

<b>2.1 REFERENCE NO - 22/504876/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
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.		
<b>ADDRESS</b> Masters House Trinity Road Sheerness Kent ME12 2PF		
<b>RECOMMENDATION</b> that planning permission is Granted subject to conditions		
<b>REASON FOR REFERRAL TO COMMITTEE</b>		
The application relates to a council-owned building and the proposed development is being brought forward by the council.		
<b>WARD</b> Sheerness	<b>PARISH/TOWN COUNCIL</b> Sheerness Town Council	<b>APPLICANT</b> Paul Houghton, Astral Ltd <b>AGENT</b> Turner Jackson Day Associates
<b>DECISION DUE DATE</b> 13./01/2023	<b>PUBLICITY EXPIRY DATE</b> 01/12/2022	<b>CASE OFFICER</b> Rebecca Corrigan

### Planning History

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 09.09.21

#### 1. DESCRIPTION OF SITE

- 1.1 The application is located along the western side of Trinity Road. The vicinity of the site is characterised by the presence of the church, Masters House and the former water tower as large high-quality buildings set within landscaped grounds. The site is located in the Sheerness Mile Conservation Area.
- 1.2 The original building comprises a two-storey building with a pitched roof. There is a later additional flat roof extension to the north and a further large, relatively modern (1960's) two storey flat roof extension to the southern side. Masters House itself is considered to be a 'non-designated local heritage asset'.
- 1.3 Masters House is located within the setting of a number of listed buildings most notably, the grade II listed Trinity Church immediately to the north.

## 2. PROPOSAL

- 2.1 The site benefits from planning permission for various external refurbishment works to the building and works to the existing garages, store and plant room to accommodate three workshops. Permission was granted for this development by the Planning Committee in 2021.
- 2.2 Conditions 3 and 10 of the planning permission require further details of the replacement roof and eaves detailing for the garage / workshops, and details of how the workshops will be constructed to meet BREEAM standards prior to commencement of the development. This means that no part of the development can be commenced until such details have been approved.
- 2.3 However, the applicant seeks to carry out the approved improvements to the main building before undertaking the development in relation to the garage/workshop building to the rear at a later date. Technically, under the terms of the existing planning permission they cannot commence development on the main building until they have submitted and received approval for the details required under conditions 3 and 10. For this reason, the applicant is seeking to vary these conditions to allow the works to the main building to begin in advance of providing the details for the workshops.
- 2.4 Members should note that there are no changes being made to the development itself, which remains as permitted under 21/502661/FULL. The only change sought is to the wording of the two planning conditions, and the assessment below deals solely with this.

## 3. PLANNING CONSTRAINTS

- 3.1 Mile Town Conservation Area
- 3.2 Potential Archaeological Importance
- 3.3 Environment Agency Flood Zone 3

## 4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) 2021
- 4.2 Bearing Fruits 2031: The Swale Borough Local Plan 2017

**Policy ST1** Achieving sustainable development in Swale

**Policy ST3** The Swale settlement strategy

**Policy CP1** Building a strong, competitive economy;

**Policy CP2** Promoting Sustainable Transport;

**Policy CP4** Requiring good design;

**Policy CP7** Conserving and Enhancing the Natural Environment – providing for green infrastructure;

**Policy DM6** Managing Transport Demand and Impact;

**Policy DM7** Vehicle Parking;

**Policy DM14** General Development Criteria;

**Policy DM16** Alterations and Extensions;

**Policy DM19** Sustainable Design and Construction;

**Policy DM21** Water, flooding and Drainage;

**Policy DM33** Development Affecting a Conservation Area.

4.3 Swale Borough Council Parking Standards 2020

**5. LOCAL REPRESENTATIONS**

6. Letters were sent to neighboring occupiers and a site notice was placed in the vicinity of the site to which no letters of representation were received.

6.1 **Sheerness Town Council** have not raised any objections to the proposal.

**7. CONSULTATIONS**

7.1 **Design and Conservation Officer** – No objection

7.2 **Environment Agency** – No objection

7.3 **KCC Highways** – No comments to make on this occasion

7.4 **Environmental Health** – No comments to make on the variation to conditions as sought

**8. APPRAISAL**

8.1 This application seeks to make variations to the wording of the two conditions in question, both of which are specific to the existing garage, store and plant room building to the rear of the site. The proposed variation allows the works to Masters House to come forward in advance of the further details relating to the garages. As the conditions are not actually relevant to the refurbishment works to the main building and are only relevant to the workshop proposals in the rear yard area, the proposed variation is considered to be acceptable.. It is therefore recommend that the application be granted..

**9. CONCLUSION**

8.1 For the reasons set out above, it is considered that the proposal is acceptable and it is recommend that the variation of conditions 3 and 10 is granted.

**10. RECOMMENDATION**

GRANT Subject to the following conditions

**CONDITIONS to include**

1. The development to which this permission relates must not be begun no later than 9<sup>th</sup> September 2024

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 shall take place other than in accordance with the following approved plans: Proposed Block Plan PL002 Rev PL2; Proposed Ground Floor Plan PL005 Rev PL1; Proposed First Floor Plan PL007 Rev PL1, Proposed Roof Plan PL009 Rev PL2; Proposed Elevations PL011 Rev PL2; Proposed Sections PL013 Rev PL 2; Proposed South and West Boundary Fence PL015; Proposed Plan Compound PL016

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

3. Prior to the commencement of development of the garages, store and plant room building to workshop studios, a sample and/or manufacturer brochure and technical details of the metal sheet product to be used on the replacement roof to garage/workshop 1 and a 1:5 vertical section of the eaves and verge detailing to the replacement roof shall be submitted to and approved in writing by the Local Planning Authority. The roof replacement work shall thereafter be carried out using the roof covering material and eaves/verge detailing agreed in relation to this condition.

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

4. Prior to the commencement of development, details of the replacement colour-coated windows to be used shall be 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 using the window product(s) agreed in relation to this condition

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

5. Prior to the commencement of development, a 1:10 elevation detail and a 1:1 or 1:2 plan and vertical section for the replacement/new timber window and doors shall be 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 door 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

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

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

6. The guardrails to the solar array shall remain in the folded, flat position at all times, except when repairs and/or routine maintenance is being carried out to the solar array.

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

7. The development hereby permitted shall not be open to the public or any part thereof operational until the mitigation measures as set out in the Acoustic Planning Report prepared by ICP dated 22.04.2021 have been completed. The mitigation measures shall be retained in-situ thereafter.

Reason: In the interests of residential amenity.

8. No part of the building shall be occupied until details of secure and covered cycle parking facilities have been provided in accordance details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide adequate bicycle storage in the interest of promoting energy efficiency and sustainable development.

9. The workshops located within the outbuildings to the rear of the site, shall be used for the purposes of Class E only and for not for other purposes whatsoever, of the Schedule to the Town and Country Planning (Use Class) Order 1987 (as amended) and any other use whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2020 (as amended) (or any order revoking or re-enacting that Order) of not.

Reason: To the interests of the amenities of the area

10. The workshop studios hereby permitted shall be constructed to BREEAM "Good" Standard or an equivalent standard. Prior to the commencement of development of the garages, store and plant room building to workshop studios, details of the measures to be undertaken to secure compliance with this condition shall be submitted to 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 promoting energy efficiency and sustainable development.

## **INFORMATIVES**

### Environment Agency

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website to establish whether a consent will be required. <https://www.gov.uk/environmental-permit-check-if-you-need-one>

### KCC Highways and Transportation

It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

### **The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 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.

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.

