

**A08**

**F/TH/15/0212**

**PROPOSAL:** Change of use of farm office and agricultural storage barn to 1No. one bed dwelling

**LOCATION:** POND COTTAGE, GRINSELL HILL, MINSTER, RAMSGATE, CT12 5DP

**WARD:** Thanet Villages

**AGENT:** Phil Dadds Design

**APPLICANT:** Mr T Buckman

**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 and the plans numbered 86/P01 & 86/P02 received by the Local Planning Authority on 12th March 2015.

**GROUND:**

To secure the proper development of the area.

- 3 Prior to the commencement of the development hereby approved joinery details including sections through 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. The 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.

- 4 Prior to the first occupation of the dwelling hereby approved, the rooflights within the west facing rear elevation shall be fitted with obscure film and thereafter maintained.

**GROUND:**

In the interests of residential amenity.

- 5 No enlargement or alteration to the roof of the dwelling, whether permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (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 safeguard the visual impact of the development on the character and appearance of the area in accordance with Policies CC2 & D1 of the Thanet Local Plan and the privacy and amenities currently enjoyed by the occupiers of adjacent residential properties in accordance with Policy D1 of the Thanet Local Plan.

**SITE, LOCATION AND DESCRIPTION**

The site is located on Grinsell Hill and comprises a two storey pitched roof timber barn with an existing use for storage and a farm office. The barn lies within the curtilage of Pond Cottage which is in residential use. The barn has been vacant since 2010. The site lies outside the village confines of Minster, within the open countryside and a Landscape Character Area.

**RELEVANT PLANNING HISTORY**

Recent site history for Pond Cottage:

**F/TH/00/0586** – Erection of a two storey building for storage use and farm office at 1<sup>st</sup> floor level – granted 13/11/2000

A condition attached to this consent stated:

‘The premises shall be used for storage and farm office and for no other purpose in Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.’

**F/TH/11/0743** – Erection of a part two storey and single storey side extension incorporating a double garage – granted 24/10/2011

**PROPOSED DEVELOPMENT**

The application proposes the change of use of the two storey barn to 1no. 1 bed dwellinghouse. There are no additions proposed to the building with the only alterations relating to the insertion of a ground floor window to the north and south side facing elevations and the insertion of two sets of French doors within the east front facing elevation. One set of the proposed French doors would replace the existing double timber entrance doors. The scheme proposes the renovation of the existing building with materials to match those existing and a new timber post and rail fence.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan Policies**

CC1 – Development in the countryside

CC2 – Former Wantsum North Shore Landscape Character Area

H1 – Housing

H4 – Housing Windfall Sites

D1 – Design

TR12 – Cycling

TR16 – Car Parking

## NOTIFICATIONS

Neighbour notification letters were sent to properties directly surrounding the site, a site notice was posted at the site and an advert placed in the local newspaper. There have been no representations received in response.

## COMMENTS

The application has been brought before Members of the Planning Committee as it is a departure to Policy CC1 of the Thanet Local Plan as the site is located within the open countryside.

Councillor Roberts also requested that the application be reported to Planning Committee on the grounds that the redundant agricultural office/workshop will benefit by its conversion into a dwelling and thus greatly improve its appearance and prevent further deterioration of the building.

The main issues for members to consider are the principle of the development, the impact on the character and appearance of the area, the impact on the living conditions of future and neighbouring property occupiers and the impact on the local highway network.

### **Principle**

The site is located outside the urban confines, within the open countryside. The adopted Thanet Local Plan Policy CC1 relates to development in the countryside and states that new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. The application proposes the change of use of an existing barn and its surrounds to residential use.

The National Planning Policy Framework states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances, none of which apply in this instance, therefore the proposal is contrary to Policy CC1 of the Thanet Local Plan.

However, a more recent change in planning law has meant that The Town and Country Planning (General Permitted Development) (England) Order 2015 permits the change of use of a building and any land within its curtilage from use as an agricultural building to a

residential use and building operations reasonably necessary to convert the building to a dwellinghouse, subject to a number of conditions. Based upon the information submitted by the applicant, it is considered that this is a realistic fallback position.

On this basis it is considered that whilst the application represents a departure to the Local Plan and National Planning Policy Framework, the applicant has a realistic fallback position which would allow the conversion of the building to a dwellinghouse under permitted development and therefore, because of the fallback position and subject to all other material considerations this proposal would represent an acceptable departure from local and national planning policy.

### **Character and Appearance**

The site lies within the countryside and within The Former Wantsum Northshore Landscape Character Area. The barn lies within the curtilage of Pond Cottage which is in residential use and adjacent to the row of four 'Thorne Cottages'. The scheme proposes the renovation of the existing barn with materials to match those existing. There would be no extensions to the building and only minimal external alterations necessary in order for the building to function as a dwellinghouse. These materials would match those existing. A timber post and rail fence is proposed to the front and side boundaries. The building is not prominent within the streetscene or landscape and there are a number of trees surrounding the site. The existing building would not be enlarged and the materials proposed are considered sensitive to the existing building and its location. For these reasons it is not considered that the proposal would cause harm to the special character and appearance of the countryside or the Former Wantsum Northshore Landscape Character Area.

### **Living Conditions**

With regards to living conditions, the proposed change of use would provide 1 no. 1 bed house comprising an open plan living/dining/kitchen and a bathroom, with a bedroom, shower room and storage space at first floor level. The habitable rooms would benefit from natural light and ventilation. The layout of the proposed accommodation is considered acceptable with generous habitable room sizes. The property would benefit from amenity space and this is considered adequate for refuse storage and clothes drying. Off street parking to the front of the site and cycle storage within the property is proposed. For these reasons, it is considered that the proposal would provide a good standard of accommodation for future occupiers.

In terms of neighbouring residential amenity, the application building is separated from the built form of Pond Cottage by over 50 metres. No. 4 Thorne Cottages lies adjacent to the site and the cottage is over 25 metres away from the rear building line of the application property. Having regards to the positioning of new openings and the separation distance with Pond Cottage, I am of the opinion that these openings would not have a detrimental impact in terms of overlooking or loss of privacy for the occupiers of this neighbouring property. There is an element of screening to the boundary with no. 4 Thorne Cottages and whilst the rooflights within the pitch to the rear elevation would primarily allow views in an upwards direction, they have a floor to eil height below 1.7metres and would face the private amenity space of this neighbouring property. The scheme proposes the application

of obscure film to the existing rooflights within the rear elevation and this is considered sufficient to protect the living conditions of the neighbouring property occupiers in accordance with Policy D1 of the Thanet Local Plan.

### **Highways**

The application proposes off street car parking which would be accessed via the existing access from Grinsell Hill serving Pond Cottage. There is space within the hall of the proposed unit to provide covered cycle storage. I am therefore satisfied that the proposed scheme would not cause harm to the local highway network or highway safety.

### **Conclusion**

In summary, the proposed development would result in an isolated dwelling within the countryside, contrary to Policy CC1 of the Thanet Local Plan and Paragraph 55 of the National Planning Policy Framework and as such which would constitute unsustainable development which would justify refusal of the application. However, in this particular instance there is a realistic fallback position whereby, under the General Permitted Development Order, the change of use of this building could be carried out without the need for planning permission from the Council. It is therefore considered that, despite the strong policy objection to the proposal, planning permission should be granted in this instance.

CASE OFFICER  
Helen Johnson

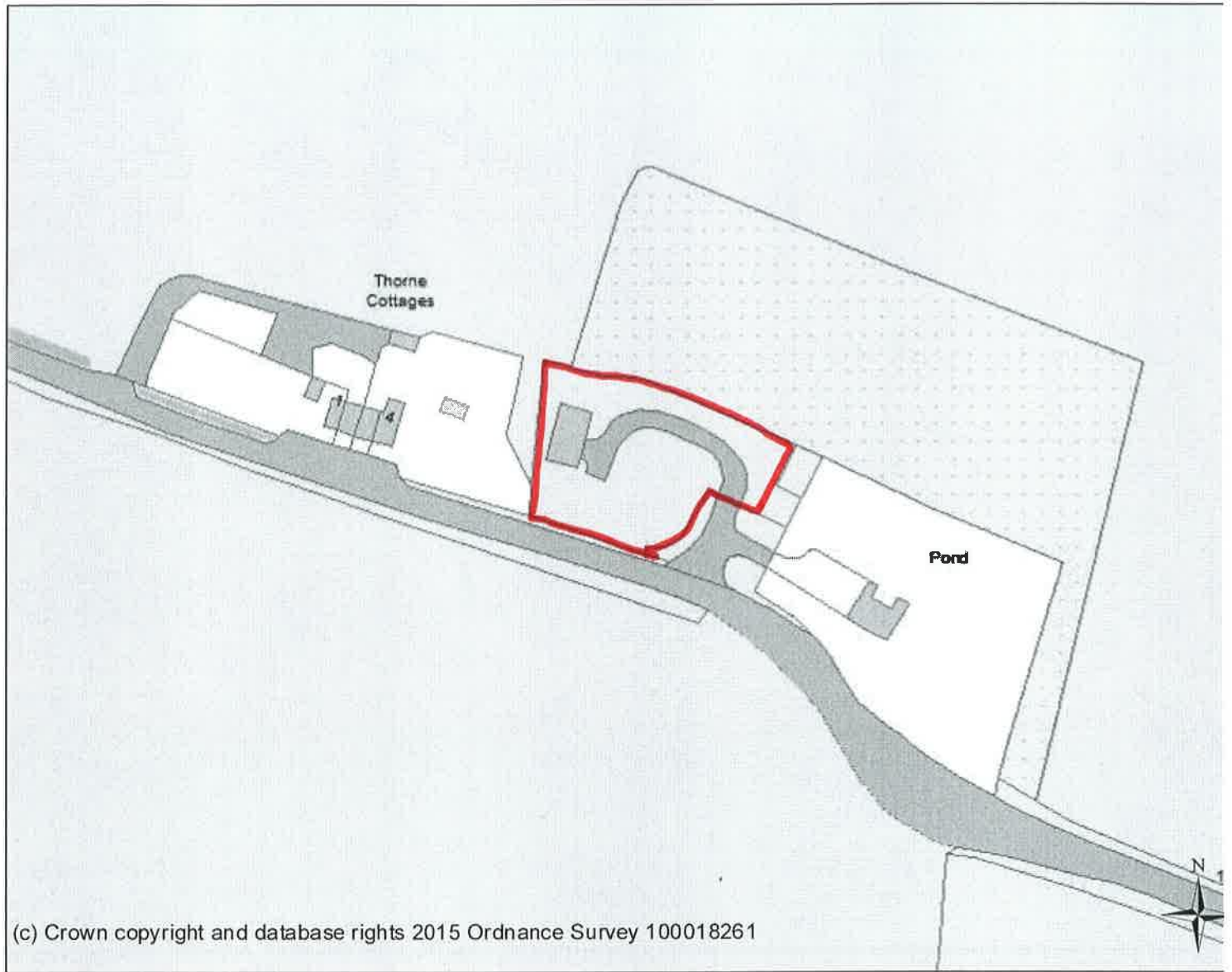
# Title: F/TH/15/0212

Project name: Pond Cottage, Grinsell Hill, Minster

Notes:

Scale: 1:1,250

Author:



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Legend

F/TH/15/0212

POND COTTAGE, GRINSELL HILL, MINSTER

