

APPLICATION: MA/14/0254 Date: 14 February 2014 Received: 17 February 2014

APPLICANT: Mr Richard Stannard

LOCATION: CRADDUCKS FARM, GOUDHURST ROAD, STAPLEHURST,
TONBRIDGE, KENT, TN12 0HQ

PARISH: Staplehurst

PROPOSAL: Removal of condition 2 of planning permission MA/04/0875 to allow
the use of the cabins as permanent residential homes.

AGENDA DATE: 12th June 2014

CASE OFFICER: Geoff Brown

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

- it is contrary to views expressed by Staplehurst Parish Council and committee consideration has been requested.

1.0 POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV28, ENV34, ENV44, ENV45
Maidstone Borough Local Plan Regulation 18 Consultation 2014: SS1, SP5,
DM13, DM24
Government Policy: NPPF, NPPG

1.0 HISTORY

The relevant planning history is considered to be:

MA/14/0239 - An application to remove condition 9 of planning permission MA/06/1618 (i.e. to remove the management tie between the oast house and the holiday accommodation) - Approved

MA/06/1618 – Amendments to planning permission MA/05/2391 (conversion of existing oast house to residential use together with the erection of a detached garage) to remove bull nose bricks surrounding ground floor windows to front & rear elevations to increase size of openings, including first floor roundel windows, plus square-off oval lintels - Approved

MA/05/2391 - Conversion of existing oasthouse to residential use, together with the erection of a detached garage – Approved

MA/04/0875 - Change of use of land and chalets, for holiday let accommodation including alterations to form new access and vehicular parking - Approved

2.0 CONSULTATIONS

3.1 STAPLEHURST PARISH COUNCIL state:

"Some councillors made an advisory comment that they would like to see the gardens retained as a communal area. Councillor Green spoke of the merit in preserving Colt houses. Councillors voted nem con to recommend APPROVAL but do not request the application is reported to the Planning Committee."

Just prior to determination under delegated powers, the Parish Council requested that the application be reported to Planning Committee should I be minded to refuse permission.

3.2 THE MBC Environmental Health Officer has no objection and recommends a condition to cover contamination.

3.0 REPRESENTATIONS

4.1 A LOCAL RESIDENT writes to support the application on the basis that there is a shortage of affordable homes.

4.0 CONSIDERATIONS

5.1 Site Description

5.1.1 The land in question is located in the open countryside south west of Staplehurst, beyond the limits of any defined settlement. I estimate that it is around 3km from the centre of the village 'as the crow flies'. It is also located within the High Weald Special Landscape Area. As such it is the subject of Development Plan Policies and Central Government Guidance aimed at tightly restricting new development, particularly new residential development.

5.1.2 An oasthouse, converted to residential use, is on the frontage with its own access and parking area in front of it. Behind it is a group of 7 holiday cabins that is the subject of this application with an access and large parking area further north along Goudhurst Road. The oast has garden land all around it and its eastern boundary is marked by an access pathway and a low hedge. Planning permission was recently granted for the removal of the 'management tie' that had previously been imposed linking the occupation of the oast with the management of the holiday cabins. The condition had previously been imposed

due to concerns that the amenities of the oast would be adversely affected by the close proximity of the holiday cabins: I concluded that the amenity situation was not so serious as to warrant the preservation of the link and granted permission for MA/14/0239.

- 5.1.3 The cabins are set in a small landscaped park setting, essentially with no boundaries between plots. A circulatory pathway links the cabins with an off-shoot to the parking area to the north. These are small single storey structures of wooden cladding under shingle roofs, mainly single bedroomed but the unit closest to the oast has two bedrooms.

5.2 Proposal

- 5.2.1 The overall farmhouse, oast and cabins site was historically used as a religious retreat. Planning permission MA/04/0875 allowed use of the cabins as holiday lets and imposed the following condition 2:

“The accommodation hereby permitted shall only be occupied continuously by any person or persons for a period not in excess of 28 days and not for more than 112 days in any calendar year (i.e. a maximum of 4 separate 28 day periods);

Reason: The introduction of a permanent residential use would fail to comply with policies ENV28 and ENV44 of the Maidstone Borough-Wide Local Plan 2000”

- 5.2.2 This application seeks to remove that condition so that the cabins become unrestricted dwellings. The application does not involve any building work. The application documentation explains that there is a shortage of affordable accommodation in the Staplehurst area; whilst the cabins present difficulties in terms of complying with up to date tourist accommodation standards.

5.3 Principle of Development

- 5.3.1 I consider this application to be unacceptable in principle. It proposes residential accommodation in a Special Landscape Area well beyond the bounds of any town or village. This is an area that has very limited access to basic services and public transport. It is served by rural lanes without footways and street lighting, where the occupiers of the dwellings would be heavily reliant on the private motor car. Dwellings in such an area are contrary to the aims of Policy ENV28 and Central Government Advice, most notably paragraph 55 of the NPPF.
- 5.3.2 By contrast, the provision of tourist accommodation is generally encouraged through Policy ENV44 and the NPPF due to the positive impact the tourist industry can have on the rural economy. Tourist lets do not have the same

traffic generation as ordinary dwellings and do not result in the same level of domestication of the countryside.

5.4 Visual Impact

5.4.1 No building works are proposed. However, as stated above, unrestricted residential dwellings are likely to lead to an increased urbanisation of the countryside: through, for example, the sub-division of land into individual gardens and the increased incidence of domestic paraphernalia. I consider that the proposed change would be to the detriment of the character of the Special Landscape Area.

5.5 Residential Amenity

5.5.1 I do not consider the change would have any significant impact on the residential amenities of nearby properties.

5.6 Highways

5.6.1 Whilst the traffic generation would be likely to increase I consider the access and parking arrangements to be adequate.

5.7 Landscaping

5.7.1 There are no implications here for landscaping, nor are there any significant ecology issues here.

6.0 CONCLUSION

6.1 I consider the application to be contrary to Policy and Guidance and I recommend refusal. Whilst the Council can not currently demonstrate a 5 year housing land supply, unsustainable sites such as this are not the solution.

7.0 RECOMMENDATION

REFUSE PLANNING PERMISSION for the following reason:

1. The proposals are considered to be contrary to Maidstone Borough-Wide Local Plan 2000 Policies ENV28 and ENV34; and the advice in Paragraph 55 of The National Planning Policy Framework 2012. Unrestricted dwellings here would be an unsustainable form of development in a location poorly served by basic services and public transport so that the occupiers would be reliant on the private motor car. Dwellings here would lead to an increased domestication of the countryside, harmful

to the character of The High Weald Special Landscape Area.

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