

**East Malling &  
Larkfield**  
East Malling

**569471 157801 13 April 2013**

**TM/13/00964/FL**

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Proposal: Proposed detached games room with link corridor  
Location: 9 Clare Wood Drive East Malling West Malling Kent ME19 6PA  
Applicant: Mr And Mrs Chapman

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**1. Description:**

1.1 It is proposed to construct a single storey extension on the south side comprising a detached games room with link corridor. The extension would have a footprint of 5m x 7m and has been designed with a pitched roof with gable at the rear and a hip to the front. The front elevation would incorporate timber doors opening to reveal double glazed, non-opening doors/window. The extension would be set at an angle to the house, but parallel to the side boundary and would be linked to the front of the original house by a short corridor. The detailed design has been amended since originally submitted; this is described in more detail in paragraph 6.2 below.

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

2.1 At the request of Cllr Simpson.

**3. The Site:**

3.1 No. 9 is a large rendered house set at the end of a cul-de-sac within the Clare Park and Blacklands Conservation Area. The property occupies a relatively small plot which is bounded to the rear by a wall approximately 3m in height. There is a detached garage with hipped roof to the northern side of the property. The proposed building would be located on a small grassed area to the southern side of the house with fence and evergreen planting along the boundary.

3.2 To the south of the site are the grounds of the Grade 1 Listed Building Clare House, built as a villa set in landscaped grounds.

3.3 Clare Wood Drive comprises 12 detached houses of neo-palladian style constructed of painted render with slate rooves, in response to the architecture of Clare House. Eight of the dwellings are grouped within the former walled garden of Clare House and the other four form a cluster just outside.

**4. Planning History:**

TM/93/00355/FL

grant with conditions

9 December 1994

Erection of twelve new two storey houses in grounds

TM/94/00380/FL      grant with conditions      23 June 1995

Erection of 12 houses in the grounds of Clare House

TM/05/02731/TPOC      Grant With Conditions      11 October 2005

Thin out three Sycamore trees. Retain two Horse Chestnut and two Sycamore trees on boundary removing lower branches to maintain safety of adjacent school grounds and mature Horse Chestnut - raise canopy of tree and reduce and thin by 20% (T.P.O. 12-09-34)

**5. Consultees:**

- 5.1 PC: No objections subject to the views of the neighbours. The design would seem suitable and fits in with the mock Georgian design. Believe there may be a noise issue so can insulation be considered.
- 5.2 East Malling Conservation Group: Notes the site falls within a Conservation Area and close to the listed Clare House. They consider that the angular style of the extension would detract from the Georgian concept of the house. It is considered that the proposal fails to meet the criteria of the original concept of the development in the curtilage of a listed building. It was recommended that permission be refused.
- 5.3 Private Reps: 6/1X/0S/0R plus press and site notices. One letter of representation has been received in respect of the original plans and comments made about the proximity of the extension to the boundary and the stark appearance being visible above an existing fence. There is also concern about noise associated with the use of the games room and adequate sound proofing.

**6. Determining Issues:**

- 6.1 Clare Wood Drive incorporates 12 houses of similar mock Georgian design constructed within the former grounds of the listed building to the south, known as Clare House. The main considerations are the style of the extension having regard to the design of No. 9, the uniform nature of the houses in this cul-de-sac and any impact on the Conservation Area or the setting of Clare House. It is necessary therefore to consider the application in relation to Core Strategy policies CP24 (high standard of design), CP14 (development in the countryside), saved Local Plan policy P4/12 (residential extensions) and paragraphs 131 and 132 of the NPPF are also relevant. It should also be noted that policy SQ3 of the Managing Development and the Environment DPD is applicable. This states that development will not be permitted where it would harm the overall character, integrity or setting of identified Historic Parks and Gardens.

- 6.2 The extension would be slightly unusual in that it would not be attached directly to the original house but would instead be linked to it by a short corridor. The design of the extension has been altered since the plans were originally received in order to achieve a more appropriate design in this location. The design has been simplified with the parapet walls having been deleted and the roof ridge height reduced from 4.9m to 4.6m. The eaves height has been reduced from 3.2m to 2.4m. Given the proposed siting to the side of the house and on a discreet part of the site, I believe that this arrangement would not interfere with the existing symmetry of the house and would not unduly harm the appearance of the property. It is noted that No. 9 has a detached garage building with hipped roof on the north side, having a similar appearance to the proposed extension.
- 6.3 The extension in the revised form is thought to be well designed and will complement the house without detracting from the character of the Conservation Area. The proposal is acceptable in terms of policies CP24 and P4/12.
- 6.4 It is also necessary to consider the proposal in relation to the setting of the listed Clare House, situated approximately 45m away to the south. This large Grade 1 listed property dates from 1793. Examination of the history of the development reveals that the 12 houses within Clare Wood Drive, which were approved in the 1990s, were granted planning permission subject to a S106 Agreement related to funding to restore the listed building. Thus the function of the development in enabling this restoration was part of its original justification.
- 6.5 The house types, architectural features, materials and detailing of the Clare Wood Drive properties were closely researched in collaboration with English Heritage to achieve a style that was appropriate and sensitive to the context of Clare House.
- 6.6 Notwithstanding the background to how the development at Clare Wood Drive came about in the first place, the current proposal stands to be considered afresh and the current policy context, as set out in this report, provides a more than adequate basis for assessment of this application.
- 6.7 The proposed extension would be set within a residential curtilage and would be largely concealed from Clare House by the former garden wall of Clare House. Given this location the proposed addition is unlikely to erode the character of the setting of Clare House. Although the proposal constitutes development within the countryside, it is considered to represent an appropriate addition to an existing property and would not be contrary to policy CP14.
- 6.8 The annex associated with policy SQ3 states that Clare House is set in substantial landscaped parkland from the 18<sup>th</sup> century and is screened by boundary trees which remain mostly intact. The proposed extension, by reason of the boundary wall and tree screen is unlikely to affect the setting or grounds of Clare Park and is therefore in compliance with policy SQ3.

- 6.9 The comments of the neighbour about the height of the addition have been given careful consideration. The revised design with lower ridge height should lessen the impact of the proposal on the amenities of the occupants of the neighbouring property.
- 6.10 Concern has also been expressed about the potential use of the games room and the issue of potential noise nuisance. It is not normal procedure to request sound insulation measures for an extension to a detached house and it is noted that this side garden area could already be used for potentially noisy outdoor games. It is considered unreasonable to request additional sound proofing measures in this instance. It is, however, recommended that a condition is attached stating that the extension is only to be used for purposes incidental to the enjoyment of the dwelling.
- 6.11 It is appreciated that the proposed extension would be visible above the existing fence/hedge along the boundary between the application site and the neighbouring house but this should not be unduly harmful to the outlook or result in unacceptable loss of separation , such as to justify a recommendation for refusal.
- 6.12 It is concluded that the style of the proposed extension will not compromise the appearance of the original design of No. 9, the cul-de-sac in general or the character of the Conservation Area and the Historic Park and Garden. The proposal is also unlikely to cause visual harm to the setting of the nearby listed Clare House.

## **7. Recommendation:**

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Drawing 80934 02A dated 03.06.2013, Design and Access Statement dated 13.04.2013, Drawing 80934 01 dated 07.04.2013, 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 pursuance of Section 91 of the Town and Country Planning Act 1990.

2. All materials used externally shall match those of the existing building.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality and in accordance with paragraphs 17, 57, 58, 61 of the National Planning Policy Framework 2012.

3. 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 side 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 and in accordance with perhaps 17, 57, 58, 61 of the National Planning Policy Framework 2012.

4. The extension hereby approved shall only be used for purposes ordinarily incidental to the enjoyment of the dwelling.

Reason: In the interests of the residential amenities of the occupants of the adjacent property and in accordance with paragraphs 17, 57, 58, 61 of the National Planning Policy Framework 2012.

5. The windows to the front elevation shall be fitted and maintained in a fixed shut position and at no time shall they be altered to become openable windows.

Reason: In the interests of the residential amenities of the occupants of the area and in accordance with paragraphs 17, 57, 58, 61 of the National Planning Policy Framework 2012.

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