

OFFICERS REPORT

Application No: Y16/0906/SH

Location: Dundas Farm Big Pett Elmsted Ashford Kent TN25 5JW

Proposal Construction of an open-air swimming pool together with the installation of two oil tanks and palisade fence.

ASSESSMENT

Performance data:-

Date application valid: 20.09.2016

Applicable 8/13/16 week target date: 15.11.2016

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA)? No

If Yes, revised 8/13/16 week target date:

Is the application being determined after 26 weeks without a PPA or a PEA? No

SITE VISIT

Carried out site visit on 24.10.2016.

The site and proposals were assessed from within the application site and key features are noted in the assessment.

SITE

The application property is a Grade II listed building located in the open countryside outside of the defined settlement boundary. It is one of an isolated group of properties in the Kent Downs AONB and North Downs SLA located along a private track. Whilst the site is relatively open, there is a substantial amount of vegetation and trees along the access road and around the boundaries of the site and surrounding fields.

Work has started on various extensions approved in 2014.

HISTORY

97/0996/SH - Erection of a single storey rear extension and amendments to Planning Permission 93/0202/SH to provide for use by disabled persons: approved

97/0999/SH - LBC for alterations to provide facilities for disabled persons: consent granted

Y00/0987/SH - Erection of a single storey extension: approved

Y00/0988/SH - LBC for a single storey extension: consent granted

Y11/0542: LBC for the retention of a metal flue: refused and dismissed at appeal

Y12/0861/SH - Listed building consent for relocation of existing metal flue and erection of brick slip clad GRP cover to modern extension: consent granted

Y14/1077/SH - Erection of a two-storey extension to the northwest elevation following the demolition of the existing single storey extension and link; erection of a two-storey extension to the southwest elevation following demolition of the existing extensions; alterations to the dormer windows; other external alterations. Approved with conditions

Y14/1078/SH - Listed building consent for the erection of a two-storey extension to the northwest elevation following the demolition of the existing single storey extension and link; erection of a two-storey extension to the southwest elevation following demolition of the

existing extensions; alterations to the dormer windows; other internal and external alterations.

Approved with conditions

Y15/0314/SH - Erection of an outbuilding. Approved with conditions

Y15/0882/SH - Listed Building Consent for minor internal alterations, replacement of existing windows, re-cladding of existing cart shed and installation of new louvered vent. Approved with conditions

Y16/0020/SH - Section 73 application for variation of condition 2 of planning permission Y15/0314/SH to allow for an increase in size of outbuilding. Approved with conditions

Y16/0532/SH - Listed Building Consent for minor modifications to the historic farmhouse and previously approved extension to include alterations to fenestration and re-modeling of cart shed porch.

PROPOSAL

This application seeks planning permission for the construction of an open-air swimming pool to be sited approximately 32m to the south east of the dwelling known as Dundas Farm, just behind the 'Dovecot' building (which is proposed to be used as a pool house).

The associated plant equipment to operate the pool will be housed within a newly constructed outbuilding which was approved under a previous planning application.

The pool is proposed to be 12m x 5m and will not protrude higher than the existing landscape. The hardstanding around the pool will be finished with sawn sandstone paving and grass as shown on drawing number 270 and 271.

In addition the application proposes the installation of two oil tanks to replace an existing tank. These tanks will be positioned on a new concrete slab and screened by 1.8m high timber palisade fencing.

The tanks are to be located to the north east of the pool, behind the plant room.

CONSULTATION RESPONSES

No response received from Elmsted Parish Council

REPRESENTATIONS

None received

PUBLICITY

Site notice displayed. Expiry date 14.11.2016

Advertised in press. Expiry date 03.11.2016

RELEVANT POLICIES

Shepway District Local Plan Review: SD1, BE1, BE5, CO1, CO4

Shepway Core Strategy Local Plan: DSD, SS3, CSD4

NPPF: Paragraph 12, 131 and 132

NGGP

APPRAISAL

In determining this application, the Local Authority have a duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, together with impact on the wider AONB and SLA.

Saved policy CO1 of the SDLPR seeks to protect the countryside for its own sake and it goes on to say that proposals will be permitted where they;

- a) Maintain or enhance features of landscape, wildlife, historic, geological and agricultural importance, and the particular quality and character of the countryside;
- b) Demonstrate that they cannot be practicably located within an existing settlement and essentially require a countryside location;
- c) Are of a high standard of design and, sympathetic in scale and appearance to their setting;
- d) Are acceptable in highway and infrastructure terms and;
- e) Preserve or enhance the amenity, character, and functioning of rural towns and villages.

Saved policy CO4 refers to the Special Landscape Area and says that proposals should protect or enhance the natural beauty of the SLA.

Policy CSD4 of the Shepway Core Strategy refers in part to the AONB and says planning decisions will have close regard for the need for conservation and enhancement of natural beauty in the AONB and its setting, which will take priority over other planning considerations.

Having visited the site it is clear that the pool cannot be sited within a settlement boundary, the proposed location of the pool is contained within the residential boundary and does not encroach into the wider countryside. The area in question contains a small vegetable patch with grass and other low shrubs. The area is upon the applicants boundary and there is established planting upon the boundary line.

Given that the pool is open-air there will be no obvious or visible structure and therefore it is expected that the proposal will not significantly impact upon the views from the AONB and therefore the important landscapes are preserved.

The application also proposes two oil tanks and a 1.8m high palisade fence behind which they will be situated.

The oil tanks and associated fencing will also be sited within the residential curtilage and away from the boundary line. At 1.8m in height it is considered that the fencing will not be readily visible from outside the site given the existing established planting and other more dominant outbuildings within the grounds of the site. On balance the proposals are considered small in scale and therefore will not significantly impact upon the wider views from the AONB or SLA to warrant a reason for refusal in this instance.

Design and impact

Saved policy BE5 of the SDLPR seeks to preserve listed buildings and their settings.

Point e) says that the District Planning Authority will refuse applications for development which would adversely affect the setting or character of a listed building.

The proposed pool is considered to be far enough away from the listed building to ensure that the setting is preserved. Further, the pool will not protrude above the existing landscape and is accessed via a small flight of steps between the existing Dovecot and a detached garage. Having visited the site it is accepted that the majority of the pool will be rather well screened by the existing buildings and therefore overall impact on the setting of the listed building would be minimal in this instance.

Overall it is concluded that the proposal is acceptable and should be approved subject to conditions.

Neighbour amenity

The nearest neighbouring property is over 130m away to the north of the site. Given the space separation it is expected that the proposal will not significantly impact upon the neighbouring property in terms of noise levels or visual amenity.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

RECOMMENDATION

In light of the above, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Case Officer:

Report and draft decision notice completed and passed to senior officer.

Name: Katy Claw Position: Planning Officer Date: 15.11.2016

Report and draft decision notice amended (if appropriate)

Name: Position: Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name: Position: Date:

Report and draft decision notice agreed and file passed to admin to issue decision.

Name: N/A delegated decision Position: Date: