

OFFICERS REPORT

Application No: Y17/0187/SH

Location: Upper Park Gate Farm Elham Park Elham Kent CT4 6NE

Proposal Extensions and alterations to existing building to create a two storey holiday let.

ASSESSMENT

Performance data:-

Date application valid: 26.06.2017

Applicable 8 week target date: 21.08.2017

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA)? Yes

If Yes, revised 8 week target date: 25.08.2017

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

SITE VISIT

The site visit was carried out on 11th July 2017. The site and proposals were assessed from within the curtilage of the site.

SITE

The application site is located outside of any settlement boundary. It is part of a farm in a countryside setting in land with an Area of Outstanding Natural Beauty (AONB) and Special Landscape Area (SLA) designation. The substantial farmhouse is a Grade II listed building. Within the farm yard are converted agricultural buildings used in connection with a woodworking business. The application building is a single storey brick building with Crittall windows, and a tiled hipped roof, set in a hedged plot. It has been used in the recent past for administration purposes in connection with the farm businesses.

HISTORY

The site has an extensive planning history, mostly relating to the listed farmhouse and replacement farm buildings. Most relevant to this application is planning application Y06/1048/SH for the change of use and conversion of existing outbuilding to a holiday let with external alterations, which was approved with conditions. This related to the same building the subject of this application; however the approval was for re-use of the existing building without significant alteration. Under Y14/1264/SH conversion and extension of existing building to create a self contained holiday let was approved with conditions. Neither have been implemented.

PROPOSAL

The application seeks planning permission for extensions and alterations to the existing building to create a two storey holiday let.

The proposal would extend the footprint of the building to create a two storey 'L' shaped building, as well as creating a second floor. Ground floor would provide a lounge / dining area, a bedroom with wet room facilities, a utility room, and an entrance hall. At first floor, three bedrooms (one en-suite) and a WC are proposed.

LOCAL FINANCE CONSIDERATION

In accordance with policy SS5 of the Shepway Core Strategy Local Plan the Council has introduced a CIL scheme, which in part replaces planning obligations for infrastructure improvements in the area. The CIL levy in the application area is charged at £125 per square metre for new dwellings. This application is liable for the CIL charge and would generate £5162.50.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file.

The main points raised are summarised below, and referred to in more detail in the assessment.

Elham Parish Council has not commented on the proposal.

Kent Highways and Transportation has declined to comment.

Heritage consultant objects to the proposal.

Building Control has not commented on the structural report.

Arboriculture manager has no objection to the proposal.

Kent Downs AONB has not commented on the proposal.

REPRESENTATIONS

Two representations have been received in response to the publicity for the application, in support of the proposal.

PUBLICITY

Neighbours notified by letter. Expiry date 19th July 2017

Site notice displayed. Expiry date 26th July 2017

Advertised in press. Expiry date 3rd August 2017

RELEVANT POLICIES

Shepway District Local Plan Review Saved Policies: SD1, BE1, BE5, CO1, CO4, CO16, CO19, TR5, TR12

Shepway Core Strategy Local Plan 2013 Policies: DSD, CSD3, CSD4

National Planning Policy Framework: paragraph 115

Planning Policy Guidance

APPRAISAL

The main considerations in determining this application are the principle of the proposal in regard to the relevant planning policies, and visual impact particularly in relation to the AONB

designated landscape. Other considerations include neighbour amenity, impact on highways, and the impact on the setting of the listed buildings.

The extant permission (Y14/1264/SH) and an earlier permission granted under Y06/1048/SH have determined that the principle of a tourism use for the site is acceptable. Furthermore, the principle of the development is supported by planning policy. The NPPF supports sustainable enterprise in rural areas, through conversion of existing buildings and well designed new buildings, and the development and diversification of agricultural and other rural business, and rural tourism which benefits communities and respects the character of the countryside. Furthermore, Core Strategy Policy CSD3 supports sustainable rural diversification and tourism enterprises where development is proportional in scale when outside the settlement hierarchy, and sustainably accessible. On the latter point, whilst the Elham village facilities and transport hubs are within walking distance of the site (approximately 1km), it is acknowledged most potential visitors would arrive by and have access to a car. Nevertheless, it is considered the appeal of this type of accommodation requires a tranquil countryside setting, and as such the location is justified in accordance with saved local plan policy CO1. Further to this, there is an existing established building on the plot, and saved local plan policy CO19 supports adaptation and re-use of existing buildings for alternative uses, particularly a business re-use, such as in this instance a tourism use ancillary to an existing farm business. In line with this policy the proposal can accommodate access and parking requirements, and the development would not compromise the workings of the surrounding farm land. However, it is considered that it is unlikely that the existing building would be capable of facilitating the proposed conversion without being completely rebuilt. Further to this, it does not comply with the part of the policy that requires the conversion can be implemented without significant extensions and alterations, given the development provides an increased footprint and significantly increased roof height and bulk to accommodate an upper floor. Therefore in the light of the above, and as the proposed conversion would not respect the existing buildings simple intrinsic character, the proposal would not fully accord with the requirements of saved policy CO19; or with saved policy CO16 which supports diversification of farm businesses, but only where the proposal is compatible with the rural location, with no significant detrimental impact on the AONB, and is a re-use of the existing building which as alluded to above would not be the case, as it would involve it being completely re-built. It is also considered that the form, mass and height of the proposed building would fail to conform to the requirements of saved policy BE1. As such, the principle of a tourism use is acceptable, but the increased visual prominence as a result of the proposed extensions, and the scope of the development being over and above a conversion of the existing building and amounting to a new build, would be contrary to planning policies as set out above.

The plot has its own dedicated access off a farm track which runs along the eastern side of the Upper Park Gate Farm curtilage. The site is screened from the highway (Elham Park) by the two large light industrial buildings on the north side of the plot. There is a trackside tree screen along the eastern side of the plot punctuated by the gated access, and there is a loose hedge delineation separating the plot from the garden of the farmhouse. On the opposite side of the track is a two storey residential property known as Windy Corner.

The application building is a brick construction single storey building that is currently not in use. It had historically been used to provide comfort facilities for fruit pickers when the unit was a fruit farm, and as a farm office. It is a plain functional building that is not in the rural vernacular. The extant permission was to create a chalet style dwelling. The extent to which the building would be increased by this proposal included an 18.4sqm extension and an increase in roof height to approximately 6.5m to facilitate the two first floor bedrooms. However, it was advised the idea of significant extension to the building would not be supported at the time of the previous applications. The current proposal is to increase the

footprint by approximately 20sqm and to add a further 0.5m roof height (7m) and to add a gable with a half hip in place of the hipped west elevation roof slope on the extant scheme. This represents a significant increase in the height and massing of the roof form, and gives the building a bulkier top heavy appearance. In views from the farm track, the building would have greater visual emphasis, and would appear heavier in views from the public domain. The applicant has reverted to a top heavy scheme that they were advised would not be supported, prior to the application submitted and approved in 2006 for conversion without any extension of the existing building. The enlargement approved under Y14/1264/SH (the extant permission) was a negotiated compromise position between the two schemes.

The proposal would essentially create a four bedroom conventional dwelling (the fourth bedroom provided at ground floor with disabled facilities). This would exceed the facilities expected to be provided for a holiday let, (the extant permission is for a two bedroom chalet bungalow), and no convincing justification has been provided for this. Aside, from the increased bulk, the plans are very basic and do not demonstrate that the building would be of the high quality expected in an Area of Outstanding Natural Beauty. Notwithstanding that the site is screened by trees along the lane which serves it; and in views where they exist from the surrounding arable fields to the south and west of the farmstead the building would sit against the backdrop of the large barns, which also serve to completely screen the development from the public highway to the north of the farm. However, when assessing the visual impact of the increased size and massing from what has previously been approved on the site, in general appearance it is considered that the proposed enlargement would completely transform the existing building, and dominate the site and its surroundings. A more modest extension would be acceptable, and it is considered that the extant permission is at the upper limit of what would be appropriate. As such, taking these considerations into account the proposal is considered to conflict with the requirements of saved policy CO4 and Core Strategy policy CSD4, which seek to conserve the natural beauty of the SLA and the AONB.

The closest residential dwelling, Windy Corner, has significant space separation so as to not be affected by the proposed development.

In terms of highways, the access arrangements into the site remain unchanged, and there is ample off road parking provision. The site is on a recognised cycle route, and cycle parking should be provided to encourage sustainable transport for the family type of occupation the unit would be aimed at.

The proposed extension of an existing building to provide a holiday let is well separated from the listed farmhouse, with the two large farm buildings between. Where there is an open aspect, the space separation is such that the proposal is not considered to impact harmfully on the setting of the listed building, in accordance with saved policy BE5.

The Arboriculture Manager has confirmed the trees around the site would not be a constraint to the proposed development, and a tree survey would not be required.

In conclusion, it is considered the principle of a tourism use is acceptable, however the adverse impact on the countryside location as a result of the significant increase in the scale and massing of the building, would be contrary to countryside policies which seek to protect the AONB designated location, and policies which seek that conversion of existing buildings in the countryside are only acceptable where the conversion can be undertaken without substantial rebuilding and enlargement.

RECOMMENDATION

Refuse

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.

Case Officer:

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

Name: Paul Howson Position: Senior Planning Officer Date: 21.08.17

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: D.Campbell Position: DM Team Leader Date: 24.08.17