

Decision Notice

MC/21/0609



Mr Sean Cosens
Chris Saunders Associates
Chris Saunders Associates
Office 16 apple Pie Farm
Cranbrook Road, Benenden
Cranbrook
TN17 4EU

Applicant Name:
c/o Elias Poli

Planning Service
Physical & Cultural Regeneration
Regeneration, Culture, Environment &
Transformation
Gun Wharf
Dock Road
Chatham
Kent
ME4 4TR
01634 331700
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Planning.representations@medway.gov.uk

Town and Country Planning Act 1990

Location: Stone House Farm, Dillywood Lane, Wainscott, Rochester, Medway

Proposal: Listed building consent for change of use and conversions of redundant agricultural buildings to 5 residential dwellings with associated parking.

NOTIFICATION OF GRANT OF CONSENT TO CARRY OUT WORKS TO A LISTED BUILDING.

In pursuance of their powers under the above mentioned Act, Medway Council, HEREBY GRANTS CONSENT for the works proposed in your application for Listed Building consent, dated 3 March 2021.

This consent does not carry any approval or consent which may be required under any enactment, order or regulation other than Section 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

SUBJECT TO THE CONDITIONS SPECIFIED HEREUNDER:

- 1 The development and works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The works and development hereby consented shall be carried out in accordance with the following approved plans:

Received 3 March 2021:

09 Oasthouse Proposed South East Elevation
10 Oasthouse Proposed North West Elevation
14 Oasthouse Proposed Section BB
15 Oasthouse Joinery and Details
107 South Barn Proposed Section and Details
108 South Barn Proposed Joinery
211 North Barn Joinery Details
212 North Barn Construction Details

Received 28 September 2021:

07A Oasthouse Proposed North East Elevation
08A Oasthouse Proposed South West Elevation
011A Oasthouse Proposed Ground Floor
012A Oasthouse Proposed First Floor
013A Oasthouse Proposed Section AA
104A South Barn Proposed Floor Plan
105A South Barn Proposed West and East Elevations
106A South Barn Proposed North and South Elevations
205A North Barn Proposed Ground Floor
206A North Barn Proposed First Floor and Garage
207A North Barn Proposed West and East Elevations
208A North Barn Proposed South and North Elevations
210A North Barn Proposed Sections AA and BB

Received 28 March 2022:

304B Block Plan revised with new access
305 Street View Access Dillywood Lane
306 Street View Access Stonehorse Lane

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

- 3 Prior to commencement of any part of the development, details and samples of any new or replacement materials including but not limited to the following shall be submitted to and approved in writing by the Local Planning Authority: -

- o Roof tiles
- o Bricks
- o Rooflights
- o Rainwater goods (guttering, hoppers and downpipes) and surface water drainage
- o Weatherboarding
- o The vertical boarding noted on the 'south barn' in Plot 3
- o Details for the lime mortar mixes to be used
- o Details for the construction of the replacement cowls
- o Details of the construction and appearance of the new staircases to be inserted into the buildings
- o Details for the construction of new floors, walls (including the over-boarding of existing walls) and ceilings (including the over-boarding of existing ceilings) within the buildings

The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE18 of the Medway Local Plan 2003.

- 4 Prior to commencement of works to the windows, details of the windows at a scale of 1:10 elevation and 1:1 or 1:2 sectional detail, including the surrounding brickwork on any new openings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE18 of the Medway Local Plan 2003.

- 5 Prior to commencement of works to the doors, details of the doors (both internal and external) at a scale of 1:10 elevation and 1:1 or 1:2 sectional detail shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE18 of the Medway Local Plan 2003.

- 6 Prior to commencement of any part of the development a full building recording survey shall be undertaken to Level 3 (analytical) as detailed in Historic England's publication 'Understanding Historic Buildings: A Guide to Good Recording Practice' published in May 2016, available here:

<https://historicengland.org.uk/images-books/publications/understanding-historic-buildings/> Once completed, the survey should be deposited with Medway Archives and Local Studies Centre, and the Kent Historic Environment Record and a copy sent to the Local Planning Authority.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to the historic buildings, in accordance with Policy BNE18 of the Medway Local Plan 2003.

- 7 Prior to commencement of any part of the development details for the conservation repairs and/or methodology shall be submitted to and approved in writing by the Local Planning Authority, for the following:
- o New and existing internal and external openings
 - o Repairs to the existing floors, walls, and roofs
 - o Any structural repairs required (after a full structural survey is undertaken of each building see condition 6)
 - o Any repairs to the outside of the buildings
 - o The repairs to the lean-to structure, identified as the 'hangar' in Plot 4

The works shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the development is satisfactory and without prejudice to the historic buildings, in accordance with Policy BNE18 of the Medway Local Plan 2003.

- 8 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 9 Prior to commencement of works to the new wall and railings on Dillywood Lane, details of the wall and railings at a scale of 1:10 elevation and 1:1 or 1:2 sectional detail shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE18 of the Medway Local Plan 2003.

- 10 Prior to commencement of works to the new wall and railings on Stonehorse Lane, details of the wall and railings at a scale of 1:10 elevation and 1:1 or 1:2 sectional detail shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE18 of the Medway Local Plan 2003.

- 11 Prior to commencement of works to install bollards used to subdivide the farmyard (between plot 3 and plot 4), details of the bollards shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE18 of the Medway Local Plan 2003.

- 12 Prior to commencement of works to reconstruct the wall for the parking area for Plot 4, details of the wall including samples shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE18 of the Medway Local Plan 2003.

Your attention is drawn to the following informative(s) :-

- 1 In accordance with paragraph 38 of the NPPF Medway Council takes a positive, proactive and creative approach to development proposals focused on solutions. Medway Council works with applicants/agents in a positive, proactive and creative and manner by:

Offering a pre-application advice service;
Updating applicants/agents of any issues that may arise in the processing of their application;
Where possible suggesting solutions; and
Informing applicants/agents of any likely recommendation of refusal prior to a decision.

In this instance the applicant/agent was updated of any issues after the initial site visit and the applicant/agent was provided with pre-application advice.

- 2 This listed building consent has taken account of the following submitted documents:-

Received 3 March 2021:

Bat Emergent Survey
Bat Scoping Survey
Heritage Statement Addendum Rev
Planning Statement
Pre-app Heritage Statement
Application Form
01 Oasthouse Existing North East Elevation
02 Oasthouse Existing South East Elevation
03 Oasthouse Existing South West Elevation
04 Oasthouse Existing North West Elevation
05 Oasthouse Existing Ground Floor Plan
06 Oasthouse Existing First Floor Plan
101 South Barn Existing West and South Elevations
102 South Barn Existing North and East Elevations
103 South Barn Existing Plan and Section
201 North Barn Existing South and East Elevation
202 North Barn Existing North and West Elevation
203 North Barn Existing Ground Floor Plan
204 North Barn Existing First Floor Plan
209 North Barn Existing Sections AA and BB
301 Existing Block Plan

Received 16 April 2021:

Preliminary Ecological Appraisal

Received 28 September 2021:

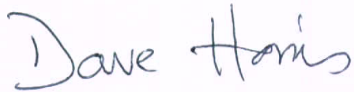
Biodiversity Enhancement Scheme
Bat mitigation strategy
Bat Emergence/Re-entry surveys
Heritage Statement Addendum for Conversion of redundant agricultural buildings
Report on the viability of commercial use of curtilage listed farm buildings
Non-Licensed Precautionary Method Statement for working near protected species

Received 30 September 2021:

Desk Study and Preliminary Risk Assessment Report

Received 28 March 2022:

Addendum to Non-Licensed Precautionary Method Statement for working near
protected species
Heritage Statement Addendum [Revision B]
Addendum to Biodiversity Enhancement Scheme
Updated Preliminary Ecological Appraisal

A handwritten signature in blue ink that reads "Dave Harris". The signature is written in a cursive style with a large initial 'D'.

David Harris
Head of Planning
Date of Notice 6 May 2022

TOWN & COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS) (ENGLAND) (AMENDMENT) (REGULATIONS 2013)

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks** from the date of this notice for appeals being decided under the **Commercial Appeals Service** and **6 months** from the date of this notice for all other **minor and major applications**.
 - However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
 - **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
 - **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).
 - Appeals must be made using a form which you can obtain from the Planning Inspectorate by contacting Customer Support Team on 0303 444 50 00 or to submit electronically via the Planning Portal at

https://www.planningportal.co.uk/info/200207/appeals/110/making_an_appeal

Commercial Appeals Service

- This type of appeal proceeds by way of written representations, known as the "Commercial Appeals Service". Third parties will not have the opportunity to make further representations to the Planning Inspectorate on these.

All other Minor and Major Applications

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the

proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based on their decision on a direction given by him.

Purchase Notes

- If either the Local Planning Authority or the Secretary of State refuses permission to development land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.