

**Trottscliffe
Downs**

563846 160431 2 April 2009

TM/09/00734/FL

Proposal: Section 73A Application for detached swimming pool building
(being a revised design to that permitted by TM/05/02704/FL)
Location: White Clouds Taylors Lane Trottscliffe West Malling Kent
ME19 5ES
Applicant: Mr D Fincham

1. Description:

- 1.1 The proposed development is a revision to the pool house that was permitted under reference TM/05/02704/FL.
- 1.2 The building is located at the eastern most end of the rear garden serving this property, in the same location as the previously approved pool building. Building work has commenced and the application is, therefore retrospective. The building's footprint measures 17.7 m x 19.9 m. Its height would vary between 3.2m and 3.5 m. In the area of the sunken garden, the building would measure 4,1m high.
- 1.3 The building has a very similar size and form as the previously approved pool house. The most significant difference relates to the external materials that the building is being constructed from. The applicant considers that the revised palette of materials are more traditional than previously approved for this building.
- 1.4 Under the previously approved scheme, the external walls of the building would have been finished with render, timber cladding and gabion wire boxes filled with rubble Ragstone. The roof of the building would have been finished with Sedum. With the current application, the front of the building (facing towards the rear elevation of the dwelling within this site) and part of the north (flank) elevation have been faced with flint blocks (concrete blocks embedded with flint stones). The remaining walls would be clad with horizontal Oak cladding, the same as that used on the stable building located immediately north of the application site. This is not to be stained but will be left to weather down naturally to a silver/grey colour.
- 1.5 The roof of the building has been coated with a polyurethane finish painted dark green. However the applicant's agent has confirmed agreement to an alternative colour (such as dark grey), if the dark green is not considered appropriate.
- 1.6 Some minor changes have also been made to the sunken terrace in front of the pool house with the inclusion of raised planting beds.

2. Reason for reporting to Committee:

- 2.1 Called in by the Local Member due to the planning history of the site and local concern regarding the application.

3. The Site:

- 3.1 The site is located within the settlement confines of Trottiscliffe, on the east side of Taylors Lane. The site lies within an Area of Outstanding Natural Beauty. The boundary of the Green Belt adjoins the northern boundary of the application site.

4. Planning History:

TM/48/10287/OLD Refuse 9 November 1948

Preliminary application for one house.

TM/52/10139/OLD Grant with Conditions 7 August 1952

Dwelling house and garage with vehicular access thereto.

TM/52/10405/OLD Refuse 2 January 1952

Preliminary Application for Dwelling Houses and Vehicular Access.

TM/55/10408/OLD Grant with Conditions 22 September 1955

Addition.

TM/55/10565/OLD Grant with Conditions 20 January 1955

Porch & Study to 'White Clouds'.

TM/70/10964/OLD Grant with Conditions 10 June 1970

Additional bedroom over garage and extension to garage, for F. Alexander, Esq.

TM/81/11273/FUL Grant with Conditions 17 June 1981

Extension and alterations.

TM/90/10410/FUL grant with conditions 1 June 1990

Single storey extension and alterations to form improved facilities.

TM/98/00205/FL Section 73A Approved 30 March 1998

Retrospective application for rear conservatory.

TM/00/02408/FL Grant With Conditions 28 November 2000

Porch, two storey extension, car port and alterations to existing elevations.

TM/01/00715/ORM Grant 2 May 2001

Provision of additional windows in southern elevation submitted pursuant to permission TM/00/02408/FL (porch, two storey extension and car port).

TM/04/01197/FL Refuse 23 June 2004

Demolition of existing conservatory, and erection of new rear extension and garage.

TM/05/02704/FL Grant With Conditions 12 January 2006

Pool house in rear garden.

TM/06/00886/FL Grant With Conditions 19 May 2006

Demolition of existing conservatory and construction of new rear extension with basement and garage (revised proposal to previously approved scheme ref. TM/04/01197/FL [APP/H2265/A/04/1157863]).

5. Consultees:

- 5.1 PC: Object: The building is visible from the road. Flint is now proposed which visually is not as soft as local Ragstone. The new application states that no significant tree planting or hedging is proposed. This is totally unacceptable as the development is highly visible from the AONB and footpaths MR 195 and MR 197A. The scheme was highly sensitive and the new submission is considered to be a watered down version of the original application. Because the building can be clearly seen from the North Downs AONB footpaths MR 195 and MR 197A, the sedum roof and the new woodland planting is essential to reduce the visual impact of the development. Ragstone is a softer more neutral material. It will blend into the landscape more effectively and so should still be used to the southwest and North West elevations. However, the natural Oak boarding proposed to the other elevations will soften the building and so is more acceptable
- 5.2 KCC (Highways): There are no highway implications associated with this proposal.
- 5.3 Neighbours (including Art 8 Site Notice): 10.06.09: No response at time of writing this report. Any comments received will be included in a supplementary report.

6. Determining Issues:

- 6.1 The site is located within the settlement confines of Trottiscliffe, where the principle of the proposed development is acceptable in policy terms. Indeed, an extant planning permission exists for the erection of a building of a similar size, form, and design as the building the subject of the current scheme. The building as now shown to be constructed has a footprint that is approximately 5 sqm larger than that of the previously approved building.
- 6.2 The main determining issue is, therefore, how the revisions to the approved scheme impact upon the special beauty of the Area of Outstanding Natural Beauty (AONB) and the visual amenities of the locality.
- 6.3 Concern has been expressed by the PC regarding the use of the flint stone instead of Gabion wire boxes filled with Ragstone. Unlike knapped flint wall which are dark grey in colour due to the flints lying the same way round and close together, in this case, the stones have been embedded in a random pattern with much of the concrete showing between them. However, as one moves away from the building, the stone and the concrete blend together. The effect is that when viewed from public vantage points this part of the building looks like it has been constructed from natural stone that is a pale and neutral in colour.
- 6.4 I note the concerns of the PC that the originally approved Ragstone would be a softer finish than the use of flint. Whilst the flint provides a lighter colour than Ragstone, this is also a locally sourced material (from the application site itself), which is not, in my opinion, unduly harmful to the character of the locality. The existing dwelling within the site and the hedges that front onto Taylors Lane do obscure much of the building when viewed from Taylors Lane. What can be seen when standing in front of the vehicle access to this site is a small section of a stone building set well back from the road (approximately, a 2m long section of the building's front elevation).
- 6.5 The building is visible in the wider locality from footpaths MR 195 and MR 197 to the north of the site. However, in my opinion, it does not cause any greater detriment to the rural character of the locality than if Ragstone had been used to face the building.
- 6.6 It is proposed to use a polyurethane covering for the roof instead of Sedum as was previously approved. Given the contemporary nature of the building, the use of the proposed covering would be sympathetic to the overall design and other materials used in the construction of this building. Initially, it was submitted that the roof have a dark green colour finish, as this was considered by the applicant to blend in with the green landscape around the building. However the applicant's agent has now confirmed his client's agreement to use a dark grey colour finish instead of the dark green. Dark grey coloured roofing materials are typical for domestic and other buildings in this locality. Accordingly, I have no objection to the use of a dark grey colour finish for the roof of this building.

- 6.7 It should also be noted that the applicant has now submitted landscaping details that show a group of 12 trees will be planted in the field immediately to the north of the pool house. The species used would be Field Maple, Common Oak, Silver Birch, Mountain Ash, Whitebeam, Hazel, Holly and Hawthorn. These will also in time help to soften the impact of the building from wider views, particularly from the north.
- 6.8 In light of the above, I am satisfied that the revised design for this building would not unacceptably detract from the natural beauty of the AONB or the visual amenities of the locality.
- 6.9 Due to the location of the building, I remain satisfied that it would not detract from the amenity of the neighbouring residential property.
- 6.10 The proposal does not raise any highway safety issues.
- 6.11 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: Letter dated 20.05.2009, Landscaping KW/03/09/08 dated 20.05.2009, Plant Schedule dated 20.05.2009, Photographs dated 20.05.2009, Letter dated 02.04.2009, Design and Access Statement dated 27.03.2009, Location Plan dated 28.03.2009, Floor Plan KW/003/09/01 dated 02.04.2009, Elevations KW/003/09/02 dated 28.03.2009, Elevations KW/003/09/03 dated 28.03.2009, Roof Plan KW/003/09/04 dated 02.04.2009, subject to the following:

Conditions / Reasons

1. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the south east elevation of the building other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

2. The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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.

3. Notwithstanding the details submitted with the application, within 2 calendar months of the date of this permission, details and a colour sample of the roof treatment to be used on this building shall be submitted to the Local Planning Authority. The details so approved shall be implemented within 2 calendar months following their approval by the Local, Planning Authority.

Reason: In the interests of the visual and rural amenity of the locality.

Contact: Lucy Stainton