

MC/17/0902

Date Received: 10 March, 2017

Location: Victoria House, Ratcliffe Highway, St Mary Hoo, Rochester, ME3 8RJ

Proposal: Conversion of existing outbuilding to form a 3-bedroomed dwelling with associated parking and relocation of existing stable building

Applicant: Sheree Nunn

Agent: Mr Edwards Edwards Planning Consultancy 83 Clock House Road Beckenham BR3 4JU

Ward Peninsula

Case Officer Doug Coleman

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 13 June 2017.

Recommendation - Approval subject to:

A The applicant entering into a Section 106 agreement to secure contribution of £223.58 per unit towards mitigation measures within Special Protection Areas and;

B The following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

NU/17/103.05, NU/17/103.06, NU/17/103.07 & NU/17/103.08 received on 10 March 2017; and NU/17/103.04A received on 18 May 2017

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1, BNE25, BNE27 and BNE33 of the Medway Local Plan 2003.

- 4 The building shall not be occupied, until the area shown on the submitted layout as vehicle parking space and has been provided. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003.

- 5 No external lighting shall be installed on the site until details of such lighting including its height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) together with a report to demonstrate its effect on the rural landscape, views of the site from Ratcliffe Highway, nearby residential properties, bats (including reference to the recommendations of the Bat Conservation Trust)) and of how this effect has been minimised shall be submitted to and approved in writing by the Local Planning Authority. Only the external lighting approved pursuant to this condition shall be used on the site and it shall only be used within the hours approved pursuant to this condition.

Reason: In order to limit the impact of the lighting on the surrounding landscape, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE25, BNE33, BNE34 and BNE39 of the Medway Local Plan 2003.

Recommendation

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

The application site, as outlined red on the site plan and comprises the application building, a detached timber building measuring 16m by 7.6m, with an eaves height of 2.7m and a steeply pitched tiled roof rising to a ridge height of 7.5m. This building was erected following the grant of planning permission in 2001 (MC/01/0388). The building is a barn type structure with a large timber door and a return gable on the front (north

facing) elevation. There is an external staircase on the side elevation. The building is currently use for the storage of horse related equipment.

The application site would be served by an existing access off Ratcliffe Highway, serving Victoria House which currently leads to the application building, and amenity area to the rear (south of the building) measuring approx. 13m deep by 25m wide. There is a small storage building within this amenity/garden area and a stable block.

The site also comprises of a much larger land holding comprising Victoria House, a large detached dwelling built following the grant of planning permission in 1983 (ME/82/181 & ME/82/181B), and its immediate curtilage, a field to the rear, part of which is used as a sand school following the grant of planning permission in 2005 (MC/05/0927), and part of the curtilage to the front between the site and Ratcliffe Highway. There is another building within this curtilage area, which has the benefit of planning permission of use as a self-catering holiday unit (MC/00/0129).

It is proposed to convert this barn building to a three bedroom dwelling. The existing openings on the north elevation would be utilised to provide glazed window/door openings. Additional openings would be provided on the rear and side elevations and rooflights.. Apart from window openings, no other alterations are proposed to the facade of the building.

The internal layout of the proposed dwelling would comprise a hall, entered via the large central entrance, with a shower room to the rear. One side there would be a dining/kitchen area, with a utility room to the back, and a lounge on the other side. The upper floor would comprise a study area, three bedrooms - two with en-suites and a bathroom.

Site Area/Density

Site Area: 0.09 hectare (0.22 acre)

Site Density: 11 dph (4.4 dpa)

Relevant Planning History

Application building

MC/01/0388	Construction of an outbuilding Approved with Conditions 24 July, 2001
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Other buildings at Victoria House

MC/05/0927	Construction of a sand school Approved with Conditions 29 June, 2005
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MC/00/0129	Conversion of existing stable/garage into a self-catering holiday unit. Approved with Conditions 21 June, 2000
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ME/89/526	Erection Of A Barn
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	Refused 21 November, 1989 Allowed on appeal
ME/85/103	Erection of two stables and store shed Approved with Conditions 27 March, 1985
ME/82/181B	Details pursuant to outline for the erection of a, detached house with integral garage Approved with Conditions 10 May 1983
ME/82/181	Outline application for the erection of two, detached houses and garages Approved with Conditions 4 May 1982
ME/77/29	Site for twelve residential dwellinghouses Refused 30 March 1978

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. St Mary Hoo Parish Council has also been consulted.

St Mary Hoo Parish Council has written objecting on the grounds that the barn conversion would provide an additional dwelling in the countryside and would be backland development.

Dickens Country Protection Society has written objecting on the grounds of backland development and expressing concern at the possible future conversion of the stable to a dwelling.

One letter has been received from a local resident expressing concern at the possible conversion of other outbuildings to dwellings.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 and are considered to conform.

Planning Appraisal

Principle

The site is located in open countryside, outside the built confines of the urban area or any rural settlement, as identified in the Proposals Map to the Medway Local Plan 2003. The site is also located within the North Kent Marshes Special Landscape Area.

Policy BNE25 states that *development will only be permitted in the countryside if it*

maintains, and wherever possible enhances, the character, amenity and functioning of the countryside, including the river environment of the Medway and Thames, and offers a realistic chance of access by a range of transport modes. Policy BNE25 also specifies criteria against which development in the countryside will be assessed, one of which is the re-use of adaption of an existing building that is and would continue to be in keeping with its surroundings in accordance with Policy BNE27.

Policy BNE27 states that *development involving the re-use or adaption of an existing building in the countryside will be permitted provided that:*

- (i) The building is of a permanent, substantial construction and will not need major or complete reconstruction; and*
- (ii) The form, bulk and design of the building will be in keeping with its rural surroundings; and*
- (iii) The building's character, any special features of architectural and historic value or its setting are not damaged; and*
- (iv) The nature, scale and intensity of the proposed use is not detrimental to residential and/or rural amenity, or the character of the area; and*
- (v) The development does not lead to a dispersal of activity on a scale likely to prejudice town or village vitality; and*
- (vi) When the re-use is to be residential, then either*
 - (a) it is demonstrated that every reasonable attempt has been made, without success, to secure a suitable business re-use for that property; or*
 - (b) the residential element is a sub-ordinate part of the scheme for business re-use.*

With regard to BNE27(vi), in this case, the authorised use of the building is ancillary to the residential use of Victoria House and it does not appear to have been used for any other purpose, and therefore a separate residential dwelling would be an acceptable alternative use.

Paragraph 51 of the NPPF states that *"Local Planning Authorities should bring empty buildings back into use and approve planning applications for change to residential use.... where there is an identified need for additional housing in that area"* Paragraph 51 makes no reference to whether building is in town or countryside.

Regard should be paid to the current five year housing land supply situation. At present, the Council does not have a 5 year housing land supply and therefore, Paragraphs 49 and 14 of the NPPF apply, and relevant policies for the supply of housing should be considered not up to date. Paragraph 49 of the NPPF states: *'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'* Therefore relevant policies fall away and decisions are made in accordance with the definition of sustainable development as outlined in the NPPF unless the site falls within a restricted area outlined in footnote 9 of the NPPF (SSSI, Green Belt, Local Green Space, AONB, Heritage Coast, National Park, an area at risk to flooding or coastal erosion). This would not apply within an SLA.

Therefore the site needs to be assessed in terms of its sustainability, having regard to

the definition of sustainable development as outlined in Paragraph 7 of the NPPF.

In terms of economic sustainability, the site is isolated from any local sources of employment and does not supply any permanent opportunities following the building works associated with the conversion of the premises. The increase in the number of residents within the existing settlement to support the local economy and rural jobs and services would be small and in terms of economic sustainability the proposal would not be significant.

The social part of sustainable development considers that site should be accessible to local services and create a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'. The development proposed it would not provide any new local services and would rely on pre-existing ones due to its size. The nearest local centres are within the villages of High Halstow, Lower Stoke and Allhallows. This would suggest that the development is unsuitable due to its distance from local services, however the proposal is for the conversion of an existing building to create one additional unit and so any impact in this regard would be minimal.

Paragraph 55 of the NPPF provides further guidance on development in the countryside and supports development '*where it will enhance or maintain the vitality of rural communities*'. Paragraph 55 also states that new isolated homes in the countryside should be avoided unless there are special circumstances one of which is the re-use of redundant or disused buildings. The proposed development is for a single residential unit. However it would not be isolated as it would sit within the residential curtilage of Victoria House, that itself is within a cluster of residential properties. One additional unit would be unlikely to have a significant impact.

The impact on the environment is of vital importance to the sustainability of a site and is assessed through Paragraphs 109-125 of the NPPF. The site is within a Special Landscape Area as outlined in Policy BNE33 of the Medway Local Plan 2003. Policy BNE33 was tested for conformity with the NPPF and has found to be partially consistent and therefore corresponds to Paragraph 109 of the NPPF which states that planning system '*should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils*'.

Policy BNE33 states that *development within the North Kent Marshes Special Landscape Area (SLA) will only be permitted if:*

- (i) it conserves and enhances the natural beauty of the area's landscape; or*
- (ii) the economic or social benefits are so important that they outweigh the county priority to conserve the natural beauty of the area's landscape.*

Any potential harm to the landscape character needs to be assessed, having regard to Medway Council's Landscape Character Assessment 2011 (LCA). The landscape character area within which the site falls within is Hoo Peninsula Farmland, which is described as having a lack of structure. The LCA'S guidelines state that new developments should not lead to suburbanisation and should respect biodiversity and local distinctiveness.

As the proposed development is for the conversion of an existing building the impact on the landscape would be minimal. As such the proposal is considered to be consistent with the guidance of the LCA.

Having regard to the above considerations, no objection is raised to the principle of the development under Policies BNE25, BNE27 and BNE33 of the Local Plan and Paragraphs 7, 17, 49, 51, 55 and 109-125 of the NPPF.

Design and appearance

The existing building, although relatively recent, has a traditional barn type appearance, being predominantly timber, with a steeply pitched tiled roof, return gable and external stairway. The alterations to the building to accommodate the proposed conversion would be minimal and essentially comprise the introduction of glass into existing openings, on the north facing elevation and new glass patio door openings on the south facing elevation. In addition rooflights would be introduced into the front and rear sloping roofs.

The building is approx. 50m from Ratcliffe Highway, across open fields, and therefore is visible, but is not unduly prominent as it is partly screened by trees and blends in with other buildings. The rear patio door openings would not be visible, but the rooflights would be visible depending on the extent of the tree screen. However, they would not adversely affect the character and appearance of the building or the locality.

The existing stable building cannot be seen, from Ratcliffe Highway, and it would be moved further away and as such would raise no design issues.

No objection is, therefore raised in terms of design and appearance, and impact on the countryside under Policies BNE1, BNE25, BNE27 and BNE33 of the Local Plan and Paragraph 58 of the NPPF.

Occupier amenity

The DCLG's Housing Optional Technical Standards specify a minimum Gross Internal Floor Area (GIA) of 84 sq. m. for a three bedroom/four person/two storey dwelling; 93 sq. m. for a three bedroom/five person/two storey dwelling; and 102 sq. m. for a three bedroom/six person/two storey dwelling. The proposed dwelling would have a GIA of approx. 165 sq. m. and in this regard would comply with the standard. In terms of bedroom sizes, the Standards specify a minimum floor area of 11.5 sq. m. for a double or twin bedroom and 7.5 sq. m. for a single bedroom.

The proposed dwelling would have bedrooms measuring 18 sq. m., 9.5 sq. m. and 7.5 sq. m, respectively.

In terms of private amenity space, the proposed dwelling would have a garden measuring 13m by 25m, which is considered adequate. Furthermore, the apart from buildings immediately to the east, the proposed dwelling and garden area would be surrounded by open land, thereby enhancing the spaciousness of the garden area.

Having regard to the above considerations, no objection is raised in terms of occupier amenity under Policy BNE2 of the Local Plan and Paragraph 17 of the NPPF.

Neighbour amenity

The nearest property is Victoria House, which is approx. 27m from the application building. There would, therefore be no loss of light, outlook or privacy to that property. The only impact would be the additional activity and traffic generated by the new unit which would pass the front of Victoria House, but this is not considered to be significant. No objection is therefore raised in terms of neighbour amenity under Policy BNE2 of the Local Plan and Paragraph 17 of the NPPF.

Highways

The proposed dwelling would be accessed via the existing drive serving Victoria House, and then via an entrance to the side of that property. There would be adequate space for vehicles to turn so they could enter and leave in a forward direction. Two car parking spaces are shown which would comply with the adopted vehicle parking standards. The proposal would, therefore, comply with Policies T2 and T13 of the Local Plan and no objection is raised in this regard.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £223.58 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities;
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicant has agreed to pay this tariff and will submit a unilateral undertaking in the event of the Committee resolving to grant planning permission. No objection is therefore raised under Paragraphs 109 and 118 of the NPPF and Policies S6 and BNE35 of the Local Plan.

Local Finance Considerations

There are no local finance considerations raised by this application.

Conclusions and Reasons for Approval

The principle of the proposal is acceptable having regard to Policies BNE25, BNE27 and BNE33 of the Local Plan and Paragraphs 7, 17, 49, 51, 55 and 109-125 of the NPPF. No objection is raised in term of design and appearance, the impact on the countryside and the SLA, occupier, amenity, neighbour amenity, access and parking. The applicant has indicated that she is willing to submit a Unilateral Undertaking in respect of bird mitigation. The application, would, therefore comply with Policies S6, BNE1, BNE2 BNE25, BNE27, BNE33, BNE35, T2 and T13 of the Local Plan and Paragraphs 7, 17, 49, 51, 55, 58 and 109-125 of the NPPF and is therefore recommended for approval.

The application would normally be determined under Officer delegated powers, but is being reported to the Committee on account of the letter of representation from St Mary Hoo Parish Council expressing a view contrary to the Officer's recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>