

<b>REFERENCE NO - 17/500917/FULL</b>		
<b>APPLICATION PROPOSAL</b> - Proposed erection of infill detached chalet style dwelling with garaging, parking provision and highway access.		
<b>ADDRESS</b> – Meadowcroft, Maidstone Road, Headcorn, Kent		
<b>RECOMMENDATION</b> - REFUSE		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> – The proposals are considered to cause significant harm to the character of the countryside contrary to existing and emerging policies.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> - Headcorn Parish Council has requested committee consideration.		
<b>WARD</b> Headcorn	<b>PARISH/TOWN COUNCIL</b> Headcorn	<b>APPLICANT</b> Mrs S Sturgeon <b>AGENT</b> Consilium Town Planning Services Limited
<b>DECISION DUE DATE</b> 25/9/17	<b>PUBLICITY EXPIRY DATE</b> 10/4/17	<b>OFFICER SITE VISIT DATE</b> 20/3/17
<b>RELEVANT PLANNING HISTORY (inc. appeals and relevant history on adjoining sites):</b>		
16/506427/FULL - Erection of detached chalet style dwelling with garaging, parking and other associated works – Refused (see appendix)		
MA/11/1066 - Erection of a detached log cabin to be used as an annexe - Permitted		
MA/07/1179 - Construction of a new chalet bungalow within land adjacent to Meadowcroft - Refused and Appeal Dismissed		

## 1.0 DESCRIPTION OF SITE

- 1.01 The application site is located in a rural location approx. 1.2km north of Headcorn village centre. This is land within the Low Weald Special Landscape Area. Meadowcroft is a bungalow on a large plot and is one of a number of detached properties fronting the busy A274. The house forms part of a loose scattering of development south of the crossroads.
- 1.02 The house has ancillary buildings behind it and has vehicular access onto Stonestile Road to the north and an access into the application site at the south eastern corner of the overall plot. The site for the dwelling is a grassed lawn with some small trees on site. There is a mature hedge and small verge on the road frontage.

## 2.0 PROPOSAL

- 2.01 The application proposes the erection of a new detached dwelling to be located on the garden land to the south of Meadowcroft. The existing access would be closed and a new access would be formed to the north, in front of the existing house.

- 2.02 The new dwelling is shown to be in a chalet bungalow style with an overall height of 7.6m. It would have a detached double garage off its southern flank and a parking and turning area to the front of the house. Materials would involve brickwork under a plain tile roof. The garage would be of complementary design and materials.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

- 3.01 The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Maidstone Borough-Wide Local Plan 2000 Policies: ENV6, ENV28, ENV34  
Final Draft Maidstone Local Plan 2017 Policies: SS1, SP17, DM1, DM2, DM3, DM23, DM30
- 3.02 Paragraph 216 of the NPPF sets out the factors which influence the weight to be given to emerging LP policies which are preparation stage, extent of unresolved objections and consistency with the NPPF.
- 3.03 Maidstone Borough Local Plan (2016) was submitted to the Secretary of State for examination on 20 May 2016. The Local Plan Inspector issued his Report on the Examination of the Maidstone Borough Local Plan on 27 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 25 October 2017.
- 3.04 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. The policy references given above reflect those provided in the 'Main Modifications'.

### **4.0 LOCAL REPRESENTATIONS**

- 4.01 Headcorn Parish Council: "The Council wish to see this application approved. Referral to the planning committee is required if the planning officer is minded to refuse the application
- 4.02 Local residents: No views received.

### **5.0 CONSULTATIONS**

- 5.01 KCC Highways and Transportation has no objection, commenting that the replacement access, boundary treatment and visibility splays of 120m in each direction are acceptable.
- 5.02 Shenley Farms (Aviation) Ltd. points out the presence of the nearby airfield.
- 5.03 Mid Kent Environmental Health: has no objection subject to a condition to address the issue of external noise and the impact on the living conditions of the occupants of the proposed house.

### **6.0 APPRAISAL**

#### **Main Issues**

- 6.01 The main issues in this case centre on the potential harm to the character of the countryside of a new dwelling in this location; and the impact on highway safety.

### **The Principle of the Development**

- 6.02 This application is a revised version of the scheme previously put forward under refused application 16/506427/FULL; the main change being amendments to access to resolve the highways-based reason for refusal on that earlier application. That earlier application was refused for the following reasons:

1. *The site is outside of any settlement as defined in the Maidstone Borough-Wide Local Plan 2000 and the Maidstone Borough Local Plan: (Regulation 19) Submission Version 2016. Development of this site with a new house and associated development would unacceptably erode the openness of the area and consolidate the loose pattern of built environment in the locality. This would result in significant harm to the character of the countryside contrary to Policies ENV28 and ENV34 of The Maidstone Borough-Wide Local Plan 2000; Policies SP17, DM1, DM3, and DM34 of the Maidstone Borough Local Plan: (Regulation 19) Submission Version 2016; and the advice in paragraph 17 of the National Planning Policy Framework 2012 that states that planning should recognise the intrinsic character and beauty of the countryside.*
2. *The application has failed to demonstrate that safe vehicular access can be provided onto the A274 without harm to highway safety (in terms of indicating that sufficient visibility splays can be provided). The application is therefore contrary to Policy DM1 of the Maidstone Borough Local Plan: (Regulation 19) Submission Version 2016.*

- 6.03 Looking at Development Plan Policy, both the existing and the emerging Local Plan place the application site beyond the defined limits of any settlement and it is therefore subject to those policies that seek to restrict new residential development in the defined countryside. The application site is also within the Low Weald Special Landscape Area where 'saved' Local Plan Policy ENV34 applies and the emerging plan continues that theme by designating this land as part of a Landscape of Local Value. Policies in the Final Draft Maidstone Local Plan 2017 should now be regarded as having a status of approaching full weight as that Plan is now nearing full adoption. Policy SP17 of the emerging plan indicates that new housing development in the countryside that is considered to cause harm to character should be refused and therefore the extent to which the proposals cause harm requires close examination.

- 6.04 It is also necessary to consider whether there are any material considerations that would indicate that a decision not in accordance with the Development Plan is justified.

- 6.05 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 be able to demonstrate a five year supply of housing land: given the final comments of the Local Plan Inspector, the Council can clearly now demonstrate an adequate housing supply and therefore countryside protection policies can be given full weight.

### **Location**

- 6.06 In terms of the location of the site, the NPPF advises that when planning for development, i.e. through the Local Plan process, the focus should be on existing

service centres and on land within or adjoining existing settlements. The site is more 'remote' than that but has access to a regular bus service to Maidstone and has a roadside footway. I have some reservations as to whether this locality constitutes a sustainable location but, on balance, I do not consider that a refusal on the basis of an unsustainable location is warranted in this case.

### **Impact on the Character of the Countryside**

- 6.07 The impact of the development on the character of the area is a fundamental issue for consideration. In my view, although there are pockets of more densely developed housing, the prevailing pattern of development in this patch of ribbon development is generally loose and irregular. The gaps between buildings in the pattern of frontage development are important in reinforcing the rural character of this locality. The gaps between properties fulfil a role in avoiding the coalescence of the site frontage.
- 6.08 In this case there is a large gap between Meadowcroft and its neighbour that would be largely filled by the development. The increase in built development here would result in a significant diminution of the gap between properties: physically, it would permanently reduce the separation between properties: visually it would introduce built form onto undeveloped land, reducing the openness of this part of the countryside. I recognise the presence of the roadside hedge but that cannot be relied upon to adequately screen the development, particularly given that it would need to be breached to form the new access and associated splays.
- 6.09 As well as the refused application 16/506427/FULL, a new house on this site has previously been rejected on appeal (reference MA/07/1179) and I include a copy of that appeal decision as an appendix hereto. At paragraph 7 the Inspector clearly expresses his concern as to the impact of the development on the character of the countryside. I would contend that the character of the locality has not changed significantly since then.
- 6.10 I consider that development of this site would unacceptably erode the openness of the area, resulting in harm to the character of the countryside. This runs contrary to 'saved' and emerging policies; and the advice in Paragraphs 17 and 109 of the NPPF that planning should recognise the intrinsic character and beauty of the countryside. If this scheme is allowed it is difficult to see how the development of further parcels of land in this locality could be resisted.
- 6.11 Given the design of neighbouring properties, I have no objection to the design detail of the development. As to landscaping, there are some trees on site that would be affected but none are of significant amenity value in my judgement. I am satisfied that the issue of landscaping could be adequately dealt with by condition. In terms of ecology this is a managed garden that is unlikely to be of significant ecological value.

### **Residential Amenity**

- 6.12 The development would have residential neighbours but it seems to me that the space between dwellings would be such that the scheme would not adversely affect the amenities of neighbours in terms of loss of light, outlook and privacy. I do not believe that there would be significant noise and disturbance to local residents as a result of the development. I see that the issue of the impact of external noise on the occupiers of the dwelling was previously not considered to be sufficiently problematic to lead to an objection and I see no reason to change that stance here.

### **Highways Issues**

- 6.13 On highways issues, the main road onto which access would be formed is busy and traffic is fast moving. However, looking at the Highway Officer's comments there is no objection to the new access and the officer notes that the replacement offers improved visibility over the existing access which would be closed. The previous application failed to demonstrate that the 120m each way visibility splays could be achieved but a topographic survey drawing has now been provided which shows those splays. On this basis, the previously imposed highways-related reason for refusal can be removed.

## **7.0 CONCLUSION**

- 7.01 In terms of sustainable development, this scheme to provide one new house would provide some very modest benefits to the local economy and, from the social aspect, to the housing supply. However, in my consideration it fails to meet the environmental dimension, given the harm that I have identified. I am not convinced, therefore, that the proposal can be regarded as sustainable development. Accordingly, it does not enjoy the presumption in favour of such development, as set out in the Framework.
- 7.02 I find that the negative aspects of this scheme are such that they significantly and demonstrably outweigh the benefits of the application when assessed against the policies of the NPPF as a whole. I recommend that the application be refused.

## **8.0 RECOMMENDATION**

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS:

The site is outside of any settlement as defined in the Maidstone Borough-Wide Local Plan 2000 and the Final Draft Maidstone Local Plan 2017. Development of this site with a new house and associated development would unacceptably erode the openness of the area and consolidate the loose pattern of built environment in the locality. This would result in significant harm to the character of the countryside contrary to Policies ENV28 and ENV34 of The Maidstone Borough-Wide Local Plan 2000; Policies SP17, DM1 and DM30 of the Final Draft Maidstone Local Plan 2017; and the advice in paragraph 17 of the National Planning Policy Framework 2012 that states that planning should recognise the intrinsic character and beauty of the countryside.

Case Officer: Geoff Brown

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