

MC/23/2855

Date Received: 22 December 2023
Location: 5 Ranscombe Farm Cottages, Sundridge Hill, Cuxton, Rochester
Proposal: Remodelling of the existing dwelling with construction of a 2-storey side/rear extension; redevelopment of the existing porch; improvements to the existing carport; with associated landscaping - demolition of existing conservatory, pergola, and porch.

Applicant Agent Mr Martin
Architecture 24
Mr Joel Jenkins
5 Ashley Road
Gillingham
Kent
ME8 6TT

Ward: Cuxton, Halling & Riverside
Case Officer: Deinma Anga
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 8th May 2024.

Recommendation - Approval with Conditions

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

23-244_PL03_P4 PROPOSED SITE PLAN AND LOCATION PLAN
23-244_PL04_P6 PROPOSED FLOOR PLANS AND ELEVATIONS
23-244_PL06_P4 EXISTING AND PROPOSED BLOCK PLANS

Received: 19 Mar 2024

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All materials shall match those set out in the Application form received 22 Dec 2023.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), the extension herein approved shall remain in use with the rest of the house as a single family dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use to C4 shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policy BNE2 of the Medway Local Plan 2003.

Proposal

The application seeks planning permission for the remodelling of the existing dwelling with construction of a two-storey side and rear extension. This would involve the use of a slate roof with black painted timber boarding on all elevations, whereas the current property is Kent peg style tiles on the roof and part weatherboarding part red brick elevations. The proposal includes the replacement of the existing porch with a zinc clad porch.

The existing car port would be re-roofed to include a pitched roof to match the dwelling and enclosed along the side elevation (the front and rear would remain open).

The existing conservatory and partially enclosed pergola would be demolished as part of the proposals.

Relevant Planning History

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| MC/06/2170 | Construction of a two-storey rear extension, porch to front, conservatory to side and detached shed to side together with conversion to one 4-bedroomed dwelling (demolition of single storey side additions and chimney).
Decision: Approval with Conditions
Decided: 9 March 2007 |
| MC/22/0297 | Construction of a two-storey side extension, a single storey rear extension, redevelopment of the existing porch, improvements to the existing carport, together with the construction of outbuilding to the rear with associated landscaping - demolition of existing conservatory, pergola, and porch.
Decision: Approval with Conditions
Decided: 9 April 2022 |

Representations

The application has been advertised by individual neighbour notification to the owners and occupiers of neighbouring properties.

2 letters have been received by neighbouring residents in support of the application on the following grounds:

- We will be happy to support this planning application.
- In using the existing building as an example, I am in complete agreement that the proposed expansion of the property will benefit the overall appearance of the Farmstead. Taking into account the proposed outbuilding which will sit in place of a large shed I think is a great idea as it also will tidy up the machinery in view from the main track. Any improvements to the 8 dwellings on the Farm are welcome as the original re-development could have been carried out to a higher standard to highlight the beauty of Ranscombe Farm.

Cuxton Parish Council have objected to the application on the following grounds:

- Increased vehicle movements onto A228 slip road with no traffic controls. The plans could increase the occupancy of the dwelling and there is concern that this could lead to more car movements around the Ranscombe farm entrance, which is an un-controlled slip road that leads directly onto the busy A228.
- The design is not in keeping with the locality. The new design will see the replacement of the traditional Kent peg tiles on the roof and brickwork with slate tiles and further dark wooden panelling, which councillors feel is not in keeping with the locality. Members also asked that the height and ground area of the development be contained so as to avoid overdevelopment.
- Unique - If consent is approved, then Cuxton Parish Council ask that it should be conditional so that it is given to this applicant only, and not linked to the property.

Dickens' Country Protection Society has raised the following concerns:

The Society's view is that the proposed extensions to the property are excessively large in the context of the Greeb Belt and North Downs Area of Outstanding Natural Beauty. The proposed garage/barn is also relatively large and will impact on the openness of the Green Belt. It is suggested if consent is granted, permitted development rights are withdrawn. The Society would suggest that if the garage is permitted it is conditioned to control any conversion to residential use.

Officer Note: The garage/barn referred to was a proposed detached building and has been removed from the application.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this

application have been assessed against the National Planning Policy Framework 2023 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

Planning Appraisal

Background

An application was granted planning permission in 2022 (MC/22/0297) for:

Construction of a two-storey side extension, a single storey rear extension, redevelopment of the existing porch, improvements to the existing carport, together with the construction of outbuilding to the rear with associated landscaping - demolition of existing conservatory, pergola, and porch.

It should therefore be noted that part of this application has already been granted approval historically. The approved proposal under application ref: MC/22/0297, has not yet been implemented by the applicant but is still within the 3-year time limit for implementation and therefore remains extant.

The key assessment is to consider if the additional first floor rear extension would result in any harm to surrounding area.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The bulk of the proposal replaces the existing conservatory and pergola. The key issue that needs to be assessed, relates to the scale of the proposal within the Green Belt. It has been calculated that the proposal retains approx. 86% of the existing curtilage. There is to be a 25% increase in floorspace, which meets the 25% guideline stated within policy BNE25.

The site is also situated within the Metropolitan Green Belt and within the NPPF (December 2023) new buildings are considered to be inappropriate development and therefore harmful in principle to the Green Belt. However, paragraph 154 allows for exceptions to the definition of inappropriate development and these exceptions include:-

- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*

The proposal is predominantly on the existing built footprint of the main dwelling and the additional first-floor rear extension would be deemed to be an extension that would not be disproportionate to the main dwelling. Therefore, the proposal is considered to fall within the exception identified above and therefore not inappropriate development.

The proposed extensions would be modest in the context of the dwelling and its curtilage and therefore would not have a detrimental impact on the openness of the Green Belt.

As part of the original proposal there was a large, detached outbuilding significant in scale and dominance. This element has been removed from the application and is no longer for consideration.

The proposal is deemed to be in accordance with paragraph 154 of the NPPF and policies: BNE25, BNE30, BNE32 and BNE33 of the local plan.

Design

Paragraphs 131 and 135 of the NPPF emphasise the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

The initially approved two-storey side extension, single storey rear extension and single storey outbuilding on the application ref MC/22/0297, was deemed respectful to the character and appearance of the existing dwelling and local area, due to the subservient design.

The proposed extension, as identified above would not be disproportionate in the context of the existing dwelling and would respect the character and scale of the existing dwelling.

The proposed new materials which feature: Black painted timber cladding, slate roof tiles and brickwork plinth references the existing materiality and also would be typical of the rural area. It is noted that the Parish Council consider the loss of the Kent peg tiles a concern. However, it is not considered that the change to slate would result in a change in appearance that would be harmful to the appearance of the dwelling and certainly not one that would warrant refusal.

The removal from the scheme of the large, detached outbuilding has resulted in a significantly reduced built form and on that would not dominate the dwelling or surrounding area.

Overall, the design is considered to be acceptable and compliant with Policy BNE1 of the Local Plan and Paragraphs 131 and 135 of the NPPF.

Amenity

Paragraph 135f of the NPPF states that achieving well-designed places should include creating a high standard of amenity for existing and future users. Policy BNE2 of the Local Plan expects all development to secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties. The design of the development should have regard to privacy, daylight and sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

There are two main amenity considerations, firstly the impact of the proposed dwelling on neighbours and secondly the living conditions which would be created for potential occupants of the development itself. Policy BNE2 of the Local Plan and Paragraph 135f of the NPPF relates to the protection of these amenities.

The additional floor area of the proposed extensions raises concerns of future use due to the additional habitable room (from 4 to 5 bedrooms), the objection comments received from the Parish Council also highlight this concern. However, the increase of one bedroom is not deemed to have a significant impact and a condition is recommended to restrict its C3 to C4 PD rights, to prevent a future change of use without the need for planning permission. The open nature of the car port would mean that the habitable accommodation could not extend into this area.

The proposals, due to the separation distance to the neighbours, the closest being number 7, and the position of the extensions would mean that there would not be a harmful impact on the amenity enjoyed by neighbouring occupiers.

The proposal is deemed to be in accordance with policies BNE2.

Highways

Paragraph 115 of the NPPF states that: 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.

The increase in the size of the property would not result in a demonstrable increase in traffic movements over the existing dwelling. Therefore, there would be no significant impact as a result of the proposed development on parking or highway safety concerns.

In consideration of this, no objection is raised with regards to the objectives of Policies T1 and T13 of the Local Plan and paragraph 115 of the NPPF.

Other Matters

The Parish Council have suggested that the application be conditioned for the benefit of the applicant only. However, planning permissions run with the land and personal conditions are discouraged. The NPPF states (para 56) that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. These are the six tests of a condition.

As it has been identified above the proposed development complies with the relevant policies of the Development Plan (and the material consideration of the NPPF) and therefore, it is not necessary or reasonable (two of the six tests) to restrict the development to the applicant only.

Conclusions and Reasons for Approval

In conclusion, the proposed additional first floor rear extension, would not detract from the overall character and appearance of the host dwelling or wider area. Likewise, there would be no detrimental impacts in terms of the countryside location, inclusive of the Kent Downs AONB and Kent Downs SLA and the openness of the Metropolitan Green Belt. The proposal would therefore be in accordance with Policies: BNE1, BNE2, BNE25, BNE30, BNE32, and BNE33 of the Medway Local Plan 2003 and paragraphs 115,131, 135, 154 of the NPPF (*Dec 2023*).

The application is being referred to Committee for a determination, due to the objection received by Cuxton Parish Council, expressing a view contrary to the recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>