
Report from 2 March 2016

Shipbourne **560777** **9 December 2015** **TM/15/03865/FL**
Borough Green And **151813**
Long Mill

Proposal: Proposed conversion of existing stable and hay barn into dwelling house (including new roof and walling to hay barn) with associated creation of domestic curtilage, access and parking facilities
Location: Great Oaks House Puttenden Road Shipbourne Tonbridge Kent TN11 9RX
Applicant: Mrs L Cohen

1. Description:

- 1.1 The proposal seeks planning permission for the conversion of the existing single storey stable and hay barn building into a 2 storey residential dwelling, with reconstruction of the hay barn and a new gable ended pitched roof over the whole building where there is a current part pitched and part flat roof. The new roof will cantilever out to result in a covered rear porch. There will be a cut-out dormer on the rear roof face.
- 1.2 The converted stable building will provide accommodation consisting of living/dining/kitchen and 3 bedrooms, together with ensuite bathroom and shower room. Within the stable building, it is proposed to reuse the existing door openings on the south-east elevation.
- 1.3 Access to the proposed dwelling would be provided via an existing field access that connects with Puttenden Road and currently serves the stables and adjacent fields. Vehicle parking is shown to be provided by a new area of gravel hardstanding to the front of the buildings. A small curtilage would be provided around the new dwelling.
- 1.4 It is proposed to remove the existing corrugated roof and replace it with natural slate. It is proposed to replace the softwood windows with powder coated aluminium.
- 1.5 The residential curtilage of the converted building would extend to the rear of the building by 3.5m, but the main garden area would lie to the north-east of the building.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillors Shaw and Taylor, on the grounds of continuity because of similar works in the vicinity.

3. The Site:

- 3.1 The site comprises a disused stable building and hay barn. To the front of this lies a grassed area of land, with mature ornamental vegetation located towards the north-eastern and south-eastern boundaries. It lies within land owned by Great Oaks House, but not predominantly residential curtilage.
- 3.2 To the north-west of the site lies an open agricultural field, also falling within the ownership of the applicant.
- 3.3 The site lies within the open countryside and MGB. The site is also within an AONB and AAP.

4. Planning History (relevant):

TM/00/00853/FL	Grant With Conditions	13 June 2000
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Erection of conservatory to the rear

TM/75/11352/FUL	grant with conditions	4 April 1975
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Stables.

TM/77/10355/FUL	grant with conditions	9 August 1977
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Erection of Hay Store.

TM/12/00189/LDE	Refuse	11 June 2012
	Appeal Allowed (on smaller area)	9 September 2013

Lawful Development Certificate for existing use of land as residential curtilage

5. Consultees:

- 5.1 PC: No objection
- 5.2 Private Reps (2/0X/5S/0R + Site Notice): 5 letters of support received.

6. Determining Issues:

- 6.1 The main issues are whether the proposal would be inappropriate development in the Green Belt, whether the building is capable of acceptable conversion to a dwelling and whether the conversion and proposed external alterations to the

building would adversely affect the AONB or the visual amenity of the broader rural locality.

- 6.2 The application site is in the Green Belt and therefore Section 9 of the NPPF applies. Within this Section paragraph 90 advises that the re-use of buildings that are of permanent and substantial construction, along with engineering operations, are a certain form of development that is not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. I consider that a conversion of an existing building and retaining of the land around the building would, in principle, meet this provision. However, for this specific proposal, the hay barn would require substantial reconstruction and alteration and a new roof is proposed over the stable building. This new roof results in a volume increase of over 50%. That is not an exception under paragraph 90 and would therefore be inappropriate development in the Green Belt. This is reflected by Policy CP3 of the TMBCS.
- 6.3 Policy CP14 of the TMBCS restricts development in the countryside to specific development listed in the policy. One of these is the conversion of an existing building for residential use. However, the proposal would not comply with this policy given that the proposal would involve substantial/major reconstruction.
- 6.4 Policy DC1 of the MDEDPD relates to the re-use of rural buildings. Parts 1 and 2 of this policy are relevant to this proposal. These are addressed below.
- 6.5 The applicant has not submitted a Structural Survey with the application. However, paragraph 7.2 of the submitted Planning, Design and Access Statement acknowledges that the hay barn structure would need substantial reconstruction and alteration and that a new roof over the dwelling would be required. The hay barn consists of approximately half of the existing built form, and therefore I am of the opinion that it can be concluded that the proposal is contrary to paragraph 90 of the NPPF and DC1 of the MDE DPD. The proposed new roof would be at a greater pitch on the rear of the proposed building and this would also create increased volume to the building that indicates the building is not being “converted” in the true sense of the word.
- 6.6 It is proposed to replace the existing stable doors at the front of the building with large windows and put a mock-weatherboarded door next to each of these windows, to create the appearance of open stable doors. Whilst timber doors would be preferable, I am of the opinion that this would not harm the character and appearance of the existing building sufficient to be another reason for refusal.
- 6.7 The building is well separated from Great Oaks House and The Stables and visually well screened by a high wall. The proposal would therefore be acceptable in terms of residential amenity. There are a number of residential dwellings near to the application site. The proposal would not result in a loss of privacy or light to the neighbouring properties.

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- 6.8 It is proposed to use the existing access onto Puttenden Road. Given the existing use, I am of the opinion that the proposed dwelling would not result in any additional highway impact. The proposal shows sufficient off-street parking provision to accord with Kent Vehicle Parking Interim Guidance Note 3, along with sufficient turning space.
- 6.9 The proposed use will not affect any surrounding agricultural land holding. Some additional hedging is proposed. The visual impact of these hedges would not be out of place with this rural locality.
- 6.10 A Bat Building Survey has been submitted, prepared by Martin Newcombe Wildlife Management Consultancy. The survey concludes that the buildings are dry and well-ventilated, producing a poor habitat for roosting bats. One bat dropping was found when exploring the stables, and it is likely that this was from a bat exploring the stables. The report considered the possibility of other wildlife being present. There were no suitable adjacent hedges suitable for use by dormice, or ponds suitable for great crested newts in the vicinity of the survey site, and no badger setts or field evidence in the area. The grass around the survey site had been regularly cut and was totally unusable by common reptiles. As a result of these findings it was considered that the proposal would be unlikely to impact upon protected species, although the report did recommend ecological enhancement measures.
- 6.11 The stable building and hay barn are not listed buildings, and not within the Conservation Area.
- 6.12 The proposal is sited next to an existing residential property and surrounded by adjacent garden land. The proposed curtilage comprises a sufficiently modest and relatively contained area. Whilst the screening from the highway would minimise the impact of the normal domestic paraphernalia on the rural character of the area, it will still introduce domestic paraphernalia into the area.
- 6.13 Paragraph 55 of the NPPF advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that new isolated homes in the countryside should be avoided unless there are special circumstances. In this case, the proposed new dwelling would be isolated in that it would be outside of any nearby settlement. However, the development would re-use a redundant building.
- 6.14 Policy CP24 of the TMBCS requires development to be of a high quality and be well designed to respect the site and its surroundings in terms of its scale, layout, siting, character and appearance. Policy SQ1 of the MDE DPD advises that new development should protect, conserve and, where possible, enhance the character and local distinctiveness of the area.
- 6.15 The external alterations to the front of the building will retain the rural stable appearance of the existing stable building. Given that the hay barn will need to be

rebuilt, and a new, higher pitched roof is proposed to the rear of the stable building, the main visual change resulting from the proposal would be to the rear of the building. This new roof results in a volume increase of over 50%. I am of the opinion that the proposal will appear more bulky in appearance than the existing building and would appear less rural, therefore out of keeping with the surrounding rural locality and openness of the Metropolitan Green Belt. The proposed changes to the rear are fairly contemporary. Whilst these changes will result in a building that would be less rural in character, when viewed from the rear, on balance I am of the opinion that the proposal will not have a significantly detrimental impact upon the character of the building and would not be contrary to Policy CP24 of the TMBCS.

- 6.16 Given the relatively small scale of the development, the proposal would not, in my view, adversely affect the natural beauty and quiet enjoyment of the AONB. The proposal would therefore satisfy policy CP7 of the TMBCS.
- 6.17 I have considered other consents which may be able to be considered to be similar to this proposal. Relatively close to the site, planning permission has been given for the extension and conversion of existing agricultural barn to provide a three bedroom dwelling together with the demolition of three remaining agricultural buildings and the erection of detached garage at land adjacent to Hookwood Orchard, Puttenden Road (TM/15/00850/FL). This was approved largely on the basis that the resulting building would have been a lot smaller than the existing and that the proposal would improve the appearance of an untidy site.
- 6.18 Also, a proposal for the conversion of equestrian buildings to form 1 no. residential dwelling and associated works at land opposite Highlands Farm, Horns Lane, Mereworth (TM/15/01576/FL), was refused planning permission at Area 2 Planning Committee on 19 August 2015. One of the reasons for this decision was that the buildings could not be converted into a dwellinghouse without major reconstruction and extension, and would therefore be inappropriate in the Green Belt and countryside.
- 6.19 In light of the above considerations, I am of the opinion that the proposal is contrary to paragraph 90 of the NPPF and Policy DC1 of the MDE DPD, in that the existing buildings that are proposed to be re-used are not all of permanent and substantial construction and that the hay barn structure would need substantial reconstruction and alteration and that a new roof over the dwelling would be required. I can see no inconsistencies in these decisions and it must be remembered that cases should be determined on their merits. In light of this, it is recommended that the application be refused.

7. Recommendation:

7.1 Refuse

- 1 The site lies within the Metropolitan Green Belt where there is a strong presumption against permitting inappropriate development, as defined by paragraph 87 of the National Planning Policy Framework 2012. The proposal would involve substantial reconstruction and enlargement of a rural building. The proposed development therefore constitutes inappropriate development and would therefore be contrary to paragraph 90 of the National Planning Policy Framework 2012, policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007 and policy DC1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD 2010. No very special circumstances or material considerations are considered to outweigh the harm.

Contact: Glenda Egerton

SUPPLEMENTARY REPORTS

AREA 2 PLANNING COMMITTEE

DATED 2 March 2016

**Shipbourne TM/15/03865/FL
Borough Green & Long Mill****Proposed conversion of existing stable and hay barn into dwelling house (including new roof and walling to hay barn) with associated creation of domestic curtilage, access and parking facilities at Great Oaks House Puttenden Road Shipbourne for Mrs L Cohen**

Applicant: A further letter and comparison plan has been received from the applicant who is concerned that there are a number of inaccuracies in the main committee report.

Private Reps: There have been a total of six letters of support received.

DPHEH: The proposal will not increase the overall ridge height of the building. However, it is proposed to increase the pitch of the rear of the roofslope of the existing stable building to be of a greater pitch, so as to form a catslide roof over the rear of the stable building and the hay barn.

The applicant has clarified that the land to the north-west of the site is equestrian paddock land, in association with the stables and hay barn.

The applicant has raised an inaccuracy in the main committee report, in relation to paragraph 6.2, which states that the new roof will result in a volume increase of 50%. I think that it is fair to say that the increase in volume that would result from the new roofslope would be approximately 19%. The applicant has stated that their calculations of the existing hay barn and stable are 482 cubic metres, and the proposed volume is 576 cubic metres. However, given that the hay barn would require substantial reconstruction and alteration and a new roof is proposed over the stable building means that the proposal is not an exception under paragraph 90 and would therefore be inappropriate development in the Green Belt. This is reflected by Policy CP3 of the TMBCS.

RECOMMENDATION REMAINS UNCHANGED.