

## REPORT SUMMARY

24<sup>th</sup> May 2018

<b>REFERENCE NO - 18/501016/FULL</b>		
<b>APPLICATION PROPOSAL - Conversion of barn to holiday let accommodation</b>		
<b>ADDRESS - Lea Farm Faversham Road Lenham ME17 2EX</b>		
<b>RECOMMENDATION - GRANT PLANNING PERMISSION subject to conditions</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION -</b> The proposal would preserve the character and appearance of the Area of Outstanding Natural Beauty and there is no material harm to the amenity of neighbouring occupiers or any significant highways safety concerns. It accords with the relevant policies of the development plan and the NPPF and will bring the building into viable use, whilst contributing towards the rural economy.		
<b>REASON FOR REFERRAL TO COMMITTEE - Lenham Parish Council have requested that the application is reported to the Planning Committee if the Officer is minded to recommend approval.</b>		
<b>WARD</b> Harrietsham And Lenham	<b>PARISH/TOWN</b> Lenham	<b>COUNCIL</b> <b>APPLICANT</b> Booth Properties Ltd <b>AGENT</b> Architectural Designs
<b>DECISION DUE DATE</b> 03/05/18	<b>PUBLICITY EXPIRY DATE</b> 17/11/17	<b>OFFICER SITE VISIT DATE</b> 14/03/2018 & 09/05/2018
<b>No relevant planning history</b>		

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 The application site is located in the open countryside approximately 1 mile north of the settlement of Lenham. The site forms part of the designated Area of Outstanding Natural Beauty in the adopted Maidstone Borough Local Plan (2017). The topography of the surrounding area varies. The application building and neighbouring development occupies a prominent position in relation to the surrounding area and ground levels at the site are generally flat.
- 1.02 The application building is located to the north of a small cluster of residential properties largely surrounded by agricultural land and paddocks. It is a single storey detached rectangular shaped brick built barn of approximately 75 square metres, with a hipped tiled roof. The building which was previously used for storage purposes in connection

with the residential use at Lea Farm Cottage, but now appears empty. The application building and surrounding buildings are served by an access track which runs east from Faversham Road, some 330 metres to the south of the junction with West Street.

- 1.03 There is post and rail fencing and some planting running between the southern boundary of the application site with the neighbour to the south (Lea Farm Cottage). The site boundary to the north east and west is generally open. There are a number of Public Rights of Way in the vicinity of the site, the closest being KH288A which runs just outside the eastern boundary of the site and KH384 which runs along the north side of the access track.

## **2.0 PROPOSAL**

- 2.01 Planning permission is sought for the conversion of the barn into a holiday let, together with the external alterations and internal reconfigurations necessary to carry out the conversion. It requires the creation of additional window openings on the rear elevation of the building together with alterations to the doors on the front elevation.
- 2.02 The proposal includes the provision of a shingle hardstanding car parking space and erection of new post and rail fencing along the northern and western perimeter of the site. The floor plans indicate provision of a bedroom, bathroom, living and dining area and kitchen.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

- 3.01 The National Planning Policy Framework (NPPF): 28, 49, 50, 53, 55, 56, 57, 58 and 61

National Planning Practice Guidance (NPPG):

Development Plan: SP8, SP17, DM1, DM3, DM8, DM30, DM31 of the adopted Maidstone Borough Local Plan (2017)

Supplementary Planning Documents:

## **4.0 LOCAL REPRESENTATIONS**

- 4.01 **Local Residents:** One representations received from a local resident raising the following (summarised) issues:
- Loss of privacy
  - Highway Safety
  - Inaccurate existing and proposed block plans

## **5.0 CONSULTATIONS**

- 5.01 **KCC Highways and Transport:** Comments that the proposal does not meet the criteria to warrant the involvement of the Highways Authority.

5.02 **West Kent PROW:** Comments that Public Rights of Way KH288A runs along the eastern boundary of the site and should not affect the application.

## 6.0 **APPRAISAL**

### **Main Issues**

6.01 The application seeks planning permission for the conversion of the barn into holiday let and the main issues for consideration are:

- Principle of development;
- Visual impact;
- Residential amenity;
- Parking and Highways impact;
- Ecology;
- Other matters.

### Principle of Development

6.02 The National Planning Policy Framework supports appropriate rural businesses, including tourism, where they respect the character of the countryside and where they promote the diversification of agriculture. It states that appropriate rural development could include both the conversion of existing buildings and well designed new buildings (paragraph 28) and paragraph 58 seeks to optimise the potential of sites to accommodate development.

6.03 Policy DM31 of the adopted local plan is generally supportive of the principle of the conversion of rural buildings to business uses, including tourism. The policy does state that the buildings should be capable of conversion without major or complete reconstruction. In this case after an on site inspection the building of brick construction with a hipped roof appears to structural sound and therefore complete reconstruction is not required.

6.04 A further criteria set out in policy DM31 is that the amenity of future users is not harmed by the proximity of farm uses or buildings. The application building forms part of a small cluster of buildings which are in residential use and as there is no evidence to suggest that the amenities of the occupants of the existing dwellings have been harmed by the proximity to farm uses, it is not considered that there would be any significant adverse impact on the amenities of users of the proposed tourist accommodation resulting from the surrounding farm uses.

6.05 The proposal is considered to constitute sustainable development, because it would bring this redundant building to suitable use for this rural location, which has extensive walking opportunities for holiday makers, whilst contributing towards the rural economy. Having regard to the above, the principle of the proposal has strong policy support in the

adopted Maidstone Borough Local Plan and government guidance in the NPPF and the development is acceptable as a consequence.

Visual Impacts:

- 6.06 Visually, the application building does not display any important architectural features and its existing form and character would be largely maintained. The only change proposed involves insertion of window openings on the rear elevation, together with alterations to the doors on the front elevation of the building. The proposed materials which include timber windows would enhance the visual appearance of the building and its setting. Therefore, no visual harm would result to the character, appearance and openness of the Kent Downs Area of Outstanding Natural Beauty resulting from the conversion of the building for holiday let usage.

Residential Amenity:

- 6.07 In terms of residential amenity, the existing building is single storey and the indicated openings would not be at a level or in a position to cause any significant loss of privacy to the occupiers of the neighbouring property.
- 6.08 Given the scale of the development, it is not considered that significant noise and disturbance issues would result from the use of the vehicle access. With regards to noise for users of the accommodation, as the proposed use is for a tourism use, rather than a dwelling, the use is less intense or sensitive.
- 6.09 It is not considered that the proximity of the working farm makes this location unsuitable for holiday let accommodation and indeed this location would contribute towards enhancing the rural feel of the accommodation which could be of interest to holidaymakers.

Parking and Highway Safety:

- 6.10 Policy DM31 of the adopted local plan seeks to ensure that, the traffic generated by developments involving the re-use and adaptation of existing rural building do not result in the erosion of roadside verges, and are not detrimental to the character of the landscape.
- 6.11 The development would not generate any significant highways issues, due to its small scale and the fact that an existing access would be used. The traffic impact of development is assessed against the impact of the existing lawful use operating at full capacity. In this case the traffic generated by the proposed seasonal use is likely to be less than that generated by the existing storage use. With reference to submitted objections it is not considered that the vehicular traffic that would result from this proposal would cause erosion of roadside verges, compromise highway safety, the integrity of the country lanes or local amenity in the vicinity of the site. The development would utilise the existing access track which runs east from Faversham Road such that no material harm would result to the character of the landscape.

- 6.12 The proposed holiday use would have adequate off street parking provision compliant with requirements set out in policy DM23 of the adopted local plan.

Ecology:

- 6.13 With regards to ecology, it is understood that the application building has been used for storage purposes, therefore, the development is not considered to result in any significant ecological issues or loss of habitat. Moreover, no important trees would be lost as a result of the proposed development.

Other Matters:

- 6.14 Comments have been received from Lenham Parish Council and a neighbour objecting to the proposal on grounds that the submitted plans fails to indicate the neighbouring property immediately to the south of the site (Lea Cottage) and therefore the plans are misleading. Design amendments were submitted by the applicant following a request by the Council which addresses this issue with the potential impact on this property assessed as part of the planning application.
- 6.15 With regards to the objections raised on grounds that development would result in loss of privacy, no window opening on the proposed holiday let would overlook any neighbour. The tourism use proposed would not have any significant adverse impact on the amenities of any neighbouring residential property in terms of overlooking or loss of privacy.
- 6.16 It is recommended that a condition is attached to an approval to ensure that the use remains for holiday occupancy and not as a dwelling, as this is a location where housing would not normally be looked upon favourably.
- 6.17 The development is not considered to require an Environmental Impact Assessment due to its scale and nature. It is not considered to result in any significant visual, ecological or residential amenity issues, as stated above.
- 6.18 The other issues raised by Lenham Parish Council and local residents have been addressed in the main body of this report.

**7.0 CONCLUSION**

- 7.01 Taking all of the above into account, I conclude that the proposal would preserve the character and appearance of the Area of Outstanding Natural Beauty and residential amenity and that it complies with Development Plan Policy, and Government Guidance. There are no overriding material considerations to indicate a refusal and I therefore recommend approval with conditions as set out below.

**8.0 RECOMMENDATION**

- 8.01 GRANT planning permission subject to the following conditions:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority:

Drawing number 18/0881 Rev A received on 17/04/18;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated upon the submitted application form unless otherwise agreed in writing by the local planning authority;

Reason: To ensure a satisfactory appearance to the development.

4. Before the development hereby approved commences a detailed landscaping scheme (including provision for its long term maintenance) shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall include a new hedgerow to enclose the whole length of the southern perimeter of the application site. The approved landscaping shall be in place by the end of the first planting season following occupation. Any part of the approved hedgerow of landscaping becoming dead, dying or diseased within 5 years of planting shall be replaced with a similar species of a size to be agreed in writing with the Local Planning Authority and shall be retained at all times in accordance with the terms of this condition

Reason: In the interests of visual amenity and residential amenity of neighbouring occupiers.

5. The accommodation hereby permitted shall only be used as a holiday let and shall not be used as a dwelling or dwellings;

Reason: In the interests of sustainable development.

6. No external lighting shall be installed at the site without details having been first submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To protect the night-time rural environment in the interest of visual amenity.

7. Prior to the commencement of the development hereby approved details of the foul and surface water drainage and an assessment of the hydro-geological context of the development, incorporating sustainable drainage principles shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be

implemented in strict accordance with the approved plans prior to first occupation of the development hereby permitted.

Reason: To ensure that adequate drainage is provided for the development

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no development within Schedule 2, Part 1, Classes A, B, C, D, E and F and Part 2 Class A shall be carried out without the permission of the local planning authority.

Reason: To safeguard the openness, character and appearance of the countryside.

#### Informative

- 1) The applicant is encouraged to look at installing appropriate insulation to prevent high levels of noise from the existing farm operations entering the building.
- 2) Attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.
- 3) Clearance and burning of existing woodland or rubbish must be carried out without nuisance from smoke etc to nearby residential properties. Advice on minimising any potential nuisance is available from the Environmental Health Manager.
- 4) Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.
- 5) No vehicles may arrive, depart, be loaded or unloaded within the general site outside the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.
- 6) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Case Officer: Francis Amekor

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