

a) **DOV/21/00141 - Change of use and conversion into four dwellings, associated parking and landscaping - Barn at Staple Farm, Durlock Road, Staple**

Reason for referral: Number of contrary views (11)

b) **Summary of Recommendation**

That planning permission be granted subject to conditions.

c) **Planning Policy and Guidance**

Development Plan

The statutory development plan comprises:

- Core Strategy (2010) (“**the Core Strategy**”)
- Land Allocations Local Plan (2015)
- Saved Policies of the Local Plan (2002)

Relevant policies of the Core Strategy include:

- CP1: Settlement Hierarchy
- CP4: Housing Quality, Mix, Density and Design
- CP5: Sustainable Construction Standards
- CP6: Infrastructure
- DM1: Settlement Boundaries
- DM4: Re-use or Conversion of Rural Buildings
- DM11: Location of Development and Managing Travel Demand
- DM13: Parking Provision
- DM15: Protection of the Countryside
- DM16: Landscape Character

As is the case with the development plan, where existing policies were adopted prior to the publication of the National Planning Policy Framework (July 2021) (“**the Framework**”), the weight to be given to them depends on their degree of consistency with the policies of the Framework (paragraph 219).

Other Material Considerations

Other information material to the consideration of the planning application includes:

National Planning Policy Framework

The Framework sets out the Government’s planning policies for England and how these are expected to be applied. It is therefore a material consideration, to which significant weight should be attached in determining the application.

Sections of the Framework are referred to, as relevant, in the assessment section of this report below.

Draft Dover District Local Plan

The draft Dover District Local Plan sets out planning policies and proposals for new development in the District over the period from 2020 to 2040 and when adopted will replace the existing development plan. The emerging Local Plan is at Regulation 19 consultation stage and is a material planning consideration in the determination of this

planning application. The weight to be afforded to its policies depends (in accordance with paragraph 48 of the Framework) on the nature and extent to which there are unresolved objections and their consistency with the Framework.

Relevant policies of the emerging Local Plan include:

- Policy SP4: Residential Windfall Development
- Policy CC4: Water Efficiency
- Policy CC6: Surface Water Management
- Policy PM1: Achieving High Quality Design
- Policy PM2: Quality of Residential Accommodation
- Policy TI1: Sustainable Transport and Travel
- Policy TI3: Parking Provision on new Development
- Policy NE2: Landscape Character
- Policy HE1: Designated and Non-Designated Heritage Assets

Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, where regard is to be had to the statutory development plan in determining an application for planning permission, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.

d) Relevant Planning History

17/00916 Prior approval for the change of use of an agricultural building into three dwellinghouses. Prior approval not required (29/09/17)

18/00212 Creation of hardstanding. Planning permission granted (13/07/18)

19/01055 Change of use and conversion to three dwellings, associated parking and landscaping. Planning permission granted (17/12/19)

e) Consultee Responses and Third-Party Representations

KCC Public Rights of Way

Confirmed no comments.

DDC Environmental Health

No objections subject to condition to ensure a watching brief for any potential ground contamination.

Third Party Representations:

11 letters of objection have been received as summarised below:

- Loss of privacy and dominating impact on views;
- Lack of sufficient parking;
- Grade 1 agricultural land;
- Annoyance, nuisance or disturbance;
- Details of foul sewerage needed

- Applicant has right to access driveway (owned by Staple Farm Mews Management, not the applicant) with agricultural vehicles only. Safety concerns for access (construction and occupation phase) if used for residential;
- Private covenant that any alterations to Staple Farm must not interfere with other residents or cause annoyance, nuisance or disturbance;
- Concern the applicant has no right to dig up the drive to lay services.

(Officer comment: The final three points above are not material to the outcome of the planning application, relating to civil matters.)

f) 1. **The Site and the Proposal**

The Site

- 1.1 The application site comprises an existing agricultural barn clad in corrugated sheeting. The red line of the site defines a proposed curtilage area around the barn and includes an existing driveway between the barn and Durlock Road.



Figure 1: Site location

- 1.2 The site lies outside but adjacent to the west of the settlement confines of Staple.
- 1.3 To the north and west of the site is open farmland; to the south are smaller enclosed fields / paddocks; and to the east is a cluster of residential properties including some that were former agricultural buildings.
- 1.4 To the south east of the site are two listed buildings fronting Durlock Road – a Grade II listed thatched cottage and a two storey farmhouse.

- 1.5 On the opposite side of Durlock Road is new build residential development – a series of chalet form bungalows.

Proposed Development

- 1.6 Planning permission is sought for the change of use and conversion of the existing barn to create four dwellings, along with associated parking and landscaping.
- 1.7 The four dwellings would comprise: 2no. 4-bed units at either end of the barn and 2no. 2-bed units in the centre to complete the terrace.
- 1.8 The elevations of the building would be clad with brick and weatherboarding, with vertically proportioned windows at first and ground floor level and series of rooflights above. The elevations would be similar to those approved under 19/01055.



Figure 2: Proposed Front Elevation

- 1.9 To the rear and northern flank of the building, terrace / garden areas would be created for each dwelling; and to the front of the building is car parking and associated vehicle manoeuvring space along with areas of soft landscaping.

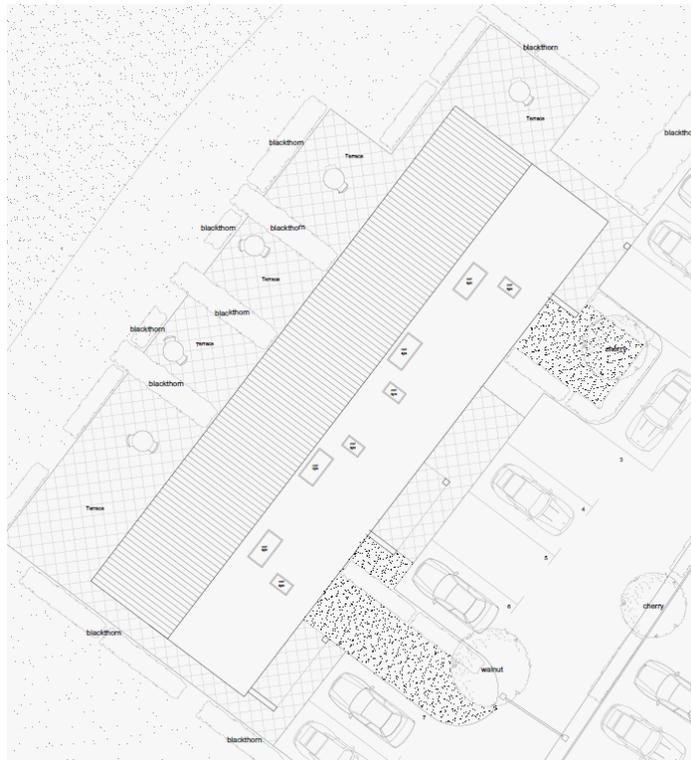


Figure 3: Proposed Site Plan

2. Main Issues

2.1 The main issues for consideration of this planning application are:

- Principle of development
- Character and appearance of the area
- Residential amenities – those of neighbouring properties and future occupants
- Highway safety
- Other matters

Assessment

Principle of Development

2.2 Core Strategy Policy DM4 allows the reuse and residential conversion of structurally sound and permanent buildings that are located within rural settlements or adjacent to their defined confines.

2.3 As the application site is considered adjacent to the settlement boundary of Staple, the development is afforded in principle support from Policy DM4.

2.4 The proposed development is also compliant with draft Local Plan Policy SP4 (residential windfall development) in that it would result in the re-use of a redundant / disused building, and would enhance its immediate setting with landscape improvements / planting at the front.

- 2.5 Policy DM4 and Policy SP4, in respect of the proposed development, are consistent with paragraph 80 of the Framework in that both encourage the effective reuse of disused buildings in rural areas.
- 2.6 Core Strategy Policy DM11 seeks to limit development outside rural settlement confines to help establish a sustainable pattern of development, unless that development is justified by other development plan policies.
- 2.7 The in-principle support of Policy DM4 to the proposed development therefore satisfies Policy DM11.
- 2.8 It is noted that if there had been conflict with Policy DM11 this would attract only limited weight. The blanket restriction of Policy DM11 to development outside of settlement boundaries does not follow the approach of the Framework, which instead seeks to actively manage patterns of growth to support sustainable modes of transport (considering the location of development on its specific merits).
- 2.9 With regard to emerging Local Plan Policy TI1 (sustainable transport and travel), the application site is in walking distance of bus stops which serve route 44 (between Eastry, Sandwich and Canterbury) and Sandwich Connects (between Staple, Sandwich and Deal). The location of the site is sustainable in these terms, in the context of a rural area.
- 2.10 Relevant to the principle of development is also the recent planning permission (19/01055) granted for the change of use / conversion of the same building to three dwellings. What is now proposed is utilising the same building and extent of land as this extant permission. The only change being that an additional dwelling is to be created with additional parking provision.

Character and Appearance

- 2.11 The development would maintain the existing built envelope of the barn, with its simple gabled and pitched roof form. Whilst the conversion would require new windows and doors, these would not unduly detract from the rural character or appearance of the wider area.
- 2.12 In views from the open landscape to the west, the converted building would be seen against a backdrop of the existing village.
- 2.13 Final brick and cladding materials for the change to the exterior of the building can be secured by condition, to ensure it remains in keeping with the surrounding area.
- 2.14 Car parking would be sensitively located between the barn and existing buildings to the east. Whilst each dwelling would have a defined garden / curtilage area, which would take on a more domestic appearance, this does not excessively extend into the open fields and would generally preserve the wider landscape character.
- 2.15 Details of fencing to the rear (to avoid more suburban close board fencing) and landscaping to the front of the building can reasonably be secured by condition.

- 2.16 Overall, the development would be sympathetic in appearance to the surrounding rural village character, in accordance with emerging Local Plan Policy PM1 (achieving high quality design).

Residential Amenity

- 2.17 The nearest properties to the barn are positioned some 30m away, across an existing area of car parking, such that there would be no material impact upon their amenities. The use of the shared driveway off Durlock Road by residents of the converted barn also does not raise any issues of amenity.
- 2.18 As the conversion would not increase the size / envelope of the barn, there would be no change in the general outlook or views from neighbouring properties. There would therefore be no harm to residential amenity.
- 2.19 The proposed dwellings, together with their individual rooms would be of a good size, with all habitable rooms naturally lit. Along with proposed garden areas, the internal living conditions of the future occupiers are considered acceptable.

Highway Safety

- 2.20 Emerging Local Plan Policy TI3 relates to car parking for new development, with reference to Parking Standards for Kent SPD: a minimum of 1.5 spaces for 2 bed dwellings and 2 spaces for 4 bed dwellings, plus 0.2 spaces per dwelling for visitors. Although the number of shown parking spaces differs between the proposed site plan (11 spaces) and proposed floor plan (7 spaces), as either shows sufficient space for car parking alongside soft landscaping, this matter can be addressed by a condition requiring final parking and planting details to be approved.

Other Matters

- 2.21 Electric vehicle charging infrastructure and cycle parking for each dwelling can also be secured by condition.
- 2.22 With regard to the two listed buildings fronting Durlock Road, given the minor external changes to the barn, distance of separation (of some 60m) and other intervening buildings/curtilages, the proposed development is considered to have no impact upon their historic significance. This is consistent with previous planning approvals on the site.
- 2.23 The application site is located beyond the 9km zone of influence of the Thanet Coast and Sandwich Bay SPA, defined by emerging Local Plan Policy NE3.
- 2.24 The barn conversion would not result in the significant loss of best and most versatile agriculture land.
- 2.25 Details regarding surface water and foul drainage can be secured by condition.

3. Conclusion

- 3.1 In light of the assessment above, the residential change of use/conversion of the existing building would represent sustainable development adjacent to the existing settlement confines of Staple (served local bus services) and would

maintain the general character and amenities of the area. It is therefore considered that planning permission should be granted.

g) Recommendation

- I PLANNING PERMISSION BE GRANTED subject to conditions:
 - 1. Standard time limit – 3 years
 - 2. List of approved plans
 - 3. Material samples to be approved
 - 4. Parking spaces – details, provision and retention
 - 5. Hard and soft landscaping – details to be approved
 - 6. Restriction of permitted development rights for extensions
 - 7. Bin and cycle storage – details
 - 8. Electric vehicle charging
 - 9. Water efficiency of 110 litre per person per day
 - 10. Scheme for the disposal of foul sewage
 - 11. Unforeseen contamination
 - 12. Construction management plan

- 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