

<b>REFERENCE NO -</b> 19/504225/FULL		
<b>APPLICATION PROPOSAL</b> Erection of a replacement barn (revised scheme to 19/502397/FULL).		
<b>ADDRESS</b> <b>Land To The South Of The Gables, Marden Road, Staplehurst, Kent, TN12 0PE</b>		
<b>RECOMMENDATION</b> Grant planning permission subject to conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>  The principle of the replacement barn is acceptable. Additionally it is acceptable in terms of design and appearance, and there would be no unacceptable impact on the character, appearance or visual amenity of the locality.		
<b>REASON FOR REFERRAL TO COMMITTEE</b>  <ul style="list-style-type: none"> <li>• The development would not be in keeping with Policy PW2 of the Staplehurst neighbourhood plan</li> <li>• Development would be inconsistent with provisions of policies SP5 and SP17</li> <li>• development would harm the appearance and character of the countryside</li> </ul>		
<b>WARD</b> Staplehurst Ward	<b>PARISH/TOWN COUNCIL</b> Staplehurst	<b>APPLICANT</b> Mr P.R Garrod  <b>AGENT</b> D C Hudson & Partner
<b>TARGET DECISION DATE</b> 22/10/2019		<b>PUBLICITY EXPIRY DATE</b> 10/10/2019

**Relevant Planning History**

19/502397/FULL - Erection of a replacement barn. - WITHDRAWN

18/502553/FULL - Demolition of existing buildings and erection of two detached dwellings and replacement storage building (re-submission of 17/505937/FULL). – REFUSED

17/505937/FULL - Demolition of existing buildings and erection of two detached dwellings and replacement storage building. – REFUSED

15/509275/OUT - Outline application with access matters reserved for proposed residential development following demolition of existing buildings with replacement storage building. – REFUSED, Dismissed at appeal.

**MAIN REPORT**

**1. DESCRIPTION OF SITE**

1.01 The site is accessed from Marden Road and is located to the rear of the existing residential property called The Gables. The main parcel of land is set back from the

road by approximately 73m and is accessed by a narrow track that runs parallel to the curtilage of The Gables.

- 1.02 The site is currently occupied by a collection of pole barns and an agricultural storage building. In the centre of the site is an area of concrete hardstanding that covers the width of the site. These structures and area of hardstanding are set within mown grassland.
- 1.03 To the east of the site is a crane storage depot and to the south and west, open countryside. Immediately to the south of the application site is an area of grassland under the same ownership as the application site, which appears to have been regularly mown.
- 1.04 The site is located within the open countryside, although no other designations apply. It is not located within a flood zone and there are no listed buildings in the immediate vicinity.

## **2. PROPOSAL**

- 2.01 The application seeks the erection of a replacement barn
- 2.02 In terms of materials, plans indicate the structure would use 'Olive Green profiled roof and wall cladding'. The structure would have a length of 15.7m with a depth of 9.1m, with a maximum height of 3.8m and a minimum height of 3.5m with its pitched roof. Unlike the existing barn, the proposed has four doors on its front elevation to secure the barn, each door has a height and width of 3.2m

## **3. POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF):

Section 12 – Achieving well-designed places

Maidstone Borough Local Plan 2017:

SP17 – Countryside

DM1 – Principles of good design

DM30 – Design principles in the countryside

DM36 – New agricultural buildings and structures

DM37 – Expansion of existing businesses in rural areas

Supplementary Planning Documents:

## **4. LOCAL REPRESENTATIONS**

### **Local Residents:**

- 4.01 1 representation received from local residents raising the following (summarised) issues
  - The existing structure is sufficient to securely store equipment.
  - No agricultural activity is taking place on site.
  - No policy justification for installing any additional/new buildings for storage on site.
  - Applications seeking new storage buildings have been refused in the past and dismissed at appeal.
  - That the development is seeking to establish a new dwelling on the property.

## **5. CONSULTATIONS**

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

Staplehurst Parish Council

5.01 Councillors recommend that the application is REFUSED and requested referral to MBC Planning Committee were the Planning Officer minded to approve the application. Councillors stated that their reasons for objecting to the previous application applied equally to the new one and that the need for the proposed development had not been demonstrated.

5.02 Material reasons listed in the past are as follows:

- The development would not be in keeping with Policy PW2 of the Staplehurst neighbourhood plan
- Development would be inconsistent with provisions of policies SP5 and SP17
- development would harm the appearance and character of the countryside

5.03 Cllr John Perry

I am writing in respect of Planning Applications 19/504225/FUL (Land South of the Gables Marden Road Staplehurst) and 19/504276/OUT (Adjacent to West View Maidstone Road Staplehurst). If Officers were minded to recommend acceptance I would like these applications called in and heard by the Planning Committee for a final decision.

**6. APPRAISAL  
Main Issues**

6.01 The key issues for consideration relate to:

- Principle of development
- Design / impact on character of area
- Residential amenity
- Highways issues

**Principle of development**

6.02 Policy SP17 states 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 DM36 of the local plan allows for new agricultural buildings and structures on the condition that new structures are necessary for the purposes of agriculture, have no adverse impact on the amenity of existing residents, and that any new structures are able to mitigate the visual impact of the development.

6.04 The proposal seeks permission to replace an existing structure on the same footprint. The presence of the existing barn carries significant weight in consideration of the current proposal in terms of the extent of increased impact (rather than assessing an entirely new impact). The proposed barn would be 0.2m taller and be 1.8m larger in terms of its depth, the width remains the same.

6.05 In terms of the evidence submitted with the application demonstrating an agricultural use, the replacement barn would simply be for the purposes of securely storing equipment.

- 6.06 Whilst some principles of DM36 apply when determining this application, given that the proposal is for a replacement rather than an entirely new structure, policy DM30 is considered to be more appropriate to assess the application.
- 6.07 The principle of the replacement barn is sound. Whether the proposal is acceptable will therefore fall upon an assessment of its increase impact in terms of visual and amenity impact.

#### **Design/impact on character of area**

- 6.08 Paragraph ii. of Local Plan policy DM1 states that development must "Respond positively to, and where possible enhance, the local, natural character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage". Development will be expected to incorporate a high quality, modern design approach and to make use of vernacular materials where appropriate.
- 6.09 Paragraph v. of local plan policy DM1 continues that development must "Respect the topography and respond to the location of the site and sensitively incorporate natural features such as trees, hedges and ponds worth of retention within the site. Particular attention should be paid in rural and semi-rural areas where the retention and addition of native vegetation appropriate to local landscape character around the site boundaries should be used as positive tool to help assimilate development in a manner which reflects and respects the local and natural character of the area"
- 6.10 Paragraph vi. of DM30 states that where built development is proposed, there would be no existing building or structure suitable for conversion or re-use to provide the required facilities. 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 reflect the landscape character of the area;
- 6.11 The existing barn has a length 15.8m, a depth of 7.3m, a maximum height of 3.6m, and a minimum height of 2.6m. Unlike the proposed it is open fronted.
- 6.12 The replacement barn would be located in the same location as the existing barn, as stated above the proposed barn length of 15.8m with a depth of 9.1m, with a maximum height of 3.8m and a minimum height of 3.5m with its pitched roof.
- 6.13 As such the existing barn has a footprint of 115m<sup>2</sup> and the proposed a footprint of 143m<sup>2</sup>. This represents a 28m<sup>2</sup> increase in floorspace, and a 20cm increase in overall height. The additional built form would project towards existing vegetation on site, not further into the open application site. It is considered that the materials used are acceptable in this location and are not too dissimilar to the existing barn.
- 6.14 On balance the structure, built in the same location as the existing barn, with a 28m<sup>2</sup> increase in footprint, a 20cm increase in height and the installation of secure doors would not or have a significantly additional harmful impact upon the character and appearance of the application site or the surrounding area. As such, there are insufficient grounds to recommend its refusal

#### **Residential Amenity**

- 6.15 The development is not considered to detrimentally impact upon the amenity of neighbouring properties any more so than the existing barn would. The closest neighbouring property is over 70m away to the north.
- 6.16 When considering the rural and unlit nature of the road, it is considered that a condition requesting details of any external lighting would be appropriate in this location in order to prevent the installation of any inappropriate external lighting that could have a detrimental impact upon wildlife in the area as well as neighbouring amenity.

#### **Highway safety, parking and servicing**

- 6.17 The existing barn has five 'ports' that could be used for parking vehicles, the proposed has four. Given this and the minimal increase in size, the proposed barn would not be used any more intensively than the existing in terms of traffic movements.

#### **Neighbouring Representations**

- 6.18 Concerns have been raised regarding the establishment of a new dwelling on site and that previous applications seeking similar works have been refused in the past and dismissed at appeal.
- 6.19 Concerns about future intention are not a material planning consideration, nor would a condition preventing this be appropriate, should permission be forthcoming. Consent is sought only for a replacement barn to be used for storage purposes. Planning permission would be required for any further works, or change of use and this would be assessed against the relevant policies.
- 6.20 Any previous application for a new dwelling is not a material planning consideration that has any bearing on this proposal.

### **7. CONCLUSION**

- 7.01 The principle of the replacement barn is acceptable. Additionally it is acceptable in terms of design and appearance, and there would be no unacceptable impact on the character, appearance or visual amenity of the locality.
- 7.02 The proposal is acceptable in relation to parking and highway safety, and the proposal is in line with the requirements of policy SP17, DM1 and DM30 of the adopted Maidstone Borough Local Plan (2017). I am satisfied that the proposed replacement barn is acceptable with respect to local and national planning policy and that no other material considerations would indicate a refusal of planning permission. In the circumstances, I recommend that this application is approved subject to conditions.

### **8. RECOMMENDATION**

Grant Permission subject to the following conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Planning Committee

24 October 2019

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans/drawing numbers;

Application for Planning Permission

2179/03 Rev B Site Location and Block Plans

2179/05 Rev B Existing and Proposed Plans and Elevations

Cover Letter

Design and Access Statement

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

- 3) The materials to be used in the development hereby approved shall be as indicated on the submitted details

Reason: To ensure a satisfactory appearance to the development

- 4) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. These details shall include, inter alia, measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter;

Reason: In the interest of amenity and wildlife protection.