

REPORT SUMMARY

REFERENCE NO - 15/501134/FULL			
APPLICATION PROPOSAL Change of use of a small granary shed, a newly built orangery and dungeon. These are in domestic use and the application is to enable them to be used as storage, packing and tasting facilities.			
ADDRESS Shurland Hall High Street Eastchurch Kent			
RECOMMENDATION Approve			
SUMMARY OF REASONS FOR RECOMMENDATION In my view the proposal is in compliance with both national and local policies in relation to the rural economy, would make use of existing buildings, would not impact unacceptably upon highway amenities or the listed building, would protect the character of the countryside and would not cause significant harm to neighbouring amenities.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection			
WARD Sheppey Central	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Mrs Suzanne O'Donoghue AGENT	
DECISION DUE DATE 25/05/15	PUBLICITY EXPIRY DATE 25/05/15		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/06/0863	Alterations and repair in order to convert gatehouse into dwelling.	Approved	01/09/2006
SW/12/1533	Construction of conservatory.	Approved	30/01/2013

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 Shurland Hall is a grade II* listed building and Scheduled Ancient Monument situated within the countryside to the north east of Eastchurch Village Centre.
- 1.02 The building is the former gatehouse to the hall proper and has been converted to residential use under SW/06/0683. It is situated at the end of a long private access road and views from the public highway are limited due to the distance and a number of mature trees that are situated between the public highway and the property.
- 1.03 Shurland Hall is located within substantial grounds and includes a number of outbuildings and a large pond which contributes towards the attractive entrance to Shurland Hall.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for the change of use of the existing granary shed, the orangery constructed under SW/12/1533 and the part of the building situated below this, described in the application as a dungeon, from domestic use to storage, tasting and packing facilities associated with a specialist champagne business.
- 2.02 The granary shed is located approximately 15m from Shurland Hall and the orangery and dungeon are located on the south side of the building.
- 2.03 The champagne would be stored at Shurland Hall and delivered on two / three occasions per year. From there an external carrier would be used to whom cases of champagne would be delivered on an ad hoc basis when the orders were received.
- 2.04 The application also proposes tasting events which would take place on a maximum of 4 occasions per year in the existing orangery. The projected number of people at each event would be 40.

3.0 PLANNING CONSTRAINTS

- 3.01 Listed Building - Grade II* Shurland Farm, High Street, Eastchurch, Sheerness
- 3.02 Scheduled Ancient Monument

4.0 POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework

- 4.01 The National Planning Policy Framework (NPPF) at paragraph 28 states that the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings should be supported.
- 4.02 Paragraph 132 states that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s 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. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

Swale Borough Council Local Plan 2008

- 4.03 Policy E1 sets out standards applicable to all development, saying that it should be well sited and appropriate in scale, design and appearance with a high standard of landscaping, and have safe pedestrian and vehicular access whilst avoiding unacceptable consequences in highway terms;
- 4.04 Policy E6 sets out that the quality, character and amenity value of the wider countryside will be protected and where possible enhanced. Development proposals will only be permitted, when (amongst other criteria) it is the re-use or adaption of an existing rural building, in accordance with Policy RC1;

- 4.05 Policy E14 states that proposals which include any change of use, affecting a Listed Building, and/or its setting, will only be permitted if the building's special architectural or historic interest, and its setting, are preserved;
- 4.06 Policy RC1 states out that proposals that would help to diversify the rural economy, provide new rural jobs and services or provide environmentally positive countryside management will be permitted provided that the proposal is in scale with the locality; that the site retains its rural character; no detriment to landscape character; does not cause a significant increase in traffic; makes maximum use of existing buildings and does not detract from the historical, architectural or landscape interest, character or appearance of the buildings.

5.0 LOCAL REPRESENTATIONS

- 5.01 Surrounding properties were sent a consultation letter and a site notice was displayed close to the site. No responses were received.

6.0 CONSULTATIONS

- 6.01 Eastchurch Parish Council objects to this application with the following comments:

"Not enough information had been provided. The application reads as a commercial operation which gives no information on the degree of impact on a listed building and particularly the degree of impact on large vehicles travelling through the village and the scale of operation envisaged in the future. Contrary to Policy RC1."

- 6.02 Historic England state that *"the application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice."*
- 6.03 The Council's Conservation Officer responded stating that *"I am content that the proposed change of use does not impact on the listed building, its setting or any features of significance which it possesses. Consequently I can support the application."*
- 6.04 KCC Highways and Transportation consider *"that the buildings and scale of the operation are fairly small in size, and this particular enterprise is not envisaged to generate much vehicular activity. The details suggest that cases of champagne will be delivered two or three times a year, and any sales would be transported to a courier depot once a day by car for onward delivery. I do not think the traffic movements associated with this proposal would be perceptible on the highway network, or should give any cause for concern."*

Consequently, I have no objections to the proposals."

- 6.05 The Council's Environmental Protection Manager raises no objection.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawings referring to application reference 15/501134/FULL.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 *“Andromeda Boru Ltd is a very small business dealing in specialist champagnes sold by the case. These champagnes are ‘Grand Cru’ and only bought from grower/makers which are small in number and rare in the UK. The scale of operation envisaged is that initially there would be one or two occasions per year for a tasting event which would be mainly designed to spark public relations for the business. The maximum number of people envisaged at such events would be 40 people. In the future it is unlikely that the number of events would exceed 4 per year as these events are loss makers for the business.*

The application for planning permission is to enable us to have a premises licence so that we can sell via the internet which in our experience is how most people nowadays want to buy wines. In order to sell via the internet you have to have a premises licence.

We will be using a carrier based in Aylesford to whom we would deliver any cases that had been ordered on a daily basis/as and when ordered, initially in an estate car but if things developed we might have to purchase a small van. This is the maximum of our ambition. If the small Van was delivering to Aylesford daily this would be a minimum of ten times any turnover we have achieved previously.

We envisage stock ordering on two/three occasions per year which arrives in a van on pallets similar to those used for Amazon/Ocado/Tesco etc.

Before arriving in Sheppey the business was run for 6 years from Little Hautbois Hall in Norfolk (a Grade 2 listed Tudor Hall dating from 1553 which we restored over a period of four years) and before that for seven years in Woodcroft Castle near Peterborough (a grade 2* listed 13th century moated castle).*

With regard to the listed building I can state that in our experience the business causes little noticeable impact on traffic to and from the building (excepting tasting occasions). Equally anyone from the Island who does wish to visit Shurland Hall and see inside the Hall is afforded the ability to do so by simple requesting, via the phone/internet to purchase and collect in person.

In Norfolk the business was promoted by the Council as part of their efforts to attract tourism to the area and there was no direct selling from the internet so people had to collect in most cases. The maximum of visits would be three or four per month. We currently have an agreement with the Bluetown heritage centre to allow their tour bus to visit Shurland each Saturday morning in the summer months and the Eastchurch primary school visit the wildflower meadow and lake on occasion.”

9.0 APPRAISAL

Principle of Development

- 9.01 The site lies within the countryside. In overall terms both national and local policies support the growth of business in rural areas subject to the proposal meeting a number of criteria. In this case the application proposes a change of use and no alterations will be made to the existing building which is in compliance with policy. Furthermore, I have consulted with KCC Highways who take the view that due to the limited size of the operation the impact upon highway amenity would not be unacceptable. In my view due to the small scale of the business and the re-use of existing buildings the impact upon the countryside would be negligible. I consider the principle of development in this case is firmly established.

Impact upon designated heritage assets

- 9.02 The application site is both a grade II* listed building and a Scheduled Ancient Monument. The Local Planning Authority is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this instance, I have consulted with both Historic England and the Council's Conservation Officer who support the application.

Residential Amenity

- 9.03 The application site is set in substantial grounds with the closest residential properties located close to the entrance to the site some 230m away from Shurland Hall. The proposed tasting events if not restricted would have the potential to create a disturbance to nearby residents and as such I have liaised with the applicant regarding this element of the proposal. They have confirmed that there would be a maximum of 4 tasting events per year with the number of people at each event not exceeding 40.
- 9.04 In addition to the above, the hours of use have been indicated on the application form as being 10.00 – 22.00 Monday - Sunday (including Bank Holidays). In my view a tasting event, attracting up to 40 people and not finishing until 10pm could have the potential to have an impact upon neighbouring amenities. As such, I have liaised with the applicant who has stated that the events would be finished by 20.30. Therefore I am of the opinion that taking into account the distance between Shurland Hall and the closest neighbouring properties, the tasting events finishing at 8.30pm on any day would not give rise to an unacceptable impact upon residential amenities. However, to ensure neighbouring amenities are protected I have recommended a condition which restricts the number of events, attendees and hours of use as set out above. I believe this to be satisfactory.

Other Matters

- 9.04 I note the objection received from the Parish Council and respond as follows. In my view there is now sufficient information submitted in order to be able to determine the application and to make a judgement as to the impact on both the listed building and highway amenities, both of which I consider to be acceptable and which have been dealt with above.

10.0 CONCLUSION

- 10.01 In overall terms I am of the view that the proposal is in compliance with both national and local policies in relation to the rural economy, would make use of existing buildings, would not impact unacceptably upon highway amenities or the listed building and would protect the character of the countryside. I am also of the opinion that the proposal would not cause significant harm to neighbouring amenities. I recommend that planning permission be granted.

11.0 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) The number of 'tasting events' shall not exceed 4 in any calendar year, with no more than 40 guests in attendance at any event and shall finish no later than 20:30 hours.

Reasons: To protect residential 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 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.