

PLANNING COMMITTEE – 2 FEBRUARY 2017

PART 3

Report of the Head of Planning

PART 3

Applications for which **REFUSAL** is recommended

3.1 REFERENCE NO - 16/508010/FULL			
APPLICATION PROPOSAL Erection of rear conservatory			
ADDRESS Jesmondene Oast Newhouse Lane Sheldwich Kent ME13 9QS			
RECOMMENDATION - REFUSE			
SUMMARY OF REASONS FOR REFUSAL The proposed rear extension with a pitched roof and upvc fenestrations would have a detrimental impact on this simple, traditional farm building and would undermine the original conversion which successfully retained the original form and character of this agricultural oast building. The rearward projection would have a detrimental impact on the neighbouring property and would be contrary to planning policy.			
REASON FOR REFERRAL TO COMMITTEE Parish Council support.			
WARD Boughton And Courtenay	PARISH/TOWN COUNCIL Sheldwich, Badlesmere And Leaveland	APPLICANT Mr Weston AGENT Anglian Home Improvements	
DECISION DUE DATE 18/01/17	PUBLICITY EXPIRY DATE 30/12/16	OFFICER SITE VISIT DATE 6 th December 2016	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/94/0659	Replacement side and rear doors and windows in white upvc	Refused	19.08.1994
<i>Summarise Reasons: The proposal to replace the existing timber windows and front door of this converted oast house with white PVC units would detract from its character as an example of a traditional agricultural building and would detract from the character of this part of the Kent countryside which is designated as Area of Outstanding Natural Beauty.</i>			
SW/81/0040	Conversion into two dwellings with single integral garage and double garage.	Approved	11.08.1981
<i>Summarise Reasons: Acceptable development in line with planning policy.</i>			
SW/78/0500	Conversion of building into two dwellings.	Approved.	29.06.1978
<i>Summarise Reasons: Acceptable development in line with planning policy.</i>			
SW/79/0247	Conversion into 3 dwellings with 6 private garages.	Refused.	23.04.1979

Summarise Reasons: The proposal would detract from the appearance of the oasthouses and would be contrary to Local Planning Authority’s policy of only permitting the conversion of oasthouses to dwellings where the conversion preserves the visual character of the typical Kentish oasthouse.

1.0 DESCRIPTION OF SITE

- 1.01 The isolated property is located in the countryside and within the Kent Downs Area of Outstanding Beauty. Planning permission for the conversion of the traditional Oast house into two dwellings was approved under SW/81/0040 following refusal of a more intensive scheme.
- 1.02 The dwelling has not been extended in the past and permitted development rights for alterations have been removed under SW/81/0040, condition (iv), “In order to preserve the visual character of a typical Kentish oasthouse”.
- 1.03 Planning permission was refused for the installation of uPVC windows in 1994 in order to conserve the character of the building.

2.0 PROPOSAL

- 2.01 Planning permission is sought for a white uPVC Victorian style fully glazed rear conservatory to the rear elevation of the converted house.
- 2.02 The conservatory would measure 3.750m x 3.250m, with a ridge height of 2.8m and an eaves height of 2.1m. The conservatory would be sited to the rear of the existing lounge area. The extension would be set 0.2m away from the common boundary to the adjacent converted Oast house known as ‘Badgers Oast’.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Net Floor Area	0	5.9m ²	+5.9m ²
Approximate Ridge Height (m)	0	2.8m	+2.8m
Approximate Eaves Height (m)	0	2.135m	+2.135m
Approximate Depth (m)	0	3.750m	+3.750m
Approximate Width (m)	0	3.250m	+3.250m

4.0 PLANNING CONSTRAINTS

- 4.01 Kent Downs Area of Outstanding Natural Beauty.

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 Swale Borough Local Plan 2008: Saved policies
 E1 (General Development Criteria)
 E6 (Countryside)
 E9 (The countryside)
 E19 (Design)
 E24 (Alterations and extensions)
 RC4 (Extensions to dwellings in rural area)
 RC7 (Rural Lanes)
 RC6 (Re-use of agricultural buildings for housing)

- 5.02 Supplementary Planning Guidance 3 ‘*The conversion of traditional farm buildings*’ (adopted 1993)

Paragraph 5.2 states ‘*the sole purpose of allowing agricultural buildings of architectural or historical interest to be converted to a new use is to ensure the preservation of structures recognised as symbolic of rural life. If the conversion changes the character of the building for example to that of a suburban dwelling, this policy is undermined.*’

Paragraph 5.10 states that ‘*the purpose of converting a traditional building will be to adapt it with the minimum of alteration for the purpose required. As such it will not normally be considered appropriate to extend the existing building to accommodate the use.*’

- 5.03 Supplementary Planning Guidance 5; Designing an Extension, which seeks to safeguard the amenity of neighbours from overlarge extensions, suggesting that single storey extensions on the boundary should not exceed 3m in length.

6.0 LOCAL REPRESENTATIONS

- 6.01 No comments have been received.

7.0 CONSULTATIONS

- 7.01 Sheldwich Parish Council “fully support the application and have no objections”.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 Application papers to 16/508010/FULL including a Design and Access Statement.

9.0 APPRAISAL

- 9.01 I consider the main issue for consideration in this case is whether the proposed changes would undermine the aims of the original conversion and whether the changes would successfully retain the agricultural and historic character of the building.
- 9.02 This former oast house building is of historic interest and the square kilns mark this building out as one of architectural and historic interest within the Kentish landscape. In my opinion the overtly domestic character of the extension has a detrimental impact on the original simple and rustic form of this building conversion and in particular on the agricultural character of the oast.
- 9.03 Whilst planning permission was granted for the conversion from an oast house to two dwellings, as a means of retaining its contribution to the Kentish landscape of hopfields and orchards, the original form and character of the barn was protected, and any further changes from this built form were deliberately controlled at that stage. The building therefore still retains the recognisable historic pattern and simple character of this type of building. This simple character is very evident in the traditional form of Jesmondene Oast and Badgers Oast and was reflected in the conversion.
- 9.04 The current rear elevation retains the buildings original simple character, and the proposal which would create an uncompromisingly domestic style of extension on this simple rear elevation. The extension would fail to retain the simple agricultural

character of the barn conversion by the introduction of a prominent extension with a necessarily complex and domestic roof form. The end result would be a cluttered rear elevation contrary to the aims of protecting the simple traditional agricultural character of the oast house, which will compromise its current character.

- 9.05 Not only would the visual impact have a severe impact on the rear elevation, the entire character and appearance of the barn conversion would be changed and the agricultural character of the original barn would be harmed. The pitch of the roof and the height will have a significant impact on the uninterrupted rear elevation of the existing barn.
- 9.06 I consider the extension to the otherwise successful conversion to undermine the original reason for approving the conversion which was to preserve the historic and architectural character of the building. The proposal conflicts with the advice set out within the Council's adopted SPG for the conservation of traditional farm buildings which states "*the sole purpose of allowing agricultural buildings of architectural or historical interest to be converted to a new use is to ensure the preservation of structures recognised as symbolic of rural life and that it will not normally be considered appropriate to extend the existing building to accommodate the use*". In this instance the change to the existing conversion would result in a conversion that would appear as a suburban dwelling and is therefore contrary to policy guidance. It should be noted that uPVC windows and doors have been installed without planning permission. This is a matter that the Council's Enforcement Team can investigate without prejudice to the result of this application.
- 9.07 A similar application for a rear pitched roof extension at Flint Barn, Stailsfield (ref SW/09/0137) was refused and subsequently dismissed at appeal in 2010. The Inspector noted that '*the harm to the integrity of the former agricultural building from the proposal would be such that planning permission should be refused*' and that '*the conversion was done sympathetically so that the agricultural form of the building was retained*'. In the current instance I suggest that the proposal would also have a detrimental impact on the agricultural form of the building and its retention would be compromised by the introduction of a clearly domestic extension.
- 9.08 Furthermore we have recently refused a similar extension to The Stables at Hanslett Farm for similar reasons under 15/502337/FULL as the '*rear extension with a pitched roof would have a detrimental impact on this simple, traditional farm building and would undermine the original conversion which successfully retained the original form and character of this agricultural building. Loss of the historic form would have a detrimental impact on the character and historic value of this building which made it a suitable building for conversion originally, with corresponding harm to the character and appearance of the countryside and the Kent Downs Area of Outstanding Natural Beauty.*'
- 9.09 The proposed rear extension would measure 3.750m metres in length and in my opinion would have a detrimental impact on the amenity of the neighbouring property. Due to its scale there would be a negative impact on the outlook from the neighbouring property which is contrary to the advice give in Paragraph 5.6 of SPG5 which states that '*to minimise this impact, the Borough Council limits the amount of outward projection on the extension*'. The SPG provides additional further guidance for single storey rear extensions which are located close to the common boundary '*a maximum projection of 3 metres will be allowed*'. In this instance the extension would project by 3.780m metres which is clearly contrary to policy advice and in my view harmful.

10.0 CONCLUSION

10.01 The introduction of a domestic conservatory to the rear of this simple and traditional former oast house would have a detrimental impact on the agricultural character of the building and would not result in a sympathetic addition. The proposal is considered contrary to the aims of protecting the agricultural character of traditional farm buildings and creating sympathetic and appropriate conversions. I consider the proposal to be fundamentally contrary to the aims of the Swale Borough Local Plan 2008 policies. I also find the extension harmful to the amenities of the immediate neighbour by reason of its size. I therefore recommend that planning permission is refused.

11.0 RECOMMENDATION –REFUSE for the following reasons:

- (1) The proposed rear extension with a pitched roof and upvc fenestrations would have a detrimental impact on this simple, traditional farm building and would undermine the original conversion which successfully retained the original form and character of this agricultural oast building. Loss of the historic form would have a detrimental impact on the character and historic value of this oast building which made it a suitable building for conversion originally, with corresponding harm to the character and appearance of the countryside and the Kent Downs Area of Outstanding Natural Beauty. The proposal is therefore contrary to Policies E1, E6, E9, E19, E24, RC4 and RC6 of the Swale Borough Local Plan 2008 and the Council's adopted Supplementary Planning Guidance entitled '*The Conservation of Traditional Farm Buildings*' (which was adopted by the Council following public consultation, is a material planning consideration in determining applications, and which is referred to in paragraph 3.132 of the adopted Swale Borough Local Plan 2008)
- (2) The proposed rear extension, by virtue of its scale and length on the common boundary would have a detrimental impact on the residential amenity of Badgers Oast contrary to Policies E1, E19 and E24 of the Swale Borough Local Plan 2008 and the advice given in the Supplementary Planning guidance entitled '*Designing an Extension- A Guide for Householders*' (which was adopted by the Council following public consultation, is a material planning consideration in determining applications, and which is referred to in paragraph 3.71 of the adopted Swale Borough Local Plan 2008).

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

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

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.