

APPLICATION: MA/12/2300 Date: 20 December 2012 Received: 28 March 2013

APPLICANT: Mr Robert Boyd

LOCATION: MAITLANDS FARM, WOODSIDE GREEN, LENHAM, MAIDSTONE, KENT, ME17 2ES

PARISH: Wichling

PROPOSAL: Erection of an extension to a new grain store as shown on the block plan and supporting statement received 20th December 2012, drawing number G34381PL received 4th January 2013, site location plan and drawing numbers 1931 002, 1931 003 and 34381, supported by 3No. supporting statements, all received 28th March 2013

AGENDA DATE: 25th April 2013

CASE OFFICER: Catherine Slade

The recommendation for this application is being reported to Committee for decision because:

- the application has been called in by Councillor Mrs Parvin for the reasons set out in the report.

## **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV33, ENV34, ENV43
- Government Policy: National Planning Policy Framework 2012, PPS5 Planning and the Historic Environment – Practice Guide
- Other: Kent Downs AONB Management Plan 2009 (Supplementary Planning Guidance)

## **2. HISTORY**

MA/11/1670 Erection of grain store for agricultural use and introduction of hard surfacing - APPROVED WITH CONDITIONS

MA/11/0718 Application for prior notification of proposed agricultural development being the erection of a steel framed portal extension to an existing steel frame portal building for storage of fertilizer, grain and farm machinery – PRIOR APPROVAL GIVEN

MA/06/0757        A consultation with Maidstone Borough Council by Kent County Council for storage with grain store of non-organic, non-hazardous waste – RAISE NO OBJECTIONS

MA/06/0181        Change of use of existing farm grain store building to class B8 storage use - WITHDRAWN

MA/96/0760        Application in relation to prior notification of agricultural permitted development for the erection of an implement shed - PRIOR APPROVAL GIVEN

MA/88/0768        Approval of detail in compliance with condition 1 of outline planning permission T/APP/U2235/A/87/062396/P5 (MA/86/0626 N) for the erection of a two storey house – APPROVED WITH CONDITIONS

55/0128A/MK2     Details of agricultural dwelling - APPROVED

55/0128/MK2     Outline application for proposed agricultural dwelling - APPROVED WITH CONDITIONS

### **3. CONSULTATIONS**

- 3.1 **Councillor Mrs Parvin** has requested that the application be reported to Planning Committee on the grounds of the visual impact of the proposed development on the setting of an adjacent listed building, Wychling House.
- 3.2 **Wichling Parish Meeting** wish to see the application refused on the following grounds:
  - 3.2.1 "The extension of the grain store is intended to increase its capacity to store grain farms in Lenham Heath. This will increase the traffic of both tractors with large trailers and large articulated lorries on Lenham Hill and along the Faversham Road. This road is already very busy and long delays are not infrequent when two articulated lorries or tractors with trailers cannot pass on Lenham Hill. This problem has already been recognised by KCC/MBC who are erecting "unsuitable for HGV's" signs at the junction of Lenham Hill and the A20."
- 3.3 The **Rural Planning Consultant** raises no objection to the proposal, and confirms that it is reasonably necessary for the purposes of agriculture on the holding, and makes the following comments:

- 3.3.1 *"The proposal (which I would estimate adds a further 350 tonnes or so of potential storage capacity) represents, proportionally, a fairly modest addition to this farm's existing notional grain storage provision (approaching some 1200 tonnes).*
- 3.3.2 *The submissions explain that the building erected under MA/11/1670 has less useable capacity than first thought, due to the inability to heap grain behind the roller shutter at the front of the building, and also tip trailers up fully beneath it.*
- 3.3.3 *The additional storage capacity proposed would also prove useful in respect of inadequate grain storage facilities within an offlying brick barn.*
- 3.3.4 *The extra capacity should also allow greater flexibility overall for storing different types/batches of grain.*
- 3.3.5 *I confirm, therefore, that I consider this further additional grain storage to be reasonably necessary for agriculture on the holding."*
- 3.3.6 Further comments were sought in respect of the impact of the development on traffic generation, which are set out below:
- 3.3.7 *"There may be some additional movements at the particular site, and some changes in movement routes, but this depends on the exact arrangements that currently apply. The applicant should be able to give the necessary details.*
- 3.3.8 *Typically tractor-drawn corn trailers taking loads from the combine to temporary or longer-term farm grain stores, may hold about 15 tonnes, whilst lorries collecting subsequently, for longer haulage off the farm, may hold some 30 tonnes.*
- 3.3.9 *I estimated the extra storage would be about 350 tonnes, i.e. about 24 trailer loads, in, and 12 lorry loads out, per annum; not all that much, I would have thought, even if these all loads represented a net increase.*
- 3.3.10 *But of course, sooner or later all the grain produced will be going off the applicant's farm in any event – either straight off the fields, or into a short-term holding area pending collection soon after harvesting, or into a longer-term store as proposed. So the effect may be more to do with timing of movements rather than quantity – more spread out, because of the ability to store more for a longer period, rather than concentrated at harvest time."*
- 3.4 The **Maidstone Borough Council Conservation Officer** raises no objection to the proposal, and makes the following detailed comments:

- 3.4.1 *"Although taking the new grain store 9 metres closer to the listed building at Wychling House I do not consider that the impact on its setting will be significantly greater, particularly given the remaining separation and the proposals to create a substantial planted buffer."*
- 3.5 The **Maidstone Borough Council Landscape Officer** raises no objection to the proposal.
- 3.6 The **Maidstone Borough Council Environmental Health Officer** raises no objection to the proposal.
- 3.7 The **Kent County Council Highway Engineer** raises no objection to the proposal, and confirms that the development "is unlikely to result in any significant increase in traffic".

#### **4. REPRESENTATIONS**

- 4.1 A site notice was displayed at the site on 25<sup>th</sup> January 2013 and the application was advertised by means of a press advert which expired on 10<sup>th</sup> February 2013.
- 4.2 Two responses, from a single household, were received as a result of the publicity procedure. These raised the following concerns:
- Impact on the setting of a neighbouring listed building.
  - The position of the development within the site.
  - Harm to the landscaping scheme approved by way of condition attached to MA/11/1670.
  - Harm to residential amenity by way of noise.
  - Inaccuracies in respect of the site location plan (now dealt with by way of the submission of an amended site location plan).

#### **5. CONSIDERATIONS**

##### **5.1 Site Description**

- 5.1.1 The proposal site is located in rural setting in open countryside in the nationally designated Kent Downs Area of Outstanding Natural Beauty (AONB) and locally designated North Downs Special Landscape Area (SLA). The site comprises the footprint of the proposed development, which is located within the land comprising Maitlands Farm, a substantial holding of approximately 115 Ha which is actively farmed for the production of winter wheat with a yield of between 1000 and 1200 tonnes, which are rotated with other crops such as oil seed rape, linseed, barley and beans.

- 5.1.2 The agricultural building which is proposed to be extended is located to the west of Faversham Road, the C258. The closest residential properties are Wychling House, a Grade II listed building approximately 25m to the north of the site, and Maitlands, located approximately 65m to the west of the site. A group of 25 Chestnut trees located along the access to the agricultural buildings approximately 50m to the south west of the proposal site are protected under Tree Preservation Order 2 of 1984.
- 5.1.3 The site of the proposed extension, which would adjoin the north east elevation of an existing building granted planning permission under MA/11/1670, is a marginal area of a larger field, and is grassed.
- 5.1.4 The site, together with the main farm buildings, is sited in a remote location in a prominent position in the landscape by virtue of its elevated position on the North Downs. Short and long distance views of the proposed development would be predominantly from the south east as a result of the sloping of the topography in this direction, and the screening effect of existing buildings to the north and west.

## **5.2 Proposal**

- 5.2.1 The application seeks planning permission for an extension to an existing agricultural building. The extension would be to the north east elevation, and would continue the form and dimensions of the existing building in having a pitched roof form with a width of 17.65m, and eaves heights of 6m and a ridge height of 8.412.
- 5.2.2 The extension would project 9m beyond the north east elevation of the building, bringing built development closer to the boundary of the site with Wychling House. However, a buffer of approximately 20m would be maintained; the application documentation includes details of a planting and long term maintenance scheme, which includes the planting of 91 native trees covering an area of approximately 460m<sup>2</sup> to the north and north east of the building to mitigate against the loss of a landscaped area secured by way of condition attached to 11/1670.
- 5.2.3 The extension would have a conventional agricultural appearance, being finished in timber boarding, juniper green profiled tin to the side elevations and fibre cement panels to the roof; this would continue the materials used in the existing building.

## **5.3 Principle of Development**

- 5.3.1 The policy by under which applications for the erection of agricultural buildings should be assessed is ENV43 of the Local Plan, which requires that such proposals should be reasonably necessary for the purposes of agriculture; located within or adjacent to existing buildings; and be of appropriate design; in addition to which proposals should not result in harm to residential amenity or be prejudicial to highway safety.
- 5.3.2 Notwithstanding to the above, proposals within the open countryside designated as AONB and SLA should be assessed under the provisions of Local Plan policies ENV28 (open countryside) ENV33 (AONB) and ENV34 (SLA) which require proposals for new development, whether acceptable in principle or not, to be considered in terms of the impact on the natural beauty of the landscape, and scenic quality and character of the landscape.
- 5.3.3 In addition, development that would potentially impact upon heritage assets should be considered against the central government planning guidance as set out in PPS5 Planning and the Historic Environment – Practice Guide.
- 5.3.4 It is my view that, in the circumstances of this case, the principle of the erection of an extension to an existing agricultural building is acceptable. The proposed extension would serve a viable agricultural enterprise, and is clearly intended for agricultural use. The design, scale and appearance of the extension are considered to be acceptable for the purpose of the building.

#### **5.4 Impact on the setting of Wychling House**

- 5.4.1 As set out above, concern has been raised in respect of the impact of the proposal on a neighbouring listed building. This building is located approximately 25m to the north east of the development under consideration. The Conservation Officer, who has visited Wychling House, had confirmed that there is no objection to the proposal on heritage grounds by virtue of the separation distances involved, and I concur with this view.
- 5.4.2 It is noted that the applicant has submitted details of a landscaping scheme, which would provide a screening buffer between the extension and the listed building. Whilst the depth of the landscaped area would be decreased in comparison to that of the scheme approved (but not yet implemented) under condition 2 of MA/11/1670, a minimum landscaping depth of 14m would be retained.
- 5.4.3 For these reasons, being the character, scale and appearance of the development, and the separation distance between it and Wychling House, together with the screening provided by the proposed landscaping scheme, are such that the impact upon the designated heritage asset would not be

significant, subject to an implementation condition requiring the landscaping to be carried out and maintained.

- 5.4.4 Whilst it is noted that objection has been raised on the grounds of the siting of the extension within the site, the Council has to determine the application on the grounds of the proposal as submitted, and there is no reason to refuse the application on the grounds of failing to fully explore alternative positions for the extension. In any case, the siting is considered to be acceptable, being logically positioned in relation to the existing building and well screened by existing buildings in a location in which landscape screening can be achieved without loss of best and most valuable agricultural land.

## **5.5 Other Matters**

- 5.5.1 Concern has been raised by the Parish Meeting that the proposal would result in increased traffic generation along Lenham Hill and Faversham Road. Whilst the proposal would result in additional on site storage capacity, as set out in the comments of the Rural Planning Consultant, the scale of the extension within the context of the existing provision on the agricultural unit is unlikely to give rise to significant additional lorry or tractor movements. Whilst it is recognised that the single track highway system in this location is not ideal, traffic levels are not excessively heavy and passing places exist. The extension would serve an existing agricultural enterprise and would not lead to significant additional vehicular movements. In this context it is not considered that there is any objection to the proposal on highway grounds.
- 5.5.2 Concern has been raised in respect of the impact of the development in regard to noise generation, specifically, relating to the use of "aerators" in the existing building which are used to maintain the crop whilst being stored. These do not require planning permission and are therefore beyond the control of the planning system, however the applicant has confirmed that there is no intent to introduce further plant within the extension. Otherwise, there is no suggestion that the proposed development, which would not introduce any new openings to the building, would give rise to any significant disturbance in addition to that already associated with the functioning of the agricultural unit. There is therefore no objection to the proposal on the grounds of residential amenity, a view which is supported by the Council's Environmental Health Officer.
- 5.5.3 The site is not known to be within an area recorded by the Environment Agency as being prone to flood.

## **6. CONCLUSION**

- 6.1 For the reasons set out above, the proposed development is considered to be in accordance with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and national planning policy as set out in the National Planning Policy Framework 2012 and PPS5 Planning and the Historic Environment – Practice Guide, having regard to all other material considerations, and it is therefore recommended for approval subject to conditions, as set out above.

## **7. RECOMMENDATION**

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory setting and external appearance to the development; safeguard the character and appearance of the open countryside, Kent Downs Area of Outstanding Natural Beauty and North Downs Special Landscape Area; and secure the setting, character and appearance of Wychling House, a Grade II listed building; in accordance with policies ENV6, ENV28, ENV33, ENV34 and ENV43 of the Maidstone Borough-Wide Local Plan 2000 and central government planning policy and guidance as set out in the National Planning Policy Framework 2012 and PPS5 Planning and the Historic Environment - Practice Guide.

3. All planting comprised in the details of landscaping approved under MA/12/2300 shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development; safeguard the character and appearance of the open countryside, Kent Downs Area of Outstanding Natural Beauty and North Downs Special Landscape Area; and secure the setting, character and appearance of Wychling House, a Grade II listed building; in accordance with policies ENV6, ENV28,



ENV33, ENV34 and ENV43 of the Maidstone Borough-Wide Local Plan 2000 and central government planning policy and guidance as set out in the National Planning Policy Framework 2012 and PPS5 Planning and the Historic Environment - Practice Guide.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

block plan and supporting statement received 20th December 2012, drawing number G34381PL received 4th January 2013, site location plan and drawing numbers 1931 002, 1931 003 and 34381, supported by 3No. supporting statements, all received 28th March 2013;

Reason: To ensure a satisfactory setting and external appearance to the development; safeguard the character and appearance of the open countryside, Kent Downs Area of Outstanding Natural Beauty and North Downs Special Landscape Area; and secure the setting, character and appearance of Wychling House, a Grade II listed building; in accordance with policies ENV6, ENV28, ENV33, ENV34 and ENV43 of the Maidstone Borough-Wide Local Plan 2000 and central government planning policy and guidance as set out in the National Planning Policy Framework 2012 and PPS5 Planning and the Historic Environment - Practice Guide.

#### Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

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 approved without delay.

The applicant/agent was advised of minor changes required to the application and these were agreed.

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