

D, or E of Part One or Class A of Part Two of Schedule 2 to the Town & Country Planning (General Permitted Development) Order 1995 or not, shall be carried out without the prior permission in writing of the District Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

6 The change of use hereby permitted shall be carried out in accordance with the works identified within the Structural Survey Report, dated 15th April 2019.

GROUND:

To limit the visual impact upon the countryside, in accordance with Policies CC1 and D1 of the Thanet Local Plan.

7 Prior to the commencement of development, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. This will include the recommendations in the Preliminary Roost Assessment (Arbtech July 2019). The approved details will be implemented and thereafter retained.

GROUND;

In accordance with paragraph 175 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The application site comprises a regular shaped parcel of land measuring approximately 0.12 hectares on the south-eastern side of the road.

The Mill House is located on a triangular plot at the junction towards the north, end of Way Hill. The application site is located to the north-east of this. To the north eastern side of the application site is a detached property known as 'Larksfield'. The stable buildings subject of this conversion are located close to the common boundary with 'Larksfield', in the north corner of the site. Two of the buildings are constructed in timber and have pitched roofs, the third building is concrete block and has a monopitch roof. Opposite the site is agricultural land. The site is enclosed by a Leylandii hedge and close boarded fence.

RELEVANT PLANNING HISTORY

F/TH/92/0570 Use of stable building for the stabling of horses not associated with the dwelling and change of use of stables and agricultural land for the keeping of horses for leisure purposes. Granted 27/05/93

PROPOSED DEVELOPMENT

The proposed development seeks planning permission to convert the existing stables into a three bedroomed residential dwelling. A small link extension is proposed to connect the existing stable buildings and a glazed corridor will be erected to the front of the smaller

existing stable building with weatherboarding to the side to enclose the building. In addition the roof of the concrete stable will be replaced and roof lights installed within the roofs of all the buildings.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006 Saved Policies)

H1 - Residential Development Sites
H4 - Windfall Sites
CC1 - Development in the Countryside (urban and rural confines)
CC2 - Landscape Character Area
CC7 - Rural Lanes
D1 - Design Principles
D2 - Landscaping
SR5 - Play Space
TR12 - Cycling
TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to adjoining residents, a site notice posted close to the site and the application publicised in a local newspaper.

One representations were received. The concerns can be summarised as follows:

- Contrary to CC7 which indicates that developments such as this within the rural lanes is not permitted
- Rear wall of the stables constitutes part of boundary- as such residential use will significantly increase noise
- Access required to objectors land which would cause great disturbance and inconvenience
- Increase in traffic by a third in a narrow lane
- Proposal not of any great quality or impressive design
- Question if two timber sheds can be converted adequately
- Consider conversion could not provide adequate proper accommodation for a family and must be marked on the basis that a single person or persons would wish to purchase it at a relatively low asking price

Minster Parish Council: No objection

CONSULTATIONS

Environment Agency: The proposal has a low environmental risk, we therefore have no comments.

Southern Water: The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.

Natural England: On the basis of the appropriate financial contributions being secured to the relevant scheme. NE concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of Thanet Coast and sandwich Bay SPA and Ramsar site.

Kent County Council Ecological Advice Service: Further comments- The additional information is sufficient to determine the planning application. Bats were a primary concern with this development proposal. The Preliminary Roost Assessment (PRA), submitted by the applicants, concluded that the buildings have negligible potential for bat roosts. The PRA recommends the installation of bird and bat boxes, and should be secured by condition - ecological enhancements.

Initial comments - Advise that a bat scoping survey is undertaken on the buildings to assess the likely presence/absence of roosting bats. If bats are found to be utilising the buildings, there will likely be a need for further surveys. Survey results, along with any recommended further surveys and/or necessary mitigation measures, must be submitted to the local authority prior to the determination of the application.

COMMENTS

This application is referred to the Planning Committee as it represents a departure from Policy H1, as the site is located in the countryside.

The main considerations are the principle of the development, the effect the proposal would have upon the character and appearance of the surrounding area, impact on living conditions and whether there is a need for the development that overrides the need to protect the countryside.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The 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.

However currently the Council does not have a 5 year supply of deliverable housing sites as required by paragraph 11 of the NPPF. For residential development, this means that

proposals for housing should be considered in the context of the National Planning Policy Framework's presumption in favour of sustainable development (paragraph 11). This is because local policies (including defined development boundaries) relating to the supply of housing are no longer considered up to date (paragraph 11). Paragraph 11 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.

Policy CC1 of the Thanet Local Plan states that within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside. There is a need for housing within Thanet, however, the need for housing has to be balanced against the impact on the countryside and the sustainability of the site.

Policy CC2 relates to the Landscape Character Area and this site lies within The Former Wantsum North Shore Area where the policy states development will only be permitted that would not damage the setting of the Wantsum Channel and long views of Pegwell Bay, the Wantsum Channel, the adjacent marshes and the sea.

Policy CC7 states that where development would adversely affect the landscape, amenity, nature conservation, historical or archaeological interest of the rural lanes will not be permitted.

Paragraph 79 of the NPPF states decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting (para 79c).

It was evident from a site inspection that the stables and land associated with this land parcel no longer served the use originally intended and was vacant.

The principle of development is, therefore, considered to be acceptable subject to the impact upon the countryside and Landscape Character Area being acceptable, along with the sustainability of the development.

Landscape Character

The site is within the Wantsum North Shore - it is characterised by quite steep hill slopes leading down from the Central Chalk Plateau to the former Wantsum Channel. It acknowledges that from the upper slopes it affords extensive views across the whole of the former Wantsum Channel. The buildings subject of this change of use and conversion are existing and single storey with only modest extensions proposed to link the buildings.

Given that the proposal relates to the conversion of existing buildings together with modest extensions to facilitate this conversion it is not considered that it would have an adverse effect on the landscape character or the amenity, nature conservation, historical or architectural interest as Way Hill as a designated rural lane. As such, it is not considered

that the proposed development would conflict with the aims and objectives of policy CC2 or CC7 of the Local Plan.

Sustainability

The nearest bus stop is at the junction between The Lanes and Way Hill which is approximately a 700 metre walk/cycle from the application site. The number 42 service which used to stop there was cancelled earlier this year. Now the nearest bus stop to this site is on Tothill Street, close to the junction with Foxborough Lane. Whilst this is not ideal (being located some metres from the application site) it is noted that there are other dwellings within the vicinity and the proposal will form part of this grouping of dwellings. There is also the potential to cycle to the centre of Minster.

This proposal is very similar to the recent proposal for the conversion of a stable block to residential at 1 Dellside, Wayborough Hill (considered under reference F/TH/16/1020). The neighbouring proposal was originally recommended for refusal by officers on the grounds that the proposal did not constitute sustainable development; however, Members felt that on the basis of both the location of development (close to the centre of Minster village and services), and the re-use of a redundant building, that the development did constitute unsustainable development within the countryside, in accordance with the NPPF. Furthermore there was a subsequent application adjacent to Primrose Cottage, also on Wayborough Hill, also for conversion. The recent planning decision is a material consideration in assessing this application given the similarities in the proposal.

Structural Quality

A Structural Survey Report has been submitted with the application that confirms the stables are capable of being converted to a dwelling and, having inspected the site, it is confirmed that the buildings appear sound and in good repair. It is therefore considered that the redundant stable buildings are capable of being converted to a residential dwelling, and would therefore comply with paragraph 79c) of the NPPF, which considers the re-use of a redundant building or disused buildings.

Character and Appearance

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Saved policy D1 of the Local Plan outlines that the design of all new proposals must respect or enhance the character and appearance of the area, particularly in scale, massing, rhythm and use of materials.

The site is a parcel of land comprising stable buildings and horse paddock. The site sits back from Way Hill and is screened by trees/hedges. Access to the site is from Way Hill.

The works proposed to convert the stables into a three bedroomed residential dwelling would result in modest alterations to the existing buildings, the stables would not be increased in height increase in height, although the roof material changes - asbestos board/concrete interlocking tiles to slate tiles. There would be small elements of infilling between the stable blocks with flat roof extensions at approximately eaves level to the existing buildings. In addition a glass corridor is proposed to the front of the timber stables continuing in-line with the concrete stable. This corridor would be fully glazed with a timber door in the south east facing elevation. The building would be subdivided internally to provide living accommodation with roof lights and an additional window in the north east facing elevation to provide additional light to the three rooms.

Externally, the proposal would retain much of the original stable design which already appears quite domestic in design. As set out above, the existing roof would be replaced with slate tiles; new supports will be required to take the additional load. Insulation would also be incorporated into the conversion. The windows and doors would be timber. Overall the proposed conversion would retain the existing characteristics of the stable buildings and the proposed materials would result in a dwelling that would, in officer opinion, assimilate well into the site and not appear dominant or intrusive within the wider realm. .

The existing concrete hard standing to the front of the stable buildings would be retained and used as a patio area. The existing access would be utilised and would be a resin bound material to prevent run off of material onto the highway.

The tree/hedges to the road boundary are indicated to be retained on proposed block plan and the paddock utilise as a grassed area. The retention of the existing landscaping to the road frontage and relatively enclosed nature of the site would help the development assimilate into its countryside setting or landscape character area.

Given the discrete location of the stable buildings to be converted, the modest external alterations to the buildings (which would maintain the existing building form), it is considered that there would be minimal visual harm to the surrounding countryside. On this basis the need for the proposed development is considered to outweigh the harm to the countryside, and provide a sustainable form of development in keeping with the character and appearance of the area. The proposed development is therefore considered to comply with Policy CC1 of the Thanet Local Plan, and paragraphs 79c) and 127 of the NPPF.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The proposed dwelling would be separated from the dwelling to the north; Larksfield by its vehicular access. Their garage is adjacent to Way Hill, although at a slight angle to the highway. Larksfield and the stable buildings subject to this application have a distance of approximately 19m apart. Given this degree and the modest nature of the extension there will be no material harm resulting from the proposed extensions.

The existing openings within the buildings will largely be utilised for the proposed dwelling. . Window openings are within the southwest facing elevation, facing into the site. Whilst the north east elevation has a proposed window this faces onto the road and hedgerow. Roof lights are all proposed to the south west facing elevation, again facing into the site. Given that most windows are existing, face into the site or highway boundary and within the roof space, I consider that no impact will occur through overlooking.

It is appreciated that the proposed residential use will bring different activity to the site when compared with that associated with the stable use. Given, however, that there is sporadic residential dwellings along Way Hill and the proposal is for one modest three bedroom dwelling, it is not considered to result in levels of noise or disturbance which will result in material harm.

Local Plan policy SR5 requires new dwellings with two bedrooms or more to provide safe doorstep play space for young children. The proposed dwelling would have its associated amenity space in front of the building. The amenity space is commensurate to the size of the dwelling proposed. The private garden would provide a safe play space and space for clothes drying, refuse storage and storage facilities within the curtilage of the dwelling.

In terms of the living conditions of the future occupiers of the proposed dwellings, the Council's Draft Local Plan to 2031 has now been examination and can be attributed modest weight in the consideration of planning applications. Policy QD03 of the Draft Plan requires new development to be of an appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in Policy QD04, which are the National Described Space Standards (March 2015). Policy D1 of the Thanet Local Plan requires development to provide a high quality layout and paragraph 127 of the National Planning Policy Framework requires development to provide a high standard of amenity for existing and future users, with all windows serving primary habitable rooms required to provide an acceptable level of outlook, natural light and ventilation for the rooms. The proposed dwellings meet all of these criteria in terms of the overall floor space and window provision to habitable rooms.

The impact of the proposed development on surrounding occupiers and its future occupiers, is, therefore, considered to be acceptable and in accordance with Policy D1 of the Thanet Local Plan, policies QD03 and QD04 of the Draft Local Plan and the guidance of the NPPF.

Transportation

The site has an existing vehicular access. Way Hill is no longer a through road since being closed off at its northern end. This section only serves two further properties to the north and an electrical substation. The addition of one dwelling would be unlikely to cause significant harm to the highway network through additional vehicular movements. The site is large enough to provide off street parking/manoeuvring and there would be room within the site for the safe storage of bicycles. The impact upon highway safety is therefore considered to be acceptable and in accordance with Policies TR12 and TR16 of the Thanet Local Plan, and the NPPF.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

This application includes a Unilateral Undertaking (UU) which provides the required financial contribution for the 3 bed residential units to mitigate the additional recreational pressure on the SPA area. The applicant's agent has submitted the draft UU which is satisfactory to the LPA.

Other Matters

A third party has raised concerns about access to their land, that the property should only be marketed to single people at a low price and question whether the buildings could be adequately converted. The issues raised relating to access is a separate civil matter between parties and outside the remit of planning. It is also not for the Local Planning Authority to determine how the buildings, if converted should be marketed or who would occupy it. The accommodation would of course need to comply to Building Regulation standards in terms of for example its structure, resistance to the passage of sound and fire safety.

Conclusion

The proposed development is considered to be sustainably located, and would result in the conversion of an existing stable block with only modest external alterations/extensions. Given that there is a need for housing, alongside the minimal visual impact that would result from this conversion, it is considered that on balance, the need for the development would outweigh the need to protect the countryside. The social and economic benefits from the provision of a single dwelling is therefore considered to outweigh the minor environmental harm, and as such the proposed development is considered to comply with Policy CC1 of the Thanet Local Plan and the NPPF. It is therefore recommended that members defer and delegate to officers to approve the application as an acceptable departure to Policy H1 of the Thanet Local Plan, subject to safeguarding conditions, to include the removal of permitted development rights for the proposed dwelling and the receipt of the signed UU to secure the SAMM contributions.

Case Officer
Gill Richardson

TITLE: F/TH/19/0729

Project The Mill House Way Hill Minster RAMSGATE Kent

