

Agenda

Planning Committee Meeting

Date: Thursday, 12 September 2024

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT

Membership:

Councillors Mike Baldock (Chair), Andy Booth, Hayden Brawn, Simon Clark, Kieran Golding, James Hunt, Elliott Jayes (Vice-Chair), Peter Marchington, Claire Martin, Ben J Martin, Richard Palmer, Julien Speed, Paul Stephen, Terry Thompson, Angie Valls, Karen Watson and Tony Winckless.

Quorum = 6

Pages

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- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Extraordinary Meeting held on 6 August 2024 (Minute Nos. 154 – 165) and the [Minutes](#) of the Meeting held on 15 August 2024 (Minute Nos. 173 – 178) as correct records.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPIS) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

Part B reports for the Planning Committee to decide

The Council operates a scheme of public speaking at meetings of the Planning Committee. All applications on which the public has registered to speak will be taken first. Requests to speak at the meeting must be registered with Democratic Services (democraticservices@swale.gov.uk or call 01795 417328) by noon on Wednesday 11 September 2024.

- | | | |
|----|--|--------|
| 5. | 1.1 - 24/503449/PNEXT 25 Willement Road, Faversham, Kent, ME13 7SZ | 5 - 74 |
| 6. | 2.1 - 24/501001/FULL - Sheppey College, Bridge Road, Sheerness, Kent, ME12 1HL | |
| 7. | 2.2 - 24/500781/FULL Snakesbury Cottage, Iwade Road, Newington, Kent, ME9 7JY | |
| 8. | 2.3 - 24/501571/FULL Masters House, Trinity Road, Sheerness, Kent, ME12 2PF | |

9. 2.4 - 24/500664/FULL Clifton, Stockers Hill, Rodmersham, Kent, ME9
OPL

Issued on Tuesday, 3 September 2024

The reports included in Part I of this agenda can be made available in alternative formats. For further information about this service, or to arrange for special facilities to be provided at the meeting, please contact democraticservices@swale.gov.uk. To find out more about the work of this meeting, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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SWALE BOROUGH COUNCIL

PLANNING SERVICES

Planning Items to be submitted to the Planning Committee

12 SEPTEMBER 2024

Standard Index to Contents

DEFERRED ITEMS Items shown in previous Minutes as being deferred from that meeting may be considered at this meeting

PART 1 Reports to be considered in public session not included elsewhere on this Agenda

PART 2 Applications for which permission is recommended

PART 3 Applications for which refusal is recommended

PART 4 Swale Borough Council's own development; observation on County Council's development; observations on development in other districts or by Statutory Undertakers and by Government Departments; and recommendations to the County Council on 'County Matter' applications.

PART 5 Decisions by County Council and the Secretary of State on appeal, reported for information

PART 6 Reports containing "Exempt Information" during the consideration of which it is anticipated that the press and public will be excluded

ABBREVIATIONS: commonly used in this Agenda

CDA Crime and Disorder Act 1998

GPDO The Town and Country Planning (General Permitted Development) (England) Order 2015

HRA Human Rights Act 1998

SBLP Swale Borough Local Plan 2017

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INDEX OF ITEMS FOR PLANNING COMMITTEE – 12 SEPTEMBER 2024

- Minutes of last Planning Committee Meeting
- Deferred Items
- Minutes of any Working Party Meetings

PART 1

1.1 24/503449/PNEXT FAVERSHAM 25 Willement Road

PART 2

2.1 24/501001/FULL SHEERNESS Sheppey College Bridge Road

2.2 24/500781/FULL NEWINGTON Snakesbury Cottage Iwade Road

2.3 24/501571/FULL SHEERNESS Masters House Trinity Road

2.4 24/500664/FULL RODMERSHAM Clifton Stockers Hill

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PLANNING COMMITTEE – 12 SEPTEMBER 2024**PART 1**

Report of the Head of Planning

PART 1

Any other reports to be considered in the public session

1.1 REFERENCE NO: - 24/503449/PNEXT		
PROPOSAL: Prior notification for a proposed single storey rear extension which: A) Extends by 4.60 metres beyond the rear wall of the original dwelling, B) Has a maximum height of 2.90 metres from the natural ground level (including roof light), and C) Has a ridge height of 2.47 metres above the natural ground level.		
SITE LOCATION: 25 Willement Road, Faversham, Kent, ME13 7SZ		
RECOMMENDATION: Delegate to the Head of Planning to establish whether the proposed development complies with the relevant permitted development provisions and whether it requires Prior Approval in the event of a relevant neighbour objection being received.		
APPLICATION TYPE: Minor		
REASON FOR REFERRAL TO COMMITTEE: The Applicant is an employee of the Swale Borough Council		
Case Officer: Katie Kenney		
WARD: St. Ann's	PARISH/TOWN COUNCIL: Faversham Town Council	APPLICANT: Mr & Mrs Holdstock AGENT: Oast Architecture Ltd
DATE REGISTERED: 15/08/2024		TARGET DATE: 01/10/2024
BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - All drawings submitted. All representations received. The full suite of documents submitted pursuant to the above application are available via the link below: - https://pa.midkent.gov.uk/online-applications/simpleSearchResults.do?action=firstPage		

1. SITE LOCATION AND DESCRIPTION

- 1.1 25 Willement Road is a semi-detached, two-storey property situated within the defined built-up area of Faversham. There is amenity space to the front of the dwelling, which includes a driveway for off road parking availability and access to a setback, detached, single garage. There is also amenity space to the rear where an existing L-shaped flat roof extension sits alongside a small infill conservatory. There are no planning records for these additions, however, archive mapping shows that these have been in situ for many years.

2. PLANNING HISTORY

2.1 There is no planning history for the property.

3. PROPOSED DEVELOPMENT

3.1 Following the removal of the existing small conservatory, this application seeks confirmation as to whether a single-story rear extension requires prior approval. Plans show the rear extension would project approx. 4.6m in depth and infill the area between the southern boundary of the site and the existing single storey projection at the rear of the dwelling, which it would not extend beyond.

3.2 The extension incorporates patio doors within its rear elevation and would measure 2.73m to the top of the flat roof, with a rooflight increasing the overall height of the addition to 2.92m.

3.3 Materials and finishes have been confirmed to match that of the host property where possible.

4. CONSULTATION

4.1 Two rounds of consultation have been undertaken (the second due to the description of development being changed), during which letters were sent to neighbouring occupiers. Full details of representations are available online.

4.2 1 letter of representation has been received; however, the consultation process is still ongoing and representations received before this date will be given due consideration.

4.3 The 1 letter of representation that has been received supports the application, stating that the proposed extension is in keeping with the host building.

4.4 Faversham Town Council: No comments received.

5. LEGISLATION AND DEVELOPMENT PLAN POLICIES

5.1 Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – (the GDPO).

5.2 Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 – (the Local Plan)

- ST1 Delivering sustainable development in Swale,
- ST3 The Swale settlement strategy,
- CP4 Requiring good design,
- DM14 General development criteria,
- DM16 Alterations and extensions

5.3 Supplementary Planning Guidance: Designing and extension A Guide for Householders

6. ASSESSMENT

6.1 This application is reported to the Committee because the applicant is an employee of Swale Borough Council. It is being brought before the Committee prior to the consultation period ending because prior approval applications receive deemed consent if they are not determined by their 8-week determination date, which in this instance is 1st October 2024.

6.2 The main points to consider are whether the application complies with the relevant permitted development provisions set out within Class A, Part 1 of Schedule 2 of the GPDO, and subsequently whether it requires prior approval or not. If a relevant neighbour objection is received in response to the proposal, this triggers the requirement for the application to be

considered against the applicable Local Plan policies (as required under paragraphs 7-9 of Condition A.4 of Class A, Part 1 of Schedule 2 of the GDPO).

6.3 A table summarising the applicable criteria of the GPDO is detailed below but it should be noted that in the event of a neighbour representation being received in objection to the proposed development, the Local Planning Authority is duty bound to consider the proposal against relevant Local Plan Policies as listed above.

6.4 Assessment against Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is set out below.

Class A – enlargement, improvement or other alteration of a dwellinghouse

6.5 **A.1** – Development is not permitted by Class A if: -

Criteria	Response
a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA, or Q of Part 3 of this Schedule (changes of use).	Not applicable.
b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).	The extension would not lead to 50% of the curtilage area being covered by development.
c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.	The extension would not exceed the height of the dwellinghouse.
d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.	The eaves of the extension would not exceed the height of the eaves of the host dwelling.
e) the enlarged part of the dwellinghouse would extend beyond a wall which – (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse.	The proposal would extend from the rear elevation of the dwelling and therefore not beyond the principal elevation nor does it front a highway or form a side elevation.
f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height.	Refer to Criteria (g) below.
g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –	The dwelling is a semi-detached property not on article 2(3) land or within a site of special scientific interest.

<p>(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or</p> <p>(ii) exceed 4 metres in height</p>	<p>Furthermore, the extension measures a maximum of 2.92m in height and would extend 4.6m from the rear wall of the original dwellinghouse therefore not exceeding the criteria of (g)(i)(ii).</p>
<p>h) the enlarged part of the dwellinghouse would have more than a single storey and –</p> <p>(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or</p> <p>(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse</p>	<p>Not applicable as the proposal is single storey.</p>
<p>i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres</p>	<p>The extension would be within 2 metres of the southern (side) boundary of the site, but the ridge / eaves height of the extension would measure 2.74m.</p>
<p>j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would</p> <p>(i) exceed 4 metres in height,</p> <p>(ii) have more than a single storey, or</p> <p>(iii) have a width greater than half the width of the original dwellinghouse</p>	<p>The proposal would be a maximum of 2.92m in height, is single storey only and would not have a width greater than half the width of the original dwellinghouse.</p>
<p>ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (e) to (j)</p>	<p>The extension would be compliant with the requirements set out in subparagraphs (e) to (j)</p>
<p>k) it would consist of or include –</p> <p>(i) the construction or provision of a verandah, balcony or raised platform,</p> <p>(ii) the installation, alteration or replacement of a microwave antenna,</p> <p>(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or</p> <p>(iv) an alteration to any part of the roof of the dwellinghouse</p>	<p>The proposed extension does not incorporate any of these elements.</p>
<p>l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)</p>	<p>The dwellinghouse was not constructed under Part 20 of Schedule 2</p>

6.6 **A.2** – In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –

<p>a) it would consist of or include the cladding of any part of the exterior of</p>	<p>The dwellinghouse is not in a conservation area (article 2(3) land)</p>
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the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles	
b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	The dwellinghouse is not in a conservation area (article 2(3) land)
c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse	The dwellinghouse is not in a conservation area (article 2(3) land)
d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c)	The dwellinghouse is not in a conservation area (article 2(3) land)

6.7 Conditions

A.3 - Development is permitted by Class A subject to the following conditions –

a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse	The extension would be finished with painted render to match the existing building
b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be – (i) obscure glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and,	Not applicable. Proposal is single storey only.
c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse	Not applicable. Proposal is single storey only.

6.8 Paragraph A.4(5) requires the local planning authority to notify adjoining owners or occupiers about the proposed development, and states that where any owner or occupier of any adjoining premises objects to the proposal, the prior approval of the local authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

- 6.9 As noted above, the proposed extension complies with all of criteria set out within Class A, Part 1, Schedule 2 of the GPDO, and at the time of writing this report, only one neighbour representation has been received, which is in support of the proposed extension. At this stage that the proposed development is compliant with all the relevant permitted development provisions and currently does not require prior approval. However, as the consultation period for this application does not expire until after the date of this Committee, this position may need to be revised in the event of a neighbour objection being received that raises reasonable concerns. In such circumstances prior approval will be required and an assessment of the impact on the living conditions of neighbouring residents will be required.

Conclusion

- 7.0 Currently, the proposed development complies with all criteria set out within Class A, Part 1, Schedule 2 of the GPDO. Delegated authority is sought to proceed to determine the application on this basis unless a representation is received within the remaining consultation period objecting to the proposal. In such circumstances, delegated authority is sought to assess and determine the application for prior approval against the relevant Local Plan policies.



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PLANNING COMMITTEE – 12 SEPTEMBER 2024**PART 2**

Report of the Head of Planning

PART 2Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 24/501001/FULL		
PROPOSAL Erection of a two storey extension to the eastern side of the existing college building, including a two storey glazed link.		
SITE LOCATION Sheppey College, Bridge Road Sheerness Kent ME12 1HL		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.		
APPLICATION TYPE Major		
REASON FOR REFERRAL TO COMMITTEE Development is partially located on Council owned land		
Case Officer Megan Harris		
WARD Sheerness	PARISH/TOWN COUNCIL Sheerness	APPLICANT Mr Stewart Haywood AGENT Lee Evans Partnership LLP
DATE REGISTERED 26/03/24		TARGET DATE 25/06/24
BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - All drawings submitted. Design and Access Statement Rev P02 dated June 2024 (uploaded on 19/06/24) Heritage Statement Rev P02 dated 02/05/24 (uploaded on 02/05/24) Flood Risk Assessment and Drainage Strategy Parts 1 – 5 (uploaded on 08/07/24) Transport Statement dated April 2024 (uploaded on 30/04/24) All representations received. The full suite of documents submitted pursuant to the above application are available via the link below: - https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S9VU2STYMU900		

1. SITE LOCATION AND DESCRIPTION

- 1.1 The application site is set within the town centre of Sheerness, located to the north of Bridge Road, bounded by Tesco to the north, McDonalds to the east and Bridge Road to the south and west. There is a Council owned car park immediately east of the existing College which is to be leased to the College in order to facilitate the proposed development. Also, to the south of the site lies Sheerness Train Station.
- 1.2 The College is a two-storey building dating to the late 20th century in predominantly buff brick, blue engineering brick and substantial glazing which engages the multiple site edges.
- 1.3 The site lies within Flood Zone 3 and is located approximately midway between the Mile Town Conservation Area and the Royal Naval Dockyard and Blue Town Conservation Area, which are notably both on the 'at risk' register. The College also forms part of the immediate setting to the Grade II listed Sheerness War Memorial. Additionally, it lies within the wider setting of the scheduled Sheerness Defences, the surviving visual remnant elements of which lie to the east and north of the Garrison Road roundabout junction and the Grade II listed former military hospital to the garrison for the former royal naval dockyard, located almost due south of the aforementioned roundabout junction.

2. PLANNING HISTORY

- 2.1 **18/501121/ADV** – Advertisement consent for the installation of 1no. 3.5m high x 1.5m monolith outside of the College main entrance, 1no. 3.5m high x 1.5m monolith next to roundabout and 1no. 4m wide x 3m high banner signage system next to roundabout.
Approved Decision date: 31.05.2018.
- 2.2 **17/501132/FULL** – Erection of single storey extension.
Approved Decision date: 23.05.2017.
- 2.3 **SW/95/0758** – Erection of a two-storey detached building to provide a further education college and the provision of a car park.
Approved Decision date: 09.11.1995 for

3. PROPOSED DEVELOPMENT

- 3.1 This application seeks planning permission for the erection of a two-storey extension to the eastern side of the existing college building, including a two-storey glazed link. The development will partially be located on the Council owned car park to east of the existing College and will result in the loss of this car park.
- 3.2 The extension will measure approximately 30m x 20m in footprint and will have an overall height of approximately 12.8m. The building will feature a flat roof with asymmetric parapet features to the northern, southern and eastern elevations. A mixed palette of materials are proposed, including black, buff and terracotta masonry and solid and perforated black corrugated metal cladding.

- 3.3 Internally the development will provide circa 950sqm of additional teaching space across both floors, including 10 classrooms/labs, a student centre, staff room as well as a central common area on both floors.
- 3.4 An existing building located to the south of the existing College is to be demolished as part of the application, to provide a larger external yard area. To the east of the extension a car park is proposed to serve the College, providing 20 spaces. Indicative planting is shown on the proposed block plan, along with an outdoor seating area located immediately to the east of the extension.
- 3.5 East Kent College who run Sheppey College wish to increase the number of courses they offer, and require additional space to do this, which is to be funded by the Council's successful Levelling Up bid.

4. CONSULTATION

- 4.1 One round of consultation with neighbours and the Town Council has been undertaken. A site notice was also displayed at the site and the application was advertised in the press. No comments from neighbours or the Town Council have been received.

5. REPRESENTATIONS

- 5.1 **KCC Highways** – Initially requested details of pupil numbers. These details were provided and KCC confirmed that as this is a sustainable location, they accept the proposed parking allocation, however the number of cycle parking spaces needs to be provided as per the SBC Parking Standards, requiring parking for 18 cycles. Amended plans were provided including the required cycle parking, and KCC Highways confirmed they have no objection to the scheme subject to conditions securing the provision of the vehicle and cycle parking spaces and EV charging points.
- 5.2 **KCC Ecology** – Note that the site is currently composed entirely of sealed surfaces and therefore has an intrinsically low biodiversity baseline. However, there is potential for roosting bats within the building to the south of the site adjacent to Bridge Road which is to be demolished. A Preliminary Roost Assessment (PRA) is requested to be secured by condition. A 10% BNG is not required here, but note the incorporation of a green roof, raingardens and proposed native tree planting will likely deliver a measurable net gain for biodiversity.
- 5.3 **Southern Water** – No objection subject to conditions relating to the protection and/or diversion of the public water supply main and details of foul sewerage and surface water disposal.
- 5.4 **Mid Kent Environmental Health** – Recommend a condition is imposed requiring the submission of a Contaminated Land watching brief. If any external lighting is to be used, details to be secured by condition. Given the scale of the development, a Construction Environmental Management Plan is required.

- 5.5 **Environment Agency** – Initially asked for a revised Flood Risk Assessment to include details of finished floor levels. This was provided and they confirmed they had no objection based on the details provided in the amended Flood Risk Assessment and Drainage Strategy, which state that ground finished floor levels will be set at 3.88 metres above ordnance datum.
- 5.6 **Lower Medway Internal Drainage Board** – No objections, require conditions are imposed to ensure the development accords with the Flood Risk Assessment and Drainage Strategy compiled by Campbell Reith including that prior to development, a full scheme for surface water disposal based on SuDS principles is submitted for approval.
- 5.7 **KCC Flood and Water Management** – Development falls outside of their remit for comments.
- 5.8 **KCC Minerals and Waste** – No objections.
- 5.9 **Climate Change Officer** – Notes the Energy Statement sets out the development proposes to use a mix of bio-solar, air source heat pumps and rain gardens to improve sustainability, and will achieve BREEAM good. The development will achieve a 45% reduction in CO2 emissions beyond Part L 2021 of the Building Regs. A condition should be imposed to require evidence to demonstrate that the 45% reduction has been met as part of the development.
- 5.10 **Kent Police** – As the proposal is for an extension to an existing building, it falls outside their scope for comment.
- 5.11 **SBC Heritage** – Initially requested more robust Heritage and Design and Access Statements. This was provided, and support was given to the scheme, subject to conditions securing external materials, landscaping (including a landscape management plan) and heritage interpretation signage.
- 5.12 **SBC Urban Design Officer** – The proposed development is an acceptable design response relative to the site and surroundings with additional design details to be provided by condition – specifically landscaping details and materials.
- 5.13 **UK Power Networks** – Note there are Low and High Voltage cables on site running within close proximity of the proposed development. Informatives have been added to draw the attention to need to undertake relevant checks and take account of working practices.

6. DEVELOPMENT PLAN POLICIES

6.1 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 (the Local Plan)**

ST 1 Delivering sustainable development

ST 6 The Isle of Sheppey area strategy

CP 1 Building a strong, competitive economy

CP 4 Good design

CP 8 Conserving and enhancing the historic environment

- DM 1** Maintaining and enhancing the vitality and viability of town centres and other areas
- DM 6** Managing transport demand and impact
- DM 7** Vehicle parking
- DM 14** General development criteria
- DM 16** Alterations and extensions
- DM 19** Sustainable design and construction
- DM 21** Water, flooding & drainage
- DM 28** Biodiversity and geological conservation
- DM 32** Listed buildings
- DM 33** Conservation areas

6.2 **Supplementary Planning Guidance/Documents**

Supplementary Planning Document - Swale Parking Standards

Supplementary Planning Guidance - Listed Buildings and Conservation Areas

7. ASSESSMENT

7.1 This application is reported to the planning committee because the development is located partially on land owned by Swale Borough Council. Considering the proposal that has been submitted, the committee is recommended to carefully consider the following main points:

- The Principle of Development
- Character and Appearance, including Heritage Impact
- Transport and Highways
- Flood Risk and Drainage
- Sustainability and Climate Change
- Ecology

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

Principle of Development

7.4 Policy ST 3 of the Local Plan supports the principle of development within the built-up area boundary of established towns and villages within the borough.

7.5 The proposed extension at Sheppey College will support the expansion of the number of courses provided by the College. On a national level, paragraph 99 of the NPPF sets out that it is important that a sufficient choice of school places is available to meet the needs of

existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

7.6 Whilst the above paragraph refers to schools, it is considered that further education colleges are also relevant, especially when taking into account children are now required to stay in education until they are 18. Policy CP 5 of the Local Plan supports the provision and retention of community facilities. Taking into account the above, the proposed extension will support the expansion of the College, which is in line with local and national policy and in principle, is supported.

Character and Appearance, including Heritage Impact

7.7 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.

7.8 Policies CP 4, DM 14 and DM 16 of the Local Plan require development proposals to be of high-quality design and to be in keeping with the character of the area. They state that particular regard should be paid to the scale, height, materials, detailing, mass, bulk, articulation and site coverage of any proposals.

7.9 The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan under Policies DM 32 and DM 33.

7.10 As set out in the description of the site above, the College is surrounded by heritage assets to both the east and west. Given the location of the site and its prominence, it is imperative that the proposed extension to the College sits comfortably not only in relation to the existing building but is also designed such that it would integrate well into the wider townscape.

7.11 The information provided as part of the application (following additions to the Heritage and Design and Access Statements) demonstrates a reasonably good understanding of the area's local heritage and more general townscape context for the proposed scheme. The scale and massing of the proposed extension are considered appropriate. At two storeys the proposed extension would be responsive to the current college building and wider area. Being joined by simple glazed link facilitates an appropriate transition and provide visual separation the two masses and this allows for a contemporary architectural design to come forward as part of this application.

- 7.12 The facades of the extension are appropriately articulated through the arrangement and interplay of punched openings, materials and use of colour which together provide depth and visual interest. A condition is suggested to secure the external materials. Internally, the building provides a rational arrangement with good connectivity to the existing building. A generous common area is bounded by educational spaces which is an appropriate approach and will make best use of the floorspace created by the scheme.
- 7.13 In terms of landscaping, a range of hard and soft landscaping is provided that would help reinforce character and support biodiversity. Given the position of the site close to the desire path from the town centre the open space proposed to the east is an appropriate response that activates the frontage and helps with natural surveillance. Trees and planting, in general, would help to soften a relatively urban environment and is therefore acceptable. Conditions are suggested below to secure the submission of a detailed landscape scheme and management plan.
- 7.14 The development will result in additional built form in closer proximity to the Grade II listed war memorial, which sits to the south-east of the site. The extension will lie approximately 23m from this heritage asset at its closest point and as such is within its setting. It is not considered that the proposal will detract or harm the setting of this listed feature, given the high-quality design of the proposal.
- 7.15 The development site is also adjacent to the Mile Town, and Royal Naval Dockyard and Blue Town Conservation Areas. It is considered that the scheme will create an innovative and attractive focal building within the town centre and on this basis, the scheme will not cause harm to these neighbouring conservation areas.
- 7.16 A condition is suggested below requiring the provision of a heritage interpretation board, which will highlight the historic significance of the town. This will contribute positively to the wider education of the towns history and is appropriate.
- 7.17 Taking the above into account, in respect of the character and appearance of the proposal the scheme and heritage impact is considered to comply with Policies CP 4, DM 14, DM 32 and DM 33 of the Local Plan and the NPPF and will not give rise to harm to the character and appearance of the site or wider streetscene.

Living Conditions

- 7.18 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.
- 7.19 Due to the proposed location of the extension, roughly 80m from the closest residential property, it is not envisaged there will be harmful impacts to residential amenities from the extension itself. To protect amenity during the construction phase, conditions are suggested below to limit construction hours and to require the submission of a construction management plan, to limit noise and dust during the construction of the development.

- 7.20 Taking the above into account, the scheme is considered acceptable and would not cause any substantial harm to the living conditions of neighbours. As such the proposal accords with Policy DM 14 of the Local Plan.

Transport and Highways

- 7.21 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

- 7.22 The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 7.23 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm. SBC Vehicle Parking Standards Supplementary Planning Document (SPD) which is pursuant to Policy DM 7 of Local Plan was adopted by the Council in June 2020 and is a material consideration in the determination of planning applications.

- 7.24 The extension to the College will expand its educational provision, and as such will lead to an increase in staff and pupil numbers. A Transport Assessment accompanies the application and notes that the College currently has 160 students and 20 staff, and as a result of the development, this will rise to 250 students and 25 staff. These figures are calculated on the basis of occupancy of the College at any one time and allow for 50% attendance due to the majority of students being part-time. The Transport Statement notes the site has good public transport links in terms of railway and bus links, and there are several public car parks within a short walk of the site. The associated additional car journeys created by the development is not considered to have an impact on the surrounding road network and no concern has been raised by KCC Highways in this regard.

- 7.25 The existing access onto the site from, the internal access road shared with Tesco and McDonalds will be used by the development. This access arrangement is currently acceptable and no changes are proposed to the access to the site. As such, no concerns are raised in this respect.

- 7.26 The proposed block plan shows that 20 parking spaces will be provided to the east of the extension to be utilised by the College, which includes two electric vehicle charging points and two disabled parking spaces. Following the receipt of comments from KCC Highways, 18 cycle spaces will also be provided at the development, which is in line with the SBC Parking Standards SPD which require a minimum of 1 cycle space per 7 students. With regards to car parking, the SPD sets out 1 space per staff member is required, and 1 space per 7 students.

The proposed extension to the College will result in 90 additional students and 5 additional staff, meaning 18 parking spaces are required for the new extension. The car park to be created therefore complies with the SPD in terms of parking for the new extension.

- 7.27 It is noted that the proposed car park does not cater for the number of students and staff that currently use the College, however there are currently no dedicated on-site car parking spaces available for the College. Therefore, the 20 spaces created as part of the extension to the college represents an improvement on the current situation. KCC Highways raise no objections on this matter, and as such the parking provision is considered to be acceptable. Conditions are suggested below to secure the provision and retention of the spaces and charging points.
- 7.28 The proposal would also result in the loss of a public car park, which will be leased to the College from the Council to facilitate the development. Colleagues in the parking team have confirmed there is limited demand in this car park from visitors to the town centre. With a number of other car parks located around the town and the nearby Beach Street car park, it is not considered that the proposed development will have an adverse effect on public parking in the area.
- 7.29 On the basis of the above, the development is considered to comply with Policy DM 7 of the Local Plan and is acceptable from a highways perspective.

Flood Risk and Drainage

- 7.30 Policy DM 21 of the Local Plan relates to water, flooding and drainage. The policy states that when considering the water-related, flooding and drainage implications of development, development proposals should accord with national planning policy and planning practice guidance, and inappropriate development in areas at risk of flooding and in areas where development would increase flood risk elsewhere should be avoided. The policy states that site specific flood risk assessments should be carried out to the satisfaction of the Environment Agency and, where relevant, the Internal Drainage Board.
- 7.31 The site lies in Flood Zone 3 and is at high risk from tidal and fluvial flooding. It is pertinent to consider whether the proposal would be appropriately located in relation to this identified flood risk. A Flood Risk Assessment (FRA) has been provided and the Environment Agency (the EA) have reviewed this and, following amendments to the document to include details of finished floor levels, the EA advise that they have no objections to the proposal from a flood risk perspective.
- 7.32 Both national and local policy sets out that new development will only be permitted if it can be demonstrated that it satisfies the requirements of the sequential test, and where required, the exception test. The NPPF sets out at paragraph 174 that applications for some minor development and changes of use should not be subject to the sequential or exception tests. In this case, the development does not meet the definition of minor development set out in footnote 60 and as such, a sequential test is required.
- 7.33 In respect of the sequential test, significant weight is given to paragraph 027 reference ID: 7-27-20220825 of the NPPG on Flood Risk which sets out that the area to apply the test will be defined by local circumstances relating to the catchment area for the type of development

proposed. This can be clear for certain developments, such as the catchment area for a school. It goes on to state that a pragmatic approach needs to be taken where proposals involve comparatively small extensions to existing premises (relative to their existing size), where it may be impractical to accommodate the additional space in an alternative location.

- 7.34 The submitted FRA notes that paragraph 027 reference ID: 7-27-20220825 refers specifically to the catchment of schools as a significant factor in the application of the sequential test. The operational requirement is that the extension be as close to the existing college as possible to ensure short journeys for pupils and staff, and to effectively enhance the existing college assets. Additionally, paragraph 027 reference ID: 7-27-20220825 states that in large areas of Flood Zones 2 and 3, where development is necessary to sustain the existing community, sites outside these zones are unlikely to offer reasonable alternatives.
- 7.35 The FRA contends that following the sequential test in its most literal sense would imply that all new developments need to be positioned outside of this area of Flood Zone 3. The site is 2.3 km away from the nearest edge of Flood Zone 3 as shown on the Environment Agency mapping. This mapping indicates that there are no alternative locations within Sheerness outside the Flood Zone 3 (undefended) extents that would be considered reasonable alternatives for the college or any other vulnerable development. Given the scale of the potential Flood Zone 3 extents and the high standard of protection provided, this approach is neither practicable nor appropriate in the view of the applicant.
- 7.36 The approach to the sequential test taken by the applicant as set out above is considered reasonable when taking into account the use of the development and the scale of the extension in relation to the existing college. It is reasonable to take the view that the location of the development outside of the Flood Zone (which would be a minimum of 2.3km from the site) is impractical as the extension is proposed to support the existing educational offerings at the College. On this basis, whilst a full sequential test has not been undertaken, taking into account paragraph 027 reference ID: 7-27-20220825 of the NPPG: Flood Risk and Coastal Change, the location of the site is considered to be acceptable in flood risk terms.
- 7.37 The submitted FRA also covers the proposed surface water drainage strategy for the development. This has been reviewed by the Lower Medway Internal Drainage Board, who raise no objections to the scheme, but require conditions to be imposed. The conditions will ensure the development accords with the FRA, requires the submission a full scheme for surface water disposal based on SuDS principles and the scheme is verified on site once constructed by a competent engineer. A maintenance schedule for the SuDS features is also conditioned. These conditions will ensure the surface water drainage at the site is adequately designed and maintained.
- 7.38 On the basis of the above, the scheme is considered to comply with Policy DM 21 of the Local Plan.

Sustainability and Climate Change

- 7.39 Policy DM 19 of the Local Plan sets out a range of sustainable design and construction measures that development proposals should, where appropriate, incorporate them into their

scheme. Along with the relevant parts of the NPPF, there is a clear requirement within local policy for proposals to demonstrate how this will be achieved.

- 7.40 Policy DM 19 of the Local Plan sets out that all new non-residential developments must aim to achieve BREEAM 'Good' standard or equivalent as a minimum, whilst all new non-residential developments over 1,000 sq m gross floor area should aim to achieve the BREEAM "Very Good" standard or equivalent as a minimum. Given the floorspace proposed, the development should meet the 'Good' standard. The Climate Change Officer has reviewed the submitted Energy Statement and is satisfied the development will improve sustainability at the site, by incorporating a mix of bio-solar, air source heat pumps and rain gardens. She considers the development will achieve BREEAM 'Good', and requested formal certification through BREEAM to demonstrate that this has been met is required.
- 7.41 The agent advised that applying for official BREEAM certification will be costly and cause delays, and asked if an alternative condition could be imposed. The amended Energy Statement sets out the development will achieve a 45% reduction in CO2 emissions beyond Part L 2021 of the Building Regs, and if this is compared to BREEAM, this reduction is equivalent to 'Excellent'. The Climate Change Officer confirmed this comparison is acceptable and a condition can be used to require evidence to be submitted to the Council to demonstrate that the 45% reduction has been met as part of the development. The suggested condition is included below and with this in place, the building will be sustainably built in compliance with Policy DM 19 of the Local Plan.

Ecology

- 7.42 The NPPF and Local Plan Policy DM 28 requires that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.43 No ecological information has been submitted with the application. The site is currently composed entirely of sealed surfaces and therefore has an intrinsically low biodiversity baseline. KCC Ecology have been consulted on the application and note that the demolition of a building to the south of the site adjacent to Bridge Road is proposed as part of this application. The building predates the existing college, has a tiled roof and may contain other features suitable for roosting bats (e.g. gaps in weatherboarding and cracks in fascia's, bricks and stone work). As such it is requested that a Preliminary Roost Assessment (PRA) is conducted to ascertain whether this development will impact roosting bats.
- 7.44 The agent was informed of the need for a PRA, and enquired as to whether it could be secured via condition. The building to be demolished is a standalone registry building in the corner of the yard, rather than connected to the proposed extension, and they wish to remove the building to enlarge the yard area behind the new building, so it is not a critical path activity that is required to be undertaken ahead of the construction of the extension beginning. KCC Ecology have agreed this can be secured via condition in this instance. Subject to this condition, it is considered the proposal has no harmful impact to protected species.
- 7.45 From February 2024, major developments are required to provide at least 10% Biodiversity Net Gain (BNG). There are exemptions to this, including the de minimis exemption. This only

applies when the following two conditions are met. Firstly, the development must not impact on any onsite priority habitat and secondly, if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow).

- 7.46 In this case, there are no priority habitats on site. The development will be located on existing hardstanding, which would be classified as developed land: sealed surface which has a biodiversity value of zero under the statutory biodiversity metric. There are no further habitats within the red line edge shown on the site location plan, and on this basis, the development would be exempted from biodiversity net gain by the de minimis exemption. In consideration of the current composition of the site and proposed enhancements (including incorporation of a green roof, raingardens and proposed native tree planting), it is noted that the development will likely deliver a measurable net gain for biodiversity. A condition is imposed below to require landscaping details to be submitted and approved.

Other Matters

- 7.47 Environmental Health have reviewed the application and have raised no concerns about the development, subject to conditions. They note the site, as with much of Sheerness, is listed under Military Land in the Council's mapping records. Taking this into account, a condition is required to ensure that any contamination found during the construction phase is adequately dealt with. They also request conditions relating to a lighting plan and construction management plan, which are included accordingly.

Conclusion

- 7.48 The development will support the on-going function of the College by enhancing and enlarging its educational provision. The extension represents an acceptable design response relative to the site and surroundings, including heritage features. On the basis of the above, it is recommended that planning permission be approved.

RECOMMENDATION – Grant subject to the following conditions:

CONDITIONS

1. The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which the permission is granted.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 9239-LEP-SC-00-DR-A-00200 Rev P01, 9239-LEP-SC-01-DR-A-00201 Rev P02, 9239-LEP-SC-02-DR-A-00202 Rev P02, 9239-LEP-SC-ZZ-DR-A-00300 Rev P01, 9239-LEP-SC-ZZ-DR-A-00301 Rev P01, 9239-LEP-SC-ZZ-DR-A-00400 Rev P01, 9239-LEP-SC-ZZ-DR-A-00450 Rev P01, 9239-LEP-SC-ZZ-DR-A-01002 Rev P05, 9239-LEP-SC-ZZ-DR-A-01020 Rev P01 and 9239-LEP-SC-00-DR-A-01200 Rev P02, 9239-LEP-SC-ZZ-DR-A-80300 P01.

Reason: In the interests of proper planning and for the avoidance of doubt.

3. Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The document shall be produced in accordance with the Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites, the Control of Dust from Construction Sites (BRE DTi Feb 2003) and the Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction'. The construction of the development shall then be carried out in accordance with the approved methodology.

Reason: To protect the amenity of the surrounding area.

4. Prior to the commencement of the development a full scheme for surface water disposal based on SuDS principles and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved scheme and verified on site once constructed by a competent engineer.

Reason: In order to prevent pollution of water supplies and the natural environment.

5. No development beyond the construction of foundations shall take place until a maintenance schedule for the SuDS features constructed on site has been submitted to and approved in writing by the Local Planning Authority. The schedule should specify ownership, a timetable for implementation, and provide a management and maintenance plan for the lifetime of the development. All SuDS should be located in accessible areas, and a plan should be included addressing the frequency of maintenance for each SuDS feature based on guidance in the CIRIA SuDS Manual 2015 as well as detailing who will carry out the maintenance.

Reason: In order to prevent pollution of water supplies and the natural environment.

6. No works to the registry building to be demolished as part of the application shall take place until either:
 - (a) Ecological surveys have been submitted to and approved in writing by the Local Planning Authority which confirm the building does not contain any roosting bats; or
 - (b) An A13 bat mitigation licence has been obtained from Natural England and mitigation measures are in place.

Reason: In order to ensure protected species are not harmfully impacted by the development.

7. If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The remediation shall thereafter be completed in accordance with the approved plan.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of:

- a) Any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during construction, then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: To ensure any contaminated land is adequately dealt with.

8. No development beyond the construction of foundations shall take place until details of the facing and roofing materials (including the relevant colour finish) to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high standard of design and associated appearance, in particular refencing the location of the site within the setting of various designated heritage assets, including the grade II listed War Memorial.

9. No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: To ensure a high standard of design and associated appearance, in particular refencing the location of the site within the setting of various designated heritage assets, including the grade II listed War Memorial.

10. Prior to the first use of the development hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the development has achieved a 45% reduction in CO₂ emissions compared to the Target Emission Rates as required under Part L 2021 of the Building Regulations (as amended).

Reason: In the interest of promoting energy efficiency and sustainable development.

11. Prior to the first use of the development hereby permitted, a landscaping management plan shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed in accordance with the approved details.

Reason: To ensure that the high standard of design and appearance achieved in the approved development is maintained in perpetuity, in part to maintain an appropriate setting to the various designated heritage assets adjacent the application site, including the grade II listed War Memorial.

12. Prior to first use of the development hereby permitted, details of the heritage interpretation signage shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be placed on the exterior face of the extension

and/or within the landscaped car parking area. The details to be submitted to include the size and type of signage to be used for the interpretation information, the exact location where it is to be sited, and specific details of the heritage interpretation text and images to be used. The interpretation signage shall be provided in accordance with the approved details prior to the first use of the development and shall be retained thereafter.

Reason: To appropriately maximise the place making element of the approved development taking into account its location in a heritage rich built environment and the need to promote better understanding of the historic environment where development opportunities allow, in accordance with the NPPF and the adopted Swale Borough Heritage Strategy 2020 – 2032.

13. Prior to the first use of the development hereby permitted, the electric vehicle charging points shown on approved drawing 9239-LEP-SC-ZZ-DR-A-01002 Rev P05 shall be provided and shall be retained permanently.

Reason: To ensure the provision and retention of electric vehicle charging facilities in the interest of reducing greenhouse gas emissions.

14. The vehicle parking spaces and cycle parking spaces shown on approved drawing 9239-LEP-SC-ZZ-DR-A-01002 Rev P05 shall be provided prior to the first use of the development herein approved and shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto.

Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users.

15. No construction work in connection with the development shall take place on any Sunday or Public Holiday, nor on any other day except between the following times:- Monday to Friday 0730 - 1800 hours, Saturdays 0800 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interest of residential amenity.

16. No external lighting shall be installed until a detailed scheme of lighting has been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This scheme shall take note of and refer to the Institute of ILP Guidance Note 01/21 The Reduction Of Obtrusive Light (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved details.

Reason: In the interests of the amenity of the area.

17. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

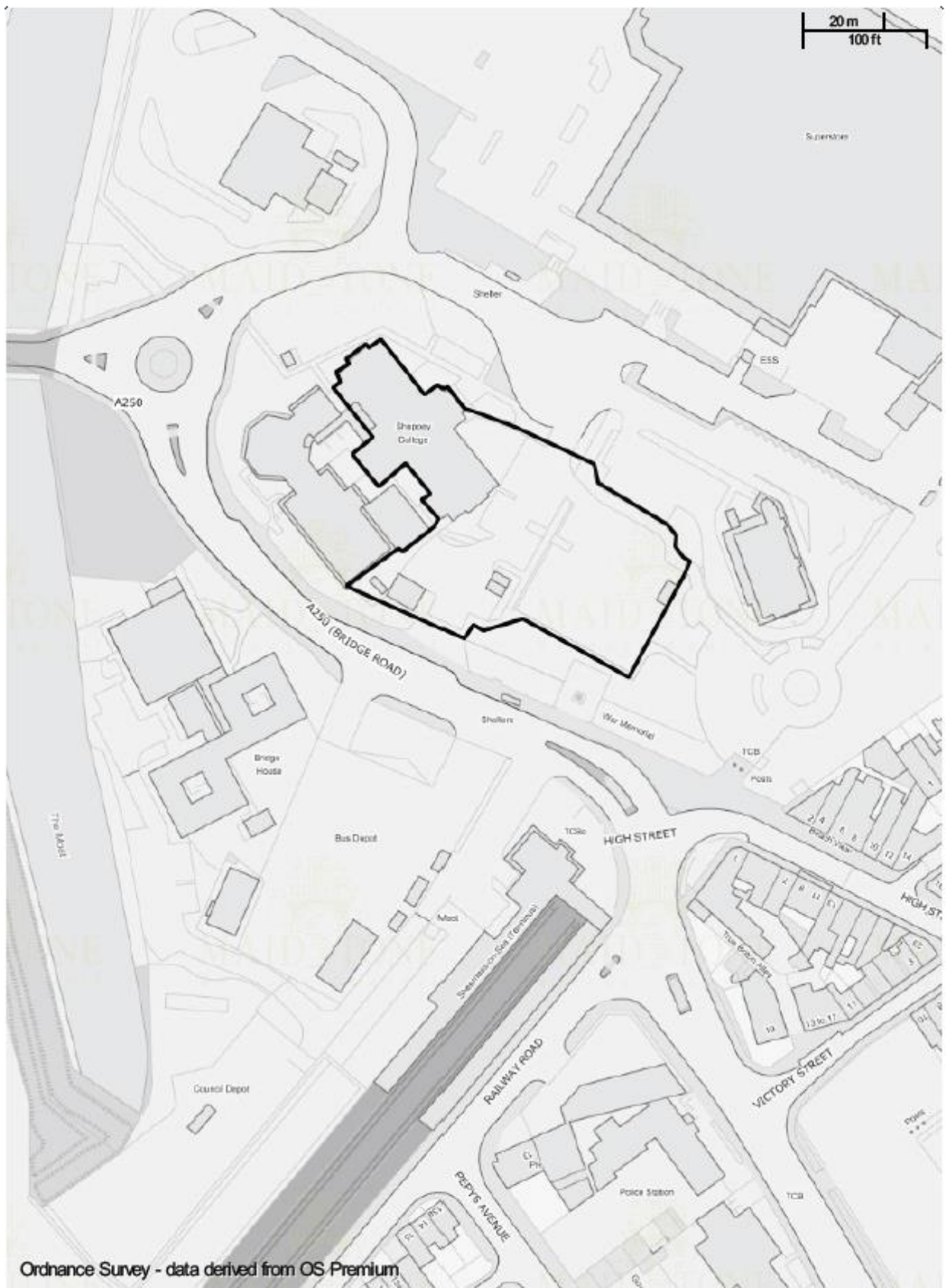
Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

18. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

19. The ground finished floor level shall be a minimum of 3.88m AOD in accordance with the conclusion of the Flood Risk Assessment and Drainage Strategy project reference 14090, revision F01 and dated Jul 2024.

Reason: In the interests of minimising risk from flooding.



24/501001/FULL - Sheppey College Bridge Road Sheerness ME12 1HL
Scale: 1:1250



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2.2 REFERENCE NO - 24/500781/FULL		
PROPOSAL		
Conversion of existing barn to holiday accommodation, including replacement roof, rebuilding of upper front elevation and insertion and replacement fenestration. Erection of car port and cycle store.		
SITE LOCATION		
Snakesbury Cottage, Iwade Road, Newington, Kent, ME9 7JY		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.		
APPLICATION TYPE Minor		
REASON FOR REFERRAL TO COMMITTEE		
Newington Parish Council object to the application		
Case Officer Megan Harris		
WARD Hartlip, Newington And Upchurch	PARISH/TOWN COUNCIL Newington	APPLICANT Mr & Mrs Finlon AGENT Woodstock Associates
DATE REGISTERED 26/02/24	TARGET DATE 22/04/24	
BACKGROUND PAPERS AND INFORMATION:		
Documents referenced in report are as follows: -		
All drawings submitted		
Design and Access Statement (uploaded on 22/02/24)		
Heritage Statement dated January 2024 (uploaded on 22/02/24)		
Structural Appraisal dated 18/10/23 (uploaded on 22/02/24)		
Preliminary Ecological Assessment dated 13/12/23 (uploaded on 22/02/24)		
Bat Survey Report dated 10/07/24 (uploaded on 11/07/24)		
Barn Owl Letter dated 10/07/24 (uploaded on 11/07/24)		
All representations received		
The full suite of documents submitted pursuant to the above application are available via the link below: -		
24/500781/FULL Conversion of existing barn to holiday accommodation, including replacement roof, rebuilding of upper front elevation and insertion and replacement fenestration. Erection of car port and cycle store. Snakesbury Cottage Iwade Road Newington Kent ME9 7JY (midkent.gov.uk)		

1. SITE LOCATION AND DESCRIPTION

- 1.1 The application site is comprised of an old brick built barn which sits perpendicular to Iwade Road. The barn was previously in agricultural use, but has laid empty for a number of years and now is in a poor condition, with signs of structural issues on the

front elevation, where the roof is bowed and the upper front elevation is leaning forwards. The barn is set to the front of Snakesbury Cottage, a detached two storey dwelling and shares vehicular access with this cottage.

- 1.2 The site is located outside of the built up area boundary of Newington and as such is considered to lie in open countryside. The site is surrounded by open fields to the north, east and south, whilst to the west lies Oak Manor, a large detached dwelling. Part of the site lies within the Newington Church Conservation Area, including the dwelling and the barn. The conservation area boundary runs along the eastern boundary of the barn, meaning the land to the east lies outside the conservation area. Iwade Road is also classified as a rural lane.

2. PLANNING HISTORY

- 2.1 None relevant

3. PROPOSED DEVELOPMENT

- 3.1 This application seeks planning permission for the conversion of the existing barn to holiday accommodation, including the replacement of the roof, rebuilding of the upper front elevation and insertion and replacement of fenestration. A car port and cycle store will also be erected to the side of the building.
- 3.2 The car port will be located on the northern side of the property, and will measure 3m in width and 5m in depth. It will feature a mono-pitch roof with an eaves height of 2m and a ridge height of 3.1m. A driveway will be provided to the side of the car port to provide an additional parking space. A cycle store is proposed to the rear of the car port, set within the rear amenity space.
- 3.3 Internally the holiday let will contain an open plan living area and kitchen, store and bathroom on the ground floor, with a bedroom and bathroom proposed on the first floor.
- 3.4 During the course of the application the scale of the amenity area for the holiday let which lies to the north-east of the barn was reduced, with post and rail fencing and a native species hedgerow proposed to enclose the garden.

4. CONSULTATION

- 4.1 Two rounds of consultation with neighbours and the Parish Council have been undertaken, due to a change to the description to more accurately describe the development. A site notice was also displayed at the site and the application was advertised in the press. No comments from neighbours have been received.
- 4.2 Newington Parish Council object to the application on the following planning grounds (full representations are available online):

Comment	Report reference
The proposal is outside the built-up area;	See paragraphs 7.4 – 7.10
It is in a Conservation Area;	See paragraphs 7.19 – 7.23
There is no evidence of need for a holiday let	See paragraphs 7.9 – 7.10

as Newington is not a holiday destination. Previous holiday lets were used for residential use.	
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5. REPRESENTATIONS

- 5.1 **KCC Ecology** – Initially requested bat and barn owl surveys are undertaken. This was provided and KCC Ecology confirmed they had no objections to the scheme subject to conditions securing ecological mitigation measures and the implementation of ecological enhancements.
- 5.2 **Mid Kent Environmental Health** – Recommended a condition is imposed restricting hours of construction and an informative is imposed relating to the Mid Kent Environmental Code of Development Practice.
- 5.3 **Kent Police** – The proposal falls outside their scope for comment.
- 5.4 **SBC Heritage** – Considers that the proposal will enhance the appearance of the building and in turn enhance the special character and appearance of the conservation area. Therefore raises no objections subject to conditions.

6. DEVELOPMENT PLAN POLICIES

6.1 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017**

ST 1 Delivering sustainable development in Swale
CP 1 Building a strong, competitive economy
CP 4 Requiring good design
CP 8 Conserving and enhancing the historic environment
DM 3 The rural economy
DM 6 Managing transport demand and impact
DM 7 Vehicle parking
DM 14 General development criteria
DM 16 Alterations and extensions
DM 19 Sustainable design and construction
DM 26 Rural lanes
DM 28 Biodiversity and geological conservation
DM 33 Development affecting a conservation area

6.2 **Supplementary Planning Guidance/Documents**

Supplementary Planning Document - Swale Parking Standards
 Supplementary Planning Guidance – ‘Conservation Areas’ and ‘The Conversion of Traditional Farm Buildings’

7. ASSESSMENT

- 7.1 This application is reported to the planning committee because Newington Parish Council object to the application. Considering the proposal that has been submitted, the committee is recommended to carefully consider the following main points:

- The Principle of Development
- Character and Appearance

- Heritage
 - Transport and Highways
 - Ecology
- 7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.
- 7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

Principle of Development

- 7.4 The site lies within the countryside, outside of any defined settlement boundary, and therefore, the application must be considered against the countryside restraint policies in the adopted Local Plan and the NPPF. The main local plan policy that relates to development in the countryside, is ST 3, which establishes that at locations in the open countryside, outside of the built-up area boundaries development will not be permitted, unless supported by national planning policy and where it can be demonstrated that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.
- 7.5 On a national level, paragraph 88 of the NPPF states that a positive approach should be taken to sustainable new development to promote a strong rural economy and that the support of all types of rural businesses and tourism developments can be achieved through conversion of existing buildings and well-designed new buildings which make a positive contribution to the character of the countryside.
- 7.6 Locally, policy DM3 also supports the rural economy by encouraging economic development and especially by prioritising the re-use of rural buildings or the development of other previously developed land. With regard to tourism and leisure, policy DM 3 sets out that planning permission should *'provide for an expansion of tourist and visitor facilities in appropriate locations where identified needs are not being met by existing facilities in the locality or where able to increase facilities available to local communities as well as visitors.'* Policy CP 1 of the Local Plan also seeks to develop a strong economy, to retain existing tourism assets and widen the Borough's tourism potential.
- 7.7 The development will make use of an existing vacant building which is currently in a poor state of repair due to its age. A structural survey accompanies the application and confirms that the building is capable of conversion subject to the rebuilding of the upper front elevation and the replacement of the roof. The proposal is therefore in general accordance with policy DM 3 as it proposes the re-use of an existing rural building.
- 7.8 In this instance, it is acknowledged that the site is not related particularly well to a wide range of services and amenities, meaning it is likely that occupiers of the proposed holiday accommodation would be largely reliant on motor vehicles for travelling to and from the site and to access goods and services; however, it is within walking distance of the village of Newington, being approximately 460m from the built up area boundary, which contains a number of facilities and also a railway station. It is therefore considered

that the provision of a holiday let in this location would provide new opportunities for visitors to stay in the area, and that these visitors would be likely to support the local economy and community by spending on goods, services and local businesses. It is noted that paragraph 89 of the NPPF advises that sites in rural areas may need to be found adjacent to or beyond existing settlements and in locations not well served by public transport, and that the use of previously developed land should be encouraged where suitable opportunities exist.

- 7.9 Within their objection the Parish Council commented that Newington is not a holiday destination. However, it is considered that this location is appropriate for a tourist provision, situated in a tranquil part of the Kent countryside, close to the coast and other tourist attractions. It is nationally acknowledged that there has been a greater emphasis on domestic tourism in recent years, and this development will add to the holiday mix provided in this area of the Borough, and as such is compatible with the thrust of policy DM 3 and CP 1.
- 7.10 The concerns of the Parish Council relating to the potential use of the building as a dwelling are noted, however a condition is imposed below limiting the use of the development to holiday accommodation and any change to the occupation of the unit will require planning permission. If the holiday let was to be occupied as a residential dwelling, the Planning Investigations team would be able to investigate and take appropriate action.
- 7.11 Taking the above into account, it is considered that the principle of the conversion of the building to a holiday let is acceptable.

Character and Appearance

- 7.12 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.
- 7.13 Policies CP 4, DM 14 and DM 16 of the Swale Local Plan 2017 require development proposals to be of high-quality design and to be in keeping with the character of the area. They state that particular regard should be paid to the scale, height, materials, detailing, mass, bulk, articulation and site coverage of any proposals.
- 7.14 The development proposes the conversion of the building and the erection of a car port and cycle store to the side. As identified by the structural survey, the roof on the property will need to be replaced, and the upper front elevation re-built. Replacement fenestration, along with the insertion of additional openings on the rear elevation is also proposed. The changes are all required to bring the building back into use, and will reflect the form of the existing building, utilising materials that match the existing. All new fenestration will be timber, which is appropriate for a building of this age within the conservation area.
- 7.15 The adopted SPG, *“The Conversion of Traditional Farm Buildings”* sets out that the conversion of farm buildings for other purposes should enable the existing structure and detailing to remain as undisturbed as possible. It goes on to state that *“The purpose of converting a traditional building will be to adapt it with the minimum of alterations for the purpose required. As such it will not normally be considered appropriate to extend the existing building to accommodate the use.”* The car port does amount to an addition to the building, however regard is given to its limited scale and sympathetic design. The use of an open timber frame car port is appropriate here and lessens the additional built

form of the development. On this basis it is not considered this additional built form will detract from the current appearance of the building or wider site.

- 7.16 During the course of the application, the scale of the amenity space for the holiday let was reduced. The domestication of all of the land to the rear of the barn would have a harmful impact on the character and appearance of the area, which is notably rural in context. A smaller garden was subsequently proposed, which is to be enclosed by post and rail fencing and a native hedgerow. These boundary treatments are appropriate given the countryside location of the site and will reduce the prominence of the garden in the surrounding landscape. A condition is imposed to ensure full landscaping details are submitted to the Council for approval.
- 7.17 The proposed alterations to the barn will be visible from Iwade Road, which is designated as a rural lane by policy DM 26. This policy sets out the applications will not be granted for development that physically, or as a result of traffic levels, significantly harm the character of rural lanes. The impact of the development upon the highway network is considered below, but in terms of the character of the rural lane, the development respects and retains the original character and fabric of the barn, and as such it is not envisaged the proposal will cause any harm to the character of this rural lane.
- 7.18 Overall, it is considered that the proposed development is of an acceptable scale and design, and that it would not have a detrimental impact upon the character and appearance of the area.

Heritage

- 7.19 Policy DM 33 of the Local Plan states that new development within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area's special character or appearance. The site lies within Newington Church Conservation Area, where the Council has a statutory duty to pay special attention to protecting the conservation area and there is a strong presumption against granting consent for proposals which cause harm.
- 7.20 The SBC Heritage Officer has reviewed the application and considers it will enhance the appearance of the conservation area and secure the long term use of the building. It is currently in a dilapidated state and further damage could occur if works are not undertaken to secure the structural integrity of the building. The proposed alterations to the building are considered appropriate and necessary and the Design and Conservation Officer raises no objections to the scheme on this basis.
- 7.21 Conditions have been recommended by the Heritage Officer relating to external materials, joinery details, key construction details and external flues and vents. These conditions will ensure the development has an acceptable finish and have been included below. The Heritage Officer has also requested removal of permitted development rights for external changes to the building. This is considered reasonable due to the prominence of the site within the conservation area, and is secured below via condition and will ensure the Council has control over any future alterations or additions to the building.
- 7.22 In light of the above, the proposal is considered to enhance the special character and appearance of the conservation area and as a result is in accordance with policy DM 33 of the Local Plan.

- 7.23 In considering the impact of this proposal upon designated heritage assets, officers have had regard to the Council's obligations pursuant to the Planning (Listed Building and Conservation Areas Act) 1990.

Living Conditions

- 7.24 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.
- 7.25 The development site is surrounded by a limited number of neighbours, the closest of which is Snakesbury Cottage to the north west. The barn is located approximately 22.5m from this dwelling, and due to this distance, it is not envisaged there will be harmful impacts to the living conditions of occupiers of this property through the external changes to the building. The use of the building as holiday accommodation is not expected to generate any significant amount of noise, but the proposal will generate a level of noise and disturbance which currently isn't experienced at the dwelling by virtue of increased vehicle movements. However given the separation distance, I do not consider that the proposed use will cause adverse harm to the occupiers of the cottage.
- 7.26 Due to the separation distances between the site and all other neighbouring dwellings, it is not considered there will be any unacceptable impacts upon the living conditions of neighbouring occupiers.
- 7.27 To protect amenity during the construction phase, a condition is imposed below to limit construction hours, as requested by Mid Kent Environmental Health.
- 7.28 Taking the above into account, the scheme is considered to be acceptable and would not cause any unacceptable harm to the living conditions of neighbours. As such the proposal accords with Policy DM 14 of the Local Plan in this regard.

Transport and Highways

- 7.29 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

- 7.30 The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 7.31 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm. SBC Vehicle Parking Standards Supplementary Planning Document (SPD) which is pursuant to Policy DM 7 of Local Plan was adopted by the Council in June 2020 and is a material consideration in the determination of planning applications.
- 7.32 The existing access onto the site will be utilised by the development. It is considered that the very limited increase in vehicle movements to and from the proposed holiday let would not cause harm to those in the immediate vicinity or generally to other road users.

- 7.33 The proposal would incorporate two parking spaces for the holiday let – one within the proposed car port and one on the adjacent hardstanding. Swale Borough Councils Parking Standards SPD sets out that for properties with 1 bedroom in a rural area that 2 spaces should be provided. The scheme therefore complies with the Council's Parking SPD. Conditions are imposed to secure the parking spaces and also to require the provision of an electric vehicle charging point.
- 7.34 In summary it is concluded that the scheme would be in general accordance with DM 7 of the Local Plan.

Ecology

- 7.35 The NPPF and Local Plan policy DM 28 requires that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.36 From April 2024, minor developments are required to provide at least 10% Biodiversity Net Gain (BNG). Notably the application was submitted in February 2024 and as such is not subject to this requirement.
- 7.37 Turning to consider the ecological impacts of the development, due to the age and condition of the barn, KCC Ecology requested that bat dusk emergence/dawn re-entry surveys and associated mitigation strategy, as well as a barn owl survey and mitigation strategy were provided. These surveys were undertaken by the applicant and KCC Ecology were reconsulted on the application. They have confirmed that they are satisfied with the conclusions of the bat survey report which states that no bats were seen emerging from the building during the emergence surveys. However, KCC Ecology have recommended a condition to control external lighting to mitigate impacts on bats and other nocturnal mammals. This condition has been included accordingly.
- 7.38 The submitted ecological survey has detailed that barn owl pellets and feathers have been recorded within the existing building on site and as such there is potential that the proposed development could result in the loss of suitable Barn owl habitat. Barn owls are a protected species under the Wildlife & Countryside Act 1981. However, during the dusk emergence surveys for roosting bats carried out by the applicant's ecologists in June 2024, which included an internal inspection and a night vision aid set up within the barn, no evidence or sightings of barn owls was recorded. KCC Ecology have reviewed this and advised that they are satisfied that no further surveys are required. However, in line with the recommendations of the submitted Barn Owl Letter, they advise that a pre-commencement walkover survey for barn owls is secured via condition, especially if a significant amount of time has elapsed from any approval granted. A condition is therefore included to secure the walkover survey to prevent potential harmful impacts on this protected species during construction works.
- 7.39 A condition is also imposed to require details of ecological enhancements be submitted and approved by the Council. With these conditions in place, the application is not envisaged to be harmful from a biodiversity perspective and as such complies with policy DM 28.

SPA Payment

- 7.40 An Appropriate Assessment is set out below. Since this application will result in a net increase in residential accommodation on the site, impacts to the SPA and Ramsar sites

may occur from increased recreational disturbance. Due to the scale of the development there is no scope to provide on-site mitigation and therefore off site mitigation is required by means of developer contributions at the rate of £328.27 per new residential unit. Holiday lets also incur this fee. As the development will result in an uplift of one holiday let at the site, one fee is required. The agent has confirmed their willingness to pay this fee prior to the issuing of the decision notice should the application gain a positive resolution by the Planning Committee.

Conclusion

- 7.41 The development will make use of an existing rural building in a poor state of repair and as such is acceptable in principle in accordance with policy DM 3 of the Local Plan. The proposed renovations to the barn will enhance its appearance, thereby enhancing the special character and appearance of the Newington Church Conservation Area, and will include the use of appropriate materials, which relate well to the rural context of the site. The scheme will not cause harm to the living conditions of neighbours, provides adequate onsite parking provision, and protects the site's ecological values. On this basis, it is recommended that planning permission be granted.

RECOMMENDATION – Grant subject to the following conditions:

CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

2. The development hereby permitted shall be carried out in accordance with the following approved drawings: FI/23/120.02A, FI/23/120.05A and FI/23/120.06A.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development in accordance with the approved details prior to the first use of the holiday let.

Reason: In the interest of promoting energy efficiency and sustainable development.

4. (a) Prior to the commencement of development (including demolition works) and no more than one week before, a pre-commencement barn owl walkover survey shall be completed by a suitably qualified ecologist.

(b) If evidence of recent barn owl activity is found on site as a result of the pre-commencement walkover survey under Part (a), no works shall take place until a full barn owl mitigation strategy is submitted to and approved by the Local Planning Authority. All works thereafter shall proceed in accordance with the approved scheme of mitigation.

Reason: In the interests of biodiversity.

5. Within 3 months of works commencing details of both hard and soft landscape works shall be submitted to the Local Planning Authority for approval. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, external lighting, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

6. Prior to the commencement of development, details of how the development will enhance biodiversity will be included within the site landscape plan and submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented and thereafter retained.

Reason: In the interests of biodiversity.

7. Prior to commencement of the relevant works, details of any flues, vents, pipework (excluding rainwater goods), light fittings, alarm boxes, meter boxes and/or cabling to be inserted into/fixed onto the external walls of the building shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character or appearance of the conservation area.

8. Prior to commencement of the relevant works, details of external roofing (including ridge tiles), timber cladding for carport and details of the shutters (including colour finish) to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character or appearance of the conservation area.

9. Prior to commencement of the relevant works, 1:10 elevation detail and 1:1 or 1:2 plan and vertical section for each new / replacement window type to be used shall be submitted to and approved in writing by the Local Planning Authority (please

see Informative 1 below). The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character or appearance of the conservation area.

10. Prior to commencement of the relevant works, a 1:10 elevation detail and a 1:1 or 1:2 plan and vertical section for each new and replacement external door type to be used shall be submitted to and approved in writing by the Local Planning Authority (please see Informative 2 below). The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character or appearance of the conservation area.

11. Prior to commencement of the relevant works, the following key construction details shall be submitted to and approved in writing by the Local Planning Authority:

(a) 1:1 or 1:2 vertical section showing the eaves detailing (including guttering) to the main roof and car port roof

(b) 1:1 or 1:2 vertical section showing the verge detailing to the main roof and car port roof

The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character or appearance of the conservation area.

12. The new brickwork used on the development shall reuse the existing bricks where possible and where new bricks are required, they shall match the existing brickwork, including in terms of dimension, profile, texture, bonding pattern, mortar course detailing and colour finish.

Reason: In the interest of preserving or enhancing the character or appearance of the conservation area.

13. Prior to the installation of any external lighting a “sensitive lighting strategy” for the site will be submitted to and approved in writing by the Local Planning Authority. The lighting strategy will:

- a) Identify those areas/features on site that are particularly important for bats;
- b) Show how and where external lighting will be installed in accordance with ‘Guidance Note 8 Bats and Artificial Lighting’ (Bat Conservation Trust and Institute of Lighting Professionals).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance

with the strategy.

Reason: In the interests of biodiversity.

14. The area shown on approved plan numbered FI/23/120.05A as vehicle parking shall be retained for the use of the occupiers of, and visitors to, the holiday let, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space. The parking shall be provided prior to the first use of the holiday let.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

15. Prior to the occupation of the holiday let hereby permitted, one electric vehicle charging point shall be provided. All Electric Vehicle chargers must be to Mode 3 standard (providing a minimum of 7kw) and SMART (enabling Wi-Fi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/authorised-chargepoint-model-list>

Reason: To encourage the use of electric vehicles, in the interests of climate change and reducing pollution.

16. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

17. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

18. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours, Saturdays 0800 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

19. The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the holiday let shall not be occupied unless the notice for the dwelling of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

20. No further development permitted by Classes A, C, D or E of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), shall be carried out.

Reason: In the interest of conserving the character and appearance of the conservation area.

21. Notwithstanding the provisions of Class A, Part 14, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order, no solar equipment (excluding any solar panels permitted as part of condition 3) shall be erected within the application site.

Reason: In the interest of conserving the character and appearance of the conservation area.

22. The accommodation hereby permitted shall be used solely for the purpose of holiday accommodation, and shall not be used by any person or persons as their sole or main residence and shall not be occupied by any person or group of persons for more than four weeks in any calendar year.

Reason: As the site lies outside any area intended for new permanent residential development and as the permission is only granted in recognition of the merits of providing holiday accommodation in this attractive rural area.

INFORMATIVES

- (1) The sections to be provided shall include part of the surrounding masonry or joinery bordering the window opening and shall be set out clearly (annotated as necessary) to show the following details, as applicable:
- External and internal depth of reveal
 - Window head and cill/sub-cill detailing

- Glazing section (thickness of glass and in case of double glazing, dimension of spacing between the panes of glass)
 - Glazing bar profile(s)
 - Window frame
- (2) The sections to be provided shall include part of the surrounding masonry or joinery bordering the door opening and shall be set out clearly (annotated as necessary) to show the following details, as applicable:
- External and internal depth of reveal
 - Glazing section (thickness of glass and in case of double glazing, dimension of spacing between the panes of glass)
 - Glazing bar profile(s)
 - Door frame
 - Weatherboard and threshold detailing for external doors
- (3) The applicant should comply with the with the Mid Kent Environmental Code of Development Practice during the construction phase of the development.

The Council's approach to the application

In accordance with paragraph 38 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 creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

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

Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.

This Appropriate Assessment (AA) has been undertaken without information provided by the applicant.

The application site is located within 6km of The Swale Special Protection Area (SPA) which is a European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).

SPAs are protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds and for regularly occurring migratory species. Article 4(4) of the Birds Directive (2009/147/EC) requires Member States to take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article.

The proposal therefore has potential to affect said site's features of interest, and an Appropriate Assessment is required to establish the likely impacts of the development.

In considering the European site interest, Natural England advises the Council that it should have regard to any potential impacts that the proposal may have. Regulations 63 and 64 of the Habitat Regulations require a Habitat Regulations Assessment. For similar proposals NE also advise that the proposal is not necessary for the management of the European sites and that

subject to a financial contribution to strategic mitigation and site remediation satisfactory to the EA, the proposal is unlikely to have significant effects on these sites.

The recent (April 2018) judgement (People Over Wind v Coillte Teoranta, ref. C-323/17) handed down by the Court of Justice of the European Union ruled that, when determining the impacts of a development on protected area, “it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.” The development therefore cannot be screened out of the need to provide an Appropriate Assessment solely on the basis of the mitigation measures agreed between Natural England and the North Kent Environmental Planning Group.

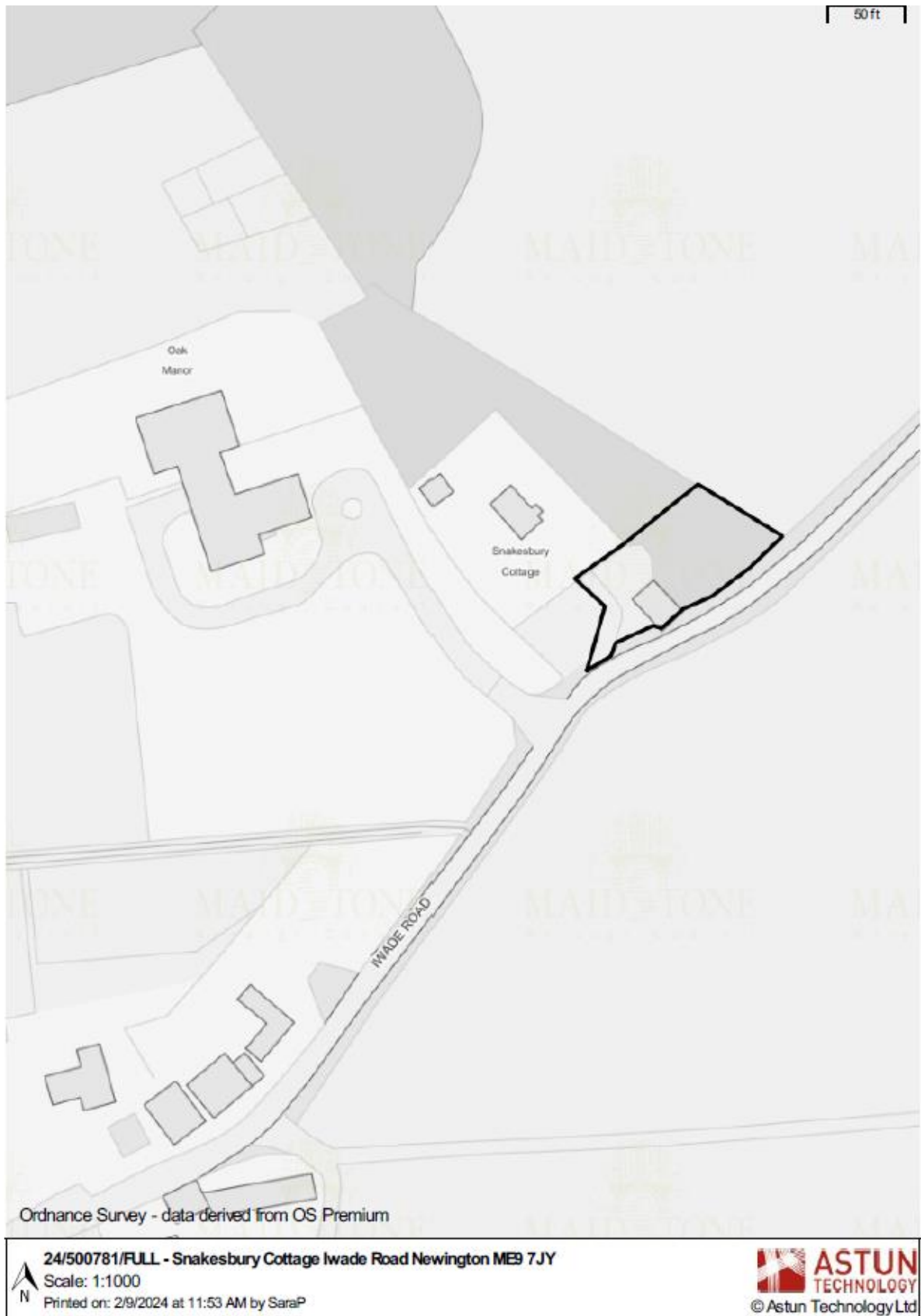
NE has stipulated that, when considering any residential development within 6km of the SPA, the Council should secure financial contributions to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring (SAMM) Strategy in accordance with the recommendations of the North Kent Environmental Planning Group (NKEPG), and that such strategic mitigation must be in place before the dwelling is occupied.

Due to the scale of development there is no scope to provide on site mitigation such as an on-site dog walking area or signage to prevent the primary causes of bird disturbance, which are recreational disturbance including walking, dog walking (particularly off the lead), and predation of birds by cats.

Based on the correspondence with Natural England (via the NKEPG), I conclude that off site mitigation is required.

In this regard, whilst there are likely to be impacts upon the SPA arising from this development, the mitigation measures to be implemented within the SPA from collection of the standard SAMMS tariff (which will be secured prior to the determination of this application) will ensure that these impacts will not be significant or long-term. I therefore consider that, subject to mitigation, there will be no adverse effect on the integrity of the SPA.

It can be noted that the required mitigation works will be carried out by Bird Wise, the brand name of the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, which itself is a partnership of local authorities, developers and environmental organisations, including SBC, KCC, Medway Council, Canterbury Council, the RSPB, Kent Wildlife Trust, and others (<https://birdwise.org.uk/>).



2.3 REFERENCE NO - 24/501571/FULL		
PROPOSAL Replacement of flat roof to workshops with pitched roof, conversion of workshop 4 to a store room, wc, and kitchenette, and alterations to fenestration.		
SITE LOCATION Masters House Trinity Road Sheerness, Kent ME12 2PF		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.		
APPLICATION TYPE Minor Development		
REASON FOR REFERRAL TO COMMITTEE Application on behalf of Swale Borough Council		
Case Officer Rebecca Corrigan		
WARD Sheerness	PARISH/TOWN COUNCIL Sheerness Town Council	APPLICANT Swale Borough Council AGENT Turner Jackson Day Associates
DATE REGISTERED 29.05.2024	TARGET DATE 16.09.2024	
<p>BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: -</p> <p>All drawings submitted.</p> <p>All representations received.</p> <p>Heritage Statement (uploaded 17 May 2024).</p> <p>Flood Risk Assessment (uploaded 17 May 2024).</p> <p>The full suite of documents submitted pursuant to the above application are available via the link below: -</p> <p>24/501571/FULL Replacement of flat roof to workshops with pitched roof, conversion of workshop 4 to a store room, wc, and kitchenette, and alterations to fenestration. Masters House Trinity Road Sheerness Kent ME12 2PF (midkent.gov.uk)</p>		

1. SITE LOCATION AND DESCRIPTION OF SITE

- 1.1 The site is located on the western side of Trinity Road, opposite the junction with Strode Crescent. The site is broadly rectangular in shape and forms part of the larger setting of Masters House formerly occupied by Sheerness Urban District. The site has a total curtilage area of 0.13 hectare.

- 1.2 To the rear of the main building (west side), is a small group of single storey buildings which are the subject of this application. These comprised two, original pitched roof garages and one later additional flat roof outbuilding/extension. Under the original permission for the conversion of Masters House, Ref: 21/502661/FULL these buildings were granted planning permission to be converted into workshops to be used by small businesses with a focus on the arts, designing, making etc (Class E).
- 1.3 Immediately forward of the garages/outbuilding is an open tarmacked area enclosed with a chain-link boundary fence. Public car parking spaces are arranged along the west boundary and there is vehicular and gated access off the access road.
- 1.4 Holy Trinity Church occupies the land immediately to the north and the church yard has numerous mature trees along the northern boundary to the site. Some of the trees are close to Masters House.
- 1.5 Trinity Place leads to a council owned car park to the rear (west) of the site and an access road with a narrow pavement forms the southern boundary.
- 1.6 The site lies within Flood Zone 3 and is located within the setting of a number of listed buildings most notably, the grade II listed Trinity Church immediately to the north. Masters House is a 'non-designated local heritage asset', located within the Sheerness Mile Town Conservation Area.

2. PLANNING HISTORY

- 2.1 **22/504876/FULL** - Section 73 - Application for variation of conditions 3 (replacement roof details) and 10 (workshop studios construction) pursuant to 21/502661/FULL for - Change of use of garages, store and plant room to 3no. workshop studios. Refurbishment of main building, to include internal alterations, insertion of replacement windows and external doors, insertion of solar panels, accessibility improvements, external roof plant and drop-down safety barrier, erection of screened plant compound to rear yard and erection of replacement of Western boundary fence and gate. Demolition of canopy, ramp, brick infills and flat roof to 1no. garage.
Approved Decision Date: 13.01.2023.
- 2.2 **21/502661/FULL** - Change of use of garages, store and plant room to 3no. workshop studios. Refurbishment of main building, to include internal alterations, insertion of replacement windows and external doors, insertion of solar panels, accessibility improvements, external roof plant and drop-down safety barrier, erection of screened plant compound to rear yard and erection of replacement of Western boundary fence and gate. Demolition of canopy, ramp, brick infills and flat roof to 1no. garage.
Approved Decision Date: 09.09.2021.

3. PROPOSED DEVELOPMENT

- 3.1 This application seeks planning permission for the replacement of the flat roof above the former outbuilding/extension with a pitched roof, including the conversion of part of the workshop an ancillary store room, wc, and kitchenette. The proposal also includes changes to the front fenestration of the approved workshops. The proposal

represents a revised form of the approved alterations to the workshops granted under planning permission ref. 21/502611/FULL. The new roof would be a pitched roof with a gabled end which be attached to the pitched roof of workshop 2. It would have a ridge height of approx. 4.8m and include a small rooflight to the front roofslope. The alterations to the fenestration include increasing the size and number of openings along the frontage to provide large areas of glazing including the introduction of timber fascia panels above. The application also includes the installation of timber shutters.

4. CONSULTATION

4.1 One round of consultation has been undertaken, during which letters were sent to neighbouring occupiers; a notice was displayed at the application site and the application was advertised in the local newspaper in accordance with statutory requirements. Full details of representations are available online.

4.2 Sheerness Town Council advise that they support the application.

5. REPRESENTATIONS

5.1 **SBC Heritage:** Satisfied that the revised design is of an equal if not slightly improved design quality to the previously approved proposals, and is sympathetic both to the character and appearance of the parent building (Masters House) as well as the wider conservation area street scene and would not harm the setting of the adjacent grade II listed Church of Holy Trinity. Recommend reapplying conditions of the original planning permission.

5.2 **Mid Kent Environmental Health:** Initially sought clarification on whether any plant or machinery was proposed as the part of the application. It does not and this was confirmed in writing by the agent.

5.3 **Environment Agency:** Confirmed that they have assessed the application and it is covered by their standard Flood Risk Standing Advice

6. DEVELOPMENT PLAN POLICIES

6.1 **Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017 (the Local Plan)**

ST1	Delivering sustainable development in Swale
ST3	The Swale settlement strategy
ST6	The Isle of Sheppey area strategy
CP4	Requiring good design
CP8	Conserving and enhancing the historic environment
DM14	General development criteria
DM16	Alterations and extensions
DM19	Sustainable design and construction
DM21	Water, flooding and drainage
DM28	Biodiversity and geological conservation
DM 32	Development involving Listed buildings
DM 33	Development affecting a Conservation area

6.2 Supplementary Planning Guidance/Documents

Supplementary Planning Guidance - Listed Buildings and Conservation Areas

7. ASSESSMENT

7.1 This application is reported to the Committee as the Swale Borough Council is the applicant.

7.2 The main considerations involved in the assessment of the application are:

- The Principle of Development
- Character and Appearance, including Heritage Impact
- Living conditions
- Flood Risk and Drainage
- Biodiversity Net Gain
- Access, Highways and Parking

Principle

7.3 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.4 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.5 The site is located within the built-up area boundary of Sheerness and is recognised in Policy ST6 of the Local Plan as the focus for development being within the West Sheppey Triangle. Sheerness is identified as Tier 2 of the settlement strategy where the location of development and services is generally supported under Policy ST3 of the Local Plan.

7.6 The conversion of the workshops was previously considered under the application ref: 21/502661/FULL and found to be acceptable on the basis that the application sought the re-use of an existing building and would increase facilities available to local communities as well as visitors given the potential to bring forward homegrown business creation and open up wider employment and educational opportunities within a sustainable location.

7.7 Taking into account the above, and that there has been no change in policy that would alter this assessment, the principle of development is acceptable and accords with Policies ST3 and ST6 of the Local Plan.

Character and Appearance, including Heritage Impact

- 7.8 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.
- 7.9 Policies CP4, DM14 and DM16 of the Local Plan require development proposals to be of high-quality design and to be in keeping with the character of the area. They state that particular regard should be paid to the scale, height, materials, detailing, mass, bulk, articulation and site coverage of any proposals.
- 7.10 The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan under Policies DM 32 and DM 33.
- 7.11 The site is currently vacant, and the application proposes relatively minor alterations to the existing extant development proposals for the external built form, which would be an improvement of the existing situation. The changes to the external appearance of the building include the replacement of a flat roof with a pitched roof on the outbuilding and changes to the front fenestration to include the enlargement of the existing openings with a modern glazed frontage and timber fascia panel above, including the installation of timber shutters. The proposal represents a revised form of the approved alterations to the workshops granted under planning permission ref: 21/502611/FULL and is considered to be of an improved design quality that is sympathetic both to the character and appearance of the parent building (Masters House) as well as the wider setting of the conservation area.
- 7.12 The main building is a 'non-designated local heritage asset', located within the Sheerness Mile Town Conservation Area. Policy CP8 of the Local Plan stipulates that development should '*sustain and enhance the significance of Swale's designated and non-designated heritage assets and their settings in a manner appropriate to their significance*', and Policy DM33(4) of the Local Plan states proposals should '*retain unlisted buildings or other structures that make, or could make, a positive contribution to the character of the area.*' In this regard, a Heritage Statement has been submitted with the application.
- 7.13 The proposals would result in an improved visual impact compared with the extant permission and would continue to respect the adjacent heritage asset. It would preserve the character and appearance of the conservation area and would accord with local and nation planning policy in this regard.

Living conditions

- 7.14 Policy DM14 of the Local Plan supports development that would, '*cause no significant harm to amenity and other sensitive uses or areas*'.

- 7.15 Given the nature of development and relative separation between the site and surrounding buildings, the proposal would not adversely impact in terms of loss of natural light, overshadowing, outlook, sense of enclosure or loss of privacy to surrounding residential properties.
- 7.16 In terms of noise and disturbance, the application has been considered by Environmental Health who initially sought clarification on whether any additional plant or machinery was proposed as part of the application, which the agent has confirmed is not the case. Moreover, the previously approved 2021 application proposed a separate plant compound with an acoustic fence and that application was supported by an Acoustic Planning Report. Compliance with the report's mitigation measures was secured by condition 7 of the 2021 planning permission. No changes to this situation are proposed under this application.
- 7.17 In terms of the potential that the glazing to the front fenestration could result in noise breakout, it is considered that the workshops are to be used as Class E with a focus on the arts, designing, making etc (Class E), coupled with the small scale of the workshops, the possibility of outbreak noise would be limited and would not result in harm to the living conditions of any nearby residential properties. The proposal is in accordance with Policy DM14 of the Local Plan.

Flood Risk and Drainage

- 7.18 Policy DM21 of the Local Plan relates to water, flooding and drainage. The policy states that when considering the water-related, flooding and drainage implications of development, development proposals should accord with national planning policy and planning practice guidance, and inappropriate development in areas at risk of flooding and in areas where development would increase flood risk elsewhere should be avoided. The policy states that site specific flood risk assessments should be carried out to the satisfaction of the Environment Agency and, where relevant, the Internal Drainage Board.
- 7.19 The site lies in Flood Zone 3 and is at high risk from tidal and fluvial flooding. In accordance with the National Planning Policy Framework a Flood Risk Assessment has been provided. The Environment Agency have raised no objection subject to compliance with their standing advice. In this regard, the proposal is for the purposes of commercial use, no habitable accommodation is proposed and there is no intended night-time use. On this basis, the proposal is acceptable as previously concluded in consideration of the previous application and in accordance with Policy DM21 of the Local Plan.

Biodiversity Net Gain

- 7.20 From February 2024, developments are required to provide at least 10% Biodiversity Net Gain (BNG) as set out under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. There are exemptions to this, including the de minimis exemption which sets out the development must not impact on any onsite priority habitat and secondly, if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow). The development relates to the conversion of an existing building which would be classified as developed land. There are no further habitats within the red line edge shown on the site location plan, and on this basis, the development would be exempt from biodiversity net gain by the de minimis exemption.

Access, Highways and Parking

- 7.21 Policies DM6 and DM7 of the Local Plan set out vehicle parking for non-residential uses and measures for cycle parking facilities.
- 7.22 The proposal granted planning permission under ref: 21/502611/FULL retained the existing vehicular access to the rear of Masters House with a new loading area for the proposed workshops / studios to be created. The 21/502611/FULL planning permission also ensured the site remained accessible from Trinity Road and the church yard and the main entrance from the garden area retained, with an existing access ramp replaced.
- 7.23 With regard to parking planning permission ref: 21/502611/FULL did not incorporate any formal on-site parking provision (although the small yard offered some limited opportunity for parking). It was considered and accepted that due to the sustainable location of the site and the proximity and size of the Council owned public car park immediately to the rear the parking this would not result in an unacceptable arrangement.
- 7.24 Given that there are no changes proposed to these arrangements and that the proposal involves a change to storage from a workshop, which would not result an increase in demand for parking, no concerns are raised in relation to highway safety and parking provision.

CONCLUSION

- 7.25 The development represents a revised form of the approved alterations to the workshops granted under planning permission ref: 21/502611/FULL and is considered to be an improved design quality that is sympathetic both to the character and appearance of the parent building (Masters House) and character and appearance of the area, as well as the wider conservation streetscene. No harm has been identified to residential amenity, flood risk or ecology. On the basis of the above, it is recommended that planning permission be granted.

RECOMMENDATION – Grant, subject to the following conditions

CONDITIONS

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

- (2) The development hereby approved shall be carried out in accordance with the following approved drawings:

- 1902-001 Proposed Block and Location Plan
- 1902-004 Proposed Ground and Roof Plan
- 1902-005A Proposed Elevations
- 1902-006A Proposed Workshop Elevations

Reason: For clarity and in the interests of proper planning.

- (3) No development shall take place until a sample and/or manufacturer brochure and technical details of the metal sheet product to be used on the replacement roof to garage/workshop and a 1:5 vertical section of the eaves and verge detailing to the replacement roof has been submitted to and approved in writing by the Local Planning Authority. The roof replacement work shall thereafter be carried out in accordance with the approved roof covering material and eaves/verge detailing.

Reason: In the interest of protecting the character and appearance of the Sheerness Mile Town Conservation Area.

- (4) No development shall take place until details of the replacement windows to be used has been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include a technical specification of the windows to be used, scaled sections through the frame and glazing and a section showing the proposed depth of the window reveal. The relevant window replacement work shall thereafter be carried out in accordance with the approved window product(s) details.

Reason: In the interest of protecting the character and appearance of the Sheerness Mile Town Conservation Area

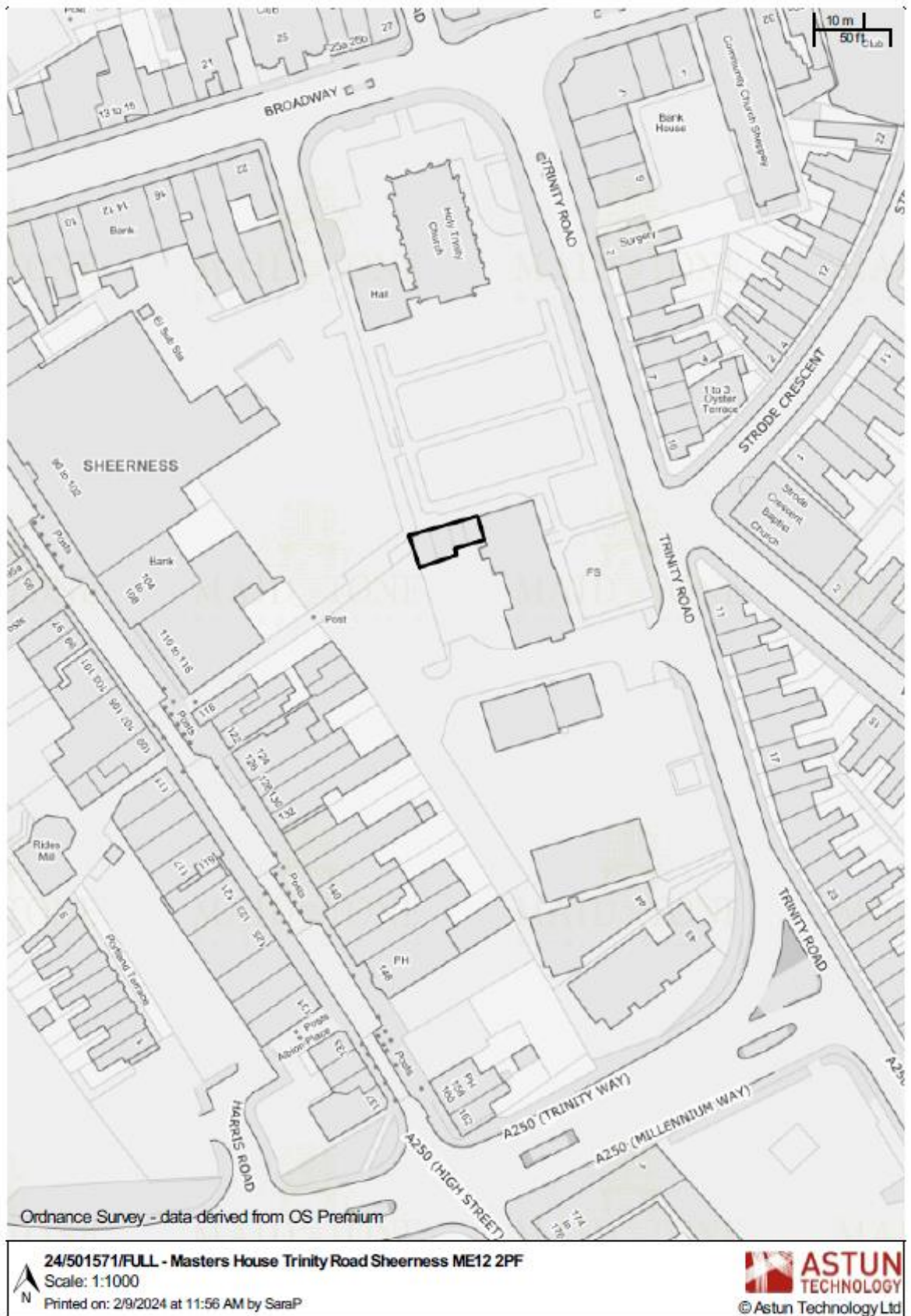
- (5) No development shall take place until a 1:10 elevation detail and a 1:1 or 1:2 plan and vertical section for the new windows has been submitted to and approved in writing by the Local Planning Authority. The sections to be provided shall include part of the surrounding masonry or joinery bordering the window or shutter opening and shall be set out clearly (annotated as necessary) to show the following details, as applicable:

- Depth of reveal
- Window head and cill/sub-cill detailing
- Glazing section (thickness of glass and in case of double glazing, dimension of spacing between the panes of glass)
- Glazing bar profile(s)
- Window frame

Reason: The development shall be carried out in accordance with the approved details.

- (6) No construction work in connection with the development shall take place on any Sunday or Public Holiday, nor at any other time except between the following times:- Monday to Friday 0730 - 1800 hours, Saturdays 0800 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interest of residential amenity.



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2.4 REFERENCE NO - 24/500664/FULL			
PROPOSAL Demolition of existing garage and conservatory and erection of a two storey side extension and single storey rear extension, new front porch and alterations to fenestration. Loft conversion with insertion of front dormer window and 5 roof lights to the rear. Erection of a detached double garage.			
SITE LOCATION Clifton Stockers Hill Rodmersham Kent ME9 0PL			
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.			
APPLICATION TYPE Householder			
REASON FOR REFERRAL TO COMMITTEE Rodmersham Parish Council Objection			
CASE OFFICER Mandi Pilcher			
WARD West Downs	PARISH/TOWN Rodmersham	COUNCIL	APPLICANT Mr A Whitcroft AGENT CJS Design Services
DECISION REGISTERED 15/02/2024		TARGET DATE 11/04/2024	
BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - All drawings submitted All representations received The full suite of documents submitted pursuant to the above application are available via the link below: - https://pa.midkent.gov.uk/online-applications/applicationDetails.do?keyVal=S8WNEPTYJXK00&activeTab=summary			

1. SITE LOCATION AND DESCRIPTION

- 1.1 Clifton is a detached two storey four bedroom dwelling with a detached garage to the side, located within the built up area boundary of Rodmersham. It is set back from the highway with access via a 'U' shaped driveway to the front. There is an existing conservatory and a large private amenity space to the rear.
- 1.2 The surrounding area is characterised by mainly detached properties facing open agricultural land to the north.

2. PLANNING HISTORY

- 2.1 **23/505606/FULL** – *Demolition of rear conservatory. Conversion of garage and loft into habitable space, with insertion of front dormers and rear rooflights. Erection of front porch, two storey side, single storey rear extensions and alterations to fenestration. Erection of detached three bay garage.* Application withdrawn on 05.02.2024. This application was withdrawn by the applicant as it would likely have amounted to a refusal, due to the harm the development would cause to the character and appearance of the site and wider area through the overly large extensions proposed. The development has been reduced in scale as part of this application to seek to address these concerns.

3. PROPOSED DEVELOPMENT

- 3.1 This application seeks planning permission for the demolition of the existing detached garage and rear conservatory and erection of a two storey side extension and single storey rear extension, new front porch and alterations to fenestration. A loft conversion with the insertion of a dormer window in the front facing roofslope and 5 roof lights in the rear roofslope is also proposed. A detached double garage is proposed to the front of the property.
- 3.2 The proposed rear extension would measure approximately 4m deep by 10.8m wide, with an overall height of 3.8m and 2.2m to the eaves. The roof of the extension will be monopitch and will contain four rooflights. The extension will provide a large kitchen/diner.
- 3.3 The existing garage will be demolished and a two storey side extension erected in its place. It will create an exercise room at ground floor and an en-suite bedroom on the first floor. The extension would measure approximately 3.8m wide by 7.5m deep with a chamfered corner to the rear. The ridge and eaves height would match the existing dwelling. At the front the side extension will feature a projecting gable roof which matches the existing gable roof on the western side of the property. Amendments were made during the course of the application to reduce the scale of the side extension and ensure the development is situated 2m from the boundary of the site.
- 3.4 The proposal includes the conversion of the loft space and the insertion of one front pitched roof dormer centrally placed within the roof slope. To the rear five rooflights will be inserted within the roof slope. The loft conversion would create two en-suite bedrooms.
- 3.5 The front door will be relocated, two windows added in its place and a new porch erected. The front porch would consist of two pillars to create a flat roofed canopy. The overall height of the porch will be 2.6m and it will project 1m from the front wall of the property. Changes are also proposed to the position of two existing first floor windows on the front elevation, widening the gap between these features.
- 3.6 The proposed garage will be located to the front of property and measure approximately 6.1m in depth x 7.9m wide. The height to the eaves would be 2.3m, with an overall height of 4m. The garage would have two garage doors and a single door on the side

elevation. Initially a triple garage was proposed, however the scale was reduced to address visual amenity concerns.

- 3.7 The proposed materials include brickwork, composite cladding, plain roof tiles, white PVC windows and composite doors.

4. CONSULTATION

- 4.1 Two rounds of consultation have been undertaken, during which letters were sent to neighbouring occupiers and a site notice displayed at the application site.

- 4.2 In response to the first round of consultation, three letters from three separate addresses were received objecting to the application for the following summarised reasons (full representations are available online):

Comment	Report reference
No attempt was made by the applicant or agent to consult neighbours prior to the submission of the application.	See paragraph 7.31
Fails to comply with policies CP4, DM11 and DM14 of the Local Plan and SPG due to scale, design and appearance of development and interruption of building line.	See paragraphs 7.8 to 7.14
No other dwellings on Stockers Hill have any extension, outbuilding or garage in front of their building line and similar has been refused in nearby Highsted Valley.	See paragraph 7.11
Garage will be harmful to highway safety as it will obstruct views of motorists and pedestrians.	See paragraph 7.28
Application does not provide required Design and Access Statement or Tree Survey/Report.	See paragraph 7.31
The proposal will obstruct views.	See paragraph 7.31
The proposal will extend over a field drain.	See paragraph 7.31

- 4.3 Further to the receipt of amended drawings which reduced the scale of the side extension and reduced the scale of the garage, neighbouring occupiers were reconsulted. A further four letters from two separate addresses were received in response to this second round of neighbour consultation, objecting to the application (both of these addresses had previously commented as referenced above). The

following further summarised points were raised (points already set out above have not been repeated, full representations are available online):

Comment	Report reference
Garage will shade a considerable part of front garden at neighbouring property (Greenside) from morning sunshine and considerably reduce the amenity value of the garden.	See paragraph 7.18
The garage should be built to the rear of the property.	See paragraph 7.31
The letter of support should be discounted as it is written by the applicant's father.	See paragraph 7.31

- 4.4 In response to the second round of neighbour consultation, one letter in support of the scheme was received, with the following summarised points being raised (full representations are available online):

Comment	Report reference
Property will be updated whilst preserving its character.	See paragraphs 7.8 – 7.13
Many neighbouring dwellings have been significantly extended – neighbouring Greenside has nearly doubled in size.	See paragraph 7.8
Neighbouring property Brownings has a quadruple garage extension and this has no impact on our property.	See paragraph 7.11

- 4.5 **Rodmersham Parish Council** were consulted on two occasions. In response to the first consultation they made the following summarised points, although did not specifically state whether they were objecting to the application (full representations are available online):

Comment	Report reference
Development is vast improvement to the front elevation when compared to the withdrawn application.	See paragraph 2.1
Concerned about triple garage on the front elevation and its impact on the adjacent neighbour and streetscene. Would it be possible to reduce the scale of the garage?	See paragraph 7.11

If approved condition should be added for vegetation screening for the garage to minimise the impact on the streetscene.	See paragraph 7.11
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- 4.6 The application was amended to show a smaller side extension and a two bay garage. Rodmersham Parish Council were re-consulted and the Parish Council confirmed that they raised an objection to the application on the following summarised grounds (full representations are available online):

Comment	Report reference
Noted the garage is slightly smaller (2.5 garages) and the roof is lower by a few courses of tiles but changes are not sufficient enough to ensure there is no damage to the streetscene due to its location in front of the building line.	See paragraph 7.11
Scale of extensions in a rural area – as tested against policy DM11.	See paragraph 7.14
Concerned the following documents have not been provided; streetscene drawing, Design and Access Statement, Tree Survey, visibility splays and block plan for the proposed garage.	See paragraph 7.31

5. REPRESENTATIONS

- 5.1 **SBC Tree Officer** – By virtue of the size and location of the new garage on the opposite side of the existing driveway the construction is not considered to compromise the long term health of the Chestnut Tree. However, to ensure the tree’s protection during the course of construction a suitably worded condition is required to be attached to any consent.

6. DEVELOPMENT PLAN POLICIES

- 6.1 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017** - policies:

- ST3** The Swale settlement strategy
- CP4** Requiring good design
- DM7** Vehicle Parking
- DM14** General development criteria
- DM16** Alterations and extensions

6.2 Supplementary Planning Guidance/Documents

Supplementary Planning Guidance - Designing an Extension – A Guide for Householders

Supplementary Planning Document - Swale Parking Standards

7. ASSESSMENT

7.1 This application is reported to the Committee because Rodmersham Parish Council object to the proposal. Considering these comments and the scheme that has been submitted, the committee is recommended to consider the following points:

- The Principle of Development
- Character and appearance
- Living Conditions
- Highway safety and parking

Principle

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.4 Policy ST 3 of the Local Plan 2017 supports the principle of development within the built up area boundary of established towns and villages within the Borough.

7.5 The site lies within the built confines of Rodmersham therefore the principle of development is considered acceptable subject to the consideration of other material planning considerations as discussed below.

Character and appearance

7.6 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.

7.7 Policy CP4 of the Local Plan requires proposals to be of a high quality design that is appropriate to its surroundings in respect of materials, scale, height and massing. Policy DM16 sets out that alterations and extensions to existing properties will respond

positively to style and character of the building being extended, will be appropriately scaled and maintain or enhance the character of the streetscene.

- 7.8 The surrounding area is mainly comprised of detached properties of various styles and designs. The proposed two storey side extension is set off the boundary with the neighbouring property, Turrels, and would maintain a gap of approximately 2m from the shared boundary with this property, following amendments to this element of the proposal. The development now complies with the SPG, which sets out that two storey side extensions in areas of mainly detached or semi-detached housing should be set a minimum of 2m from side boundaries to protect the gaps between properties and maintain a sense of openness. Whilst the development will increase the bulk of the property on the eastern side, given the presence of properties of a similar scale to the proposal in the surrounding area, the side extension is not considered to be inappropriate in scale. The design of the extension mimics the existing gable roof feature on the western side of the dwelling and as such responds well to the existing property.
- 7.9 The proposal includes the conversion of the loft space and the insertion of one front pitched roof dormer centrally placed within the roof slope and two new front windows. To the rear, five rooflights will be inserted within the roof slope. The dormer window would sit comfortably on the property, utilising a pitched roof that echoes the gable roof features on the front elevation.
- 7.10 The proposed rear extension would be single storey, entirely contained on the rear of the property and would not be visible from the highway. It is considered to sit comfortably on the dwelling and will not harm the character and appearance of the site.
- 7.11 The property is set within a large plot and the proposed garage is sited to the front of the property but set back from the highway by approximately 4.3m and 1m from the common boundary with Greenside. The streetscene is characterised by mainly detached properties with large landscaped front gardens. The original submission proposed the erection of a triple garage, which was considered to be overly large for this prominent location. Following discussions with the agent the scheme has been revised and amended drawings have been received reducing the scale to a double garage. The garage will be located forward of the building line set by the dwellings along Stockers Hill, however it is noted that there is a similar garage located to the front of a neighbouring property, Brownings, which lies approximately 23m to the east. As a result, there is, close to the application site already a disruption to this building line and a garage to the front of the dwelling would not be an alien feature in the streetscene. In addition, the submission shows an indicative scheme of landscaping around the side of the garage facing the highway and the adjacent neighbouring property. It is considered with appropriate landscaping, the reduced scale of the garage, along with its set back from the highway and location within an extremely generous frontage that the proposed garage will have a limited impact upon the streetscene. A condition is imposed below to ensure full landscaping details are submitted to the Council for approval.
- 7.12 The application form sets out that the proposed external materials include brickwork, plain tiles, composite cladding, white PVC windows and composite doors. No specific

details have been provided, and it is noted that cladding is not currently present on the property. There is a mixed material palette present in the streetscene and as such it is considered that cladding would be acceptable here, and a condition is imposed below to ensure the specific details are submitted to the Council for approval.

- 7.13 There is a large chestnut tree at the front of the site which contributes positively to the verdant character of the streetscene. It would also assist to some degree in softening the impact of the development. Neighbours have raised concerns about the lack of a tree survey and the impact of the development upon this tree. The Council's Tree Officer has reviewed the scheme and notes that due to the size and location of the new garage on opposite side of the existing driveway, its construction is not likely to compromise the long term health of the tree. However, to ensure the tree's protection during the course of construction, a suitably worded condition has been recommended. A condition to this effect is imposed below and will ensure the development does not impact this important feature at the site.
- 7.14 It is noted that in the objections raised by neighbours, reference is made to policy DM 11, which relates to extensions to dwellings within the countryside. Whilst the site is opposite open fields, it falls within the built confines of Rodmersham as designated by policy ST 3, and as such policy DM 11 would not be relevant here.
- 7.15 Taking the above into account in respect of the character and appearance of the proposal the scheme is considered to comply with policies CP 4 and DM 16 of the Local Plan.

Living conditions

- 7.16 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers. Specifically, policy DM 14 states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight. Policy DM 16 also requires that alterations or extensions to existing buildings protect residential amenity.
- 7.17 The main properties impacted upon by the proposal are those either side of the application site. Whilst the proposal increases the scale of the host dwelling it will not project beyond the rear elevation of Greenside – the adjacent property located to the west of the application site. Furthermore, the proposed porch is considered to be suitably separated and the proposed two storey extension is on the eastern side of the property and therefore will not impact on the living conditions of the occupiers of Greenside.
- 7.18 The proposed garage will be located to the front of the dwelling, approximately 1m away from the common boundary with Greenside and approximately 5.2m away from the closest part of the neighbouring property itself. Any impacts from this element of the proposal upon this property are therefore considered to be acceptable due to the

separation distance to the neighbouring dwelling and the single storey scale of the garage. The garage may cause some overshadowing of the front garden of this neighbour, but taking into account this does not form part of their private amenity space and the limited height of the garage, any overshadowing is not considered to be significantly harmful.

- 7.19 Turning to the dwelling located to the east, Turrells, this dwelling is located 0.8m to the shared boundary and the proposed two storey side extension will be located 2m from the common boundary. The side extension will not project forwards or rearwards of this neighbour, and will not involve the creation of any side windows. As such, this aspect of the development is not considered to cause any harm to the living conditions of this neighbour. The single storey rear extension is sited approximately 2.3m from the common boundary with Turrells and will project approximately 3m to the rear of the neighbouring dwelling. Due to this limited projection and the gap to the adjacent property any impact from this element of the proposal upon the living conditions of the occupants of Turrells is considered acceptable.
- 7.20 The proposed loft conversion incorporates a front pitched roof dormer and new first floor windows. These would face onto the driveway and the highway and any impact from these windows in respect of potential loss of privacy is considered to be acceptable given there are no dwellings to the north of the site.
- 7.21 There are a number of rooflights proposed within the rear roofslope, however views from these windows will be similar to the views provided from the existing first floor windows, and as such there is not considered to be a loss of privacy for neighbours.
- 7.22 Taking the above into account the proposal is considered to have an acceptable impact upon on the living conditions of surrounding dwellings in accordance with policies DM 14 and DM 16 of the Local Plan 2017.

Highway safety and parking

- 7.23 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

- 7.24 The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 7.25 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards

are compromised proposals will need to mitigate harm. SBC Vehicle Parking Standards Supplementary Planning Document (SPD) which is pursuant to Policy DM 7 of the Local Plan was adopted by the Council in June 2020 and is a material consideration in the determination of planning applications.

- 7.26 In this case the development will increase the number of bedrooms at the property to six. To accord with the adopted Parking Standards SPD, a six bedroom dwelling proposed in this location should provide three parking spaces. It is noted that the property currently has off road parking provided on the U-shaped driveway. The existing driveway to the front is sufficient to park three vehicles and as such the proposal is acceptable in this regard, and in accordance with the Council's Parking SPD and policy DM 7.
- 7.27 Internally the proposed garage will measure 5.8m in depth and 7.5m in width. The SPD advises that a double garage should measure 7m x 6m to enable vehicles to park within it, and as such the proposed garage does not strictly accord with the SPD due to its depth. However given the adequate parking provision on the driveway, the undersized depth is of not concern in this instance.
- 7.28 Neighbours have raised concerns regarding the proposed garage impacting visibility along Stockers Hill for both drivers and pedestrians. The garage will be set approximately 4.3m away from the front boundary of the site with the highway and due to this setback, it is not considered the garage will have any impact on visibility.

Ecology

- 7.29 The NPPF and Local Plan policy DM 28 requires that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.30 From April 2024, minor developments are required to provide at least 10% Biodiversity Net Gain (BNG). There are exemptions to this, including applications made by householders as defined within article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This application amounts to householder development, and as such is exempt from the need to provide BNG. Notwithstanding this, the additional landscape is likely to provide net gains in biodiversity on the site.

Other Matters

- 7.31 Although the majority of the comments made by interested parties have been discussed by virtue of the appraisal above, of the matters that remain the following points are made. Firstly, it is considered that all relevant drawings and documents have been provided to assess the application. Concerns have also been raised that no attempt was made by the applicant or agent to consult neighbours prior to the submission of the application. There is no requirement for the applicant to notify neighbours of the proposed

development, as all adjoining neighbours would be notified of the planning application by the Council, which the Council has carried out in accordance with its statutory requirements. The loss of a view is not a material planning consideration and matters regarding drainage are considered separately under Building Regulations for a proposal of this scale. In terms of potential alternative locations for the garage, the scheme has been considered on its own merits and finally all representations have been considered.

Conclusion

7.32 On the basis of the above, the scheme is considered to be in compliance with policies ST 3, CP 4, DM 14 and DM 16 of the Local Plan. It is recommended that planning permission is granted.

CONDITIONS

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

(2) The development hereby permitted shall be carried out in accordance with drawings: WHT-1023-03 Rev E Sheets 1 - 4

- Existing & Proposed Ground Floor Plans & Site Plans
- Existing & Proposed First Floor Plans & Section
- Second Floor Plan & 3D Views
- Elevations Garage & Typical Section

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity.

(4) The Chestnut Tree located at the front of the site must be protected by suitable fencing of a height not less than 1.2m at a distance as specified in Table 1 or Figure 2 of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction' before any equipment, machinery or materials are brought on to the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the area fenced in accordance with this condition and the ground levels within that area shall not be altered, nor shall any excavation be made in this area.

Reason: To safeguard the existing tree to be retained and to ensure a satisfactory setting and external appearance to the development.

- (5) No development beyond the construction of foundations of the proposed garage shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (6) All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of the garage or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (7) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

The Council's approach to the application

In accordance with paragraph 38 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 creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.



Ordnance Survey - data derived from OS Premium

24/500664/FULL - Clifton Stockers Hill Rodmersham ME9 0PL
Scale: 1:1250



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