

REPORT SUMMARY

REFERENCE NO - 19/506112/FULL			
APPLICATION PROPOSAL Conversion of Heritage Threshing Barn to residential, including the demolition of modern pole barns and erection of single-storey extension to side and erection of detached triple garage (part retrospective)			
ADDRESS Bletchenden Farm Bletchenden Road Headcorn Ashford Kent TN27 9JB			
RECOMMENDATION : REFUSE for the reason set out in Section 8.0 of the report			
SUMMARY OF REASONS FOR RECOMMENDATION The principle of the conversion of the existing barn to residential is considered acceptable, however the proposal includes a large side extension which is unjustified insofar as it would require major reconstruction to extend and alter the existing barn and would be harmful to the character and appearance of the countryside by the resulting form of development that would elongate the existing barn, harmful to its contribution it makes to the character and appearance of the countryside. Cumulatively with the proposed detached garage the proposal would result in an unwarranted form of development which would introduce excessive built form which would compete with the existing curtilage listed barn and result in the overdevelopment of the site, with the proposals not appearing as modest additions or in keeping with the landscape character and design and form of the existing barn. The proposal would as such be contrary to local and national planning policy. Other material planning considerations could be satisfactorily dealt with by planning conditions, but these matters do not outweigh the harm that would result.			
REASON FOR REFERRAL TO COMMITTEE Headcorn Parish Council have requested the application be presented to the Planning Committee, though it should be noted that the recommendation is not contrary to their view which recommends refusal on grounds of flooding impact.			
WARD Headcorn	PARISH/TOWN COUNCIL Headcorn	APPLICANT Mr & Mrs D Pearce AGENT Country House Homes Ltd	
DECISION DUE DATE 05/08/20	PUBLICITY EXPIRY DATE 27/07/20	OFFICER SITE VISIT DATE	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
19/506113/LBC	Listed Building Consent for the internal and external works involved in the conversion of Heritage Threshing Barn and modern pole barn to residential	Approved	29/1/2020
18/503021/FULL	Removal of Condition (11) - Flood Risk Management and warning regime (12) - No Sleeping accommodation shall be provided on the ground floor and (13) - Ground floor level shall be 400mm, of planning permission 16/501954/FULL - (Demolition of attached outbuildings - conversion and extension of barn to provide dwelling).	Approved	20/8/2018
16/501954/FULL	Demolition of attached outbuildings - conversion	Approved	12/1/2018

	and extension of barn to provide dwelling.		
16/501955/LBC	Listed Building Consent for internal and external alterations and extension of barn in connection with conversion to dwelling.	Approved	12/1/2018
15/506450/FULL	Convert a redundant barn and adjoining structures into a new dwelling, demolish three structures.	Refused	18/12/15
On the grounds of lack of information on flood risk, design of the conversion works to the barn and the associated extension would have a detrimental impact on the character of the existing historical agricultural barn and a negative impact on the setting of the listed building and lack of windows and ventilation to the upstairs bedroom would provide poor living conditions to the future occupiers of the property			
15/506451/LBC	Listed Building Consent : Convert a redundant barn and adjoining structures into a new dwelling, demolish three structures.	Refused	18/12/15
On the grounds that the design of the conversion works to the barn and the associated extension would have a detrimental impact on the character of the existing historical agricultural barn and a negative impact on the setting of the listed building. The increased ridge height of the barn, the bulk of the proposed extension and the excessive use of glazing to the front and rear elevations would no longer appear agricultural in its design, and would therefore appear incongruous in this location.			
05/1064	Conversion of redundant barn & adjoining stables/store to dwelling with associated internal & external alterations	Approved	31/1/2006
Bletchenden Farm (Buildings to the north-west and north of application site)			
17/506518/PNQCLA	Prior Notification for change of use of agricultural buildings to 2no. dwellings (Class C3) and for associated operational development. For it's prior approval to: - Transport and Highways impacts of the development - Contamination risks on the site - Flooding risks on the site - Noise impacts of the development - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change as proposed - Design and external appearance impacts on the building.	Prior approval granted	12/3/2018
Bletchenden Farm (Building to the north-west of application site)			
18/506485/FULL	Removal of condition 11 of 15/503223/FULL (Part Retrospective - Change of use and conversion of cattle shed to tourist accommodation and construction of flood defence bund) to allow the property to be used as a residential dwelling.	Approved	28/3/2019
18/504436/FULL	Removal of condition 11 of 15/503223/FULL (Part Retrospective - Change of use and conversion of cattle shed to tourist accommodation and construction of flood defence bund) to allow the property to be used as a residential dwelling.	Refused	22/10/2018
17/500638/NMAMD	Non material amendment to application ref: 15/503223/FULL to raise the ridge height by	Permitted	13/2/2017

	400mm.		
15/503223/FULL	Part Retrospective - Change of use and conversion of cattle shed to tourist accommodation and construction of flood defence bund	Approved	21/9/2016

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 This application relates to a threshing barn which is estimated to date from circa 16th or 17th century. The barn is timber framed with timber weatherboarding to its walls and it currently has an unsympathetic corrugated roof. The building is considered to be curtilage listed, lying within the curtilage of Bletchenden Manor which is Grade II listed. The adjacent granary is also Grade II listed.
- 1.02 To the south of the barn is a detached circa Edwardian building which is of unknown origin and function. At the time of submission there were existing stables attached to the barn which are considered of an unsympathetic appearance, these have since been demolished.
- 1.03 The site lies within the parish of Headcorn. It is situated within Environment Agency designated Flood Zone 3, with a number of ponds surrounding the site and its proposed curtilage. An area of woodland to the west of the site (but not adjoining) is designated as Ancient Woodland and Public Rights of Way (PROW) are situated along the access road to the site, together with footpaths to the north and south. The site is within the open countryside as set out within the Local Plan and The Low Weald Landscape of Local Value swathes across the site.
- 1.04 Planning permission/prior notification applications have been approved for further barns adjacent to the application site to the north/north-east to be converted to residential use. At the time of the officers most recent site visit it would appear work has commenced to implement those consents.
- 1.05 Works have also now commenced on site in terms of the current submission, whereby the existing threshing barn has been stripped and is currently being supported by acro-pillars, the adjoining stables have been demolished and footing for part of the proposed extension have been laid. As such the description has been amended accordingly to refer to 'part retrospective'

2.0 PROPOSAL

- 2.01 The proposal is for the conversion of the existing heritage threshing barn to residential, with the demolition of the attached modern pole barns (demolition complete) and erection of a single storey side extension. A detached triple garage is also proposed.
- 2.02 The description of development has been changed since the original consultation to take into account recent demolition works, the commencement of some footings and to reflect that the works to the side would be an extension rather than a conversion.

Conversion of barn

The existing barn would be stripped back (these works appear to have been carried out) to its timber frame and the external walls would be finished in painted black timber weatherboarding and the existing corrugated roof removed and replaced with traditional Kent peg tiles. Windows would be added at ground floor with rooflights to the rear facing roof slope. Floor to ceiling, glazed porch elements would be added, with pitched roofs to the front and rear elevations, together with an entrance door to the front.

Internally a mezzanine would be provided in part the building to create a first floor master bedroom with a further 3-bedrooms, bathroom, dining room/lounge at ground floor.

Single storey extension

Linked to the existing barn by a wide opening, a single-storey extension is proposed to the side which would have two distinct pitched roofed elements with a joining glazed link. This part would accommodate a guest suite, kitchen/utility/snug area and a secondary entrance.

Both pitched roofed elements would measure 11m in width, by approximately 5m in depth, with the glazed link measuring approximately 3m by 3m. The total width of the extension would therefore be approximately 25m. The pitched roofs would have an eaves height of 2.2m and a ridge height of 5.4m.

The extension would have a grey painted timber weatherboarded finish with a tiled roof.

Triple garage

The proposed garage would be sited at right angles to the dwelling and would measure approximately 9.6m in width, 5.8m in depth and would have a pitched roof with an eaves height of approximately 2.6m and a ridge height of 6m.

The garage would accommodate 3 cars and an internal staircase leading to first floor loft annex space.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 : SS1, SP17, SP18, DM1, DM2, DM3, DM4, DM23, DM30, DM31, DM32 and DM33,
Local Plan Review, Draft Plan for Submission (Regulation 19) October 2021 :
Policies LPRSP9: Development in the Countryside
Policy LPRSP14 – Environment
Policy LPRSP14A – Natural Environment
Policy LPRSP14B – Historic Environment
Policy LPRSP15: Principles of Good Design.
Policy LPRHOU11: Rebuilding, extending and subdivision of dwellings in the countryside
Policy LPRQ&D 4 – Design principles in the countryside
Policy LPRENV 1 – Historic Environment
Policy LPRQ&D1 – Sustainable Design
Policy LPRQ&D5 – Conversion Rural Buildings

The Regulation 19 draft is a material consideration and some weight must be attached to the document because of the stage it is at but its weight is limited, as it has yet to be the subject of an examination in public.

Supplementary Planning Documents: Residential extensions SPD

4.0 LOCAL REPRESENTATIONS

4.01 Representations have been received from two local residents, to all consultations/re-consultations. One raises the fact that the site is very near the Headcorn Aerodrome, where there is a certain level of noise associated and the second raises the following (summarised) issues :

- Access road isn't solely owned by the applicant
- Incorrect Certificate B Notice served/not received
- Existing Cesspit will need to be upgraded or replaced
- Works already commenced
- Debris spread around the site and in pond (impact on ecology)
- Site can now be seen from Public Footpath since tree removal has taken place
- Demolition has taken place and was not in accordance with the bat survey
- Ecology/protected species not being protected correctly

4.02 Cllr Chappell-Tay – E-mail received commenting that she agrees with Headcorn Parish Council comments in relation to flooding matters.

5.0 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, the responses are also the most recent representation received following re-consultation)

5.01 Headcorn Parish Council

The revised detail was reviewed by committee and they registered their disappointment at the comments by the Environment Agency - despite this being in Flood Zone 3 and the increasing flood risk in Headcorn no site visit was undertaken.

The committee see no reason to change their stance with regards to this development in Flood Zone 3 and still wish to see the application refused and referral to committee is required.

No revised comments were received regarding the most recent focused re-consultation regarding the revised FRA.

5.02 KCC Ecology

No objections subject to conditions.

5.03 Environment Agency

We have reviewed the information submitted and regarding Groundwater Protection and Flood Risk we have no additional comments to make, we ask you to please refer to our previous response on the 23/06/20, reference KT/2019/126468/03.

23/6/20 response below

We have reviewed the submitted documents and, based on the information provided in the Flood Risk Assessment (FRA) ref 9146A, dated 7 May 2020 from Monson Engineering Ltd, consider that it satisfactorily addresses our earlier concerns.

Subject to conditions, we therefore withdraw our previous objection, KT/2019/126468/02-L01, dated 24 January 2020

5.04 KCC Developer Contributions

Whilst we appreciate this application will pay the CIL adopted by Maidstone Borough and that the County Council cannot request contributions through a s106 agreement, the development will still have an impact on County services that cannot be accommodated within existing capacity.

It is requested that these impacts be noted in determining the application and that Maidstone Borough Council allocates CIL funds received from the development to ensure the impacts of the development can be met and the development regarded as sustainable.

5.05 KCC Highways

Development doesn't meet criteria for comments.

5.06 Conservation Officer

The amended windows are an improvement, and the overall proposals are now acceptable from a conservation perspective.

5.07 KCC Archaeological Officer

No objection subject to condition.

6.0 **APPRAISAL**

The key issues in relation to this proposal are considered to be (a) principle (b) impact on rural character and the area of Local landscape Value. (c) amenity (d) heritage considerations (e) flooding (f) ecology and (g) highways.

Background

6.01 Planning permission has previously been granted for the residential conversion of this building under ref: 05/1064 and more recently under application 16/501954/FULL, varied by application 18/503021/FULL. The latter consent expired on the 12th January 2021, and although works have been undertaken to demolish the attached outbuildings, it should be noted that none of the conditions on the 2016 or 2018 permissions have been sought to be discharged and as such the consents could not be lawfully implemented until the pre-commencement conditions have been approved (particularly those that go to the heart of the permission relating to contamination, ecology and archaeology). These consents therefore do not remain extant in perpetuity as a lawful implementation is not considered to have occurred.

6.02 Works beyond demolition have also occurred on site to provide footings for an extension, but these relate to implementing the proposal under consideration on this

application rather than to implement the 2016 consent. The existing barn has also been stripped back.

6.03 The site does however benefit from an extant consent for Listed Building Consent for the works proposed under this application, approved under reference 19/506113/LBC. The delay in determining this application and the alternative recommendation now put forward are a result of various factors. In this respect it is useful to provide a timeline and outline of the background.

6.04 June 2019 : Applicants sought pre-application advice under reference 19/503265/PAMEET. This proposed an extension to the side akin to the scale and proportions of that approved under the 2016 consent, but included a link to an existing outbuilding and a greater use of the first floor. A three bay garage was also approved with accommodation in the roof. A response was sent dated 6 August 2019, this supported the principle of the conversion but recommended removing the link between the barn and the outbuilding and the further extension into the first floor. It was suggested that :

It was considered that a more suitable option might be to consider lengthening the single-storey wing whilst maintaining its linear form – this section of the building is clearly much more modern and of lower significance and therefore alterations in this area are much less likely to be considered to result in harm.

The principle of a detached three bay garage was supported, but recommended that the dormers be omitted.

Some latter informal e-mail correspondence followed the pre-application, culminating in plans of a similar ilk to that now for consideration.

6.05 December 2019, both planning and listed building consent applications were submitted for the works currently under consideration (References 19/506112/FULL and 19/506113/LBC). The Listed Building Consent was approved on 29th January 2020 (a copy of the delegated report is attached at Appendix 1).

Late December 2019 an objection was received from the Environment Agency, this elicited additional information submitted mid-January 2020, re-consultation occurred.

Late January 2020, a further objection was received from the Environment Agency (due to the submitted information being based on outdated modelling).

An extension of time was agreed to enable the agent to provide updated Flood Risk Assessment and further ecological information. This information was submitted Ealy June 2020.

Late June 2020 Environment Agency removed their objection subject to conditions. KCC Ecology raised further matters which were addressed in further information received mid-July 2020.

November 2020, the Full application was re-allocated to another case officer and following discussions with a senior manager it was not considered that the application could be supported. The agent was made aware.

Mid-December meeting took place between the agent, case officer and Development Manager. Key discussions were the matters relating to flooding and the proposed scale of extensions, together with the unauthorised works.

Applicant wanted the opportunity to address the flooding matters prior to determination, this would involve undertaking works to increase the private bund. Due to earlier delays this was agreed and the case officer would wait until the works had taken place and a further FRA submitted.

Late June 2021, revised Flood Risk Assessment submitted, indicating that the bund height had increased and re-modelling carried out.

- 6.06 The above sets out a brief history of this application, outlining that there has been delays principally to address matters that have arisen due to lack of or out-dated information submitted and the applicant has been given the opportunity to address these matters. It is however acknowledged that there have been times during the application process where it has been left dormant and not progressed as quickly as the officers would have liked.
- 6.07 It is also acknowledged that the recommendation is a departure from the pre-application advice and earlier indications by the original case officer. The following report sets out the balanced rationale and reasoning for this recommendation change.

Principle of Development

- 6.08 The assessment of the proposal in relation to the above concerns largely revolves around whether the proposal meets the key provisions of policy DM31 of the local plan. Policy DM31 states, amongst other things, that the reuse and adaptation of existing rural buildings meeting the following criteria will be permitted which, in summary, are:
- Building reinforces local character;
 - Is capable of conversion without major reconstruction;
 - That any alterations are in character;
 - Sufficient room to park vehicles without harming the character of the countryside and;
 - Suitably sensitive means of enclosure.
- 6.09 Policy DM31 also states, amongst other things, that residential reuse **will not** be permitted unless the following are also addressed, in summary, being:
- Every reasonable attempt has been made to secure a reasonable business reuse of the building;
 - Is the only means of securing a suitable reuse for a listed building, unlisted building of quality grouped with one or more Listed Buildings in such a way as to contribute to the setting of the Listed Building/s or other building/s of quality and;
 - Acceptable amenity space provision.
- 6.10 The site does not currently benefit from an extant consent for its use as residential, although the weight given to the previous consents diminishes with the expiry of the permissions. It is not considered any objection in principle to the conversion can be raised. By meeting the provisions of policy DM31 and having regard to the well enclosed, inward looking and self contained nature of the site, facing away from open countryside and forming part of an equally self contained grouping of buildings on this side of the track, it is considered there will be no material impact on the rural or

landscape character of the area by the conversion of the existing building relating to the conversion itself.

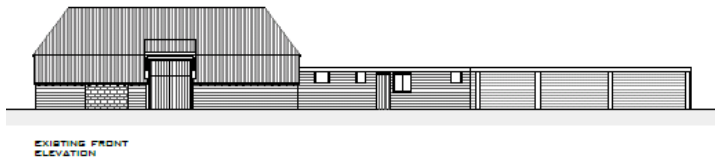
6.11 It has been previously accepted that residential use is preferable over business re-use and that main barn itself is structurally capable of conversion. This application is not accompanied by any information to further substantiate this past position. However, as the proposal also seeks to secure the re-use of this curtilage listed barn and it is also acknowledged that a number of the surrounding buildings are currently undergoing conversion to residential (albeit under the prior notification route rather than through full planning permission). On balance it is considered that the conversion of the barn itself is considered in principle acceptable subject to the material considerations set out below.

6.12 In setting out that conversions should take place *without major reconstruction*, implying that conversions should be as such and extensions to facilitate conversions in principle would not be supported. This is not to say that other material considerations could weigh in favour of extending, these matters are discussed below.

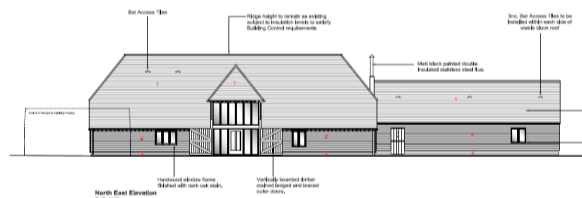
Impact on rural character and the area of Local landscape Value

6.13 Where the proposal differs from the earlier consent is the size of the proposed extension to the side, together with the addition of a detached garage. The proposed extension would effectively be doubling the size of the previously approved scheme, with the proposed garage introducing further built development onto the site. Below the front elevations show the existing (prior to demolition of the pole barns), approved scheme and the proposed scheme :

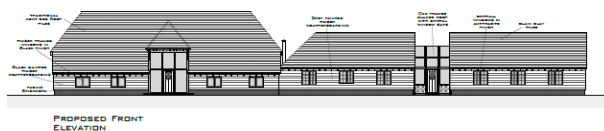
Existing



Previously approved



Proposed



- 6.14 The proposed footprint of the dwelling would clearly be larger than the previously approved scheme. Allowing the extension on the earlier approval was weighed in favour of limiting the use of the loft space. The scheme would have provided three bedrooms at ground floor, together with a kitchen and living room and one further bedroom at first floor. In comparison to the proposed scheme which would provide the same accommodation at first floor, a re-arrangement of the three bedrooms at ground floor to provide an enlarged kitchen/snug in the footprint of the earlier extension and a guest suite, shower room and boot room in the enlarged extension.
- 6.15 The proposed detached garage, would introduce further built form. The garage would be sizeable, designed to accommodate 3 cars and have useable roof space. The height of the garage would also exceed that of the extensions to the original barn, together with introducing an additional outbuilding whereby an existing building on the site would be retained.
- 6.16 Although the conversion has yet to take place, the Residential Extensions SPD is pertinent when considering the extensions to the building and the new garage. It sets out :

'Extensions to dwellings in the countryside which have been converted from buildings originally in non-residential use, such as oast houses, barns and other farm buildings, will not normally be permitted where this would have an unacceptable impact on the original form such as a rectilinear floor plan which fits well with their original function and the character of the countryside and others have an historic form and character which should be retained. In granting consent for conversions the Council seeks to preserve the original form and character of the building. Proposals for extensions to such buildings should not therefore destroy that form or character and will not normally be considered acceptable.' (para 5.14)

'Extensions will not be permitted to dwellings created from traditional rural buildings including oast houses, barns and other farm building where they would have an unacceptable impact on the form or character of the original building.'

'Garages and other outbuildings should not impact detrimentally on the space surrounding buildings. They must be smaller in scale and clearly ancillary to the property.' (para 5.28)

'Their scale should not exceed what might reasonably be expected for the function of the building. Garages and outbuildings for domestic purposes do not normally need to exceed a single storey in height or have excessive volume; (para 5.29)

'Garages and outbuildings should not compete with the main house and consequently should be sympathetically positioned away from the front of the house and should be simpler buildings. Often secondary buildings or extensions were traditionally erected with a simplicity of design and more easily available materials. This may be used to good effect to reinforce the distinction between the original building and the subservience of the extension.'

- 6.17 The form of the proposed extension would very much mirror the footprint of the outbuildings which were attached to the barn. The outbuilding have since been demolished and as such for planning purposes their earlier existence carries very limited weight and although described as a pole barn, the structures were very much more informal, low key, single storey and flat roofed structures.
- 6.18 Even if weight was given to the earlier outbuildings on the site, by contrast the proposed single storey extensions would be of a much more formalised arrangement,

with additional bulk and mass at roof level that would compete with the original barn. Planning policy generally does not wholly support extensions to converted buildings and it is not considered this case is any different. A fairly sizeable extension was permitted under the earlier approvals and there is no justification provided as to why an extension of a similar scale would now be unviable. Conversions of former agricultural buildings should preserve the character and appearance of the building, whilst recognising its former use. The extensions as proposed do not seek to achieve this, the building would appear as extremely elongated and have a 'sprawling' form, which does not reflect the barns simple rectilinear form. The extensions would be wider than the remaining original barn (with the barn measuring approximately 18m in width and the extension measuring 24m) and introduce varying roof forms and unacceptable additional bulk and mass.

- 6.19 The proposed garage would further exacerbate the harm identified above. The garage would be higher than the proposed extensions to the barn (6m compared to a height of 5.4m for the extension), it would be of a scale to the size of extension approved under the 2016 consent and at right angles to the proposed dwelling and in very close proximity to the proposed extensions (and in part overlapping the frontage), the building would not appear as wholly detached, but would appear as a continuation of the built form, resulting in a greater sprawling form of development, not respecting the existing barn and the contribution it makes to the intrinsic character and appearance of the countryside.
- 6.20 Overall it is considered that although the conversion of barn, together with a small-scale extension could be supported, the current proposal would result in an extremely elongated building, which would diminish the form and original character and appearance of the barn contrary to policies which seek to preserve the countryside and its intrinsic openness. The extensions to the barn, both individually and cumulatively with the detached garage are not considered appropriate in this location.

Residential Amenity

- 6.21 The property most likely to be affected by the proposal is Bletchenden Manor Farm abutting the application site to the east. Given that the bulk and profile of the barn to the converted will not change and a 'flank to flank' separation distance in excess of 10 metres is maintained, no material harm is identified to the outlook or amenity of Bletchenden Manor Farm. Furthermore the run down condition of the building and site in general means the proposed development will bring an uplift to the area and improvement to the visual amenity of properties abutting or overlooking the site.
- 6.22 In terms of the amenity of future residents, the size of the dwelling, its amenity area with the site occupying are well screened and the secluded position means no objection is identified in this respect.

Heritage considerations

- 6.23 The proposed conversion involves (a) retention of the existing barn along with its key internal and external features (b) minimal external changes thereby avoiding the building appearing overly domestic and retaining the 'memory' of its previous agricultural use and (c) removal of outbuildings and their consolidation into a single storey extension clearly subordinate in scale and appearance to the converted barn. The proposal will also provide a long term use of this currently run down heritage asset.

- 6.24 It should be noted that the concurrent Listed Building Consent application under reference 19/506113/LBC was approved in January 2020.
- 6.25 As such given the positive comments of the Conservation Officer, the proposal is considered to meet the heritage requirements of the NPPF and policy DM4 of the local plan in terms of the impact the works would have on the Listed Building itself.
- 6.26 With regard to the proposed extensions the Listed Building Consent report reads :

With regards to the extension, this replaces unsympathetic elements which detract from the character and appearance of the listed barn and again, whilst an extension would normally be resisted in principle, as this is a simple, functional, former farm building, in this case the principle of an extension is not objectionable because there is already something attached to this end of the barn of a significant length. The extension would have a hipped roof on the end closest to the barn, which is considered an improvement over the extant scheme, which had a gabled roof, as this would bring the roof of the extension further away from the barn to provide better visual separation. It is noted that the extension would be increased in length, but this is not considered to result in material harm to the barn, as the additional part of the extension would be set well away from the barn and the key point in any case is the principle of an extension here, which has already been established. The extension would utilise different windows and different coloured weatherboarding which would help to differentiate this part of the structure from the main barn, which again is to be welcomed.

- 6.27 The Local Planning Authority has a statutory duty to have special regard to the desirability of preserving listed buildings or its settings under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.28 Policy DM4 of the local plan requires that the significance of designated heritage assets and their settings are conserved, and, where possible, enhanced and Policy SP18 similarly seeks to protect and enhance the quality of heritage assets. Policy DM4 requires that the relevant tests in the National Planning Policy Framework are applied when determining applications for development which would result in the loss of, or harm to, the significance of a heritage asset and/or its setting.
- 6.29 Policy SP18 of the local plan requires that, *inter-alia*, the characteristics of heritage assets are protected and design is sensitive to heritage assets and their settings. Policy DM4 of the local plan requires applicants to ensure that new development affecting heritage assets conserves, and where possible enhances, the significance of the heritage asset. It points out in paragraph 6.30 that small scale changes over time can erode the special character of places such as listed buildings.
- 6.30 It requires a proportionate Heritage Assessment which takes account of the significance of the asset and the impact on the identified significance. Paragraph 6.33 also advises that regard will be given to paragraphs 131 to 135 of the The National Planning Policy Framework (NPPF).
- 6.31 Since the adoption of the local plan, a revised NPPF has come into force, with the relevant section being chapter 16.
- 6.32 Paragraph 189 of The NPPF states that heritage assets “*are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*”.
- 6.33 To this end paragraph 199 advises:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation... This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

And paragraph 200:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.”

- 6.34 Curtilage listed by its association with Bletchenden Manor Farm to the east of the site, the building also lies to the east of The Granary, again Grade II Listed. The application site, together with the barns to the north and west (both currently undergoing residential conversions), form part of this group of now former agricultural buildings. Their relationship to the host listed buildings, the character and appearance of the barn and its relationship with the wider countryside, helps define the qualities of the buildings listed status.
- 6.35 The Conservation Officer has raised no objection to the internal works to the original barn or to the extensions and a decision has previously been taken that the extensions would not harm the Listed Building itself.
- 6.36 In terms of changes in circumstances since the granting of the Listed Building Consent, the main difference is that the attached outbuildings have been demolished and the 2016 consents are no longer extant. As such for planning purposes these no longer exist and the scheme is to be determined on the basis of the main barn only. Some weight was given to the existence of those extensions in granting Listed Building Consent *‘because there is already something attached to this end of the barn of a significant length.’* However this was not the sole reason why the proposal was considered acceptable in terms of the impact on the Listed Building, it was also considered acceptable due to the design compared to the then extant consent, the proposed materials, its separation and the character and appearance of the listed barn itself.
- 6.37 As the Conservation Officer has raised no objection and that the impact on the Listed Building has previously been agreed, in terms of impact on the Listed Building it is not considered that a differing conclusion can be made to that previously concluded under the Listed Building Consent and the works would preserve the special interest, character, appearance and significance of the listed building and the proposals are considered to comply with policies DM4 and SP18 of the local plan and the aims of the NPPF.

Flooding

- 6.38 Having regard to the site’ location in an area at risk of flooding (Flood Zone 3) and that the proposal represents a flood sensitive use, the application was accompanied by an FRA dated August 2005. Following concerns this was significantly out of date a revised FRA was submitted dated 5th November 2015, this again was considered to be out of date. An updated report was therefore requested and submitted as Flood Risk Assessment dated 7th May 2020. The findings of this report are considered satisfactory to the Environment Agency provided that the development is carried out in accordance with the mitigation measures specified, these in summary are as follows :

- Raising of the existing clay bund constructed around the properties at Bletchenden Farm from 20.44m AoD, to 20.57m AoD (an increase of approximately 130mm.)
- 6.39 The applicant was advised that this matter could not be conditioned as the bund is situated outside the applicants ownership and neither falls within the red or blue line of the submitted application. As such the applicants have carried out the works to increase the height of the bund and this has resulted in the land being re-surveyed and a revised Flood Risk Assessment being submitted.
- 6.40 In accordance with the NPPF and NPPG the proposed use of the site for residential is classified as '*More Vulnerable*'. Such development can be acceptable subject to the Sequential and Exception Tests being applied and passed. Furthermore, local planning authorities should also ensure that flood risk is not increased elsewhere, this can be aided with site specific FRA being used to assist the Local Planning Authority in applying the Sequential and then if necessary, the exception test.
- 6.41 It is not the role of the E.A to apply the sequential test, this is the role of the Local Planning Authority assisted by the E.A's advice and the NPPG advises the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. For some developments this may be clear, for example, the catchment area for a school. In other cases it may be identified from other Local Plan policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives.
- 6.42 The NPPG also advises that when applying the Sequential test, a pragmatic approach on the availability of alternative sites should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere.
- 6.43 In this case there are clear arguments that as the building is a heritage asset which should be preserved and as such applying the sequential test to a wider area is not appropriate as the development could not take place elsewhere. In addition residential use has previously been considered acceptable at the site and neighbouring buildings have been given permissions to convert to residential. Overall the site could be considered as sequentially acceptable.
- 6.44 In applying the exception tests, it is considered that the wider sustainability benefits to the community which outweigh flood risk would be in the form of the preservation of the building which is considered as curtilage listed and a positive example of a threshing barn which is estimated to date from circa 16th or 17th century
- 6.45 Matters relating to the residual risk, i.e whether suitable emergency measures are in place, the ability to gain suitable egress/ingress to areas of high ground during extreme events and the impact on the emergency services are all considered could/have been mitigated by the increase in the bund height and could be secured through the submission of a Flood Warning and Evacuation Plan if the scheme was considered acceptable in all other respects.

- 6.46 The Environment Agency has been reconsulted, their comments have not changed insofar as they still raise no objection subject to the bund being increased in height. As these works have taken place it is not considered that any condition would be necessary and that the application satisfactorily addresses the flooding implications of the development such that the application could not be refused on flooding grounds and passes the sequential and exception tests.

Ecology

- 6.47 The wildlife assessment submitted with the proposal identified water features, trees and semi improved grassland all as having some wildlife potential though it concluded the majority of site has low potential due to the prevalence of hardstandings, paved areas and introduced garden plants preventing notable flowering plants from establishing.
- 6.48 The water features identified in or close to the application site all contained significant fish stocks making them unlikely habitats for Great Crested Newts though the site contains habitats capable of supporting reptiles. There was also evidence the existing building providing habitat for breeding birds though no evidence of badger activity.
- 6.49 A bat emergence survey concluded that the barn had had high potential to support roosting bats. As the site lacks wooded areas it does not provide a suitable habitat for dormice while no evidence of protected invertebrates was identified.
- 6.50 Based on the above the following mitigation/enhancement measures are proposed being:
- Work only to be undertaken outside bird breeding season.
 - Provision of bat lofts.
 - Vegetation cleared in a way to safeguard reptiles along with the erection and maintenance of exclusion fencing.
 - Use of native broadleaved trees and plants to be sourced locally
 - Two martin/swallow nest boxes on the newly proposed buildings.
 - Placing a bat roost box on one of the willow trees along the adjacent pond.
- 6.51 The Bat mitigation strategy was formulated following the demolition of the attached outbuilding, but prior to the further stripping back of the main barn, the photographs below show the barn at the time of the survey and following officers site visit in November 2020.

Photographs from June 2020 ecology report



After demolition of outbuildings and stripping back works



6.52 The submitted mitigation strategy regarding bats sets out that two bat lofts would be created, one above the existing main barn and one above part of the wider extension. The report sets out that a European protected species mitigation licence and mitigation strategy would be required prior to works commencing. Works are recommended in the report to start in September, outside the hibernation season (November to March) and once a licence has been granted. Firstly bat boxes are to be installed in trees, a EPS licence applied for and granted, bat roosts dismantle under the supervision of a licensed ecologist and then building conversion and construction works can take place.

6.53 The following information has been requested from the agent relating to ecological matters :

- Confirmation Bat boxes were installed in trees (photographs of these boxes and a plan showing their location should provide sufficient evidence)
- Copy of the EPS licence being applied for and granted
- Details of the licensed ecologist who undertook watching the dismantling of any bat roosting features
- Confirmation of the dates that the works took place
- Any other evidence relating to ecological works undertaken prior to the barn being stripped back

Members will be updated regarding any response received.

- 6.54 In the absence of the above information it is currently unknown for certain whether the works carried out to date have been in accordance with the Bat mitigation strategy or whether any offences have been committed.
- 6.55 However the mitigation strategy in terms of the provision of the bat lofts could still be carried out should the works be considered acceptable in every other regard, thus providing suitable mitigation, albeit the bat potential may have been destroyed. All other ecological mitigation could be conditioned should the application be considered acceptable in all other respects.

Highways

- 6.56 In the absence of previous objections to the residential reuse of this building, minimal traffic generation and that sufficient on site parking and turning space is available no harm identified to the proposal on highway grounds.

Other matters

- 6.57 The site of the application is considered to be the site of a medieval moated manor complex (*SMR NO: TQ 84 SW 9*) which became a fairly extensive post medieval farm. The medieval residence may have been surrounded by a moat of which the current ponds could be remnants. The 1st Ed OS map also seems to indicate a possible outbuilding close to the building to be converted. Remains associated with the medieval and post medieval use of the site may be impacted by groundworks and conversion works. As such it is considered that a condition could be attached to secure an archaeological watching brief should the proposal be acceptable in all other respects.
- 6.58 There is a likelihood of contamination due to the former use of the site and as such ground investigation should take place on the site. Again these matters could be dealt with by condition should the application be acceptable in all other respects.
- 6.59 A neighbour has made representation about incorrect certificate B being served on the owners of the access track. The agent has supplied a letter detailing whom notice has been served upon and it is considered for planning purposes that the correct notification has been undertaken.

7.0 CONCLUSION

- 7.01 The principle of the conversion of the existing barn to residential is considered acceptable, however the proposal includes a large side extension which is unjustified insofar as it would require major reconstruction to extend and alter the existing barn and would be harmful to the character and appearance of the countryside by the resulting form of development that would elongate the existing barn, harmful to its contribution it makes to the character and appearance of the countryside. Cumulatively with the proposed detached garage the proposal would result in an unwarranted form of development which would introduce excessive built form which would compete with the existing curtilage listed barn and result in the overdevelopment of the site, with the proposals not appearing as modest additions or in keeping with the landscape character and design and form of the existing barn. The proposal would as such be contrary to local and national planning policy. Other material planning considerations could be satisfactorily dealt with by planning conditions, but these matters do not outweigh the harm that would result.

8.0 RECOMMENDATION – REFUSE for the following reason:

- (1) The proposal would require major reconstruction to extend and alter the existing barn, resulting in a form of development that would elongate and destroy the original functional form and legibility of the agricultural character of the barn which is to be converted, thus severely compromising its character, unacceptably diminishing the positive contribution the application building makes to its rural surroundings, to the detriment of the character and appearance of the countryside. To permit the proposal would therefore be contrary to policies SP17, DM1, DM30, DM31 and DM32 of the Maidstone Borough Local Plan 2017, the guidance contained in the Council's adopted residential extensions SPD and the central government planning policy contained in the National Planning Policy Framework (2021).
- (2) The proposed garage, by reason of its size, height, scale, mass and position, when taken individually or cumulatively with the proposed extensions to the barn would result in an excessive form of development which would read as a further extension to the proposed dwelling which would not appear as modest, harmful to the openness and character of the countryside. To permit the proposal would therefore be contrary to Policies SP17, DM1, DM30, DM31 and DM32 of the Maidstone Borough Local Plan 2017, the advice given in the adopted Supplementary Planning Document "Residential Extensions", and the central government planning policy set out in The National Planning Policy Framework (2021).

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.