

2.7 REFERENCE NO - 18/505468/FULL			
APPLICATION PROPOSAL Erection of a single storey dayroom building and single storey utility block (part retrospective).			
ADDRESS The Orchard Holywell Lane Upchurch Sittingbourne Kent ME9 7HP			
RECOMMENDATION Grant subject to receipt of an amended drawing showing ridge height of proposed day room reduced to a maximum of 4m and conditions .			
SUMMARY OF REASONS FOR RECOMMENDATION Proposed dayroom would (subject to receipt of an amended drawing to reduce the height) sit comfortably on the site and within the context of the wider countryside.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection			
WARD Hartlip, Newington And Upchurch	PARISH/TOWN Upchurch	COUNCIL	APPLICANT Mr Miles Cash AGENT
DECISION DUE DATE 23/01/19	PUBLICITY EXPIRY DATE 02/01/19		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
16/503808/FULL	Removal of conditions 1 and 4 of planning permission SW/01/0561 (decided at appeal ref APP/V2235/A/01/1071677) to enable residential use of the site by any gypsy or traveller, and parking of a work vehicle of not more than 3.5 tons; and variation of condition 2 to allow stationing of more than one static caravan and one touring caravan.	Granted	19.7.18
Members resolved to approve this application, which regularised the use of the land as a residential gypsy site in its own right, and severing the previous use in association with Greenacres (to the north).			

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The application site is a residential gypsy/traveller site on Holywell Lane, known as The Orchard. The site is roughly rectangular and is largely screened from the highway by sloping land levels, roadside hedgerow planting, and a gate erected to the front of the site. There are a number of public footpaths within the area, in particular ZR23 (which runs SE-NW) and ZR24 (which runs NE-SW) but these are separated from the application site on all sides by the neighbouring properties. The wider area is generally verdant.

1.02 In total the site extends to roughly 100m deep and a maximum of 40m wide. It is divided up into three distinct sections: the front third is laid to hard standing and houses four static caravans, two touring caravans, and two timber sheds/storage buildings, as well as parking / turning space. The middle third comprises compacted earth which the applicant intends to set aside for additional caravans in the future,

once his children are older and require their own accommodation. The rear third of the site is laid to lawn. A narrow band of orchard planting separates the front and middle sections, and a laurel hedge has been planted along the southern boundary, inside the fence line. A close-boarded fence separates the site from the land to the south (St Thomas Yard), and a mixture of close-boarded and post-and-rail fencing runs along the boundary with Greenacres to the north.

- 1.03 Members may be aware that the site has a somewhat convoluted planning history related to its previous use as part of the neighbouring site (Greenacres). However permission was granted for The Orchard as a separate residential parcel in its own right by the Planning Committee last year (ref. 16/503808/FULL).

2.0 PROPOSAL

- 2.01 This application seeks planning permission for the erection of a day room and utility block on the site.
- 2.02 The proposed day room building would measure 6.6m x 14m x 5m high and include a dayroom, kitchen, bathroom, study, and laundry room. It would be positioned in the front part of the site, close to the northern boundary.
- 2.03 The proposed utility block would measure 2m x 3m x 2.5m high and would provide storage space for the applicant's garden / ground maintenance equipment. The building would sit in roughly the centre of the site.

3.0 PLANNING CONSTRAINTS

- 3.01 None.

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 There is considerable policy regarding the provision of new gypsy sites, or additional accommodation. In this instance, however, whilst an additional day room and utility building is being applied for no additional residential units are proposed and I therefore consider there to be fewer relevant policies:
- 4.02 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) generally support the provision of gypsy and traveller sites at appropriate locations within the countryside, recognising that it is not normally possible to provide such sites within the designated built up areas. They also aim to minimise harm to visual and residential amenity.
- 4.03 Policies CP4 (good design), DM10 (gypsy and traveller sites), DM13 (extending garden/amenity area), DM14 (general criteria), DM26 (rural lanes) of the adopted SBLP2017 are relevant.
- 4.04 Policy DM10 aims to safeguard existing gypsy and traveller sites.
- 4.05 Policy DM14 requires all developments to be of an appropriate scale and design

5.0 LOCAL REPRESENTATIONS

- 5.01 None received.

6.0 CONSULTATIONS

6.01 Upchurch Parish Council objects, commenting:

“Councillors have considered the application and object to the proposal as is too large for the applicants' requirements for a dayroom.”

6.02 No others received.

7.0 BACKGROUND PAPERS AND PLANS

7.01 The previous application (ref. 16/503808/FULL) is relevant in that it regularised the use of the site.

7.02 The application is supported by a site location plan, block plan, and elevations.

8.0 APPRAISAL

8.01 Whilst the application site is within the countryside it is a residential site and the principle of ancillary development is therefore generally acceptable subject to matters of amenity and design.

8.02 The proposed day room building is large. However I do not consider it to be excessive to provide for the shared needs and day-to-day requirements of the families living at the site, which include:

1. Mr Cash, his partner, and two young sons;
2. Mr Cash's son Jimmy; and
3. Mr Cash' son Patrick and his partner.

8.03 The two buildings (day room and utility block) would also enable removal of two existing storage sheds on the site, one of which houses a washing machine, tumble dryer, and general household storage; while the other contains a lawnmower, garden equipment, outdoor play equipment, etc.

8.04 I am also mindful that day rooms of a similar scale have been approved relatively recently at School Lane, Iwade (ref. 15/504585/FULL), and most relevantly at The Paddocks, Holywell Lane (ref. 17/505463/FULL) which is only a few hundred metres from the site. The day room approved at the Paddocks has the same footprint as that proposed here, but with a lower ridge height (4m). I have therefore requested an amended drawing showing the ridge height of the proposed day room reduced to 4m to match.

8.05 There are limited views of this site, primarily from the public right of way to the south of the site (ZR23) which is a minimum of 100m from the proposed day room and beyond another (unauthorised) residential gypsy/traveller site. Furthermore the proposed buildings would be viewed against the context of the existing caravans at both the orchard and Greenacres immediately to the north – it would not be viewed in isolation and would appear in keeping with those properties. The site is well screened from the road and there are very limited views from the footpath to the north (ZR24) due to land levels and the intervening presence of Greenacres.

8.06 The closest residential units not associated with the applicant and his family are some distance away, and I do not consider that the proposed buildings would give rise to any serious amenity concerns over and above the existing site circumstances.

8.07 There will be no additional highways impact from the proposed development, and the development won't affect the functioning of the two public rights of way.

9.0 CONCLUSION

9.01 The application proposes the erection of a day room and utility block for use by three families on an existing approved residential gypsy site. Subject to the receipt of an amended drawing to reduce the ridge height of the day room to a maximum of 4m, the development would not be significantly prominent or intrusive within the wider landscape and would not give rise to any serious amenity concerns.

9.02 Subject to receipt of an amended drawing (as above) I recommend that planning permission should be granted.

10.0 RECOMMENDATION – GRANT Subject to the following 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) 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 interest of visual amenity.

THE COUNCIL'S APPROACH TO THIS APPLICATION

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

If your decision includes conditions, there is a separate application process to discharge them. You can apply online at, or download forms from, www.planningportal.co.uk (search for 'discharge of conditions').

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

