

REFERENCE NO - 19/505283/FULL		
APPLICATION PROPOSAL Change of use of land from agricultural to residential.		
ADDRESS Candle Cottage, The Street, Ulcombe, Maidstone ME17 1DP		
RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions set out in Section 12		
SUMMARY OF REASONS FOR RECOMMENDATION The proposed development would accord with the policies and guidelines relating to the change of use from agricultural land to residential.		
REASON FOR REFERRAL TO COMMITTEE Applicant is a Councillor at Maidstone Borough Council therefore the decision cannot be made under delegated powers.		
WARD Headcorn	PARISH/TOWN COUNCIL Ulcumbe	APPLICANT Mrs Karen Chappell-Tay AGENT Mrs Heidi Mangold
TARGET DECISION DATE 23.12.2019		PUBLICITY EXPIRY DATE 12.12.2019

Relevant Planning History

98/1156 - Erection of one five bed roomed house and two three bed roomed cottages and an open fronted triple garage, together with the provision of four other car parking spaces

10/1766 - Erection of a two storey rear extension

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 The site located off the western side of The Street and comprises a detached dwelling located adjacent to open agricultural land which was approved under ref 98/1156 along with the surrounding properties 'Rose Croft' and the 'The Old Dairy' and the properties are set back from The Street road frontage. The site is located on the edge of the built up village of Ulcombe but is designated as part of the open countryside as shown in the adopted Local Plan policy map. The site is not subject to any other land designations and is not located within a Conservation Area or AONB.

2. PROPOSAL

2.01 The application seeks to change the use of agricultural land to residential.

In terms of scale, the land subject to the change of use is 8.3 x 9.3 metres. The adjacent neighbouring property 'Rose Croft' was granted planning permission for the 'change of use of agricultural land to residential for the provision of a swimming pool' under reference 18/505898/FULL. The depth of the proposed

residential land at the application site will be no greater than the depth approved at 'Rose Croft' and the existing hedgerows will remain as boundary treatments.

3. POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF): Section 12 – Achieving well-designed places
National Planning Practice Guidance (NPPG)
Development Plan: SP17, DM1, DM33
Supplementary Planning Documents: SPG 4 - KCC Parking Standards (2006)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 No representations have been received from local residents as a result of the consultation process.

5. CONSULTATIONS

5.01 Ulcombe Parish Council

Ulcombe Parish Council reviewed this application at the 14th November meeting and wish to see the application approved.

6. APPRAISAL

Main Issues

- 6.01 The key issues for consideration relate to:
- Impact to the character and appearance of the countryside.
 - Justification for the loss of agricultural land.

Policy Background

- 6.02 Significant swathes of the borough, particularly in Medway valley and Greensand fruit belt are graded as high quality agricultural land under the DEFRA classification. The NPPF recognises the benefits of best and most versatile agricultural land. Where agricultural land is highly graded (grade 1 or 2) and is functionally well located for agricultural purposes, such that future agricultural land is feasible, the council will seek to resist its irreversible loss to domestic use.
- 6.03 The change of use of agricultural land to domestic garden land is also, in principle, contrary to the objective of safeguarding the open, rural character of the countryside, which is advocated by the NPPF. The domestication of the countryside, through the replacement of open pasture with lawns, domestic plants and garden furniture is generally harmful to the integrity and character of rural landscapes.
- 6.04 Policy DM33 of the adopted Maidstone Borough Local Plan sets out the criteria to be met where proposals for the change of use of agricultural land to domestic garden land:

Planning permission will be granted for the change of use of agricultural land to domestic garden if there would be no harm to the character and appearance of the countryside and/or the loss of the best and most versatile agricultural land.

Change of use from agricultural land to residential

- 6.05 From the information available, the site does not appear to fall within Grade 1 or 2 for agricultural land quality. From my on site examination, the area subject to this planning application is a relatively small parcel of land and it did not appear to be in productive use. As the area subject to this application is not Grade 1 or 2 agricultural land, relating only to a small area and does not appear to be in productive use I would not consider the loss to be detrimental to the countryside. Therefore, I conclude that the loss of the small parcel of land would not be significant and meets the requirements of policy DM33.
- 6.06 In terms of visual amenity the existing boundary treatments are not proposed to change as the existing hedgerows are to be retained therefore, not detrimentally impacting the existing outlook of the countryside.
- 6.07 I would consider there to be no harm to the character and appearance of the countryside and the loss of agricultural land would not be significant.

Residential amenity

- 6.08 There are no significant residential amenity issues, due to the nature of the proposal, its scale and its separation from other residential properties.

Highway Safety/Parking

- 6.09 The nature of the proposal is such that it does not affect highway safety/parking provision.

Other matters

- 6.10 There are no trees with a high amenity value that would be directly affected by this proposal, and given the nature of the site I do not consider it reasonable to request further information in respect of ecology.

7. Conclusion

- 7.01 The development is not considered to have a detrimental impact upon the character and appearance of the countryside and the wider area and the loss of agricultural land will not be significant. The development will not impact upon the amenity of neighbouring properties, nor will it impact upon parking in the area or the wider highway network. As such the development is considered to be in keeping with local and national planning policies and is recommended for approval.

8. RECOMMENDATION

GRANT planning 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.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans/drawings:

Householder Application

Site location plan
RA1366/REVA/01 – Existing and proposed site plans

Reason: To ensure the quality of the development is maintained and to prevent harm to the character, appearance and visual amenity of the area.

Case Officer: Sophie Bowden