

REPORT SUMMARY

REFERENCE NO - 16/506756/FULL			
APPLICATION PROPOSAL			
Demolition of the existing commercial buildings on the site and the construction of 5 no. dwellings alongside associated parking, access and landscaping works.			
ADDRESS Wilsons Yard George Street Hunton Kent ME15 0RF			
RECOMMENDATION – REFUSE PERMISSION for the reasons set out in Section 10.0.			
SUMMARY OF REASONS FOR REFUSAL			
<ul style="list-style-type: none"> - The proposal represents new development in the open countryside outside any defined rural settlement and would not represent a sustainable form of development or effective re-use of a brownfield site due to the site distance from the nearest urban area, rural service centre or larger village, the reliance on unsustainable modes of transport and that significant environmental improvement would not result. - The proposal would result in new development which would be detrimental to the character and rural appearance of the area which has been designated as a Special Landscape Area. - The application fails to demonstrate that the loss of the existing employment use would outweigh the benefit of the provision of residential development and lacks any robust evidence to support the arguments that the site is unattractive for a new occupier contrary to the economic sustainability goals and the support of the rural economy. 			
REASON FOR REFERRAL TO COMMITTEE			
Cllr Brian Mortimer has requested that the application be considered by the Planning Committee should the application be recommended for refusal as KCC highways do not assess and comment on the proposal as it is below the relevant size threshold and it is thought that the proposed housing would be a better use than the existing light industrial use.			
WARD Coxheath And Hunton	PARISH/TOWN Hunton	COUNCIL	APPLICANT Esquire Developments Limited AGENT DHA Planning
DECISION DUE DATE 08/11/16	PUBLICITY EXPIRY DATE 21/10/16	OFFICER SITE VISIT DATE Visited on various occasions	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
15/509819	Demolition of the existing commercial buildings on the site and the construction of 3 pairs of semi-detached dwellings alongside associated parking, access and landscaping works on the land at Wilsons Yard, Hunton	Withdrawn	03.05.2016
04/2315	Erection and renewal of existing chain link fencing and concrete posts on front and sides of entrance to site with 1.8 m high chain link fencing.	Permitted	31.01.2005

03/0336	Change of use of land and part of building to light industrial (B1c) use including the retention of blockwork, cladding, doors and windows to part of the southern elevation of the building.	Refused for the reasons below	29.08.2003
<p>(1) The existing building, together with the alterations to the south elevation of the building, constitute a building that is of a form, bulk, general design and appearance that is not in keeping with its rural surroundings within a designated Special Landscape Area and which detracts from the setting of 'Hunton Place' a Grade II listed building. As such, the proposed development is contrary to the Central Government advice contained within paragraph 3.14 of Planning Policy Guidance Note 7, policies RS5, RS1, ENV4 and ENV19 of the Kent Structure Plan 1996 and policies ENV44, ENV34 and ENV12 of the Maidstone Borough-Wide Local Plan 2000.</p> <p>(2) The local highway network, in terms of the restricted width of the roads, is inadequate to serve the number and type of vehicles that the proposed use is likely to generate, contrary to policy T18 of the Kent Structure Plan 1996 and policies ENV44(5) and T21 of the Maidstone Borough-Wide Local Plan 2000.</p> <p>ALLOWED on APPEAL</p>			
00/1754	An outline application for the erection of 2 no. detached dwellings with associated garages, with external appearance, landscaping and design reserved for future consideration.	Refused	15.11.2000
<p>(1) The proposal represents new development in the open countryside outside any defined rural settlement contrary to policies RS1, RS5 and ENV1 of the Kent Structure Plan and policy ENV29 of the Maidstone Borough-Wide Local Plan.</p> <p>(2) The proposal would not represent a sustainable form of development and would therefore be contrary to policy S1 of the Kent Structure Plan and the strategic objectives of the Maidstone Borough-Wide Local Plan.</p> <p>(3) The proposal would result in new development which would be detrimental to the character and rural appearance of the area which has been designated as a Special Landscape Area in the Kent Structure Plan and would be contrary to policy ENV4 of that Plan and policy ENV37 of the Maidstone Borough-Wide Local Plan.</p> <p>APPEAL DISMISSED</p>			
97/0030	Redevelopment of yard involving the demolition of the existing buildings and the erection of 3 detached dwellings with garages and new access road.	Refused	14.03.1997
<p>(1) The proposed development by reason of its arrangement, scale, design and location would be an intrusive feature in the landscape interspersed with buildings of special architectural of historic interest and designated as a Special Landscape Area within the Greensand Ridge South of Maidstone, contrary to Policy ENV4 of the Kent Structure Plan 1996 and Policy C5 of the Maidstone Borough Local Plan 1993.</p> <p>(2) The proposal by virtue of its design and layout would result in an inadequate level of privacy for the proposed occupants contrary to Policy ENV1 of the Maidstone Borough</p>			

<p>Local Plan 1993 and the standards of Kent Design Document 1995, by virtue of the overlooking of the rear private amenity area of plot 2 from the proposed dwelling on plot 3.</p> <p>(3) The proposal represents new development in the open countryside outside any defined rural settlement contrary to policies RS1, RS5 and ENV1 of the Kent Structure Plan 1996 and Policy C1 of the Maidstone Borough Local Plan 1993.</p> <p>(4) The proposed redevelopment by virtue of the existing buildings having no lawful use would not represent a satisfactory minor extension of a group of houses and would constitute a consolidation of sporadic development contrary to Policy RS2 of the Kent Development Plan 1996 and policies C1, R2 and R7 of the Maidstone Borough Local Plan 1993.</p>			
91/0998	Section 64 determination for vehicle shelter and workshop. .	Refused	16.08.1991
<p>(1) The lawful use of the building referred to in the application for a vehicle workshop has been abandoned, and the said building has no lawful use. Accordingly planning permission is required for any use of the said building.</p> <p>(2) Further, the use of the said building as a haulage depot is prohibited by an Enforcement Notice dated 11 June 1979.</p>			
91/0926	Section 64 determination for use as vehicle shelter (storage) and maintenance workshop for mechanically propelled motor vehicles (the storage of pre-1930 vintage and post vintage specialist cars lorries and traction engines and their mechanical upkeep). .	Refused	24.07.1991
<p>(1) The lawful use of the building referred to in the application for a vehicle workshop has been abandoned and the said building has no lawful use. Accordingly planning permission is required for any use of the said building.</p> <p>Further, the use of the said storage building as a haulage depot is prohibited by an enforcement notice dated 11 June, 1979.</p>			
89/2208	Use as vehicle shelter (storage) and maintenance workshop for mechanically propelled motor vehicles (the storage of pre-1930 vintage and post vintage specialist cars lorries and traction engines and their mechanical upkeep).	Refused	13.07.1990
86/0756	Change of use of workshop and haulage depot to four light industrial units	Refused	21.08.1986
82/1021	Continuation of use of premises as a haulage depot	Refused	30.09.1982
79/1769	Established use as transport depot with workshop facilities for vehicle repairs and ancillary storage and office facilities	Refused	25.01.1980

77/1066	Change of use of storage building to motor vehicle repairs.	Refused	03.01.1978
76/1187	Use for storage and general maintenance of scaffolding materials	Refused	20.02.1977

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 Wilsons Yard is located on the west side of George Street within the open countryside and on land designated as a Special Landscape Area. The site extends to approximately 0.41 hectares in area and is occupied by a steel framed building some 62m in length and some 9.4m deep. This building is of some age and is subdivided internally into five units with all access on the south side. It has a corrugated asbestos roof with corrugated sheeting and concrete blockwork for the walls.
- 1.02 There is grazing land to the north and south of the site and its eastern boundary abuts the rear boundaries of three dwellings on East Street. These comprise Badgers and Thatched Cottage, which are semi-detached, and Hunton Place which is a Grade II listed building.
- 1.03 There is an area of Ancient Woodland to the east of the site on the opposite side of George Street and public rights of way dissecting the fields to the north (with the access immediately to the north of the entrance to the site) and approximately 100m to the south.
- 1.04 An existing vehicular access leads from George Street into the site, this is enclosed by metal gates and fencing. The site is currently sub-divided by a fence and gate dissecting the site into two, with the eastern area closest to the road predominately grassed and the buildings and operations to the western part of the site. The existing building is visible above the existing dividing fence and from the local public rights of way.

2.0 PROPOSAL

- 2.01 The proposal is to demolish the existing buildings and erect 5 new dwellings. This would include the following:

Demolition

- The existing building to be removed measures approximately 62m in length, 9.4m in depth and has a pitched roof with an eaves height of 4.8m and a ridge height of 6.5m.
- Existing workshop which measures approximately 4.5m by 5.5m and has a low pitch roof with an eaves height of 1.8m and ridge height of 2.2m.
- An existing garage and 3 metal storage containers would also be removed.

Housing

- Five new dwellings would be provided. 3 detached dwellings and a pair of semi-detached dwellings. These would be two-storey, with a roof form a mix of hipped, half-hipped and gables.
- Tile hanging is proposed at first floor, with brick at ground floor and tiled roofs.
- The design is simple and traditional.

	Plot A (Detached)	Plot B (Detached)	Plot C (Detached)	Plot D (Semi)	Plot E (Semi)
Approximate ridge height (m)	8.4m	8.5m	8.5m	8.4m	8.4m
Approximate eaves height (m)	4.9m	5m	5m	4.9m	4.9m
Approximate depth (m)	11.2m	9.5m	9.5m	8.6m	6.3
Approximate width (m)	11.8m	14.8m	14.8m	5.9m	11.5m
No. of storeys	2	2	2	2	2
Parking spaces	2 external 2 internal garages	2 external 2 internal garages	2 external 2 internal garages	2 external	2 external and 1 internal garage
No. of bedrooms	4	4	4	2	3

Landscaping

- It proposed to landscape the eastern part of the site (approximately 0.8hectares) with a new orchard.
- Trees and boundary planting around, and within the site is proposed to be retained and enhanced as necessary.
- Each dwelling would benefit from private rear gardens.

Access

- An existing vehicular access from George Street would be utilised and a new internal road would be provided which would lead to the new dwellings to the north of the site.

3.0 PLANNING CONSTRAINTS

- Adjacent to listed building (Hunton Place, Grade II Listed)
- Adjacent to Ancient Woodland
- Special Landscape Area

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan:

Maidstone Borough Wide Local Plan 2000 :

Policy ENV6 : Landscaping, surfacing and Boundary Treatment
Policy ENV28 : Development in the Countryside
Policy ENV34 : Special Landscape Areas
Policy ENV45 : Conversion of Rural Buildings for Residential Purposes
Policy ENV49 : External Lighting
Policy T13 : Parking Standards

Maidstone Borough Local Plan Publication (Submission draft) February 2016

Policy SP17 : Countryside
Policy DM1 : Principles of good design
Policy DM2 : Sustainable design
Policy DM3 : Historic and natural environment
Policy DM4 : Development of brownfield land
Policy DM11 : Housing mix
Policy DM12 : Density of housing development
Policy DM21 : Retention of employment sites
Policy DM27 : Parking standards
Policy DM34 : Design principles in the countryside
Policy DM35 : Conversion of rural buildings
Policy DM41 : Expansion of existing businesses in rural areas.

Other Documents:

Kent Design Guide Review: Interim Guidance Note 3-Residential Parking

5.0 LOCAL REPRESENTATIONS

5.01 Parish Council

No objection

5.02 Adjoining neighbours were notified of the application. A site notice was also put up at the site.

16 objections have been received in response to the consultation which are summarised as follows:

- A neighbour understands that an approach was made to the applicant from a courier company to use the site for this business.
- A neighbour understands that the council were interested in using the site a traveller site.
- Concerns regarding traffic and lack of parking
- Overlooking
- Lack of landscaping proposed to the north of the site
- In favour of housing but not the numbers proposed, the numbers should be reduced
- Over-intensification of the site and would increase the number of dwellings on George Street by a third
- Unsustainable site
- Comparisons with application at Woodyard in East Street are not valid.
- Design out of keeping
- Who would manage the landscaping
- Sewerage and drainage concerns
- Roads unsafe for pedestrians
- Public transport cannot cope with the development
- Views would change
- Concerns regarding lighting
- Many of the retained trees are outside the application site
- Planning permission refused for Little Clockhouse, George Street for gypsy site
- Noise and disturbance
- Proposed building would be taller than existing building

- Site is within the Special Landscape Area
- Lack of school places
- result in an urban feel to the street

One letter of support has been received from the owner of the site who raises the following points:

- The site benefits from B1 consent with three large units and the site and 2 storage units.
- If all the units were in use the level of traffic using the site and George Street would be significantly higher than at present.
- Having owned the site for 16 years, most of the units have remained empty during this time, and as a result traffic has been artificially low.
- Owner is retiring and no longer needs the site and the units are too large

6.0 CONSULTATIONS

6.01 **Southern Water** (28/09/16): The applicant has not stated details of means of disposal of foul drainage.

Should the application be approved a condition should be attached relating to means of foul and surface water drainage.

6.02 **KCC Public Rights of Way Officer** (16/09/16) : Public Rights of Way KM17 footpath runs along the western boundary of the site and should not affect the application.

6.03 **UK Power networks** (14/09/16) : No objection

6.04 **KCC Highways** (5/10/16) : The application does not meet the protocol for comments and no comments are made.

6.04 **Upper Internal Medway Drainage Board** (5/10/16) : Site outside the IDBs district and unlikely to affect the IDBs interests.

6.05 **Natural England** (6/10/16) : No objection

6.06 **Conservation Officer** (27/9/16) : The site is currently partially occupied by a large ex-agricultural building of modern date and unattractive appearance which lies close to the rear of Hunton Place, a Grade II listed building. The site has a lawful use for car repairs.

It is proposed to remove the existing building and replace it by 3 detached and 1 pair of semi-detached houses. These would be sited further away from the listed building and be of modest scale.

In my opinion, the proposals would result in a visual improvement to the setting of the listed building whilst the extinguishment of the car repair use should also result in an improvement to the setting.

I raise no objection to this application on heritage grounds subject to conditions re samples of materials, removal of all permitted development rights and landscaping.

6.07 **Tree Officer** (4/10/16): Grove Wood to the east of George Street is designated Ancient Semi Natural Woodland but there are no protected trees on, or immediately adjacent to, the site.

There appear to be no significant trees which would form a constraint to the development proposal. I therefore raise no objection on arboricultural grounds subject to a pre commencement landscape condition which includes the provision of protection details, in accordance with BS5837: 2012, for existing trees/ hedges to be retained and new areas to be soft landscaped.

- 6.08 **Environmental Health Officer** (20/9/16) : A Phase I Desk Study (LEAP Environmental Ltd, LP00997 20th August 2015) has been submitted in support of the application. The report has been carried out using an acceptable methodology and concludes that further intrusive investigations should be carried out because of the historic uses of the site (car maintenance) and because of asbestos sheeting stored on site and asbestos, metals and PAH (polyaromatic hydrocarbons) associated with made ground. Therefore a contaminated land condition should be attached to any consent granted.

7.0 BACKGROUND PAPERS AND PLANS

Application form
Planning Statement
Design and Access Statement
Preliminary Ecological Survey
Reptile Survey Report
Phase I Desk Study and Site Reconnaissance

Drawing Number 22561B/02 Revision P1 (Site Location Plan)
Drawing Number 22561B/01 Revision P1 (Existing Site Layout)
Drawing Number 22561B/03 Revision P1 (Existing Elevations of Storage Buildings)
Drawing Number 22561B/10 Revision P4 (Proposed Site Layout)
Drawing Number 22561B/11A Revision P2 (House Type B Variation 1)
Drawing Number 22561B/11B Revision P3 (House Type B Variation 2)
Drawing Number 22561B/12 Revision P3 (House Type A)
Drawing Number 22561B/13 Revision P3 (House Type C and D)
Drawing Number 22561B/14 Revision P3 (Proposed Street Scenes)
Drawing Number 22561B/15 Revision P2 (Proposed Street Scenes)

Drawing Number 22561B/16 Revision P1 (Comparison of levels on site)

8.0 APPRAISAL

Background history

- 8.01 This site has a significant planning history dating from 1954. Of relevance is an enforcement notice issued in 1979 alleging a material change of use to use to a haulage depot. This notice was upheld following an appeal and a High Court challenge.
- 8.02 Also of relevance is a further enforcement notice issued in 1982 relating to the erection of a corrugated iron fence on the eastern part of the site and the construction of blockwork and corrugated iron walls to the front of the building. The notice required the fence to be reduced to 2m in height and the blockwork and corrugated iron walls to the front of the building demolished. The notice was upheld after an appeal was dismissed.

- 8.03 A number of subsequent applications for alternative uses have also been refused, including an application to erect two detached dwellings in 2000 with these decisions upheld at appeal. The haulage use ceased as a result of the 1979 enforcement notice and at the time it was agreed that whilst the building itself was lawful, its only lawful use is for agriculture.
- 8.04 In 2003 an application was submitted for the change of use of land and part of building to light industrial (B1c), in total this related to three of the units within the building and on a site area measuring approximately 0.19ha. The site included the vehicular access from George Street and an area of land to the south of the building itself. Whilst refused by the Planning Committee, this application was subsequently allowed at appeal, with permission granted subject to a number of conditions including restricting the use to those falling with a B1(c) and hours of operation.
- 8.05 It is understood that the site has been used by the owner for car repairs since the appeal was allowed.

Five year housing supply

- 8.06 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:
- 8.07 *“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”.*
- 8.08 The Council has undertaken a Strategic Housing Market Assessment (SHMA) which was commissioned jointly with its housing market area partners: Ashford and Tonbridge and Malling Borough Councils. A key purpose of the SHMA is to quantify how many new homes are needed in the borough for the 20 year period of the emerging Maidstone Borough Local Plan (2011 to 2031). The SHMA has been the subject of a number of iterations following the publication of updated population projections by the Office for National Statistics and household projections by the Department for Communities and Local Government. At the meeting of the Strategic Planning, Sustainability and Transport Committee on 9 June 2015, Councillors agreed an objectively assessed housing need figure of 18,560 dwellings for the period 2011 to 2031. This figure was adopted as the Local Plan housing target by Council at its meeting on 25 January 2016.
- 8.09 The Maidstone Borough Local Plan was submitted to the Secretary of State for examination on 20 May 2016. The Plan allocates housing sites considered to be in the most appropriate locations for the borough to meet its objectively assessed needs, and the Housing Topic Paper (which was submitted with the Local Plan) demonstrates that the Council has a five-year supply of deliverable housing sites. The independent examination commenced on 4 October 2016, and the hearings are programmed to mid-December. The examination will close following further consultation on modifications to the Local Plan and receipt of the Inspector’s final report. Adoption of the Plan is expected spring/summer 2017.

- 8.10 Housing land supply monitoring is undertaken at a base date of 1 April each year. The Council's five-year housing land supply position includes dwellings completed since 1 April 2011, extant planning permissions, Local Plan allocations, and a windfall allowance from small sites (1-4 units). The methodology used is PPG-compliant in that it delivers the under-supply of dwellings in the past five years over the next five years; it applies a discount rate for the non-implementation of extant sites; and, in conformity with the NPPF paragraph 47, a 5% buffer is applied given the position that is set out in full in the Housing Topic Paper. As at 1 April 2016 the Council can demonstrate 5.12 years' worth of deliverable housing sites against its objectively assessed need of 18,560 dwellings.
- 8.11 In September 2016, an illustrative desktop exercise was completed in order to test how the Council is continuing to meet its 20-year and five-year housing targets. Using the same methodology, the housing land supply calculation was rolled forward five months; the contribution from new planning permissions granted since April was included; the phased delivery of extant permissions and Local Plan allocations was reviewed; and the windfall contribution was adjusted to avoid double counting. The Housing Topic Paper Update reaffirmed that the Council's five-year housing land supply position is robust and that the assumptions being made are justified, demonstrating an uplift in the Council's position to 5.71 years. The purpose of the update was to show an indicative position as at 1 September: the update does not replace the 1 April 2016 Topic Paper because a full survey was not undertaken in September. A full five-year housing land supply update will be completed through the annual housing information audit to produce the 1 April 2017 position.
- 8.12 As such it is considered that the Council can demonstrate a 5 year housing land supply and in accordance with Paragraph 216 of the NPPF the saved policies within the adopted local plan are considered to carry full weight and the emerging policies are considered to carry significant weight.

Loss of employment use

- 8.13 The NPPF and local policies provide greater support for business uses within rural areas, rather than new residential developments. Paragraph 28 of the NPPF supports a prosperous rural economy supporting *'the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing building and well-designed new building.'*
- 8.14 Policy ENV45 of the adopted local plan and Policy DM35 of the emerging local plan, state that before allowing the conversion of rural buildings to residential use, reasonable attempts need to be made for the re-use for business use. Although not strictly applicable as the current proposal relates to demolition and redevelopment the principle of losing employment use in the countryside is common to both.
- 8.15 A section of the existing building has a lawful use class B1(c) light industrial use. In absence of any other planning permission. The definition of a B1 use is that it can operate in any residential area without detriment to the amenity of that area. It is understood that the remaining floor space in the building has a lawful agricultural use.
- 8.16 The submitted planning application provides limited information about the existing building, its current use or the loss of the existing employment use. It is understood that the current owner has reached retirement age and no longer wishes to continue commercial uses on the site. The commercial use on the application site has successfully operated from the application site for a significant period of time and

without any significant harm and as a result it is considered that the site would be attractive to alternative commercial occupiers.

- 8.17 The limited information submitted with an earlier planning application showed that the site was marketed in 2014 by two agents, RTA and GT associates. There was no information available on the extent of the marketing exercise, the agents used or the length of time that marketing took place. The submitted evidence suggests that there was interest shown by two parties; however this was not pursued due to the restrictions on hours of use and broadband limitations.
- 8.18 In summary, a commercial use has operated successfully from the application site for a significant period of time, and insufficient evidence is available to demonstrate that a continued or alternative commercial use would not be attracted to, and successfully operate from the site in the future. The application does not support the economic goals of sustainable development and the benefit of providing 5 new dwellings does not outweigh the loss of the existing rural employment use. A

Redevelopment of brownfield land

- 8.19 The application site falls within the definition of previously developed land (PDL) as set out in the NPPF and as such is considered to be a brownfield site. The core principles set out in the NPPF encourage the effective use of land by reusing sites that have previously been developed (brownfield land). This principle is reflected in Policy DM4 of the emerging Local Plan. Policy DM4 sets out that :

'Exceptionally, the residential redevelopment of brownfield sites in the countryside which meet the above criteria and which are in close proximity to Maidstone urban area, a rural service centre or larger village will be permitted provided the redevelopment will also result in a significant environmental improvement and the site is, or will be made demonstrably accessible by sustainable modes to Maidstone urban area, a rural service centre or larger village.'

- 8.20 As brownfield land, the redevelopment of the application site needs to be assessed against the criteria set out in policy DM4 and this assessment is included in the following paragraphs.

Suitability of the site for residential use

- 8.21 Policy ENV28 of the MBWLP allows for development within the countryside subject to the proposal meeting a number of different criteria. The proposed redevelopment of the site for residential use would not fall within any of these criteria. The policy does allow for exceptions which are indicated by policies elsewhere in the plan. Again it is not considered that the demolition of the existing buildings and redevelopment of the site for a residential use would be supported by other policies in the plan.
- 8.22 Policy SP17 of the emerging Local Plan allows for small-scale residential development when it:
- (a) Meets a proven essential need for a rural worker to live permanently at or near their place of work
 - (b) Meets a proven need for Gypsy and Traveller accommodation
 - (c) Meets local housing needs

- 8.23 The proposed scheme does not meet any of these criteria. It is concluded that the proposed development would be contrary to policies ENV28 of the adopted Local Plan and SP17 of the emerging Local Plan.

Distance from urban area, rural service centre or larger village

- 8.24 Hunton is located approximately 1.6km from the application site. Hunton is not identified as part of the urban area, a rural service centre or a larger village. Hunton has a primary school, pre-school, community hall and a church. Hunton does not have any shops, a doctors, dentists or other services that would normally be found in sustainable locations and areas identified for housing growth in the emerging local plan.

- 8.25 The application site lies approximately 6km from the outskirts of the Maidstone Urban area. The site is approximately 3km from Coxheath to the north-east and Yalding to the west, with these two settlements defined in the emerging local plan as 'Larger Villages'.

- 8.26 The information submitted in support of the application seeks to demonstrate that the site is sustainable in terms of its links to Hunton and the larger villages. Information supplied by the applicant highlights that journey times by private vehicle to Yalding and Coxheath are 5 and 7 minutes respectively. Policy DM4 clearly sets out that the site should be demonstrably accessible by sustainable modes. The planning statement includes a copy of the Nu Venture bus timetable and states at Paragraph 2.1.6 that :

'The site is located within 500metres of the nearest bus stop to the south on East Street.....It should however be noted that these services only operate on school days and provide services between Maidstone and Goudhurst approximately 6 times a day.'

- 8.27 It is acknowledged that there is a bus stop on East Street within 500m walking distance, however there is no footpath along George Street for pedestrians to use and the only alternative access is using public rights of way that would be across unlit and unsurfaced land

- 8.28 It is understood that two buses a day serve the bus stop in East Street. The number 26A bus route is between Pattenden Lane and Maidstone Town Centre, stopping at the bus stop opposite George Street at 07:31, on school days only, with the return route leaving Maidstone Town Centre at 16:03. It is not considered that this bus route provides a viable alternative to the use of a private vehicle. Alternative bus stops are located along East Street and within Hunton itself; however there is also poor accessibility for pedestrians to these bus stops.

- 8.29 The Institute of Highways and Transportation "Guidelines for Journeys on foot", document refers to an average walking distance of 1km (0.6miles). In table 3.2 the document outlines suggested walking distances. In terms of the distance for walking to commute, or travel to school the document states that a distance of 500m is desirable, a distance of 1000m would be acceptable with a distance of 2000m the maximum.

- 8.30 Paragraph 3.35 of the "Guidelines for Journeys on foot", advises that :

'It will be important to identify the anticipated desire lines, crossing locations, volume and type of pedestrian activity. The practicality and attractiveness of walking depends not only on the general location but also on the access details.' Paragraph 3.36 advises that: *'Additional walking distances or gradients can be crucial in determining whether a development is pedestrian friendly.'*

- 8.31 The walking distance from the application site to the primary school in Hunton is over 2000 metres by road, reducing slightly to approximately 1700 metres if public footpaths are used. Notwithstanding these distances it is considered that the facilities available for pedestrians, with a lack of suitable footpaths which are unlit and with unmade surfaces, do not provide a viable alternative to the private motor vehicle with these routes unattractive and impractical for pedestrians.
- 8.32 In these circumstances it is concluded that the site is not located in a sustainable location, with future occupants heavily reliant on the private car the site would not be demonstrably accessible by sustainable modes.

Environmental improvement (including landscape impact and listed building setting)

- 8.33 Policy DM4 of the emerging plan criteria sets out that development needs to result in significant environmental improvement. Paragraph 7 of the NPPF sets out that the environmental role of sustainable relates to :

'Contributing to protecting and enhancing our natural, built and historic environment, and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.'

- 8.34 The planning statement and the applicant have sought to address the environmental improvement that would result from the proposed development. The planning statement in summary sets out the following improvements :

- *A 35% reduction in the built footprint on the site.*
- *The proposal would 'break up' the built form of the site.*
- *There would be a 45% reduction in hardstanding*
- *The new dwellings would be of a sympathetic scale.*
- *Improvement to the setting of the listed building (Hunton Place)*

- 8.35 In an additional supporting statement, the applicant has raised the following additional point (in summary) :

- *The likelihood of any harmful contamination of the land occurring is dramatically reduced, and during the works any existing contamination on site will be remediated.*
- *The development would be designed with a fully SUDs compliant drainage scheme that will not result in the harm of the environment in any way*
- *Improvements will be made to the quality of water infiltration.*
- *A fully comprehensive landscaping proposal will also be developed ensuring that the existing perimeter trees and hedging is bolstered and improved, additional landscaping will also be planted to significantly soften the appearance of the site.*
- *Providing ecological enhancements for local wildlife.'*

- 8.36 The application site is within the open countryside with three boundaries shared with open fields. The land to the east is dominated by woodland (designated as Ancient

Woodland) with sporadic residential development to the west of the site. The site is within the Special Landscape Area (SLA) defined in the adopted local plan with adopted policy ENV34 seeking to protect and conserve the scenic quality and distinctive character of the area.

- 8.37 The proposal seeks to remove the existing corrugated building and ancillary structures and construct 5 new dwellings (3 detached and a pair of semi-detached properties). The character and appearance of the proposed dwellings would be significantly different to the existing agricultural building. The development would introduce a formal row of houses in an area where sporadic housing currently exists. The pattern of existing development generally fronts the road in a different fashion to the pattern or layout that the proposed scheme.
- 8.38 It is noted that the proposals would incorporate a new orchard at the entrance/east of the site. This would provide new soft landscaping and act as a landscape buffer separating the proposed dwellings and shielding views of domestic paraphernalia from the road frontage. Notwithstanding this screening the development would still result in new domestic gardens adjoining the open land to the south, introducing domestic paraphernalia and activities which would significantly alter the character and appearance of the area.
- 8.39 The height and bulk of the proposed dwelling would be greater than the existing agricultural building. The development would have an appearance that would appear out of place in the surrounding countryside. The development provides an unacceptable replacement to the existing buildings which although in need of repair are wholly agricultural in appearance and characteristic of this countryside location. Other ancillary urbanising features such as the bin store (located at the road frontage), turning areas, formalised parking bays, formal landscaping and necessary provisions to support 5 new dwellings would cause further impact on the character and appearance of the area and surrounding landscape.
- 8.40 It is acknowledged that there would be an improvement to the setting of the adjacent listed building by the removal of the existing agricultural building which currently does not make a positive contribution to the setting Hunton Place. Additional landscaping and ecological enhancements are welcomed, however Policy DM4 of the emerging local plan seeks that it should be demonstrated that there would be significant environmental improvement and unfortunately it is not considered that the application demonstrates this and that the improvements would not outweigh the harm of introducing 5 new dwellings into this location.

Residential amenity

- 8.41 The nearest properties are to the west of the application site, namely Hunton Place, Badgers and Thatched Cottages.
- 8.42 In relation to Hunton Place, the existing building on the application site is in close proximity to the boundary with Hunton Place (approximately 3m), with a freestanding garage adjacent to the boundary. The proposed development would remove these buildings and the relationship with adjacent buildings is likely to be improved as the proposed buildings are further away from the boundary. The submitted proposal is considered acceptable after an assessment of the potential impact on the residential amenity of the occupiers of Hunton Place.

- 8.43 The proposed development involves new buildings closer to the boundaries with the properties at Thatched Cottage and Badgers. Buildings would be relocated from the northern part of the site to the south which would result in buildings closer to the respective boundaries of these properties. The nearest proposed dwelling (Plot A) would be sited approximately 6m from the neighbouring boundary. A distance of approximately 16m would separate the new dwellings from the existing neighbouring properties.
- 8.44 In terms of assessing whether there would be any direct overlooking or loss of privacy, the side elevation of proposed new property Plot A would contain only one first floor window which would be obscure glazed. In these circumstances it is not considered that any harm would result through loss of privacy or overlooking. Due to the proposed relationship of the existing and proposed dwelling it is considered on balance that there would not be a significant harmful impact from the new dwellings in relation to overshadowing, or any significant loss of light or outlook.
- 8.45 The proposed new dwellings will provide a suitable standard of accommodation with an adequate internal and external layout and suitable provision off external amenity space.
- 8.46 In summary, the proposed development would relocate buildings away from one property boundary and whilst buildings would be closer to a second boundary it is considered that due to the siting of the buildings the development is acceptable in relation to residential amenity. The development will provide new living accommodation of an acceptable standard and design.

Parking

- 8.47 Paragraph 39 of the NPPF sets out local parking standards for residential development, in assessing development proposals a local planning authority should take into account;
- *The accessibility of the development*
 - *The type, mix and use of development*
 - *The availability of and opportunity for public transport*
 - *Local car ownership levels and*
 - *An overall need to reduce the use of high-emission vehicles.*
- 8.48 The relevant development plan policies to car parking are policy T13 of the adopted local plan and policy DM27 of the emerging local plan which are supported by the Kent Design Guide Review: Interim Guidance Note 3-Residential Parking. Car parking standards state that within a rural location 1.5 spaces shall be allocated for 2 bedroom houses and 2 spaces for 3 or 4 bedroom houses, visitor provision would be 0.2 spaces for each unit regardless of size.
- 8.49 In relation to the proposed development the car parking standards would require 9.5 allocated spaces with one additional visitor space. Each of the new dwellings benefit from two independently accessible spaces (a total of 10 spaces) and four of the five dwellings would benefit from an additional single or double garage (total of 7 garages). Whilst garages do not normally count against the overall parking requirement, in this case with the number of garages proposed, the lack of a dedicated visitor parking space is considered acceptable.

Highway matters

- 8.50 The application site benefits from an historic vehicular access onto George Street. This vehicle access served the earlier unlawful uses of the site, together with the approved light industrial use. The only proposed change to this existing access is the relocation of the existing vehicle access gates.
- 8.51 The proposed development involves the construction of 5 new houses (3 four bedroom and 1 two bedroom and 1 three bedroom) and there will be vehicle movements associated with these dwellings. Whilst the need for vehicle movements would be increased by the isolated site location, and notwithstanding the concerns of neighbouring occupiers the impact of the vehicle movements is not considered great enough to amount to grounds for the refusal of permission.
- 8.52 When assessing the potential traffic impact from new development it is standard practice to make a comparison between proposed vehicle movements and the existing site operating at full capacity in its lawful use. The application site can lawfully be used for light industrial purposes.
- 8.53 Whilst no information is available on maximum or proposed vehicle movements it is considered from past experience that the difference between maximum and proposed vehicle movements would not be sufficient to justify the refusal of planning permission. In terms of statutory consultation, KCC highways do not consider that the general traffic impact from a development of five dwellings great enough to require assessment by them.

Other matters

- 8.54 Matters relating to contamination, drainage, landscaping, trees and ecology could be satisfactorily dealt with by planning condition should the application be acceptable in all other respects.

9.0 CONCLUSION

- 9.01 The proposed development would represent an unsustainable form of development which would fail to meet to economic, social or environmental roles as set out in the NPPF and no overriding considerations fall in favour of the development.
- 9.02 It is recognised that there would be an improvement to the setting of the adjacent listed building and the enhancement to landscaping would represent planning gain, however these matters are not considered to override the harm that would result from the proposed development.
- 9.03 It is not considered that the proposed development would be in accordance with current policy and guidance and the application is thus recommended for refusal.

10.0 RECOMMENDATION –REFUSE PERMISSION for the following reasons:

- (1) The proposal would result in the loss of an employment generating use with the planning application failing to demonstrate through robust evidence that the site would not be suitable for continued, or an alternative future employment use, with the loss of the existing employment use outweighing the benefit of residential development and the proposal contrary to the economic sustainability goals and the

support of the rural economy set out in the National Planning Policy Framework 2012 and National Planning Policy Guidance,

- (2) The proposed development in an isolated location, in the open countryside and outside any defined settlement would not represent a sustainable form of development or effective re-use of a brownfield site due to the separation distance from public transport and facilities without the need for a private motor vehicle contrary to The National Planning Policy Framework 2012, The National Planning Practice Guidance, policy ENV28 of the Maidstone Borough Wide Local Plan and Policies SP17 and DM4 of the Maidstone Borough Local Plan Publication 2016 (Submitted Version) May 2016.
- (3) The proposed residential development of five dwellings would be detrimental to the character and appearance of this rural location and damaging to local distinctiveness in this area designated as a Special Landscape Area and would be contrary to The National Planning Policy Framework 2012, The National Planning Practice Guidance, policies ENV28 and ENV34 of the Maidstone Borough Wide Local Plan and policies SP17, DM1, DM3, DM4 and DM34 of the Maidstone Borough Local Plan Publication 2016 (Submitted Version) May 2016.

INFORMATIVE

The plans taken into consideration in reaching the decision to refuse planning permission are:

Application form
Planning Statement
Design and Access Statement
Preliminary Ecological Survey
Reptile Survey Report
Phase I Desk Study and Site Reconnaissance

Drawing Number 22561B/02 Revision P1 (Site Location Plan)
Drawing Number 22561B/01 Revision P1 (Existing Site Layout)
Drawing Number 22561B/03 Revision P1 (Existing Elevations of Storage Buildings)
Drawing Number 22561B/10 Revision P4 (Proposed Site Layout)
Drawing Number 22561B/11A Revision P2 (House Type B Variation 1)
Drawing Number 22561B/11B Revision P3 (House Type B Variation 2)
Drawing Number 22561B/12 Revision P3 (House Type A)
Drawing Number 22561B/13 Revision P3 (House Type C and D)
Drawing Number 22561B/14 Revision P3 (Proposed Street Scenes)
Drawing Number 22561B/15 Revision P2 (Proposed Street Scenes)

Drawing Number 22561B/16 Revision P1 (Comparison of levels on site)

Case Officer: Rachael Elliott

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.