

REPORT SUMMARY

REFERENCE NO - 16/500037/FULL		
APPLICATION PROPOSAL Demolition of existing buildings and erection of 6 No dwellinghouses, amenity space, landscaping and access.		
ADDRESS The Old Forge Chartway Street East Sutton Kent ME17 3DW		
RECOMMENDATION		
SUMMARY OF REASONS FOR REFUSAL The proposed development fails to comply with the policies of the Development Plan (Maidstone Borough Wide Local Plan 2000) and Maidstone Borough Council (Submission Version) Draft Local Plan and there are no overriding material planning considerations justifying granting planning permission.		
REASON FOR REFERRAL TO COMMITTEE Called in for determination by Planning Committee by Cllr Round		
WARD Headcorn	PARISH/TOWN COUNCIL East Sutton	APPLICANT Kent Forklifts Ltd AGENT DHA Planning
DECISION DUE DATE 10/03/16	PUBLICITY EXPIRY DATE 10/03/16	OFFICER SITE VISIT DATE 14/04/16

HISTORY

There is no planning history affecting the application site directly relevant to this proposal.

MAIN REPORT

1.0 SITE DESCRIPTION

- 1.01 The application site is located on the south side of Chartway Street just over 220 metres from its junction with Charlton Lane to the west and over 150 metres from the junction with Morry Lane to the east. The site lies within open countryside not subject to any specific landscape designation.
- 1.02 The application site can be divided into 2 clearly separate areas. The first area abutting Chartway Street is principally occupied by a narrow single storey workshop building just over 40 metres long and its associated parking and turning areas. Immediately abutting this building to the east is Old Forge House while to the east are a pair of detached cottages known as 1 and 2 Manor Farm Cottages.

- 1.03 The second much larger area to the south comprises an open field enclosed on its east and southern boundaries by hedgerows. Sited abutting and wrapping around the western site boundary is the substantial buildings and open storage area forming part of the agricultural distribution operations carried out at Street Farm.

2.0 PROPOSAL

- 2.01 Detailed planning permission is sought for the demolition of the existing commercial/industrial buildings and their replacement with 6 no: 4 and 5 bedroom detached houses all with integral garaging. The houses have all been designed to reflect the local rural vernacular with the use of catslide and half hip roofs, small pitched roof dormers, brick and timber cladding, use of weatherboarding, exposed rafter feet and clay tile hanging.

- 2.02 A single central access will be created off Chartway Street with the area occupied by the existing long narrow commercial building being landscaped with a sustainable drainage swale system also shown within this area. The access will extend into the open field terminating in a turning head with all the proposed houses served off this. The access road and all hard surfaces forming part of the development will be water permeable in accordance with sustainable drainage principles.

- 2.03 Regarding landscaping, individual private amenity areas will be defined by post and rail fencing along the line of which will be planting in the form of native hedgerow species. On the northern site perimeter an existing 6 metre high conifer hedge and existing 1 metre post and wire and 1.8 metre high closeboarded fences will be retained. Along the eastern site boundary an existing 8 metre high conifer hedgerow on average just over 4 metres wide which will be retained. Along the south and western site boundaries' what is described as a native tree copse will be planted. This is on average 6 metres in width depth but where the site abuts the adjoining commercial use this increases to a belt over 10 metres wide.

- 2.04 The applicant has set out the following:

- The site is located a short distance to the west of Kingswood which has a range of facilities including a primary school, village hall/community centre, surgery, shops and a hot food takeaway.
- The site is within walking distance of employment sites in Chartway Street while there is also a bus services to Maidstone town centre being the No.59 bus.
- Bus stops are located within walking distance to the site in Chartway Street.
- The site is relatively close to Headcorn railway station (approximately 5 miles distance) which provides a regular and frequent service to London and Ashford International Station.
- Conclude the site occupies a reasonably sustainable location notwithstanding its rural location.

- 2.05 The proposal is also accompanied by a transport statement, contaminated land assessment and extended phase 1 Habitat and Bat Survey report.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, T13,

Maidstone Borough Council (Submission Version) Draft Local Plan: SS1, SP17, DM1, DM2, DM4, DM12.

- 3.01 As set out in paragraph 1.01 above the application site lies outside any settlement in open countryside as defined in the Maidstone Borough-Wide Local Plan 2000. It is therefore principally subject to policy ENV28 of the adopted local plan.
- 3.02 The Council has recently finished its Regulation 19 consultation on the submission version of the draft Local Plan. The submission version of the draft Local Plan is a significant material consideration and given the latest position on a demonstrable 5 year supply of housing land, policies which were seen to restrict the supply of housing land can now be given significantly greater weight when considering planning applications by virtue of its progress through the stages in the adoption process.

4.0 LOCAL REPRESENTATIONS

- 4.01 A site notice was displayed at the site on 21st January 2016.
- 4.02 The application has been 'called in' for determination by the Planning Committee by Cllr Round and his comments are set out below:
- The Parish of East Sutton is especially concerned in terms of various needs and sensitivities in regard to all forms of Planning activity at present and the Parish Council have suggested that being presented to committee would be their preference as they recommend refusal.
 - Believes in the interests of openness and transparency that a committee decision is best served for the community.
 - Concurs with the neighbouring Parishes; Broomfield and Kingswood view that in their communication vehicle access/transport matters and road safety should also be presented as a key issue when giving consideration to such applications.
 - Another matter giving concern locally is water run-off and drainage issues, which should be given due scrutiny if making any planning decisions, in an area that has its own geographical sensitivities as well as many water/drainage concerns.
 - Above sums up the key points, but there are many other considerations to be taken into view within those points.
- 4.03 Fourteen neighbouring properties were notified of the application and seven objections have been received which are summarised below:
- Proposes development on a greenfield site contrary to development plan.
 - Proposal not justified on housing need grounds while resulting in loss of a commercial use in a rural area.
 - Area lacks services relating to waste disposal and water supply and additional housing will only make situation worse.
 - Will result in additional traffic harming the free flow of traffic and highway safety on the local road network while insufficient on site parking has been provided.
 - Will result in unsustainable development as site remote from local services encouraging car use while local bus services poor and infrequent.
 - Do not accept that vehicle movements will be limited to only 30 movements per day – contend that figure will be double this while figures on existing traffic movements substantially over estimated.
 - Proximity of houses to site boundaries will result in loss of light and outlook to adjoining houses including loss of views across the site.

- Will result in cramped and overcrowded development t out of character with the locality while a similar housing proposal was refused under ref:15/500464.
- Reducing existing 2 metres wall at Old Forge House down to 0.9 metres to secure acceptable sight lines not on land in applicant's ownership or control.

5.0 CONSULTATIONS

5.01 **Broomfield and Kingswood Parish Council:** Object to the proposal on the following grounds:

- Consider the site is poorly located on a bend with bad access onto an already congested road for lorries and traffic between two large farms.

5.02 **East Sutton Parish Council:** Object and wish proposal to be considered by the Planning Committee. The grounds for objection are that the site is unsustainable while employing at least 5 people.

5.03 **KCC Highway Services :** Having carried out its own assessment of the proposal consider it offers appropriate benefit and suitable vision splays with reshaping of the adjoining wall on the western side of the access .

Traffic generation could be generated from this site, without requiring planning permission and the proposal offers a reduction in vehicle trips and a change of use that provides a reduction in goods or service vehicle numbers attracted.

Can confirm there have been no injury crashes on Chartway Street between Charlton Lane and Morry Lane for at least the last ten years and considering this record, the reduction in potential trips, the scale of the development and the centralisation and standard of the access confirm there is no objection to the proposal on highway grounds.

Also confirm that car parking is adequate and the access road is suitable to accommodate refuse collection access and turning.

Should planning permission be granted should be subject to conditions relating to construction traffic management and provision of the access and on site parking and turning.

5.04 **Natural England:** Have no comment to make advising it is for the Local Planning Authority to determine whether the application is consistent with national and local policies on the Natural Environment.

5.05 **KCC Heritage:** The proposed development lies adjacent to a "smithy" identifiable on the 1st Ed OS map. Remains associated with post medieval activity may survive on the site. Nevertheless raise no objection subject to imposition of a condition to secure a watching brief.

5.06 **Maidstone Borough Council Environmental Health Manager:** The site is in a semi-rural area, and traffic noise is unlikely to be a significant problem for this particular site. The site is outside the Maidstone Town Air Quality Management Area, and do not consider the scale of this development and/or its site position warrants either an air quality assessment or an Air Quality Emissions Reduction condition applied to it.

The site is currently a B2 industrial use plus part vacant brownfield site, this and the historical use of the site as a forge leads to the conclusion that any planning permission should be subject to a contaminated land condition.

There is no indication of high radon concentrations.

As such subject to conditions requiring a contaminated land survey and waste water drainage details raise no objection.

5.07 **Heritage, Landscape and Design:** There are no protected trees on, or adjacent to, this site and there are no trees which form a constraint to the development proposal. The Landscape Capacity Study: Site Assessments, January 2015 considers the capacity of the landscape to accommodate housing on this site is low. However this could be improved by the removal of the existing coniferous boundary hedges, which are inappropriate in landscape character terms and have been subject to a number of high hedge complaints from neighbouring properties. Appropriate native species should be replanted to mitigate their loss.

5.08 **Southern Water:** No objection

5.09 **UMIDB:** Though the site lies outside of the drainage boards district provided surface water runoff rates are restricted to that of the pre-developed site raise no objection.

6.0 BACKGROUND PAPERS AND PLANS

6.01 The development proposals are shown on drawing numbers DHA/11086/01-15 (consec).

6.02 The application is supported by a topographical survey, Planning Statement, Design and Access Statement, Transport Statement dated December 2015, Groundsure site contamination Report dated 9 December 2015 and Extended Phase 1 Habitat and Bat Building Survey Report dated November 2015.

7.0 APPRAISAL

Principle of Development

7.01 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. In this case the Development Plan comprises the Maidstone Borough-Wide Local Plan 2000 and policies contained with the submission version of the draft local plan. As the site lies within open countryside the proposal is specifically subject to policies ENV28 of the adopted local plan. Policy states ENV 28 states that:

“In the countryside planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers, and development will be confined to:

- (1) that which is reasonably necessary for the purposes of agriculture and forestry; or*
- (2) the winning of minerals; or*
- (3) open air recreation and ancillary buildings providing operational uses only; or*
- (4) the provision of public or institutional uses for which a rural location is justified; or*
- (5) such other exceptions as indicated by policies elsewhere in this plan.”*

- 7.02 In addition the Council considers it is now capable of demonstrating a 5 year supply of housing land as set out below. As such great weight can now be attached to policy SP17 of the submission version of the draft local plan (policy SP17) seeking to control development in the countryside apart from certain exceptions. Though policy SP17 is more detailed than policy ENV28 it essentially replicates the key development restraints provisions of policy ENV28.
- 7.03 None of the exceptions against the general policy of restraint set out in policy ENV28 of the adopted local plan and policy SP17 apply to this application which therefore represents a departure from the Development Plan. In such circumstances it falls to consider whether there are any overriding material considerations justifying a decision not in accordance with the Development Plan and whether granting planning permission would result in unacceptable demonstrable harm incapable of being acceptably mitigated.
- 7.04 A material consideration is that part of the site comprises previously developed land (pdl). It should also be noted that there is no adopted policy requiring retention of rural employment sites such as this.
- 7.05 Notwithstanding the above, this does not mean the presumption in favour of development on pdl overrides the provisions of policy ENV28 or policy SP17 as the commitment of existing built mass in considering development proposals in the countryside is already acknowledged.
- 7.06 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;'*
- 7.07 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.
- 7.08 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.

- 7.09 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.
- 7.10 A five year supply of housing land is a significant factor and paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing (such as policy ENV28 which seeks to restrict housing outside of settlements) should not be considered up-to-date if a five year supply cannot be demonstrated. However policy ENV28, given the housing supply position, can now be considered up to date while policy SP17 should also be given great weight for the same reason.
- 7.11 Despite this, the presumption in favour of sustainable development identified in paragraph 14 of the NPPF still means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits of the application, when assessed against the policies of the NPPF as a whole.
- 7.12 As a further consideration, as part of the search for sites in connection with the Strategic Housing Land Accommodation Assessment (SHLAA) the application site has already been assessed regarding its suitability for housing. It was concluded however that as the site was remote from services, future occupants would be reliant on car use and that its development would result in an unacceptable consolidation of sporadic development within the countryside as such it was rejected.

Sustainability:

- 7.13 Given the presumption in favour of sustainable development set out in the NPPF, the key assessment in principle terms is whether the application site can be considered to be sustainably located in relation to public transport provision and other services. The application site lies outside any built up area in open countryside and as such would not normally fall to be considered as a candidate for sustainable housing development.
- 7.14 Despite the above the applicant seeks to argue the site occupies a sustainable location due to the following:
- The site is located a short distance to the west of Kingswood which has a range of facilities including a primary school, village hall/community centre, surgery, shops and a hot food takeaway.
 - The site is within walking distance of employment sites in Chartway Street while there is also a bus services to Maidstone town centre being the No.59 bus.
 - Bus stops are located within walking distance to the site in Chartway Street.
 - The site is relatively close to Headcorn railway station (approximately 5 miles distance) which provides a regular and frequent service to London and Ashford International Station.

- 7.15 Dealing first with the proximity of the site to Kingwood to the north and west of the site, using Chartway Street and Duck Pond Lane, Kingswood, at its nearest point, is just under 700 metres from the application site. Given this distance and that narrow unlit country roads would have to be used it is considered highly unlikely residents of the development would walk or cycle to Kingswood. Regarding the use of public transport in getting to more distant destinations buses are infrequent and likely to prove inconvenient for many trips. The conclusion must be that on a 'day to day' basic movements to and from the site by residents will invariably be by car.
- 7.16 In the circumstances it is considered the application site occupies an unsustainable location when applying the criteria set out in the NPPF and Local Plan and which has already been concluded as part of the SHLAA site assessment.
- 7.17 The NPPF advises that when planning for development through the Local Plan process and determination of planning applications, the focus should be on existing service centres and on land within or adjoining existing settlements. The development does not meet these siting preferences. As such for the reasons set out above it is considered to represent an example of unsustainable development in the countryside.
- 7.18 As such it is considered there is an objection to the principle of the development given the provisions of the NPPF and local planning policy as set out in the submission version of the draft local plan. Consideration therefore turns on the detailed impacts of the proposal and whether this reveals insufficient demonstrable harm for other reasons such as to outweigh the presumption against unsustainable development set out in the NPPF.
- 7.19 Detailed considerations in connection with this application are considered to be its visual impact on the rural character of the locality, design and layout considerations, residential amenity, highways and ecology.

Visual Impact

- 7.20 Consideration of the proposal can be separated into two parts being the visual impacts associated with (a) the redevelopment of the commercial buildings and parking and turning areas fronting Chartway Street and (b) development of the field at the rear.
- 7.21 Dealing first with the redevelopment of the commercial complex, these represent typical utilitarian buildings and areas of hardstanding often found within rural areas. In this case the site abuts existing residential development and in such circumstances it can be appropriate to permit redevelopment where it can be seen as bringing about significant improvements in visual and aural amenity along with reductions in HGV and other commercial traffic using unsuitable country roads, as set out by policy DM4 of the submission version of the Draft Local Plan.
- 7.22 In this case the whole commercial complex is to be removed to provide for the site access with land abutting the access to be used for landscaping. Though this might provide an improvement for adjoining residents by removal of the commercial buildings and the noise, activity and traffic movements associated with these, this would nevertheless leave a wide gap having a negative/neutral impact on the streetscene. It is considered that if the application site area was solely restricted to that occupied by the existing buildings and associated hardstandings, frontage housing appropriate in size and design to this rural area would be preferable to what

is currently being proposed for this part of the site i.e. essentially enabling development to bring forward the housing development on the open land to the rear.

- 7.23 Turning now the large open area at the rear of the commercial complex, removal of the commercial buildings would enable views through the access into the proposed development. The proposal involves substantial two storey houses and despite their design, using elements of local vernacular, this cannot disguise the fact there will be a substantial increase in built mass wholly eroding the open undeveloped character of this large field. The applicants seek to address the impact of the development on the wider rural character of the area by relying on substantial existing and proposed screen planting on the site boundaries in an effort to screen the site from outside view. However given (a) the size of the area, which also acts to provide an open setting for to houses fronting Chartway Street (b) that the Landscape Capacity Study has concluded the capacity of the landscape to accommodate housing on this site is low while (c) the SHLAA assessment concluded development of the site would result in an unacceptable consolidation of sporadic development within the countryside there is considered to be no reason to challenge these assessments.
- 7.24 It is therefore considered the proposed houses by reason of their size, design and siting would result in the unacceptable consolidation of existing sporadic development in the locality while representing a substantial encroachment into adjoining open countryside detrimental to the rural character and landscape quality of the area contrary to the provisions of policy ENV28 of the adopted local plan and policy SP17 of The submission version of the draft local plan

Design and layout considerations

- 7.25 The design details show varying house styles reflecting elements of the local Kentish vernacular with the use of catslide and half hip roofs, small pitched roof dormers, brick and timber cladding, use of weatherboarding, exposed rafter feet and clay tile hanging. There is therefore considered to be no inherent design objection to this approach.
- 7.26 The layout shows a 'typical' informal inward looking cul de sac which is considered to meet the Councils normal block spacing, privacy and amenity space standards. While the layout is acceptable in its own right it has a suburban quality and density which materially departs from the more spacious and widely separated character of nearby development. It will therefore appear incongruous and out of character in this rural location as a consequence.

Residential amenity

- 7.27 For the reasons set out above it is considered the proposed layout achieves an acceptable residential environment for future residents. Regarding any impact on properties overlooking and abutting the site, there are houses abutting the northern site boundary and concerns have been raised the proposal will result in loss of outlook, erode privacy and materially harm the access of daylight and sunlight to these properties.
- 7.28 Regarding impact on outlook, the rear boundaries of houses in Chartway Street will abut the units shown on plots 1, 5 and 6. The intention is that the existing high conifer hedge within the application site is to remain thereby largely screening these houses. This hedge is however the subject of complaints which may result in its height being reduced.

- 7.29 Dealing first with the impact on 1 and 2 Manor Farm Cottages, were the conifer hedge to be removed there would be clear views onto the rear of the unit on plot 1. However taking into account the design and roof profile of this unit and a separation distance of just over 16 metres from the rear of 1 and 2 Manor Farm Cottages, it is considered it would be difficult to substantiate any material harm on the outlook of these properties.
- 7.30 Turning to the impact on Forge Cottage and Old Forge House as there will be a separation distance of over 30 metres from the rear of the unit on plot 5 it is not considered there will be any material impact on the outlook of these houses in the event of the conifer hedge being reduced in height. Regarding the impact of the unit on plot 6 given its oblique relation and siting to the east of Old Forge House no material harm is identified to the outlook of this property.
- 7.31 Concerns relating to the access of daylight and sunlight have also been raised. However given the size and siting of the proposed houses and their proximity to the existing houses no objection is identified on these grounds.
- 7.32 Loss of privacy concerns can be addressed by condition restricting the installation of windows above ground floor level on the north facing elevations of the units on plots 1 and 5 and west facing elevation of the unit on plot 6.
- 7.33 The remaining concern relates to the impact on aural amenity of the proposed dwellings having regard to the adjoining agricultural distribution use abutting the western site boundary, which is a noisy and unneighbourly activity. However given the dense boundary screening (which will also help screen this operation), setback from the boundary and in the absence of objection from the Environmental Health Manager no objection is identified to the proposal on aural amenity grounds.

Highway considerations:

- 7.34 Concerns have been raised that the proposal will generate additional traffic that will harm the free flow of traffic and highway safety on the local road network. Dealing first with existing traffic generation the existing buildings have a gross floor area of just over 480 sqm. Based on traffic data from similar sized industrial units it was projected that total in-out vehicle movements between 0700-1900 hrs was 61 vehicle movements with 4 movements at the am peak and 5 in the pm peak periods. It was also concluded that goods vehicle movements would amount to no more than 4 per day all taking place outside peak hours.
- 7.35 In addition to projected vehicle movements the applicants advised that at the height of the business 10 staff were employed on site some of which were engineers who entered and left the site along with access by clients along with access by goods vehicles confirming the projected figure of over 60 movements per day for commercial buildings of this area.
- 7.36 Traffic projections for the 6 houses proposed indicated only 30 trips per day with only 4 trips in the am and pm peak periods.
- 7.37 The above figures confirm there will be reduced traffic on local roads including a reduction in the number of goods vehicles attracted to the site.
- 7.38 It is acknowledged that objectors are challenging these traffic generation figures particularly the existing figures as being far too high. It should be stressed that traffic generation figures are based on the average daily activities of a wide range of activities falling within the same use class as the current occupiers which could have

located on site. To base traffic generation solely on traffic generated by a use operating at a sub optimum level does not reflect the reality of traffic which could be generated from this site.

- 7.39 As such the proposal will generate less traffic compared to the existing use of the site, improvements to the visibility splays onto Chartway Street and that sufficient on site parking is being provided, it is considered the proposal will bring about an improvement to the free flow of traffic and highway safety on the local road network. As such in the absence of objection from Kent Highways the proposal is considered acceptable in its highway impacts.

Ecology:

- 7.40 The site in its current form comprises the existing commercial buildings, the open field at the rear and hedgerows both native and conifer defining the field boundaries. The extended phase 1 habitat and bat survey identified no rare or uncommon species on the site. Proposed mitigation measures therefore involve the erection of small hole bird boxes throughout the site, retention and enhancement of boundary planting including enhancing and restoring on old hedge on the southern site boundary, creation of a wildflower meadow to ensure the site remains permeable to hedgehogs gaps will be provided in fencing between gardens while log piles will be left on site to support diversity and provide shelter for hedgehogs.
- 7.41 Taking into account that apart from hedgerows defining the field, the remaining components of the site provide little in the way of wildlife habitat. The proposed landscaping and other measures comprise a package of wildlife habitat measures representing a substantial improvement compared to existing site conditions. In the circumstances it is considered an acceptable provision for wildlife has been made in accordance with the provisions of the NPPF.

Other Matters

- 7.42 The Council now seeks to ensure that at least 10% of the energy demands of new development is met from renewable sources along with provision of a sustainable drainage system. Both these measures are required to secure a more sustainable form of development to accord with the provisions of the NPPF. These matters can be addressed by condition.
- 7.43 Regarding concerns the area already lacks adequate waste water disposal and water supply and the proposed housing will make the situation worse fails to take into account the existing commercial use of the site already makes demands on these facilities. As such in the absence of objection from Southern Water it is considered the demand for such services generated by 6 houses is unlikely to exceed that already made on these systems by the existing commercial operations being carried out.
- 7.44 As such, subject to conditions to secure details of waste and surface water disposal in accordance with sustainable drainage principle no objection is identified to the proposal on these grounds.

8.0 CONCLUSIONS

- 8.01 The key conclusions are considered to be as follows:

- The proposal is contrary to adopted Maidstone Borough-Wide Local Plan 2000 and submission version of the draft local plan. As such it should only be granted on the basis that benefits derived from the proposal substantially outweigh any harm identified and that any harm is capable of reasonable mitigation.
- The proposal would result in an unsustainable housing development contrary to the provisions of the NPPF.
- Would also result in the unacceptable consolidation of existing sporadic development while representing a substantial encroachment into adjoining open countryside detrimental to the rural character and landscape quality of the area contrary to the provisions of policy ENV28 of the adopted local plan and SP17 of the submission version of the draft local plan.
- The harm identified above is considered to significantly outweigh any benefit in meeting the demand for housing within the Borough.

8.03 In the circumstances it is considered the harm arising from the proposal is incapable of being acceptably mitigated and the balance of issues therefore fall firmly in favour of refusing planning permission.

RECOMMENDATION: REFUSE PLANNING PERMISSION

1. The proposal would result in the creation of an unsustainable form of housing development in the countryside mainly reliant on car use to gain access to services and as such would be contrary to the key provision of the NPPF that development should be sustainable.
2. The proposed houses by reason of their size, design and siting materially depart from the more spacious and widely separated character of nearby development therefore appearing incongruous and out of character in this rural location as a consequence. In addition the proposal will result in an unacceptable consolidation of existing sporadic development in the locality while representing a substantial encroachment into adjoining open countryside detrimental to the rural character and landscape quality of the area contrary to the provisions of policies ENV28 of the adopted local plan and SP17 of the submission version of the draft local plan.

Case Officer: Graham Parkinson

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.