

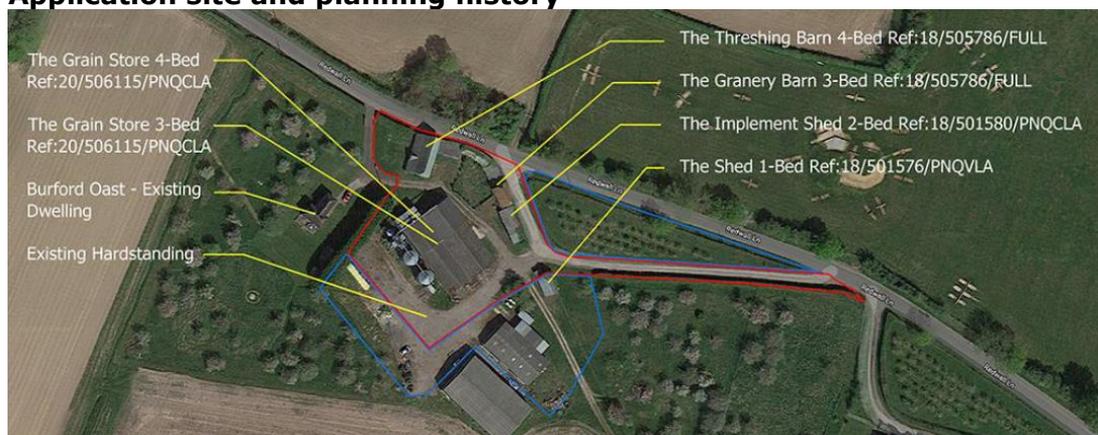
REPORT SUMMARY

REFERENCE NO: - 22/505947/FULL		
APPLICATION PROPOSAL: Demolition of The Granary building and erection of a four-bedroom residential dwelling including landscaping parking and access.		
ADDRESS: Burford Farm Redwall Lane Linton Maidstone Kent ME17 4BD		
RECOMMENDATION: REFUSE PLANNING PERMISSION		
SUMMARY OF REASONS FOR RECOMMENDATION:		
<ul style="list-style-type: none"> • The proposed replacement dwelling represents substantial reconstruction of the Granary which results in "less than substantial" harm to a non-designated heritage asset. The proposed scheme for rebuilding is of poor design relative to the character and appearance of those heritage assets within an historic rural farmstead and therefore their loss has not been sufficiently outweighed by any public benefit. • The overly domestic design of the proposal causes harm to the character and appearance of the countryside. • Due to the above the proposal is contrary to policies SP17, SP18, DM1, DM4, and DM30 of the Maidstone Borough Local Plan 2017 and the aims of the National Planning Policy Framework (2021). 		
REASON FOR REFERRAL TO COMMITTEE:		
The reasons for referral to committee from Hunton Parish Council are detailed below within section 4 (Local Representations)		
WARD: Coxheath And Hunton	PARISH/TOWN COUNCIL: Linton	APPLICANT: GHK Developments AGENT: MRW Design
CASE OFFICER: William Fletcher	VALIDATION DATE: 03/01/23	DECISION DUE DATE: 02/06/23
ADVERTISED AS A DEPARTURE: No		

Directly Relevant Planning History

The applicant has included a photo of the site with the buildings and planning permissions associated with them labelled, this is included below.

Application site and planning history



18/505786/FULL (The Threshing Barn & The Granary)
Conversion of a redundant Threshing Barn and Granary Building to create 2.no residential dwellings with associated access, parking and amenity space. Approved 11.03.2019

21/504236/FULL

Redevelopment of buildings on site (including Grain Store, Implement Store, Granary and Threshing Barn) and erection of 6(no) dwellings including associated works and parking. Refused 24.10.2022 Appeal dismissed 10/05/2023

The decision above included the following reason for refusal related to the current application "The proposed replacement dwellings on plots 2 and 3 represent substantial reconstruction of the Granary/Wagon Lodge and Threshing Barn which results in "less than substantial" harm to non-designated heritage assets. The proposed scheme for rebuilding is of poor design relative to the character and appearance of those heritage assets within an historic rural farmstead and therefore their loss has not been sufficiently outweighed by any public benefit. The design of the proposal is also harmful to the character and appearance of the countryside. The proposal is contrary to policies SP17, DM1, DM4, DM30 and DM31 of the Maidstone Borough Local Plan 2017."

In the subsequent appeal the inspectorate concluded "the effects of the development in relation to the character and appearance of the area, including non-designated heritage assets, would be unacceptable, giving rise to conflict with the development plan.". (Please see Appendix A for the full appeal decision.)

Adjacent Planning History

18/501576/PNQCLA (The Shed)

Prior notification for the change of use of agricultural building to one dwelling house. For its prior approval to: - Transport and Highways impacts of the development. - Contamination risks on the site. - Flooding risks on the site. - Noise impacts of the development. - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change as proposed - Design and external appearance impacts on the building. Prior Approval Granted 16.05.2018

18/501580/PNQCLA (The Implement Shed)

Prior notification for the change of use of change of use of agricultural building to one dwelling house. For its prior approval to: -Transport and Highways impacts of the development. - Contamination risks on the site - Flooding risks on the site. - Noise impacts of the development. - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change as proposed - Design and external appearance impacts on the building. Prior Approval Granted 07.06.2018

20/506115/PNQCLA (The Grain Store)

Prior notification for the change of use of part of an agricultural building to 3(no) dwellinghouses and associated operation development. For it's prior approval to: Transport and Highways impacts of the development; Noise impacts of the development; Contamination risks on the site; Flooding risks on the site; Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change from agricultural use to C3 (dwellinghouses); Design and external appearance impacts on the building, and Provision of adequate natural light in all habitable rooms of the dwellinghouses. Prior Approval Granted 18.02.2021

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 The application site is in the countryside as defined by the adopted Local Plan. The site is approximately 2km south of the Coxheath (designated a 'Larger Village'), which is circa 4.5km south of the town centre of Maidstone. Other than the development associated with the farm the area is relatively undeveloped and is resolutely rural in character.

View from Redwall Lane

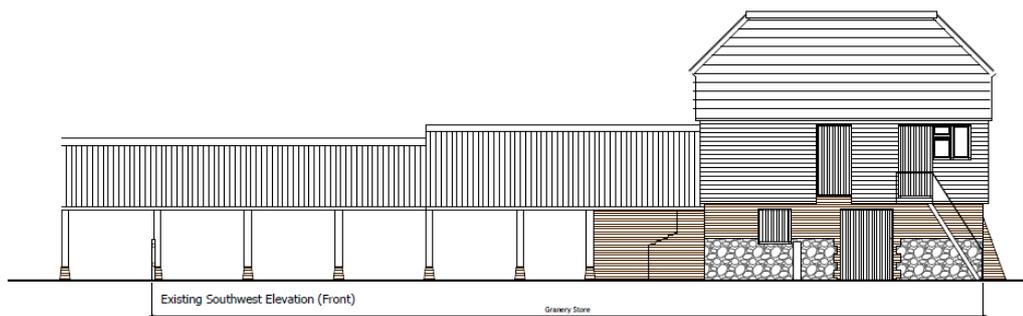


- 1.02 Burford Farm is situated on Redwall Lane, which runs east to west linking Linton Hill (A229) and Hunton Hill. The site is to the south of Redwall Lane and consists of a collection of redundant farm building and storage barns. All the buildings on the site are of various stages of construction and have been built and altered over a period of time. There is no consistent design, with external finishes ranging from traditional dark timber weatherboarding to modern asbestos and metal sheeting. The collection of buildings have a variety of different roof heights and massing. There is no significant planting on the site with the majority of the site having hardstanding. To the north of the access road is an apple orchard, this will be retained and is not part of the proposals.
- 1.03 The partially demolished application building is a non-designated heritage asset While. the Granary has seen alterations it nevertheless is of historic and architectural interest due to its former use, architectural details and range of vernacular materials. The building sustained substantial damage in storm earlier this year. To preserve the historic timbers, they have been removed and stored on site. The timbers have been catalogued and will be used in the reinstatement of the building. It should be noted the Local Planning Authority were not informed that the building had been taken down.

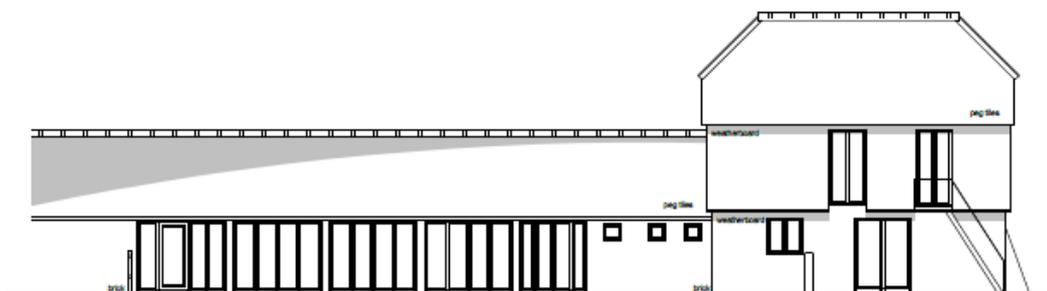
2. PROPOSAL

- 2.01 The proposal is described by the applicant as follows "The proposals are to take down the granary and re-construct it on the same site. The building will provide a 4-bedroom dwelling with its own private garden space. The internal layout has been kept in-line with modern developments and styles of living using a large kitchen, breakfast, and dining room as the centre of the dwelling. The proposed scheme provides generous living accommodation and good-sized bedrooms. As can be seen from the floor plans the proposed accommodation has been laid out to maximise the living accommodation with views into the garden. The scheme also includes a study in-line with lifetime home standard and creates a flexible living environment."
- 2.02 The proposal also involves the 'conversion' of the adjoining "Wagon Lodge". The full front elevation of the existing building is included below.
- 2.03 The application follows a 2018 planning permission which sought to convert the building. Most recently an application seeking a similar development to the one being considered now was refused, this is currently subject to an appeal. The front elevation of the existing building (which has now undergone substantial deconstruction), the 2018 application and the current proposal are depicted below.

Existing front elevation



18/505786/FULL front elevation (previously approved)



Proposed front elevation (as part of current application)



3. POLICY AND OTHER CONSIDERATIONS Maidstone Borough Local Plan (2011-2031):

- SS1 Spatial strategy
- SP17 Countryside
- SP18 Historic buildings
- DM1 Principle of good design
- DM2 Sustainable design
- DM3 Natural environment
- DM4 Development affecting designated and non-designated heritage assets
- DM30 Design principles in the countryside

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22) dated October 2021.

The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (Stage 2 hearing started on 15/05/2023). The relevant polices in the draft plan are as follows:

SS1 Maidstone Borough Spatial Strategy
SP9 Development in the Countryside
SP10 Housing
SP15 Design
Env1 Development affecting heritage assets
TRA4 Parking standards (Appendix B)
Q&D4 Design Principles in the Countryside
Q&D6 Technical Standards
Q&D7 Private Amenity Space Standards

Kent Waste and Minerals Plan (amended 2020):
The National Planning Policy Framework (NPPF):
National Planning Practice Guidance (NPPG):
Supplementary Planning Documents:

Landscape Character Assessment 2013: The application site is situated between the Beult Valley and Yalding Farmlands landscape character areas. The Maidstone Landscape Character Assessment (2013) guidelines state both these landscapes should be conserved.

4. LOCAL REPRESENTATIONS

Hunton Parish Council

Hunton Parish Council recommends that this planning application is permitted. If the Planning Officer is minded to refuse the application, we would request that it is referred to the MBC Planning Committee for determination.

Local Residents

As well as the posted site notice 6 neighbouring properties were consulted by direct mail, no representations were received.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

MBC Conservation

5.01 Objection. The building on the application site was a non-designated heritage assets and therefore consideration needs to be made regarding the impact on its character.

5.02 In design terms the proposed development shows little resemblance to the pre-existing Granary building. The number of windows proposed positioning and type are in no way like the pre-existing structure. The design is very different to the original building and given the change in design it would result in less than substantial harm. The proposal therefore cannot be supported in its current form.

Environmental Health

5.03 No objections subject to conditions

KCC Highways

5.04 This consultee replied with their standing advice, the development proposal does not meet the criteria to warrant involvement from the Highway Authority.

6. APPRAISAL

The key issues are:

- Site location
- Impact on character and appearance
- Heritage

- Spatial strategy
- Residential amenity
- Neighbouring amenity
- Highways
- Landscape/ecology

Site location

6.01 The application site is in the countryside and the starting point for assessment of all applications in the countryside is Local Plan Policy SP17. Policy SP17 states that development proposals in the countryside will not be permitted unless:

- a) they will not result in harm to the character and appearance of the area and
- b) they accord with other Local Plan policies

6.02 The application site was previously used for agricultural activities and the definition of 'Previously Developed Land' (brownfield) in the NPPF excludes "...land that is or was last occupied by agricultural or forestry buildings". With agricultural land/buildings excluded from the definition of brownfield land and the proposal involving a new dwelling, LP polices DM5 (brownfield land) and DM32 (rebuilding and extending rural dwellings) are not relevant and offer no policy support to this planning application.

6.03 The following photos demonstrate the buildings appearance before and after and demolition works, and these demolition works would prevent the implementation of any prior approval application.

Previous



Current



- 6.04 The decisions to give prior approval as a result do not provide any fallback position. As a building on the site has never been used for residential use and the partial demolition of the building that on the site policy DM31 which relates to the conversion of rural buildings is not relevant.

Character and appearance

- 6.05 The supporting text to policy SP17 advises "The countryside has an intrinsic character and beauty that should be conserved and protected for its own sake". The application site is between the Yalding Farmlands and Beult Valley landscape character areas. The recommendations relating to this location include:
- Conserve the largely undeveloped rural landscape and the remote quality of existing development
 - Conserve the rural setting of traditional buildings and farmhouses
 - Conserve the undeveloped character of the landscape
 - Conserve and restore the fabric of historic bridges and traditional agricultural buildings.
- 6.06 In relation to SP17 a) and considering the impact of development on the character and appearance of the countryside the relevant adopted local plan policies are DM1 and DM30.
- 6.07 Policies DM1 and DM30 both set out that development (including the type, siting, materials and design, mass and scale of buildings, and activity should maintain, or where possible enhance, local distinctiveness, and any impacts on the appearance and character of the landscape should be appropriately mitigated.
- 6.08 Local Plan policy DM31 only applies to rural buildings of high quality (such as Oast houses), with the policy seeking to secure the long-term building survival by permitting conversion to other uses. In granting the earlier permission for the 'conversion' of the original building on the application site, officers considered that the building design and appearance had this quality in line with Local Plan policy DM31. It is accepted that the building conversion would have resulted in domestic paraphernalia, this harm would be balanced against the benefit of securing the valuable rural building.
- 6.09 The two main issues with the current situation are firstly that the original quality building has been lost and secondly that the design and appearance of the proposed replacement building represents a poor, ill-considered, over domesticated, urban copy of the original building with the additional harm caused by associated domestic paraphernalia.
- 6.10 The design of the proposed building is over-domesticated and fails to respect the architectural interest, agricultural function and of the original building, as well as the rural character of the countryside in general. The building design introduces excessive domesticated openings in terms of size and location, especially where none existed, e.g., on the rear roadside elevation. The configuration of some of the openings does not respect the original building, especially the absence of the first-floor loft doors and external staircase.
- 6.11 The overly domestic design of the proposal is harmful to the character and appearance of the countryside. The new build proposal in the countryside, with the insertion of fenestration and domestic paraphernalia, would fail to conserve this rural setting and the original traditional agricultural building. The proposal is contrary to policies SP17, DM1, and DM30 of the Maidstone Borough Local Plan 2017, the Landscape Character Assessment (2012 amended July 2013) and the National Planning Policy Framework (2021).

Heritage

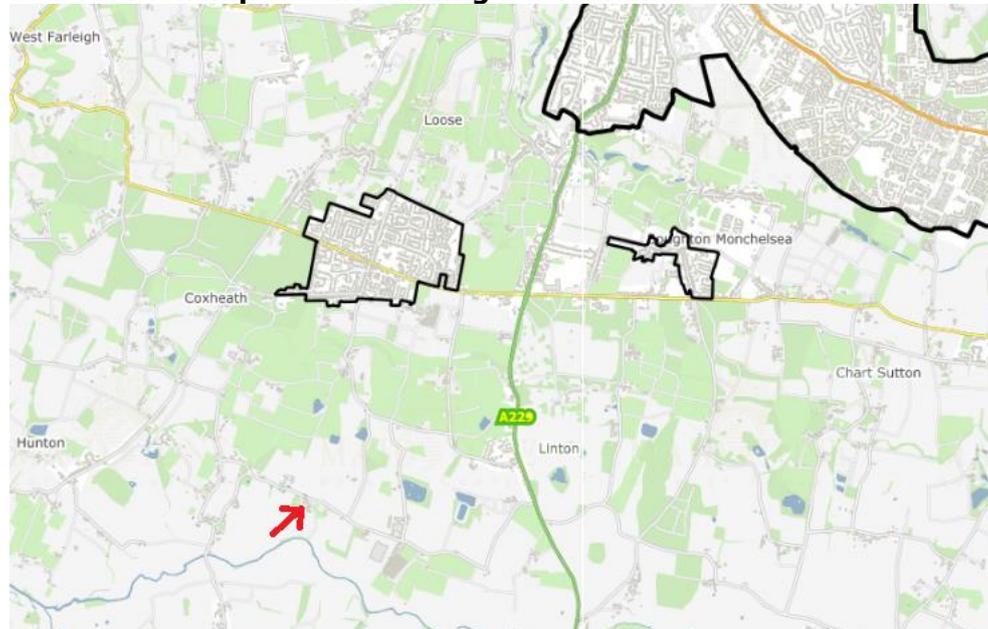
- 6.12 Policy DM4 states "Applicants will be expected to ensure that new development affecting a heritage asset incorporates measures to conserve, and where possible enhance, the significance of the heritage asset and, where appropriate, its setting".
- 6.13 The NPPF states "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 6.14 Paragraph 196 of the NPPF states "Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision". The partial demolition of the original building has resulted in the loss of a non-designated heritage asset.
- 6.15 As detailed above the application building is of historic and architectural interest due to its former use, architectural details and range of vernacular materials.
- 6.16 In term of design, the proposed development shows little resemblance to the pre-existing Granary building. The number of windows proposed, positioning and type are in no way like the pre-existing structure. Conservation officers have assessed that the change in design would result in less than substantial harm.
- 6.17 Paragraph 13 of the recently dismissed appeal relating to 21/504236/FULL detailed in the above planning history section states "Though the replacement building would exhibit some generalised similarities in terms of form and layout, and some salvaged material could be incorporated within its construction, it would clearly lack the character or identity of the buildings replaced. Indeed, the differences would be such that the replacement building would present itself as a modern domestic dwelling styled to appear vaguely agricultural. This impression would be reinforced viewed relative to the 4 dwellings proposed on the sites of the grain and implement stores, which would all be similarly styled. To the extent that the granary and waggon lodge retain significance, this would be lost, and the general contribution they make to local distinctiveness would also be significantly diminished."
- 6.18 Paragraphs 16 – 19 of the appeal decision all detail how the prior approval and previously permitted applications retained the original agricultural character of the building and that the refused proposal (which is visually the same as the current application) would result in a domestication of the application site which would be at odds with its location and agricultural character of the application site.
- 6.19 The inspectorate has concurred with the Local Planning Authorities reasons for refusing the application on design and heritage harm grounds. Due to the overly domestic design which fails to respect the and heritage assets on site which are agricultural in character, the proposal is contrary to policies DM1, DM4, and DM30 of the MBLP by reason of poor design relative to the non-designated farmstead heritage asset it replaces as well as the rural/agricultural character of the area and application site. The application does not 'conserve' the application building or the surrounding area and as such is not in accordance with the Maidstone Landscape Character Assessment. Any resubmission to regularise the situation must better respect the architectural interest and character of the heritage asset by taking on board the comments of the Conservation Officer.
- 6.20 The proposed replacement dwelling represents substantial reconstruction of the Granary with the design of the new building bearing little resemblance to the agricultural heritage, character, and appearance of the original building. The submitted proposal results in "less than substantial" harm to a non-designated

heritage asset. The proposal is contrary to policies SP18, DM1, DM4 and DM30 of the Maidstone Borough Local Plan 2017, the Landscape Character Assessment (2012 amended July 2013) and the National Planning Policy Framework (2021).

Spatial strategy

- 6.21 Policy SS1 provides the spatial strategy for the borough, with the Maidstone urban area the primary focus for new housing. In the hierarchy, designated rural service centres and larger villages are the secondary focus for new development.

Site relationship to surrounding settlements



- 6.22 The application site is in the countryside as defined by the adopted Local Plan. The application site is approximately 1.5 miles (from point to point) from Coxheath and Sutton Valence, both designated as 'Larger Villages' in the local plan and approximately 2.5 miles from the boundary of Maidstone Urban area.
- 6.23 The current application is contrary to the provisions of the NPPF and policy SS1 of the Maidstone Borough Local Plan Adopted October 2017 which seeks to direct housing development to sustainable locations in the borough.
- 6.24 When considering the extant prior approval applications on site, planning inspectors have not assessed that the additional trips generated by the development would be a cause of harm (paragraphs 23 – 26.)

Neighbouring amenity

- 6.25 Policy DM1 states that development proposals must "Respect the amenities of occupiers of neighbouring properties...by ensuring that development does not result in...excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light ...".
- 6.26 The closest property would be approximately 30 metres from the threshing barn. Set at an angle to the application site, any views from the windows would be oblique. Any increase to the bulk and height of the buildings would be minimal, and the distance between the properties would be sufficient for any impact regarding overbearance and overshadowing issues to be minimised.
- 6.27 The renovated elevations would include satisfactory fenestration providing good levels of light and outlook from the building. All other neighbours would be a

sufficient distance for any impact in terms of overbearance and overshadowing to be minimised which would be compliant with DM1.

Standard of accommodation

- 6.28 Policy DM1 states development proposals must "...provide adequate residential amenities for future occupiers of the development by ensuring that development... is (not) exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion..."
- 6.29 The proposed dwelling would be a 4 bedroom dwelling with an internal floor space of approximately 160m², this is in excess of the space standard for a 2 storey, 4 bedroom (8 person) dwelling (124m²).
- 6.30 Plans indicate the dwelling would be served by a significant private amenity area, larger than the footprint of the ground floor of the proposed dwelling in accordance with local planning policies as well as policies within the local plan review.

Highways, access, and servicing

- 6.31 Local Plan policy DM1 sets out that new development should "...safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access".
- 6.32 KCC Highways commented that the proposal would rely on the access previously approved as part of a 1993 application. It was considered that the visibility lines were acceptable.
- 6.33 The dwelling would be served by two vehicle parking spaces which is sufficient for a 4 bedroom dwelling and in accordance with appendix B of policy DM23. Plans indicate bin storage areas, should members be minded to approve the application cycle storage provision could be conditioned.
- 6.34 There would be sufficient parking for the occupiers on the site to avoid on street parking and, as such, the application was acceptable in Highways terms.

Landscaping/Ecology

- 6.35 Local Plan policy DM3 highlights the need to appraise the value of the boroughs natural environment through the provision of an ecological evaluation to take full account of the biodiversity present, including the potential for the retention and provision of native plant species.
- 6.36 Plans indicate that climbing plants would be established on the walls around the proposed dwellings rear garden area. When considering the nature of the application site, i.e., predominantly covered in hardstanding it is not assessed that the development causes any harmful impacts to any trees on site. If members are minded to approve conditions could be imposed requiring further details of landscaping and biodiversity enhancements as well as implementation details.

PUBLIC SECTOR EQUALITY DUTY

- 6.37 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The existing building has been disassembled/demolished to such an extent that the proposal is not assessed as being a conversion but would be a new build dwelling in an area designated in the local plan as being in the countryside. There is no exception policy allowing residential development in this location.

- 7.02 The development would cause harm to the character and appearance of the countryside due to the design and character of the proposal and the associated domestic paraphernalia. Agricultural buildings are outside the definition of brownfield land.
- 7.03 The proposed replacement dwelling represents substantial reconstruction of the Granary which results in "less than substantial" harm to a non-designated heritage asset. The proposed scheme for rebuilding is of poor design relative to the character and appearance of those heritage assets within an historic rural farmstead and therefore their loss has not been sufficiently outweighed by any public benefit. The overly domestic design of the proposal is also harmful to the character and appearance of the countryside. The proposal is contrary to policies SP17, SP18, DM1, DM4, and DM30 of the Maidstone Borough Local Plan 2017, the Landscape Character Assessment (2012 amended July 2013), and the National Planning Policy Framework.

8. RECOMMENDATION REFUSE planning permission for the following reason(s):

- 1) The overly domestic design of the proposed new build dwelling and the associated domestic paraphernalia in this rural location would be harmful to the character and appearance of the countryside. The proposal is contrary to policies SP17, DM1, and DM30 of the Maidstone Borough Local Plan 2017, the Landscape Character Assessment (2012 amended July 2013) and the National Planning Policy Framework (2021).
- 2) The proposal for a new dwelling fails to provide an adequate standard of design relative to the character and appearance of heritage assets within an historic rural farmstead and the poor design is not outweighed by any public benefit. The proposed replacement dwelling represents substantial reconstruction of the Granary which results in "less than substantial" harm to a non-designated heritage asset. The proposal is contrary to policies SP18, DM1, DM4 and DM30 of the Maidstone Borough Local Plan 2017, the Landscape Character Assessment (2012 amended July 2013) and the National Planning Policy Framework (2021).

Informative

- 1) The applicant is advised that the Maidstone Community Infrastructure Levy (CIL) Charging Schedule is in effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted. Thus, any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website Community Infrastructure Levy - Maidstone Borough Council