

2.4 REFERENCE NO. – 15/505023/FULL		
APPLICATION PROPOSAL		
Erection of a detached 1 ½ storey three bedroom barn style dwelling (revised scheme)		
ADDRESS 1 Wheelwrights Cottages Lewson Street Road Norton Kent ME9 9JN		
RECOMMENDATION Approve – SUBJECT TO receipt of amended drawings regarding site boundary treatments.		
WARD Teynham & Lynsted	PARISH/TOWN COUNCIL Norton And Buckland	APPLICANT Mr Ian Mynott AGENT
DECISION DUE DATE 20/08/15	PUBLICITY EXPIRY DATE 03/07/15	
RELEVANT PLANNING HISTORY		
App No	Summary	
14/501478/FULL	New dwelling REFUSED 13 January 2015	

1.0 DESCRIPTION OF SITE

- 1.01 The site is part of the curtilage 1 Wheelwrights Cottage, a semi-detached grade II listed building located on the corner of Lewson Street and Norton Lane in Norton. The site subject to this application is set in the southern corner of the plot adjacent to Norton Lane.
- 1.02 It currently provides the parking area for 1 Wheelwrights Cottage and access to the existing garage. To the rear of the plot, until recently destroyed by fire, was a single storey barn style workshop building.
- 1.03 The site is located within the built up area boundary for the village and falls within the Lewson Street conservation area.
- 1.04 To the rear (south) of the site open fields adjoin, whilst other residential properties and the village of Lewson Street lie to the north and north west.

2.0 PROPOSAL

- 2.01 The proposal is a revised scheme submitted after extensive discussions with officers following a previous refusal for a similar proposal.
- 2.02 The new proposal is to provide a new residential property measuring 13.3m in width and 6.6m in depth with an eaves height of 2.6m and a 6.4m ridge height. It will provide a kitchen/ dining area, utility room and living room on the ground floor and 2 bedrooms and a bathroom on the first floor.
- 2.03 The existing access would remain and be utilised for both the new property and 1 Wheelwrights Cottage. A parking area for the new dwelling measuring 5m by 5m is proposed close to the access. In addition a similar parking space for 1 Wheelwrights Cottage is provided for, as is a large area of landscaping.

- 2.04 Amended drawings are to be provided to include the retention of the vegetation along the fencing adjacent to Norton Lane, and the replacement of the rear proposed rooflights with a conservation rooflight

3.0 PLANNING CONSTRAINTS

Conservation Area Lewson Street

MOD Thurnham MOD Safeguarding Directive Thurnham

Thurnham Exclusion Zone Thurnham, Kent

Thurnham Wind Station THURNHAM WIND SAFEGUARDING

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan Adopted Swale Borough Local Plan Policies E1, E14, E15, E19 and H2

5.0 LOCAL REPRESENTATIONS

- 5.01 Two letters of support has been received and the comments have been summarised below:
- The scale and height is no more obtrusive than other buildings developed over the past few years
 - Concerns about the junction of Lewson St onto Norton Lane are no more of a hazard than elsewhere towards the A2 providing appropriate speed is adhered to on a country lane
 - Support the plan to replace the old burnt down barn as it is in accordance with the guidelines of both the Council and Heritage
 - It will be a replacement for the barn used by the Wheelwright but that it will be an annex to the house and will remain as such in the future
- 5.02 Four letters of objection have been received from local residents, their comments have been summarised below:
- The barn that was burnt down was neither a barn, nor particularly large, it was simply a single storey workshop
 - Even though the new scheme is more modest than the previous one, it is still considerably bigger than the original workshop – this plan cannot be considered as a replacement, it would dwarf the original cottage and be quite out of character
 - Concern as to the height of the proposed building and its impact on the land to the south and east and /or the hardening of the edge of the conservation area and the lack of a drawing showing the scale and height of the proposed building in relation to Wheelwrights cottage
 - Concern that the detailing and materials of the building should be appropriate

- Do not like the cars and caravan currently parked on the site and considered this will get worse as the space is divided and reduced
- This is far less intrusive than the previous proposal but is still a lot larger than the workshop that burnt down
- It should not be a separate dwelling but only an annexe to the main house
- Windows and doors should match the other properties in the conservation area.
- Consider the current gated access is extremely problematic and to maintain it would be extremely dangerous
- Expect the same safety regulations (the planning conditions attached to the permission for the building of a nearby property in 1994) would apply and be taken into account here
- To build a dwelling in the garden would be detrimental to the listed building and the conservation area
- Already difficult visibility when making an exit from Lewson Street onto Norton Lane, and an additional dwelling would make this more hazardous
- As a conservation area application should not be considered at all as the look and feel of the original area should be preserved

6.0 CONSULTATION RESPONSES

6.01 Norton, Buckland and Stone Parish Council resolved to object to the application, their comments are summarised below:

- The Parish Council is opposed to new development within the conservation area, past developments which were allowed have only diminished the amenity for the area and any further encroachment should be rejected
- The applicant's reference is made to a "large barn structure which burnt down" was in fact a small historic workshop with virtually no visual impact. This dwelling is substantially greater and would impact adversely on the very edge of the conservation area
- Whilst the design has changed the height, footprint and siting are not altered from that previously rejected
- The proposed building is poorly described in the application
- Concern that the access to the site is already hazardous and increased usage is felt to be dangerous. Suggestion is made that the existing gates are set back to allow a "pull in" for vehicle entering or leaving.

6.02 Southern Water, Scotia Gas Networks and UK Power Networks raise no objection

6.03 Kent Highway Services consider that the application does not fall within their remit and have not offered any comments.

7.0 APPLICANT'S SUPPORTING COMMENTS (summary of key points)

7.01 The reason for the submission of the revised application remains the same from the previously refused application 14/501478

7.02 “My Father in law was made a widower and needs constant care and supervision and my daughter suffers acutely and chronically from a condition akin to severe arthritis and a form of Autism. It is unlikely she would be able to live a fully independent life and as such we hope to use the bungalow as accommodation for my father in law and for my daughter”

8.0 APPRAISAL

8.01 This application needs to be considered on a number of issues, firstly, the principle of the development, in addition the Council has a statutory duty to have special regard to the desirability of preserving the listed building and its setting and to preserving or enhancing the character or appearance of the Lewson Street conservation area. Finally the design of the proposal needs to be assessed.

8.02 As a background to the submission of this application, application no 14/501478/FULL was previously submitted for a 3 bedroom barn style dwelling. This measured 13.3m in width and 6m in depth with a ridge height of 6.7m and a high two storey gabled feature to the front elevation. This was refused on the grounds that “The proposed dwelling by virtue of its size, design and siting would not preserve the setting of the adjacent listed building or preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to policies E1, E14, E15 and E19 of The Swale Borough Local Plan”.

8.03 Extensive pre application discussions have been conducted with the applicant and his agents and a scheme more in tune to meet his requirements and to address the impact on the listed building, Wheelwrights Cottage and the conservation area has been submitted.

8.04 The principle of the proposal needs to be addressed initially and, as the site lies within the built up development boundary for the village of Lewson Street, the principle of a new dwelling is acceptable here.

8.05 In determining this application the Council has a statutory duty to have special regard to the desirability of preserving the listed building and its setting and to preserving or enhancing the character or appearance of the Lewson Street conservation area. There is a strong statutory presumption towards preserving heritage assets and their settings and against development which falls short of these objectives.

8.06 Furthermore the NPPF requires in relation to heritage assets that “*great weight should be given to the assets conservation. The more important the asset, the greater the weight should be, significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As Heritage Assets are irreplaceable, any harm or loss should require clear and convincing justification.*”

- 8.07 The applicant has submitted a drawing to show the visual relationship between the listed building and the proposed building showing it to be set down from the main residence by 528mm and, although perspective has not been applied, as it will be set to the rear of the site the building will appear lower, and due to its simple form and low eaves height. The plans show the character of the building to be of “workshop” style, wholly appropriate to the area.
- 8.08 The proposed building would be set back in the site and over 12m away from the listed building. With its lower scale low level vegetation, and post and rail fencing, the visual link between the two buildings remains, as it was historically with the former workshop building. Furthermore with the existing boundary treatments and the site features, the subservient nature of the building in the context of the site is clear.
- 8.09 I therefore consider the building would not have an adverse impact on the listed building or its setting given the design, size and scale of the proposed building and the vegetation, distances and other mitigating factors of the site.
- 8.10 I am aware of the other listed buildings in the immediate vicinity, Myrtle Cottage grade II opposite and 2 Wheelwrights Cottage to the north, which would be less affected by the proposal, and consider there would not be any significant degree of harm to their setting by the proposal.
- 8.11 The boundary treatments including the retention of the vegetation along Norton Lane and the proposed thickening of the native hedge to the rear of the site would help to retain the link between the site and its rural setting. Furthermore the amount of hardstanding and the parking area would be reduced and softened by additional vegetation and planting the site, compared to the previous refused scheme.
- 8.12 With regard to any impact on the conservation area, the character of this part of Lewson Street conservation area is to do with the linear nature of the village and its historical development arising from its close relationship to the surrounding farmland. The site itself is characterised by the transition from the historic village to rural lane as Norton Lane itself remains undeveloped between Lewson Street and Provender Lane.
- 8.13 When entering the conservation area from the south 1 and 2 Wheelwrights cottages and Myrtle Cottage on the other side of the street are prominently located to form a gateway feature announcing the start of the historic village. I am satisfied that the proposed dwelling, being set back within the site, and with its low scale, workshop style details, and intervening vegetation will appear subservient and as such the aforementioned properties will remain the dominant features upon entering the village.
- 8.14 In terms of the design of the building the workshop style is in keeping with the site and is appropriate to this location. The building’s form, with low eaves and a steep pitched roof, features, such as the open eaves and materials of timber

boarding and Kent peg tiling do draw architectural reference from local barn buildings, and thus will be seen more as an outbuilding subservient to the main dwelling rather than a new stand alone property.

- 8.15 I am aware of the current access arrangements and the likely relative increase in the use of the current access. Whilst in the interests of the listed building the previously proposed new access adjacent to the listed building was not supportable. However following initial informal discussions with Kent Highways the option of a new access is not supportable and use of the existing access is preferred.
- 8.16 I am also mindful of the personal circumstances of the family and their desire to provide close by accommodation for their father in law and their daughter. As such the reduction in the height of the building to a single storey but which can provide accommodation in the roof to facilitate the specific medical needs of the family would seem to satisfy their requirements and also ensure the heritage asset and conservation area remain protected.
- 8.17 I note the comments from local residents in relation to the height and impact of the proposed building, particularly in relation to what previously existed on the site. However as explained earlier the height, scale and the resultant impact of the building has been reduced from the previous refusal and is now considered to be an acceptable proposal. Furthermore the previous workshop was shown on historic maps and was approximately 10m in length by 3m in width and as such was rather more than a “modest shed or small building” remembered by some local residents.
- 8.18 I note the Parish Council’s comments about opposition to any further development in the conservation area, but each application must be assessed on its own site specific details and treated on its own merits.
- 8.19 The further concern expressed regarding the detailing and the materials is unfounded as it has been agreed to be timber weatherboarding and Kent peg tiles, however a condition has also been added to ensure the materials are appropriate to this sensitive location.
- 8.20 I note the concern from both the Parish Council and neighbours regarding the access. However careful and correct driving to the conditions of the area would not cause a hazard here and as other options considered were not appropriate or acceptable this access remains the best option.
- 8.21 Finally the scale and bulk of the building has been reduced considerably from the previous refusal and as such presents now as a subservient, workshop style building which visually appears as an addition to and not in competition with no 1 Wheelwrights Cottage or its sensitive setting.

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 not be carried out otherwise than in complete accordance with the approved plans and specifications.

Reason: In the interests of residential amenity

- 3) Prior to the commencement of development, details in the form of samples of external finishing materials 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 visual amenity and to ensure these details are approved before works commence.

- 4) Details in the form of British Standards or commercial specifications of the proposed colouring of the weatherboarding materials shall be submitted to and approved by the Local Planning Authority before the development is commenced.

Reason: In the interest of visual amenity and to ensure these details are approved before works commence.

- 5) Details in the form of cross-sectional drawings through the site, of the existing and proposed site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to secure a satisfactory form of development having regard to the sloping nature of the site and to ensure these details are approved before works commence.

- 6) No development 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: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 7) Detailed drawings at a suggested scale of 1:5 of all new external joinery work and fittings together with sections through glazing bars, frames and mouldings shall be submitted to and approved by the Local Planning Authority before any development takes place. The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area and to ensure these details are approved before works commence.

- 8) No development shall take place until constructional details at a suggested scale of 1:5 of the eaves 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: In the interest of preserving or enhancing the character and appearance of the surrounding area and to ensure these details are approved before works commence.

- 9) 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

- 10) 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 0730 – 1900 hours, Saturdays 0730 – 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.

- 11) Upon completion, no further development, whether permitted by Classes A, B, C or D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) or not, shall be carried out without the prior permission in writing of the Local Planning Authority.

Reason: In the interests of the amenities of the area

- 12) 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

- 13) The area to the front of the dwelling shall be kept available for the parking and turning of vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land or in such a position as to preclude vehicular access thereto.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity

The Council's approach to this application:

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

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

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

The applicant/agent was provided formal pre-application advice.

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.