

**R08**

**F/TH/16/1020**

**PROPOSAL:** Change of use of stable/storage block to 1No dwelling, and erection of single storey extension to front and rear elevation

**LOCATION:** 1 Dellside Wayborough Hill Minster RAMSGATE Kent

**WARD:** Thanet Villages

**AGENT:** Mr Matthew Beasley

**APPLICANT:** Mr Gary Stone

**RECOMMENDATION:** Refuse Permission

For the following reasons:

1 The site is outside the built up area boundary of any settlement and, as such, represents an unsustainable and isolated form of development within the countryside, contrary to Policies H1 and CC1 of the Thanet Local Plan and Paragraph 55 of the National Planning Policy Framework.

#### SITE, LOCATION AND DESCRIPTION

The site is presently part of the residential curtilage of number 1 Dellside. The existing building is located in the south east corner of the site, close to both the south and eastern boundaries of the site.

#### **Surrounding Area**

To the immediate north of the application site is the other semi-detached dwelling of number 2 Dellside, whilst further to the north is the A299 with what appears to be a farm access from that road into the fields to the north.

The land to the east and west of the application site appears in agricultural use, whilst the land to the south is used as for stabling and paddocks, with further isolated residential further south.

#### RELEVANT PLANNING HISTORY

A pre-application submission was made in 2015 for the conversion of the existing building. A previous application for change of use of the building was submitted earlier in 2016 (TH/16/0083) for a similar development, which was refused on the basis of being unsustainable and an isolated form of development within the countryside.

## PROPOSED DEVELOPMENT

The proposed development seeks consent for the conversion of an existing stable block to a dwelling along with single storey extensions to the front and rear. Whilst listed as a change of use/conversion it should be noted that the work effectively amounts to a redevelopment of the site on the basis of the scale of the work and very little of the original structure remaining.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan Policy (2006) Saved Policies**

CC1 - Development in the Countryside  
H1 - Housing development  
D1 - Design principles  
D2 - Landscaping  
T1 - Tourist Facilities  
TR12 - Cycling  
TR16 - Car parking provision

## NOTIFICATIONS

Letters were sent to neighbouring properties in Monkton Road and Wayborough Hill. A site notice was also displayed.

No letters of representation were received. Minster Parish Council has not raised an objection to the proposed development.

## CONSULTATIONS

**Southern Water Services** - The applicant has not stated details of means of disposal of foul drainage from the site.

There are no public foul sewers in the area to serve this development. The applicant is advised to examine alternative means of foul sewage disposal.

The Environment Agency should be consulted directly regarding the use of private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works or septic tank to ensure its long term effectiveness.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to,

and approved in writing, by the Local Planning Authority in consultation with Southern Water."

## COMMENTS

The main considerations in relation to the determination of this application are the impacts on the Countryside and the impacts of the scheme on the local character and appearance. The application has been called in by Councillor Crow-Brown so that members can consider the impact of the development on the character and appearance of the countryside.

### **Principle**

The proposed development is beyond the confines of the settlement boundary, contrary to Policy H1 of the Thanet Local Plan, and is on garden land, which is usually considered to be non-previously developed land. However, as the applicant's agent has pointed out the High Court decision in relation to a case at Dartford Borough Council has resulted in a need to reconsider applications for development within gardens in the countryside. In this particular case the issue effectively revolved around the definition of garden land within urban areas being specifically excluded from the definition of previously developed land with no such reference to sites within the countryside. The outcome of the decision in short is that the High Court identified a need to revise the definition within policy as the present drafting does not refer to countryside land (i.e. garden land within the Countryside can be referenced as previously developed land).

Having established that the application site can be referred to as previously developed land, it is important to consider the definition of what this means as set out in the NPPF Annex 2: Glossary. This clearly states that it is land which includes "the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed)". This therefore provides a means of controlling the scale of development even within countryside locations in order to preserve appearance and ensure the delivery of sustainable development.

In acknowledging there is a lack of a five-year supply of deliverable sites policies H1 and CC1 of the local plan cannot be considered up-to-date in so far as they seek to restrict housing in the open countryside. However, in order for proposals to benefit from the presumption in favour, proposals must be considered as sustainable by meeting the economic, social and environmental dimensions. Whilst on the social aspect a new dwelling might give rise to support of existing services and facilities within Minster, the lack of connectivity with it would reduce the weight that could be afforded. Economically the benefits arising from a single dwelling will be limited mainly to construction work and therefore of little weight. Environmentally, the application site is remote from the built up area and presently shares more characteristics with countryside than a settlement location. On that basis the proposal does not constitute sustainable development and would not therefore benefit from the presumption in favour enshrined within the NPPF.

## **Location of Development**

The application site is located within the Countryside and therefore subject to the requirements of adopted policy CC1. The requirement is therefore that a need for the development must be demonstrated to override the requirement to protect the countryside.

Paragraph 55 of the NPPF states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. It also sets out that LPAs should avoid new isolated homes in the countryside unless there are special circumstances, such as where the development would re-use a redundant or disused building and lead to an enhancement of a setting, or where the design of the proposed dwelling is of an exceptional quality or innovative nature.

In terms of supporting the vitality of rural communities, the application site is approximately 1.6km from the settlement of Minster to the south west. There are no lit footpaths linking the application site with Minster, indeed there are no footpaths along the rural road network linking the site with Minster. It is therefore considered that the application site is in a remote location and will not enhance or maintain the vitality of Minster. This conclusion is reinforced by a recent appeal decision in December 2015 for the conversion of an existing stable to a single dwelling at St-Nicholas-at-Wade (ref APP/Z2260/W/15/3130592). In this appeal the Inspector commented "...the appeal site is separated from the settlement by a narrow section of road which contains no footpaths or public lighting and would be unlikely to be attractive for pedestrians and unlikely to encourage cycling, particularly in winter months."

## **Need for Development**

Saved policy CC1 of the Local Plan requires that for new development within the countryside to be permitted a need must be demonstrated, which must outweigh the need to protect the countryside. This is consistent with paragraph 55 of the NPPF that states isolated homes in the countryside should be avoided unless there are special circumstances, such as where the development would re-use a redundant or disused building and lead to an enhancement of a setting, or where the design of the proposed dwelling is of an exceptional quality or innovative nature.

The application is not supported by any information that sets out the need for the provision of a new dwelling within the countryside, contrary to the requirements of the policy. It is acknowledged that there is a current need for housing within Thanet, which must be taken into consideration.

In regards to special circumstances the conversion of the existing stable building does not constitute exceptional quality or an innovative design, nor does the resulting building result in an enhancement to the immediate setting. Indeed, the conversion of the building will only preserve the setting of the building, whilst adding residential paraphernalia within the countryside that will detract from the wider setting. The existing building is not a heritage asset requiring preservation and thus allowing for the optimal value and there is no evidence to demonstrate that the building would meet the needs of a rural worker. In summary, the

application as submitted provides no justification against the requirements of paragraph 55 of the NPPF or Policy CC1 of the Thanet Local Plan.

### **Structural Quality**

At the pre-application stage the applicant was advised to submit a detailed structural survey with any subsequent planning application demonstrating that the existing building was capable of being converted without requiring significant alterations.

When overlaying the proposed plans on the existing plans it appears that the proposals could be deemed a redevelopment of the site as opposed to a conversion of the existing building. Although the position of the existing front wall of the stable remains as the wall to the bedrooms and bathroom this is an entirely new wall with openings in different locations. With the exception of the wall between the bathroom and living area, all of the original partitions to the stables are removed to allow for the creation of larger rooms, and even the one retained wall is likely to require substantial upgrading with insulation. Whilst infilling the current area to the front of the stables it is also noted that the roof is increased in height to match that of the store to the rear.

The rear wall of the stable adjacent to the store is also removed to increase the amount of habitable accommodation within the bedrooms. It is also noted that all of the external walls to the building would be rebuilt in order to provide the necessary insulation for habitable use of the building. The extent of the works as indicated on the plans is such that it cannot be considered as a conversion and must be regarded instead as the construction of a new building to provide a dwelling. There is therefore no justification provided

### **Character and Appearance**

This revised application has reduced the overall footprint of the proposed development such that it is now contained entirely within the footprint of the original stable block and no longer proposes an extension to the main living accommodation on the rear elevation, as shown in the previously refused application.

Visually, the external appearance of the resultant dwelling remains as per the previous scheme, namely a largely glazed frontage with the exception of the entrance door and then black stained feather edge boarding cladding the exterior of the building with a single ply roof. This in itself is considered an acceptable approach generally regarding materials, although the extent of glazing along the frontage is likely to result in a more visually apparent building within the countryside at night when lights are in use. Should the development be considered otherwise acceptable then it would be considered appropriate to impose conditions requiring landscape screening and details of lighting to minimise the potential impacts.

As already stated above, the resulting design is not considered to be of exceptional quality or innovative design to amount to special circumstances for an isolated dwelling in the countryside. I am therefore of the opinion that there is no evidence as part of the application to demonstrate that the proposal would enhance its immediate settings and the proposal is therefore contrary to saved policy CC1 of the Local Plan and paragraph 55 of the NPPF.

## **Living Conditions**

The building already exists and therefore its presence alone is unlikely to result in detrimental impacts to the living conditions of neighbouring occupiers. Even the presence of residential paraphernalia and the associated comings and goings of a proposed dwelling will not result in detrimental impacts. I therefore consider that the impacts on living conditions arising from this application to be acceptable.

## **Highway Safety**

The site is in an isolated location and will therefore be dependent on the private motor car for accessing services and facilities locally, thereby conflicting with the NPPFs aim of promoting sustainable travel and reducing travel journeys.

The traffic generation from a single dwelling is unlikely to result in detrimental impacts on highway safety, however the unsustainable location of the site means that the proposal is considered unacceptable in highways terms and contrary to the NPPF principally paragraphs 29 and 37

## **Conclusion**

Whilst noting that the scheme will not give to rise to any unacceptable highway safety impacts or noticeable impacts on the character and appearance of the immediate surroundings (countryside) this must be weighed against the lack of any defined need for the proposals or the balanced assessment on sustainability.

Furthermore, the proposed development would not be supported by the NPPF. If it is accepted as being a conversion and therefore the re-use a redundant or disused building (putting aside the fact that the extent of works proposed are tantamount to a new dwelling), it is argued that the proposal that would not lead to an enhancement of a setting; is not of an exceptional quality or innovative nature that would outweigh the concerns regarding its isolated location within the countryside.

Overall, the proposed development is not considered a sustainable form of development, and as such it is recommended that members refuse the application.

## **Case Officer**

Iain Warner

TITLE:

F/TH/16/1020

Project

1 Dellside Wayborough Hill Minster RAMSGATE Kent

Scale:

