

a) **DOV/21/01564 - Erection of an outdoor toilet block (existing shed to be demolished) - The Old Rectory, Mongeham Church Close, Great Mongeham**

Reason for referral – number of contrary views (8)

b) **Summary of Recommendation**

Planning permission be granted subject to conditions.

c) **Planning Policy and Guidance**

Legislation

The combined effect of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) is that planning applications must be determined in accordance with the statutory development plan unless material considerations indicates otherwise.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the planning authority should pay special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Development Plan

Core Strategy (2010) Policies DM15 and DM16

National Planning Policy Framework (2021)

Paragraph 126 – the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 199 – great weight should be given to the conservation of designated heritage assets.

d) **Relevant Planning History**

16/01474 - Conversion of stable to form two bedroom ancillary accommodation. Alterations including: removal of staircase and insert partitions. LBC approved Granted

17/00256 - Conversion of outbuilding to ancillary accommodation and the insertion of new window and door. Granted

20/00589 - Change of use of land for wedding and events venue with marquee and works to the single storey outbuilding to facilitate conversion to a toilet block. Granted

20/00590 - Replacement roof and side window including repairs to single storey outbuilding attach to the north east corner of the walled garden. LBC Approved

20/00933 - Erection of a gazebo. Granted

20/00933/A - Non-material amendment to DOV/20/00933 - to allow for a change to the gazebo roof from flat to rounded. Refused

21/01942 - Erection of a gazebo. Pending consideration.

21/01555 - Demolition of outbuilding. LBC Granted

22/00502 - Erection of a summerhouse. LBC Granted

e) **Consultee Responses and Third-Party Representations**

Great Mongeham Parish Council: Object to this application as the proposed toilet block is so much larger than the original building, at 12 square metres as opposed to the original 3 square metres, it will not be in keeping in the garden of a listed building in a conservation area. Also concerned that part of the building appears to be taller than the original structure and will be visible above the wall.

Historic England: no comments.

DDC Heritage: The site includes a curtilage listed C19<sup>th</sup> stable block which has been converted to ancillary accommodation and an C18<sup>th</sup> curtilage listed enclosed walled garden. The site is also within Great Mongeham Church Conservation Area

The design includes the introduction of new materials such as timber weatherboarding and a corrugated roof, but these materials are not considered to harm the setting of the listed building or impact on the conservation area. There would be very limited views of the building set behind a high walled garden and its appearance within the walled garden would appear as a lightweight outbuilding structure that has a traditional design and appearance.

The footprint is larger than the derelict shed but set within the corner of the walled garden its scale and siting do not compete for dominance. There would be very limited views of the toilet block within the conservation area and it would not restrict views from public vantage points. The building is subservient to the walled garden, adjacent Old Rectory main house and surrounding buildings. It would preserve the character of the conservation area. The position of the toilet block set 1m away from the curtilage listed garden wall is to ensure there is no impact on the sensitive historic boundary.

Paragraph 199 of the NPPF 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. Due to the detailed design and siting of the block it is considered that there is no harm.

**Public Representations**

Eight letters of objection to the proposed development have been received which raise the following comments:

- proposed materials are in appropriate for the conservation area
- materials should match the main house and adjacent walls – they do not
- too large in scale and height
- the wedding and events planning permission cannot be implemented due to unachievable visibility splays

## **1. The Site and the Proposal**

### The Site

- 1.1 The Old Rectory lies within the village confines of Great Mongeham and within Great Mongeham Conservation Area (Church Area). It is located at the end of Mongeham Church Close, accessed off Northbourne Road. Mongeham Church Close is both an adopted road and a Public Right of Way (ED49).
- 1.2 The Old Rectory is Grade II listed, constructed during the second half of the 18th century. The main house is positioned towards the centre of the plot, with a gravel forecourt to the front and two walled gardens to the west (side) and north east (rear) of the building. To the south of the site is St Martin's Church (Grade II\* listed).
- 1.3 The site has planning permission (DOV/20/00589 – approved October 2021) for use as a wedding and events venue, including marquee and conversion of an outbuilding to toilet block. This planning permission is subject to a number of conditions including that:
  - temporary three year planning permission from 22/10/21;
  - number of weddings/events shall be limited to 30 weddings/events per year with a maximum of 50 guests for each event: in the interests of highways matters;
  - details of external light to be approved: in the interests of ecology;
  - landscaping scheme for walled garden to be approved: in interests of visual amenity;
  - noise limits for music and amplified sound: in the interests of amenity;
  - removal of marquee the day after each wedding: to preserve the setting of the listed building.

### Proposed Development

- 1.4 Planning permission is sought for the erection of a detached outbuilding to provide male, female and disabled toilet facilities in connection with the approved use of the site as a wedding and events venue. The building would measure some 5.6m by 3.24m, with gabled ends and a shallow pitched roof over, with single storey eaves and a ridge height of 2.75m.
- 1.5 The building would be located towards the eastern corner of the walled garden (although detached from the wall) to the west of the Old Rectory. The walls of the walled garden would be retained, although a small derelict lean-to in that eastern corner would be removed.
- 1.6 The new building would have a brick plinth (reusing bricks from the lean-to) with oak weather-boarded cladding above. Doors would be painted timber. The roof would be

grey, corrugated sheeting. The toilet block would be connected to the existing foul water drain of the Old Rectory.

- 1.7 The demolition of the existing outbuilding was granted listed building consent in December 2021 under application reference DOV/21/01555

## 2. **Main Issues**

### **Assessment**

- 2.1 The main issue is whether the proposed outbuilding would have an appropriate impact on the historic setting of the Old Rectory and wider character of the area.
- 2.2 The proposed toilet block would almost be entirely screened from the Old Rectory to the east (including its front forecourt and larger rear garden) by the retained walls of the walled garden. The building, clad in timber boarding with a brick plinth, would have a sensitive appearance when seen from limited views within the walled garden.
- 2.3 This enclosure and appropriate use of materials are considered to preserve the historic setting of the Old Rectory, as well as that of St Martin's Church. The appearance of the building would also be appropriate in respect of the special character of the conservation area. Whilst in some views the top of the building would be seen above the garden walls, this does not equate to harm or an unacceptable impact.
- 2.4 Thus, with great weight given to the conservation of the Old Rectory and its listed garden walls, the setting of other heritage assets including St Martin's Church (Grade II\* listed) and the character of the Great Mongeham Conservation Area, in accordance with the Framework, their significance would not be harmed by the proposed development.
- 2.5 The proposed toilets are in connection with extant planning permission DOV20/00589 for the use of the site as a wedding and events venue. If this change of use is implemented there are already sufficient conditions relating to the operation of that development to safeguard residential amenities. No further conditions specifically relating to the use of the toilet block are considered necessary.
- 2.6 If the change of use for a wedding venue under DOV/20/00589 is not implemented and the Old Rectory remains as bed and breakfast, the provision of additional toilets are may not be necessary; but given the absence of harm from the development now proposed it is considered unnecessary to restrict its implementation to that of the extant change is use.
- 2.7 Overall, the proposed toilet block, where there is no heritage harm would accord with the heritage and other provision of the Framework, as well as the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of preserving the setting of listed buildings and the character of the surrounding conservation area.

## g) **Recommendation**

- I That PLANNING PERMISSION BE GRANTED subject to conditions:
1. Standard time limit
  2. List of approved plans
  3. Material samples to be approved
  4. Details of external flues and vents

- II Powers to be delegated to the Head of Planning and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

Case Officer

Andrew Somerville