

<b>2.3 &amp; 2.4 REFERENCE NO - 16/507616/FULL &amp; 16/507617/LBC</b>			
<b>APPLICATION PROPOSAL</b> Construction of an Orangery.			
<b>ADDRESS</b> Old Rectory Frinsted Road Milstead ME9 0SA			
<b>RECOMMENDATION – Approve</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> Proposed development would not give rise to unacceptable harm to the special interest of the listed building or the character of the conservation area.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council objection			
<b>WARD</b> West Downs	<b>PARISH/TOWN COUNCIL</b> Milstead	<b>APPLICANT</b> Mrs J Gale <b>AGENT</b> E P Architects Ltd	
<b>DECISION DUE DATE</b> 28/12/16	<b>PUBLICITY EXPIRY DATE</b> 09/12/16		
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
16/506650/FULL	Construction of orangery	WITHDRAWN	27.09.16
16/506651/LBC	Listed Building Consent for the construction of an orangery	WITHDRAWN	27.09.16
SW/98/0310	Replacing the tarmac drive with garden terrace and resurfacing of track to serve stables	GRANTED	15.06.98
SW/97/1074	Listed Building Consent for alterations to insert French doors to kitchen and new detached double garage and associated external works	GRANTED	20.02.98
SW/97/1073	Alterations to insert French doors to kitchen and new detached double garage and associated external works	GRANTED	20.02.98
SW/94/1130	Stables	GRANTED	17.02.95
SW/94/0357	Change of use of land for extension of churchyard to provide Christian burials	GRANTED	17.06.94
SW/06/1022	Extension of rear single storey room including reforming of existing roof and new walls, floor, glazing and joinery. Pursuant to approval SW/06/0709 (Case 11753) (Partial demolition)	GRANTED	11.10.06
SW/06/0709	Part demolition of roof of rear single storey room and extension of room with new roof and glazing	GRANTED	08.08.06

## **1.0 DESCRIPTION OF SITE**

- 1.01 The Old Rectory is a grade II listed 19<sup>th</sup> century building located within the Milstead conservation area and the Kent Downs Area of Outstanding Natural Beauty.
- 1.02 The two storey listed building is constructed of painted brick walls with a slate roof, hipped ends and 3 chimney stacks to the rear. The windows are four glazing bar sashes with shutters on the first floor. Windows to the ground floor have gauged heads and blind hoods. There are two traceried French Doors to the centre front under a wrought iron veranda set on 4 trellised piers with a pierced floriated frieze.
- 1.03 The application site lies to the north west of the church in Milstead village. A drive leads from the main road to the house. The property is situated in a site of approximately 6.95 hectares.
- 1.04 The application site is located within the countryside as defined in the Swale Borough Local Plan 2008.

## **2.0 PROPOSAL**

- 2.01 These applications seek planning permission and listed building consent to construct an orangery to the western rear corner of the building. A small scale re-entrant type visual break with the use of full height fixed glazed windows each side would be created between the orangery and the north-west wall of the south-west side wing of the main house.
- 2.02 The orangery will be single storey and constructed of painted and rendered masonry to match the existing walls; sash windows and doors will be painted timber to also match the existing. The orangery would measure 7.2m wide, 4.1m in depth and 5m in height and would be detached from the existing building
- 2.03 The existing window to the study will be removed and the opening enlarged to provide internal access into the proposed orangery. External doors from the orangery will lead down steps into both the formal garden and the side lawn. A new gate will be formed in the garden wall to provide access into the formal garden from the side lawn.
- 2.04 The applicant withdrew the previous applications (16/506650/FULL & 16/506651/LBC) after concerns were raised with the way the orangery attached itself to the central storage building across the yard and the connection to the end elevation, failing to create a balanced composition. The current scheme does not connect to the outbuilding.
- 2.05 A site meeting was subsequently held with the applicant/agent for the construction of an orangery and various changes to the form of the new building and the overall design was discussed in depth. As a result a drawing was submitted in advance for assessment and apart from one or two small details, the scheme was considered by the design and conservation unit as significantly improved over the failed one to merit support of it. The applicant also provided an original drawing of the building dating back to 1912 which clearly illustrated how the building forms and its initial form had evolved up to that time.

### 3.0 PLANNING CONSTRAINTS

Area of Outstanding Natural Beauty KENT DOWNS

Potential Archaeological Importance

Conservation Area Milstead

Listed Buildings MBC and SBC Ref Number: 507/SW

Description: G II OLD RECTORY, FRINSTED ROAD, MILSTEAD, SITTINGBOURNE, ME

### 4.0 POLICY AND OTHER CONSIDERATIONS

4.01 Swale Borough Local Plan 2008: Saved policies E1 (General Development Criteria) E6 (The Countryside) E9 (Landscape) E14 (Listed Buildings) E15 (Conservation Area) E19 (Design Criteria) E24 (Extensions & Alterations) RC4 (Extensions to, and replacement of, dwellings in the rural area) of the Swale Borough Local Plan 2008.

4.02 DM11, DM14 and DM16 of The Swale Borough local Plan Proposed Main Modifications June 2016

4.03 Supplementary Planning Documents: Supplementary Planning Guidance entitled “*Designing an Extension – A Guide for Householders*” and “*Conservation Areas*”.

### 5.0 LOCAL REPRESENTATIONS

5.01 I received one letter neither objecting to nor supporting the application:

- The size of the orangery appears large if it is to be used purely for personal use
- There is already a garden room which provides views and access to the formal garden
- The orangery would detract from the character of the property and the original listing of the building

### 6.0 CONSULTATIONS

6.01 Milstead Parish Council raised concerns, saying;

*“Milstead Parish Council still have concerns with this application. The Rectory is listed and the outside is typical of its time and this new proposed building would be detrimental to its heritage. The size of the Orangery is a major concern with the effect that it would have on the existing property and immediate garden space plus we also believe this proposed courtyard would be devoid of sunlight?”.*

*The garden room was only recently extended to provide a view and access to the formal garden and a gate in the side wall to give access to the side lawn. This much larger extension would detract and significantly alter the Rectory design and before long destroy the reasons for its listing originally.*

*The design is sympathetic but will completely change the character of the Rectory and its heritage will be lost. We do not want to see that happen.”*

## **7.0 BACKGROUND PAPERS AND PLANS**

- 7.01 Application papers and drawings referring to application reference 16/507616/FULL and 16/507617/LBC.

## **8.0 APPRAISAL**

- 8.01 The main issues to be considered in this application are the impact of the proposed orangery on the character and appearance of the listed building and the countryside, the impact on the character of the conservation area and setting of the nearby listed building. The Council's prime consideration is its statutory duty under the Act to have special regard to the desirability of preserving this heritage asset. There is also the question of design given the Council's established policy on new developments particularly those affecting the historic environment to be of a high standard befitting the special interests of that environment.

### **Impact on the character and appearance of the listed building and conservation area**

- 8.02 In September of this year, the previous scheme (16/506650/FULL & 16/506651/LBC) was withdrawn after the proposal was recommended for refusal. While supportive of the principle of an Orangery, the size and design, especially the way that the scheme enclosed a rear service courtyard and connected the new extension to an existing building was in need of further design consideration.
- 8.03 This listed building is one of significance in that the original building with its symmetrical double fronted appearance is a fine example of a regency style. The building is also in the centre of the village of Milstead and a focal point building not too far away from the listed church of St Mary to the south east which gives its setting significance.
- 8.04 However the rear of the building has over the years been seriously altered and architecturally is not particularly distinctive. Nevertheless there is a general evolved order to the way the plan form of the original house has been extended and a more recent single storey extension approved in 2006 extended the rear north-east cross wing to provide a garden room and playroom. At an earlier time the cross wing of the original house on the south-west side was extended to the rear formal garden area and this created an irregularly shaped overall plan form for the building. Architecturally the elevations of the rear and side of this evolved building are not particularly attractive so the idea of a further extension could enhance the existing situation as indeed has the purposely architecturally modelled single storey extension on the north-east rear wing. I now consider that the proposed orangery will be a positive contribution to the whole building that will enliven a very bland and uninspiring elevation.
- 8.05 The original drawing dating back to 1912 indicates that the existing study was built to provide a servants' wing and was enclosed by a large rear yard. The north-north-east yard wall was positioned just short of the east wing of the building. At a later time the existing central building in the yard was constructed and it is a somewhat cluttered arrangement and not at all sympathetic to the building's character and appearance across the whole of the rear building arrangement. In recent times there was an extension to the eastern wing as a family children's play room area but this is set back from the general building line across the rear so will not be seen as an extension that should inform the design of the new proposal.

- 8.06 Initially there was concern about the orangery extending beyond the side external walls of the servants' wing, but after agreeing with the architect that if this was essential in order to achieve a more dominant end to the wing (which is rather bland in appearance and lacks a concluding element at the walled garden area at the north-west end of the site) then at least there should be a small re-entrant setback detail separating the orangery element from the wing at the connection point. I am satisfied that the new design is an enhancing addition to the building and will allow the internal functions of the ground floor plan layout to be more in line with twenty-first century living.
- 8.07 Overall I am of the opinion that the proposed orangery will liven up the south-west elevation and to a large extent create a building element that will aesthetically challenge the current awkward form and positioning of the tall thinly proportioned two storey yard building.

## 9.0 CONCLUSION

- 9.01 I therefore consider that the proposal is acceptable in terms of impact upon the landscape character, the conservation area and within the setting of the adjacent listed building. I therefore recommend, subject to conditions, that planning permission and listed building consent is granted.

## 10.0 RECOMMENDATION – GRANT Subject to the following conditions:

### CONDITIONS

#### 16/507616/FULL

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which permission is granted.

Reasons: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby approved shall be carried out in accordance with the following approved drawings:

Proposed plan & elevations: Drawing No: 1716.P.101 Rev A

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

- (3) Prior to the commencement of development hereby approved, detailed drawings of all new joinery work and fittings at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority, together with sections through glazing bars, frames and mouldings. Works shall proceed in accordance with the approved details.

Reasons: In the interests of preserving or enhancing the character and appearance of the conservation area and to ensure that these details are approved before works commence.

- (4) Prior to the commencement of development hereby approved, construction details of the orangery including the new opening and the proposed external steps and supporting walls and structures at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved details.

Reasons: In the interests of preserving or enhancing the character and appearance of the conservation area and to ensure that these details are approved before works commence.

- (5) Prior to the commencement of development hereby approved, detailed drawings of the glazed lantern light shall be submitted to and approved in writing by the Local Planning Authority. Works shall proceed in accordance with the approved details.

Reasons: In the interests of preserving or enhancing the character and appearance of the conservation area and to ensure that these details are approved before works commence.

### **Council's approach to the application**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required.

### **CONDITIONS**

#### **16/507617/LBC**

- (1) The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Reasons: In the interest of the special architectural or historic interest of the listed building.

- (3) Prior to the commencement of development hereby approved, detailed drawings of all new joinery work and fittings at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority, together with sections through glazing bars, frames and mouldings. Works shall proceed in accordance with the approved details.

Reasons: In the interest of the special architectural or historic interest of the listed building.

- (4) Prior to the commencement of development hereby approved, construction details of the orangery including the new opening and the proposed external steps and supporting walls and structures at a scale of 1:20 shall be submitted to and approved in

writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved details.

Reasons: In the interest of the special architectural or historic interest of the listed building.

- (5) Prior to the commencement of development hereby approved, detailed drawings of the glazed lantern light shall be submitted to and approved in writing by the Local Planning Authority. Works shall proceed in accordance with the approved details.

Reasons: In the interest of the special architectural or historic interest of the listed building.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.