

REPORT SUMMARY

REFERENCE NO: - 22/505382/FULL		
APPLICATION PROPOSAL: Demolition of an existing bungalow and erection of 2no. detached four-bedroom dwellings with associated landscaping.		
ADDRESS: Woodview, Lenham Road, Kingswood, Kent ME17 1LU		
RECOMMENDATION: REFUSE PLANNING PERMISSION		
SUMMARY OF REASONS FOR RECOMMENDATION:		
<ul style="list-style-type: none"> • The proposal involving the demolition of a modest bungalow and construction of two detached two storey houses of a suburban character along with the creation of two vehicle access points and associated domestic paraphernalia would erode the largely undeveloped nature of the site. • The substantial increase in the bulk and massing of development on the site that would be harmful to and fail to maintain or enhance local character and appearance of this rural location. • The development would be contrary to policies SS1, SP17, DM1 and DM30 of Maidstone Local Plan (2017); the Landscape Character Assessment (2012 amended July 2013) and the Maidstone Landscape Capacity Study: Sensitivity Assessment (Jan 2015); and the National Planning Policy Framework (2021). • The proposed two dwellings would be far removed from basic services and facilities, and this would result in future occupants of the site being reliant on the private motor vehicle to travel for access to day to day needs. • This reliance on the private motor vehicle would be contrary to the aims of sustainable development as set out in policies SS1, DM1 and DM5 of the Maidstone Local Plan (2017) and the aims of the National Planning Policy Framework (2021). 		
REASON FOR REFERRAL TO COMMITTEE:		
Call in from Ulcombe Parish Council. The Parish wishes to see the application approved with the view that the two houses would be a positive addition to the street scene.		
WARD: Headcorn	PARISH/TOWN COUNCIL: Ulcombe	APPLICANT: Mr James Mills AGENT: EP Architects Ltd
CASE OFFICER: William Fletcher	VALIDATION DATE: 16/11/22	DECISION DUE DATE: 24/02/23
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

- 19/503989/FULL Demolition of the existing bungalow and erection of 2no. detached dwellings together with associated parking, amenity areas and landscaping. Refused 05.03.2020 for the following reasons:
 1. *It has already been concluded at appeal that Kingswood is unsustainably located with limited services. As such travel movements to and from Kingswood would be likely to be by unsustainable transport modes. The proposed development while only being a short distance to the east of the more developed part of Kingswood would therefore of necessity involve continued reliance on unsustainable transport modes resulting in the further consolidation and reinforcement of unsustainable*

development patterns in the locality contrary to the provisions of the NPPF and policy SS1 of the Maidstone Borough Local Plan Adopted October 2017 which seeks to direct housing development to sustainable locations.

2. *The mass and volume of (a) the additional and (b) the replacement dwelling (which would be considerably greater than the original dwelling) are out scale and character with adjoining development while resulting in a substantial increase in built mass. In addition the proposed houses (including the detached garage) represents a disparate mix of materials and styles not reflecting the character and rural setting of the area. As such the proposal represents poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions while failing to maintain or enhance local distinctiveness along with an increase in built mass harmful to the rural character and setting of the locality. The proposal is therefore contrary to the provisions of the NPPF and policies SP17, DM1, DM30 and DM32 of the Maidstone Borough Local Plan Adopted October 2017.*
- An appeal against the refusal of application 19/503989/FULL (erection of 2no. detached dwellings) was dismissed on the 30.03.2021. The main points made by the Inspector are outlined in the main part of this report.
 - 22/500705/FULL Demolition of existing bungalow and erection of 6no. wooden lodges with associated fencing, hardstanding, roads and footpaths for gypsy/traveller occupation. Refused 04.05.2022
- (1) *The proposal involving the replacement of a single bungalow with 6 mobile homes with the associated new access, and large new hardstanding areas providing parking and circulation space would intensify the use of this currently open and spacious site, resulting in a cramped over-development and urbanising layout at odds with, and detrimental to the existing pattern of development in the locality contrary to policies SP17, DM15 and DM30 of the Maidstone Borough Local Plan (2017), guidance in the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015) and policies within the NPPF.*
 - (2) *The proposal involving the replacement of a single bungalow with 6 mobile homes with the associated new access, fencing and large new hardstanding areas providing car parking, circulation space and associated development would result in significant visual harm that would have a detrimental impact on the character and appearance of this site and the intrinsic character and appearance of the countryside contrary to policies SP17, DM15 and DM30 of the Maidstone Borough Local Plan (2017) guidance in the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015) and policies within the NPPF.*
 - (3) *The level of activity associated with the proposed development accommodating a total of 6 residential units will result in significant detriment impact on adjacent residential amenity by way of increased noise, disturbance and vehicular movements. The proposed development at this scale is incompatible within this rural residential location contrary to policy DM1 and SP17 of the Maidstone Borough Local Plan (2017) and policies within the NPPF.*
 - (4) *In the absence on the submitted layout of land allowed for touring caravans and dayrooms for each of the 6 pitches, the proposal fails to provide an adequate standard of accommodation for gypsy and travellers, with the future provision of these necessary facilities further exacerbating the harm that has previously been identified contrary to policies SP17, DM15 and DM30 of the Maidstone Borough Local Plan (2017), guidance in the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015) and policies within the NPPF.*

- An appeal against the refusal of application 22/500705/FULL (6 gypsy/traveller plots) is currently in progress.
- 22/505417/FULL Demolition of an existing bungalow and erection of 4no. static mobile homes with related fencing, hardstanding, roads and footpaths for rental to the traveller community. Refused 11.01.2023 for the following reasons:
 - (1) *The proposal involving the replacement of a single bungalow with 4 mobile homes with the associated new access, and large new hardstanding areas providing parking and circulation space would intensify the use of this currently open and spacious site, resulting in a cramped over-development and urbanising layout at odds with and detrimental to the existing pattern of development in the locality contrary to policies SP17, DM15 and DM30 of the Maidstone Borough Local Plan (2017), guidance in the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015) and policies within the NPPF.*
 - (2) *The proposal involving the replacement of a single bungalow with 4 mobile homes with the associated new access, fencing and large new hardstanding areas providing car parking, circulation space and associated development would result in significant visual harm that would have a detrimental impact on the character and appearance of this site and the intrinsic character and appearance of the countryside contrary to policies SP17, DM15 and DM30 of the Maidstone Borough Local Plan (2017), guidance in the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015) and policies within the NPPF.*
 - (3) *The level of activity associated with the proposed development accommodating a total of 4 residential units will result in significant detriment impact on adjacent residential amenity by way of increased noise, disturbance and vehicular movements. The proposed development at this scale is incompatible within this rural residential location contrary to policy DM1 and SP17 of the Maidstone Borough Local Plan (2017) and policies within the NPPF.*
 - (4) *In the absence on the submitted layout of land allowed for dayrooms for each of the 4 pitches, the proposal fails to provide an adequate standard of accommodation for gypsy and travellers, with the future provision of these necessary facilities further exacerbating the harm that has previously been identified contrary to policies SP17, DM15 and DM30 of the Maidstone Borough Local Plan (2017), guidance in the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015) and policies within the NPPF.*

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is in the countryside as defined by the adopted Local Plan. The site is to the east of the village of Kingswood, which is circa 10km south-east of the town centre of Maidstone. Whilst there is nearby residential development on the south side of Lenham Road the surrounding area is rural in character. Immediately opposite the application site is a large area of designated Ancient Woodland.
- 1.02 The site is currently occupied by a modest detached bungalow which is set back from the road, in addition to an outbuilding and garden areas. The bungalow has a maximum roof height of 4.6m and a footprint of approximately 90m².

2. PROPOSAL

- 2.01 The proposal is for the demolition of the existing bungalow and construction of two 4 bedroom houses of the same design. The houses have a maximum height of 7.7m with approximately 300m² of internal floor space with an 'L' shaped footprint.

**Computer generated image of proposal refused permission
(19/503989/FULL - appeal dismissed)**



Computer generated image of the current proposal



- 2.02 The houses have a mix of gabled and catslide roof forms with slate effect roof tiles, external walls would be finished with a 'light facing brick' at ground floor level and grey vertical cladding at first floor. Windows and doors would be grey aluminium.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

SS1 Spatial strategy,
SP17 Countryside,
DM1 Principles of good design,
DM3 Natural Environment,
DM23 Parking standards,
DM30 Design principles in the countryside.

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22) dated October 2021.

The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (Stage 1 hearings concluded). The relevant policies in the draft plan are as follows:

SS1 Maidstone Borough Spatial Strategy
SP9 Development in the Countryside
SP10 Housing
SP15 Design
TRA4 Parking standards (Appendix B)
Q&D4 Design Principles in the Countryside
Q&D6 Technical Standards
Q&D7 Private Amenity Space Standards

Kent Waste and Minerals Plan (amended 2020):

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

Supplementary Planning Documents:

Landscape Character Assessment 2013: Kingswood Plateau Landscape Character Area in good condition with moderate sensitivity and guidelines to conserve and reinforce.

4. LOCAL REPRESENTATIONS

Ulcombe Parish Council

4.01 Supports the application and wishes to see it approved for the following reasons:

- The two houses will be a positive addition to the community and are an excellent 'fit' with the local street scene.

4.02 If the planning officer is minded to refuse the Parish Council requests that the application in called in to the Planning Committee.

Broomfield and Kingswood Parish Council

4.03 Objects for the following reasons:

- would have a harmful impact upon the pattern of development in the area
- Capacity of local infrastructure
- would have a harmful impact upon the local highway network

Local Residents

4.04 3 representations received with one objecting for the following reasons :

- The development would be cramped within the plot
- The development would have a harmful impact upon the highway network

The two representations in support were on the grounds that

- The revised design is acceptable

5. CONSULTATIONS

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

KCC Highways

- 5.01 Holding objection due to lack of the following information:
- Evidence that proposal and the required visibility splays can be achieved within land in control of the applicant and/or the highway authority.
 - Clarification of arrangements for refuge vehicles

KCC Ecology

- 5.02 Objection due to the need for additional information prior to determination of the planning application.
- 5.03 April 2022 satellite photos indicate that the site has been unmanaged since the November 2021 ecological survey and there is a risk that the ecological report is no longer valid.
- 5.04 Current photos are required, prior to determination to enable us to consider if an updated ecological survey is required and/or if any amendments are required to our previous comments.

Natural England

- 5.05 No objection.

Environmental Health

- 5.06 No objections subject to conditions.

KCC Minerals and Waste

- 5.07 No objections or comments issued.

6. APPRAISAL

Location in the countryside

- 6.01 The key issues are:
- Location in the countryside
 - Impact on character and appearance
 - Spatial strategy
 - Highways, access, and servicing
 - Biodiversity and ecology
 - Neighbour amenity
 - Standard of accommodation

Location in the countryside

- 6.02 The application site is in the countryside and the starting point for assessment of all applications in the countryside is Local Plan Policy SP17. Policy SP17 states that development proposals in the countryside will not be permitted unless:
- a) they will not result in harm to the character and appearance of the area and
 - b) they accord with other Local Plan policies
- 6.03 With all garden land excluded from the definition of brownfield land (LP para 6.28) and the proposal involving an additional dwelling, LP polices DM5 and DM32 are not relevant and offer no policy support to this planning application.
- 6.04 In relation to SP17 a) and considering the impact of development on the character and appearance of the countryside the relevant adopted local plan polices are DM1

and DM30. The impact of the development on local character and appearance is considered against policies DM1 and DM30 in the following section.

Impact on character and appearance

- 6.05 The supporting text to policy SP17 advises "The countryside has an intrinsic character and beauty that should be conserved and protected for its own sake".
- 6.06 In relation to the existing landscape character of the application site, the site is within the Kingswood Plateau landscape character area in the Maidstone Landscape Character Assessment (2013). The site is found to be in good condition with moderate sensitivity and guidelines to conserve and reinforce.
- 6.07 The recommendations for the application site land include:
- Consider the generic guidelines for Greensand Orchards and Mixed Farmlands
 - Conserve the ancient woodland and resist significant erosion for development, arable land and equestrian grazing
 - Conserve and reinforce the ecological integrity through promoting vegetation corridors within cleared areas
 - Conserve and reinforce the range of ecological habitats provided, through continued rotational coppice
 - Conserve and, if opportunities arise, extend the pond complex west of Platts Heath
 - Reinforce the sense of place through encouraging use of local styles and materials
- 6.08 Policy Local Plan policy DM1 encourages applications which respond to its location, sensitively incorporating natural features such as trees, and hedges worthy of retention. Particular attention should be paid in rural and semi-rural areas where the retention and addition of native vegetation appropriate to the local landscape character around the boundaries should be used as positive tool to help assimilate development in a manner which reflects and respects the local and natural character of the area.
- 6.09 The next page of this report shows firstly a photograph of the application site from the estate agent in 2018 prior to the sale of the land and the submission of the first application (19/503989/FULL) and secondly a photograph of the current site cleared of vegetation.
- 6.10 The submitted proposal with token replacement landscaping, wide expanse of timber boundary fencing, and a domesticated suburban frontage does not either reflect or respect the local and natural character of the area. Whilst it is accepted that there was no statutory protection in place of the trees and landscaping (site not in a conservation area and no TPO's), the site clearance is not in accordance with policy DM1.
- 6.11 Policy DM30 sets out that development (including the type, siting, materials and design, mass and scale of buildings, and activity should maintain, or where possible enhance, local distinctiveness, and any impacts on the appearance and character of the landscape should be appropriately mitigated.
- 6.12 The similarities between the proposal that was the subject of the dismissed appeal, and the current scheme can be seen in the images earlier in this report (after paragraph 2.01). The current application still seeks the replacement of the existing bungalow with two houses which are individually considerably greater in bulk and scale.

- 6.13 Whilst the current proposal is described by the applicant as “designed to reference Kentish buildings”, the ragstone included as part of the proposed building dismissed at appeal has been replaced with grey facing brick and cladding.
- 6.14 The proposal dismissed at appeal providing a single vehicle entrance from Lenham Road. With this single entrance, the open boundary treatment and landscaping across the site frontage the negative harm of the development was reduced.
- 6.15 The current proposal now provides two vehicle entrances, a solid front boundary and substantially less landscaping. As a result of these changes the negative visual impact of the development in this countryside location is significantly increased (see comparison drawings after paragraph 6.32).
- 6.16 The previous step in the footprint of the two buildings was designed to reflect the layout of neighbouring buildings and to reduce the bulk, scale and massing of the buildings, this step has also now been removed as part of the resubmitted proposal. This is a negative change that increases the bulk and negative visual impact of the two proposed large houses.

Application site viewed from Lenham Road
(October 2018 prior to sale of the site)



Application site viewed from Lenham Road current view
(trees and vegetation removed)



- 6.17 Other dwellings in this area are chalet or single storey bungalows. The proposal due to its excessive scale is out of keeping with the existing dwelling and neighbouring properties.
- 6.18 The Inspector in dismissing the recent appeal concluded “*The proposal would not integrate effectively with its surroundings which are essentially rural, with some interspersed limited low density built development. Indeed, the proposal would*

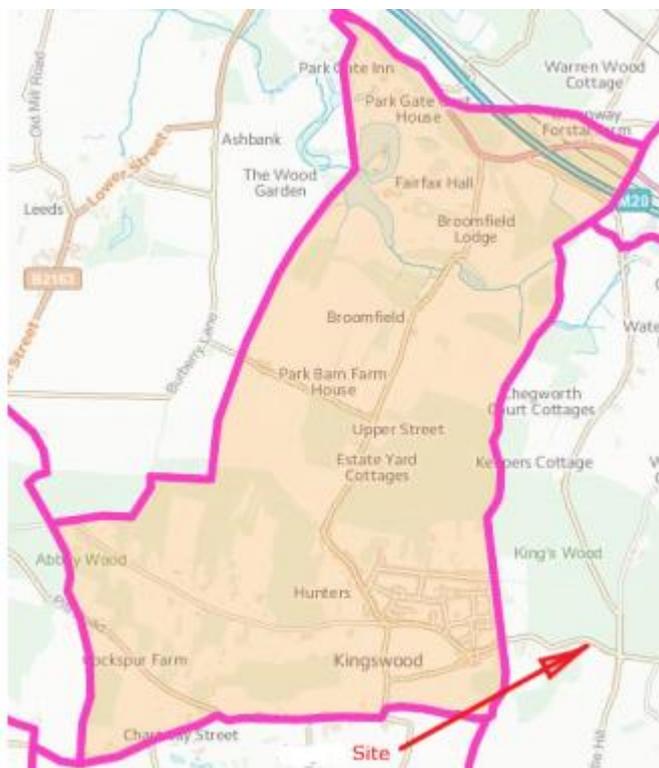
appear as a conspicuous urbanising feature that would fail to add to the quality of the area” (paragraph 14).

- 6.19 The Inspector found *“...the proposal would be harmful to the character and appearance of the area. This would be contrary to MLP policies DM1, DM30 and SP17 which establish principles of good design including, amongst other things, that development in the countryside should maintain and enhance local distinctiveness and not harm the character and appearance of the area. It would also conflict with chapter 12 of the Framework, which similarly sets out principles for development to achieve well designed places” (paragraph 15).*
- 6.20 The application site as it exists is of open character. The two proposed houses would occupy the majority of the site width and would completely remove this existing open character and appearance. Without prejudice to the assessment of a future planning application an appropriately designed single replacement dwelling may correspond better to the character and appearance of the area, and would be more likely to retain existing views.
- 6.21 The current application for the demolition of the existing single modest farm workers bungalow and the construction of two large executive detached dwellings will result in harm to the character and appearance of this rural location contrary to SP17 (a) as listed above and policies DM1 and DM30.

Spatial strategy

- 6.22 Policy SS1 provides the spatial strategy for the borough, with the Maidstone urban area the primary focus for new housing. In the hierarchy, designated rural service centres and larger villages are the secondary focus for new development.

Site relationship to Broomfield and Kingswood Parish.



- 6.23 The application site is in the countryside as defined by the adopted Local Plan. The existing bungalow is located outside Kingswood Village (not a LP designated rural service centre or larger village) and also circa 450 metres (direct line) outside and

to the east of the Broomfield and Kingswood Parish boundary. The site is circa 1223 metres (direct line – Chapman Place) to the north of Ulcombe village

- 6.24 With reference to policy SS1, Kingswood Village is not a designated rural service centre or a larger village. The appeal Inspector noted *"...the site is some distance from the village of Kingswood, which itself contains only a limited range of local services, including a primary school and a convenience store"* (Paragraph 7).
- 6.25 The Inspector goes on to advise *"...the route along Lenham Road to the village, and to bus stops, has no footways or street lighting and is subject to the national speed limit, such that it would not be a suitable or attractive route for pedestrians, particularly after dark or in poor weather, and for those with limited mobility"* (Paragraph 8).

Route towards Kingswood Village from the application site



- 6.26 The Inspector upheld the Council's reasons for refusal concluding *"...the appeal site is an unsuitable location for a residential development due to the lack of access to local facilities and services and the reliance it would place on the use of private vehicles. It would therefore conflict with the Council's strategy as set out in policy SS1 of the MLP, which seeks to direct new housing development to the most sustainable and accessible locations in the borough"* (paragraph 12).
- 6.27 The current application is contrary to the provisions of the NPPF and policy SS1 of the Maidstone Borough Local Plan Adopted October 2017 which seeks to direct housing development to sustainable locations in the borough.
- 6.28 The proposed two dwellings would be far removed from basic services and facilities, and this would result in future occupants of the site being reliant on the private motor vehicle to travel for access to day to day needs. This reliance on the private motor vehicle would be contrary to the aims of sustainable development as set out in policies SS1, DM1 and DM5 of the Maidstone Local Plan (2017) and the aims of the National Planning Policy Framework (2021).

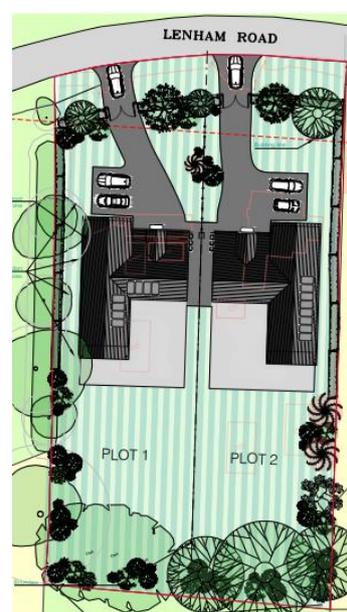
Highways, access, and servicing

- 6.29 Local Plan policy DM1 sets out that new development should "...safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access".
- 6.30 With the introduction of a second vehicle entrance on to Lenham Road as part of this resubmitted application KCC Highways have submitted a 'holding objection'. The objection relates to the lack of information on driver visibility at access and egress and on arrangements for service access for refuse vehicles.
- 6.31 The applicant has submitted additional documents to address these issues and a response is currently awaited to these documents from KCC Highways.
- 6.32 If the proposal was otherwise found acceptable, with suitable planning conditions there were no issues found in relation to car parking, cycle parking and refuse storage.

Proposal dismissed at appeal 19/503989/FULL



Current proposal



Biodiversity and ecology

- 6.33 Local Plan policy DM3 highlights the need to appraise the value of the boroughs natural environment through the provision of an ecological evaluation to take full account of the biodiversity present, including the potential for the retention and provision of native plant species.
- 6.34 The NPPF advises that "...opportunities to incorporate biodiversity in and around developments should be encouraged", and the proposal should incorporate ecological enhancements into the scheme for provide a biodiversity 'net-gain'.
- 6.35 The applicant has submitted a Preliminary Ecological Appraisal of the site. The appraisal was carried out in November 2018 following the clearance of most of the vegetation and trees from the site (before and after images provided after 6.16).
- 6.36 Whilst no protected species were identified by the appraisal and despite the earlier site clearance, due to the time that has now passed since the appraisal (appraisals are typically valid for 1-2 years), KCC Ecology have objected to the planning

application due to lack of credible evidence on protected species. In the event of a resolution to approve, a final decision would need to be deferred until this issue is resolved with potentially more surveys required.

- 6.37 The submitted tree survey notes "The survey has identified that there are no 'A' grade tree on site. However, tree T4 is a prominent Mature Oak located on the rear boundary in an area of existing hard standing". The survey states that no trees would need to be removed to facilitate the development.

Neighbour amenity

- 6.38 Policy DM1 states that development proposals must "Respect the amenities of occupiers of neighbouring properties...by ensuring that development does not result in...,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 ...".
- 6.39 With the relationship of the new houses to existing neighbouring houses, building orientation and separation distances the proposed houses are found to be acceptable in relation to neighbour amenity. The earlier application was not refused on the grounds of neighbouring amenity.

Standard of accommodation

- 6.40 Policy DM1 states development proposals must "...provide adequate residential amenities for future occupiers of the development by ensuring that development... is (not) exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion..."
- 6.41 Each of the two large houses would have a floor space of approximately 300m² with rooms well-lit, adequate privacy and a significant amount of amenity space. The dwellings would provide an adequate standard of accommodation for future occupants. The earlier application was not refused on the grounds of the standard of the accommodation.

Other matters

- 6.42 The Regulation 22 draft of the Local Plan review is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (Stage 1 hearings now concluded).
- 6.43 As part of the Local Plan review a 'smaller village' designation is set to be introduced, and this designation would include the villages of Ulcombe and Kingswood. Policy SP8 'Smaller Villages' states that "*...in the last 10 years of the plan period...*" (2028 to 2038 based on Inspector's stage 1 letter January 2023) "Smaller villages offer a limited opportunity for new development..." subject to a number of caveats.
- 6.44 The current proposal is assessed against policy SP8 as follows:
- Application site is outside both the village of Kingswood and the parish of Broomfield and Kingswood and so the site would not be included in any future neighbourhood plan.
 - Whilst in the Parish of Ulcombe the site is circa 1223 metres (direct line – Chapman Place) outside the village of Ulcombe and is not in a neighbourhood plan area.
 - Supporting text states "*Development on remote sites, or sites which do not appropriately reflect the existing envelope of smaller villages, is unlikely to be acceptable due to impact on the setting of the settlement within its countryside setting...*"(paragraph 6.123).

- 6.45 The submitted planning statement highlights an appeal decision letter on an unrelated site dated July 2022, where the Inspector refers to evidence produced by the appellant on the Council's 5 year housing land supply.
- 6.46 With this appeal considered by written representations with no examination of the evidence at a public inquiry, the appeal Inspector was unable to make a judgement on the evidence that was "...based on a number of assumptions...".
- 6.47 The Council's housing land supply is set out on the Council's website and is 5.14 years. The evidence behind the calculation of this figure has been accepted in the Inspector's Post Stage 1 hearings letter to the Council dated January 2023.

PUBLIC SECTOR EQUALITY DUTY

- 6.48 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 application seeks 2 new build dwellings in a residential garden and in policy terms this does not benefit from policies relating to replacement dwellings. Policy DM5 (Brownfield) specifically excludes residential gardens in the countryside from the brownfield designation. There is no exception policy allowing residential development in this location and as such the development would cause harm to the character and appearance of the countryside.
- 7.02 The proposed two dwellings would be far removed from basic services and facilities, and this would result in future occupants of the site being reliant on the private motor vehicle to travel for access to day to day needs. This reliance on the private motor vehicle would be contrary to the aims of sustainable development as set out in policies SS1, DM1 and DM5 of the Maidstone Local Plan (2017) and the aims of the National Planning Policy Framework (2021).

The mass and volume of the additional dwellings (which would be considerably greater than the original dwelling) are out scale and character with adjoining development while resulting in a substantial increase in built mass. As such the proposal represents poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions while failing to maintain or enhance local distinctiveness along with an increase in built mass harmful to the rural character and setting of the locality.

8. RECOMMENDATION

REFUSE planning permission for the following reasons:

- 1) The proposal involving the demolition of a modest bungalow and construction of two detached two storey houses of a suburban character along with the creation of two vehicle access points and associated domestic paraphernalia would erode the largely undeveloped nature of the site with a substantial increase in the bulk and massing of development on the site that would be harmful to and fail to maintain or enhance local character and appearance of this rural location. The development would be contrary to policies SS1, SP17, DM1 and DM30 of Maidstone Local Plan (2017); the Landscape Character Assessment (2012 amended July 2013) and the Maidstone Landscape Capacity Study: Sensitivity Assessment (Jan 2015); and the National Planning Policy Framework (2021).

- 2) The proposed two dwellings would be far removed from basic services and facilities, and this would result in future occupants of the site being reliant on the private motor vehicle to travel for access to day to day needs. This reliance on the private motor vehicle would be contrary to the aims of sustainable development as set out in policy SS1 of the Maidstone Local Plan (2017) and the aims of the National Planning Policy Framework (2021).

Informative

- (1) The applicant is advised that as of 1st October 2018, the Maidstone Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website [Community Infrastructure Levy - Maidstone Borough Council](#)