

A12

F/TH/13/0909

PROPOSAL: Change of use of two agricultural buildings to 5No. dwellings, together with the erection of new roofs, the insertion of windows and doors, and formation of hardstandings

LOCATION: VINCENT FARM, VINCENT FARM MEWS, MARGATE, CT9 4GS

WARD: Thanet Villages

AGENT: John Elvidge Planning Consultancy

APPLICANT: Ms Lear

RECOMMENDATION: **Approve**

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.

GROUND:

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 proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 02/44/2013 Rev A, 08/44/2013 Rev A, 06/44/2013 Rev A, 07/44/2013 Rev A, and 05/44/2013 Rev A, received 12 December 2014.

GROUND:

To secure the proper development of the area.

- 3 Prior to the commencement of development hereby permitted, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be

undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development hereby permitted shall be implemented in accordance with the approved details.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the National Planning Policy Framework.

- 4 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the National Planning Policy Framework.

- 5 In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the National Planning Policy Framework.

- 6 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be

given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the National Planning Policy Framework.

- 7 The repairs to, and the refurbishment of, the buildings shall be carried out in accordance with the structural appraisal report, submitted 23 January 2014.

GROUND:

To ensure the conversion of the buildings, in accordance with Para 55 of the NPPF.

- 8 No development shall take place (including any ground works, site clearance) until a precautionary mitigation strategy for bats, produced by an experienced ecologist, has been submitted to and approved in writing by the local planning authority. The content of the precautionary mitigation strategy shall include the:
- a) Purpose and objectives for the proposed works:
 - b) Detailed working method(s) necessary to achieve stated objectives
 - c) Extent and location of proposed works shown on appropriate scale maps and plans;
 - d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - e) Persons responsible for implementing the works;

The works shall be carried out strictly in accordance with the approved details.

GROUND:

In order to safeguard protected species that may be present within or adjacent to the building in accordance with the National Planning Policy Framework.

- 9 The materials to be used in the construction of the external surfaces of the development hereby permitted shall include timber doors and windows, natural slate roof, yellow stock brickwork, and timber boarding, in accordance with the submitted application form.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 10 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority.

Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 11 Prior to the first occupation or use of the development, the area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety

- 12 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:
- species, size and location of new trees, shrubs, hedges and grassed areas to be planted
 - the treatment proposed for all hard surfaced areas beyond the limits of the highway
 - walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan.

- 13 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan.

- 14 Prior to the commencement of the development hereby approved joinery details including sections through glazing bars, frames and mouldings at a scale of 1:5 of all new external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a non-designated heritage asset in accordance with the National Planning Policy Framework.

- 15 The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the property as a non-designated heritage asset in accordance with the National Planning Policy Framework.

- 16 No further alterations to the building, or the erection of garden buildings or the installation of satellite antennae, or erection of boundary or internal fences or means of enclosure, whether approved by Classes A, B, C, D, E or H of Part One or Class A of Part Two of Schedule 2 to the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

- 17 Prior to the commencement of development, details of parking facilities to be provided for site personnel and visitors, shall be submitted to and approved in writing by the Local Planning Authority. The parking facilities shall be provided in accordance with the approved details, and shall remain in place for the duration of construction.

GROUND:

In the interests of highway safety.

Informative

Preliminary Risk Assessments

The applicant should provide sufficient information to satisfactorily demonstrate to the local planning authority that the risks to Controlled Waters are fully assessed and understood and can be addressed through appropriate measures. These should include, as a minimum, a preliminary risk assessment that identifies all historic and current uses with the potential to contaminate and to determine whether additional, intrusive investigation may be required.

We recommend that developers should:

1. Follow the risk management framework provided in the Contaminated Land Report 11(CLR11), Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for

the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3. Refer to our website at www.environment-agency.gov.uk for more information.

SITE, LOCATION AND DESCRIPTION

The site is located outside of the urban confines, within the countryside. It is on the corner of Vincent Road and Manston Road, with the application site accessed from Vincent Farm Mews, a road leading off from Vincent Road. The application site is located centrally within an existing housing settlement, with 13no. dwellings surrounding the application site. The dwellings are terraced and 2-storey in height, and all front the application site. The application site consists of two redundant agricultural buildings with an open grassed space in between. One of the buildings (Building 1) is single storey and brick built, and adjacent to the western boundary of the site. The other building (Building 2) is also single storey, although it consists of two elements, with the northern part of the building brick built and low level with a lean to roof, and the southern part of the building higher in level, with a pitched roof and timber clad.

RELEVANT PLANNING HISTORY

F/TH/01/0292 - Conversion and alterations to existing farm buildings to create 10no. dwellings with associated access and external works - Granted 02/01/02

F/TH/01/0747 - Erection of detached dwellinghouse with attached double garage, for livery manager - Refused 01/10/01. Dismissed at appeal - 30/05/02

F/TH/04/1271 - Erection of attached 4 bedrooomed chalet style dwelling amendment to design of proposed units 3, 4 and 5 approved under previous planning permission ref F/TH/01/0292 for the provision of front gables, together with extension to previously approved garage block to provide additional garage space - Granted - 21/07/05

F/TH/07/0674 - Conversion of former agricultural buildings and existing farmhouse to 7no. dwellings, together with erection of 3no. car ports and associated parking and landscaping - Refused - 24/07/07. The reasons for refusal were:

The site is outside the confines of any settlement on land that is not previously developed and, as such, represents an unsustainable and inappropriate form of development within the open countryside, detrimental to the amenities of the rural location, and in the opinion of the District Planning Authority there are no circumstances which justify the granting of permission in this case. As such, the proposal is contrary to policies SP1, SS8, HP2, HP5, EN1 and TP3 of the Kent and Medway Structure Plan and policies H1, H4, CC1, R1, TR1, TR11, TR12 and D1 of the Thanet Local Plan.

The application was dismissed at appeal on the 21/08/08. The Inspector doubted whether the buildings could be converted in their current state, and raised serious concerns with the unsustainable location of the proposed development.

F/TH/07/1528 - Change of use of dwelling to 2no. dwellings together with 2no. garages - Granted - 16/01/08.

PROPOSED DEVELOPMENT

The proposal is to convert Building 1 into 2no. 3-bed dwellings, and Building 2 into 2no. 3-bed dwellings and 1no. 1-bed dwelling. Each dwelling will be provided with a small area of open garden space to the front of their property, and 2no parking spaces, which will be provided partly within the courtyard area and partly to the side of the development.

The proposal to convert Building 1 into 2no. dwellings will result in minor external alterations, including the removal of 2no. windows and one door, and it's replacement with pairs of French doors in the inward facing south east elevation, and the insertion of a new pair of doors within the south-west side elevation. Other than this all works will involve the refurbishing of the existing building.

Building 2 (northern section) is proposed to have the most extensive external works, with the inward facing wall being increased in height, the construction of a new pitched roof with veluxes, and the insertion of five new window openings. The existing opening is to be infilled with new doors and cladding.

Building 2 (southern section) will be subject to minor alterations, including the insertion of a new first floor window in the gable end and velux windows in the roof.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

CC1 - Countryside

H1 - Housing

D1 - Design

D2 - Landscaping

SR5 - Doorstep playspace

NOTIFICATIONS

Neighbours have been notified, and a site notice posted. One letter of support and two petitions (with 24 signatures) which are in support of the development of the site have been submitted. The main reasons for supporting the development include:

- site is an eyesore,
- health and safety risk to children,
- concerned about building materials blowing off the buildings in high winds

CONSULTATIONS

KCC Highways - No concerns with the number of parking spaces proposed. Tandem spaces are not ideal, but given the space constraints I don't think that they will be objectionable in this case. The access layout is all very constrained, however, with the two spaces per dwelling as suggested below, I don't think that this proposal will have a significant impact on access. In terms of transportation, this site is not particularly sustainable, as such the majority of the trips to and from the development are likely to be by private vehicles, however it appears that the principle of development has been tested at appeal in the past (albeit before the NPPF) therefore on that basis I don't think that we would sustain an objection given the precedence that has already been set. Cycle parking should be provided on a basis of one space per bedroom (for each dwelling).

Southern Water - There are no public foul and surface water sewers in the vicinity of the site. The applicant is advised to examine alternative means of foul and surface water disposal.

Heritage Advisor - Building 1 is a distinctive feature in the local landscape - an 'undesigned heritage asset'. All three structures I suggest are still in a stable enough condition to be converted and they are part of the layout of the historic farm.

Building Control Surveyor - I've not visited since early last year but I have passed the properties on several occasions and despite the continuous weather damage, I would generally agree with the contents of the structural survey report.

However, conversion would not be easy as it is likely that all the roof structures would need complete replacement having been left exposed for so long and although the report suggests that the walls are sound, I doubt they have adequate foundations which would mean that the walls therefore require underpinning.

Natural England - No objections

KCC Biodiversity - From the photos it appears that the remaining building is in a very bad state of repair and has a hole in the roof – as such there is a low potential of the inside of the building being used by roosting bats such as long eared bats. The building is covered in weather boarding so there is potential that bats may occasionally roost under the weather boarding. As there is limited connectivity to the site I'd recommend, if you are proposing to grant planning permission, that there is a need for a precautionary mitigation approach to be carried out when the buildings are demolished. Details of the precautionary mitigation approach must be produced and submitted for comments as a condition of planning permission.

Manston Kent International Airport - No objections.

COMMENTS

This application has been brought to planning committee as it is a departure from Policy CC1 of the Thanet Local Plan.

Principle of Development

The site is located within the countryside, outside of the urban confines. The proposal is to convert the existing two buildings from an agricultural use to a residential use, to create 5 no. dwellings. Para 55 of the National Planning Policy Framework states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances, such as where development would represent the optimal viable use of a heritage asset, or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. Para 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy CC1 of the Thanet Local Plan states that new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside.

A similar scheme to that proposed has previously been refused by Thanet District Council, and the decision was upheld by the Inspectorate in 2008. The Inspector doubted whether the buildings could be converted in their current state, and raised serious concerns with

the unsustainable location of the proposed development, in that there are no local services in the immediate locality, the site is not served by public transport, the local roads are not provided with footways, and although it would be possible to cycle to Westwood Cross, there are no specific facilities for cyclists and the road is relatively narrow. Current NPPF guidance broadens considerations of sustainable development, requiring the consideration of the acceptability of the location, but also looking at the desirability of reusing existing buildings and retaining heritage assets.

The application site falls within the countryside, where the Council would generally seek to avoid new development. The application is for the conversion of 2no. existing redundant agricultural buildings to create 5no. dwellings, and the Council's Heritage Advisor has commented that Building 1 is a distinctive feature in the local landscape - an 'undesigned heritage asset', and that all three structures are part of the layout of the historic farm. Para 131 of the NPPF states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. It is considered that a residential use is likely to be the optimal viable use of these buildings, as a commercial use is unlikely to be compatible with the surrounding residential use. The proposal will see the redundant non-designated heritage assets being brought back into use, which will make a contribution to sustainability through the saving and re-use of building materials, and support the retention and enhancement of a heritage asset. The principle of conversion therefore accords with the NPPF to that extent, and consideration will also need to be given to the degree of impact on the countryside, and whether or not the proposal as a whole constitutes sustainable development.

- Ability to Convert

In determining this application, consideration will need to be given as to whether the conversion of the buildings is possible.

A similar scheme to that proposed has previously been refused by Thanet District Council, and the decision was upheld by the Inspectorate in 2008, with the Inspector doubting whether the buildings could be converted in their current state.

A structural appraisal has been submitted in support of the application. It states that Building 1 was previously used as a cow house, and whilst the roof has been completely removed leaving just the main timber trusses standing, which are showing signs of deterioration, the walls to the sides and gable ends appear to be in relatively good condition. The proposal to convert the building into 2no. dwellings will result in only minor external alterations to the walls, with the main works being the refurbishment of the existing building, including its replacement roof. Building 2 is set further back into the site. The northern section of Building 2 was previously used as a shelter shed, and whilst the secondary roof members will need to be fully replaced, and some repairs may be needed to some of the primary roof beams, the walls will need little attention. The southern section of Building 2 was previously used as a granary, and the timber frame to this building may need some local repairs, particularly where there is a hole in the roof. The structural appraisal concludes that the three buildings are similar in that they may all be repaired and improved in order to form the dwellings, therefore suggesting that a conversion of the buildings is possible.

Thanet Council's Heritage Advisor has commented that he would suggest that all three structures are still in a stable enough condition to be converted, and the Council's Building Control Surveyor has commented that he would generally agree with the contents of the

structural survey report, however, he has advised that the conversion would not be easy as it is likely that all the roof structures would need complete replacement having been left exposed for so long and although the report suggests that the walls are sound, he doubts that they have adequate foundations which would mean that the walls would need underpinning. The agent has advised that the buildings will not be underpinned, but instead new internal walls are to be constructed within the buildings in order to support the first floor accommodation, whilst also providing necessary insulation.

Based on the advice received, it would therefore appear that the works proposed can be considered as a conversion, and therefore can be considered under paragraph 55 of the NPPF.

Impact on Character of Area

The proposal is to convert the existing buildings on the site to residential use, so the external alterations to the buildings consist mainly of the insertion of new windows and doors, and replacement of roofs. Building 1 is located adjacent to Manston Road. The elevation facing the road will not be altered, and the new roof is of the same height and design as the original roof. The only minor alteration proposed that would be visible from the road is the insertion of a new door in the southern side elevation. Building 2 is set further back into the site, although part of the building is still visible from Manston Road. Development of the southern part of Building 2 will again involve only minor alterations, including the insertion of new window openings. The most extensive works are to the northern section of Building 2, which include the increase in height of the western wall by 0.5m and the creation of a new pitched roof, which is 2.1m higher than the existing roof. The agent has submitted evidence to attempt to show that the original roof to the building was initially much higher than that now existing. The photo evidence shows a patch of alternative brick work on the side elevation of the Granary, which indicates that the front wall was originally higher and the roof was originally pitched, and as such there is arguably some historical significance to increasing the height of the building.

The courtyard area will consist of soft landscaping to the front of the dwellings, and an area between the soft landscaping of loose gravel, which will accommodate car parking. Car parking is also proposed to the side of the development. Full landscaping details are required as a part of a condition, but the provision of an open space within the courtyard, and a mixture of soft landscaping and permeable hard surfacing, is generally considered to be acceptable, and in keeping with the rural setting of the site.

Overall, the development will result in the re-use of these redundant buildings within this countryside setting, including the renovation and occupation of an undesignated heritage asset, resulting in a positive enhancement of the character and appearance of the area, and surrounding countryside.

Impact on Living Conditions

The area surrounding the application site is currently occupied by significant residential development, so the proposed use would be compatible with the existing use on the site. The majority of the proposed development involves the conversion of the existing buildings, so there will be limited impact on the living conditions of neighbouring occupiers. In terms of new external building works, the front wall of the northern section of Building 2 is being increased in height by 0.5m, and the ridge height of the roof is being increased by 2.1m. The nearest neighbouring property is 7.4m from the site, however, the property has two separate windows in the front elevation serving a lounge and two

separate windows serving a bedroom, allowing for varying levels of light into the room. The design of the proposed roof is also as a full pitch roof means that there is unlikely to have a significant impact on the light to or outlook from the neighbouring property.

A few new window openings are proposed within the buildings, however, they are mainly at ground floor level, or in the form of velux windows, and either face inwards towards the central courtyard, or towards the front elevations of the neighbouring properties. There will be no overlooking of private amenity space. The impact on neighbouring privacy is therefore considered to be acceptable.

Impact on Highway Safety

The proposal incorporates the provision of 10no. parking spaces to serve the five dwellings. KCC Highways have commented that they have no concerns with the number of parking spaces proposed, and whilst tandem spaces are not ideal, they are not objectionable in this case. The proposal will not have a significant impact on access, and therefore overall, the impact on highway safety is considered to be acceptable.

The site is located within the countryside, a significant distance from any bus route, and there are no pedestrian or cycle path links to the site. The site is not within close proximity of any village or smaller settlement. Overall the site is not considered to be sustainable in highway terms.

Para 34 of the NPPF does advise, however, that whilst decisions should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, decisions need to take account of policies set out elsewhere in the NPPF, particularly in rural areas.

Ecology

KCC's Biodiversity Officer has advised that there appears to be a low potential for the inside of Building 1 to be used by roosting bats, such as long eared bats. Building 2 is covered in weather boarding so she has further advised that there is potential that bats may occasionally roost under the weather boarding. As there is limited connectivity to the site, KCC have suggested the need for a condition requiring details of the precautionary mitigation approach to be carried out when the buildings are demolished.

Natural England have raised no objections to the proposed scheme.

Doorstep play space

A small garden area has been provided for each of the units. The garden areas will not be completely private, although they are relatively secure, as they are located to the front of the properties within the courtyard area and so have natural surveillance. Although the areas are small, the restricted size of the site, and the existing presence of the buildings, means that a larger doorstep play space area is not possible. The areas provided are therefore considered to be acceptable, and in accordance with Policy SR5 of the Thanet Local Plan.

Conclusion

Whilst the proposed development is located in an unsustainable location, the proposal

consists of the re-use of redundant buildings, and allows for the optimum viable use of a heritage asset.

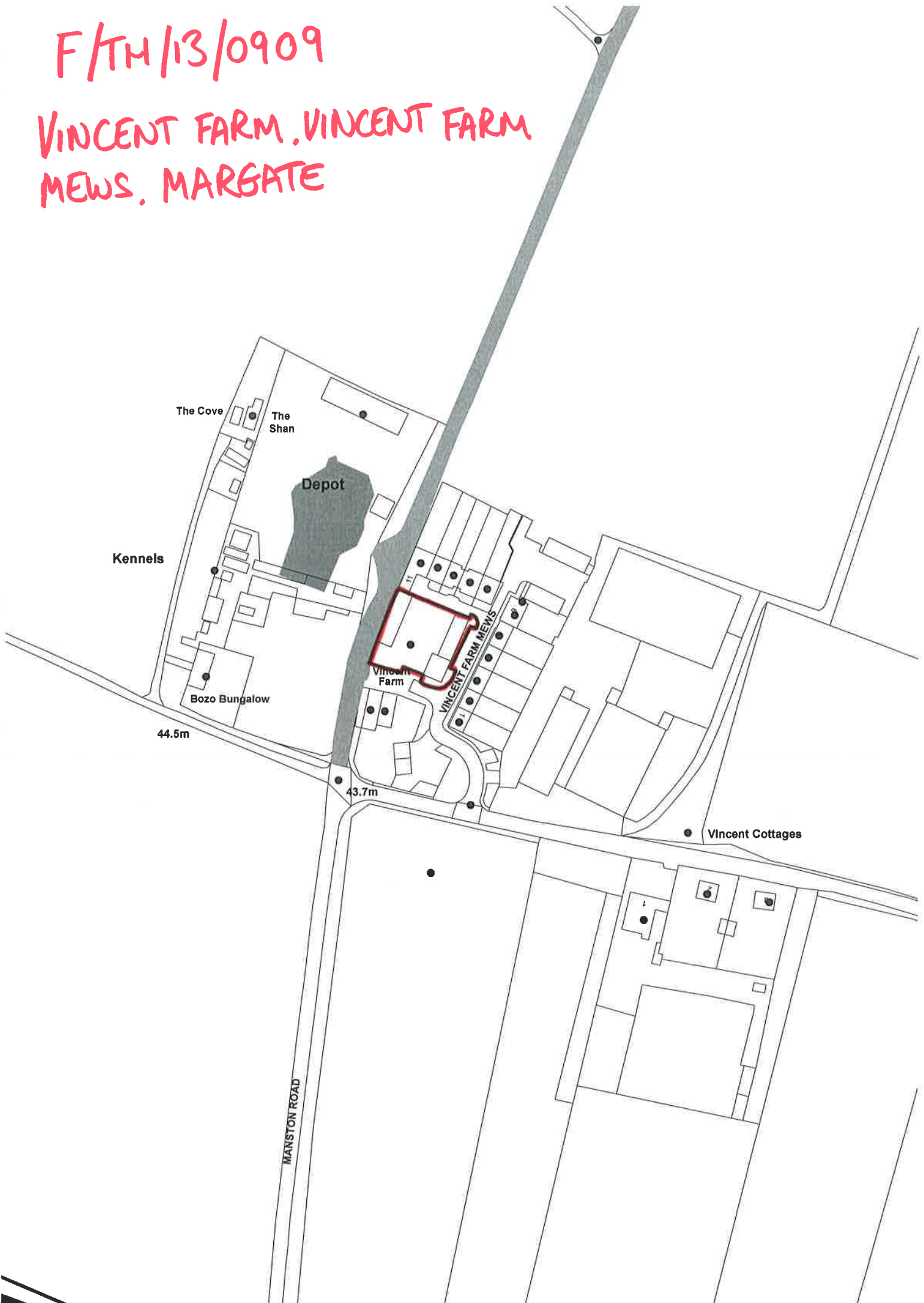
The proposed development will consist of mainly minor alterations to the buildings, and the alterations to Building 2 will bring the building closer to its historic design, so the impact on the character and appearance of the area is considered to be acceptable. There will be no significant impact on the living conditions of neighbouring occupiers, and the doorstep play space and car parking/access provision is considered to be acceptable.

Whilst the unsustainable location of the proposed development is a concern, on balance, the benefits from bringing the buildings back into use are considered to outweigh these concerns. It is therefore recommended that members approve the application. .

Case Officer
Emma Fibbens

F/TM/13/0909

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MEWS, MARGATE



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