

3.2 – SE/12/01062/FUL Date expired 19 June 2012

PROPOSAL: Conversion of part of existing barn to separate 2 no. bed holiday let

LOCATION: The Dyehurst Stud, Greenlands Farm, Uckfield Lane Hever Kent TN8 7LN

WARD(S): Cowden & Hever

ITEM FOR DECISION

This application has been referred to the Development Control Committee at the request of Cllr. Neal who is of the opinion that the proposal constitutes inappropriate development in the Green Belt.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The eastern half of the building shall only be used for holiday letting purposes and shall not be let to the same occupier or occupiers for a period of more than 28 days in any calendar year.

To accord with the terms of Policies LO8 and SP8 of the Sevenoaks Core Strategy, which prioritise the re-use of buildings for business and tourism related activities.

3) No development shall be carried out on the land until details of the fence to be erected adjacent to the existing barn and outbuilding have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details and the fence shall be retained thereafter.

To safeguard the rural character of the area as supported by the National Planning Policy Framework.

4) The car parking areas shown on the approved plans shall be provided and shall be kept available for the parking of cars at all times.

To ensure a permanent retention of vehicle parking for the property as supported by policy EN1 of the Sevenoaks District Local Plan.

5) The conversion and extension of the building to a holiday let shall be designed to achieve BREEAM "Very Good" standards, unless agreed otherwise in writing by the Local Planning Authority. The following details shall also be provided to the Local Authority -i) Prior to the commencement of development, of how it is intended the development will achieve BREEAM "Very Good" standards, or alternative as agreed in writing by the Local Planning Authority; and ii) Prior to the occupation of the development, that the development has achieved BREEAM "Very Good" standards or alternative as agreed in

writing by the Local Planning Authority, through the submission of a post-development certificate from an appropriate assessor.

In the interests of environmental sustainability and reducing the risk of climate change as supported by policy SP2 of the Sevenoaks Core Strategy.

6) No extension or external alterations shall be carried out to the holiday let building hereby approved, despite the provisions of any Development Order.

To safeguard the rural character of the converted building and surrounding area as supported by Policy GB3A of the Sevenoaks District Local Plan.

7) No building or enclosure shall be erected within the curtilage of the holiday let building hereby approved, despite the provisions of any Development Order.

To safeguard the rural character of the converted building and surrounding area as supported by Policy GB3A of the Sevenoaks District Local Plan.

8) No boundary walls, fences or other means of enclosure, other than those shown on the approved plans, shall be erected on the site boundary of the holiday let accommodation, despite the provisions of any Development Order.

To safeguard the rural character of the converted building and surrounding area as supported by Policy GB3A of the Sevenoaks District Local Plan.

9) The unit shall not be occupied until details of any external lighting required to the holiday let building have been submitted to and approved in writing by the Council. The lighting scheme shall be designed to be sensitive to bats and in accordance with best practice guidelines contained within the document "Bats and Lighting in the UK" by the Bat Conservation Trust. The scheme shall be implemented in accordance with the approved details and shall thereafter be maintained in full working order at all times.

In the interests of biodiversity and nature conservation, in accordance with policy SP11 of the Sevenoaks Core Strategy.

10) The development hereby permitted shall be carried out in accordance with the following approved plans: WAT 1, 2, 3, 4, 5, 8 and 10.

For the avoidance of doubt and in the interests of proper planning.

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

The South East Plan 2009 - Policies SP5, CC6, T4, NRM5 and C3

Sevenoaks District Local Plan - Policies EN1 and GB3

Sevenoaks District Core Strategy 2011 - Policies L08, SP1, SP2 and SP11

The following is a summary of the main reasons for the decision:

The development is considered to be appropriate development within the Metropolitan Green Belt.

The proposed development would conserve the distinctive character and the setting of

the Area of Outstanding Natural Beauty.

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

Description of Proposal

- 1 The application seeks the approval of the conversion of part of the existing barn building to a two bed holiday let. Works to the building necessary to enable the conversion would involve no external alterations, only internal works to provide the layout of the proposed holiday let separate from the area of retained stabling. Access to the building and parking would be provided via the existing access onto the lane to the south of the site and the existing hard standing on site.
- 2 The application follows the recent refusal of a similar application. The reason for refusal for the previous scheme was that the proposal would constitute inappropriate development in the Green Belt since the proposed use would have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including the site within it. The main concern was that the proposed use would result in an intensification of the use of the site and the uncontrolled spread of residential use into the adjacent paddock.
- 3 This application seeks to overcome these concerns by defining an area within which the outside area of the holiday let use would be restricted to. This area is adjacent to the existing residential curtilage of the main house and a detached building which lies within the residential curtilage.

Description of Site

- 4 The application site comprises a large open paddock, which lies directly adjacent to the rear boundary of the main house, and contains a barn building. The site lies on the east side of Uckfield Lane just to the south of the junction with Pigdown Lane. The site is accessed via a driveway from the lane to the south. The site is relatively level and is generally bounded by mature hedging that is well maintained.

Constraints

- 5 The site lies within the Metropolitan Green Belt and the High Weald Area of Outstanding Natural Beauty (AONB).

Policies

South East Plan

- 6 Policies - SP5, CC6, T4, NRM5 and C3

Sevenoaks District Core Strategy

- 7 Policies - L08, SP1, SP2 and SP11

Sevenoaks District Local Plan

- 8 Policies - EN1 and GB3

Other

- 9 The National Planning Policy Framework (NPPF)
- 10 Countryside Character Assessment Supplementary Planning Document (SPD)

Planning History

- 11 SE/12/00100 - Conversion of part of existing barn to separate 2no. bed holiday let - Refused 20.03.12

SE/09/01486 - Change of use of existing stable barn to a 2no. bed holiday let - Withdrawn

SE/04/02071 - Demolition of existing barn and erection of 6 stables, tack room feed room plus new access and boundary fencing and gates - Granted 24.09.04

Consultations

Parish / Town Council

- 12 'Our previous comment stands: No Objection Comment: 'No objection' is subject to the Case Officer's full consideration of the requirements of Green Belt policy. We also consider the building would benefit from further screening, as at the moment it is very visible.'

Natural England

- 13 No objection raised – see file note for full comments.

KCC Biodiversity Officer

- 14 No objection raised – see file note for full comments.

Kent Highways Engineer

- 15 'I confirm I have no objection to the above application on any highway grounds.'

Representations

- 16 Eleven letters of representation have been received, five in support of the proposal and six that have raised objection to the application on the following grounds:
 - impact on AONB;
 - use of the land;
 - use of the existing building;
 - acceptability of the conversion;
 - impact on the Green Belt; and
 - consultation process.

Group Manager - Planning Appraisal

Principal Issues

- 17 Impact on the Green Belt –
- 18 Paragraph 90 of the NPPF states that the re-use of buildings is not inappropriate in the Green Belt provided they preserve the openness of the Green Belt, do not conflict with the purposes of including land in Green Belt and provided that the buildings are of permanent and substantial construction.
- 19 Policy GB3A of the Local Plan states that the Council will permit the re-use of buildings within the Green Belt providing the proposal complies with the following criteria:
- the proposed new use will not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it;
 - the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction; and
 - the form, bulk and general design of the buildings are in keeping with their surroundings and respect local building styles and materials.
- 20 Policy GB3B states that when considering proposals for the re-use of agricultural buildings for non-agricultural purposes, the Council will apply Policy GB3A taking into account the following further criteria:
- where the building itself or other buildings within a related group have been constructed within the last 10 years, it will be necessary to demonstrate that there was a genuine agricultural justification for the building when originally constructed; and
 - whether a proliferation of farm buildings constructed under Permitted Development rights could have a seriously detrimental effect on the openness of the Green Belt. If so, in appropriate circumstances, Permitted Development rights will be withdrawn by condition.
- 21 I therefore consider that this policy is broadly consistent with the NPPF.
- 22 The application is accompanied by a structural appraisal of the existing building. This report concludes that the building is capable of conversion without any major structural works since the structure complies with existing building regulations standards. On visiting the site it is evident that the building is of a solid construction, particularly since it was only recently built. In addition, the building is of a design in keeping with its surroundings and would continue to respect local building styles and materials. The building has been finished with timber boarding and a slate tile roof and has the appearance more of a domestic building rather than one which would be used for agricultural type purposes, such as stabling in this case.
- 23 The appearance and use of the existing building are matters raised by a number of representations received. However, the building is lawful, having received

planning permission back in 2004 (SE/04/02071/FUL) and it is evident that it is being used for the purposes it was constructed for. This application is not about the acceptability of this building, but the partial use of it.

- 24 The proposed partial use of part of the building as a holiday let would potentially have an impact on the openness of the Green Belt and the purposes of including the site within it. The question is whether this impact would be materially greater than the existing use. The view taken with the previous application was that the proposed associated use of the surrounding land would have a materially greater impact, since the creation of the holiday let use would result in an intensification of the use of the curtilage of the building and the usual paraphernalia that comes with a holiday let use would also be introduced to the site.
- 25 However, the applicant has now proposed that only a small area to the north of the existing barn, and adjacent to the existing annexe building to the main house and residential curtilage, be set aside for use in conjunction with the proposed holiday let. This would therefore limit the spread of the holiday let use and the paraphernalia that would come with it into the Green Belt. The external area, since it would stand adjacent to the residential curtilage of the main house, would therefore appear as only a small extension to the residential curtilage and have a marginal impact.
- 26 On balance, I would now conclude that the introduction of a holiday let use to the site would preserve the openness of the Green Belt, would not conflict with the purposes of including land in Green Belt and the building is of a permanent and substantial construction.
- 27 In my opinion the proposal therefore constitutes appropriate development in the Green Belt.

Impact on the landscape character of the AONB

- 28 Paragraph 11 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.
- 29 Policy LO8 of the Core Strategy states that the distinctive character of the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings, will be conserved and enhanced. I therefore consider that this policy is broadly consistent with the NPPF.
- 30 The existing building lies within close proximity to the main house and the detached outbuilding located to the rear of the main house. No external alterations to the building are proposed and any introduction of paraphernalia associated with the proposed residential use would be viewed with the backdrop of the residential use of the main house.
- 31 The proposal would therefore conserve the distinctive character and the setting of the AONB.

Impact on neighbouring amenity

- 32 Policy EN1 of the Sevenoaks District Local Plan requires that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.

- 33 The site lies sufficient distance away from neighbouring properties not to have a detrimental harm on neighbouring amenities. Indeed, the building currently lies about 50m away from the nearest neighbouring property to the west of the site, Woodside.
- 34 I believe that the proposal would therefore preserve the amenities currently enjoyed by the occupiers of neighbouring properties.

Other Issues

Biodiversity –

- 35 No objection has been raised by the KCC Biodiversity Officer subject to consideration for bats given in the design of any external lighting scheme. This can be dealt with by way of condition on any approval of consent.

Sustainable development

- 36 No information regarding the achievement of BREEAM "Very Good" standards for the development is made by the applicant. However, it is possible to require this information by way of condition on any approval of consent.

The consultation process

- 37 The process of consultation included notifying several standard consultees (for example the Parish Council and the Kent Highways Engineer), thirty neighbouring properties and a site notice was erected at the entrance to the site on the southern lane. This scope of consultation is significant and meets the statutory requirements of the Council, in particular with the number of neighbouring properties notified directly.
- 38 Reference is made to a mobile home sited adjacent to the site and the fact that the owner of the site was not consulted. The Council has no record of the owner of this piece of land but the erection of the site notice ensured that all interested parties were aware the application had been submitted. This meets the statutory requirements to publicise the application.

Access Issues

- 39 None relating to this application.

Conclusion

- 40 I would conclude that the proposed part change of use of the building to a holiday let would be appropriate development in the Green Belt, would conserve the distinctive character and the setting of the AONB, and would preserve neighbouring amenity. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background Papers

Site and Block Plan

Contact Officer(s): Mr M Holmes Extension: 7406

Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M2ZFA1BK0L000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M2ZFA1BK0L000>



