

- a) **DOV/20/00623 – Conversion of Kent barn and stable block to two residential dwellings (with associated works), erection of two semi-detached and one detached dwelling with associated parking (existing Dutch barn and side extension of Kent barn to be demolished) - Church Farm, The Street, Staple**

Reason for report – Number of contrary views (9)

- b) **Summary of Recommendation**

Grant planning permission subject to conditions

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010) (CS)

CP1/DM1 – Settlement Confines
DM4 – Conversion of Rural Buildings
DM11 - Travel demand
DM13 – Parking Provision
DM15 - Protection of the countryside
DM16 - Landscape Character
Land Allocations Plan 2015

National Planning Policy Framework (NPPF) (2021)

Paragraphs: 7, 8, 11, 60, 78, 79, 80, 110, 111, 119, 120, 130, 174, 180, 181, 185, 195, 197, 202

Draft Dover District Local Plan

The Consultation Draft Dover District Local Plan is a material planning consideration in the determination of this planning application. At this stage in the plan making process (Regulation 19) the policies of the draft can be afforded some weight, but this depends on the nature of objections and consistency with the NPPF.

The most relevant Draft Local Plan policies for this application are:

SP1: Planning for Climate Change
SP4: Residential Windfall Development
SP13: Protecting the District's Hierarchy of Designated Environmental Sites and Biodiversity Assets
SP14: Enhancing Green Infrastructure and Biodiversity
CC4: Water Efficiency
CC6: Surface Water Management
PM1: Achieving High Quality Design
PM2: Quality of Residential Accommodation
TI1: Sustainable Transport and Travel
TI3: Parking Provision on new Development
NE2: Landscape Character
NE3: Thanet Coast and Sandwich Bay SPA Mitigation and Monitoring Strategy
HE1: Designated and Non-Designated Heritage Assets

The Kent Design Guide (KDG)

The Guide provides criteria and advice on providing well designed development that considers context as part of the evolution of the design.

Other

Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006

Technical Housing Standards – nationally described space standards

Planning (Listed Building and Conservation Areas) Act 1990

d) **Relevant Planning History**

17/01133 | Prior approval for the change of use of agricultural buildings (Dutch Barn) to three residential dwellings – Prior approval refused for the following reasons:

- The building operations necessary to convert the building referred to in paragraph (a) to use falling within Class C3 (dwellinghouse) of that Schedule go beyond the extent of works that were envisaged by the terms of Class Q (b) and Q.1 (i).
- The LPA is of the opinion that on the balance of probability the development is not in any case permitted by the Order, by virtue of the conditions, limitations and restrictions envisaged by Class W (3) (b)

Nearby housing developments:

19/00120 (Land East Of The Courtyard Durlock Road Staple) - Erection of 8 dwellings (6 affordable rented units) with associated parking and vehicular access – Approved January 2020. Approved following a local housing needs survey which identified a local need for 6 affordable rented houses. The two market dwellings were permitted to cross subsidise the affordable rented homes following a viability assessment. The site is located outside but adjacent the village boundary. This planning permission has been implemented.

19/01055 (Barn At Staple Farm Durlock Road Staple) - Change of use and conversion into 3no. dwellings – Approved December 2019. Prior approval fall-back for conversion to three dwellings under 17/00916. Permission has not yet been implemented and a new application has been submitted for a conversion to four houses under application 21/00141 which is to be considered on this agenda.

16/00442 (Three Tuns The Street Staple) - Erection of eight dwellings, change of use and conversion of the existing public house into a single residential dwelling, creation of vehicular access, parking area and associated works – Approved April 2017. The pub has been converted and construction works for the new dwellings has recently commenced. The new houses are located outside but adjacent the village boundary.

15/00899 (Orchard Lea The Street Staple) - Erection of four detached dwellings – Approved Sept 2015. The village boundary was extended to include this site. This site was identified for housing in the Land Allocations Plan 2015 Policy LA 45. This planning permission has been implemented.

The nearby housing developments are shown on the below map in relation to the application site and village confines.

- Impact on wildlife.
- Potential impact on bats.
- Dangerous roads through the village.
- Noise from vehicles passing adjacent ground floor bedroom windows.
- Light and noise pollution.
- Loss of privacy.
- Increased traffic in the village.
- Impact on the setting of listed buildings.
- The Church Farm driveway may not be wide enough to allow 2 vehicles to pass each other simultaneously.
- No objection to the development of brownfield land and proposed plans.
- Impact on trees adjacent to the development, a very large Tulip tree is right on the boundary of our listed garden. We have no desire to lose such a beautiful specimen but can foresee a future problem with it should this dilapidated building be developed.
- The Oak Tree on Church Farm is not shown on the plans. Will this tree be retained.
- What are the proposed boundary treatments.
- As this is a working arable farm at present, with farm machinery, there will be no buildings to house the farm equipment.

1 Comment in support of the application on the following summarised ground:

- Proposal will make use of existing buildings for residential use

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

The Site

- 1.1 The application site comprises a collection of farm buildings located in the rural area adjacent to the village boundary of Staple. The site contains a historic Kent Barn and single-storey stable block dating from the 19th Century and a large open steel frame Dutch Barn dating from the 1950s. The central area within the site forms the original farmyard and serves as a parking and turning area. Church Farmhouse is located to the north of the site and fronts onto The Street. The farmhouse is a modern two-storey detached dwelling with a vehicle access to the east of the farmhouse which is shared with the application buildings. There is no defined boundary between the farmhouse and application site. The application site contains a number of trees and grass amenity areas adjacent to the buildings and there are a number of trees located on or adjacent to the site boundary.

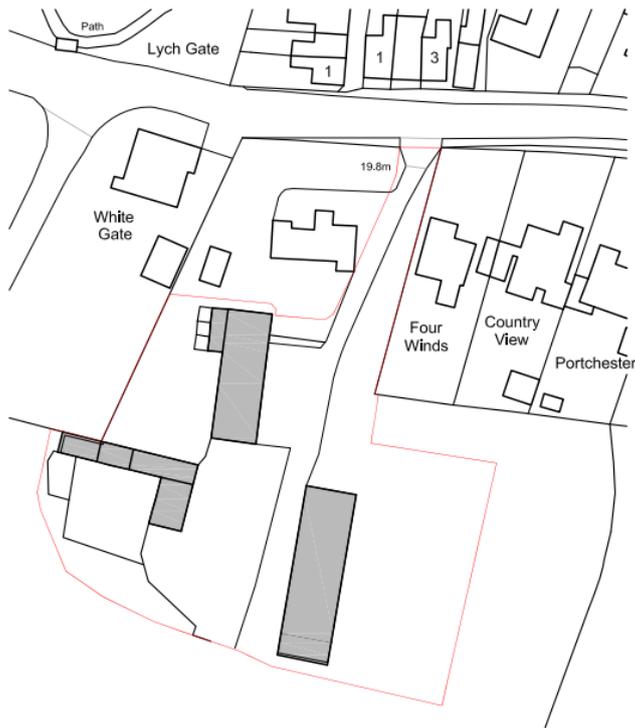


Figure 2: Site Location Plan

- 1.2 The houses to the north of the site form part of the linear pattern of residential development along the south side of The Street and fall within the village boundary, including the farmhouse. To the northwest of the site is a grade II listed building known as White Gate which was the original farmhouse for Church Farm but was separated prior to the Historic England listing. The side and rear boundary of White Gate adjoins the application site. To the northeast are three detached single storey properties fronting onto The Street. The rear gardens of these properties face onto the application site and the side/west boundary at Four Winds is located adjacent the established vehicle access. To the rear/south of the site are agricultural fields with direct access from the site into the adjoining field. The grade I listed Church of St James is located to the northwest of the site on the opposite side of The Street within a largely linear pattern of development.
- 1.3 As can be seen from Figure 1 planning permission has been granted for a number of small-scale housing developments adjacent to the village boundary, including the development of the former Three Tuns Pub comprising a small backland development of eight dwellings behind the converted public house and outside the village boundary.
- 1.4 The two listed buildings located in proximity to the site are White Gate, a grade II residential house and the grade I Church of St James.

The Proposal

- 1.5 Conversion of Kent barn and stable block to two residential dwellings (with associated works), erection of two semi-detached and one detached dwelling with associated parking (existing Dutch barn and side extension of Kent barn to be demolished).
- 1.6 The Kent Barn is located to the rear of Church farmhouse and the proposals seek to convert the building into one dwelling with an extended first floor which would be served

by high level conservation rooflights. Several new openings are proposed at ground floor level and timber casement windows and doors would also be inserted into the existing openings. The corrugated roof would be replaced with traditional tiles. No additional footprint/extensions are proposed and the non-original lean-to extension would be removed. Two parking spaces are proposed to the front of the barn with a private garden space to rear/west of the barn.

- 1.7 The Stable block is located to the rear / south of the Kent Barn and the proposals seek to convert the existing building to one single storey dwelling with no increase in footprint. The non-original single-storey flat and curved roof additions would be replaced with new pitched tiled roofs which would result in an increased roof height but no additional footprint. The proposed timber casement doors and windows would utilise existing openings with the exception of one new window on the north elevation. New conservation rooflights are also proposed. Two parking spaces proposed to south of stable building.



Elevation 3
Scale 1:100 @ A1



Elevation 4
Scale 1:100 @ A1

N

Figure 3: Proposed Elevation Kent Barn (Conversion)

- 1.8 Three new build dwellings are proposed to replace the Dutch Barn and comprise a semi-detached pair and detached dwelling with a similar cumulative footprint as the existing Dutch Barn at approx. 270sqm. The existing Dutch Barn is approx. 7.6m high while the replacement houses would be approx. 8.1m (Farmers Cottage) and 8.3m (The Dairy) high. These comprise:
- 1.9 Farmers Cottage 1 & 2 proposes a two-storey semi-detached pair of dwellings located to the east of the Kent Barn and Stable. The proposed plans indicate a simple rural Kentish vernacular design with eaves rafter details, curved brick window courses and brick plinths, timber casement windows and doors, and full-length external chimney stacks and a gabled roof with a lower pitched roof two-storey rear addition. Two parking spaces are proposed for each house; one to the side of each house and two at the front on the opposite side of the shared access drive.



Proposed West Elevation
Scale 1:100 @ A3



Proposed North Elevation
Scale 1:100 @ A3



Proposed East Elevation
Scale 1:100 @ A3



Proposed South Elevation
Scale 1:100 @ A3

Figure 4: Proposed Farmers Cottages (New Build)

- 1.10 The Dairy comprises a two-storey dwelling with an L-shaped footprint located to the south of the Farmer's Cottages. The dwelling would be of a simple rural Kentish vernacular design with eaves rafter details, curved brick window courses and brick plinths, timber casement windows and doors and a hipped / half-hipped roof. Two parking spaces are proposed opposite the house on the other side of access drive.

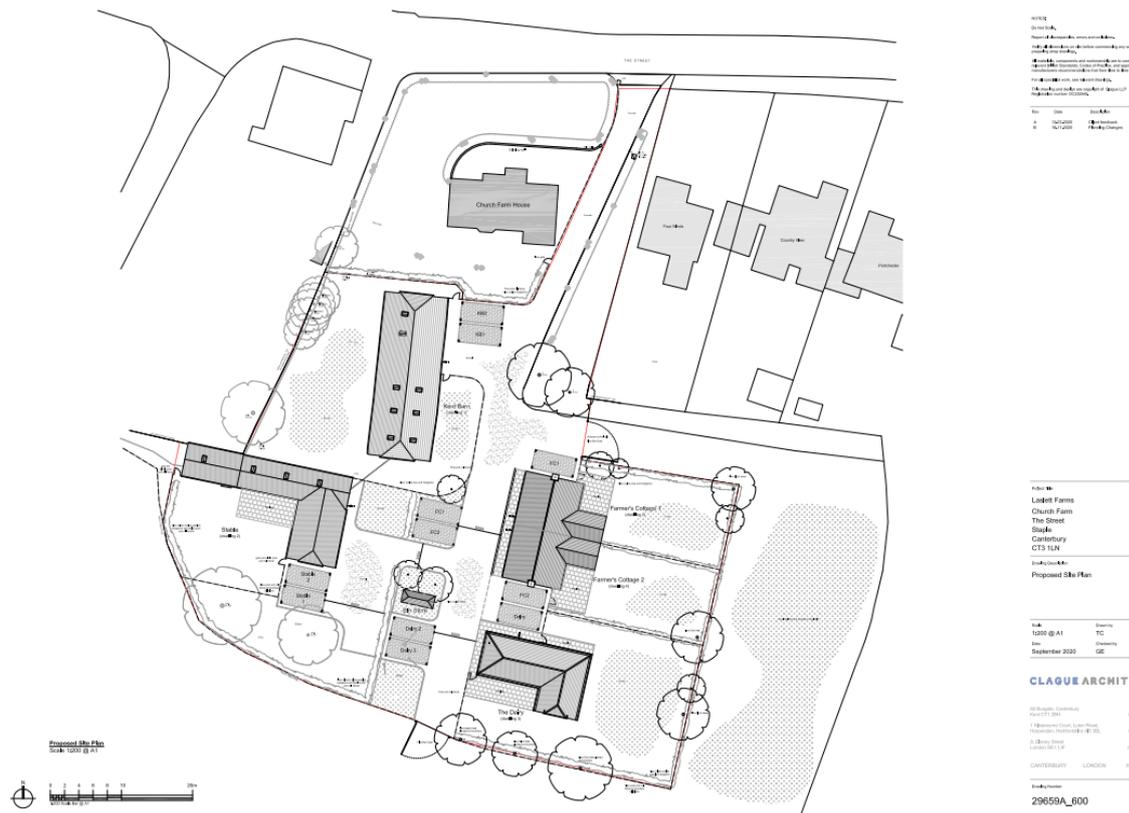


Figure 5 – Proposed Block Plan

1.11 The application is supported by a structural survey which indicates the Kent Barn and Stable buildings are capable of being converted to dwellings whilst maintaining the main structural elements.

Amendments During the Course of the Application

1.12 Following negotiations with the applicant amended plans have been submitted as follows:

- Submission of a structural survey for the Kent Barn and Stable.
- All new fenestration for the Kent Barn and Stable to be recessed.
- Increased landscaping and tree planting in the form of a native hedge and tree planting along the eastern, southern and western boundaries. This additional planting provides an additional screening buffer to the countryside.
- Chimney removed and hipped roof introduced on the Dairy building to reduce bulk.
- Reduction in the size of the gardens for the new builds.
- Reduction in site area to 0.4HA by removing the existing farmhouse and curtilage from the red line site boundary.

2. Main Issues

- 2.1
1. Principle
 2. Design and visual impact
 3. Heritage
 4. Highway safety and parking
 5. Residential amenity

6. Ecology

Assessment

Principle of Development

- 2.2 For the purpose of the policy assessment the proposal can be split into two parts, 1; the conversion of the historic Kent Barn and Stable buildings and 2; the three new build dwellings that would replace the large Dutch Barn. The site is located directly adjacent to the defined village boundary of Staple and the northern boundary of the site abuts the village confines.
- 2.3 In terms of the Draft Local Plan, draft policy SP4 (Residential Windfall Development) is of most relevance to the new dwellings element of this application. Policy SP4 of the emerging plan concerns 'Residential Windfall Development' and applies to proposals for residential development on unallocated sites. At the time of the publication of the plan, objections raised to the policy (through the previous regulation 18 process) are considered to have been resolved. In accordance with paragraph 48 of the NPPF the policy does not attract full weight but it is considered that the Council may now give moderate weight to the policy, as a material planning consideration, when determining relevant applications for development. The impact of this policy on the proposal is discussed in further detail below.

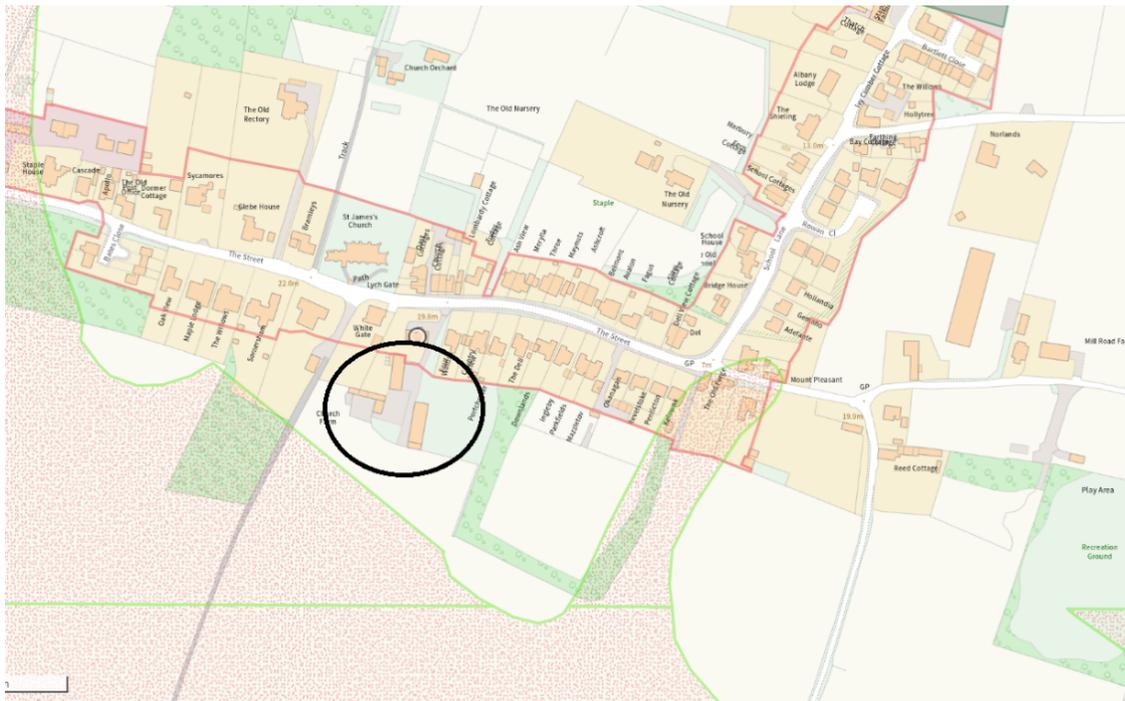


Figure 6 – Staple settlement boundary and application site

Conversion of the Kent Barn and Stable

- 2.4 Policy DM4 relates to the re-use or conversion of rural buildings and states that beyond the confines of rural service centres, local centres and villages, permission will be given for the re-use or conversion of such buildings as follows:
- i. For commercial uses

- ii. For community uses in buildings that are closely related or adjacent to the confines
 - iii. For private residential use in buildings that are adjacent to the confines
- 2.5 In all cases the building to be re-used or converted must be of suitable character and scale for the use proposed, contribute to local character and be acceptable in other planning respects.
- 2.6 The pre-text to policy DM4 states private residential uses will only be acceptable in buildings that are located in or adjacent to the village confines and contribute to local character.
- 2.7 Draft policy SP4 sets out under criterion 3 that new dwellings in the countryside will be acceptable where (inter alia):
- ii) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - iii) the development would re-use redundant or disused buildings and enhance its immediate setting
- 2.8 Draft policy TI1 (Sustainable Transport and Travel) carries moderate weight and requires that development, in so far as its size, characteristic and location is concerned should make provision for and be capable of being accessed by sustainable transport modes, including walking.
- 2.9 The application site is located directly adjacent to Staple village and the Kent Barn and Stable buildings are considered to be rural buildings with historic and visual interest that add to the character of the area and are therefore worthy of conversion to dwellinghouses in accordance with policy DM4 criteria (iii) and draft policy SP4, subject to a sensitive conversion that contributes to local character.
- 2.10 The application site is located in a sustainable edge of village location and the conversion of the Kent Barn and Stable to residential units would enhance the vitality of Staple village in accordance with paragraph 79 of the NPPF. The site is not isolated in terms of paragraph 80 of the NPPF, however the proposals would be in accordance with paragraph 80(c) in terms of converting / re-using redundant and disused rural buildings, subject to enhancing the immediate setting through a sensitive design and conversion.
- 2.11 In summary the proposed re-use and conversion of the Kent Barn and Stable are considered to be in accordance with Core Strategy policy DM4, draft Local Plan policies SP4 and TI1 and the aims and objectives of the NPPF, subject to a sensitive design and all other material planning considerations.

New Dwellings

- 2.12 Policies CP1 and DM1 act together to confirm that the defined urban area and villages are intended to be the focus for new development in the district. Policy DM1 states that development will not be permitted outside the urban area and defined villages unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- 2.13 Policy DM1 and the settlement confines were devised with the purpose of delivering 505 dwellings per annum in conjunction with other policies for the supply of housing in the Council's 2010 Adopted Core Strategy. In accordance with the Government's standardised methodology for calculating the need for housing, the council must now

deliver 557 dwellings per annum. Policy DM1 places a blanket restriction on development which is located outside of settlement confines, which is significantly more restrictive than the NPPF. As a matter of judgement, it is considered that policy DM1 is out-of-date and, as a result, should carry reduced weight.

- 2.14 Policy DM11 seeks to manage travel and states that development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies. Whilst there is some tension, this policy broadly accords with the NPPF's aim to actively manage patterns of growth to support the promotion of sustainable transport. However, the blanket approach to restrict travel generating development outside of settlement confines is inconsistent with the NPPF.
- 2.15 The site is located outside the settlement confines and the proposals would therefore be contrary to policy DM1 and DM11, although it should be noted that these policies carry limited weight and the new build proposals therefore need to be assessed primarily against the NPPF in terms of the sustainability of the site and proximity to the village.
- 2.16 The site access is existing and is within the settlement boundary of Staple, which is a smaller settlement. The new residential development element of the proposal is outside (Figure 6 above) but adjacent to the settlement boundary of Staple. Criterion 1 relates to residential development within or immediately adjoining the settlement boundaries of larger settlements, to which Staple is not one. Criterion 2 of the draft SP4 policy states that residential development will be permitted within the settlement boundaries of Staple. The new dwelling is outside the settlement boundary and would therefore not meet this point. The new residential dwellings would also not meet the exceptions criteria set out within part 3 of the draft policy, which relate to rural workers, heritage assets, re-use of redundant farm buildings that enhance the immediate setting, subdivision of existing residential buildings or a design of exceptional quality. The proposal would therefore be considered contrary to the draft policy SP4.
- 2.17 Paragraph 79 of the NPPF sets out that that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The site is located immediately adjacent to the village confines and the provision of additional residential development in this location is therefore considered to be in accordance with paragraph 79 of the NPPF. The village is readily accessible from the site by foot and there is a pedestrian footpath directly outside the site on The Street which runs through Staple and provides access to bus stops located within 100m of the site. It is acknowledged that Staple village does not benefit from any facilities at present and there are no schools, shops or pubs/restaurants within the village confines. There is church, a small village hall and recreation ground although this is located outside the village boundary. However, the NPPF recognises that new residential development can enhance the vitality of rural communities when sustainably located and the NPPF also seeks to identify opportunities for villages to grow and thrive, especially where this will support local services.
- 2.18 The site with its existing access is located within the centre of Staple, with existing residential development adjacent to the east, west and to the north of The Street. There is no defined boundary between the farmhouse and the application site and the site is seen with its existing buildings and hardstanding in the context of the existing built development of Staple. Although not Previously Developed Land (PDL), the existing agricultural buildings are seen in the context of the existing built development within the village. The existing southern boundary has existing landscaping and is seen as the boundary between the built village and the surrounding open countryside. Draft policy SP4 sets out a number of criteria to ensure residential development does not

harm the character and appearance of the area. Whilst visual impact is discussed in further detail below within this report, this proposal is considered to safeguard the rural character of the District.

- 2.19 Notwithstanding the primacy of the development plan, paragraph 11 of the NPPF states that where the policies which are most important for determining the application are out of date (including where the LPA cannot demonstrate a five year housing land supply or where the LPA has 'failed' the Housing Delivery Test), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (known as the 'tilted balance') or where specific policies in the NPPF indicate that development should be restricted. At the present time the council has a demonstrable 5 year housing land supply of 6.03 years and have not failed to deliver the housing delivery test requirement (delivering 88%). As a whole, it is considered that the main policies for assessing the three new build dwellings are not up-to-date and as such the 'tilted balance' (paragraph 11, NPPF) is engaged, but the Council have met all the housing supply tests and therefore the presumption in favour of sustainable development is not fully engaged. In terms of the tilted balance, the site is sustainably located adjacent the village and new residential development would provide an opportunity to enhance the village in accordance with the NPPF. In addition, the large Dutch Barn proposed for demolition is of no visual interest and its removal would benefit the setting of the historic Kent Barn and Stable building and the rural edge of settlement location, subject to an appropriate design / scale for the new dwellings which will be assessed in greater detail below.
- 2.20 Given the proximity of the site to Staple village and for the reasons set out above, the aim of the Draft Local Plan of delivering development at the most sustainable locations would not be undermined. The proposal does not meet the requirements of draft policy SP4, but due to other considerations, the proposal is considered to be an exception that is acceptable subject to the detailed design.

Design and Visual Amenity

- 2.21 The proposals for the Kent Barn comprise a sensitive conversion and the physical works would visually enhance the building and locality. All the new fenestration would be recessed to enhance the historic character of the former agricultural building and the rooflights would be conservation style and fitted flush to the roof to limit the visual impact on the historic building.
- 2.22 A similarly sensitive conversion is proposed for the Stable building and the ad-hoc later additions would be sensitively incorporated by replacing the flat and curved roofs with a traditional tile pitched roof. In addition, the conversion would utilise the existing openings for the new recessed fenestration and the conservation rooflights would not dominate the roof slope of the building.
- 2.23 In summary the proposals constitute sensitive conversions of the Kent Barn and Stable building which would visually enhance the appearance of the buildings and character of the surrounding area.
- 2.24 As set out above the removal of the large Dutch Barn would visually enhance the setting of the historic farmstead buildings and the setting of the rural locality at this edge of the village location. The proposed new dwellings have been designed with a rural character in mind, with simple and sympathetic detailing to complement the Kent Barn and Stable to form a small farmstead style development which would not appear incongruous in this location. In addition, the cumulative footprint of the three new dwellings would be similar to the footprint of the Dutch Barn and whilst there would be

a small increase in height compared to the Dutch Barn, amendments have been secured altering the roof design to reduce the bulk and additional landscaping is now proposed on the edge of the site adjacent to the open countryside to provide an appropriate buffer to the countryside. Landscaping and boundary treatment details could be secured by condition to ensure appropriate rural boundary treatment is provided along the south and east boundary of the site adjacent to the countryside. On balance the proposals are considered to be an acceptable replacement for the Dutch Barn in terms of the design, scale and siting and would be visually attractive and sympathetic to the edge of village location in accordance with paragraph 130 of the NPPF.

- 2.25 The application proposes a small backland housing development behind the linear pattern of development within The Street. This backland pattern of residential development would be in keeping with recent housing approvals in Staple, in particular the redevelopment of the Three Tuns Pub (a grade II listed building) which has permission for five new houses behind the former public house and is also located on the edge of the village confines.
- 2.26 DM15 relates to the protection of the countryside and states development which would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted subject to certain criteria and provided that measures are incorporated to reduce, as far as practicable, any harmful effects on countryside character.
- 2.27 DM16 relates to landscape character and states development that would harm the character of the landscape will only be permitted if the site is allocated in the Local Plan or the development can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.
- 2.28 Draft Local Plan policy PM1 (Achieving High Quality Design and Place Making) attracts moderate weight. The policy sets out detailed principles and criteria which development must adhere to, to deliver high quality of design that promotes sustainability, and a positive sense of place.
- 2.29 Draft Local Plan policy NE2 (Landscape Character and the Kent Downs AONB) carries moderate weight. The draft policy requires development to demonstrate regard for the Landscape Character Area as defined by the Dover District Landscape Character Assessment 2020
- 2.30 The proposals would not result in the direct loss of the countryside and for the reasons set out above the conversion of the existing buildings and replacement of the Dutch Barn with three new dwellings are not considered to adversely affect the character or appearance of the countryside. Amended plans incorporating a reduction in roof bulk and an increased landscape buffer are considered to reduce any harmful effects on the countryside such that the proposals are considered to be in accordance with policy DM15 and DM16 and Draft Local Plan policies PM1 and NE2.
- 2.31 Accordingly, the development is considered to be acceptable in terms of its impact on the character and appearance of the countryside and edge of village location.

Heritage

- 2.32 Draft Local Plan policy HE1 (Designated and Non-Designated Heritage assets) carries moderate weight. The draft policy sets out that proposals which conserve or enhance the heritage assets of the District, sustaining and enhancing their significance and making a positive contribution to local character and distinctiveness will be supported. This policy mirrors the aspirations of the NPPF and statute.

- 2.33 The Kent Barn and Stable building are not listed individually and are not curtilage listed although they are considered to be non-listed heritage assets and therefore any conversion must respect their character as former agricultural buildings, as set out above.
- 2.34 The closest listed building to the site is White Gate which is the former farmhouse for Church Farm and has been separated from the application buildings/site for some time. The physical works to the stable building closest to this boundary have been described above as sensitive and are considered to preserve the setting of the grade II building.
- 2.35 Given the separation distance involved, the proposed siting and orientation, the proposals would not affect the setting of the grade I St James Church located on the north side of The Street.
- 2.36 It is therefore concluded that the proposals would preserve the setting of the heritage assets in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims and objectives of Section 16 of the NPPF and draft policy HE1.

Highway Safety

- 2.37 The proposals would utilise the existing vehicle access which has historically been used to access the farm buildings and main house and the continued use of the access is therefore considered to be acceptable. In addition, the proposed site plan indicates there would be sufficient turning areas within the site to allow vehicles to enter and leave the site safely in forward gear. Policy compliant parking provision is proposed in accordance with Core Strategy Policy DM 13 and Draft Local Plan policy TI3, which carries moderate weight, with two spaces proposed for each property. The proposal does not provide any allocated on-site visitor parking, however additional parking could be accommodated adjacent to the Kent Barn and Stable for this purpose, and this approach is considered to be appropriate due to the number of dwellings proposed and edge of village location.
- 2.38 The existing farm buildings / use would have historically generated vehicle movements to and from the site and the conversion to five houses would not result in a significant increase in vehicle trips compared to the historic lawful use of the site.
- 2.39 Neighbours have raised concerns regarding the width of the shared vehicle access. The access would be approx. 3.5m wide which is in accordance with Kent Design Guide which sets a minimum width of 3m for a shared private vehicle drive.

Residential Amenity

- 2.40 Draft Local Plan policy PM2 attracts moderate weight and sets out that all new residential development must be compatible with neighbouring buildings and not lead to unacceptable living conditions. For future occupants, the policy requires new development to meet the Nationally Described Space Standards.
- 2.41 The new dwellings would be located approx. 12m from the rear boundary and approx. 30m distance from the nearest neighbouring property at Four Winds. Given these separation distances the proposals would not appear overbearing when viewed from the neighbouring property and there would be no significant adverse loss of amenity as a result. A first floor flank window proposed in the north elevation of Farmers Cottage 1 would afford views towards the rear garden of Four Winds. However, this window would be located approx. 16m from the shared boundary and therefore would not result in any significant adverse loss of privacy.

- 2.42 The conservation style rooflights proposed for the Kent Barn would all be high level and therefore would not provide any direct overlooking and subsequent loss of privacy towards the neighbouring property. A condition could be attached to ensure the lower sill of the rooflights are at least 1.7m above the internal first floor level. The Stable building comprises a ground floor conversion only therefore the high-level roof windows would not result in any loss of privacy. A new en-suite window (within an existing opening) in the north elevation of the Stable, adjacent the shared boundary with White Gate, would be obscure glazed and fixed shut to safeguard neighbour amenity.
- 2.43 A neighbour has commented on the potential for increased noise and disturbance and light pollution due to the proximity of the vehicle access to the shared boundary. The access is already in situ and has been used historically by the application farm buildings for agricultural related vehicle movements and the residential farmhouse. The proposal would not result in a significant increase in vehicle movements compared to the historic use of the site and residential vehicles are likely to generate less noise and disturbance than farm vehicles. In addition, there is a high-level mature hedgerow along the shared boundary adjacent the access which screens the access from the neighbouring residential property. As a result the continued use of the access would not result in any significant adverse amenity impacts over and above the historic lawful use of the site.
- 2.44 Whilst the Reg 19 Local Plan is a material consideration, the Nationally Described Space Standards set out that the space standards should be used "if a local authority has adopted the space standard in its Local Plan". Given that the Reg 19 Plan is yet to be formally adopted an assessment against space standards at this time is for guidance only. However, considering the proposed layout and house designs, the proposal demonstrates a good standard of accommodation is proposed that ensures an acceptable level of amenity, including space, for future residents.
- 2.45 The proposal is in accordance with Draft Local Plan policy PM2 for both existing and future residents.

Trees

- 2.46 There are several trees within the site and adjacent to the site in neighbouring properties and the conversion of the Kent Barn and Stable would require construction works adjacent to trees located on the shared boundary. A neighbour has raised concerns regarding a tree located in proximity to the Stable building and the potential for construction works to damage the tree and future pressures to fell the tree due to the proximity to the proposed new house. Construction impacts could be controlled through appropriate tree protection conditions to safeguard the existing trees along the shared boundary. In terms of the future pressure to fell the tree adjacent to the Stable block, it is noted that the tree in question does not overhang the Stable block and no habitable windows are proposed in the north elevation of the conversion. The roof lights closet to the tree in question serve the master bedroom and living room, however, the rooflights are secondary openings and the primary openings and main source of light and outlook would be afforded from the windows in the south and west elevation of the Stable conversion. As a result it is considered that the nearby tree would not result in any significant adverse loss of outlook or light that would likely warrant any future pressure to fell the tree.
- 2.47 A tree located behind / to the east of the Dutch Barn would be removed to facilitate the development of The Dairy building. The loss of this tree would be mitigated through additional tree planting throughout the site including the boundary adjacent to the countryside, which could be secured by appropriate landscaping conditions.

Ecology

- 2.48 The application is supported by a Preliminary Ecology Appraisal and Bat Survey which concludes the existing buildings are not considered as being used as a bat roost and indicates the proposals would not result in any significant adverse negative ecology impacts. The Ecology Appraisal recommends a number of ecology enhancements (hedgehog boxes, ecological sensitive boundary treatment, bird/bat boxes/bricks and additional planting) which can be secured by an appropriate condition in accordance with the aims and objectives of the NPPF.

Drainage

- 2.49 Foul sewerage would be connected to the existing mains located on The Street and a formal application to Southern Water would be required. With regard to surface water, Draft Local Plan policy CC6 (Surface Water Management) carries moderate weight and requires all new development to replicate natural ground and surface water flows and decrease surface water run-off through the use of Sustainable Drainage Systems.
- 2.50 The proposals would not result in an increase in built footprint within the site as the three new dwellings would have a similar footprint as the Dutch Barn, therefore the brownfield runoff rate would not significantly increase. Surface water would be controlled via SUDs which is considered acceptable in principle and further specific details can be secured by condition. The proposals would be in accordance with draft policy CC6.

Habitats Regulations

- 2.51 All impacts of the development have been considered and assessed. It is concluded that the only aspect of the development that causes uncertainty regarding the likely significant effects on a European Site is the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay.
- 2.52 Detailed surveys at Sandwich Bay and Pegwell Bay were carried out in 2011, 2012 and 2018. However, applying a precautionary approach and with the best scientific knowledge in the field, it is not currently possible to discount the potential for housing development within Dover district, when considered in-combination with all other housing development within the district, to have a likely significant effect on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 2.53 Following consultation with Natural England, the identified pathway for such a likely significant effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves.
- 2.54 The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing the harmful effects of housing development on the sites.
- 2.55 Draft Local Plan policy SP13 sets out that Measures to mitigate against an increase in recreational pressure arising from development resulting in impacts to the Thanet Coast and Sandwich Bay SPA are addressed in the Strategic Access Mitigation and Monitoring Strategy, for which contributions are required in accordance with Policy NE3. The site is outside the 9km zone of influence set out in draft policy NE3, so no contribution is required. In addition, the application site is outside of 500m from the Thanet Coast SPA so an appropriate assessment is not required.

- 2.56 Given the limited scale of the development proposed by this application, a contribution towards the Council's Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy will not be required as the costs of administration would negate the benefit of collecting a contribution. However, the development would still be mitigated by the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy as the Council will draw on existing resources to fully implement the agreed Strategy.
- 2.57 Having had regard to the proposed mitigation measures, were the application to be considered acceptable, it is considered that the proposal would not have a likely significant adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites. The mitigation measures (which were agreed following receipt of ecological advice and in consultation with Natural England) will ensure that the harmful effects on the designated site, caused by recreational activities from existing and new residents, will be effectively managed.

Stodmarsh

- 2.58 Concerns had been raised following studies by NE that increases in wastewater from new developments coming forward have resulted in increased nutrient levels in Stodmarsh Lakes and which are causing water quality issues as a result. The lakes have high international ecological value for wetland habitats and the rare and special wildlife they support. They are protected through a combination of designations including A Special Area of Conservation, A Special Protection Area, A Ramsar site, A site of Special Scientific Interest and a National Nature Reserve. As such they are protected under the Habitat Regulations which requires an Appropriate Assessment to be carried out to show there would be no adverse effect of a proposal on the integrity of the site.
- 2.59 The local planning authority, as the 'competent authority' is now satisfied (following consultation with Natural England), that discharges of wastewater would not have a likely significant effect on the integrity of the Stodmarsh SAC, SPA and Ramsar site.

3. Conclusion

- 3.1 The conversion of the Kent Barn and Stable block constitute sensitive residential conversions adjacent to the village boundary in accordance with policy DM4 of the Core Strategy and Draft Local Plan policy SP4.
- 3.2 The replacement of the large Dutch Barn with three new dwellings complies with the sustainability objectives of the NPPF in terms of the location of the site adjacent to the village boundary. In addition, the three new dwellings would replace the existing Dutch Barn with a similar footprint and only a marginal increase in height, which would be mitigated by additional landscape buffer planting adjacent the open countryside and the visual enhancements compared to the appearance of the large Dutch Barn. The three new dwellings would be contrary to policy DM1 and DM11 of the Core Strategy, however these policies are considered to be out-of-date. The new dwellings element of the proposal would also be contrary to draft Policy SP4 but given the significant benefits of the proposal set out within this report, the status of the Draft Local Plan and the weight afforded to the draft policy at this time, the new dwellings are considered to be acceptable as the benefits are considered to significantly outweigh the harm. The proposals are considered to comply with the aims and objectives of the NPPF and policy DM15 and DM16 of the Core Strategy and would not result in any adverse impacts that would warrant refusal.
- 3.3 In addition, the proposals would constitute an efficient use of a redundant site and the proposed dwellings would make a valuable contribution to the housing stock in the

borough. The proposed pattern of development would be in keeping with recent small scale housing developments located on the edge of the village and the site is sustainably located adjacent the village boundary which would help enhance the vitality of the Staple village in accordance with the NPPF.

- 3.4 The proposed development would not result in any severe impact on the local highway network in terms of the increase in vehicle movements, policy compliant parking is proposed and there are no highways safety objections.
- 3.5 There would be no significant adverse neighbour amenity impacts. Ecology and tree impacts could be appropriately mitigated by way of conditions. Ecology enhancements and additional tree planting / landscaping could also be secured by condition.

g) **Recommendation**

- I. Approve planning permission, subject to the following conditions:
 - 1. Time limit
 - 2. Approved Plans
 - 3. Materials samples
 - 4. Window details – recesses
 - 5. Obscure glazing / fixed shut ensuite north facing window Stable block
 - 6. No additional windows in the first floor north elevation of The Dairy
 - 7. Retention of parking spaces
 - 8. Electric charging
 - 9. Cycle parking and bin storage details
 - 10. Landscaping details
 - 11. Tree protection
 - 12. Ecology enhancements
 - 13. Surface water drainage details
 - 14. Removal of PD rights
- 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 Jolly