

R08

F/TH/17/0014

PROPOSAL: Retrospective application for the change of use from former stables/barn to a single dwelling

LOCATION: The Barn St Margarets Road Birchington Kent CT7 0HJ

WARD: Thanet Villages

AGENT: Mr John Elvidge

APPLICANT: Mr S Woods

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 saved policies H1 and CC1 of the Thanet Local Plan and paragraphs 14 and 55 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site lies outside any defined settlement and is located in the countryside for planning purposes. The site is surrounded by a variety of uses including some residential and commercial uses such as riding centres, kennels and a breakers yard which benefit from a more rural location.

The application is rectangular in shape with the barn (the subject of this application) located approximately centrally within the site. Access to the site is taken from St. Margaret's Road and it was noted, at the time of the officer site visit, that there were also two caravans on site which have been partly clad.

RELEVANT PLANNING HISTORY

Planning records for the site date back to the 1955 and several applications for planning permission have been submitted and refused for a variety of uses including residential dwellings, a camp site, car breaking yard the storage of motor vehicles and grass kart racing circuit.

In May 1994 retrospective planning permission was granted under F/TH/94/0050 for the change of use of an existing building from a chicken house to stable for six horses.

PROPOSED DEVELOPMENT

This application seeks retrospective consent for the change of use from a barn/stable to a single dwelling. The application form states that the use as a dwelling commenced in April 2011 but no further evidence has been submitted to support this.

The ground floor has an open plan lounge, dining and kitchen area with a separate utility room/WC and two bedrooms and a bathroom. At first floor level there is a 3rd bedroom with an ensuite.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (Saved Policies)

H1 - Residential Development Sites

H4 - Windfall Sites

TR12 - Cycling

TR16 - Car Parking

D1 - Design Principles

D2 - Landscaping

CC1 - Development in the Countryside

CC2 - Landscape Character Areas

SR5 - Playspace

EP13 - Groundwater protection zones

HE11 - Archaeological assessment

HE12 - Archaeological sites and preservation

REPRESENTATIONS

Letters were sent to adjoining occupiers and a site notice posted near the site.

No representations have been received.

CONSULTATIONS

Southern Water: The site lies within Source Protection Zone 2, approximately 800 metres east from the Sparrow Castle Acol Borehole. This is a critically important public water supply abstraction (groundwater source) with extensive shallow adits and disinfection as the only treatment, serving the Thanet supply area. The close proximity of the source and the sensitivity of the public water supply means that careful consideration must be given to the protection of the public water supply.

It is Southern Water's preference that the flows from the development be connected to a nearby public sewer due to sensitivity of the site and the applicant is required to investigate this option.

A condition should be attached to any planning approval requiring that the developer to provide details that dispersal of foul flows to the nearby public sewer were considered before a cess pit can be used as the means of disposal for foul sewerage.

A formal application to Southern Water for connection to sewer will be required.

Initial investigations indicate that there are no public surface water sewers in the area to serve the development. Alternative means of draining surface water from this development is required. This should not involve disposal to a public foul sewer.

COMMENTS

This application is reported to committee at the request of Cllr Crow Brown to allow Members to assess the impact of the dwelling on the countryside.

Principle of Development

Woodchurch is a hamlet within Thanet; without facilities or services.

In acknowledging there is a lack of a five year housing supply on deliverable sites within the district, saved 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 in the area (there are, however, no such facilities within Woodchurch), the lack of connectivity with it would reduce the weight that could be afforded. Economically, the benefits arising from the creation of the new dwelling would have been in the work required to convert the dwelling and can, therefore, be considered 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 the development

The application site is located within the countryside and, therefore, subject to the requirements of saved policy CC1. The requirement is. Therefore, that a need for the development must be demonstrated to override the requirements 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 development is of an exceptional quality or innovative nature.

In terms of supporting the vitality of rural communities, it is noted that there are no facilities within Woodchurch and the residents of the dwelling are reliant on the use of a private vehicle to reach services and facilities within nearby settlements. It is, therefore, considered

that the application site is in a remote location and does not enhance or maintain rural services/facilities.

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 that isolated homes within the countryside should be avoided unless there are special circumstances such as a need for an essential need for a rural worker to live permanently at or near their place of work in the countryside, the re-use of a redundant or disused building leading to an enhancement of a setting or where the design of the 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 policy CC1. It is, however, acknowledged that there is a current need for housing in the district which must be taken into consideration.

In regards to special circumstances the conversion of the existing stable building does not constitute exceptional quality or 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 there is no evidence submitted to demonstrate that the dwelling meets the needs of a rural worker or why other dwellings in the area could not meet that need.

In summary, the application as submitted provides no justification against the requirements of paragraph 55 of the NPPF or saved policy CC1 of the Local Plan.

Character and Appearance

There is no set character or appearance of buildings in the area surrounding the application site and the weatherboarded nature of the building does not look out of place in its rural environment. 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. It is, therefore, considered 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.

It was noted at the time of the site visit that there was no clear garden space to serve the dwelling identifiable on site and it is noted that none is identified on the plans submitted for this application. It would be considered appropriate that the areas for users associated with the dwelling, such as parking, bin storage and amenity space be identified with the application site so that they can be controlled by condition as appropriate.

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 the dwellings results in detrimental impacts to the surrounding occupiers especially given the separation distances between the building and adjoining properties.

From the submitted floor plans of the dwelling, it appears that it provides a good standard of accommodation for its occupiers.

Highways

The site is an isolated location and will, therefore, be dependent on the private motor car for accessing services and facilities locally, thereby conflicting with the NPPF's 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 in the unsustainable location of the site means that the proposal is considered unacceptable in highway terms and contrary to the NPPF principally paragraphs 29 and 37.

Conclusion

Whilst noting the scheme does not give rise to any unacceptable highway safety impacts or noticeable impacts on the character and appearance of the immediate surroundings (countryside) and provides an adequate standard of accommodation for its occupiers 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 of a redundant/disused building, it is argued that the proposal would not lead to an enhancement of its setting, is not of an exceptional quality or innovative design 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

Annabel Hemmings

TITLE: F/TH/17/0014

Project The Barn St Margarets Road Birchington Kent CT7 0HJ

Scale:

