

REPORT SUMMARY

REFERENCE NO - 17/500984/FULL		
APPLICATION PROPOSAL Erection of detached, two-storey house with parking		
ADDRESS Land between Ringleside & Ringles Gate Grigg Lane Headcorn Kent TN27 9LY		
RECOMMENDATION : REFUSE for the reasons set out in Section 8.0.		
SUMMARY OF REASONS FOR REFUSAL The site is outside of any settlement as defined in the Maidstone Borough Local Plan 2017 where new residential development is not readily supported and the development of this site with a new house of the design, scale and proportions proposed would result in significant harm to the character and appearance of the street scene and immediate context of the site, failing to promote local distinctiveness and would result in an overly prominent and visually obtrusive dwelling, infilling a currently open gap contrary to current policy and guidance.		
REASON FOR REFERRAL TO COMMITTEE The recommendation is contrary to the views of Headcorn Parish Council and they have requested the application be referred to the Planning Committee		
WARD Headcorn	PARISH/TOWN COUNCIL Headcorn	APPLICANT Mr Douglas Hodson AGENT Lee Evans Planning
DECISION DUE DATE 20/04/17	PUBLICITY EXPIRY DATE 31/03/17	OFFICER SITE VISIT DATE 17/3/17
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		
App No	Summary	
Ringles Gate		
14/500656	Demolition of existing property and erection of detached dwelling – Refused <i>'It has not been demonstrated that a dwelling of the size proposed is commensurate to the needs of a person employed full time in agriculture. The proposal would therefore result in a large permanent residential dwelling in open countryside for which there is no justification which would cause harm to the character and appearance of the surrounding countryside contrary to saved policy ENV28 of the Maidstone Borough Wide Local Plan 2000 and guidance as set out in the National Planning Policy Framework 2012.'</i>	
06/1808	Demolition of existing dwelling and erection of a replacement dwelling - Permitted	
65/0286/MK2	Details of a Colt prefabricated bungalow with access – Permitted	
64/0242/MK2	Outline application for the erection of a nurserymans cottage – Permitted	
Ringles Gate and Land Between		
04/2240	Demolition of existing bungalow and erection of a replacement dwelling with parking and access; and erection of a new detached dwelling with parking and access – Permitted	

Ringles Gate, Ringleside and Land Between	
02/1686	<p>Erection of 4 no. new houses to replace 3 no. existing Cottages – Refused</p> <p><i>(1) No evidence has been submitted to demonstrate that there is no longer a need for agricultural workers dwellings to serve the adjoining nursery or the area as a whole. To allow the existing dwellings the subject of agricultural occupancy conditions to be replaced by unrestricted dwellings could well lead to a proliferation of dwellings in the countryside. As such the proposed development is considered to be contrary to the Central Government advice contained within Planning Policy Guidance Note 7 entitled 'The Countryside : Environmental Quality and Economic and social Development', policies ENV1 and RS5 of the Kent Structure Plan 1996 and policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.</i></p> <p><i>(2) The design of the proposed development, by virtue of the inappropriate scale of the houses, would harm the character and appearance of the countryside which hereabouts is designated as a Special Landscape Area, contrary to policies ENV4 and RS1 of the Kent Structure Plan 1996 and policies ENV28, ENV34 and H32 of the Maidstone Borough- Wide Local Plan 2000.</i></p> <p>Appeal - Dismissed</p>
Ringles Nursery	
08/1007	<p>Certificate of lawful development for an existing use being the use as a dwelling house which began more than four years before the date of this application. – Refused</p> <p><i>(1) Insufficient evidence has been submitted with the application to demonstrate that, on the balance of probability, the use began more than 10 years before the date of the application.</i></p>
73/0098/MK2	The erection of a Colt bungalow - Permitted
71/0490/MK2	Extension to Colt bungalow – Permitted
50/0189/MK2	A dwelling - Permitted
Ringles Cottage	
61/0326/MK2	Details – Single storey dwelling for horticultural worker – Permitted
Miscellaneous	
55/0261/MK2	Proposed bungalow and access - Permitted

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site lies between the existing residential properties of Ringles Gate to the north-east and Ringleside to the south-west. These properties (together with Ringles Lodge) are Colt bungalows granted consent between the 1950s-1970s. The existing dwellings are single storey and each situated within respective curtilages. Two of the three existing dwellings are subject to agricultural occupancy conditions and various applications have been submitted to replace the respective dwellings and develop the application site.

- 1.02 The application site is understood to currently form part of the garden of Ringles Gate, although it is separated by a hedge and fencing with a gated access. The application site benefits from a separate gated access from Griggs Lane.
- 1.03 The site is enclosed by hedging and is predominantly laid to grass, with the site used for spoil storage at the time of the officer's site visit.
- 1.04 To the south of the site is Ringles Nursery which contains a number of agricultural buildings associated with the use, some of which are visible from Griggs Lane.
- 1.05 The site is outside the settlement boundary of Headcorn which lies approximately 250m to the south-west of the application site..

2.0 PROPOSAL

- 2.01 The proposal relates to the erection of a 2-storey detached dwelling.
- 2.02 The new dwelling would be double fronted with a single storey side projection and would have a maximum width of 13.2m and a maximum depth of 10.2m. It would have a pitched, hipped roof with an eaves height of 4.5m and a ridge height of approximately 7m.
- 2.03 A new area of hardstanding and turning head would be provided. An existing garage within the Ringles Nursery would be utilised, no hardsurfacing is proposed to link this garage with the access.
- 2.04 An existing access would be utilised.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Maidstone Borough Local Plan October 2017 : Policies SP17, DM1, DM3, DM8,
DM12, DM23 and DM30

4.0 LOCAL REPRESENTATIONS

- 4.01 **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** : Adjoining neighbours were notified of the application. A site notice was also put up at the site. No representation was received as a result.

5.0 CONSULTATIONS

- 5.01 Environmental Health : No objection
- 5.02 Kent Highways : No comment, does not meet criteria for comment
- 5.03 Headcorn Aerodrome : Applicants attention should be drawn to the proximity of the site to the aerodrome

6.0 APPRAISAL

6.01 The key issues for consideration relate to :

- Principle of development
- Sustainable development
- Residential amenity
- Highways and parking matters

Principle of development

Policy and history background

6.02 The application site is outside the settlement boundary for Headcorn and as such can be described as being within the countryside as set out in Policy SP17 of the Local Plan *'The countryside is defined as all those parts of the plan area not within the development boundaries shown on the proposals map.'*

Policy SP17 of the Local Plan sets out that :

'Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area.'

6.03 Policy DM5 relates to brownfield sites as states :

*'Exceptionally, the residential development of brownfield sites in the countryside **which are not residential gardens**, which meet the above criteria will be permitted provided the redevelopment will also result in a significant environmental improvement and the site is, or can reasonably be made, accessible by sustainable modes to Maidstone urban area, a rural service centre or larger village.'*

6.04 As the site is likely to form part of the existing curtilage for Ringleside, the exclusion of residential garden land, means that the policy does not apply. The site is not considered to meet the description of Previously Developed Land (as set out in the NPPF) in any other respect..

6.05 Policy DM11 allows for development of domestic garden land to create new buildings within the defined boundaries of the urban area, rural service centres and larger villages. As the site falls within none of these defined areas the policy does not apply.

6.06 As such there are no policies in the local plan which readily allow for the residential development of residential garden land within the countryside.

6.07 It is however noted that the site has previously benefited from planning permission for a dwelling on the site, most recently in 2004, where consent was granted for a replacement dwelling on Ringleside together with a new dwelling on the application site. This consent no longer remains extant and was for two identical chalet bungalows. The dwelling now proposed differs significantly from this earlier approved scheme,

- 6.08 An earlier application in 2002 was refused for the replacement of the 3 existing dwellings and replacement with 4no 2-storey 4-bedroomed dwellings. Harm to the character and appearance of the countryside and the SLA were cited as part reason for refusal.
- 6.09 Planning permission more recently has been refused for a replacement dwelling on the neighbouring site, Ringlesgate for a two-storey detached dwelling of a similar design to the proposed for the application site. This application was refused on the grounds of the development would result in a large permanent residential dwelling in open countryside for which there is no justification which would cause harm to the character and appearance of the surrounding countryside. An earlier application in 2006 was granted for the replacement dwelling which would have been two storey, this consent has time expired and was not implemented.
- 6.10 It should be noted that both Ringlesgate and Ringles Cottage have agricultural occupancy conditions attached to link occupancy with the nursery. This application, although proposed to be occupied by the owner of the adjacent nursery and his family it is not proposed to have restricted occupancy.
- 6.11 The applicant in an additional supporting letter refers to a number of applications within Griggs Lane and requests that these consents be given material weight in consideration of the current application. These include the following :
- 6.12 MA/12/1949 (Kent Cottage And Chance Holding, Grigg Lane) : Outline planning application with access, layout, scale and appearance to be determined and with landscaping as a reserved matter, for the demolition of buildings at Kent Cottage and Chance Holding to enable the construction of residential development (for 25 dwellings inclusive of 10 affordable dwellings), inclusive of retained woodland as open amenity land, enhanced landscaping including new pond, electricity sub station, foul drainage pumping station with access road off Grigg Lane
- 15/505474 (Land To The Rear Of Elizabeth House) : Erection of a two storey dwelling
- 15/510473 (2 Woodside Cottages, Grigg Lane) : Demolition of existing cottage and erection of a replacement house and garage (Revision to planning permission MA/08/1589) (Part retrospective).
- 16/507035 (Gibbs Hill Farm) : Creation of 55 no. two, three, four and five bedroom houses and associated roads, car parking, landscaping, vehicle access from Grigg Lane and a new area of public open space.
- 6.13 It should be noted that application 16/507035 is pending consideration and has yet to be determined. Application 15/510473 relates to a replacement dwelling to which there are policy considerations which do not apply in the case of the current application. Applications 12/1949 and 15/505474 were granted on their own merits at the time of application and are not directly comparable in the case of this application.
- 6.14 Policy SP17 nor other policies within the adopted policy and guidance do not readily support residential development in the countryside, but at the heart of the NPPF is the presumption in favour of sustainable development and the sites contribution to windfall sites within the Borough is also a factor in favour of the development. This is discussed in further detail below, together with other material planning considerations.

Sustainable development

- 6.15 Paragraph 7 of the NPPF sets out the three dimensions to sustainable development, these being the economic, social and environmental roles. Paragraph 14 sets out that at the heart of the NPPF is the presumption in favour of sustainable development and for decision making this means approving development proposals that accord with the development plan without delay, unless material considerations indicate otherwise. Paragraph 55 of the NPPF sets out that *'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain vitality of rural communities.'*

Economic role

- 6.16 The proposal is for a housing scheme of one dwelling. If granted the development would create jobs during the construction phase and the new dwelling could support local businesses, however the economic role that one new dwelling would play in this location would be limited.

Social role and Environmental role (including visual impact)

- 6.17 The NPPF sets out that that role should support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs.
- 6.18 The environmental role as set out in the NPPF states that the planning system should *'contribute to protecting enhancing our natural, built and historic environment.'*, overlapping somewhat with the social role.
- 6.19 The Council can demonstrate a 5YHLS and as such there is no overriding need to identify additional housing sites and although windfall development would contribute to the overall supply, such development should be focussed on sites where the local plan support such proposals.
- 6.20 The site, although outside the settlement boundary does have relatively good connectivity with Headcorn. There is a lack of footpath along this section of Grigg Lane, however a grass verge along the highway could potentially allow occupants to walk to local services, with facilities such a primary school, train station, local shops, doctors surgery and recreation grounds within a 1-2km walk from the site. As such it is not considered that the site can be considered as wholly unsustainable in terms of the sites accessibility.
- 6.21 The social and environmental role, however also requires the creation of a high quality built environment. Policy SP17 of the local plan sets out the criteria for assessing development within the countryside which includes, that proposals will not be permitted unless they accord with other policies in the plan and will not result in harm to the character and appearance of the area. Policy DM30 sets out that *'The type, siting, materials and design, mass and scale of development...would maintain, or where possible, enhance local distinctiveness including landscape features.'* and that *'any new buildings should, where practicable, be located adjacent to existing buildings or be unobtrusively located and well screened by existing or proposed vegetation which reflects the landscape character of the area.'*
- 6.22 Policy DM12 of the local plan sets out :

'All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated.'

6.23 Policy DM1 of the local plan sets out amongst other criteria :

'Respond positively to and where possible enhance, the local....character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and vernacular materials where appropriate.'

6.24 The proposed new dwelling would infill a gap between two existing single storey dwellings. These two dwellings form part of a linear development of three dwellings which two of the three were built as agricultural dwellings for workers of the Ringles Nursery which forms the backdrop to the site. Although there is extensive history relating to the site and the neighbouring dwellings which approved replacement dwelling and/or infill development these consents are no longer extant and expired over 10 years ago.

6.25 The three existing dwellings are extremely low key, single storey buildings and although comments suggest that these dwellings are in a poor state of repair and may need replacing, this is not a matter for consideration as part of this application. The proposed new dwelling needs to be considered in the existing context of the street scene and wider area.

6.26 The proposed dwelling would be two storey, mock-georgian design with a double frontage and a single storey side element. This design and appearance would be in complete contrast to the existing bungalows which form the immediate context. These dwellings are extremely modest 'farm worker' bungalows and the new dwelling proposed to be sited between these existing dwelling would appear as out of scale and at odds with the design and appearance of these dwelling and having a much greater prominence and visual presence within the street scene compared to neighbouring dwellings.

6.27 It is noted that the nursery buildings which forms the backdrop to the site are of a much larger scale, however these buildings are consistent with that of a working horticultural business and should not be considered as the reference point in approving a large, two storey dwelling in this location. It is expected that dwellings would be of a lesser scale and the character of the existing dwellings is that they fulfil their functional need, whereas the proposed new dwelling would be a large 4-bedroomed dwelling more akin to that of an executive home, found on a new housing estate. It is noted that there are two-storey dwellings in the surrounding area, however the presence of these dwellings is not considered to justify the dwelling proposed in this location.

6.28 The agent draws attention to the delegated report for a replacement dwelling at Ringleside, considered under application 14/500656. This application sought to replace the existing dwelling with a substantial two-storey dwelling akin to that proposed on the application site. This application was refused on the ground that there was not agricultural justification for the size of the dwelling. A key point in the report however highlighted by the agent is that the reports sets out that *'The proposal would not therefore have a significantly harmful impact on the character of the locality.'* This is noted, however the proposals are not directly comparable. The 2014 application related to a replacement dwelling, whereas this application is for a new dwelling where no built form currently exists and the application was refused on the grounds that there was harm to the character and appearance of the surrounding

countryside where no justification for the size of dwelling exists. Harm is therefore identified in the reason for refusal and there is clearly no need for the proposed dwelling justified as part of this application.

- 6.29 The applicant has been requested to amend the application to that of a smaller scale. In this respect some draft plans have been submitted for comments however no formal amended plans have been submitted and following the latest discussions the applicant has taken the decision that the application be determined on the originally submitted plans.
- 6.30 As such it is not considered that the proposed development would fulfil the social or environmental role of sustainable development and meet national or local plan policies which seek to promote high quality development and maintaining/enhancing the character of the local area, promoting distinctiveness.

Residential Amenity

- 6.31 The nearest neighbouring dwellings are to the north-east and south-west of the application site. These properties are Ringlesgate and Ringleside, other neighbouring properties are considered a significant distance from the application site such that no harm would result to their residential amenity.
- 6.32 Both neighbouring properties are of a lesser scale than the proposed new dwelling and do have side windows that face towards the application site. However the new dwelling would be sited approximately 8m from each common boundaries and on balance it is not considered that the proposed new dwelling would significantly harm the amenity of neighbouring properties.

Highways

- 6.33 The application would utilise an existing access from Grigg Lane and would provide a hardsurfaced turning area and parking for at least 2 vehicles. It is considered that the application adequately demonstrates that a suitable access and parking provision can be provided.

6.34 Ecology and landscaping

The application is accompanied by a plan which indicates indicative planting which would predominantly be situated around the periphery of the site, this would incorporate existing planting and could be re-enforced. It is considered that should the application be acceptable in all other respects landscaping could be satisfactorily dealt with by condition.

- 6.35 No ecological information accompanies the submission, however it is considered that ecological matters could be suitably addressed through condition for mitigation and/or enhancement should the application be acceptable in all other respects.

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 to provide one windfall dwelling. However, it is considered it fails to meet the environmental dimension, given the harm identified. It is therefore not considered 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. The negative aspects of this scheme are such that they outweigh the benefits of the application when assessed against the policies of the NPPF and the local plan as a whole. It is therefore recommend that the application be refused.

8.0 RECOMMENDATION

REFUSE for the following reason:

- (1) The site is outside of any settlement as defined in the Maidstone Borough Local Plan 2017 and the development of this site with a new house of the design, scale and proportions proposed would result in significant harm to the character and appearance of the street scene and immediate context of the site, failing to promote local distinctiveness and would result in an overly prominent and visually obtrusive dwelling, infilling a currently open gap in development contrary to the National Planning Policy Framework 2012, National Planning Practice Guidance 2013 and Policies SP17, DM1 and DM30 of the Maidstone Borough Local Plan 2017.

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.