

NOTES FOR TECH:		
APPLICATION PROPOSAL		Ref No 15/510147/OUT
Hybrid application comprising change of use and conversion of existing building to one residential dwelling, site access works and alterations to existing farm access. Outline with access being considered for up to 45 residential dwellings, open space, play, landscaping and associated drainage works at Bell Farm, East Street.		
ADDRESS Land At Bell Farm South Of East Street Harrietsham Kent ME17 1HJ		
RECOMMENDATION - Application Refused		
WARD Harrietsham And Lenham Ward	PARISH COUNCIL Harrietsham	APPLICANT Messrs. W.B., R.R.B., And J.E.B. Cyster And Ms S.J. Cyster AGENT DHA Planning Ltd
DECISION DUE DATE	PUBLICITY EXPIRY DATE 14/06/16	OFFICER SITE VISIT DATE 21/01/16
RELEVANT PLANNING HISTORY:		

None relevant.

Site description

The proposal site is approximately 2.5 hectares in area, and is located behind the properties 'Southlands', 'Eastdene' and 'The Martins' that front onto East Street. Located on the southern side of the road, the proposal site takes on a general rectangular shape, stretching down to the CTRL and the M20 motorway; and the junction of East Street and Church Road is only some 30m away to the north-east of the site.

The proposal site is currently agricultural land with agricultural land to the immediate east and west. However, it should be noted that under extant planning permission MA/14/0828, the land to the west of the site has approval to provide 113/114 dwellings (allocated site H1(33) - South of Ashford Road). The northern-most part of the site is relatively flat until it noticeably dips and then rises up to the CTRL and motorway. The site is relatively open, in that the only real boundary treatments are of low level post and wire fencing in places, and sporadic planting including a hedge along part of the eastern boundary. The site is also bounded by a public footpath (KH272A) along its eastern boundary, which runs through the middle of 'The Martins' and 'Malthouse'; a public footpath (KH272) runs diagonally across the site from its north-eastern corner in a south-western direction; and a third public footpath (KH276) also runs from the south-eastern corner, through the middle of the site, coming out at to the north of the site onto the A20.

The general character of built development in this area, which is to the south of the A20, is of road frontage properties of differing age and design; the East Street Conservation Area is to the immediate east of the site; and there are a number of listed properties within the vicinity, including 'Malthouse' which is a Grade II listed property set closest to the proposal site and 'Bell Farm' which is also Grade II listed and part of the proposal site. For the purposes of the adopted Development Plan the proposal site is within the countryside.

Background information

To the immediate west of the proposal site there is an extant permission for 113/114 dwellings and retail store (MA/14/0828 - Land South of Ashford Road); to the north of the site there is an extant outline permission for up to 80 dwellings (MA/14/0095 - Land at Church Road) with a subsequent permission to increase this total of houses to 96 subject to a legal agreement (15/510628); and some 500m to the north-east there is an outline application for 49 houses that is waiting the completion of the legal agreement (MA/13/1823 - 'Mayfield Nursery').

Proposal

This is a hybrid application. Planning permission is sought for the conversion of existing outbuildings that abut the west wall of the farmyard into a single (1-bed) dwelling with new detached garage. The general machinery store and another dilapidated building would be removed to facilitate this conversion. The proposal building is to the east of 'The Martins'; and the new garage building would be erected to the south of the main house. The existing concrete block wall and corrugated steel gates in between 'Bell House' and 'Bell Farm' would also be replaced with a widened access and a 2m high ragstone wall and soft landscaping.

Outline consent is sought for the erection of up to 45 residential dwellings on the land, with access for consideration at this stage and all other matters reserved for future consideration. Access is shown from East Street, in between 'Malthouse' and the farm building that is to be converted into residential use.

Illustratively, the plans show a main spine road through the site with a number of driveways and smaller access roads coming off this; 79.5 parking spaces are shown; there is a local area of play (LAP) shown at the southern end of the site; indicative planting is shown along the boundaries and within the site; and the buildings are all proposed to be no-more than 2-storey in height. The indicative layout shows larger, detached properties at the northern end, and then moving through the site this gives way to smaller detached and semi-detached houses, through to a block of 1-bed flats next to the LAP. 40% affordable housing would be provided.

Policies and other considerations

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV26, ENV28, ENV45, ENV49, T1, T13, T23, CF1
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Affordable Housing DPD (2006)
- Open Space DPD (2006)
- Submitted version of Maidstone Local Plan: SS1, SP5, SP6, SP17, DM1, DM2, DM3, DM7, DM13, DM27, DM34, DM35
- Harrietsham Neighbourhood Plan: NP Area was approved 29/10/12 and pre-submission consultation ended on 14/12/13.

Consultee responses

Harrietsham Parish Council: Wish to see the application refused and their comments are summarised as follows:

- *Not an allocated site within the submitted version of Maidstone Local Plan or Harrietsham Neighbourhood Plan;*
- *Proposal is outside village boundary;*
- *Unacceptable urban sprawl;*
- *Cumulative impact of developments would be harmful to character of Harrietsham;*
- *Cause harm to setting of conservation area and near-by listed buildings;*
- *Tranquillity of the area would be impacted upon;*
- *Unacceptable increase in traffic;*
- *Harrietsham cannot sustain level of development in terms of services and amenities;*
- *Object to Harrietsham being designated as a Rural Service Centre;*
- *Area has insufficient sewage capacity;*
- *Risk of flooding; and*
- *There are errors/discrepancies within Phase 1 Habitats Survey.*

Councillors Tom and Janetta Sams: Called application to committee if minded to recommend approval.

KCC Highways: Raises no objections.

Landscape Officer: Raises no objections.

Biodiversity Officer: Raises no objections.

Conservation Officer: Considers loss of ragstone wall for access to be harmful to significance of conservation area and the GII listed 'Malthouse'.

Housing Team: Raise no objection.

Environmental Health Officer: Raises no objection.

KCC Public Rights of Way Officer: Raises no objection.

Environment Agency: Have no comment to make.

Southern Water: Raises no objection.

KCC SUDS: Raise no objection.

KCC Archaeology Officer: Raises no objection.

UK Power Networks: Raise no objection.

Historic England: Raise no objection.

Agricultural Advisor: Raises no objection.

Lower Medway IDB: Raise no objections.

Natural England: Raises no objection.

Kent Police: Raise no objection.

Scottish Gas Networks: Raise no objections.

Network Rail (High Speed 1): No objections subject to recommended conditions.

Parks and Open Space: Requests contributions.

NHS: Requests contributions.

KCC Education: Requests contributions.

Neighbour responses: 95 representations received raising concerns over:

- *Impact upon setting of conservation area and listed buildings;*
- *Highway safety/parking/congestion;*
- *Over development of site and cumulative impact of other near-by developments*
- *Overshadowing;*
- *Impact on countryside and character of area;*
- *Landscape impact;*
- *Flood risk and drainage;*
- *Site is not allocated in the submitted version of Local Plan;*
- *Biodiversity/ecology;*
- *Location of play area is on HS1 land for 'no development';*
- *Maidstone can demonstrate a 5 year land supply.*

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

The application site is outside of the defined village boundary of Harrietsham and is considered to be sustainable in terms of its location. It is therefore upon land defined in the Local Plan as countryside. As such, the starting point for consideration is saved policy ENV28 of the adopted Local Plan and the proposed development does not fit into any of the exceptions set out in policy ENV28.

The submitted version of the Development plan went to the Secretary of State for examination on the 20 May 2016 and examination is expected to follow in September. This document is considered to hold significant weight.

It is necessary to consider two main issues in relation to the proposals. Firstly, whether there are any material considerations that would indicate that a decision not in accordance with the Development Plan is justified, and secondly whether the development would cause unacceptable harm. The issue of harm will be discussed later in the report.

In terms of other material considerations, the National Planning Policy Framework (NPPF) is a key consideration, particularly with regard to housing land supply. Paragraph 47 of the NPPF states that Councils should;

"...identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land."

The Council has undertaken a Strategic Housing Market Assessment (SHMA) which was completed in January 2014. This work was commissioned jointly with Ashford and Tonbridge and Malling Borough Councils. A key purpose of the SHMA is to quantify how many new homes are needed in the borough for the 20 year period of the emerging Local Plan (2011 -31). The SHMA (January 2014) found that there is the objectively assessed need (OAN) for some 19, 600 additional new homes over this period which was agreed by Cabinet in January 2014. Following the publication of updated population projections by the Office of National Statistics in May, the three authorities commissioned an addendum to the SHMA. The outcome of this focused update, dated August 2014, is a refined objectively assessed need figure of 18,600 dwellings. This revised figure was agreed by Cabinet in September 2014. Since that date revised household projection figures have been published by the Government and as a result the SHMA has been re-assessed. At the meeting of the Strategic Planning, Sustainability and Transport Committee on 9 June 2015, Councillors agreed a new OAN figure of 18,560 dwellings.

The new Local Plan has advanced and was submitted to the Secretary of State for examination on the 20 May 2016. Examination is expected to follow in September. The Plan allocates housing sites considered to be in the most appropriate locations for the Borough to meet the OAN figure and allows the Council to demonstrate a 5 year supply of deliverable housing sites. This proposal site is not an allocated housing site within the submitted version of the Local Plan; and policy SP17 of this document also seeks to restrict housing development within the countryside.

The yearly housing land supply monitoring carried out at 1 April 2016 calculated the supply of housing, assessed extant permissions, took account of existing under delivery and the expected delivery of housing. A 5% reduction from current housing supply was applied to account for permissions which expire without implementation. In conformity with the NPPF paragraph 47, a 5% buffer was applied to the OAN. The monitoring demonstrates the council has a 5.12 year supply of housing assessed against the OAN of 18,560 dwellings.

The Council can demonstrate a 5 year housing land supply and so relevant policies for the supply of housing (such as saved policy ENV28 of the adopted Local Plan which seeks to restrict housing outside of settlements) are considered to be up-to-date, and so paragraph 49 of the NPPF is not considered to be engaged.

Given this current policy situation and the fact that the Council can demonstrate a 5 year housing land supply, the proposal is considered to be contrary to saved policy ENV28 of the adopted Local Plan and SP17 of the submitted version of the Local Plan.

Furthermore, although the NPPF identifies the provision of new housing by way of various means of delivery as a priority (section 6), it also sets out that this is not to take place at the expense of either the built or natural environment. The NPPF also makes it clear that proposed development needs to respect the intrinsic character and setting of the countryside (paragraph 17); and that permission, *"...should be refused for development of poor design that fails to*

take the opportunities available for improving the character and quality of an area" (paragraph 64).

Paragraph 134 of the NPPF states that;

"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 of the proposal, including securing its optimum viable use."

Policy DM3 of the submitted version of the Local Plan also seeks to protect the positive historic character and heritage assets and their settings.

The proposed development would be in accordance with the Council's 2006 Affordable Housing DPD, in providing 40% affordable housing on-site (with 60% affordable rent and 40% shared ownership split); and as discussed in more detail further on in the report, the applicant has agreed to the requested Heads of Terms from KCC Education, the NHS and the Council's Parks and Open Spaces Department (in line with saved policy CF1 of the adopted Local Plan and the Council's 2006 Open Space DPD).

Subject to the appropriate details, there is policy support for residential conversions of rural buildings under saved policy ENV45.

The pre-submission consultation for the Harrietsham Neighbourhood plan ended in December 2013. As such, there is no draft Neighbourhood Plan in place.

Visual landscape impact

There would be close to medium views of the proposal possible from public vantage points such as East Street, Church Road, Fairbourne Lane and the A20 (Ashford Road). There would also be obvious views of the proposal from the public footpaths that lead up to and cross through/next to the site. The illustrative drawings show 2 storey buildings, hard boundary treatments and areas of hardstanding across the site; and once built there would be the addition of parked cars and the domestic paraphernalia that comes with such a development. This proposed housing development on a greenfield site in the designated countryside will inevitably have more of an adverse visual impact upon the area when compared to the current situation. Furthermore, the pattern of development of East Street is very much characterised by ribbon development along the road and this proposal, set behind properties and projecting southwards away from built form in an awkward linear way would appear incongruous and consolidate sporadic development in the area, causing unacceptable harm to the character and appearance of the countryside hereabouts.

It is accepted that if the extant development to the west of the site (approved under MA/14/0828) was to be built-out, the visual impact of this proposal would be diminished. However, this proposal is not supported by the aforementioned Local Plan policies and is considered likely to detract from the countryside, causing unnecessary and unacceptable harm to the character and appearance of the area.

The merits of the residential conversion of the outbuilding are discussed separately later on in this report.

Design issues

Details of layout, scale, appearance and landscaping are not being considered at this stage. However, the illustrative plans show 45 residential units which equates to a density of around 18 dwellings per hectare, which is not considered unacceptable in this location. I am satisfied that up to 45 dwellings could fit within the site without appearing cramped, and if I were minded to approve this application, parameters (such as keeping all buildings 2 storey) could be ensured by way of condition, as well as requesting further details in terms of design, appearance and hard and soft landscaping.

Heritage implications

The Conservation Officer is of the view that the proposed houses here would have only a limited impact on the setting of the conservation area and is unlikely to result in harm to its significance. However, access to the site would be gained from East Street within the conservation area, immediately adjacent to the Grade II listed 'Malthouse'.

The southern side of the East Street Conservation Area is characterised by large houses often linked by tall brick or ragstone walls which form features of significance. One such wall (made of ragstone and approx. 2m in height) is found to the west of Malthouse which forms a prominent feature at the entrance to the conservation area, providing a strong feeling of enclosure and enhancing the setting of the listed building. The proposed access would break through this ragstone wall, with the majority of its length demolished together with the abutting building. The Conservation Officer is of the view that the loss of this prominently positioned wall located at the entrance to the conservation area, would be harmful to the significance of the conservation area and the listed 'Malthouse'; and that further harm to the setting of 'Malthouse' would result from the positioning of the proposed access road adjacent to its flank wall. No objection is raised in terms of the loss of the later 19th Century farm building behind the wall which is of relatively late date, flimsy construction and much altered. In summary, the Conservation Officer states that the harm caused by the provision of the access road would amount to less than substantial harm.

In accordance with paragraph 134 of the NPPF this harm needs to be weighed against any public benefit arising from the scheme. In my view, the loss of the attractive, prominent boundary wall which is characteristic of the immediate area, and the harm caused by the close proximity of the access road to 'Malthouse' would outweigh the benefit of up to 45 dwellings here when the Council can demonstrate a 5 year housing land supply.

Similarly, the benefit of replacing the concrete block wall on the highway boundary to the Grade I listed 'Bell Farmhouse' with a brick wall of similar height, and clearing up the farmyard here is not considered to be of such a benefit as to allow the removal of the ragstone wall and the access elsewhere along East Street. The Conservation Officer notes here that 'Malthouse' itself is in a poor condition, but the application makes no provision for repairs or improvements to this Grade II listed building.

Highway safety implications

Access is being considered at this stage, and the submitted plans have shown the vehicular access from East Street, with all parking provision within the site. The main pedestrian access would also from here. The access would be created in between the outbuildings that are to be converted into residential use and 'Malthouse' and this would be the only point of access and egress for vehicles. East Street would also be realigned to improve visibility from the access; there would be improvements to existing footways; and there would be a crossing point to the existing footpath on the northern side of East Street. KCC Highways have assessed the application and have raised no objections to the proposed access from a safety point of view; and nor have they raised any safety objections regarding the additional traffic from the development. With the Highways Authority raising no objections, I consider the proposed access as shown to be safe and acceptable, proposed visibility splays are acceptable, and that the traffic generated from the development would not have an adverse impact on the local road network. The applicant will also be required to enter into a S278 agreement with KCC Highways for these changes and any other highway works as necessary.

Parking and layout is not being considered at this stage but I consider a suitable level of parking could be provided and balanced against achieving a well-designed scheme and layout.

The Borough Council is currently working with consultants and the County Council on an improvement scheme to redress the setting of the A20 from an outmoded and overbearing design incorporating excessive road space, to one which is more conducive to lower traffic speeds and resident user friendly conditions, thereby reducing the barrier that the A20 forms between the north and southern parts of the village. Due to the proposed number of dwellings in the village both to the south and north of the A20 it is considered that this improvement is necessary to improve pedestrian links from south to north from a safety aspect, and provide a more appropriate highways environment generally, due to the increase in vehicles and pedestrians from new development in the village. The cost of this has been finalised at £3,500 per dwelling and the agent has agreed to meet these contributions.

The Highways Officer also raised no objection to the residential conversion element of the proposal, or to the proposed access changes in between 'Bell House' and 'Bell Farm' subject to the highways authority permission. I also raise no objection in this respect.

Residential amenity

Details of layout and appearance are not being considered however in my view the development could be designed to prevent any unacceptable impact upon nearby properties in terms of privacy, light, overshadowing and outlook. I also consider the proposed properties could be designed to benefit from sufficient amenity.

An acoustic assessment has been carried out which concludes that external noise mitigation is required for some external areas of the site such as certain gardens and children's play areas, plus for internal areas of certain proposed residences.

The Environmental Health officer raises no objections subject to the recommendations in this assessment are followed. The Environmental Health Officer has requested details of measures to mitigate emissions from generated traffic and to reduce exposure of new residents to poor air quality. However, if I were minded to approve this application, I would not consider this reasonable or justified in this instance.

Community infrastructure contributions and affordable housing

A development of this nature is likely to place extra demands on local services and facilities and it is important to ensure that such a development could be assimilated within the local community. As such suitable contributions to make the development acceptable in planning terms can be sought in line with policy CF1 of the Local Plan and the Council's Open Space DPD.

Any request for contributions needs to be scrutinised, in accordance with Regulation 122 of the Act. This has strict criteria setting out that any obligation must meet the following requirements: -

It is:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

Parks and Open Space -

The illustrative plans show the provision of a LAP and the agent has confirmed that the area of open space around this will be accessible by the public and would be a more formal area of open space. With this confirmed, Parks and Leisure Services has requested an off-site financial contribution of £268.08 per dwelling. The contribution would be put towards the improvements of on-site play facilities at Booth Field, which is the nearest area of formal open space to the development, by either the addition or replacement to the existing play facilities, or by contribution towards additional features such as a MUGA.

This play area is within 400m of the proposal site, and I am satisfied that the use of the contributions proposed by the Council's Parks and Leisure Services would be related to this development and there is a good indication as to how the money will be spent. Moreover, the Council does have an adopted Development Plan Document that requires applicants to provide a certain amount of open space on-site, and when this level of open space cannot be provided on site, off-site contributions are sought to improve the facilities within the locality, to ensure that the additional strain placed upon open spaces is addressed.

NHS Property Services -

In terms of healthcare, the NHS is seeking a contribution of £360 per person, which is to be invested into supporting the improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity at Glebe Medical Centre and Len Valley Practice which are within a 2 mile radius of the development. This is considered to have been sufficiently justified in order to mitigate the additional strain the development would put on health services and complies with policy CF1 of the Maidstone Borough-Wide Local Plan (2000) and the three CIL tests above.

KCC Education -

A contribution of £89,716.48 has been requested towards primary school education (based on the 38 applicable houses). The proposal would give rise to additional primary school pupils during occupation of this development. This need, cumulatively with other new developments in the vicinity, can be met through the Phase 1 Harrietsham Primary School project. There is no current requirement for secondary education contributions.

A contribution of £2,160.71 has been requested towards the library Bookstock to mitigate the impact from this development (based on 45 dwellings). The bookstock for Maidstone Borough at 1119 per 1000 population is below the County average of 1134 and both the England and total UK figures of 1399 and 1492 respectively, and the additional stock will be made available locally as and when the monies are received. I am satisfied that this contribution is reasonable and would help meet the additional demand to borrow library books.

I am satisfied that all the contributions sought meet the tests of Regulation 122 and 123 of the Act and as such should be provided by the applicant. The applicant has also agreed to the Heads of Terms as set out and I am satisfied they would adequately mitigate against the development in terms of its impact upon community infrastructure.

Affordable housing -

Affordable housing is proposed at 40% (with 60% affordable rent and 40% shared ownership split) in line with the Affordable Housing DPD (2006) and policy DM13 of the submitted version of the Maidstone Local Plan. I consider this acceptable in this instance, and it should be noted that this is an outline application and the number and size of units has not been set.

Residential conversion of farm buildings

The agricultural buildings for conversion are of vernacular character, probably dating from the early-mid 19th Century; and these are attractive buildings which enhance the conservation area and the setting of the Malthouse. Policy ENV45 of the Local Plan allows for conversion of rural buildings to dwellings. Whilst this seeks a business use first, in the context of the proposed surrounding residential development I consider this use to be acceptable and in accordance with saved policy ENV45. The Conservation Officer raises no objections to the conversion works and I accept these conclusions. However, the proposed main access from East Street into the development is required to allow access to this outbuilding, and so I therefore recommend refusal of this element of the proposal on this basis.

Biodiversity implications

An amended Phase 1 Habitats Survey and Bat Survey has been submitted as part of the application, and the Biodiversity Officer is satisfied that there has been sufficient information provided regarding the potential for ecological impacts to arise to allow an informed determination of the application subject to relevant conditions and the incorporation of ecological enhancements within the scheme at reserved matters stage.

Other considerations

The site is within an Area of Archaeological Potential, and the Archaeological Officer considers it appropriate for the site to be subject to a full programme of archaeological works. This would be duly imposed as a condition if I were minded to recommend approval.

The Council's Agricultural Advisor has raised no objections in terms of loss of agricultural land, and so I therefore raise no further issues with the application in this respect.

Whilst layout is not for consideration at this stage, the agent has confirmed that there will be the requirement to divert public footpaths within the site, and these have been illustratively shown on a plan. The KCC Public Rights of Way Officer is satisfied with the proposed diversion as currently shown and raises no objections. To ensure the protection of the public rights of way, if I were minded to approve this application, it is considered reasonable to impose a condition requesting details of the intended routes to be submitted at the reserved matters stage.

There are no Tree Preservation Orders covering trees on, or adjacent to, the site; and the only area of existing planting to be removed as a result of this proposal would be a northern section of hedgerow along the eastern boundary to make way for the access road. The submitted Arboricultural Implications Assessment is considered acceptable in principle by the Landscape Officer and no objection is raised on arboricultural grounds. Southern Water have requested contributions, to be secured by a legal agreement, towards funding works required to control odours from the waste water treatments work. The Environmental Health Team has raised no objections in this respect and so if I were minded to approve this application, I do not consider it reasonable to request such a contribution.

The Environment Agency raises no objections and so I am satisfied that the development would not result in a flood risk issue. Southern Water and the KCC SUDS Team also raise no objection, subject to a number of recommended conditions. So, if I were minded to recommend approval of the application relevant conditions would have been imposed regarding land contamination, renewable energy sources, sustainable drainage, and foul and surface water sewerage disposal.

Network Rail (HS1) has raised no objection to the proposal, including the intended location of the play area, subject to a number of recommended conditions.

Conclusion

The objections raised by Harrietsham Parish Council and local residents have been addressed in the main body of this report.

In accordance with paragraph 7 of the NPPF, the proposal would provide some economic and social benefits in the way of affordable and market housing; the investment in construction and employment at this stage, but this does not outweigh the environmental harm caused by the proposal upon the intrinsic

character of the countryside. In addition, the proposed development is contrary to saved policy ENV28 of the adopted Local Plan and SP17 of the submitted version of the Local Plan in that it represents housing development outside a settlement boundary; and as the Council can demonstrate a 5 year housing land supply, such housing policies are considered to be up to date. In this instance, the proposal is considered to be an unjustified development that would cause unacceptable harm to the character and appearance of the countryside, and in my view the adverse harm caused by the development would outweigh the benefits of this proposal, contrary to the Development Plan and the aims of the NPPF. Given this, the public benefits do not outweigh the less than substantial harm caused to the setting of the conservation area and the Grade II listed building 'Malthouse'. I therefore recommend refusal of this application.

RECOMMENDATION – REFUSE

- (1) The proposed development lies outside any defined settlement boundary and would consolidate sporadic development in the area, causing unacceptable visual harm to the character and appearance of the countryside hereabouts, when viewed from East Street, Church Road, Fairbourne Lane, Ashford Road and public footpaths KH272A, KH272 and KH276. The development would therefore be contrary to the aims of saved policy ENV28 of the adopted Local Plan, policy SP17 of the submitted version of the Local Plan and paragraphs 7, 17 and 64 of the National Planning Policy Framework 2012.
- (2) The proposal, by virtue of the removal of the prominent and characteristic ragstone wall on the highway boundary and the creation of the access adjacent to the Grade II listed Malthouse would cause less than substantial harm to the significance of the East Street Conservation Area and the Grade II Malthouse and the benefits of the proposal would not outweigh this harm caused. This is contrary to policy DM3 of the submitted version of the Local Plan and paragraphs 131 and 132 of the National Planning Policy Framework 2012.
- (3) The proposed residential conversion of the outbuilding is considered unacceptable by virtue of only being accessible by way of the main access from East Street which would run immediately adjacent to Malthouse and see the loss of the ragstone wall, causing significant harm to the setting of the conservation area and this Grade II listed building. This is contrary to policy DM3 of the submitted version of the Local Plan and paragraphs 131 and 132 of the National Planning Policy Framework 2012.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

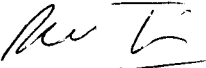
Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered to be fundamentally contrary to the provisions of the Development Plan and the NPPF, and these were not considered to be any solutions to resolve this conflict.

Case Officer Kathryn Altieri

Case Officer Sign:	Date:
Delegated Authority Sign: 	Date: 4/7/16
TL/DM Countersign if refused:	Date: