

## REPORT SUMMARY

<b>REFERENCE NO - 15/506140/FULL</b>			
<b>APPLICATION PROPOSAL</b> Change of use of outbuilding from boarding cattery to one-bed holiday let unit			
<b>ADDRESS</b> 1 Warden Way Warden Road Eastchurch Kent ME12 4HA			
<b>RECOMMENDATION</b> Grant subject to conditions			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> Proposed development would not give rise to harmful loss of employment use, nor to any unacceptable harm to residential or visual amenity , or to highway safety or convenience. The proposal is acceptable in all other respects.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council objections			
<b>WARD</b> Sheppey Central	<b>PARISH/TOWN COUNCIL</b> Eastchurch	<b>APPLICANT</b> Mrs Jacqui Bayliss <b>AGENT</b> Barron Planning Consultancy	
<b>DECISION DUE DATE</b> 25/09/15	<b>PUBLICITY EXPIRY DATE</b> 25/09/15		
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
SW/91/0590	Side and rear extension.	Approved	02.08.1991
SW/03/1373	Retention of loft dormer and two storey extension and new single storey extension.	Refused	19.01.2004
SW/04/0443	Retention of two storey extension and new single storey rear extension.	Approved	25.04.2004
SW/06/0453	New cattery.	Approved	01.06.2006

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 No. 1 Warden Way is located within the countryside to the east of Eastchurch. The site comprises of an end terrace house, with a sizeable rear garden with several outbuildings, which include a single storey cattery located to the western side of the site. The cattery has an area of approximately 60m<sup>2</sup>, and has 10 pens with runs.
- 1.02 A single storey ancillary building, which accommodates an office and a kitchen, is located to the north of the cattery and to the west of the main building.

### 2.0 PROPOSAL

- 2.01 The proposal relates to the change of use of the cattery building to a one-bed holiday let.

- 2.02 The building would not be extended. Some internal and external alterations are proposed – the addition of two new windows on the western elevation and the change of the existing layout (i.e. inclusion of bathroom and kitchen). No other alterations are proposed to the exterior of the building, which comprises timber clad walls with white UPVC windows and an insulated corrugated sheeting roof.
- 2.03 The block plan shows two off street parking spaces, together with three on street spaces.

### 3.0 POLICY AND OTHER CONSIDERATIONS

#### The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)

- 3.03 Paragraph 28 of NPPF is particularly relevant, and states that *“planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.”* It continues on to state that, to promote a strong rural economy, local planning authorities should (amongst others):

- *“support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*
- *support sustainable rural tourism and leisure developments that benefit business in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.”*

#### Swale Borough Local Plan 2008

- 3.04 Policy E1 (General Development Criteria) states that all developments should be well sited, appropriate in scale, design and appearance with a high standard of landscaping, and have safe pedestrian and vehicular access whilst avoiding unacceptable highway impacts.
- 3.05 The application site lies within the countryside, where Policy E6 seeks to protect the general quality, character and amenity, and states that development will not be permitted outside rural settlements in the interests of countryside conservation, unless it relates to an exceptional need for a rural location.
- 3.06 Policy E19 (Achieving High Quality Design and Distinctiveness) requires development proposals to be well designed.
- 3.08 Policy B1 (Supporting and Retaining Existing Employment Land and Business) seeks to support and retain existing business uses within the Borough, unless they are inappropriately located, have an unacceptable impact, or no longer suitable for business use.
- 3.09 Further to this policy B5 (Existing and new Tourist Attraction and Facilities) seeks to retain and encourage tourist attractions and facilities in the Borough.
- 3.10 The proposal concerns the promotion of a new rural business, and Policy RC1 (Helping to Revitalise the Rural Economy) is therefore relevant. as it encourages

diversification of the rural economy, including the provision of new rural jobs and services.

- 3.12 Policy T3 (Vehicle parking for new development) requires parking provision in accordance with current adopted standards.

#### **4.0 LOCAL REPRESENTATIONS**

- 4.01 Eastchurch Parish Council objects because *“The committee feels that the parking is still insufficient and that it is inappropriate to suggest the use of on-road parking on a narrow stretch of a busy road.”*

- 4.02 One letter of support from a neighbouring resident.

- 4.03 Three letters of objection from a neighbouring resident, raising the following summarised concerns:

- Noise and disturbance;
- Nearby holiday parks provide plenty of tourist accommodation;
- Access to parking is via the public right of way;
- Insufficient parking provision;
- Road is 60mph and not pedestrian-friendly.

#### **5.0 CONSULTATIONS**

- 5.01 KCC Highways & Transportation have no objection subject to the conditions and informative below, commenting:

*“The off-street parking provision as shown on the proposed plans is considered adequate for the existing dwelling and the proposed holiday let, particularly when measured against the extant use of the site.”*

- 5.02 The County Public Rights of Way officer has no objection, but notes that any damage caused to the public right of way from vehicle access would be repaired at the applicant's expense.

- 5.03 The Council's Tourism Officer supports the proposals, commenting:

*“The Borough has a limited stock of self-catering outlets of this type. The location lends itself to holidays promoting the 'great outdoors' and for those wanting to be a short distance from the main resorts to the north and to the marshland habitats to the south but will have appeal to both visitor types. The size and scale of the business operation will not impact on highways. Given this is an isolated unit there will need to be some serious consideration given to the marketing and promotion of the unit to ensure its sustainability.”*

#### **6.0 BACKGROUND PAPERS AND PLANS**

- 6.01 The application is accompanied by full drawings and a Design & Access Statement. This notes that *“whilst the cattery is an employment business it has proved to be unsustainable and has become vacant. The business did employ the applicant as the cattery manager...she will be similarly employed in looking after and maintaining the holiday let...”*

#### **7.0 APPRAISAL**

- 7.01 Whilst policy B1 seeks to retain existing businesses I am mindful that the change of use here would result in a direct 1-for-1 replacement of business uses, and that the applicant – who used to run the cattery – will now manage the holiday let. Furthermore I note that the cattery has proved to be unsustainable and was forced to close, and the introduction of a replacement enterprise is, in real terms, a benefit to the rural economy. The proposal will also make use of an existing redundant building within the countryside, and the provision of small units of holiday accommodation is supported by the Council's Tourism Officer.
- 7.02 All of this is encouraged by the above policies and I therefore consider the proposal to be acceptable in principle.
- 7.03 The applicant lives at the site and there is an intimate relationship between the main dwelling and the former cattery building. In this regard there will be a degree of self-policing involved and I consider it unlikely that any serious issues of noise or disturbance would arise. That notwithstanding, however, any noise complaints could be appropriately addressed by the Council's Environmental Wardens, making use of other legislation.
- 7.04 The position of the building and its location within the site are such that I do not consider there would be any serious issues of overlooking or loss of privacy for neighbouring residents. Nor would there be any serious visual impact, in my opinion, as the building is existing.
- 7.05 I note local concern re: parking and access. However, the application proposes parking in accordance with current guidance, and further parking is available to the front of the site on the highway. Some residents have raised concern that the road is national speed limit, but at this point it is generally straight, visibility is good, and there is room for vehicles to safely pass one another.
- 7.06 I also note that KCC Highways & Transportation do not raise any concerns, and that the Public Rights of Way officer has no objection (subject to the understanding that the applicant would be liable for repairs). In this regard, whilst I appreciate local objections, I do not consider that there is any justification to refuse the application on highway or pedestrian safety grounds.

## **8.0 CONCLUSION**

- 8.01 This application proposes change of use and minor alterations to convert a former cattery building to a self-contained holiday let within the grounds of 1 Warden Way, a residential property in the countryside at Eastchurch.
- 8.02 Whilst I note local concerns the proposal would make good use of an existing redundant building within the countryside in manner unlikely to give rise to any serious harm to local amenity, highway safety, or the character or appearance of the countryside.
- 8.03 Taking the above into account I recommend that planning permission should be granted.

## **9.0 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.

Reasons: 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 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 shall thereafter be implemented in accordance with the approved details.

Reasons: In the interest of visual amenity.

- (3) The development hereby permitted shall be used for the purpose of a one-bedroom holiday let unit and for no other purpose, including any other purposes in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987. Occupation of the holiday let shall be limited to no more than four consecutive weeks by any one person or group of persons.

Reasons: In the interests of the amenities of the area and to ensure that the unit is not used for long-term residential lets.

- (4) The development hereby approved shall proceed wholly in accordance with the submitted drawing, received 23 July 2015.

Reasons: For the sake of clarity and in the interests of proper planning.

- (5) The parking spaces shown on the approved drawing, received 23 July 2015, shall be provided prior to the first occupation of the premises as a holiday let, and thereafter shall be kept available at all times for the parking of vehicles, and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) 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.

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

- (6) Secure cycle parking shall be provided in a position and manner to be agreed in writing by the Local Planning Authority prior to the first occupation of the holiday let hereby permitted, and subsequently retained in perpetuity.

Reasons: In the interests of encouraging modes of transport other than private motor vehicle.

## **INFORMATIVES**

- (1) 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. 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 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 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.