

PLANNING COMMITTEE – 30 APRIL 2020

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 20/500229/FULL			
APPLICATION PROPOSAL			
Demolition of 1no. outbuilding and erection of a portal framed vehicle store.			
ADDRESS White Acres Hearts Delight Road Tunstall Sittingbourne Kent ME9 8JA			
RECOMMENDATION – Grant subject to conditions			
REASON FOR REFERRAL TO COMMITTEE			
Parish Council objection			
WARD West Downs	PARISH/TOWN Tunstall	COUNCIL	APPLICANT Mr & Mrs Ansley AGENT Nigel Sands & Associates
DECISION DUE DATE 19/03/20		PUBLICITY EXPIRY DATE 25/02/20	

Planning History

17/505254/FULL

Proposed first floor rear extension and rooflight

Approved Decision Date: 29.11.2017

SW/03/1131

Front and rear extension

Grant of Conditional PP Decision Date: 11.11.2003

SW/99/0966

Two storey front extension.

Grant of Conditional PP Decision Date: 01.12.1999

1. DESCRIPTION OF SITE

- 1.1 White Acres is a detached house which sits on a large plot in the rural location of Hearts Delight, Tunstall. The streetscene here is that of similar sized detached properties of differing styles on spacious plots backing onto open agricultural land.
 - 1.2 There is amenity space and a driveway to the front of the property, and a long driveway to the side that reaches an area at the far end of the garden which has a hard standing area with stables and other simply designed outbuildings of varying construction. This area opens onto a field for paddock use and the keeping of small farm animals. The stables to be retained alongside the new building are 3.4m tall.

- 1.3 Neighbouring properties have a variety of domestic outbuildings in varying styles and a public footpath runs between two of these gardens; the site is two gardens away from the footpath.

2. PROPOSAL

- 2.1 This application proposes the erection of a new outbuilding to house the applicant's historic military vehicles. The new building would stand on the site of a smaller (5.5m x 3.5m x 2.5m tall) metal clad building that would be removed. The new building would sit alongside existing stables and would measure 14m x 7m with a ridge height of 4.7m. The proposed building would be in finished green metal cladding with the appearance of a small agricultural building. It will have two roller shutter doors and a small window to the front and a pedestrian door and window to the side. It will sit just over 35m from the rear of the main house adjacent to the paddock area with its short end facing back towards the house.
- 2.2 The application is supported by a short but well illustrated Planning Statement that explains the nature and purpose of the proposed building as follows:

This application seeks permission for a detached portal framed building to store the applicant's historic military vehicles.

These vehicles are rare and of important historic importance and their protection in a controlled environment is essential to keep them in their current pristine condition.

The proposed building height is determined by the height of the GMC353 2 ½ ton truck and has been kept to a minimum size.

The building would be located on the eastern boundary of the site and would be screened from the adjoining building by existing mature trees.

The building would replace existing stables and storage unit existing hard standing would be retained for circulation.

Access to the building would be from the existing drive and crossover onto Hearts Delight Road

- 2.3 Since submission, the drawings have been amended to show the stable building being retained rather than demolished, and the description of the application has been amended to that shown above. This leaves an anomaly between the Planning Statement (as originally submitted) and the current description of the application, although to my mind the drawings are now clear and unambiguous, and the change to the description of works has not prejudiced anyone.

3. PLANNING CONSTRAINTS

- 3.1 None.

4. POLICY AND CONSIDERATIONS

- 4.1 Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017, policies CP4 – Requiring good design

DM14 – General development criteria

5. LOCAL REPRESENTATIONS

5.1 Two neighbours have commented on the application, raising the following summarised points;

- The planning statement says two buildings will be demolished but the application is for just one to be demolished. Which is correct?
- The planning statement refers to a controlled environment; what is this controlled environment, will it require air conditioning which may generate noise?
- Will the new building be higher than the stables? We would not want to see the building higher than the current stable block
- The proposed building will be visible from our rear windows and the visual impact, loss of privacy and overlooking are concerns
- Concern about additional external lighting
- The application form states that the work will not be visible from the road or public footpath, but it will be visible from both the road and the public footpath

5.2 In response to some of these points amended drawings have been submitted to indicate that the proposed building will not require demolition of the stables alongside it, and they show the new building slightly further down the plot, further from nearest houses.

5.3 The agent has confirmed that the new building would be 1.3m higher than the existing stable block, and that the height of the building is governed by the height of the tallest vehicle, a point he thinks has been missed by the Parish Council.

5.4 The agent has also confirmed that the controlled environment described only means that the vehicles would be housed in a fully enclosed building rather than the open fronted building that they are currently in. There are no intentions to include air conditioning units and there is no intention to provide additional external lighting.

6. CONSULTATIONS

6.1 Tunstall Parish Council has objected to the application in the following terms:

Tunstall Parish Council has considered the application objects to the proposal

Whilst we do not have any specialist knowledge on outbuilding planning rules, we felt after discussion in the Parish Council meeting that we should object to the application on the grounds of the size of the building proposed and the potential impact on neighbouring properties.

The portal framed building is replacing a low-profile stables and shed which are more in keeping with the location a linear development of housing on a rural road, with fields to the back.

The proposal to replace with something more akin to an agricultural or storage barn is not in keeping with this area. Our concern is that the proposal is for a

large, dominant building at approx. 14m by 6m (84m²) and height of over 4.5m An unusual building to be sited to the rear of a residential property. Whilst there are some mature trees on neighbouring properties, this building will not be completely screened off. In addition the building will be immediately on the boundary with the next door neighbour, and at over 4.6m high will be imposing above the fence-line.

When it became clear that delays to the Committee's meetings were inevitable I sent the Parish Council a draft copy of this report and asked whether, in the light of my own conclusions on the proposal, they might wish to reconsider their objection to save the applicants waiting longer. They replied as follows:

"Thank you for your email and report which has been circulated to all Councillors who have agreed the following response:

We do not feel comfortable with our objection to this planning application being rescinded. Whilst we recognise that we are in an unprecedented situation with Covid-19 we do not think that proper scrutiny of planning applications should be ignored. Given the situation we do not think that any building work could proceed anyway as the Government has advised against all non-essential work and journeys. We are happy to be flexible if regulations allow for planning committees to meet in some other way (remotely or by phone conference for example).

We feel we had valid objections and these were reflected in concerns of the neighbours.

The planning statement no longer matches the drawings. Whilst we appreciate that changes have been made to move the building further away from the houses we cannot be sure that the neighbours are now in support. There are no updated statements from them on the portal. There is no updated Planning Statement from the applicant/agent.

The Parish Council discussed during their meeting that the outbuilding was to house a military vehicle as described in the Planning Statement. They noted during discussions that this height is the reason for the planning application (which applies to outbuildings over 4m tall). They also note that there is already an existing tall outbuilding on the site (opposite to the planned building) which is visible from footpaths ZR 141 and ZR 147 but couldn't find any planning history for the other barn on Swale's Planning Portal. We sympathise that this is a rural location, but it is a residential linear development too and there have been neighbour objections.

We would also like to counter some of SBC's draft Committee Report. At para. 7.2 it is stated "the building is not particularly tall, no taller than a normal double garage would be". Yet garages are normally much smaller than the proposed dimensions. Swale's own Draft Parking Guidelines suggest a minimum size of 7m in length and 6m in width. Although there is no minimum or standard height given a quick Google search suggests a standard height for garages is 8feet or 2.4m as garage doors are a standard 7ft (2.1m). This barn is over double the width of a double garage at 14m and over double the height.

Swale's Draft Parking Guidelines also say there should be an allowance of 6m in front of garages. Whilst we recognise this is for additional residential parking, given that the applicants have such a large truck has enough allowance been made for access given the new proximity (in the revised plans) to the opposite building of approximately 4.0/4.5m? The dimensions of a GMC353 2 ½ ton truck are 2.8m tall with a length of 6.5m.

Given the dimensions and scale of this building we still believe there will be an impact on neighbouring residents and the building will be very visible from the footpaths noted above.”

- 6.2 Borden Parish Council has written to say they have no comment to make on the application.

7. APPRAISAL

- 7.1 The key points to consider when reviewing this application are the impact on residential and visual amenity and good design.
- 7.2 There is potential for the proposed outbuilding roof to be visible from the road and from the public footpath. However, the building is not particularly tall, no taller than a normal double garage would be, and it would take the form and colours of a small barn which seems to me in keeping with these semi-rural surroundings. The proposed outbuilding would have 'Moorland Green' panels and doors, which is a khaki type colour that will aid in the camouflaging of the structure.
- 7.3 With regard to the amenities of neighbours, the main points here relate to the use and height of the building, and whether these could have any negative impact on the amenity or outlook of neighbours. In this respect, the outbuilding would be approximately 35m away from the main dwelling at the very far end of a very long garden. A building of this scale for private vehicle storage at this distance is unlikely to be significantly detrimental to the outlook of neighbours. The building will sit alongside/beyond other outbuildings, and in a position where such outbuildings might be expected and other outbuildings can be found elsewhere in this row of houses. To that extent I do not see this as a particularly intrusive building, or one that should not give rise to significant adverse impacts on neighbours.
- 7.4 There are two windows in the proposed outbuilding, but these are small and away from boundaries. I see no question of overlooking arising here, and it worth remembering that the proposed building would be replacing an existing metal shed and open hardstanding area.
- 7.5 In terms of design, the proposed building adopts an agricultural aesthetic which should fit well next to the paddock and open land to the north, without appearing out of keeping in what limited views form the road and footpath are available.

8. CONCLUSION

- 8.1 The limited scale of the proposed building means that it will have little impact on neighbouring residents and the street scene. The use is for private vehicle storage, and when considering all aspects, and notwithstanding the Parish Council's criticisms of the

draft report, I consider that the building is acceptable and that planning permission should be granted.

9. 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 approved drawings 19/3029/1 and 19/3029/2A

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

- (3) The garage hereby permitted shall be used only for the storage of a private motor vehicles or for uses ordinarily incidental to the enjoyment of the occupiers of the dwellinghouse.

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

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 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.

