

REPORT SUMMARY

REFERENCE NO - 14/503309/FULL		
APPLICATION PROPOSAL Conversion of 3 agricultural barns for residential use and erection of 3 new dwellings with associated car barns and landscaping.		
ADDRESS Tanyard Farm Old Ashford Road Lenham Kent ME17 2DH		
RECOMMENDATION - APPROVE		
SUMMARY OF REASONS FOR RECOMMENDATION The proposed development is not in accordance with Development Plan policy. However, in the context of a lack of 5 year housing supply, it is considered that the low adverse impacts would not significantly and demonstrably outweigh the benefits of this proposal. For the reasons set out, the proposal is considered to accord with the National Planning Policy Framework and represent circumstances that can outweigh the existing Development Plan policies and there are no overriding material considerations to indicate a refusal of planning consent.		
REASON FOR REFERRAL TO COMMITTEE - It is a departure from the Development Plan. - Recommendation is contrary to the views of Lenham Parish Council.		
WARD Harrietsham And Lenham Ward	PARISH COUNCIL Lenham	APPLICANT Mr Bailey AGENT Lee Evans Planning
DECISION DUE DATE	PUBLICITY EXPIRY DATE 24/04/15	OFFICER SITE VISIT DATE 26/08/15
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		

- No relevant planning history for the proposal site.
- Land to the north-west of the site is currently the subject of an outline permission for the erection of 9 houses with access to be considered at this stage and all other matters reserved for future consideration (MA/14/0174 - Land east of Glebe Gardens)

MAIN REPORT

1.0 Relevant policy

- Maidstone Local Plan 2000: ENV6, ENV28, ENV45, ENV49, T13
- National Planning Policy Framework
- National Planning Practice Guidance
- Draft Local Plan: SP5, DM2, DM4, DM6, DM10, DM30, DM32
- Lenham Neighbourhood Plan (Reg 5 stage-area designation)

2.0 Consultation responses

2.01 **Lenham Parish Council:** Wish to see the application refused and reported to Planning Committee;

"Support conversion of existing barns, keeping the historic character of the properties, but do not support building of 3 new dwellings. The emerging Neighbourhood Plan and MBC Local Plan should be considered. Keen to see development proposals align with NHP recommendations."

2.02 **Conservation Officer:** Raises no objection.

2.03 **KCC Biodiversity Officer:** Raises no objection.

- 2.04 **Landscape Officer:** Raises no objection.
- 2.05 **Environmental Health Officer:** Raises no objection.
- 2.06 **KCC Highways Officer:** Raises no objection on highway safety grounds.
- 2.07 **KCC Archaeological Officer:** Raises no objection.
- 2.08 **KCC Public Rights of Way Officer:** Raises no objection.
- 2.09 **Environment Agency:** Raises no objection.

3.0 Neighbour representations

- 3.01 8 neighbours have made representations raising concerns over ecology/biodiversity; flood risk/drainage; not in accordance with Neighbourhood Local Plan; impact on setting of listed building; cumulative impact with neighbouring proposed developments; visual impact; and need for 3 new dwellings.

4.0 Site description

- 4.01 The proposal site is accessed from Old Ashford Road, along a track of some 140m in length that already serves 'Tanyard Farmhouse', a Grade II listed building, and the surrounding land. Views of this house and the adjacent garage/outbuilding are possible from Old Ashford Road. This access is some 40m to the east of the junction of Old Ashford Road and Groom Way, and is on the southern side of the road. The proposal site is to the east of Lenham village, outside the defined village boundary as shown in the Maidstone Borough-Wide Local Plan 2000. The site has no other environmental or historical Development Plan designations. The site is relatively linear in appearance, going southwards away from the farmhouse; a stream runs along the western boundary; and grazing/agricultural land borders the site to the east and south. A public footpath (KH399) also runs in a general east to west direction through the northern end of the site, and other footpaths do run around the site at varying distances away.
- 4.02 Within the site is a group of historic farm buildings set close to the southern side of an open yard to the south of 'Tanyard Farmhouse', and then a number of dilapidated at-cost buildings to the south of these buildings. No building within the application site is listed. A track runs through the site providing access to the agricultural land to the south.
- 4.03 The 3 historic farm buildings are positioned relatively tight together. The 'Mill Shed' is located to the west and alongside the stream is the oldest building, possibly dating from the 17th Century, and of all the buildings it is the least easy to interpret, but it may have its origins in a water mill (given its abutment to the adjacent stream and the nearby artificial ponds) and possibly be connected to a former tanyard use of the site. The 'Great Barn' is located a short distance from the 'Mill Shed', and the 'Workshop Barn' is positioned to the east of this. These two buildings both appear to be of early/mid-19th Century date. The at-cost buildings are mid-20th Century and located either side of the through-track.

5.0 Proposal

5.01 The proposal is to repair (not convert) the 'Mill Shed', for it to be used ancillary to the 'great Barn', which is to be converted into a residential unit along with the 'Workshop Barn'. The proposal would include the demolition of the 3 substantially sized at-cost buildings. To enable the development, the proposal would involve the erection of 3 detached houses and other associated buildings; and the applicant has submitted a viability appraisal that has been assessed internally by Property Services and considered acceptable. Indeed, the appraisal shows that if just the existing buildings were converted the development would result in a loss and that there would only be a very small profit if the developer built 2 new dwellings. This would create 5 new dwellings in total; and the existing access would remain unaffected by the development. In summary;

- The 'Mill Shed' will not be fully refurbished, only made safe structurally and the external fabric restored.
- The 'Great Barn' would be converted into a dwelling with a floor inserted into the west side and new internal partition walls put up to create an open plan ground floor with bedrooms, bathroom and study above. There would be alterations to the fenestration; and internally, the east side of the building would remain double height. This building would have 2 bedrooms.
- The 'Workshop Barn' would be converted into a dwelling with new internal partition walls and alterations to fenestration. This building would have 2 bedrooms.
- Both of these new dwellings would benefit from 2-bay car barns.

5.02 For all 3 barns, the existing profiled corrugated tin roof covering would be replaced with hand made plain clay tiles; the existing brickwork would be repaired and restored with bricks and mortar to match the existing; and the weatherboarding (black) would also be repaired and/or replaced.

5.03 The 3 new dwellings would be of a traditional design, and in summary;

- Plot 4 would have first floor living accommodation within the roof space, with low eaves, barn-hipped ends and rooflights. This unit would benefit from a 2-bay car barn, to be sited to the north of the main house. The unit would be a 3 bedroom house.
- Plot 5 would have first floor living accommodation within the roof space; and would have low eaves, a hipped roof and rooflights. This unit would benefit from an attached (southern flank) 2-bay car. The unit would be a 3 bedroom house.
- Plot 6 would have first floor living accommodation within the roof space; and would have low eaves, barn-hipped ends and rooflights. This unit would benefit from a 2-bay car barn, to be sited to the north of this property. The unit would be a 3 bedroom house.
- All 3 proposed dwellings would have a ridge height of some 7.5m from ground level.

- 5.04 For all of the new properties, the roof would be of hand made plain clay tiles; the facing brickwork would be of orange/red colour to match the existing barns; and the weatherboarding would be of black stained timber. Conservation rooflights would be used; and the car barns would be Oak framed.

6.0 Relevant policy/guidance

- 6.01 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.

- 6.02 The application site is outside of the defined village boundary of Lenham. It is therefore upon land defined in the Local Plan as countryside.

- 6.03 The starting point for consideration is saved policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 which states as follows:-

"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.*

Proposals should include measures for habitat restoration and creation to ensure that there is no net loss of wildlife resources."

- 6.04 The proposed 3 new dwellings do not fit into any of the exceptions set out in policy ENV28, which is why it has been advertised as a departure from the Development Plan.

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

- 6.06 Paragraph 55 of the NPPF also states local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances, one exception being *".....where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting"*. Saved policy ENV45 of the MBWLP also allows for the conversion of rural buildings to residential use where the re-use of a redundant building would lead to an enhancement to the immediate setting.

- 6.07 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."

- 6.08 The update of the Maidstone Strategic Housing Market Assessment (June 2015) established an objectively assessed need for housing of 18,560 dwellings between 2011 and 2031, or 928 dwellings per annum, and these figures were agreed by the Strategic Planning, Sustainability and Transportation Committee on 9 June 2015. Taking account of the under supply of dwellings between 2011 and 2015 against this annual need, together with the requirement for an additional 5% buffer, the Council is able to demonstrate a housing land supply of 3.3 years as at 1 April 2015. The Council therefore cannot currently demonstrate a five-year supply of deliverable housing sites, and this position was reported to the Strategic Planning, Sustainability and Transportation Committee on 23 July 2015.
- 6.09 This lack of a five year supply is a significant factor and at paragraph 49 of the NPPF it 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 ENV28 which seeks to restrict housing outside of settlements) should not be considered up-to-date if a five year supply cannot be demonstrated. The presumption in favour of sustainable development in this situation 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.
- 6.10 The site is considered to be in a sustainable location. Indeed, Lenham Doctors Surgery and community centre is less than 400m away to the north of the proposal site; and there is a bus stop on either side of Old Lenham Road within 400m of the proposal site that serve a regular bus service that links the village to Maidstone and Ashford. Furthermore, from the access of the site, the direct road into Lenham Village (with 30mph speed limit) benefits from street lighting and pavements, with The Square approximately 500m away to the west of the site with facilities such as a bakery, greengrocers, convenience store, library, public houses that serve food, and takeaway restaurant. There are also a number of public footpaths surrounding the site in all directions, with one leading from the site direct to the church in the village centre. Lenham is also served by a train station, and does benefit from a primary school and secondary school.

- 6.11 Lenham Parish Council Neighbourhood Plan has not yet gone out to local residents consultation (Regulation 14), and so whilst a consideration is given little weight in the determination of this planning application.
- 6.12 In summary, I consider 3 new dwellings here to be acceptable given the lack of a 5 year housing supply and the site's sustainable location; and policy ENV45 of the MBWLP supports the conversion of rural buildings of worth in the countryside. I therefore consider the principle of the development to be acceptable. The key issue is whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits of the application, when assessed against the policies of the NPPF as a whole. I will now go on to consider the key planning issues.

7.0 Visual impact

- 7.01 The proposal site currently has the 3 barns proposed for conversion/repair at the northern end of the site, and then a number of dilapidated at-cost buildings to the south of these buildings. The proposal would see the replacement of these unattractive modern buildings/extensions with 3 low eaved and modestly sized properties and garages of a traditional and simple design. This low key and informally arranged layout would see the built development concentrated more towards the northern-end of the site, leaving the southern end more undeveloped than it is currently.
- 7.02 Whilst there would be short to medium range views of the proposal from the surrounding footpaths, particularly from the footpath that goes across the northern boundary of the site and the footpaths to the west of the site that come from Lenham village, there are already public views of the 3 barns and the existing farm buildings. In my view the scheme has been appropriately designed and would not appear significantly more dominant or visually harmful/intrusive than the current situation.
- 7.03 Indeed, this relaxed clustering of the buildings, which reflects the rural farm setting, is not considered to be so harmful to the pattern of development in the area, particularly given the appropriate scale and design of the new buildings and what they will replace. Furthermore, the principle of the submitted landscape masterplan has also been accepted by the Landscape Officer, and the landscaping scheme will be required to follow this approach closely to further soften and enhance the overall scheme. In terms of the submitted landscape appraisal, the Landscape Officer is also satisfied that because the proposal is a small scale contained development with appropriate native screen planting, it would not greatly visually extend the urban footprint of Lenham from surrounding viewpoints and raises no objection in this respect.
- 7.04 Turning to the detail of the buildings, the application is accompanied by a Heritage Statement which clearly sets out the heritage value of the 3 historic farm buildings. The Conservation Officer accepts that the buildings to be converted and repaired not only form a good group with the farmhouse and add to this Grade II listed building's significance, but are also of interest in their own right. These buildings are therefore

considered as non-designated heritage assets, and their re-use is welcomed. The removal of the at-cost buildings would also be beneficial to the setting of the listed building.

- 7.05 The residential conversion of the buildings is considered to be of a good standard, and would preserve the essential form and character of the buildings, for example by retaining the half door height of the glazed doors on the southern elevation of the 'Great Barn'; having appropriate level and design of the remaining fenestration detail; and appropriate use of traditional materials. Furthermore, the new development proposed would involve the removal of the unsightly modern additions which abut the south elevation of the "Great Barn" and more or less completely obscure it. This would be of major benefit to the significance of this farmyard group.
- 7.06 In terms of the proposed dwellings, these would be low eaved and of modest size; and in terms of design, the simple form of the buildings (with no intrusive elements such as dormer windows) and the use of traditional materials would be entirely appropriate in this context. The irregular layout proposed would also help to reflect the informal relationships between the proposed and existing buildings; and whilst there would be domestication of the site, I do not consider this unduly harmful. To further ensure a satisfactory appearance to the proposal, details of external materials, boundary treatments and planting will be requested prior to the commencement of the development.
- 7.07 Given the acceptable scale, design and positioning of the converted and proposed buildings, I am also satisfied that the proposal would not have an adverse impact on the setting of the Grade II listed 'Tanyard Farmhouse', or any other listed building. Furthermore, as a group, the existing barns contribute to the significance of the listed farmhouse, and the removal of the 20th century extensions and buildings would also be beneficial to the setting of the listed building.
- 7.08 To ensure suitable repair and retention of the non-designated heritage assets on site, a full schedule of works necessary for the conversion of the existing buildings will be requested by way of condition; and their repair will be required prior to the occupation of the development.
- 7.09 The proposal would be seen as a positive enhancement to the general character and appearance of the countryside hereabouts, and for the reasons set out I consider it to be a justified and acceptable departure from the Development Plan.

8.0 Biodiversity implications

- 8.01 As part of the application a Stream Survey, Reptile Survey, Bat Emergence Survey, and a Bat and Barn Owl Survey were submitted. After this, the applicant was also required to provide an ecological scoping survey prior to the determination of this application to assess the impact the proposed development would have on protected/notable species not described within the submitted ecological reports, and this was duly

submitted. The following assessment has been based on the submitted ecological advice and advice taken from the KCC Biodiversity Officer.

Breeding Birds

- 8.02 There are buildings and vegetation within the site which is suitable for breeding birds, and all breeding birds are legally protected under the Wildlife and Countryside Act 1981 (as amended). An informative will be added to remind the applicant that any work should be carried out outside of the breeding bird season (March to August).

Stream Survey

- 8.03 I am satisfied with the results of the stream survey which concluded there is limited potential for water voles and white clawed crayfish to be present within the stream. The closest barn to the stream is not set to be demolished and so I do not consider it necessary for a precautionary method statement to be produced in this instance.

Great Crested Newts (GCN)

- 8.04 Low populations of GCN have been recorded within 100m of the site and as such there is potential that GCN may be present within the site and impacted by the proposed development. It is considered reasonable in this instance to therefore impose a condition requesting a mitigation strategy to be submitted to ensure no GCN are impacted by the proposed works.

Bats

- 8.05 The submitted bat scoping survey identified that the 3 existing barns contained suitable features for roosting bats.
- 8.06 Emergence surveys were carried out but the Biodiversity Officer was concerned that all aspects of the buildings were not covered and bats may have emerged from the buildings without being recorded. However, after further clarification was sought, it has been fully demonstrated by the ecologist that all the areas of the buildings which contained features suitable for roosting bats were covered, and the Biodiversity Officer raises no objection in this respect. Results showed that no bats were seen to be emerging from or entering the buildings during these surveys.
- 8.07 The trees that provide suitable features for roosting bats are not expected to be lost as a result of the proposed development. This said, if in the future the trees detailed within the ecological scoping survey require tree surgery, it is recommended that an ecologist is contacted for advice prior to works starting. This will be added as an advisory informative. Lighting can also be detrimental to roosting, foraging and commuting bats, and an informative will be added advising the applicant to adhere to the Bat Conservation Trust's '*Bats and Lighting in the UK*' guidance.

Reptiles

- 8.08 The reptile survey has confirmed that there are low populations of slow worms present and a receptor site can be retained within the proposed development site (southern end of site either side of the access track). As recommended by the Biodiversity Officer, details of a mitigation

strategy must be submitted and approved to the Council before work commences on site.

- 8.09 In terms of enhancements, one of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity in and around developments should be encouraged". The ecological scoping survey has recommended a number of enhancements, and a condition will be imposed requesting that a number of these are incorporated in to the development site.

9.0 Arboricultural impacts

- 9.01 There are no protected trees within the proposal site. The proposed development would see the removal of a number of Category C2 trees and a group of trees of Category B2. After consultation with the Landscape Officer, the submitted Tree Survey and Arboricultural Impact Assessment are considered accurate and acceptable, and subject to the relevant conditions I raise no objection to this proposal in terms of the removal of these trees or on arboricultural grounds.

10.0 Highway safety implications

- 10.01 The proposal would use the existing vehicle access from Old Ashford Road. I am satisfied that this access and the local road network would cope with the additional vehicle movements of 5 new dwellings. The proposal would also have sufficient off-street parking provision and turning areas for each property. I therefore consider there to be no highway safety objection to this proposed development and the Highways Officer has also raised no objection.

11.0 Residential amenity

- 11.01 Given the orientation and separation distances of the 5 properties; the positioning and angles of the fenestration detail; and the use of appropriate boundary treatments, I am satisfied that the amenity of future occupants, in terms general disturbance, light, outlook and privacy, would be adequately maintained. I am also of the view that sufficient outdoor amenity space would be provided for future occupants; and that the continuing farm traffic would not result in unacceptable living conditions enough to warrant refusal of this application. The proposed development is also a sufficient enough distance away from the farmhouse to not have a detrimental impact upon the living conditions of its occupants. No other residential property would be within a significant enough distance of this development to be adversely affected by it.

12.0 Archaeological impact

- 12.01 The application site lies within an area of high archaeological potential associated with prehistoric and Roman activity. Indeed, geophysical surveys of the fields to the west have revealed several possible industrial archaeological features and there have been isolated finds of Iron Age metal work; and formal archaeological investigations north of the Old Ashford Road have revealed ditches and pits associated with Roman cultural material, suggesting a major Roman site nearby. In addition,

there are clear indications in the landscape of utilisation of the fields and the water channels north and west of Tanyard Farm; and Tanyard Farm does respect this water channel. It may be that an industrial complex survives on this site, pre-dating the post medieval farm complex.

12.02 The submitted Archaeological and Historic Landscape Assessment by Wessex Archaeology provides a reasonable assessment of the archaeological and historic landscapes remains identifiable around Tanyard Farm. The report identifies the archaeological potential but there are no strong visible indications of definite remains. The Archaeological Officer is of the view that there has been reasonable assessment of archaeology at this stage and that further assessment can be undertaken post planning consent. There will need to be a phased programme of archaeological fieldwork and assessment and the Archaeological Officer recommends that a condition is imposed with any consent that there will be a staged implementation of archaeological field evaluation works, field work and timetable of works. This is to ensure an appropriate assessment of the archaeological implications of this proposed development and the subsequent mitigation of adverse impacts through preservation in situ or by record.

13.0 Other considerations

13.01 The Environment Agency (EA) have assessed the application as having a low environmental risk as it lies in flood zone 1 and because drainage will be discharged through mains sewer. The EA therefore have no further comments to make and on this basis I have no reason to pursue this matter further.

13.02 The public footpath (KH399) that runs through the northern edge of the site will not be directly affected by this proposal and the KCC Public Rights of Way Officer raises no objection to this proposal in this respect.

13.03 It is essential that the simple, traditional form of the converted barns and the new dwellings is preserved in order to further protect the countryside. I therefore consider it reasonable to remove all permitted development rights to extend or erect outbuildings, and to erect any boundary treatments or lay any hardstanding.

13.04 As mentioned previously, the applicant has submitted a viability appraisal that demonstrates that the only way to make the conversion and repair of the non-designated heritage assets viable would be to erect 3 new dwellings. Whilst this proposal is considered to be acceptable on its merits, the findings of this appraisal have been accepted.

13.05 Given the site's previous use for agricultural purposes, I do consider it reasonable to impose a land contamination condition to ensure the well-being of future occupants. Given the proposal's sale, nature and location, I am satisfied that an Air Quality Assessment or Acoustic Survey is not required in this instance. Foul sewage will be disposed of via mains sewer and septic tank, and surface water will be disposed of through a soakaway. I raise no objection in this respect.

14.0 Conclusion

- 14.01 The issues raised by Lenham Parish Council and the local residents have been dealt with in the main body of this report.
- 14.02 The conversion of the existing barns is considered acceptable and in accordance with saved policy ENV45 of the MBWLP. The proposed 3 new dwellings are contrary to policy ENV28 in that they represent new housing development outside a settlement boundary in the Local Plan. However, in the absence of a five year supply of housing the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and policies such as ENV28 cannot form grounds to object in principle.
- 14.03 The proposal site is considered to be in a sustainable location; and the visual impact of the proposal would be localised and would not result in a harmful protrusion into the countryside. There are also no residential amenity, highway, landscape/arboricultural, archaeological, and ecological objections. Considering the low level of harm caused by the development, in the context of a lack of 5 year housing supply, I am satisfied that the benefits of the proposal would outweigh any harm caused. On balance, I consider that compliance with policy within the NPPF is sufficient grounds to depart from the adopted Local Plan. I therefore recommend approval subject to the appropriate conditions.

RECOMMENDATION – APPROVE with 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 development shall not commence until written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials and maintained thereafter unless otherwise agreed in writing by the local planning authority;

Reason: To ensure a satisfactory appearance to the development.

- (3) The development shall not commence until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-

a) New external joinery in the form of large scale drawings.

The development shall be carried out in accordance with the approved details;

Reason: To ensure the appearance and the character of the buildings are maintained.

- (4) The development shall not commence until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by future occupiers.

- (5) The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, in accordance with Landscape Master Plan: 2845_DR_001 received 01/04/15, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their long term management. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: To ensure adequate protection of trees and a satisfactory external appearance to the development and in the interests of biodiversity.

- (6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons 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 external appearance to the development.

- (7) The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority an Arboricultural Method Statement which shall be in accordance with BS 5837 (2012) Trees in relation to design, demolition and construction - Recommendations that shall include details of what works there will be to existing trees prior to the commencement of works together with measures for their protection (in accordance with plan: 2845_DR_003-B received 01/04/15) in the course of development;

Reason: To ensure the retention of existing trees within the site.

- (8) The development hereby approved shall be carried out in accordance with the submitted Lloyd bore Arboricultural Impact Assessment dated 4th

March 2015 unless otherwise agreed in writing by the local planning authority;

Reason: To ensure the retention of existing trees within the site.

- (9) The development shall not commence until there has been submitted to and approved in writing by the local planning authority a written schedule of repairs for the retained buildings. The development shall thereafter be implemented in accordance with these details and any changes to this would require the express consent of the local planning authority;

Reason: To ensure suitable repair and retention of a non-designated heritage asset.

- (10) No occupation of any dwelling hereby approved shall take place until the repairs to the Mill Shed (to include repairing failed/failing foundations and supports to make it structurally sound, infilling gaps in weatherboarding, repairing brickwork, removing vegetation and replacing the roof with tiles), the Workshop Barn and the Great Barn have been carried out to the satisfaction of the local planning authority, and details of which must be submitted to and approved in writing by the local planning authority;

Reason: To ensure suitable repair and retention of a non-designated heritage asset.

- (11) The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority the secured implementation of an;

i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority;

ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority; and

iii) following on from fieldwork, a programme of post excavation and publication in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: To ensure appropriate assessment of the archaeological implications of the development and the subsequent mitigation of adverse impacts through preservation in situ or by record.

(12) The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- All previous uses;
- Potential contaminants associated with those uses;
- A conceptual model of the site indicating sources, pathways and receptors;
- Potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment on (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (3). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: To safeguard health of future occupants of buildings.

(13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), any development that falls within Schedule 2, Part 1, Class A, or any erection of outbuildings, boundary treatments or laying of hardstanding shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by prospective occupiers.

(14) The development shall not commence until an ecological mitigation strategy, incorporating the recommendations within the Reptile Survey (KB Ecology dated 19/08/15), the Bat and Barn Owl Survey (KB Ecology

dated 12/11/12) and the Preliminary Ecological Appraisal (KB Ecology dated 02/03/15) has been submitted to and approved in writing by the local planning authority, and shall include the following;

- i) Relocation of any trapped reptiles to area of retained habitat within the site;
- ii) Provision of bat roosting spaces;
- iii) Erection of owl boxes within the site;
- iv) Erection of bat boxes within the site;
- v) Details of how piled material/rubble or potential areas of shelter for mammals will be moved;
- vi) Provision of reptile/amphibian hibernacula and log piles; and
- vii) Details of gaps within boundary fencing to allow passage of small mammals.

The development shall be built in accordance with the approved ecological mitigation strategy and all features shall be retained in that manner thereafter;

Reason: In the interest of biodiversity protection.

- (15) In accordance with the submitted Bat and Barn Owl Survey (KB Ecology dated 12/11/12), details of a lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and in which lighting must be designed to minimise disturbance, and;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.
- c) Include measures to reduce light pollution and spillage.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: In the interest of biodiversity protection and visual amenity.

- (16) The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (17) The development hereby permitted shall be carried out in accordance with the following approved plans: 07897-102 Rev A and 104 Rev A received 15/08/14, 103 Rev B received 23/02/15, and 101 Rev D, 105 Rev B, 106 Rev B and 107 Rev C received 01/04/15;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

INFORMATIVES

- (1) Bats and Lighting in the UK
Bat Conservation Trust and Institution of Lighting Engineers
Summary of requirements

The two most important features of street and security lighting with respect to bats are:

1. The UV component. Low or zero UV installations are preferred to reduce attraction of insects to lighting and therefore to reduce the attraction of foraging bats to these areas.
2. Restriction of the area illuminated. Lighting must be shielded to maintain dark areas, particularly above lighting installations, and in many cases, land adjacent to the areas illuminated. The aim is to maintain dark commuting corridors for foraging and commuting bats. Bats avoid well lit areas, and these create barriers for flying bats between roosting and feeding areas.

UV characteristics:

Low

- o Low pressure Sodium Lamps (SOX) emit a minimal UV component.
- o High pressure Sodium Lamps (SON) emit a small UV component.
- o White SON, though low in UV, emit more than regular SON.

High

- o Metal Halide lamps emit more UV than SON lamps, but less than Mercury lamps
- o Mercury lamps (MBF) emit a high UV component.
- o Tungsten Halogen, if unfiltered, emit a high UV component
- o Compact Fluorescent (CFL), if unfiltered, emit a high UV component.

Variable

- o Light Emitting Diodes (LEDs) have a range of UV outputs. Variants are available with low or minimal UV output.

Glass glazing and UV filtering lenses are recommended to reduce UV output.

Street lighting

Low-pressure sodium or high-pressure sodium must be used instead of mercury or metal halide lamps. LEDs must be specified as low UV. Tungsten halogen and CFL sources must have appropriate UV filtering to reduce UV to low levels. Lighting must be directed to where it is needed and light spillage avoided. Hoods must be used on each lamp to direct light and contain spillage. Light leakage into hedgerows and trees must be avoided.

If possible, the times during which the lighting is on overnight must be limited to provide some dark periods. If the light is fitted with a timer this must be adjusted to reduce the amount of 'lit time' and provide dark periods.

Security and domestic external lighting

The above recommendations concerning UV output and direction apply. In addition:

- o Lighting should illuminate only ground floor areas - light should not leak upwards to illuminate first floor and higher levels;
- o Lamps of greater than 2000 lumens (150 W) must not be used;
- o Movement or similar sensors must be used - they must be carefully installed and aimed, to reduce the amount of time a light is on each night;
- o Light must illuminate only the immediate area required, by using as sharp a downward angle as possible;
- o Light must not be directed at or close to bat roost access points or flight paths from the roost - a shield or hood can be used to control or restrict the area to be lit;
- o Wide angle illumination must be avoided as this will be more disturbing to foraging and commuting bats as well as people and other wildlife;
- o Lighting must not illuminate any bat bricks and boxes placed on buildings, trees or other nearby locations.

- (2) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during works, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.
- (3) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
- (4) No furniture may be erected on or across the Public Right of Way without the express consent of the Highway Authority.

There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development without the express consent of the Highway Authority.

There should be no close boarded fencing or similar structure over 1.2m high erected which will block views; no hedging or shrubs should be planted within 1m of the edge of the public right of way; and no materials can be stored on the right of way.

The applicant should be aware that the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.

- (5) The site contains suitable habitat for breeding birds, and so vegetation should be removed outside of the breeding bird season (March-August). If that is not possible, an ecologist should examine the site prior to works starting on the site, and if any nesting birds are identified all work must cease in that area until all the young have fledged.
- (6) A formal application is likely for connection to the public sewerage system. In order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel: 0330 303 0119) or www.southernwater.co.uk.
- (7) If in the future the retained trees within the site require tree surgery, the applicant is advised to contact an ecologist for advice prior to the commencement of works.

Case Officer: Kathryn Altieri

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.