

REPORT SUMMARY

REFERENCE NO - 18/500972/PNQCLA		
APPLICATION PROPOSAL Prior Notification for proposed change of use of an agricultural building to 1 dwellinghouse and for associated operational development. For it's prior approval to: - Transport and Highways impacts of the development - Contamination risks on the site - Flooding risks on the site - Noise impacts of the development - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change as proposed - Design and external appearance impacts on the building.		
ADDRESS - Peckham Farm Ulcombe Road Headcorn Ashford Kent TN27 9JX		
RECOMMENDATION - Prior Approval Granted subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION		
<ul style="list-style-type: none"> - Proposal meets requirements as set out in Schedule 2, Part 3, Class Q (a) and (b) of the General Permitted Development Order 2015. - No objection is raised in terms of the proposal's transport and highways impacts; its noise impacts; its contamination or flood risk impacts; whether the building's location or siting makes it otherwise impractical or undesirable. - In terms of building operations, the proposal's design and external appearance is considered reasonably necessary for its conversion. 		
REASON FOR REFERRAL TO COMMITTEE		
<ul style="list-style-type: none"> - The applicant is married to Councillor Prendergast 		
WARD Headcorn	PARISH COUNCIL Ulcombe	APPLICANT Mr L. Prendergast
DECISION DUE DATE 16/04/18	PUBLICITY EXPIRY DATE 02/04/18	OFFICER SITE VISIT DATE 06/03/18
RELEVANT PLANNING HISTORY: None relevant.		

MAIN REPORT

1.0 SITE DESCRIPTION

1.01 'Peckham Farm' is located on western side of Ulcombe Road, just to the south of the junction with Boy Court Lane; and the building that is the subject of this prior notification application is the western most building on the site. For the purposes of the Maidstone Local Plan, the proposal site is within the countryside that falls within a Landscape of Local Value. The site is within Flood Zone 1.

2.0 PROPOSAL

2.01 This is a prior notification application under the permitted development rights to convert an agricultural building to a dwellinghouse, as embodied in Schedule 2, Part 3, Class Q of the General Permitted Development Order 2015.

2.02 The change of use of an agricultural building and its curtilage to a use falling within Class C3 can be carried out as permitted development subject to the local planning authority first determining whether prior approval is required in relation to the following:

- (a) *transport and highways impacts of development,*
- (b) *noise impacts of development,*
- (c) *contamination risks on site,*
- (d) *flooding risks on site, or*
- (e) *whether location or siting of building makes it otherwise impractical or undesirable for building to change from agricultural use to use falling within Class C3 dwellinghouses) of Schedule to Use Classes Order.*

In addition the local planning authority may consider if prior approval is required for the design and external appearance of the building with regard to the building operations reasonably necessary for the conversion. This is to be considered in this application.

3.0 POLICY/ GUIDANCE

- Maidstone Local Plan (2017): SS1, SP17, DM1, DM30
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)

4.0 REPRESENTATIONS

- 4.01 **Ulcombe Parish Council:** No representations received.
- 4.02 **Environmental Protection Team:** Raises no objection.
- 4.03 **KCC Highways:** Raises no objection.
- 4.04 **Local residents:** No representations received.

5.0 APPRAISAL

- 5.01 Whilst the application does not include a detailed structural assessment, the building's concrete portal frame and external brick walls are in a good condition and will be retained (including the middle section). The existing concrete floor will be made good/levelled; and the building is also single storey, and so load bearing issues over additional floors is not of concern.
- 5.02 Other building operations necessary in order to convert the building are summarised as follows:
- *Windows and door will be affixed into cut out sections and will be flush to existing walls*
 - *The building is sufficiently structurally robust to take the loading of the upgrading and conversion of the structure.*
 - *It is intended that the roof will be replaced with modern lightweight corrugated sheeting (or similar), which will be fixed to the portal frame via the addition of cross battens to accommodate fixings.*
 - *No building operations will extend beyond the external dimensions of the existing building*
 - *The external materials used for the front elevation will be timber cladding, and the intention is not to clad any of the existing walls.*
 - *All repairs, new openings, internal insulation, moisture retentive membranes and surfaces will be possible within the existing envelope of the building.*
- 5.03 After carrying out a site visit and reviewing the submitted details, it is considered reasonable to say that the building is capable of conversion (meeting modern standards) without needing new structural elements, or a significant level of demolition and construction that would amount to a new building.
- 5.04 The proposed curtilage is in accordance with the definition as set out in paragraph X (Interpretation of Part 3) of the General Permitted Development Order; and it is accepted that the proposal does meet the other requirements as set out under paragraph Q.1. As such, the proposal is considered to be permitted development.
- 5.05 Turning to those matters which are the subject of prior approval, I am satisfied that a dwelling here would not have any significant highways impact and KCC Highways have no comment to make; no objection is raised in terms of noise; and the building is within Flood Zone 1 so there is no objection in terms of flood risk. The Environmental Protection Team (EPT) confirms that given the previous use of the building, it does raise the potential for land contamination to have occurred, albeit at a relatively low

risk. As such, the site would be suitable for use with the EPT's self-assessment tool for very low risk sites as a means of dealing with the recommended condition that has been duly imposed. The applicant should contact the EPT to discuss this option further.

- 5.06 The remaining test on the change of use is whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to housing. The site is grouped with other residential properties with vehicle access onto Ulcombe Road. As such, no objection is raised in this respect.
- 5.07 I consider the building works to be aesthetically acceptable and no objection is raised to the design and materials stated.
- 5.08 The proposal site is within a Minerals Safeguarding Area, but this matter cannot be considered under this prior notification process.
- 5.09 Changes to Schedule 2, Part 3, Class Q of the General Permitted Development Order come into force on 6th April 2018. This does not impact upon the determination of this application and the changes would not alter the recommendation put forward here.

6.0 CONCLUSION

- 6.01 In accordance with Schedule 2, Part 3, Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015, it is accepted that the building has the structural strength to take the loading of the works associated with the residential use; and that the overall level of works needed, when considered cumulatively, would amount to operations only reasonably necessary to convert the building.
- 6.02 The proposal meets the requirements as set out under paragraph Q.1, and as such is considered to be permitted development.
- 6.03 No objection is raised in terms of the proposal's transport and highways impacts; its noise impacts; its contamination or flood risk impacts; whether the building's location or siting makes it otherwise impractical or undesirable.
- 6.04 In terms of building operations, the proposal's design and external appearance is considered reasonably necessary for its conversion.
- 6.05 A recommendation that prior approval is granted is therefore made.

7.0 RECOMMENDATION

- 7.01 **Prior Approval granted** subject to following conditions:

- (1) The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.

2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of protecting the health of future occupants.

- (2) Upon completion of the works and prior to the first occupation of the building, a Closure Report shall be submitted and approved in writing by the local planning authority. The Closure Report shall include full verification details as set out in the remediation method statement and shall include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean. Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of protecting the health of future occupants.

Case Officer: Kathryn Altieri

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.