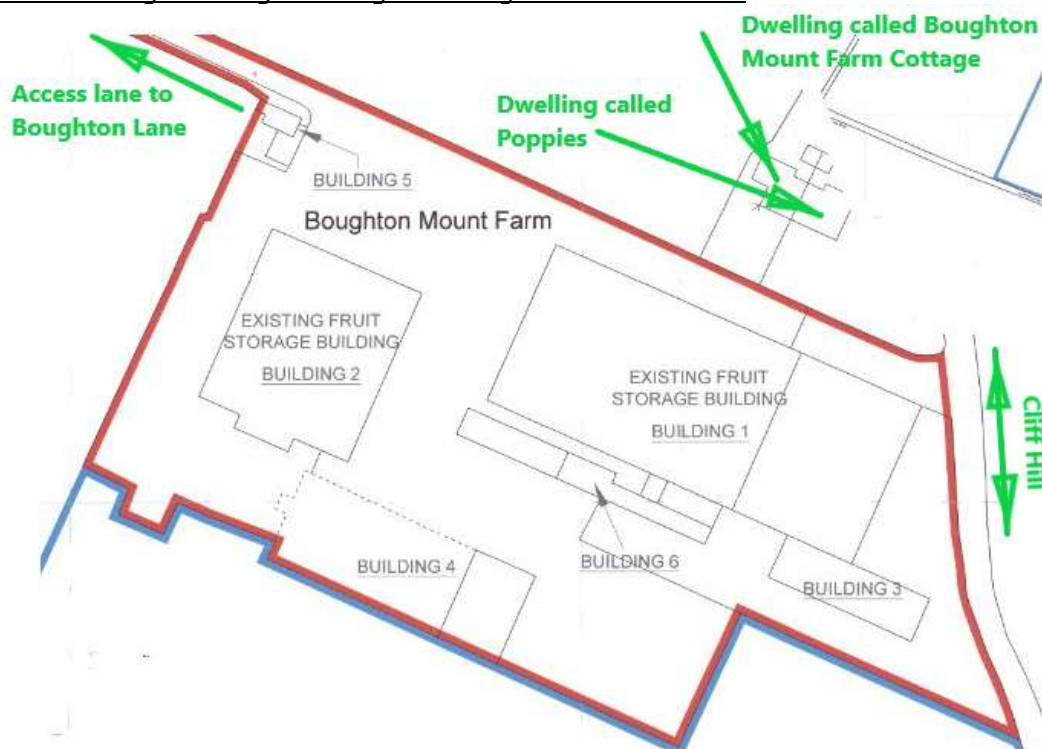


REFERENCE NO - 21/506652/FULL		
APPLICATION PROPOSAL Conversion of office building to form 1no. dwellinghouse, including erection of single storey front and rear extensions.		
ADDRESS Boughton Mount Farm, Cliff Hill, Boughton Monchelsea, ME17 4NB		
RECOMMENDATION Grant Permission subject to conditions with delegated powers to permit subject to scrutiny by a qualified person of the structural survey and justification for all the changes proposed including the increase in the size of curtilage.		
SUMMARY OF REASONS FOR RECOMMENDATION		
<ul style="list-style-type: none"> The proposal is in accordance with Local Plan policies DM1, DM30, DM31 (1ii) to v) and 3iii)) DM33, neighbourhood plan policies RH1 and RH6, the NPPF and the nationally described space standards. Whilst the proposal is contrary to Local Plan policy SP17, DM31 1 i), 3 i) and 3 ii) in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 there are material considerations present, in the form of the extant prior approval and the opportunity to improve the standard of accommodation that justify this departure. 		
REASON FOR REFERRAL TO COMMITTEE		
<ul style="list-style-type: none"> Request by Parish Council for the reasons set out at paragraph 5.01 Departure from the Local Plan 		
WARD Boughton Monchelsea and Chart Sutton	PARISH/TOWN COUNCIL Boughton Monchelsea	APPLICANT AC. Goatham & Son AGENT Bloomfield Chartered Town Planners
TARGET DECISION DATE 03.05.2022	PUBLICITY EXPIRY DATE 13.01.2022	

Site Plan showing existing buildings at Boughton Mount Farm



Building 1:

- Permission under 10/0511 for Use Class B1

Building 2:

- Permission under 10/0511 for Use Class B1

Building 3:

- Permission under 10/0511 for Use Class B1
- Extant permission for residential use under 19/502133/PNQCLA and
- Current pending application 21/506652/FULL

Building 4:

- Former packhouse, storage part demolished

Building 5:

- Permission under 10/0511 for Use Class B1
- Extant permission for residential use under 19/501559/PNOCLA
- Current pending application under reference 21/506652/FULL

Building 6:

- Permission under 10/0511 for Use Class B1
- Lawful residential use confirmed, lawful development certificate approved 11/1945

Relevant planning history (with reference to above plan)

Application building (Building 5)

- 19/501559/PNOCLA Prior Notification for a proposed change of use of a building from **Office Use (Class B1 (a)) to a dwellinghouse (Class C3)**. For its prior approval to:
 - Transport and Highways impacts of the development
 - Contamination risks on the site
 - Flooding risks on the site
 - Impacts of noise from commercial premises on the intended occupiers of the development.Prior Approval Not Required

Other nearby buildings

- 21/506652/FULL Part demolition and conversion of an existing agricultural building to form 3no. dwellinghouses with associated access, parking and amenity space. PENDING
- 19/502133/PNQCLA - Prior notification for change of use of **an agricultural building and land within its curtilage to 3no. dwellinghouses (Class C3)** and for associated operational development. For its 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
- 11/1945 (Building 6) An application for a lawful development certificate for the existing use of property as permanent residential accommodation class C3. Approved 23.12.2011
- 10/0511 (Buildings 1, 2, 3, 5, and 6 but excluding building 4) Change of use of farm buildings to uses within Use Class B1 approved 09.09.2010

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site is located to the west of Cliff Hill in the countryside and outside any designated settlement boundary.
- 1.02 The application building is located at the northwest corner of the wider complex of buildings, with several agricultural buildings located to the southeast. The wider site forms part of the agricultural business which is owned and run by AC Goatham & Son. The existing single storey building with a dogleg shaped footprint currently provides an office use.
- 1.03 The application site is immediately adjacent to a lane that runs between Boughton Lane to the west and Cliff Hill to the east. The lane currently contains a mixture of commercial and residential uses in close proximity to one another. The detached residential property called 'Poppies' is located immediately adjacent to the entrance in Cliff Hill with a second residential property called Boughton Mount Farm Cottage sharing boundaries with both 'Poppies' and the access lane. An existing mobile home located immediately adjacent to the application building will be removed as part of the current proposal.
- 1.04 The site lies within the Loose Valley Landscape of Local Value and an area of archaeological importance. The application site is coincident with a safeguarded mineral deposit in the area, that being the Hythe Formation (Ragstone) Limestone.

Photograph of existing building



2. PROPOSAL

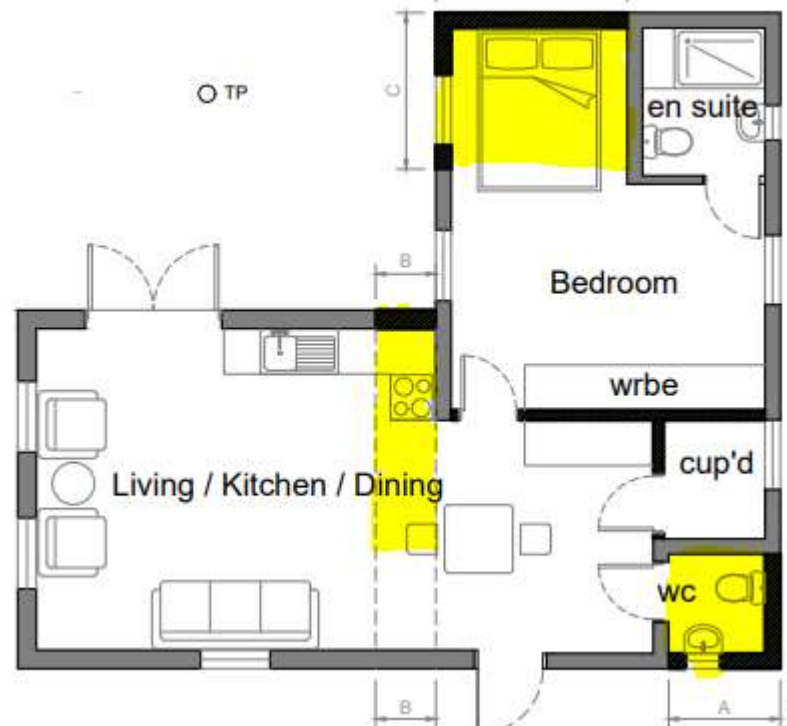
- 2.01 The application seeks the conversion of the existing office building to form a single one bedroom dwelling (as shown on the submitted plans). The proposal includes single storey extensions to the front and rear elevations of the building. These extensions increase the floor area from 46.4m² to 57.5m².
- 2.02 The current planning application follows an earlier prior approval decision (19/501559/PNOCLA) which was also for the conversion of the existing building to form one dwelling. The changes from the prior approval decision include extensions, external design alterations and an increase in the residential curtilage.
- 2.03 The land that is proposed to serve as the residential garden area for the dwelling relates to an existing area of grass between the application building and hedged boundary around the perimeter of the agricultural yard, and a modest area of hardstanding area. These areas are enclosed, in part, from the wider landscape, and are closely associated with Boughton Mount Farm.
- 2.04 In the submitted Planning Statement the applicant advises "*Full planning permission is being sought for the conversion work, to include modest extensions and an increase in the size of residential curtilage, to allow for the residential use of the building to provide a one-bedroom unit as approved under Class O*

permission 19/501559. All associated operational development for the conversion and landscaping works to the site is sought for this application”.

Existing floorplan



Proposed floorplan (location of extensions highlighted)



3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017

- SS1 Spatial strategy
- DM1 principles of good design
- DM23 Parking standards
- DM30 Design principles in the countryside
- DM31 Conversion of rural buildings
- DM33 Change of use of agricultural lane to domestic garden land

Boughton Monchelsea Neighbourhood Plan

- PWP1 Ensuring a sustainable and resilient community
- PWP13 Transport Assessments and increased parking provision
- RH1 Location of new residential development
- RH6 Design

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 19) dated October 2021.

- The Regulation 19 draft is a material consideration, and some weight must be attached to the document because of the stage it has reached. This weight is limited, as it has yet to be the subject of an examination in public.
- Policy SP9 of the draft plan has similar goals to policy SP17 stating 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”. Policy DM31 is to be retained with the “Principle of policy unlikely to change, minor amendments may be justified to reflect NPPF”.

Supplementary Planning Documents

- Maidstone Landscape Character Assessment & Supplement (2012 amended 2013)
- Landscape Capacity Survey (2015)

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

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 No letters of representations have been received from local residents

5. CONSULTATIONS (incl press notice for departure from the local plan)

5.01 Boughton Monchelsea Parish Council

Objection on the following grounds:

- The location is in the open countryside and unsustainable
- Contrary to MBC Local Plan policy DM1
- Proposed design quality is poor the conversion cannot meet NPPF stand
- “The planning statement argues that the proposal is sustainable and well designed as it keeps most of what is there already, while adding modest extensions however the proposal does not seem to add any sustainable features which it cannot easily do without being a total demolition and rebuild, thus negating the idea of conversion under permitted development”.
- Question whether this is compliant with paragraph 130(f) of the NPPF in terms of creating places that are safe, inclusive and accessible, which promote health and well-being, with a high standard of amenity.
- Does not appear that the prior approval delegated report considered siting and design of the conversion and whether this should be subject to separate approval
- The planning statement is inconsistent with the application form in terms of whether the unit has one or two bedrooms.
- Question whether it would meet national minimum space standards
- Question the assessment at Paragraph 5.7 of the planning statement argues that it would not be an isolated home in the countryside
- No indication of how surface and foul water and waste and recycling will be dealt with.
- Planning statement does not mention Boughton Monchelsea Neighbourhood Plan which is a material planning consideration.
- Contrary to Boughton Monchelsea Neighbourhood Plan policies RH1 and RH6

5.02 **Kent County Council Minerals and Waste**

No objection. The County Council has no minerals or waste safeguarding objections or further comments to make regarding this proposal. *"I can confirm that the application site is not within 250 metres of any safeguarded mineral or waste facility, and thus would not have to be considered against the safeguarding exemption provisions of Policy DM 8".*

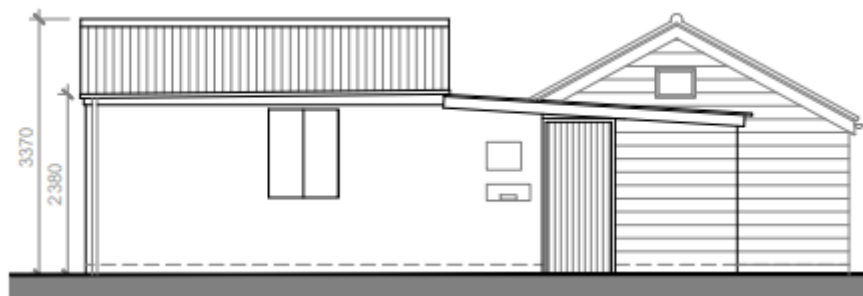
6. APPRAISAL

Main issues

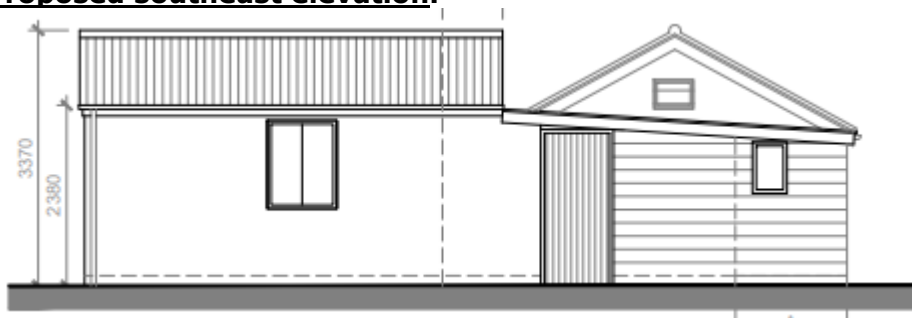
6.01 Local Plan policy SP17 states (inter alia) that development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area. The application was found to be a departure from policy SP17 in that the proposed building results in harm and the proposal is not in full accordance with Local Plan policy DM31 3 i) and 3 ii).

6.02 In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and after acknowledging the departure from the plan it needs to be considered whether material considerations are present that suggest that such a departure would be justified.

Existing southeast elevation



Proposed southeast elevation.



6.03 The material considerations include the following:

- Character and appearance of the countryside
- Design
- Conversion of a rural building
- Change of use of existing land
- Standard of accommodation
- Neighbouring residential amenity
- Car parking and highways
- Ecology and biodiversity.
- Fallback
- Other matters

Character and appearance of the countryside

- 6.04 Local Plan policy SP17 states that development in the countryside will not be permitted unless it accords with other policies in the Local Plan (DM1, DM30, DM31 and DM33 are relevant) and does not result in harm to the character and appearance of the area. The distinctive landscape character of the Loose Valley Landscape of Local Value should be conserved and enhanced.
- 6.05 The Maidstone Landscape Character Assessment identifies the application site as falling within the Greensand Fruit Belt (Area 7). The landscape guidelines for this area are to 'IMPROVE' and a summary of actions are as follows:
- Consider the generic guidelines for the Greensand Orchards and Mixed Farmlands
 - Soften views of security fencing with native vegetation
 - Maintain and improve the extent of vegetation cover which restricts views of the urban edge
 - Maintain the mosaic of wildlife habitats at Bridge Nursery
 - Maintain key views of the elevated North Downs
 - Maintain the integrity of the settlements of Barming and Allington, by retaining remaining open space between the two settlements
 - Maintain the linear vegetation belt along the railway line and improve with further native planting to improve ecological connectivity
 - Improve the sense of place by creating positive land uses within unmanaged areas whilst retaining the habitat opportunities for small mammals, invertebrates and birds of prey
- 6.06 The Landscape Capacity Study (Jan 2015) has the Greensand Fruit Belt as being of 'low' overall landscape sensitivity and 'tolerant of change'.
- 6.07 The application building is located in a complex of existing mostly larger commercial buildings, these nearby buildings form the backdrop to the application building in some viewpoints and screen the application building in other view points including in views from Cliff Hill. The application building has an existing circulation and access area to the east. An existing mobile home that is located immediately to the south of the application building will be removed as part of the submitted proposal.
- 6.08 The application seeks the conversion of the existing office building to form a single one bedroom dwelling (as shown on the submitted plans above). The proposal includes single storey extensions to the front and rear elevations of the building. These modest infill extensions that are contained within the existing 'L' shaped footprint will increase the floor area by 11 m² (from 46.4m² to 57.5m²). The extensions reflect the character and form of the existing building appearing as subsidiary to the original building.
- 6.09 Whilst the proposal will result in harm to the countryside, the degree of this harm will be negligible for the reasons that have been set out, in that the site is enclosed with little public views, the extensions are modest in scale and well designed.
- Design**
- 6.10 Policy DM 30 sets out the standards of design in the countryside with a list of criteria that are considered below.
- i. The type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features.
- 6.11 The proposal retains the character, appearance and scale of the existing building. The materials and design of the extensions and alterations are in keeping with the

character and appearance of the original building. A condition is recommended for additional landscaping to be provided. Whilst it is accepted that the proposal will result in domestic paraphernalia, the visual impact will be contained and screened from the majority of viewpoints.

- 6.12 Whilst of no architectural or historic significance the proposal provides modest extension to the retained building. The materials and design of the alterations are in keeping with the appearance of the original building. The site is currently screened by existing landscaping to the rear and a condition is recommended for additional landscaping to be provided.

ii. Impacts on the appearance and character of the landscape would be appropriately mitigated.

- 6.13 With the enclosed nature of the site and existing landscape screening, impact on the appearance and character of the landscape would be minimal to zero. Any impact that would be caused will be mitigated by the additional landscaping sought by condition.

iii. Proposals would not result in unacceptable traffic levels on nearby roads; unsympathetic change to the character of a rural lane which is of landscape, amenity, nature conservation, or historic or archaeological importance or the erosion of roadside verges.

- 6.14 The journeys associated with a single one bedroom dwelling would be safely accommodated on the local highway network without harm to the character of a rural lane.

- 6.15 Whilst the site is in an area of archaeological importance, the proposal includes only modest extensions on ground that is likely to have been disturbed by the construction of the existing building. `

iv. 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.

- 6.16 Proposal includes the conversion and extension of the retained existing building and does not propose a new building. Notwithstanding this, a condition is recommended that seeks new vegetation that reflects the landscape character of the area.

v. Where an extension or alteration to an existing building is proposed, it would be of a scale which relates sympathetically to the existing building and the rural area; respect local building styles and materials; have no significant adverse impact on the form, appearance or setting of the building, and would respect the architectural and historic integrity of any adjoining building or group of buildings of which it forms part.

- 6.17 The proposal retains the character, appearance and scale of the existing building. The materials and design of the extensions and alterations are in keeping with the character and appearance of the original building. The proposal retains the general shape and form of the original building including the existing roof. The design and appearance of the altered building will respect the site context and other nearby buildings.

Conversion of a rural building

- 6.18 Where proposed through a planning application (as opposed to a prior approval application, where matters to be considered are restricted by legislation) policy DM31 considers the 'conversion' of rural buildings to other uses including residential use. Policy DM31 states "...proposals for the re-use and adaptation of existing rural buildings which meet a number of listed criteria will be permitted. These criteria are considered below.

DM31 1 i) The building is of a form, bulk, scale and design which takes account of and reinforces landscape character

- 6.19 The application building is of a modest scale and appearance. There is some variety in the appearance and no predominant style in nearby buildings and in this context the existing building does not appear out of place. The building is in a complex of other agricultural buildings that form the backdrop and the building context.

DM31 1 ii). The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction.

- 6.20 The application building is in use as an office with an extant permission to use the building as a guest house. After a visual inspection, the existing building appears permanent, substantial and sound construction with conversion possible without major or complete reconstruction.

- 6.21 It is concluded that the proposal is in line with DM31 1 ii) in that the building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction.

DM31 1 iii). Any alterations proposed as part of the conversion are in keeping with the landscape and building character in terms of materials used, design and form

- 6.22 As set out earlier in this report, the proposal retains the character, appearance and scale of the existing building. The materials and design of the extensions and alterations are in keeping with the character and appearance of the original building. The proposal retains the general shape and form of the original building including the existing roof. The design and appearance of the altered building will respect the site context and other nearby buildings.

DM 1 iv) There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside.

The curtilage shown on the submitted plans is contained (with no encroachment into the 'open' countryside) and is sufficient to provide both car parking and amenity space for future occupiers without detriment to the visual amenity of the countryside.

DM 1 v). No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which would harm landscape character.

- 6.23 With the enclosed and screened nature of the site there is no indication that boundary treatments would harm landscape character. A planning condition is recommended to seek the submission and approval of details of all fencing, walling and other boundary treatments. This condition also seeking gaps at ground level within boundaries to allow the passage of wildlife.

DM31 3 i). Every reasonable attempt has been made to secure a suitable business reuse for the building and DM31 3 ii). Residential conversion is the only means of providing a suitable re-use for a listed building, an unlisted building of quality and traditional construction which is grouped with one or more listed buildings in such a way as to contribute towards the setting of the listed building(s), or other buildings which contribute to landscape character, or which exemplify the historical development of the Kentish landscape.

- 6.24 The applicant has stated that the application building is no longer required for the functioning of the business. Whilst there is no evidence of any attempt to secure a suitable business reuse for the building and the requirements of DM31 3 ii) are not met, the principle of conversion to residential use has been established by the extant prior approval decision 19/501559/PNOCLA. The fallback assessment is considered later in this report.

DM31 3 iii). There is sufficient land around the building to provide a reasonable level of outdoor space for the occupants, and the outdoor space provided is in harmony with the character of its setting.

- 6.25 As set out above, the curtilage shown on the submitted plans is contained (with no encroachment into the 'open' countryside) and is sufficient to provide both car parking and amenity space for future occupiers without detriment to the visual amenity of the countryside. The car parking and amenity space is screened from the road by existing landscaping.

Aerial photograph of the site



- Change of use of existing land to provide car parking and amenity space**
- 6.26 LP policy DM 33 permits the change of use of agricultural land to domestic garden land 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.

6.27 The land to be used as domestic curtilage consists of the residential garden area for the dwelling which is an existing area of grass between the application building and hedged boundary around the perimeter of the agricultural yard, and a modest area of hardstanding area. These areas are enclosed, in part, from the wider landscape, and are closely associated with Boughton Mount Farm.

6.28 The land to be used as domestic curtilage is not designated as the best and most versatile agricultural land. In this context the application would not result in harm to the character and appearance of the countryside and the proposal is in line with policy DM33

Standard of accommodation

6.29 Policy DM1 of the adopted Local Plan advises that proposals will be permitted where they "...provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, or is exposed to, excessive noise,...air pollution, activity or vehicular movements, overlooking or visual intrusion...".

6.30 The submitted application seeks permission for the conversion and extension of the existing office building into a single, one storey, one bedroom dwelling. The revised proposal would retain the same level of accommodation as per the previous application with the dwelling providing a good sized double bedroom.

6.31 The guidance set out in the National Space Standards require a minimum internal floor area of 50 m² for a single storey, one bedroom, two person dwelling. The proposed dwelling would provide an internal floor space of approx. 57.5m². As such, the proposed dwelling would meet the requirements of the nationally described space standards for a one bedroom, one storey, 2 person dwelling.

6.32 The application building directly adjoins the access lane that runs between Boughton Lane in the west and Cliff Hill to the east. The lane currently contains a mixture of commercial and residential uses. The relationship between the residential use on the application site and adjacent commercial uses is not uncommon. This is especially the case following the introduction of the prior approval system by central government that has the aim of releasing vacant or underused commercial buildings for residential use.

6.33 There are also existing residential properties nearby with the detached residential property called 'Poppies' located immediately adjacent to the entrance in Cliff Hill with a second residential property called Boughton Mount Farm Cottage sharing boundaries with 'Poppies' and the access lane. An existing mobile home located immediately adjacent to the application building will be removed as part of the current proposal.

6.34 With suitable planning conditions the application site can provide an adequate standard of residential accommodation including in relation to noise protection. no objection received from the environmental health team in relation to amenity. With the principle of residential use established by the earlier prior approval decision, the current application also provides an opportunity to improve the standard of the accommodation.

6.35 The proposal will provide through planning conditions an acceptable level of amenity for future residents. The proposal is in accordance with LP policies DM1, DM30 the NPPF and the nationally described space standards.

Neighbour amenity

6.36 Local Plan policy DM1 states that proposals which would create high quality design and will be permitted where they respect the amenities of occupiers of neighbouring properties and uses by ensuring that development does not result in, or excessive

noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.

- 6.37 The proposed dwellings would be located approx.135m away from the neighbouring dwellings of 'Boughton Mount Farm Cottage' and 'The Poppies' that are both located to the north of the access on to Cliff Hill. The orientation and location of the proposed dwellings will ensure that the amenity of the occupiers of the converted residential building on this site (Building 6) to the south west are protected and the occupiers of Building 3 that has extant permission for residential use.
- 6.38 With the proposed dwellings located within the existing extended building and due to the distance from other residential properties and the building orientation, the proposal would be acceptable in relation to residential amenity.

Car parking and highways

- 6.39 The current proposal includes 1 car parking space and this provision is considered acceptable for the accommodation that is proposed. The vehicle movements associated with the one dwelling can be safely accommodated on the local road network which will be accessed by way of an existing site access.

Ecology and biodiversity

- 6.40 One of the principles of the NPPF (para 180) is that: *Opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*
- 6.41 With this considered, a condition is recommended seeking biodiversity enhancements on the site (demonstrating biodiversity net gain). The condition requests enhancements through integrated methods into the design and fabric of the building (i.e. swift bricks; bat tiles/tubes; and bee bricks). With these conditions the submitted proposal is acceptable in relation to ecology.

Fallback

- 6.42 The fallback position (what could happen if the current planning application was not approved), is a material consideration in the determination of this planning application (see *Mansell v Tonbridge and Malling Borough Council [2017] EWCA Civ 1314*). In determining the materiality of a fallback position as a planning judgement it was found that for a prospect to be a "real prospect", it does not have to be probable or likely: a possibility will suffice. It was concluded that the clear desire of the landowner to develop, and maximise the value of, the site was sufficient to demonstrate there was a real prospect to the fallback position in this case.
- 6.43 Legislation requires a prior approval scheme to be 'completed' within 3 years. This differs from a planning application where works need to be 'commenced' within 3 years. The approval under 19/502133/PNQCLA remains implementable up to the 20 June 2022.
- 6.44 In the event that the current prior approval expires, the earlier decision to grant prior approval would be material in the assessment of any resubmitted prior approval application. The consideration of the current application has not raised any reasonable grounds on which the Council could refuse a resubmitted prior approval application in the event that one is submitted.
- 6.45 The residential use of the application building has been established by the earlier prior approval decision and this earlier approval represents a viable fallback position. The current application (for changes such as additional amenity space and extension of internal space that were not permissible as part of the m prior approval submission) represents an opportunity to improve the standard of the

accommodation. The change of use of this land to residential garden has been found to be in accordance with policy DM33.

Other matters

- 6.46 The issue of arrangements for the disposal of waste and recycling has been raised. As is with common with other applications a planning condition is recommended seeking details of measures for the disposal of waste and recycling.
- 6.47 The issue of arrangements for the disposal of foul and surface water has been raised through consultation. As is with common with other applications a planning condition is recommended seeking details of measures for the disposal of foul and surface water. It is highlighted that the application is for the conversion of an existing office building that includes existing provision with rainwater guttering and a WC and basin.
- 6.48 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

PUBLIC SECTOR EQUALITY DUTY

- 6.49 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The proposal will result in minimal harm to local character and appearance of due to site context, its enclosed nature, location in context of other development and existing landscape screening (enhanced by additional landscaping).
- 7.03 Character and appearance of the existing building is retained with the modest infill extensions in keeping with and subsidiary to the existing building. The materials and simple design are in keeping with and sensitive to the appearance of the original building.
- 7.04 Sufficient car parking space is provided and vehicle movements can be safely accommodated on the local road network using the existing site access.
- 7.05 A visual inspection found the building of permanent, substantial and sound construction and capable of conversion without major or complete reconstruction.
- 7.06 The curtilage shown on the submitted plans is contained (with no encroachment into the 'open' countryside to the south) and is sufficient to provide both car parking and amenity space for future occupiers without detriment to the visual amenity of the countryside.
- 7.07 The land to be used as domestic curtilage is not designated as the best and most versatile agricultural land. The area of land is screened and the application would not result in harm to the character and appearance of the countryside and is in line with policy DM33.
- 7.08 The proposed location will provide an acceptable level of amenity for future residents and existing residential occupiers nearby with no objection received from the environmental health team.

- 7.09 The proposal is in accordance with Local Plan policies DM1, DM30, DM31 (1ii) to v) and 3iii)) DM33, neighbourhood plan policies RH1 and RH6, the NPPF and the nationally described space standards.
- 7.10 Whilst the proposal is contrary to Local Plan policy DM31 1 i), 3 i) and 3 ii) in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 there are material considerations present, in the form of the extant prior approval and the opportunity to improve the standard of accommodation that justify this departure.

8. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions with delegated powers to permit subject to scrutiny by a qualified person of the structural survey and justification for all the changes proposed including the increase in the size of curtilage.

- (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 materials to be used in the development hereby approved shall be as indicated on the approved plans.
Reason: To ensure a satisfactory appearance to the development
- (3) The development hereby approved shall be carried out in accordance with the following approved plans and documents:
Application form for planning permission
Planning Statement
2641/07: Proposed Elevations
2641/05: Existing elevations
2641/06: Proposed plans
2641/04: Existing plans
2641/02: Existing block plan
Reason: To ensure a satisfactory visual appearance, and to safeguard the amenity of the area.
- (4) The development hereby approved shall not commence until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value and include a planting specification, a programme of implementation and a [5] year management plan. The details shall include the landscaping of the open areas of the site.
Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development
- (5) Prior to the first occupation of the dwellings hereby approved, details of a scheme of soft landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with a programme for the approved scheme's implementation and long term management, shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall be designed using the principle's established in the Council's adopted Landscape Character Assessment (2012) and shall include:
a) The details shall include the landscaping of the open areas of the site
b) Details of a planting schedule (including location, planting species and size)

c) Retention of boundary trees/hedges as shown on submitted plans.

Only non-plastic guards shall be used for new trees and hedgerows, and no Sycamore trees shall be planted. The implementation and long term management plan shall include long term design objectives, management responsibilities and a maintenance schedule for the landscaped areas. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the countryside that falls within a landscape of local value.

- (6) The approved landscaping shall be in place at the end of the first planting and seeding season following completion of the relevant individual dwelling. Any trees or plants, which, within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory appearance to the development, and in the interests of residential amenity and biodiversity enhancement.

- (7) Prior to occupation of the approved dwelling a bin storage enclosure and cycle storage shall be in place that are in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority with the approved bin enclosure retained for the lifetime of the development.

Reason: To safeguard the appearance of the development and the visual amenities of the area

- (8) Prior to occupation of the dwelling hereby approved a minimum of one electric vehicle charging point shall be installed and operational for the each of the dwellings and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with the NPPF.

- (9) Prior to occupation of the dwelling hereby approved measures to encourage sustainable travel choices by future occupiers shall have been submitted to and approved in writing by the Local Planning Authority, the measures shall be in place prior to occupation and maintained for the lifetime of the development.

Reason: In the interests of sustainable travel and pollution prevention.

- (10) Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B and E; and Schedule 2, Part 2, Class A, to that Order shall be carried out.

Reason: To ensure a satisfactory appearance to the development.

- (11) Prior to first occupation of the dwelling hereby permitted crime prevention measures shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the approved measures retained for the lifetime of the development.

Reason: In the interests of amenity.

- (12) 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 and set out how the lighting meets the Bat Conservation Trust guidelines. 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.

- (13) Prior to first occupation of the dwelling hereby approved fencing, walling and other boundary treatments shall be in place that are in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority with the details including gaps at ground level to allow the passage of wildlife and the development shall be carried out in accordance with the approved details before the first occupation of the relevant dwellings and maintained thereafter Reason: To ensure a satisfactory appearance to the development, to safeguard the enjoyment of their properties by existing and prospective occupiers and in the interests of wildlife.
- (14) Prior to the end of the first planting season following occupation of the approved dwelling ecological enhancements shall be in place (including installation of bat and bird boxes and bee bricks integral to the new extension) that are in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority with the measures retained for the lifetime of the development
Reason: In the interest of ecology and biodiversity.
- (15) Prior to first occupation of the dwelling hereby approved foul sewage and surface water disposal measures shall be in place that are in accordance with details that shall have previously been submitted to and approved in writing by the local planning authority. All measures shall be maintained permanently thereafter.
Reason: To ensure adequate foul sewage and surface water disposal arrangements.

INFORMATIVES

- (1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

Case Officer: Douglas Wright