbuilding to create a small detached dwelling, one and a half storey high with parking and turning facilities
Location:	Walnut Tree Farm Addington Lane Trottscliffe West Malling Kent ME19 5DW
Applicant:	Mr And Mrs Venis

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## **1. Description:**

- 1.1 The proposed dwelling would be created by converting and extending the existing workshop/store building located within the residential curtilage of Walnut Tree Farm House. As well as extending the existing building vertically to create a chalet style dwelling, it is also proposed to extend it outwards with a single storey element at its western end and a one and a half storey extension on its southern side.
- 1.2 The proposed dwelling would be 'L' shaped, incorporate a steeply pitched roof that would be finished with plain clay tiles. It is proposed to retain the existing Ragstone walls of the workshop as the outer skin of the dwelling. It is proposed to raise the height of these walls by approx. 1.3m to 3m in height. On the north (rear) elevation this raised wall would be finished externally by horizontal timber cladding. The extensions to the building would be constructed from brickwork, with the face of the single storey side addition finished with timber cladding. The gable wall, facing Addington Lane would be finished externally with clay hanging tiles. The building would stand 7.3m high at ridge level.
- 1.3 Following discussions with the applicant's agent the size of the curtilage associated with this development has been significantly reduced to a small area on the southern and western sides of the proposed dwelling, that would be contained within the settlement confines of the village.
- 1.4 Access to the dwelling would be via the farm access track approved under ref. TM/05/02831/FL. At the northern end of this track two parking spaces would be provided side by side.

## **2. Reason for reporting to Committee:**

- 2.1 This is being reported to committee due to the controversial nature of the proposal and at the request of the ward Members.

**3. The Site:**

- 3.1 The site of the proposed dwelling and residential curtilage (including the proposed parking spaces) lie within the settlement confines of Trottiscliffe, within the Trottiscliffe Conservation Area and an Area of Outstanding Natural Beauty.
- 3.2 The access to the site currently exists and lies outside the settlement confines of the village, within the Metropolitan Green Belt.
- 3.3 Walnut Tree Farm House lies approx. 10 metres to the north of the proposed dwelling and residential dwellings are located on the east side of Addington Lane, opposite the site.

**4. Planning History (most relevant):**

TM/05/02831/FL      Grant With Conditions      24 May 2006

Formation of new farm access.

TM/06/03483/FL      Refuse      22 December 2006  
Appeal dismissed

Detached dwelling.

**5. Consultees:**

- 5.1 PC: The proposed development is on the outer edge of the village confines within a Conservation Area and directly abuts Green belt land designated as an Area of Outstanding Natural Beauty.

Policies P3/5 and P3/6 of the Local Plan states that priority will be given to the conservation and enhancement of the natural beauty of the landscape over other planning considerations.

The planning application relates to Policy P6/4 of the local plan and that minor development is provided for within villages but 'subject to no adverse effect on the character of the settlement or on the openness and function of the Green Belt'.

Within Regional Planning Guidance 9 it is stated that 'quality and character of the rural environment should be maintained and enhanced' and 'development should be allowed where it maintains or enhances the local environment'.

Planning Policy Guidance PPG 15 refers to the desirability of preserving or enhancing the character or appearance of a conservation area and the consideration of whether views would be affected by the proposed development.

In our view, the imposing scale of a two storey building in a prominent position at the entrance to the village will have a detrimental impact on the visual aspect from both the village and surrounding designated land and would be in conflict with the aforementioned policies. Therefore we object to this application.

- 5.2 KCC (Highways): The submitted plans show proposals to construct a new detached two bedroom house, using part of an existing redundant farm structure. The plans show suitable curtilage parking to accord with current parking standards.

The application site shares an existing private farm access onto Addington Lane. It is not clear if the proposed dwelling will be connected to the existing farm use.

The proposed parking area is set back some distance from the public highway, but it is not clear where pedestrian access will be gained to the front door. Refuse storage and collection to be addressed; the applicant to be advised to liaise with the local authority for advice. However, in principle, I would raise no objections

- 5.3 DHH: Environmental protection: - No comments, Waste Management: - The refuse and recycling bins will need to be presented at a suitable access in Addington Lane on collection day.

- 5.4 Private Reps (including site and press notices): 8/0X/0S10R. The reasons for objecting to this application are:

- The concept of building a dwelling in the proposed location is illogical if the applicants are to continue to work the surrounding land as a viable farm
- The new house is close to and would dominate the view from the main farmhouse
- The proposed dwelling would overshadow a significant part of the remaining garden serving Walnut Tree Farmhouse – especially during the winter.
- The proposed dwelling would look directly into a bedroom within ‘Blackthorns’ located on the opposite side of the road to the application site.
- The proposed property is immediately adjacent to the Green Belt and there can be no provision for a garden as it is agricultural land. The openness of the Green Belt should not be compromised.
- The proposed dwelling is right on the road. On approaching and leaving the village via Addington Lane, this will effectively close in the space creating a funnel effect.

- Much of the horizon when looking south along Addington Lane will be obscured and the feeling of the village being surrounded by open landscape will be lost. The roof of the building would block views to the south along Addington La and will seriously affect views when travelling south out of the village. This has a serious impact upon the rural character of the village.
- The orientation of the dwelling is not characteristic of the linear development of the rest of the village.
- I note that there is no provision to replace the storage facilities that would be lost in building the new dwelling.
- The development is contrary to Policy CP 13 of the Core Strategy as it would generate more traffic than associated with the existing building and would not be a significant improvement to the appearance, character and functioning of the settlement.
- The design of the building is unsympathetic with its environment. It would be intrusive due to height and position and would be overdevelopment of the site.
- Allowing this development would set an undesirable precedent to develop adjacent farmland.
- The proposal would add to congestion in and around the village.
- The size and position of the dwelling are such that it would harm the Conservation Area and the natural beauty of the surrounding countryside.
- No parking is shown on the submitted plans. The access would utilise the new hard standings and access outside the village confines thereby detracting from the AONB.

## **6. Determining Issues:**

- 6.1 The main determining issues concerning this development are the principle of the proposal and its impact upon the natural beauty of the AONB and the character and appearance of the Conservation Area.
- 6.2 The proposed dwelling and its associated residential curtilage (but not the vehicular access to the site) are located within the settlement confines of Trottscliffe. Policy CP 13 states that new development within this settlement will be restricted to minor development appropriate to the scale and character of the settlement. In the case of redevelopment, development will only be permitted if the overall trip generation is projected to be lower than that associated with its former use or if there is some significant improvement to the appearance, character and functioning of the settlement. Local residents have already referred to this policy.

- 6.3 In the context of this proposal, the development should be regarded more as development rather than redevelopment. This is because, rather than comprehensively redeveloping the site, (replacing the farmhouse and all, outbuildings, the proposal would extend off an existing domestic storage building. The significant part of the planning unit of Walnut Tree Farm House (the house and garden), would not be altered under this proposal. Furthermore, the impact of the proposal in terms of traffic generation would be the same as that generated by a house built elsewhere within the rear garden of Walnut Tree Farmhouse (or indeed within the curtilage of any other dwelling within Trottiscliffe village. The proposal is for one additional dwelling which, in my opinion, is minor development and would not be out of keeping with the scale of development within this settlement. I therefore consider that the principle of constructing one dwelling within this site is acceptable in broad policy terms.
- 6.4 Much concern has been expressed regarding the scale of the development, its location immediately adjacent to Addington Lane and its resulting impact upon the natural beauty of the AONB and the character of the CA.
- 6.5 This part of Trottiscliffe is characterised by linear development comprising dwellings that vary in scale, size, form and appearance. The flank wall of the proposed dwelling would face directly onto Addington Lane. Unlike the previously refused scheme (TM/05/03483/FL), this development can be said to follow the existing linear pattern of development within this part of the settlement.
- 6.6 The previously refused scheme was also deemed by the appeal Inspector, to harm the character of the CA and the Natural Beauty of the AONB as it failed to respect the linear pattern of development in this part of the settlement and that it would shut off the farm house from most of the open land to the rear of it.
- 6.7 In addition to dwelling being located further to the east than the position of the previously refused scheme, it would also stand 2m lower in height and have significantly less bulk and mass as well. I consider that these changes now result in a dwelling that would not shut off the existing farmhouse from the land to the rear of it.
- 6.8 Whilst the proposed development has sought to overcome the Inspector's reasoning for dismissing the appeal concerning the previous proposal, the proposal must not cause detriment to the AONB or CA for reasons other than those cited by the Inspector.
- 6.9 Much of the concern expressed by the PC and local residents centres around the impact of the proposal upon views into and out of the village along Addington Lane. Firstly, there is no right to a view. There are also no policies within the development plan that specifically protect views of the countryside from the village of Trottiscliffe. Furthermore, whilst the proposed dwelling would limit views looking south from the Green down Addington Lane, as has been said above, its siting

respects the linear pattern of development in the locality. The proposed building itself is of a scale and height that is smaller than other residential properties in the locality.

- 6.10 The dwelling would be the last property on this side of the Lane within the village of Trottiscliffe. The proposed dwelling would be seen as a much lower building than Walnut Tree Farm House, as is demonstrated in the photomontages submitted by one of the local residents. This is an appropriate approach for this edge of village location. The building has a simple form and design using vernacular materials which help reduce its impact upon the character of the locality, in my opinion.
- 6.11 When approaching the village north along Addington Lane, the rear elevation of Walnut Tree Farmhouse is visually prominent and the first buildings to greet you as you enter the village. Whilst the front elevation of this property is attractive, its rear elevation, which is seen when entering the village in this direction, is quite plain and is not particularly attractive. The proposed dwelling, due to its form, design and use of materials, would be a more aesthetically pleasing development at the entrance of the village.
- 6.12 In light of the above, I consider that the proposal would not fail to preserve the character of the Conservation Area or the natural beauty of the AONB.
- 6.13 I note the concerns of the local resident regarding the impact of the proposed dwelling upon the residential amenity of the neighbouring properties. With regard to overlooking his property, saved policy P4/12 of the TMBLP states that a distance of 21 m should be maintained between principal windows of dwelling houses. A small window would be located within the flank elevation of the proposed dwelling at first floor level facing towards the property 'Blackthorns'. This window would serve the master bedroom, but is a secondary window as the principal window serving this room would be located in the south facing roof slope of this dwelling. A distance of approx. 17 m would separate the proposed flank window and the existing bedroom window within Blackthorns. In light of the fact that a principal window would not face the adjacent property Blackthorns, and that a distance of 17 m would be maintained between these properties, I am satisfied that the proposed dwelling would not cause an unacceptable loss of privacy to the neighbouring dwelling. It also has to be considered that it is quite common for dwellings to face each other across a road at distances of less than 21m.
- 6.14 With regard to overshadowing the garden of Walnut Tree Farmhouse, having applied tests specified within the BRE document "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice, I am satisfied that the proposed dwelling would not cause unacceptable overshadowing to this garden.
- 6.15 Concern has been expressed by the PC and local residents that the proposal would make use of the recently approved agricultural access serving Walnut Tree Farm, which would detract from the rural character of the locality. However, the

access track already exists. The submitted plans show that a turning head for agricultural vehicles exists at the southern end of the access, away from the proposed dwelling. Due to this the proposal would not interfere with turning arrangements for agricultural vehicles within Walnut Tree Farm. Making use of an existing access for the proposed dwelling would not, in my opinion, detract from the natural beauty of the AONB or the character of the adjacent CA.

6.16 The provision of two parking spaces to serve this dwelling accords with the Kent County Council vehicle parking standards and these would not inhibit turning facilities for agricultural vehicles.

6.17 In light of the above, I recommend that planning permission be granted.

## **7. Recommendation:**

7.1 **Grant Planning Permission** in accordance with the following submitted details: Certificate A dated 16.01.2008, Letter 21.12.07 dated 21.12.2007, Letter dated 16.01.2008, Design and Access Statement dated 21.12.2007, Proposed Plans DHA/6002/11 dated 21.12.2007, Existing Plans DHA/6002/12 dated 21.12.2007, Proposed Plans DHA/6002/13 dated 21.12.2007, Elevations DHA/6002/14 A dated 21.02.2008, Letter dated 03.03.2008, Location Plan DHA/6002/10 A dated 03.03.2008, subject to:

### **Conditions / Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or

diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

4. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Class A, B, C, D, E of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto. (R001)

Reason: In order to regulate and control further development within this site in the interest of the character and appearance of the Conservation Area and the natural beauty of the Area of Outstanding Natural Beauty in which the site is located.

Contact: Matthew Broome