

## REPORT SUMMARY

<b>REFERENCE NO:</b> 16/505598/FULL		
<b>APPLICATION PROPOSAL:</b> Erection of a pair of three bedroom semi-detached dwellings.		
<b>ADDRESS:</b> Cricket and Tennis Club, Frittenden Road, Staplehurst, Kent, TN12 0DH		
<b>RECOMMENDATION:</b> REFUSE PLANNING PERMISSION		
<b>SUMMARY OF REASONS FOR REFUSAL:</b> The proposal by reason of the poor layout, building orientation, poor design and loss of trees and boundary hedging in this prominent location outside the settlement boundary would be harmful to the character and appearance of the street scene, harmful to the character of the countryside, with a negative impact on the setting of the Staplehurst Conservation Area and contrary to the National Planning Policy Framework 2012, policy ENV6 of the Maidstone Borough Wide Local Plan 2006 and policies DM1, DM3 and DM34 of the Maidstone Borough Local Plan Submitted Version May 2016 and policy PW2 of the Staplehurst Neighbourhood Plan.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Councillor Louise Brice has requested that the application is determined by the Planning Committee if officers are minded to refuse planning permission.		
<b>WARD:</b> Staplehurst	<b>PARISH COUNCIL:</b> Staplehurst	<b>APPLICANT:</b> Staplehurst Cricket And Tennis Club <b>AGENT:</b> Sonnex Surveying Ltd
<b>DECISION DUE DATE:</b> 31/08/16	<b>PUBLICITY EXPIRY DATE:</b> 29/07/16	<b>OFFICER SITE VISIT DATE:</b> 28/03/2017
<b>RELEVANT PLANNING HISTORY (inc. appeals and relevant history on adjoining sites):</b> None relevant		

## MAIN REPORT

### 1.0 BACKGROUND

- 1.01 A decision on the application was deferred at the committee meeting on the 6 July to enable a copy of the 'Heritage Statement and Viability Statement' to be submitted and for its contents to be considered before the case was reported back to committee.
- 1.02 Following the committee meeting on the 6 July the case officer chased a copy of the viability statement by phone, with this then followed up by an email to the applicant's agent on the 11 July. A third contact was made with a further chasing email sent to the agent on the 17 July. A copy of the viability statement was subsequently received on the evening of the 17 July.
- 1.03 Unfortunatley due to the delays outlined above and with normal committee timescales there was insufficient time to consider the statement and report back within the next committee cycle and the meeting on the 27 July.

## **2.0 Weight to policies of the Emerging Local Plan**

- 2.01 Paragraph 216 of the NPPF sets out the factors which influence the weight to be given to emerging LP policies – preparation stage, extent of unresolved objections & consistency with the NPPF.
- 2.02 Maidstone Borough Local Plan (2016) was submitted to the Secretary of State for examination on 20<sup>th</sup> May 2016. The Local Plan Inspector issued his Report on the Examination of the Maidstone Borough Local Plan on 27<sup>th</sup> July 2017. The Report is accompanied by an appendix containing the Main Modifications. The Inspector concludes that, with the incorporation of the Main Modifications, the submission Maidstone Borough Local Plan is sound. The adoption of the Local Plan will be considered at the next meeting of the Council on 27<sup>th</sup> September 2017.
- 2.03 In these circumstances, it is considered that approaching full weight should be afforded to the Maidstone Borough Local Plan incorporating the Main Modifications in the determination of the current application.

## **3.0 APPRAISAL**

### **Main Issues**

- 3.01 The main consideration is whether the benefits from allowing the two proposed houses in terms of financial income for the Staplehurst Cricket and Tennis Club outweighs the harm that will result by granting permission for two new houses.

### Heritage Statement and Viability Statement

- 3.02 The submitted 'Heritage Statement and Viability Statement' is provided as an appendix to this committee report, together with the earlier report to the planning committee on the 6 July 2017.

The viability section of the submitted report provides background to the status of the club, its strategy and achievements. The key points in terms of viability are considered to be as follows:

- The club has current outgoings of £30,000 per annum for 'day to day running costs and maintaining the facilities they have'.
  - Total annual income has been increased by 130% in the past 10 years through membership growth and bar turnover;
  - Input from volunteers has dropped (austerity and membership getting younger and older) leading to increased costs;
  - Loss of volunteer groundsman will lead to extra cost of £15-18,000 per annum;
  - The club considers that new facilities are needed to be provided to compete with for instance a facility in Marden;
  - Under investment in recent years has led to a decline in the facilities with a need for maintenance of the existing site;
  - Funding for the development plan includes £100-150,000 for the refurbishment of the clubhouse and £70-80,000 for 2 additional hard courts 'to meet minimum Lawn Tennis Association funding requirements'.
  - With match funding there is a funding requirement of £100-150,000
  - The current proposal with match funding will allow investment of £300,000
- 3.03 The submitted statement provides detailed information on the cost of improvements to the facilities at Staplehurst Cricket and Tennis Club and why the club considers these works are necessary for the future of the club.

- 3.04 The statement advises that after investigating 'all conceivable' opportunities the club felt that the only realistic option was to sell part of the sports club site for new housing. In terms of the important balancing exercise between the benefit to the club against the harm that the development will cause, it is unfortunate that no details have been provided of these options, how much income they would have generated and the grounds on which the club discounted them.
- 3.05 The submitted statement advises "*A serious funding injection is required to bring the Club's facilities back into a serviceable condition...*". The long term sustainability of the approach for the future funding of the club is questioned, especially as the proposal involves new housing outside the settlement boundary contrary to adopted planning policies. If the club finds itself in a similar financial position 20 years in the future, similar arguments could be made and further land lost with applications to construct two further houses within the club grounds.
- 3.06 When assessing viability it is necessary to consider both expenditure and current and predicted income generation. Whilst there is information on expenditure, the submitted statement does not provide any figures on income generation whether current or predicted. The only reference to the level of existing income is that this has increased by 130% in the past 10 years, with this growth achieved through membership growth and bar turnover.
- 3.07 Whilst the sale of the application land to be developed for housing and the income it will provide to the club is the reason for the current planning application the viability statement does not provide any estimate of the sale value of the land.

#### **4.0 Conclusion**

- 4.01 The development of this site outside the Staplehurst boundary is contrary to adopted and emerging policy including the neighbourhood plan that seek to direct new housing to existing settlements and to protect the character of the countryside. The inward looking development represents poor design that will have a negative impact on the street scene and the setting of the adjacent Staplehurst Conservation Area.
- 4.02 It is acknowledged that the proposed development is intended to provide investment into the Cricket and Tennis Club. Whilst this general aim is fully supported, the submitted application fails to demonstrate that the current proposal is the only means available to achieve this investment and the long term sustainability of selling off parts of the sports club site is questionable. The viability statement does not confirm that the Cricket and Tennis Club would need to close without the investment generated from the sale of the land. It is therefore considered that the negative impact from the proposed development that has been outlined in these reports outweighs any benefit generated by approving planning permission.

#### **5.0 RECOMMENDATION**

REFUSE PLANNING PERMISSION for the following reasons:

The proposed development, by reason of the poor layout, building orientation, poor design and loss of trees and boundary hedging in this prominent location outside the settlement boundary would be harmful to the character and appearance of the street scene, harmful to the character of the countryside, with a negative impact on the setting of the Staplehurst Conservation Area and contrary to the National Planning Policy Framework 2012, policy ENV6 and ENV28 of the Maidstone Borough Wide

Local Plan 2006 and policies DM1, DM3, DM34 and SP17 of the Maidstone Borough Local Plan Submitted Version May 2016 and policy PW2 of the Staplehurst Neighbourhood Plan.

**INFORMATIVE**

In making this decision the following plans were considered 'KCC Highways Requirements' plan rec 17.08.2016; Site Location Plan; SS201402/1 (ground floor plan); SS201402/2 (first floor plan); and SS201402/3 (elevations).