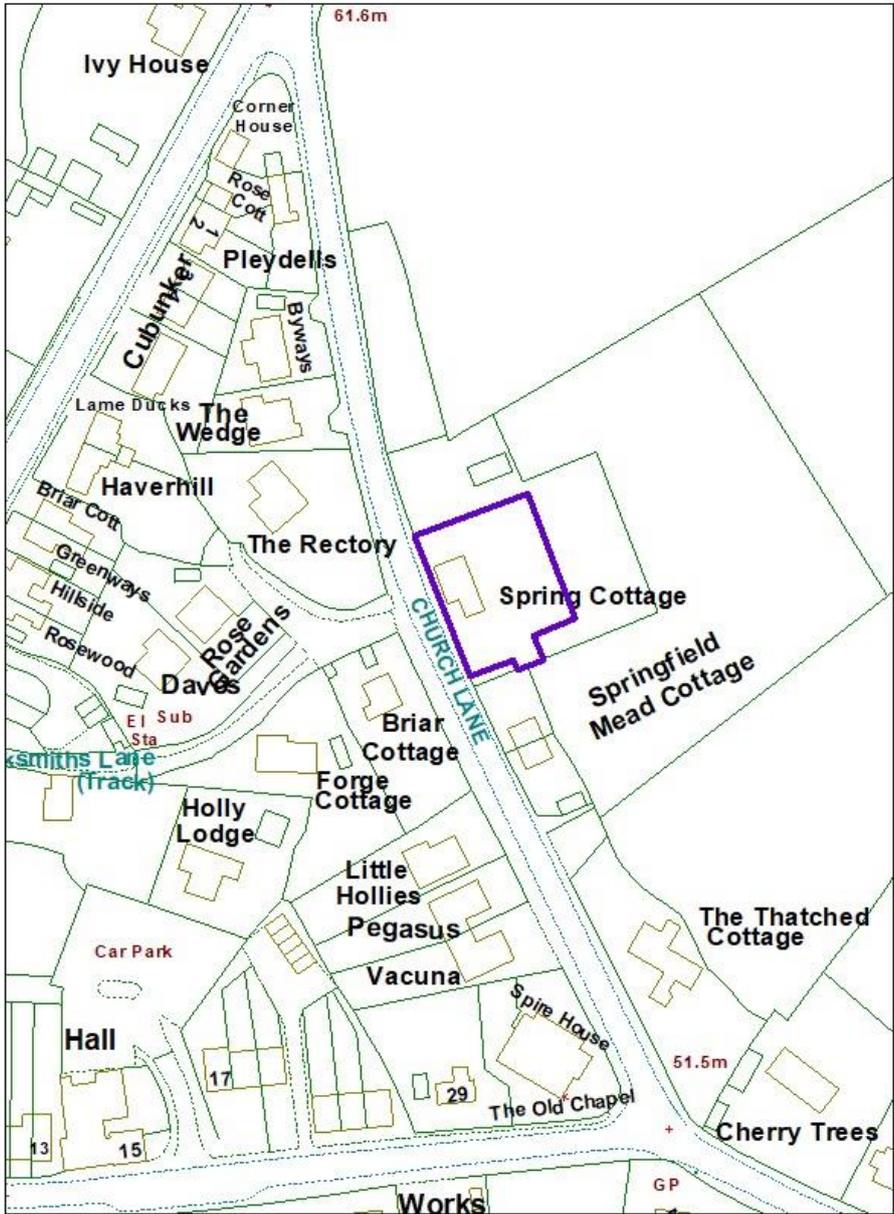


|                |                             |
|----------------|-----------------------------|
| SITE PLAN      | CATSFIELD                   |
| RR/2019/1955/P | Spring Cottage, Church Lane |



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## Rother District Council

Report to - Planning Committee  
Date - 17 December 2019  
Report of the - Executive Director  
Subject - Application RR/2019/1955/P  
Address - Spring Cottage, Church Lane, CATSFIELD  
Proposal - Proposed two bay garage and ancillary garden room accommodation.

[View application/correspondence](#)

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**RECOMMENDATION:** It be **RESOLVED** to **GRANT (FULL PLANNING)**

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**Head of Service: Tim Hickling**

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**Applicant:** Mr S. Lavocah  
**Agent:** Baker Architectural Limited  
**Case Officer:** Mr M. Cathcart  
Email: [mark.cathcart@rother.gov.uk](mailto:mark.cathcart@rother.gov.uk)  
**Parish:** CATSFIELD  
**Ward Member:** Councillor G.C. Curtis

**Reason for Committee consideration:** The applicant is a member of staff.

**Statutory 8 week date:** 23 October 2019  
**Extension of time agreed to:** 20 December 2019

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This application is included in the Committee site inspection list.

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### 1.0 SUMMMARY

1.1 The application as originally submitted has been amended. It was originally for a two storey extension attached to the rear corner of the detached dwelling. It is now for a freestanding two storey building set apart, and positioned slightly behind the rear building line of the dwelling. The roof design has also been amended. The scale, form, proportions, and the development are generally in keeping with the existing building and it is not considered that development would be harmful to the character and appearance of the existing dwelling and its setting in the street-scene, so as to justify a refusal of planning permission.

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## **2.0 SITE**

- 2.1 Spring Cottage is a detached two storey dwelling (incorporating rendered grey walls and a slate roof) fronting the eastern side of Church Lane. The house and immediate garden are located within the development boundary for Catsfield. Whilst the house and its parking spaces at the side sit at road level, the land to the rear of the property rises above road level.
- 2.2 Planning permission has recently been granted for a new detached dwelling in the side garden of Spring Cottage; however, this has not been implemented to date.
- 2.3 The application site falls just outside the designated High Weald Area of Outstanding Natural Beauty (AONB), which closely abuts the rear boundary of the site. It washes over the fields beyond.
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## **3.0 PROPOSAL**

- 3.1 The proposal is a two storey development (5.5 x 6.5m). The drawings show two garage spaces on the ground floor with the ancillary garden room at first floor above. The development is indicated as being cut-into the higher ground at the rear of the property and the access door to the garden room above corresponds to the higher ground level.
- 3.2 The position of the development is shown to the northern side of the house and set back (by about 1.5m) behind the rear building line.
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## **4.0 HISTORY**

- 4.1 The following recent application relates to proposals to erect a separate dwelling in the side garden:
- 4.1.1 RR/2018/2491/P Erection of 1 No. detached dwelling. Also, formation of vehicular field access. Approved conditional – not implemented.
- 4.1.2 RR/2018/2491/P Erection of 1 No. detached dwelling. Also, formation of vehicular field access. Approved conditional – not implemented.
- 4.1.3 RR/2019/1672/P Proposed new detached dwelling – alternative to RR/2018/2491/P. Approved conditional – not implemented.
- 

## **5.0 POLICIES**

- 5.1 The following ‘saved’ policy of the adopted [Rother District Local Plan 2006](#) is relevant to the proposal:
- HG8: Extensions to existing dwellings

5.2 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:

- OSS4: General development considerations
- RA1: Villages
- EN3: Design quality
- TR3: Access and new development
- TR4: Car parking

5.3 The following policy of the emerging [Development and Site Allocations Local Plan](#) (DaSA) which with main modifications has been found sound by the Inspector (on 5 November 2019) and can now proceed to adoption, is relevant to the proposal:

- DHG9: Extensions, Alterations and Outbuildings

5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.

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## 6.0 CONSULTATIONS

### 6.1 Planning Notice

6.1.1 No comments received.

6.2 Parish Council – **OBJECTION** in respect of the originally submitted scheme on the following grounds:

6.2.1 *“Objects to the planning application, because due to the proposed new building next door, this application fundamentally alters the visual character of the street as there will be too many buildings close together. Furthermore, this application for a two storey building is not in-keeping with the area.”*

6.2.2 The Parish Council has been re-consulted on the amended scheme. Any subsequent comments that are received will be reported.

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## 7.0 LOCAL FINANCE CONSIDERATIONS

7.1 The proposal is for a type of development that is not Community Infrastructure Levy (CIL) liable.

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## 8.0 APPRAISAL

8.1 The main considerations are the impact of the proposed extension on the character and appearance of the existing dwelling and the immediate locality.

8.2 The application relates to a detached property, whose form and proportions has retained some of its period character. It sits in a prominent location fronting Church Lane within the village of Catsfield. On each side of Church Lane is a loosely knit collection of older and newer properties in assorted

garden plots of various sizes. Overall, however, it appears as an informal and attractive rural village street.

### 8.3 Policy Background

8.3.1 The requirement of achieving well-designed places is set out in the National Planning Policy Framework and at Section 12 this recognises that, ‘the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. This is reflected in the Council’s Core Strategy at Policy EN3: Design Quality; and supported by the ‘Key Design Principles’ set out in Appendix 4, which, as part of the development plan is a material planning consideration.

8.3.2 Policy OSS4 (iii) of the Core Strategy requires all development to respect and not detract from the character and appearance of the locality. In relation to development in the villages Policy RA1 (i) requires that the design of new development will be expected to provide a high quality response to local context and landscape.

8.3.3 The Council’s development plan policies in relation to design include policies designed specifically to ensure that extensions to existing dwellings are sympathetically designed so as to be in character. ‘Saved’ Policy HG8 of the Local Plan (2006) requires that proposals to extend or alter an existing dwelling will be permitted where they are in keeping with the character of the existing dwelling and its surroundings in terms of its size, style, design and materials.

8.3.4 This is reflected in Policy DHG9 of the emerging DaSA, which now carries weight in planning decisions, and states that extensions are required to respect and respond positively to the scale, form, proportions, materials, details and the overall design, character and appearance of the dwelling; and are physically and visually subservient to the building, including its roof form.

### 8.4 The Proposed Extension

8.4.1 The originally submitted scheme proposed a two-storey structure with a gabled roof, attached to the corner of the existing dwelling – it was considered that the two closely linked elements, particular the respective roof forms, resulted in a visually awkward form of development that did not respond positively to, the scale, form, proportions, and the overall character and appearance of the existing dwelling. It was clearly contrary to the aforementioned policies.

8.4.2 The amended plans still show a two storey development of similar footprint but the position is now set further back (into a bank) so as to stand separate from the dwelling and the re-designed roof is now shown hipped (similarly to Spring Cottage). This has improved the visually awkward relationship between the two roof styles.

8.4.3 The comments of the Parish Council have been noted; whilst it is reasonable to view the proposed development in the context of the proposed new dwelling that has been granted planning permission in the adjacent side garden (not yet implemented) and in this regard the proposal would sit between Spring Cottage and the new dwelling resulting in a closely knit

cluster of buildings, it would be set back some considerable way behind the front building line. The pattern of existing development in the locality is varied and comprises an assortment of different style properties. As such, the proposed development here would not be particularly out of character or detrimental to the street scene and it is not considered that a refusal of planning permission could be reasonable sustained on the grounds raised by the Parish Council.

- 8.4.4 Finally, clarification has been requested as to why the plans are shown to include a bathroom and a kitchenette within the upper floor (split-level) garden room; in response, it is explained that the Applicant would wish to use it as a garden/games room, including for various family type garden events like barbecue in summer; and this way a large amount of people would not have to be in the main house; additionally, it is explained, in future it could possibly be used as a home office/study.

## **9.0 PLANNING BALANCE AND CONCLUSION**

- 9.1 The principal issue for consideration is the design of the proposed new development in relation to the existing dwelling. The National Planning Policy Framework recognises that good design is fundamental to what the planning and development process should be aiming to achieve and it recognises that good design is a key aspect of sustainable development. The application has been amended in respect of the design of the proposed development. It is considered that the scale, form, massing, and proportions of the proposed development would be acceptable in this location, as would the visual relationship with the existing house and the street scene.

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## **RECOMMENDATION: GRANT (FULL PLANNING)**

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### **CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Existing site location and block plan: Drawing No. BA 1939.01  
Proposed site block plan: Drawing No. BA 1939.04 revision A  
Works: proposed plans and elevations: Drawing No. BA 1939.07  
Works: proposed elevations section and levels: Drawing No. BA 1939.08  
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.
3. The materials to be used in the construction of the external surfaces of the building hereby permitted shall match in materials, colour and texture those used in the existing building unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain the characteristics of the existing building, ensure that the development is in character with its surroundings, and to maintain the visual amenities of the surrounding area, in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting this Order with or without modification), the garages hereby approved shall be retained for such use in association with the occupation of Spring Cottage and shall not be altered internally or externally.

Reason: To ensure a satisfactory level of off-road parking facilities so as not to prejudice the free flow of traffic and conditions of general safety along the highway and to accord with Policy TR4 of the Rother Local Plan Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting this Order with or without modification), the first floor garden room hereby approved shall only be used as a garden room or for a purpose incidental to the occupation of the main dwelling and it shall not be occupied as primary accommodation.

Reason: The site lacks sufficient amenity space and services (e.g. parking, turning) to accommodate a second self-contained unit of accommodation contrary to the provisions of Policy OSS4 and TR4 of the Rother Local Plan Core Strategy.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.