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Mr B Wood
(Sent by email)

Contact: Miss Morgan
E-mail: Rachel.Morgan@dover.gov.uk
Our ref: PE/23/00019
Date: 09/05/2023

Dear Mr Wood

Town and Country Planning Act 1990 (As Amended)

Proposal: Change of use of ATCOST barn from agricultural to dwelling
Location: Minnis Farm, Minnis Way, Worth

I write further to your inquiry received on 9th February 2023 and our meeting on 30th March 2023. You wish to be advised if there is scope to convert the existing ATCOST barn to a dwellinghouse and have provided site location plans and proposed site plans, as well as floor plans, elevations, topographical surveys, artists impressions and a design and access statement.

Relevant Planning Policies and Guidance

The relevant planning policy is identified in the National Planning Policy Framework (NPPF) 2021, Dover District Council Core Strategy 2010, Dover District Council Land Allocations Local Plan 2015, the Saved Policies within the Dover District Local Plan 2002, and the Ash Neighbourhood Plan (2021).

Local planning policy can be found in the Core Strategy (2010) and is available to view on our website at the following link: <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/Adopted-Development-Plans/Home.aspx>

The Submission Draft Local Plan has been submitted to the Planning Inspectorate for examination. The Plan is at an advanced stage and is considered to be an important material consideration in the determination of applications, with the policies attracting varying weight in the planning balance, depending on their compliance with the NPPF. The plan and accompanying submission documents (particularly SD06 – Schedule of additional modifications) can be viewed at the following website address:

<https://www.doverdistrictlocalplan.co.uk/examination-home/submission-documents/submission-documents>

Planning History

DOV/96/01051 – Agricultural onion store – Granted
DOV/21/01875 – Prior approval for the change of use of agricultural building into a dwelling
– Prior approval refused
DOV/22/00450 – Prior approval for the change of use of agricultural building into dwelling –
Prior approval not required

Assessment

Site & Proposals

The site relates to an existing ATCOST barn at Minnis Farm. Three elevations of the building are partially clad and a structural report has been submitted, indicating that the barn (2) appears to be structurally robust and suitable for conversion, subject to minor works to the foundations and to improve the structural capacity of the roof (to support the weight of insulation and internal finishes). The building would be converted to form a three bedroom dwelling, with an associated garden and parking areas created.

There are at least four other barns at the site, one of which (barn 1) has obtained prior approval under Class Q (enabling it to change to a residential use). This is proposed to be retained to form a garage and would be re-clad in natural black boarding.

Principle

The site is located outside of the settlement confines set out in Policy CP1 and DM1 of the adopted Core Strategy (2010). As such, development in this location would not be permitted unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or policies.

Policy DM4 permits the re-use or conversion of structurally sound, permanent buildings within rural service centres, local centres and in villages for commercial, community or private residential uses. Beyond these confines, permission will be given for the re-use/conversion of such buildings for private residential uses in buildings that are adjacent to the confines (in all cases, the building to be re-used/converted must be of suitable character and scale for the use proposed, contribute to local character and be acceptable in other planning respects. The site and access shown in the red outline on the submitted site location plan would be outside of the settlement confines and the building in question is not considered to be adjacent to the confines. As such, the proposals would not appear to accord with the Policy.

Policy DM11 sets out that development that would generate travel will not be permitted beyond the settlement confines unless it is justified by development plan policies. The proposals do not appear to be justified by the other policies set out above and would generate additional travel outside the confines, contrary to the policy.

As discussed at our site meeting, the tilted balance approach of paragraph 11 of the NPPF is engaged in the assessment of applications. This is because the settlement confines on which Policy DM1 were based were on the basis of delivering a lower number of dwellings per year than are currently needed. As such, the policies are considered to be more restrictive than the NPPF and to varying extents, hold reduced weight in the planning balance.

The Submission Draft Local Plan has been published and the draft policies are considered to be material to the determination of planning applications.

Policy SP4 relates to residential windfall development and sets out that development or infilling of a scale that is commensurate with that of the existing settlement will be permitted within or immediately adjoining the settlement boundaries, as shown on the policies map. The draft settlement confines for Worth extend further east than those associated with DM1, however the site would still be outside of the draft settlement confines. For proposals to be considered 'immediately adjoining' the confines of a settlement listed in Part 1 of this Policy, the Council will require at least one of the principal boundaries (in its entirety) of the application site to immediately adjoin the existing confines of the settlement, as shown on the Policies Map. However, where the proposed built form within the site is not well related to the existing built form, the site will not be considered to meet the 'immediately adjoining' criteria. This could, for example, occur where the access road forms the principal boundary immediately adjoining the confines, but the main site proposed for built development does not adjoin the settlement confines.

The third part of the draft policy (SP4) sets out criteria whereby new dwellings elsewhere in the countryside, outside of settlement boundaries will be permitted. In relation to this application, the development would re-use redundant or disused buildings and enhance its immediate setting (point iii). The proposals would then need to demonstrate compliance with points a-k of section 2 of the draft policy.

The site is located within Worth Neighbourhood Area, where there is an adopted neighbourhood plan (available to view at the following website address: <https://www.dover.gov.uk/Planning/Planning-Policy/Neighbourhood-Planning/Worth-Neighbourhood-Plan.aspx>) This is a material consideration in the assessment of applications.

Character & Appearance

As the site is located outside of the settlement confines, Policies DM15 and DM16, as well as draft Policy NE2 would be relevant to the assessment of the impact of the proposals on the character of the countryside. NPPF Paragraph 174 would also be relevant and seeks for development to contribute to and enhance the natural and local environment, recognising the intrinsic character and beauty of the countryside.

In terms of public views of the development, public footpath EE456 passes through the site, along the access to the west side of the barns in question, continuing further south and turning east (following the outline of Worth Nature Reserve) towards Pinnock Wall.

The proposed works would result in substantial external alterations, including the installation of a significant amount of glazing, particularly on the rear (east) elevation, overlooking fields and open countryside beyond. I note that timber louvres would be installed which would reduce the visual impact of the extent of the glazing, however you may wish to consider adding a similar treatment to the other half of the first floor glazing (e.g. serving the ensuite). Glazing is proposed on all elevations, with rooflights also proposed. The building would be clad in black timber boarding, with sections of natural timber cladding, particularly around and between the windows to break up the expanse of the dark timber boarding.

The design and access statement sets out that it is proposed to change the cladding to barn 1 (required to allow for storage and act as a garage for the new dwelling). Natural black boarding is proposed to reduce its visual impact, and would tie in with the proposed cladding to the larger barn.

Given the scale of the glazing and alterations proposed, further boundary planting and screening would be expected to soften views of the development from the surrounding countryside, as the building is seen in the context of the cluster of agricultural buildings,

rather than as part of the residential dwellings within the nearby settlement. The proposed site plan submitted indicates that the garden would be split into two areas, however I would recommend that more substantial planting is proposed along the southern and eastern garden boundaries to soften views. Details of boundary treatments would also be important and we would generally seek for these to be native hedgerow, perhaps with a low level post and rail fence. An existing row of leylandii are positioned to the west of the buildings, partially screening distanced views of the western elevation of the building from Jubilee Road. Notwithstanding this, there would be direct views from the adjacent public right of way and planting which could soften immediate views of the development should be considered. This could also assist in informally demarking the correct route of the public right of way to provide more privacy and enclosure to the application site.

At the site, the applicants advised they wished to create a secondary access (for emergencies) onto Jubilee Road to the west. Part of the land in question is a proposed housing allocation within the Submission Draft local plan, with an estimated capacity of 10 dwellings. If the access is to be included within the proposed application, I would recommend that details of visibility splays are included, and the access and informal route through to the barns should be included within the red line boundary. Given this is to be a secondary, emergency only access, I would suggest this should not be hard surfaced.

The red line site boundary will also need to include the area where the solar panels are sited and I would recommend that specifications are included in any forthcoming application, to indicate the scale and appearance of the panels. An alternative you may wish to consider would be to position the solar panels on the roof of the barn to be converted, or the barn to the south which would be used as a garage. The proposed site plan also indicates an air source heat pump would be installed to the south of barn 1 (although section 8.5 of the design and access statement and the zoning diagram also includes air source heat pumps – any forthcoming application should clarify if both would be provided and if it is the intention for the development to be entirely self-sufficient).

Impact on Heritage Assets

The site is located to the south of Worth Conservation Area which contains a number of Listed Buildings. Whilst the building in question is separated from these heritage assets, I would recommend a brief assessment of any impacts on their significance is included in a planning or design and access statement.

Impact on Residential Amenity

Section (f) of Paragraph 130 of the NPPF requires development to provide a high standard of amenity for existing and future users (also sought by draft Policies PM1 and PM2). It would be of assistance if the gross internal floor areas could be included within any supporting statement accompanying an application, to demonstrate the proposals would meet the nationally described space standard.

It would also be of assistance if details of secured bicycle storage (which may be located within barn 1) and refuse/recycling storage are shown on any block plan which may be submitted in support of an application. I would recommend that any supporting statement addresses how refuse/recycling would be collected from the site given the narrow access and distance from the main highway.

Other Matters

Highways & Parking – the proposed residential use of the building would generate additional travel beyond the confines which would be contrary to the objectives of Policy DM11. From the information provided, it is not clear what the existing vehicle movements associated with the agricultural use of the site are, and whether the proposed use would result in an overall reduction which could weigh in favour of the proposals. The proposed site plan indicates that 6no. parking spaces would be provided for the three bedroom dwelling. In addition, it was discussed at our meeting that barn 1 to the south would be used as a garage/workshop/store. As such, the proposals would result in an over-provision of parking and I would suggest that part of the parking to the west is incorporated in the landscaped area. Under policies DM13 and draft policy TI3, two parking spaces would be required for a three bedroom dwelling in this location, with an additional parking space for visitors likely to be acceptable given the location and distance from on-street parking. Given the proximity to the public right of way and the narrow access to the site, I would recommend that details are included in any forthcoming application to demonstrate there would be sufficient space within the site for turning and manoeuvring.

Ecology – given the location of the site in the countryside, there is the potential for the conversion works to result in an impact on wildlife and ecology. Having informally discussed the proposals with the Senior Natural Environment Officer, there are limited concerns in respect of the potential for the barn to contain protected species such as bats. However, given the rural location, external lighting would need to be limited in order to avoid potential disturbance to bats in the area.

Drainage, flood risk & contamination – the site is in flood zone 3 and if an application for planning permission were to be submitted, a flood risk assessment would be required. The proposals would result in a change of use of the building such that the sequential test would not be required on this occasion. The zoning diagram indicates a septic tank would be installed and I would recommend that details of surface water drainage and foul sewage disposal are included in any forthcoming application as it may be subject to consultation with the Environment Agency.

Conclusion

The site is located outside the settlement confines of Policies CP1 and DM1, as well as the draft confines of SP4. Subject to complying with criteria a to k, the proposals would re-use a redundant or disused building and enhance its immediate setting, in accordance with paragraph 3 (iii) of SP4. At this stage in the plan making process, the draft policy is considered to attract moderate weight, being devised in line with current housing targets and the up to date NPPF.

Whilst the overall scale and massing of the building would remain as existing, a number of external alterations are proposed to facilitate the conversion to a residential dwelling. Due to the extent of the glazing proposed, particularly on the east elevation, and the dark coloured cladding (also to be added to barn 1 to the south), there is the potential for the development to affect the character and appearance of the countryside. It is recommended that the scale of glazing is reduced on the eastern elevation (perhaps with additional louvres or similar window treatments installed to part of the first floor glazing) and that the boundary treatment and planting is significantly enhanced to soften wider views of the development from the countryside beyond.

Further details of applying for planning permission can be found on our website at www.dover.gov.uk/planning. Please note that in addition to consents under the Planning Acts above, approval under Building Regulations legislation may also be required and you

may wish to contact them to discuss this further. The Building Control department can be contacted on Tel: 01304 872495 or by email: buildingcontrol@dover.gov.uk

You will appreciate that this advice is given at officer level only and is not binding on the Council. Should you decide to submit a planning application, it may be that other issues or material considerations may arise during the advertisement and consultation period.

If you do choose to pursue a formal application then the following documents required for validation can be found at the following link; <http://www.dover.gov.uk/Planning/Planning-Applications/Making-Applications/Application-Forms.aspx>

I hope this is of assistance.

Yours faithfully

Rachel Morgan
Senior Planning Officer