

Wrotham/Stansted
Wrotham/Downs

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27.10.2005

TM/05/03275/FL

Proposal: Change of use of domestic outbuilding to 4 bedroom dwelling
Location: The Keepers Cottage Wrotham Hill Road Wrotham Sevenoaks
Kent TN15 7PT
Applicant: Mr + Mrs A W Bullock

1. Description:

- 1.1 The proposal is to convert a two storey domestic outbuilding to a dwelling. It is shown to have three bedrooms with a small fourth bedroom/study.
- 1.2 The outbuilding was granted planning permission and was started in 1994 but construction was slow - it was not roofed until after 2000. The applicants state it has been used for storage and as a hobby room for several years. However, it has not yet been completed in accordance with its planning permission as the sheathing ply walls are still being insulated and externally clad with timber. The window openings have not yet been glazed but they are covered with clear protective film.
- 1.3 The addition of the insulation and timber cladding and the addition of glazed windows already have planning permission and are intended to be progressed as part of this development proposal. This application also includes the addition of a dwarf wall and double glazing units around one corner of the building (that is currently an open sided log store) in order to create an entrance hall.
- 1.4 The roof is already tiled with terracotta plain tiles and no changes are proposed other than the addition of up to 3 rooflights.
- 1.5 Three first floor windows on the western flank have already been altered to one high level flank window in order to deal with potential overlooking.
- 1.6 Its curtilage will be part of the established garden of the host dwelling the extension of the original curtilage to include this land having been granted retrospective planning permission at the same time as the outbuilding itself was approved.
- 1.7 Access to Wrotham Hill Road will be from an existing access separate to that used by the host dwelling.
- 1.8 The application includes the installation of a septic tank or bio-treatment plant as part of the foul drainage proposals.

1.9 The applicants have submitted a supporting statement, summarised below:

- *The curtilage to the converted outbuilding will be an original plot that was added to the plot of Keepers Cottage in the 1980s. Each plot is substantial, approx. 0.5 acre, generally larger than the plot site of other dwellings in the locality.*
- *The outbuilding resembles a barn in character and appearance and has been the subject of favourable comments by local residents.*
- *There is 20m between the outbuilding and Keepers Cottage.*
- *Changes to the flank windows and appropriate boundary hedging/fencing avoid overlooking.*
- *Stansted PC has inferred that it was always the proposers' intention to make a dwelling, which is not the case. Building Regulations required proper foundations, structural features and full structural calculations for all the main timbers which created a substantial building.*
- *The need for the building had been largely removed with the children leaving home and the proposers' wish to downsize a little but stay in the area.*
- *Precedents have already been set for conversions of barns to dwellings and these are covered by the planning guidelines of TMBC.*
- *Traffic flow increases occur with any new development including recent conversions of other local rural buildings.*
- *There have been no traffic incidents in front of the site as far as the applicants are aware.*
- *Since the building has been watertight, it has been used as a store and for woodworking hobby. It accommodates items previously stored in the garage which needed to store the tractor for insurance reasons.*

2. The Site:

2.1 The site is part of the side garden of Keepers Cottage. It is generally rectangular in area and measures 0.17ha. It has a depth of 40m and a frontage to Wrotham Hill Road of 39m.

2.2 The site is to the north of Wrotham Hill Road. The outbuilding is in the northwestern corner of the plot. To the rear is grassland under the ownership of the applicants. To the east is woodland, also in the ownership of the applicants.

2.3 The site lies within the MGB and SLA. It lies beyond the north of the extent of AONB.

3. Planning History:

- 3.1 TM/05/02194/FL Withdrawn 07.10.2005
Change of use of domestic outbuilding to 4 bedroom dwelling.
- 3.2 TM/94/1044FL Approved 17.11.1994
Change of use of land from agricultural to land to be incorporated within residential curtilage and erection of barn for storage and workshop use.
- 3.3 TM/90/1088 Approved 10.10.1990
Double glazed conservatory.
- 3.4 TM/89/1359 Refused 07.12.1989
Siting of temporary office with car park.
- 3.5 TM/81/630 Approved 23.06.1981
Two storey pitched roof side extension.
- 3.6 TM/78/1309 Approved 03.11.1978
Construct a conservatory over existing passageway.
- 3.7 TM/75/1207 Approved 14.01.1976
Extension to form bedroom at first floor.
- 3.8 MK/4/70/701 Approved 15.01.1971
Erection of garage.

4. Consultees:

4.1 Stansted PC: Objection

- Will set a precedent for domestic outbuildings to change to dwellings within the Green Belt

4.2 Wrotham PC : Objection

- The site is in the MGB, AONB and SLA and Policies P2/16; P3/5; P3/6 apply.
- The proposal to create 2 dwellings within the curtilage will expand the domestic character of the immediate area to the detriment of the surrounding Special Landscape.

4.3 EA: No objections subject to foul drainage being to a package treatment plant and care to be taken to avoid pollution of potable water supplies.

4.4 KCC (Highways): Visibility from the access will be satisfactory. No objections subject to gates being set back, widening for pedestrian use of the access and conditions for on-site parking and turning.

4.5 Private reps (5/0R/0X/0S) + Art 8 site notice: No response received at the time of writing the report.

5. Determining Issues:

5.1 The site is in a rural area and lies within the MGB and SLA. It lies just outside the AONB which extends up to the southern side of Wrotham Hill Road.

5.2 Policy P3/6 of the TMBLP on Special Landscape Areas requires priority be given to the conservation and enhancement of the natural beauty of the landscape.

5.3 Policies P2/16, P6/10, P6/14 and P6/15 of the TMBLP relate to development in the MGB/rural area. These policies establish criteria for the conversion of existing rural buildings to alternative uses, including as dwellings, and state that for dwellings created from conversion of a rural building, proposals at a later date to extend them will not normally be acceptable and the scale and nature of the residential curtilage around the building should not result in an adverse impact on the rural character or appearance of the countryside.

5.4 Strategic policy includes Policies MGB3 and RS5 of the KSP 1996 and Policies SS9 and HP6 of the KMSP 2003. These policies state that re-use of rural buildings should maintain the openness of the MGB and not prejudice other planning considerations. Policy SP1 of the KMSP is emerging strategic policy of considerable weight that reflects national planning guidance on environmental sustainability (PPS1, PPG3, PPG13). It requires that development should be in a sustainable form and pattern involving reducing the need to travel and fostering good accessibility to jobs and services.

5.5 Policy HP6 of the KMSP has been altered at the modifications stage and consequently the alteration is a material consideration in this case. The modification is such that the conversion of a rural building needs to meet an identified local need for housing and needs to be in a location which has good accessibility to a range of services in a nearby settlement.

5.6 PPG2 (Green Belts) states that the re-use of buildings in the MGB need not be inappropriate but that the building needs to be capable of conversion without substantial re-building and without a materially greater impact on the openness of the Green Belt arising from extension of re-used buildings or associated uses of land around buildings.

5.7 PPS7 (Sustainable Development in Rural Areas) supports the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.

5.8 It appears that the building as it stands is slightly taller than the approved building. This was investigated in 2000 but the difference was not judged to warrant action as 'de minimis'.

- 5.9 In this context, the building is subject to an extant planning permission that, if completed according to the approved plans, would then allow the building to be physically capable of conversion to residential use without further major alterations or substantial re-building. National, strategic or local policy does not require that a rural building has to have been used for its intended purpose for any particular length of time before conversion can be carried out although of course it would have been an abuse of the planning system if such a building were to be erected with the intention of it being a dwelling, rather than for its originally intended use.
- 5.10 Members are advised that the size of the outbuilding was justified at the time because it was said to be required to *"provide additional garaging for family cars to allow visitors to park safely in the drive, off the road. The Barn will also be used to provide a woodwork hobby shop, for storing garden machinery including a small tractor to maintain the adjacent woodland and as a log store. Part may be used as a stable with a hay loft above"*.
- 5.11 The applicant has indicated that the storage of the cars, tractor and garden machinery can now take place in the garage of the main house as their children have left home, with consequently reduced pressure on garage and storage space. He states that he does not yet have an alternative facility for his woodworking hobby.
- 5.12 Whilst I note that the applicants have stated that the outbuilding is no longer required by the current occupiers of Keepers Cottage for its originally intended use, it is the case that if a larger family were to occupy Keepers Cottage in the future, there is likely to be pressure for an ancillary outbuilding or extension to serve the host dwelling. I am of the view that Class E (curtilage) permitted development rights for the host dwelling would therefore need to be removed if Members were minded to grant planning permission.
- 5.13 The outbuilding is capable of being converted to a dwelling without extension. However, although there is scope for integral garaging and storage, none is shown. I am of the view that permitted development rights for the converted dwelling would therefore need to be removed if Members were minded to grant planning permission. The applicants have been advised that future extensions and garaging/outbuildings are unlikely to be favourably viewed.
- 5.14 The creation of a 3-4 bed dwelling at this location would involve creation of a separate domestic curtilage with associated paraphernalia, open parking and its own vehicular comings and goings. This would inevitably harm the openness of the MGB. Members will note that Wrotham PC considers that this would be of sufficient harm to be a reason for refusal. However, as the land is already residential curtilage, Members may form the view that on balance this would not warrant refusal of the application for that reason.

- 5.15 In terms of amenity, the new dwelling would be within 6m of the rear garden of Keepers Cottage. Overlooking of the neighbouring garden could result from first floor flank windows. These are shown to be high level. Moreover, they could be conditioned to be obscure glazed and restricted opening to safeguard privacy. Hence I do not consider the relationship between the new dwelling and the host dwelling is unacceptable in planning terms.
- 5.16 In terms of environmental sustainability, the proposal fails the general test, as it will introduce a new household into a rural area remote from any settlement or local service centre and with no convenient public transport. Scope for walking or cycling to local service centres is also extremely limited by the location of this proposed dwelling.
- 5.17 In terms of access to shops, by road it is approx. 3km to Wrotham, approx. 4.5km to Borough Green centre, approx. 5km to West Kingsdown and approx. 5 km to Culverstone Green. There is a public footpath route to Wrotham village that is approx. 1.2km in length but it is unlit and passes along an unmade track through areas of woodland.
- 5.18 It would be necessary to walk to Fairseat/Stansted (approx. 1.5km) to attend primary schools or to catch buses. There are 3 buses a day (Mon-Friday only) through that village that go to Gravesend although there are also school buses.
- 5.19 The topography of the locality comprises of hilly terrain, being at the crest of the North Downs. Roads are winding, narrow and unlit, generally single track and without footways.
- 5.20 There is no realistic choice of convenient means of public transport and this is particularly limited during school holidays and non-existent at weekends. Therefore the dwelling's occupiers and visitors would be highly dependent upon the use of private cars, contrary to sustainability principles. There are adequate more environmentally sustainable locations for new housing development elsewhere in the Borough.
- 5.21 PPS7 is recently published planning guidance which specifically states that re-use of rural buildings should now only be permitted where the location is appropriate and where it would contribute to sustainable development. I am therefore of the view that the proposal is contrary to national policy guidance on environmental sustainability and specifically Policy SP1 of the KMSP and Policy HP6 of the recent modifications to the KMSP.

6. Recommendation:

6.1 **Refuse Planning Permission** as detailed by letter dated 27.10.2005; site location plans; photographs; details of foul drainage and drawings 1;1A;2;3;4;5;6;7;8 all date stamped 27.10.2005 for the following reasons:

- 1 The proposed dwelling due to its location remote from local service centres and with limited scope for walking, cycling or use of public transport will increase the need to travel by private car and hence represents an unsustainable pattern of development, contrary to PPS7 (Sustainable Development in Rural Areas) and Policy SP1 and Policy HP6 (as modified) of the Kent and Medway Structure Plan (Deposit) 2003.

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