

R04

OL/TH/17/1412

PROPOSAL: Outline application for the erection of 1No. detached bungalow with all matters reserved

LOCATION: Land North West Of Down Barton Road St Nicholas At Wade BIRCHINGTON Kent

WARD: Thanet Villages

AGENT: Mr Tony Michael

APPLICANT: Mr & Mrs Walker

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The site is outside the built up area boundary of any settlement and represents an unsustainable and isolated form of development within the countryside, not outweighed by any economic, social or environment benefits, contrary to Policies H1 and CC1 of the Thanet Local Plan and Paragraphs 49 and 55 of the National Planning Policy Framework.

2 The proposed dwelling, by virtue of its location, would appear visually divorced and isolated within the open landscape which is characteristic of the western side of Down Barton Road, and out of keeping with the open rural character of the area, contrary to Thanet Local Plan Policies CC1, CC2 and D1, and paragraphs 17, 58, 60 and 61 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site lies outside the village confines of St Nicholas-at-Wade, as established by the Thanet Local Plan proposals map. The site is a parcel of land currently part of a stable and horse paddock to the north west. The site fronts Down Barton and is located opposite Nos. 1 to 7 Prospect Place and No.1 Downbarton Farm Cottages and its north eastern boundary extends to the public right of way leading to St Nicholas Court.

RELEVANT PLANNING HISTORY

F/TH/15/0293 - Change of use and conversion from stable to dwelling with external alterations - Refused on 18.06.2015 for the following reason:

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 Paragraphs 49 and 55 of the National Planning Policy Framework

An appeal was lodged against this decision, and this was dismissed by the Planning Inspector.

F/TH/09/0406 - Change of use of land for keeping of horses together with erection of stable building, sand school, fencing, manure store and associated access for domestic purposes
GTD 09.09.2009

F/TH/97/0517 - Retention of a field shelter and parking of a horse lorry in accordance with the provisions of section 73A (2) (a) GTD 22.09.1997

PROPOSED DEVELOPMENT

The application is in outline form with all matters reserved, for the erection of 1No. dwelling. The illustrative layout plan and drawings show the location of a single dwelling with access onto Downbarton Road. Parking is shown within the site to the front of the property. In addition a footpath is shown from the road to the parking area and an additional private footpath is shown linking the parking area to the public footpath to the north east of the site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

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

CC2 - Landscape Character Areas

D1 - Design Principles

D2 - Landscaping

H1- Housing

H4 - Windfall Sites

SR5 - Play space

TR12 - Cycling

TR16 - Car Parking Provision

NOTIFICATIONS

Neighbouring residents have been notified, a site notice displayed and an advert placed in the Thanet Extra and no representations have been received.

St Nicholas-at-Wade & Sarre Parish Council raise no objection.

CONSULTATIONS

Environmental Health has considered contaminated land, noise and air quality with this application and do not have any concerns and raise no objection.

Kent Archaeology make the following comments:

I have reviewed the Historic Environment Record and collection of aerial photographs and note that the proposal is located in an area of significant archaeology with prehistoric landscapes surrounding St Nicholas. The cropmarks close to the site appear to be the vestiges of a significant WW2 buried landscape at the village which was heavily defended with encircling entrenchments. It would appear that in the site there are remains of the zig-zag trenches and also an area that may be a strong point which would seem strategically located near the road.

The proposals may affect archaeology though I note that the proposal at present is in Outline form with matters reserved. While we would prefer to see the design of the development proposals informed by the archaeology and its potential preservation, I would consider that this can be achieved through a condition on the Reserved Matters consent if forthcoming. I would recommend therefore that provision is made for an archaeological evaluation with agreement of measures to preserve significant archaeology and/or further investigation. Measures could include the positioning of the new building elements of the proposal at detailed design stage. The evaluation should be undertaken prior to submission of a detailed application to ensure that archaeology is taken into account. The following two conditions are recommended:

1. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of
 - i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

And

2. No development shall take place until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason : To ensure that due regard is had to the preservation in situ of important archaeological remains.

Southern Water raise no objection but request an informative is attached to any approval advising of the process for making a connection to the public sewage system.

COMMENTS

The application is brought before Members as a departure to policy H1 of the Thanet Local Plan, as the site is located outside of the confines of the village, on non-previously developed land within the open countryside.

The application is also brought before Members at the request of Councillor Derek Crow-Brown to allow for the consideration of the application as a sustainable form of housing development within the countryside.

Principle

The application is in outline form with all matters reserved therefore details of access, appearance, landscaping, layout and scale cannot be considered at this time and would be submitted under reserved matters. Therefore the principle of the erection of a dwelling is the only issue being considered at this time.

The application site lies within an area designated as countryside as defined by the Thanet Local Plan and is therefore contrary to Policy H1 of the Thanet Local Plan, which requires that new residential development should be on previously developed land within the urban confines.

Policy CC1 of the Thanet Local Plan states that new development within the countryside will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a current need for housing within Thanet, which is being reviewed through the Local Plan process.

The Council does not currently have a 5 year supply of deliverable housing sites as required by paragraph 49 of the NPPF. For residential development, this means that planning applications for housing should be considered in the context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 14). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 49). Paragraph 14 of the NPPF states that where relevant local policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would "significantly and demonstrably" outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In determining whether the development of the site is acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact on the countryside and character and appearance of the area, impact on the highway network, impact upon living conditions, and sustainability of the development.

Character and Appearance

The site lies outside of the built up village confines of St Nicholas-at-Wade as defined by the Thanet Local Plan 2006 and within a Landscape Character Area, where the policy states development will only be permitted that would not damage the setting of the Wantsum Channel.

In 2015 the Planning Inspector upheld a refusal to grant planning permission for the conversion of the stable building, approximately 70 metres to the south west of the site, into a single dwelling. The current application is on land to be separated from part of the horse paddock to which the stable building relates. He raised issues regarding the distance of the site to the footpath. Whilst he noted the settlement of St Nicholas-at-Wade contains a range of services and facilities he said "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." He went on to say that "the linkage between the site and the services and facilities in St Nicholas-at-Wade, including bus stops, is therefore generally poor and occupiers of the proposed dwelling would in practice be very reliant on a private car." The applicant has looked to address these issues by indicating the dwelling is located closer to the village and has proposed a footpath connection across the land, linking with the public right of way and footpath to the north east.

The site is currently used as a paddock for horses and provides a break in the built form. There is a clear delineation to the edge of the village confines that finishes approximately 30 metres to the north east of the boundary of the site. The illustrative block plan shows the proposed dwelling located approximately 60 metres from the edge of the village confines. There are no other residential dwellings on this side of the road beyond the village confines.

During the pre-application process the applicant suggested that the dwelling could be located further to the north-eastern end of the site to give the dwelling a closer relationship with the existing buildings within the village. Whilst this would bring the proposed dwelling closer to the edge of the defined village boundary there would still be an intervening parcel of land (not within the ownership of the applicant) and a public footpath, creating a gap of approximately 30 metres, which would separate the north-eastern boundary of the site from the established edge of the village confines. A dwelling in this location, together with the residential paraphernalia that would reasonably be expected surrounding a dwelling, would reduce the open character of this landscape which is protected by Local Plan policy CC2. The addition of hardstanding to the front of the property and a footpath across the length of the site would further erode the undeveloped and open character of the landscape. The landscape within areas covered by Policy CC2 is very open with few features and from the upper slopes it affords extensive views across the whole of the former Wantsum Channel to the slopes on the opposite banks and in many places to the sea. The former shoreline provides St Nicholas with its unique setting.

The Planning Inspector commented on the visual isolation of the stable building saying "although the site is relatively close to the nearest dwellings on Down Barton Road, the position of the stables towards the rear corner of the site is such that it would appear divorced and somewhat isolated from the settlement. In this respect, the site is more closely related to the countryside than the settlement and its existing rural use." The Inspector commented that the residential conversion of the stable building would result in a material change to the character and appearance of the rural character of the building "compounded by associated external domestic paraphernalia" and "the proposal would result in development that would be significantly more visually intrusive and damaging to this countryside location." He concluded that the proposal would fail to recognise the intrinsic character of the countryside. The erection of a residential dwelling within this site would not

overcome the Inspector's concerns as the site is clearly isolated and divorced from the residential properties to the north east, and the erection of a single dwelling rather than the conversion of an existing dwelling would have an even greater impact upon the open character of the countryside.

The development on the opposite side of Down Barton Road (Nos. 1 to 7 Prospect Place and the Downbarton Farm Cottages) are outside of the village confines but these exist as a group of properties rather than forming isolated development. The recently approved development for 6 dwellings in Summer Road was seen as infill development between existing properties and set within the context of the existing houses in Summer Road to the south and properties fronting Down Barton Road to the west and they did not encroach into the open countryside. By contrast the side of the road, in which the application site is located, has no development beyond the confines of the village and retains its open character with the exception of the stable block which was permitted as it was a replacement to earlier stables and was supported by Thanet Local Plan Policy SR16 which generally supports equestrian uses in the countryside.

Paragraph 55 of the National Planning Policy Framework outlines how housing should be located where it will enhance or maintain the vitality of rural communities and Local Planning Authorities should avoid new isolated homes in the countryside unless special circumstances exist, such as to satisfy an essential need for a rural worker to live permanently on the site, the development would represent the optimal viable use of a heritage asset, re-use a redundant or disused building or involve exceptional quality or innovative design. It is not considered that the proposed development would satisfy any of these special circumstances.

Whilst there is a local need for housing, this proposal provides only one unit towards the housing supply, and the proposed development is considered to erode the open rural character of the countryside and Landscape Character Area, which is similar to the view previously held by the Inspector when considering the application on the adjoining site. The need for the development is therefore not considered to outweigh the harm to the countryside, and is therefore not considered to be sustainable under the environmental dimension of sustainable development. The proposed development is therefore considered to be contrary to the Policies CC1 and CC2 of the Thanet Local Plan and the requirements of the NPPF.

Living Conditions

The appearance, layout and scale of the dwelling has been reserved for future consideration, however, the indicative floor plan provided does suggest that it would be possible to provide a good standard of residential accommodation for future occupiers given the available size of the site. A dwelling located within this site would be some distance from other dwellings and is unlikely to have a detrimental impact upon the amenity of neighbouring residential occupiers.

Local Plan policy SR5 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. Whilst the application is only in outline form there appears to be scope to provide ample safe play space and space for clothes drying, refuse

storage and storage facilities. The application does not propose boundary treatment at this stage but the erection of a means of enclosure, such as wall or fence, to provide a safe doorstep play space would result in further loss of openness within the site. Likewise the addition of bin storage and clothes drying facilities together with the domestication of the site would further introduce structures within the site resulting in the loss of open landscape.

Highway Safety

The application is for a single dwelling and the proposal has indicated off street parking to the front of the property and there is room within the site for the safe storage of bicycles. Given the size of the site and its boundary onto Down Barton Road it is reasonable to assume that Kent Highway Parking Standards could be met and as such I do not consider the proposal would adversely impact upon highway safety.

There would be a certain amount of activity associated with the current use of the site from the use of the stable and the additional amount of activity associated with one dwelling would not be significantly greater. The proposal would therefore accord with the aims of Thanet Local Plan policies TR12 and TR16.

Other Matters

There are no specific policies within the Local Plan that would protect the use of the land for grazing. Furthermore, the site is surrounded by countryside and as such there would be opportunities for other potential grazing land sites.

Conclusion

For the reasons stated above it is considered that the need for the development does not outweigh the need to protect the countryside and this isolated form of development is considered to impact upon the open rural character of the area, contrary to Thanet Local Plan policies CC1 and CC2 and paragraph 55 of the National Planning Policy Framework. It is therefore recommended that Members refuse the application.

Case Officer

Rosemary Bullivant

TITLE: OL/TH/17/1412

Project Land North West Of Down Barton Road St Nicholas At Wade
BIRCHINGTON Kent

