

2.4 REFERENCE NO - 24/500740/FULL		
APPLICATION PROPOSAL Conversion of 2no. domestic outbuildings to 2no. holiday lets, including demolition of existing garage and erection of a single storey rear extension and glazed side link to existing stable building.		
SITE LOCATION The Cottage Frinsted Road Milstead Sittingbourne Kent ME9 0SA		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions with further delegation to the Head of Planning (as appropriate) to negotiate the precise wording of conditions, including adding or amending such conditions as may be consequently necessary and appropriate.		
APPLICATION TYPE Minor Development		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection.		
Case Officer Claire Attaway		
WARD West Downs	PARISH/TOWN COUNCIL Milstead	APPLICANT Mr Andrew Low AGENT Kingsway Planning
DATE REGISTERED 23/02/24	TARGET DATE 30/05/24	
BACKGROUND PAPERS AND INFORMATION: - Documents referenced in report are as follows: - All drawings submitted All representations received Planning and Design and Access Statement dated 19.02.2024 (uploaded on 21.02.2024) Heritage Statement dated 11.05.2022 (uploaded on 21.02.2024) Bat Activity Assessment Report dated 02.11.2023 (uploaded on 21.02.2024) eDNA Survey Report Great Crested Newt dated 02.11.2023 (uploaded on 21.02.2024) Preliminary Ecological Appraisal dated February 2023 (uploaded on 21.02.2024) The full suite of documents submitted pursuant to the above application are available via the link below: - 24/500740/FULL Conversion of 2no. domestic outbuildings to 2no. holiday lets, including demolition of existing garage and erection of a single storey rear extension and glazed side link to existing stable building. The Cottage Frinsted Road Milstead Sittingbourne Kent ME9 0SA (midkent.gov.uk)		

1. SITE LOCATION AND DESCRIPTION

- 1.1 The site comprises of a curtilage listed 19th century brick built stable building with an attached garage, and a detached timber clad barn that are both currently used for domestic storage. These outbuildings are situated within the grounds (approx. 0.06 hectares in area) of The Cottage, a Grade II listed building which is located outside any Local Plan defined built-up area boundary, and within both the Milstead Conservation

Area and the Kent Downs National Landscape [formerly known as Kent Downs Area of Outstanding Natural Beauty]. The site lies to the south of the village centre and along the western side of Frinsted Road which is designated as a protected rural lane in the Local Plan. To the north of the site runs a track and a public footpath (ZR224) that leads to a property known as Lerimede to the rear of the site.

- 1.2 The Cottage is set within a spacious garden which wraps around the house and the garden of a separate residential property known as Wisteria Cottage, a Grade II listed building. The access next to the track leads to a driveway that passes the stable building and wraps around Wisteria Cottage to arrive at the front of the house.

2. PLANNING HISTORY

- 2.1 **24/500741/LBC** Listed Building Consent sought for conversion of 1no. domestic outbuilding to 1no. holiday let, including demolition of existing garage and erection of a single storey rear extension and glazed side link to existing stable building. Pending consideration.
- 2.2 **21/506458/FULL** and **21/506459/LBC** Planning permission and listed building consent granted on 31.01.2022 for the erection of a single storey rear extension and internal alterations to the dwelling. This development relates to the property itself rather than the outbuildings.
- 2.3 **SW/04/0487** Application for a lawful development certificate withdrawn on 22.06.2004 for use of the stables as a private dwelling.
- 2.4 **SW/03/1485** and **SW/03/1486** Planning application and application for listed building consent withdrawn on 15.06.2005 for conversion of the stable building and linked outbuildings to form a single dwelling, including new garage to main house and adapted vehicular access.
- 2.5 **SW/02/0540** and **SW/02/0541** Planning application and application for listed building consent withdrawn on 08.08.2002 for part conversion of stable building and linked outbuildings to form single dwelling, including new garage to main house and adapted vehicular access.

3. PROPOSED DEVELOPMENT

- 3.1 Planning permission is sought for the conversion of the existing stable building and timber barn into two, 2-bedroom holiday lets. The existing garage (approx. 6.7m x 10.6m) attached to the stable building will be demolished and a single storey rear extension (approx. 4.3m x 8.0m) and a glazed side link (approx. 7.7m x 1.5m) will be erected.
- 3.2 The proposed conversion of the stables (Holiday Let A) will retain the existing stall division and cobbled floor, and will be re-positioned as an internal feature. On the front elevation, a new timber window will be inserted to match existing windows (secondary glazed). The rear extension will provide a lounge and kitchen and be constructed of red stock brickwork with dark stained feather-edged timber boarding on the front elevation and have a pitched roof, approx. 4.0m ridge height (approx. 2.3m eaves height) covered in natural slate. The black aluminium framed glazed link will have a mono-pitch roof, approx. 2.7m high (approx. 2.2m eaves height) covered in dark grey metal sheeting.

- 3.3 The proposed conversion of the existing timber barn (Holiday Let B) will involve inserting new timber windows and doors, re-cladding the walls in dark stained feather-edged timber boarding and covering the roof in dark grey metal sheeting.
- 3.4 Each holiday let will have a garden (approx. 8m long) separated by a brick wall and fence. A native hedgerow will be planted along the garden boundaries, and an apple tree. Each holiday let will have two parking spaces.

4. CONSULTATION

- 4.1 One round of consultation was undertaken with neighbouring occupiers adjoining the site who were notified in writing; a site notice was displayed at the site and the application was advertised in the local press. Full details of representations are available online.
- 4.2 One objection from a neighbour was received in response to the consultation. Concerns/comments were raised in relation to the following matters: -

Comment	Report reference
Noise nuisance from occupiers of holiday lets.	Paragraph 7.22
These properties are close to a paddock with alpacas and accommodation, would like to be assured that unsociable activities are not permitted.	Paragraph 7.22

- 4.3 **Milstead Parish Council** objected to the application on the following grounds: -

Comment	Report reference
To convert these outbuildings to holiday lets will make it more claustrophobic for the owners of Wisteria Cottage.	Paragraph 7.18
The proposal will spoil the character of the adjoining footpath and rural lane.	Paragraph 7.16
This proposed conversion is in essence infilling which is not acceptable and would seriously harm the special character of the village.	Paragraph 7.5
Previous applications (in 2002 and 2004) were up for refusal before being withdrawn.	Paragraph 2.4 and 2.5
The Milstead Conservation Area Character Appraisal and Management Plan has been recently updated and identifies the distinctiveness of the village and recognises its special character.	Paragraph 7.12 and 7.13

5. REPRESENTATIONS

- 5.1 **KCC Archaeology:** No objection subject to a pre-commencement condition requiring an archaeological watching brief and a programme of more detailed building recording prior to conversion of the buildings.
- 5.2 **KCC Ecology:** No objection subject to appropriate bat boxes being used, and conditions requiring details of a sensitive lighting scheme and a detailed biodiversity enhancement plan to be submitted for approval.
- 5.3 **Kent Police:** Advise that the proposal falls outside of their remit.
- 5.4 **SBC Conservation:** There would be some loss of fabric, but this is primarily confined to modern or relatively insignificant historic fabric. The glazed link to the front elevation of the stable block is not entirely ideal in visual impact terms, but is modest, well designed for what it is, allows views to the original redbrick walling through it, and prevents the need for the loss of further historic fabric through providing access from the original stable part of the new holiday home to the later extended part of the same holiday home unit.

The proposed scheme is considered to cause no harm to the setting of the Grade II listed building as the proposed buildings will remain within the curtilage of the host dwelling and retain an outbuilding appearance. The proposed scheme allows for a long term, sustainable use to be created for the former Stable Block which retains much of the fabric and appearance of the property.

While the proposed scheme is considered to cause less than substantial harm (at the low end of the scale), this has been mitigated by the long-term use of the curtilage listed building.

- 5.5 **Mid Kent Environmental Health:** No objection subject to a land contamination condition and a condition requiring details of lighting to be submitted for approval.

6. DEVELOPMENT PLAN POLICIES

- 6.1 Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 – policies:

ST1 Delivering sustainable development in Swale
ST3 The Swale settlement strategy
CP4 Requiring good design
CP8 Conserving and enhancing the historic environment
DM3 The rural economy
DM7 Vehicle parking
DM14 General development criteria
DM16 Alterations and extensions
DM24 Conserving and enhancing valued landscapes
DM28 Biodiversity and geological conservation
DM32 Development involving listed buildings
DM33 Development affecting a conservation area
DM34 Scheduled Monuments and archaeological sites

- 6.2 **Supplementary Planning Documents (SPD):**

- Parking Standards May 2020
- The Swale Landscape Character and Biodiversity Appraisal 2011

6.3 **Supplementary Planning Guidance (SPG):**

- The Conservation of Traditional Farm Buildings
- Conservation Areas

6.4 **Milstead Conservation Area Character Appraisal & Management Plan** (November 2021)

6.5 **Kent Downs AONB Management Plan:** MMP2; SD1; SD2; SD3; SD9; LLC1 and VC6.

7. ASSESSMENT

7.1 This application is reported to the Committee because Milstead Parish Council has objected to the proposal. Considering these comments and the proposal that has been submitted, the committee is recommended to carefully consider the following points: -

- Principle of development
- Heritage
- Landscape and Visual
- Living Conditions
- Transport and Highways
- Ecology
- Landscaping

Principle of development

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.4 The site is situated within the designated countryside where Policy ST3 of the Local Plan seeks to resist development unless supported by the NPPF. The NPPF at Paragraph 88 states that a positive approach should be taken to sustainable development to promote a strong rural economy and that support for all types of rural businesses and tourism developments can be achieved through conversion of existing buildings and well-designed new buildings which respect the character of the countryside. The NPPF at Paragraph 89 also recognises that sites to meet local business and community needs in rural areas may have to be found outside existing settlements and in locations that are not well served by public transport. It also sets out that the use of previously developed land should be encouraged where suitable opportunities exist.

- 7.5 Policy DM3 of the Local Plan supports the rural economy by encouraging economic development, especially by prioritising the re-use of rural buildings over new builds. The proposed conversion will re-use and restore a historic farm building to provide holiday accommodation that will support the rural economy by helping to sustain nearby businesses and local tourist attractions.
- 7.6 On that basis, the conversion of existing rural buildings into holiday let accommodation is considered acceptable in terms of Paragraph 88 of the NPPF and in accordance with Policy DM3 of the Local Plan.

Heritage

- 7.7 The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan.
- 7.8 The stable building is considered to be curtilage listed. The building was previously used as an office/accommodation but is now used for storage by the occupiers of The Cottage. Policy DM32 of the Local Plan supports necessary and appropriate changes of use to listed buildings providing that the proposed use will not be harmful to the character of the building. The proposed development will create a two-bedroom holiday let that retains much of the historic fabric and appearance of the property. The proposed rear extension is sensitively designed and will provide additional accommodation which is connected by a simple glazed corridor. This allows the curtilage listed building to be read in its own right, whilst the new additions will be clearly seen as modern interventions.
- 7.9 The land behind the stable building and to the side of the timber barn will be used as private outdoor space for the occupiers of the holiday let. The drawings show this to be separated by a 2m close boarded fence which is not considered to be an appropriate boundary treatment. It is suggested that a more appropriate boundary treatment could be provided, such as a willow weave fence. Condition (14) requires details of boundary treatment to be agreed. This is considered to adequately address this issue.
- 7.10 As set out in the Conservation Officer's comments (paragraph 5.4), the proposed development is considered to give rise to less than substantial harm to the special character of the curtilage listed stable building. In these scenarios the NPPF sets out that this harm should be weighed against the public benefits of the proposal. As set out above, it is considered that the long-term use of the stables as holiday accommodation will outweigh the limited harm to the appearance of the property when assessed against the framework. On that basis, the proposed development complies with Policies CP8, DM14 and DM32 of the Local Plan and Paragraph 208 of the NPPF.
- 7.11 The Cottage and Wisteria Cottage are located near the site and are Grade II listed buildings. The proposed extensions to the stable building are sensitively designed and of an acceptable scale, and the external alterations to the timber barn would be finished in traditional materials. The proposed scheme allows for a long-term use to be created

for the outbuildings and is considered to cause no harm to the setting of the adjacent listed buildings.

- 7.12 Policy DM33 of the Local Plan states that new development within a conservation area should be sensitive to the special character of the area and be of a high standard of design. The site lies within the Milstead Conservation Area where the recent Conservation Character Appraisal and Management Plan describes this site as follows:

“The next house is the Grade II Listed house known as The Cottage built in 1600 – with up to 15 separate additions. It includes a room which was the original kitchen with an in-situ 17th century brick chimney and a former dairy now kitchen, with loft now a bedroom. As described in the historical background, The Cottage had a long association with Jane Austen. Its extensive grounds sweep round behind the gardens to Wisteria Cottage. It can be viewed from the road beyond a white wooden gate but its boundary onto Frinsted Road is bounded by high hedges.”

- 7.13 The use of the timber barn as a holiday let requires minimal external alterations to the building itself and does not increase its height or footprint. The re-cladding of the external walls with featheredged weatherboarding will improve the appearance of the building. The simple glazed design of the link extension to the stables building means it will be visually discrete. The rear extension will enhance the character and appearance of the conservation area by replacing an unsympathetic garage. The proposed extensions and external alterations to these buildings have therefore been sensitively designed and as such will preserve the character and appearance of the conservation area. On that basis, the proposal complies with Policy DM33 of the Local Plan.
- 7.14 In considering the impact of this proposal upon designated heritage assets, officers have had regard to the Council's obligations pursuant to the Planning (Listed Building and Conservation Areas Act) 1990.

Landscape and Visual

- 7.15 The NPPF gives great weight to conserving landscape beauty and scenic value in the AONB. This is reflected in Policy DM24 of the Local Plan. The NPPF also gives support to suitably located and well-designed development necessary to facilitate local business and community needs. The Kent Downs AONB Management Plan pursues development for sustainable visitor and tourism facilities which does not detract from the natural beauty of the designated area.
- 7.16 The proposal seeks an alternative use for a redundant farm building and curtilage listed stable building that complies with Policy DM3 of the Local Plan. The rear addition is sensitively designed, being subservient and set back behind the stables with a simple link connection. As such, the proposed development will conserve and enhance the natural beauty of the AONB.

Living conditions

Existing occupiers

- 7.17 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers. Specifically, policy DM14 states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the

proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight. Policy DM16 also requires that alternations or extensions to existing buildings protect residential amenity.

- 7.18 Wisteria Cottage is situated to the south of the site, approx. 12m away from the stable building and the rear garden of this property backs onto the driveway leading to The Cottage. The proposed single storey rear extension replaces an existing garage. Given that it is smaller in footprint than the existing building, and the link extension is a simple glazed corridor the proposal will not give rise to any significant loss of sunlight or any increased shading of the rear garden to this neighbouring property.
- 7.19 To the north of the site, is Julian House which is situated the other side of the footpath and track, with a separation distance of approx. 10m. The proposed stables conversion does not include any additional windows or doors on the northeast elevation facing this neighbouring property. The new ground floor bedroom window to the barn conversion will be situated approx. 17m from the side boundary. Therefore, the buildings are sufficiently spaced apart and as such will not result in any loss of sunlight or any harmful overlooking.
- 7.20 To the west, is Lerimede which is situated approx. 28m away to the rear of the site. Given this intervening distance, and the fact that the proposed extension replaces an existing garage building, the proposal will not give rise any overshadowing or loss of privacy.
- 7.21 As Building B would not change in footprint, scale or height, it would not result in any loss of light or overbearing impacts. It would be well separated from neighbouring properties and would not directly face the closest neighbour at Wisteria Cottage, and as such no loss of privacy would be likely to occur.
- 7.22 The level of noise generated from the proposed use will not be dissimilar from typical domestic noise and it is important to note that the Council's Environmental Health team have raised no concerns in this regard. However, there is potential for light pollution given the countryside location. Therefore, the Council's Environmental Health Officer recommends that careful consideration is given to any external lighting so that there is not any overspill into adjoining or nearby properties. Members will note that Condition (6) requires lighting details to be submitted to ensure that any impact on the surrounding landscape is minimised.
- 7.23 On that basis, there is found to be no identifiable harm to the living conditions of neighbouring properties and as such the proposal complies with Policy DM14 and DM16 of the Local Plan.

Future occupiers

- 7.24 The Environmental Health Officer recommends a watching brief condition to ensure any contamination found during the development is appropriately dealt with. Members will note Condition (5) below.

Transport and highways

7.25 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

7.26 The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

7.27 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm.

7.28 The site is in a rural location and along a country lane which is designated as a protected rural lane in the Local Plan. Given the limited access to public transport, it is likely that visitors would rely on a car for their journeys. However, the small number of holiday units being proposed here would not generate a significant amount of traffic, and in any case, it will be dispersed throughout the day.

7.29 The SBC Parking Standards SPD recommends parking requirements based upon the location of the site. The parking area for each holiday let will comprise of two parking spaces which meets the current parking standards and as such is considered adequate to accommodate any visitors to the site. On that basis, the proposal complies with Policy DM7 of the Local Plan and the SBC Parking Standards SPD.

Ecology

7.30 The Conservation of Habitats and Species Regulations 2017 (‘the Habitats Regulations’) affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act 1981. This is endorsed by policies CP7 and DM28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites.

7.31 Under the Natural Environment and Rural Communities Act (2006), the authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions for the purpose of conserving biodiversity. Furthermore, the National Planning Policy Framework states that ‘the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and delivering net gains in biodiversity’. The National Planning Policy Framework states that ‘if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for then planning permission should be refused’.

7.32 National planning policy aims to conserve and enhance biodiversity and encourages opportunities to incorporate biodiversity in and around developments. Under the Natural Environment and Rural Communities Act (2006), “every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of these function, to the purpose of conserving biodiversity”.

- 7.33 In terms of the Local Plan, Policy DM28 sets out that development proposals will conserve, enhance, and extend biodiversity, provide for net gains where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.34 The bat survey submitted with the application recorded that a brown long eared bat was seen entering the existing garage which is due for demolition. The proposed works will avoid maternity (May to August) and hibernation (December to March) and mild weather conditions, and bat boxes will be installed. The KCC Ecologist is satisfied with the mitigation/compensation strategy provided that the design of the bat box is submitted for approval. Separately, a Natural England mitigation licence will be required for works to this building, trees, and other relevant habitat before proceeding.
- 7.35 As part of this process, prior to determination, Swale Borough Council are required under The Conservation of Habitats and Species Regulation (2017) to consider whether it is likely that a Natural England mitigation licence will be granted, and in so doing must address three tests when deciding whether to grant planning permission for the proposed development. The three tests are:
- (1) Regulation 55(2)(e) states: a licence can be granted for the purposes of *“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”*.
 - (2) Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied *“that there is no satisfactory alternative”*.
 - (3) Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied *“that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”*
- 7.36 In terms of (1), the principle of the proposal as a whole is satisfactory and in accordance with policy DM3. Economic benefits have been identified as set out within this report. On that basis it is considered test 1 is passed. In respect of (2), as the development requires the demolition of this building there is not believed to be a satisfactory alternative. As a result test 2 is passed. Finally, KCC Ecology have commented in terms of (3) that they are satisfied, subject to confirmation regarding the bat boxes, that favourable conservation status can be maintained for the local population of bats, provided the submitted mitigation/compensation strategy is effectively implemented. The details of the bat boxes will be secured via condition and the mitigation / compensation will be required to be submitted to Natural England. There is no evidence to suggest that this strategy will not be effectively implemented and as such on the basis of the above it is considered that test 3 is passed.
- 7.37 There is a pond within 250m of the site which has been surveyed for any evidence of great crested nests. The KCC Ecologist is satisfied that it is unlikely that great crested newts will be present within the site and as such, no further mitigation actions are necessary for either reptiles or great crested newts.
- 7.38 The PEA makes some suggestions for ecological enhancements, but these have not been incorporated into the plans. The KCC Ecologist recommends a Biodiversity

Enhancement Plan is provided within three months of works commencing. Members will note Condition (7) below.

7.39 The KCC Ecologist has recommended a condition requiring a lighting design plan for biodiversity to contain any potential impact on bat activity. Members will note Condition (6) below.

7.40 As the site is located more than 6km from the Thames, Medway and Swale Estuary SPA and Ramsar sites, there is no requirement to mitigate against impacts upon these designations, and as such a SAMMS payment is not necessary.

8. CONCLUSION

8.1 The proposed development would re-use and restore a redundant farm building and a curtilage listed stable building to provide holiday accommodation that will support the rural economy by helping to sustain nearby businesses and local tourist attractions. The impact is considered to be minimal and considerably outweighed by the benefits it would bring to the Borough. On that basis, planning permission should be granted, subject to the conditions which have been included below.

CONDITIONS

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in complete accordance with the following approved drawings:

Proposed Ground Floor Plan LO/21/134.08

Proposed Elevations LO/21/134.09

Proposed Block and Roof Plan LO/21/134.10

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

(3) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed, and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

(4) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

- (5) If during construction/demolition works evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build, then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: To ensure any contaminated land is adequately dealt with.

- (6) Prior to occupation, a lighting design plan for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall show the type and locations of external lighting and shall be designed to minimize light spill in accordance with the recommendations within the Bat Conservation Trust and the Institute of Lighting Professional's Guidance Note 08/23 Bats and Artificial Lighting at Night:

<https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released>

All external lighting shall be installed in accordance with the specifications and locations set out in the plan and shall be maintained thereafter.

Reason: In the interests of conserving protected species.

- (7) Within three months of works commencing, a detailed biodiversity enhancement plan, showing how the development will enhance biodiversity shall be submitted to the Local Planning Authority. This will include a detailed landscaping plan, basic management measures to achieve the proposed habitat target conditions, native and wildlife-friendly planting, and durable integrated features including bat and bird boxes aimed at species of conservation concern. No occupation shall take until the biodiversity enhancement plan has been approved by the Local Planning Authority and the approved measures shall be implemented and retained thereafter.

Reason: In the interests of protecting and encouraging wildlife and biodiversity.

- (8) No works other than demolition shall take place until details have been submitted to and approved in writing by the Local Planning Authority which sets out what measures have been taken to ensure that the development incorporates sustainable

construction techniques such as water conservation and recycling and energy efficiency. Upon approval, the details shall be incorporated into the development in accordance with the approved details prior to the first occupation of the holiday accommodation.

Reason: In the interest of promoting energy efficiency and sustainable development.

- (9) The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the accommodation hereby permitted shall not be occupied unless the notice for the dwellings of the potential consumption of water per person per day required by the Building Regulations 2015 (as amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

- (10) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: -

Monday to Friday 0730 – 1800 hours, Saturdays 0800 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (11) The area shown on approved drawing No. LO/21/134.10 as vehicle parking space shall be provided before first occupation of the holiday lets hereby permitted, and this area shall at all times be retained for the use of the occupiers of the holiday accommodation. No permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order, shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to these areas.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

- (12) Prior to the first occupation of the holiday accommodation hereby permitted, one electric vehicle charging point for each unit shall be provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. All Electric Vehicle chargers provided must be to Mode 3 standard (providing a minimum of 7kw) and SMART (enabling Wi-Fi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/authorised-chargepoint-model-list>

Reason: To encourage the use of electric vehicles, in the interests of climate change and reducing pollution.

- (13) Prior to the first occupation of the holiday accommodation hereby permitted, details of secure, covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority, and such facilities shall be provided on site prior to first occupation and retained thereafter.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of sustainable development and promoting cycle visits.

- (14) Within three months of the commencement of development full details of both hard and soft landscape works shall be submitted to the Local Planning Authority for approval in writing. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure (which shall, notwithstanding the details shown on drawing LO/21/134.08, not be a close boarded fence), hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (15) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (16) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (17) No works other than demolition shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In order to preserve or enhance the character and appearance of the listed building.

- (18) Prior to the relevant works taking place, details of the colour finish(es) to be used for the paint/stain finish to the external joinery for the two holiday lets shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to preserve or enhance the character and appearance of the listed building.

- (19) Prior to the relevant works taking place, a 1:2 scale vertical section drawing showing the eaves (including guttering) and verge detailing to be used for holiday let B shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved

details.

Reason: In order to preserve or enhance the character and appearance of the listed building.

- (20) Prior to the relevant works taking place, a Manufacturers/supplier colour brochure and technical data sheet details of the specific cast aluminum or cast-iron rainwater goods to be used (for both holiday let A and B) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to preserve or enhance the character and appearance of the listed building.

- (21) Details of any external flues, vents, light fittings, wiring and/or piping to be installed in/on holiday let A or B shall be submitted to and agreed in writing by the Local Planning Authority prior to installation. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to preserve or enhance the character and appearance of the listed building.

- (22) No further development permitted by Classes A, C, D or H of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: In the interest of conserving the character and appearance of the area.

- (23) No further development permitted by Class A of Part 2 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) shall be carried out.

Reason: In the interest of conserving the character and appearance of the area.

- (24) The holiday let hereby permitted shall be used solely for the purpose of holiday accommodation; shall not be used by any person or persons as their sole or main residence and the accommodation shall not be occupied by any person or group of persons for more than four weeks in any calendar year.

Reason: As the site lies outside any area intended for new permanent residential development and as the permission is only granted in recognition of the applicant's intention and the Local Planning Authority's wish to encourage suitable provision of holiday accommodation in this attractive rural area.

INFORMATIVES

- (1) The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.
- (2) Habitats are present on and around the site that provide opportunities for breeding

birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

N.B: It should be noted that some birds are capable of nesting outside of these times, especially where weather conditions are favourable. Birds such as feral pigeon, wood pigeon and barn owl have been recorded nesting in every month of the year. Care when removing bird nesting habitat may therefore be required at all times of year, with attention paid to the nesting habits of the species that could make use of the site and weather conditions at the time of clearance.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), 2023 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

