

A02

F/TH/17/0405

PROPOSAL: Change of use of existing barn buildings to 9 holiday let units and a club room, and erection of one new single storey building

LOCATION: to create an additional two holiday let units, with associated parking

Former Farm Buildings Rear Of Quex Barn Quex Park
Birchington Kent

WARD: Birchington South

AGENT: Mr Doug Brown

APPLICANT: Mr A Curwen

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 Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings titled/numbered; Location Plan (08/06/17), Site Layout (received 03/07/17), DB/IM/16/8a, DB/IM/16/8b, DB/IM/16/9, DB/IM/16/10, DB/IM/16/4, DB/IM/16/5, DB/IM/16/6 and DB/IM/16/7.

GROUND:

To secure the proper development of the area.

3 The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to, and approved, by the local planning authority:

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.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

4 An intrusive investigation and updated risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) A survey of the extent, scale and nature of contamination;

(ii) An assessment of the potential risks to:

Human health;

Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

Adjoining land,

Ground waters and surface waters,

Ecological systems,

(i) An updated conceptual model of the site indicating sources, pathways and receptors.

(ii) An appraisal of remedial options and identification of the preferred option(s).

All work pursuant to this Condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

5 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation scheme 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 details of longer term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

GROUND:

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

6 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 advice contained within the National Planning Policy Framework.

7 No development shall take place until a Construction Environmental Management Plan, which shall include the following details:

- o timing/programme of works of construction
- o mitigation for the construction phase of the development
- o traffic movements to and from the site and any necessary traffic management measures
- o areas for parking, loading, turning and unloading by site personnel, visitors and delivery vehicles
- o wheel washing facilities

has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance within National Planning Policy Framework paragraph 109 and in the interests of highway safety

8 Prior to any vegetation clearance on site a reptile mitigation strategy must be submitted to the Local Planning Authority for written approval. The strategy must be based on the recommendations within paragraph 7.3.1 of the Preliminary Ecological Appraisal; Calumma Ecology; June 2017. The works must be implemented as detailed within the approved report.

GROUND:

In order to safeguard protected species that may be present within or adjacent to the building and in accordance with the advice contained within the NPPF

9 Prior to the occupation of the development hereby approved, an ecological enhancement plan detailing what enhancements will be incorporated in to the site will be approved in writing by the Local Planning Authority.

GROUND:

In the interests of nature conservation in accordance with the advice contained within the NPPF

10 Prior to the first use of the development, the area shown on the deposited plan (received 03/07/17) for the parking of vehicles shall be operational. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety

11 The development shall not be brought into use until a covered cycle storage area has been provided in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facilities, as agreed shall be provided and thereafter maintained.

GROUND:

In the interests of promoting increased cycling in accordance with policy TR12 of the Thanet Local Plan

12 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the holiday lets, or enlargement of a holiday let consisting of an addition or alteration to its roof; or any other alteration to the roof shall not be allowed without the granting of a specific planning permission.

GROUND:

In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.

13 The holiday lets, shall be occupied for holiday purposes only. No holiday let hereby approved shall be occupied as a person's sole or main place of residence.

GROUND:

The application is for short-term holiday accommodation only, and a more permanent form of accommodation would be contrary to Council's policies, in accordance with Policy H1 and paragraph 55 of the NPPF.

14 The owners/operators of the holiday lets hereby approved, shall maintain an up-to-date register of the names of all owners/occupiers of individual holiday lets on the site, and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

GROUND:

The application is for short-term holiday accommodation only, and a more permanent form of accommodation would be contrary to Council's policies, in accordance with Policy H1 and paragraph 55 of the NPPF.

15 Prior to the occupation of development hereby approved, full details of both hard and soft landscape works, to include:

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway
- o 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

16 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 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

17 No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

GROUND:

To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

18 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND

To ensure that features of archaeological interest are properly examined and recorded.

19 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND:

To ensure that historic building features are properly examined and recorded.

20 Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected.

GROUND:

To safeguard the setting of the Listed Building, wider Quex Farm site and landscape in accordance with the principles of the NPPF.

INFORMATIVES

Please be aware that obtaining planning permission and complying with building regulations are separate matters - please contact building control on 01843 577522 for advice on building regulations

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgate House, Sparrowgrove, Otterbourne, Hampshire SO21 2Sw (Tel: 0330 303 0119) or www.southernwater.co.uk

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

SITE, LOCATION AND DESCRIPTION

The site is located within the countryside and within Quex Park to the south of Birchington.

Quex Park vehicular access is located on the eastern side of Park Lane. The application site is approximately 0.27 hectares in size. The site is screened from Park Lane by mature hedgerow making views into the site difficult from Park Lane which bounds the site.

To the north and west of the site, which is within the ownership of the applicant are existing domestic and commercial buildings.

At present the site relates to an area that has existing agricultural buildings in a horseshoe layout with a central area that currently has poultry onto. The buildings subject of this application varying in materials and state of repair. To the east and south of the site is a track. The site is set down at a slightly lower level to the land to the south.

RELEVANT PLANNING HISTORY

The wider Quex Park site has an extensive planning history, most is not relevant to the determination of this application, although some relate to tourism uses for example miniature golf, falconry centre, paintball arena. Member's attention is drawn to planning reference: F/TH/10/0553 Erection of 19no. holiday rondavels, 1no. manager's rondavel and 1no. office/reception rondavel, together with associated parking, access and recreation area. Consent was approved on the 3rd February 2011. This site is to the south of the current application site, bordering on two sites with the public highway.

PROPOSED DEVELOPMENT

Full planning consent is sought for the conversion of existing barn buildings to 9 holiday let units and a club room, and erection of one new single storey building to create an additional two holiday let units, with associated parking.

Barns A (3x2 bed), B (2x2 bed) and C (2x2 bed) relate to the buildings to be converted, which are constructed in brick and stone, additional openings are proposed to facilitate the proposed use.

Building D (1x2 bed unit) and E (1x1 bed unit) is the existing timber framed and clad granary, with balcony entrance. Barn F has been extensively refurbished and significant rebuilding and would provide a club room and toilet facilities.

Barn G is the new build element of the scheme, it is proposed to construct it with a timber frame and feather edge boarding with corrugated roof to match the existing development. This building will provide 2x2 bed units.

Each of the holiday lets will have their own kitchen and bathroom.

Building F will provide a club room and reception to be used in association with the holiday lets.

DEVELOPMENT PLAN POLICIES

Saved Policies Thanet Local Plan

D1 – Design Principles

D2 - Landscaping

CC1 – Development in the Countryside (urban and rural confines)

CC2 – Landscape Character Areas

CC10 – Farm Diversification

TR12 - Cycling

TR16 – Car Parking Provision

T1 – Tourist Facilities

T3 – Self-Catering Accommodation

HE11 – Archaeological Assessment

HE12 – Archaeological Sites and Preservation

EP13 – Groundwater Protection Zones

NOTIFICATIONS

No third party representations received.

CONSULTATIONS

Birchington Parish Council: No objections

Environmental Health: Given that this application is for new residential holiday lets and the potential for historic contaminants from the former agricultural use of the site, conditions are requested to safeguard the development and ensure appropriate remediation is undertaken to render the site suitable for its intended use. Conditions relate to a preliminary risk assessment, intrusive investigation and remediation if necessary followed by a verification report.

Kent County Council Highways and Transportation: No objection subject to conditions relating to vehicle and cycle parking, together with an informative relating to highway approvals and consents.

Kent County Council Development Contributions: As the units are for holiday lets, we assume they will be restricted and not for permanent occupation. KCC do not seek contributions from units which are not for permanent occupation.

Environment Agency: No objection, subject to informatives relating to foul drainage and SUDs

Kent County Council Flood and Water Management: Consider that the development is low risk, but state that the building will need to be compliant with Building Regulations. Farm buildings may utilise existing connection to a local ditch or stream. Any works within a stream channel will need land drainage consent from KCC.

Southern Water: Southern water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Request an informative and planning condition is attached relating to connection to the public sewerage system and foul and surface water drainage.

Natural England: The application site is in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to:

Thanet Coast & Sandwich Bay Special Protection Area (SPA) and Ramsar site, part of which is also designated as the Tankerton Slops and Swalecliffe Area of Conservation (SAC).

The above site is also designated at a national level as the Thanet Coast Site of Special Scientific Interest (SSSI).

In advising your authority on the requirements relating to the Habitat Regulations Assessment (HRA) the following advice is offered:

The proposals are not necessary for the management of the European sites

Subject to appropriate financial contributions being made to strategic mitigation, the proposals are unlikely to have a significant effect on these sites, and can therefore be screened out from any requirement for further assessment.

Subject to the development being carried out in strict accordance with the details of the application as submitted, will not damage or destroy the interest features for which the SSSI has been notified. The SSSI does not represent a constraint in determining this application.

The LPA will need to assess local site (biodiversity and geo diversity), local landscape character, local or national biodiversity priority habitats and species, protected species and biodiversity enhancements.

Kent County Council Ecological Advice Service: We have reviewed the submitted bat survey and we advise that sufficient information has been provided. No bats were recorded emerging from the building, and therefore no further surveys are required, however we advise that the outlined precautionary mitigation measures are implemented. Conditions are

also recommended in terms of reptile mitigation statement being provided and ecological enhancement be incorporated into the scheme.

Kent County Council Archaeology: The site lies in an area of high archaeological potential with cropmarks showing buried archaeological landscapes in the land immediately to the south of the development. The farm itself is historic and included in the Kent Historic Farmsteads survey and dates at least back into the 19th century. I note the intention is to convert the buildings with little impact to their external appearance but modification to their interiors. It would be appropriate before conversion for a record to be made of the buildings prior to conversion. The development of the new unit may also have an impact on buried archaeology and former farmstead remains and provision for a programme of archaeological works would be appropriate. Conditions are recommended for a written specification of archaeological work and a programme of building recording.

Historic England: No requirement to consults under the relevant statutory provisions.

Conservation Officer: No objection, although a condition is suggested to remove permitted development rights for the erection of means of enclosures which would be harmful to the setting of the listed cottage or create harsh and unsympathetic boundaries around the proposed curtilage. They would alter the way in which Quex Farm is perceived and the surrounding area which would be materially detrimental to its appearance within the landscape.

Tourism Manager: The Council is aware that there is a lack of bed spaces in the district for the visitor economy, particularly during weekends and during the summer period. Between 2013 and 2015 the visitor economy grew by 19% (the total value reached £293 million) making it the biggest district tourism success story in the county of Kent and arguably the whole of the UK. More importantly overnight trips also increased by 24%, while direct expenditure for Thanet was up 20%, which is 10 times that for the rest of England. The Council and its partners are directly promoting the need for suitable visitor accommodation in the district.

The current on-site mix of leisure and activity uses at Quex Park represents a good critical mass of activities, which would help to support (and service) future accommodation uses. It can be estimated that every visitor who stays in self-catering accommodation contributes £391 to the local economy. Thanet District Council's Tourism Service would like to give support to the expansion of additional quality holiday lodge accommodation on the Quex Park Estate.

Recycling and Waste Manager: TDC do not collect from holiday parks.

COMMENTS

The application is reported to the Planning Committee as the proposal represents a departure from the adopted Local Plan.

The main considerations in determining this application are:

Principle of development;
Economic benefits;
Character and appearance;
Living conditions;
Transportation;
Ecology; and
Other matters.

Principle

Planning consent is sought for the conversion/reconstruction and change of use of existing redundant barn buildings to 9 holiday let units and a club room, and construction of one new building to create an additional two holiday let units, with associated parking.

In terms of the policy context the National Planning Policy Framework (NPPF), sets out a clear presumption in favour of sustainable development, with paragraph 19 advising great weight should be placed on the need to support economic growth. Moreover, chapter 3 seeks to support a prosperous rural economy through, amongst other things, promoting sustainable growth and expansion of all types of rural business through conversion of existing building. It specifically details that planning policies should support economic growth in rural areas. It further states:

“To promote a strong rural economy, local and neighbourhood plans should:

- * support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- * promote the development and diversification of agricultural and other land-based rural businesses;
- * support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors , and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- * promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”

The Good Practice Guide on Planning for Tourism (2006) also advises that the provision of essential facilities for visitors is vital for the development of tourism in rural areas. Tourism can be a key element in rural diversification; help to revitalize market towns and villages, support important rural services and facilities; and underwrite environmental schemes and improvement to the built and the natural environment. But at the same time, the planning system must aim to ensure that these benefits are achieved in the most sustainable manner possible.

Thanet Local Plan policy CC1 states that development will not be permitted in this location unless there is an overriding need for it, which outweighs the requirement to protect the countryside.

Farm diversification is supported by Thanet Local Plan policy CC10, subject to a number of criteria. These include;

- * whether the proposal is complementary to the agricultural operations on the farm
- * the impact on the highway network
- * living conditions of local residents
- * character of area, loss of farmland
- * use of existing farm buildings
- * protected species
- * whether the proposal is appropriate to the economic, social and environmental character of the area.

The acceptability of this proposed farm diversification scheme will be determined by an assessment of economic, social and environmental impacts of the proposal.

The extension and upgrade of tourist facilities in the District is supported by Thanet Local Plan policies T1 and T3, so as to attract tourists to the area and diversify and improve self-catering facilities in the district.

Tourism Manager has confirmed that there is a lack of bed spaces in the district, and considers that the wider Quex Complex would help support self-catering accommodation. They confirm that they would like to give support to the proposal.

The above policies clearly provide support for the conversion of existing buildings for tourist accommodation which would be a form of business use, providing economic benefits to the District.

The proposed scheme seeks the provision of an additional building (building G) this is similar in scale and footprint. The additional impact it would have on the surrounding countryside would be limited due to its location within the site and proximity to existing buildings and for this reason officers consider it to accord with the above policies.

Policies at both national and local level support the enhancement of existing tourist and leisure uses in rural areas. In principle the conversion of existing barns and the erection of a single storey building for tourist purposes in this location are considered acceptable, subject to the detail of the scheme which is assessed below. A condition is however required to ensure that the accommodation is only used for holiday lets and not for general residential use given the countryside location of the development.

Character and Appearance

The core theme behind the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. In paragraph 56, the NPPF highlights that good design is a key aspect of sustainable development. Paragraph 57 highlights that it is important to achieve high quality and inclusive design for all land and buildings. If a proposal fails to achieve good design, paragraph 64 stipulates that permission should be refused where the design fails to improve the character and quality of an area.

Saved policy D1 of the Local Plan deals with issues pertaining to achieving a good quality scheme, in terms of design, use, density, form, scale, landscaping and habitat creation.

New development proposals in Quex Park must respect the historic character of the parkland. If the proposals conflict with this policy, development will only be permitted where it can be demonstrated that it is essential for the economic or social well-being of the area. The development is considered to have a minimal impact on the historic character of the parkland, given that the scheme mostly involves the conversion of existing buildings and that it would be seen in conjunction with an existing group of buildings.

With regard to the buildings to be converted these are located within the northern end of the site, barns A, B and C are constructed in brick and field flint with corrugate roofs.

The development introduces a number of new openings including roof lights and limited other openings within the walls. Collectively these alterations are sympathetic and maintain the character of the buildings whilst meeting the operational requirements of the end business use.

By virtue of the relative age of the barns, their state of repair, (especially barn A) and their historic agricultural use it is considered the development for their re-use and renovation is a benefit both in terms to the visual amenity of the area and also the public benefit of the scheme, albeit relatively small, would provide additional tourist accommodation to the district, enhancing the rural economy.

Building D is located along the eastern side of the site in a relatively central position. The building comprises a mono pitch and has an open front. The building will require more work than for the conversions of barns A, B and C including installation of a front and side walls to fully enclose the structure. Timber boarding is proposed which is appropriate to traditional farm buildings and other existing buildings within this wider grouping.

Building E, the grain store had already been completed when a site visit was conducted, with the raised access being in place, and utilises timber cladding.

With regard to the club room (building F), this part of building will not visually alter. The entrances to the club room area would face in towards the central courtyard created by the buildings subject of this application.

In terms of the new building (building G), is located in the southern portion of the site. It is constructed in timber cladding. In terms of openings these are more numerous and have more of a domestic appearance in terms of their size. Most of the additional openings are on the rear elevations and would not be seen in conjunction with the converted barns. A single stable type door is incorporated into the front elevation which would lead into a shared hallway to the two units. Whilst the openings might be slightly more domestic in nature, given the appropriate use of materials and the location of the openings I am satisfied that this arrangement is acceptable.

Overall the replacement design is considered to be suitable, as it is similar in appearance to the surrounding converted units. The proposed materials (including black stained boarding to

match the adjacent barns and matching roof) will also help reduce its potential impact as a new feature. The building would also be seen in the context of an existing grouping of former agricultural buildings and also buildings that are already in use as a restaurant and shop. Furthermore the buildings are well screened from views from roads surrounding the site by virtue of existing building or the physical degree of separation. It is recommended that window details are subject to a condition, it is not considered appropriate for the windows to be white timber; windows should be black/dark as this relates to conversion of agricultural building or construction of building that would have an appearance of an agricultural building. Given the above I consider that there will no adverse impact upon the character and appearance of the countryside.

External soft landscaping is shown around the buildings, although precise details are not known, it is considered that this should be kept to an under-stated level, with only native planting were appropriate to avoid a domestication of the area or separating it from the surrounding countryside, which would inappropriate given the context.

Living Conditions

With regard to the impact on neighbouring residents, the application site forms part of the wider Quex Park estate and is a significant distance for non-associated residential occupiers. I therefore consider that the proposed development will not result in material harm.

Transportation

Quex Park Estate is on the periphery of the town of Birchington, which has good transport links. It is appreciated that the proposed use increases the traffic demand to and from Quex Park.

Following comments from the KCC Highways team the plans were amended to show parking spaces to comply with size requirements and the provision of cycle parking. The KCC Highways have raised no objections to this revision subject to a set of conditions should the application be approved.

The development would provide 11 on-site parking spaces, (to the rear of building A & G and the lean-to and granary building) and as such would accord with policy TR16 of the Local Plan. This level of parking is considered to be acceptable to serve the proposed development. In addition a cycle storage area has been provided within the communal area. Details of its appearance will need to be secured by condition.

For these reasons, the applicant has satisfied the KCC Highways in providing a safe access to both the proposed development.

Ecology

The Preliminary Ecological Appraisal provided with the application was reviewed by Natural England and Kent County Council's Ecology Officer and it recommended that further ecological information was required to inform the application. This report recommended that

bat emergence surveys be carried out; KCC Ecological Advice Service advised that this would need to be submitted prior to determination of the application; the precautionary approach.

Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2010. The additional Bat Survey Report (dated 30th August 2017) was carried out on the 3rd and 10th August 2017.

The submitted Bat Survey Report states that no bats emerged from the buildings during the emergence survey. Furthermore low bat activity was recorded during the surveys and the site was not considered to support roosting bats.

KCC Ecological Advice Service have confirmed they have no objection to the proposal subject to conditions relating to the precautionary mitigation measures being implemented the provision of a reptile mitigation statement and ecological enhancements. The applicant has confirmed that should permission be granted they are prepared to pay the SAMM contribution required by Natural England.

Other matters

The Council as Local Planning Authority has a duty under section 66 of the Listed Buildings Act to have special regard to the desirability of preserving (among the other things listed in that section) the setting of a listed building. The glossary annexed to the NPPF defines the "setting of a heritage asset" as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

The overall aims of paragraphs 132-134 of the NPPF which indicate that a balance applies; great weight should be given to the conservation of designated heritage assets and that where harm is identified that is less than substantial, the harm should be weighed against the public benefits. It is not disputed that the effect on the significance of heritage assets in this case would be 'less than substantial'.

The nearest listed building to the application site is number 2 Quex Farm Cottage which is Grade II listed and is positioned to north-west of the application site.

The supporting information that accompanies this application asserts that "The scheme does not require any significant change to the built form. The only new building is at the furthest point of the site from the listed building. The re-use of the redundant buildings will ensure their beneficial retention. The nature of the use is one that will not cause detriment to the visual amenity or outlook from the listed building. The site is well contained and access is not near to the listed dwelling."

This statement concludes that the proposal not have a significant impact upon the setting of the listed building.

The Conservation Officer has confirmed that he has no objection to the scheme, and has suggested a condition can be attached to remove permitted development rights for means of enclosures. Taking into account the submitted scheme and views of the Conservation Officer, I am of the view that the application will bring back into use a number of traditional buildings that would offer a neutral impact upon the setting of the listed building.

Kent County Council Archaeology have confirmed that they have no objection subject to the attachment of conditions – which are considered reasonable.

The Environment Agency have confirmed that they have no objections to the proposal, although query where the foul sewage would be going; it should be to the main sewer. The applicants agent has subsequently confirmed that this will be to the main sewer.

Southern Water have requested that an informative be attached advising that the applicant should contact them to initiate a sewer capacity check to identify the appropriate connection point for the development. No issues are raised by KCC Flood and Water Management as they considered the development to be low risk.

In terms of contamination the NPPF advises at paragraph 120 and 121 that planning decisions should ensure that the site is suitable for its new use taking into account ground conditions and land instability including from former activities and uses.

Due to the previous use of the buildings there is a possibility of contaminants from the historic use, the Environmental Health team have requested that conditions be attached to any consent given.

The holiday units are classed as C3 use class as such benefits from permitted development rights for householder works. In order to limit the potential for various alterations and extensions to the holiday units, which may be inappropriate in this countryside location, as such it is recommended that permitted development rights are removed.

Conclusion

At the heart of the Framework is a presumption in favour of sustainable development. Paragraph 14 of the Framework advises that the presumption in favour of sustainable development is a golden thread running through both plan-making and decision-taking. There are three dimensions to sustainable development: economic, social and environmental.

I consider that there will be significant economic benefits to the local area and the positive contribution to Thanet's visitor economy; as the scheme would create jobs during the construction period and once the holiday let use is in its day-to-day operation and furthermore future occupants could bring additional expenditure in the area. The scheme would therefore benefit the local economy and this is given significant weight.

In terms of social role of the development, the scheme would provide benefits in creating a high quality built environment, and the proposed holiday lets would be complimentary to the

existing uses on the site, including restaurant, shop and mini golf providing a moderate social benefit.

The NPPF advises that the environmental aspect of sustainability includes contributing to protecting and enhancing our natural, built and historic environment; economic and social gains should be sought jointly and simultaneously with environmental improvement. The proposed scheme would bring back into use existing buildings, three of the barns are constructed in traditional materials in terms of their walls and the use proposed would safeguard the buildings and prevent deterioration of the buildings with no adverse impact upon the countryside.

In this case there are relevant policies relating to designated heritage assets that have to be considered. Paragraph 129 says that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. It is considered that the scheme would result in less than substantial harm to the setting of the adjacent listed building and would in my view have the potential to offer a benefit in the re-use of these buildings.

The proposal will not give rise to conditions detrimental to highway safety, neighbour amenity, ecology and contamination subject to conditions.

The proposal therefore complies with the provisions of the development plan and national planning policies contained within the NPPF, and as such it is recommended that permission be approved subject to condition.

Case Officer

Gill Richardson

TITLE:

F/TH/17/0405

Project

Former Farm Buildings Rear Of Quex Barn Quex Park Birchington Kent

Scale:

