

APPLICATION: MA/12/0828 Date: 30 April 2012 Received: 4 May 2012

APPLICANT: The Cutbush & Corrall Charity

LOCATION: HARRIETSHAM ALMSHOUSES, EAST STREET, HARRIETSHAM,
MAIDSTONE, KENT, ME17 1HJ

PARISH: Harrietsham

PROPOSAL: Erection of ten 1-bedroom almshouses and a day room and provision of enlarged car parking area including the demolition of existing garage/store building as shown on drawing nos. 19836C/06/A, 19836C/10/D, 19836C/12/A, 19836C/13/A, 19836C/14/A, 19836C/15/A, 19836C/16/A, 19836C/17/A, 19836C/18/A, 19836C/20, 2296/D04 (landscape strategy plan), 11/00/226/1 (topographical survey), Design and access statement, Planning statement and Parking impact statement received 04/05/2012.

AGENDA DATE: 26th July 2012

CASE OFFICER: Steve Clarke

The recommendation for this application is being reported to Committee for decision because:

- Councillor Barned has requested it be reported for the reason set out in the report

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, T13, CF1
- South East Plan 2009: SP2, CC1, CC4, CC6, H3, H4, T4, S6, AOSR6, AOSR7
- Government Policy: NPPF 2012

2. HISTORY

2.1 The site has an extensive history of previous listed building consent applications for refurbishment and alterations that have occurred over the years undertaken by both the former owners (Fishmongers Livery Company) and the current owners and applicants The Cutbush and Corrall Charity.

2.2 Relevant planning history is as follows

MA/99/1237: Provision of new car park in place of vehicle hardstanding (Resubmission of MA/98/0996N): APPROVED 27/10/1999

MA/98/0996: Provision of a new 7 space car parking facility in place of vehicle hardstanding adjacent to existing garage and drive, including changes to the existing boundary wall: REFUSED 28/08/1998

3. CONSULTATIONS

3.1 **Harrietsham Parish Council:** wish to see the above planning application refused for the reasons listed below:

- The application would be setting a precedence for construction in a Conservation Area
- The application would result in over development of the site
- The Almshouses would have insufficient parking leading to further traffic problems on East Street
- The documentation supplied by the applicant, does not demonstrate a clear need for additional Almshouses for Harrietsham residents.

The Parish Council would also request that the application is reported to the Planning Committee.

3.2 **English Heritage:** Raise objections

Summary: This application for ten new almshouses to the rear of the grade II-listed Quedsted Almshouses in Harrietsham Conservation Area does not include a description of the significance of the various heritage assets affected by it, as is required by paragraph 128 of the NPPF. We also question whether this application would fulfil the objective of paragraph 132 of sustaining and, where appropriate, enhancing the significance of the listed almshouses and the conservation area.

English Heritage Advice: The grade-II listed Quedsted Almshouses in Harrietsham were founded in 1642 by Mark Quedsted, a member of the Company of Fishmongers of London, and rebuilt in 1770 at the expense of the same company. The resulting Neo-Classical design consists of a row of twelve single-storey houses laid out in a formal composition united by a central pediment and with projecting end and central bays.

To the rear of the main range are the almshouse gardens, dotted with mature trees and surrounded by a garden wall listed in its own right at grade II. This application proposes ten new almshouses within these gardens, which are also located within the Harrietsham Conservation Area.

The first mid-nineteenth-century OS map shows the almshouse gardens laid out in a formal pattern delineated with paths and rows of trees and surrounded by a perimeter wall. Although this formality is now largely lost, the perimeter walls survive and the gardens remain of historical value for illustrating the means by which residents were

expected to be self-sufficient. The tranquillity of this garden setting also contributes to the aesthetic value of the almshouses and characterises this part of the conservation area.

Paragraph 128 of the NPPF requires that applicants describe the significance of any heritage assets affected by their proposals, including any contribution made by their settings. Great weight is then required to be given to the conservation of those assets (paragraph 134; conservation is defined in Annex 2). The brief analysis of views into the site contained in section 3.1 of the Design and Access Statement does not constitute a description of the significance of the listed buildings or the conservation area, nor does it explain how that significance might be affected by the proposed development. We therefore consider that you do not have sufficient information to accept this application in its current form.

Our own assessment of the significance of the site, summarised above, leads us to question whether this proposed development would preserve the significance of the listed almshouses or the conservation area. The three proposed blocks would cover much of the gardens and are therefore likely to dilute an understanding of their historic relationship with the almshouses and the aesthetic value that they contribute to the significance of the listed buildings and to the conservation area. We accept that there may be some public benefits to the proposed enhancement of an existing community facility, but we suggest that any such benefits should be weighed in the balance against the objective of conserving the affected heritage assets in a manner appropriate to their significance, one of the NPPF's twelve core definitions of sustainable development (paragraph 17).

Recommendation: We recommend that planning permission should not be granted for this application in its current form. We would be happy to give additional advice on any alternative proposals for this site.'

3.3 **KCC Heritage Conservation:** Comment as follows

'The site of the application includes the existing Almshouses apparently founded in 1642 by Mark Qusted Esq. They were rebuilt in 1770 and there have been several alterations on site to buildings and the surrounding gardens. The historic almshouses are Listed Buildings (Grade II). The almshouses are set within the historic grounds with the majority of the original garden wall seemingly still in tact. Almshouses were built to provide the poorest and neediest with alms: basic shelter, food and security. Almshouses represent a valuable link between medieval and modern approaches to welfare provision and were often individual units around shared facilities such as gardens for produce and cultivation. Although there are few visible signs of the original gardens surviving on this site, the basic enclosure wall and relationship with the almshouses is still appreciable.

As the almshouses are listed, advice should be sought from the Conservation Officer on this application.

This development could have a significant impact on the historic almshouses, especially in terms of their setting and historic relationship to the enclosure boundary and garden/cultivation area. The proposed development would remove the historic "shared

facilities" of the historic almshouses. There could also be an impact on remains of the historic landscape grounds, including the walls and any historic garden fixtures and fittings. For a development of this nature I would expect the application to be supported by a robust and thorough Heritage Statement and Historic Environment Assessment. There are brief comments on the historic buildings within the Planning Statement and in the Design, Access and Planning Statement but I could not find any specialist historic environment assessment.

It would be preferable for the applicant to provide a detailed description of "*the significance of any heritage assets affected, including any contribution made by their setting.*" (NPPF paragraph 128). The proposals could be considered to have a detrimental impact on the historic gardens/"shared facilities" of the almshouses and will alter the relationship of the historic almshouses to the historic garden walls. Although there seems to be little visible evidence of the historic gardens themselves and the original layout, remains of these gardens may survive below ground.

It would be preferable for this application to be supported by a specialist historic environment assessment of the almshouses and their gardens/"shared facilities" with a clear Statement of Significance and assessment of the impact of the proposals on the heritage assets here. However, if the council are minded to determine this application at this stage I recommend the following condition is placed on any forthcoming consent:

AR1 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.'

3.4 **Kent Highway Services:**

'Visibility from the existing car park access is restricted, however vehicle speeds and traffic flows are low, therefore this is acceptable for this location.

The existing car park has space for up to 7 vehicles to park and serves the existing 12, 1 bedroom almshouses. 6 additional parking spaces, including 1 disabled space are proposed to serve the additional 10, 1 bedroom dwellings. The parking provision is low and below the recommended guidance given in the Kent Design Guide Interim Guidance Note 3 which recommends 1.5 spaces per 1 bedroom house or 1 space per 1 bedroom flat in village areas with additional parking provided for visitors - 0.2 per unit. However the houses are to be rented by the elderly and a lower parking provision than the recommended minimum would be acceptable in this instance on condition that a Travel Plan is approved. This would include commitments made by the applicant to seek to rent no more than 50% of the dwellings to car owners and to promote and encourage the use of mini buses for outings by the residents.

Construction traffic is to be routed to and from the site from the A20 and onto a new temporary haul route via Church Road. Please could tracking diagrams be provided to

illustrate that all vehicles requiring access are able to arrive and leave safely and turn round.'

A number of conditions and informatives relating to parking, ensuring surface water does not drain onto the highway, that parking and access are surfaced prior to first occupation, providing space on site for parking and storage during construction and wheel washing facilities during construction.

- 3.5 **KCC (Mouchel):** Seek the following contributions:
Library £1163.12: For Maidstone library and mobile library services
Community learning: £427.70: For Maidstone adult learning and outreach adult learning
Adult Social Services: £3712.13: For use in Training resource for people with a disability, integrated dementia care, Rural Area Local Hub activities, Changing Places facilities and Telecare.

- 3.6 **MBC Conservation Officer:** Objects to the application on the following grounds:

The land on which these almshouses would be built currently forms an attractive garden area with trees which is an essential component of the setting of the listed almshouses and also makes a positive contribution to the character of the conservation area. Development on the scale proposed, whilst retaining a central open courtyard, would have a severe adverse impact on the setting of the listed almshouses and the character of the conservation area. The listed almshouses would also be reduced to an incidental element within a much larger scheme, which would also adversely affect their significance.

- 3.7 **MBC Environmental Health:** Raise no objections:
'There will be inevitable disruption caused by the construction of the new almshouses on this site and the usual high background noise in Harrietsham is still an issue here. Therefore a noise assessment will be required to establish the background noise levels and by how much traffic, whether from the M20 or A20, or rail influences what is heard on this site. The suggested condition is as follows

'No development shall take place until:

An acoustic survey, to identify the noise environment of the site, has been carried out.

Where habitable rooms will be exposed to unacceptable noise levels (in accordance with BS 8233), mitigation should include a scheme of acoustic protection sufficient to ensure internal noise levels (L_{AeqT}) no greater than 30 dB in bedrooms and living rooms with windows closed. Where the internal noise levels ($L_{Aeq, T}$) will exceed 35 dB in bedrooms (night-time) and 45dB in living rooms (daytime) with windows open, the scheme of acoustic protection should incorporate appropriate acoustically screened mechanical ventilation.

Within gardens and amenity areas, the daytime 07.00-23.00 hours level of noise should not exceed 55dB (LAeq) free field. This excludes front gardens'

Informatives relating to the hours of operation and conduct on site during construction are also recommended.

4. REPRESENTATIONS

4.1 **Cllr Barned** has requested the application is reported to Committee if the recommendation is for refusal for the following reasons:

'Notwithstanding the objections from English Heritage, the Conservation Officer and Harrietsham Parish Council I would argue that the needs of the elderly residents of Harrietsham and the surrounding area for this affordable housing outweigh the needs of the environment in this case.'

4.2 **Cllr Sams** has requested the application is reported to Committee if the recommendation is for approval for the following reasons:

'The application is in a conservation area, with listed buildings, and I would like the full planning committee to give these matters consideration when looking at the overall likely impact to the character of this area.'

4.3 **Nineteen** letters of objection have been received. Objections are raised on the following (summarised) grounds:

- Loss of light to houses in Rectory Lane
- Loss of privacy to houses in Rectory Lane the existing almshouses and properties in East Street that adjoin the site
- Loss of a well kept garden and flower beds it is not a vacant field as described in the application
- Loss of trees and landscaping that contribute to the character of the area
- Inadequate car parking and narrowness of Rectory Lane. There are problems already and this additional development will make the situation worse. Emergency services will find it more difficult to access the site and area
- Rectory Lane does flood in times of high rainfall
- The development will be harmful to the character and setting of the Conservation Area and listed buildings
- Loss of existing outdoor drying facilities
- Concern that an existing potting shed will be damaged/lost as a result of the development
- The ashes of a previous resident have been scattered in the rose garden at the centre of the site
- Hook Lane should be considered as a site for accommodation of this type

5. CONSIDERATIONS

5.1 Site Description

- 5.1.1 The application site is located on the north side of East Street Harrietsham to the west of its junction with Rectory Lane. It is located within the Harrietsham East Street Conservation Area. This contains a number of listed buildings. The site and the surrounding development lie in countryside outside the defined village envelope of Harrietsham.
- 5.1.2 East Street Harrietsham is located on the south side of the A20 Ashford Road. All of the community facilities within the village, with the exception of the Church of the Good Shepherd which is located in Rectory Lane adjacent to the site, as well as Harrietsham Railway-station, are located to the north of the A20.
- 5.1.3 The application site is currently occupied by a terrace of 12 Grade II listed almshouses that are managed by the Maidstone based Cutbush and Corral Charity who have taken over management from the Fishmongers Livery Company in recent years. The existing almshouses front East Street and there is a large open area used as a garden/amenity area by residents located to the rear (north). A car park (7 spaces) and garage accessed from Rectory Lane is also located in this area. The entire site is bounded by a wall. The site amounts to approximately 0.5ha in area.
- 5.1.4 Levels within the site fall from the north-west corner to the south-west corner at the rear of the almshouses by approximately 3.4m and from the north-east to south-east corner by approximately 1.64m. The land also falls from west to east towards Rectory Lane by between 1.84m and 0.58m.
- 5.1.5 There are existing dwellings and a church located opposite the site on the eastern side of Rectory Lane. The dwellings are a combination of two-storey and single-storey units. The church is a single-storey structure. The dwellings are located between 15m and 28m from the proposed development. There are also two dwellings located immediately to the west of the existing almshouses that directly front onto East Street (Chumleigh and Anglesey).

5.2 Proposal

- 5.2.1 Full planning permission is sought for the erection of ten one-bedroom single-storey almshouses and a day room. It is intended that the development would be occupied on a similar basis to the existing almshouses by elderly persons who meet the occupation criteria of the charity with priority to applicants from Harrietsham. Rent would be set at no more than 80% of market value or less.

- 5.2.2 The development would be erected on the open area to the rear of the existing almshouses. The new development would be arranged in the form of a horseshoe with three units on the east and west sides and four units and the dayroom on the northern side. The new development would form three sides of a new central quadrangle with the existing almshouses forming the fourth side. The buildings would be approximately 6m to the ridge and 2.6m to eaves. They would be faced externally with red brickwork (laid in Flemish bond) and roofed with clay tiles with purpose-made timber windows. Each residential unit would be approximately 50sqm in area and the day room some 39sqm in area. The eastern and western arms of the development would be a maximum of 9m deep and a width of approximately 26.3m. The northern arm would be a maximum of 9m in depth and approximately 41.3m in width.
- 5.2.3 The existing car park off Rectory Lane is also to be enlarged and would provide a total of 14 car parking spaces (including 1 disabled parking bay). The existing garage/store would be demolished.
- 5.2.4 The development would result in the loss of 9 existing trees. However, a landscape strategy plan has been submitted as part of the application that indicates the planting of 12 new trees (Hawthorn, Crab apple and Cherry) and the retention of the existing vegetable plots at the rear of the almshouses. The centre of the quadrangle would be laid to lawn. Ornamental planting is indicated to the front of the new units including honeysuckle and ivy climbers as well as Iris and Geranium, Buddleia, Hebe, Lavender and Rosemary.
- 5.2.5 The scheme has been designed with the aim of achieving Code for Sustainable Homes Level 4.
- 5.2.6 Construction would be achieved via the use of a temporary haulage road constructed across land to the north of the site from Church Lane to the west and then onto the A20 Ashford Road, thus eliminating the need to use Rectory Lane or East Street. Two sections of the existing north boundary wall would be removed to allow access to the construction area and would then be re-built.
- 5.2.7 It is indicated on behalf of the applicants Cutbush and Corral that the existing almshouses had, at the time of the application, a waiting list of three and that the almshouses in Lenham have a waiting list of more than ten persons.

5.3 Principle of Development

- 5.3.1 As indicated above, the site does not lie within the defined settlement boundary of Harrietsham which is proposed to be designated as a Rural Service Centre. It is acknowledged that the site is within an existing cluster of development. Nevertheless, the site is subject to Development Plan policies that reflect its

countryside location and the general presumption against new residential development in such locations.

5.3.2 The NPPF sets out a presumption in favour of sustainable development. Paragraph 14 specifically sets out the criteria against which decisions should be made.

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.'

There are no specific Development Plan policies relating to this form of development. However, as discussed below, there are a number of policies as well as guidance in the NPPF relating to the impact of development on Heritage Assets.

5.3.3 Paragraph 55 of the NPPF is also an important consideration and advises local planning authorities to site development in rural areas where it will enhance or maintain the vitality of rural communities.

5.3.4 The applicants seek to contend that the development should be approved as a rural exceptions site development. They also refer to para 6.11 of the draft Core Strategy which refers to 'local aspiration for replacement almshouses to support the local elderly population.'

5.3.5 However, no detailed need justification has been submitted with the application. There is no indication that the development would meet an established and justified local need. The draft Core Strategy merely refers to an un-quantified and undefined local aspiration. Only basic information has been given as to current waiting lists (3 for the existing Harrietsham almshouses, in excess of 10 for the Douglas Almshouses in Lenham). I also understand from the Council's Housing section that whilst they are supportive of such provision generally, there have only been very initial discussions regarding the possibility of opening-up the almshouses waiting list to suitable persons on the Council's housing register.

5.3.6 Whilst the continuing national trend towards an ageing population as evidenced by 2011 Census figures published on 16th July 2012 is also acknowledged, I do not consider that the level of justification for development is such as to outweigh development plan policies that point against developing the site.

5.3.7 In addition, I also consider the site to be somewhat divorced from the main community facilities in Harrietsham, which are all located north of the A20

Ashford Road. The Post Office, approximately 550m north-west of the site, the village store (c.400m) and the Roebuck Inn (c.450m) are located in West Street, whilst the village hall and doctors' surgery are located in Church Road approximately 600m north of the site. The railway station is approximately 900m north-west of the site accessed via West Street. There is only one signalised pedestrian crossing over Ashford Road at the end of West Street (outside no 88).

5.3.8 Given these factors I do not consider the principle of development in this instance to be acceptable.

5.4 Impact on Conservation Area and Listed Buildings

5.4.1 This is a key consideration in respect of this application. Members will have noted the objections of both English Heritage and the Conservation Officer set out earlier in the report.

5.4.2 The site currently forms an important role as an open area to the rear of the existing almshouses. It not only adds to the character of the Conservation Area but also provides an important element of the overall setting of the listed almshouses. It has performed this role since they almshouses were developed.

5.4.3 English Heritage have specifically commented on this role and the fact that the applicants have failed to provide

'The first mid-nineteenth-century OS map shows the almshouse gardens laid out in a formal pattern delineated with paths and rows of trees and surrounded by a perimeter wall. Although this formality is now largely lost, the perimeter walls survive and the gardens remain of historical value for illustrating the means by which residents were expected to be self-sufficient. The tranquillity of this garden setting also contributes to the aesthetic value of the almshouses and characterises this part of the conservation area

Paragraph 128 of the NPPF requires that applicants describe the significance of any heritage assets affected by their proposals, including any contribution made by their settings. Great weight is then required to be given to the conservation of those assets (paragraph 134; conservation is defined in Annex 2). The brief analysis of views into the site contained in section 3.1 of the Design and Access Statement does not constitute a description of the significance of the listed buildings or the conservation area, nor does it explain how that significance might be affected by the proposed development. We therefore consider that you do not have sufficient information to accept this application in its current form.'

5.4.4 They go on to state:

'Our own assessment of the significance of the site, summarised above, leads us to question whether this proposed development would preserve the significance of the

listed almshouses or the conservation area. The three proposed blocks would cover much of the gardens and are therefore likely to dilute an understanding of their historic relationship with the almshouses and the aesthetic value that they contribute to the significance of the listed buildings and to the conservation area. We accept that there may be some public benefits to the proposed enhancement of an existing community facility, but we suggest that any such benefits should be weighed in the balance against the objective of conserving the affected heritage assets in a manner appropriate to their significance, one of the NPPF's twelve core definitions of sustainable development (paragraph 17).'

5.4.5 The Conservation Officer shares these views and has stated

'The land on which these almshouses would be built currently forms an attractive garden area with trees which is an essential component of the setting of the listed almshouses and also makes a positive contribution to the character of the conservation area. Development on the scale proposed, whilst retaining a central open courtyard, would have a severe adverse impact on the setting of the listed almshouses and the character of the conservation area. The listed almshouses would also be reduced to an incidental element within a much larger scheme, which would also adversely affect their significance.'

5.4.6 I concur with these views and do consider that the scale of the development proposed would be harmful to both the setting of the listed almshouses and the character of the Conservation Area. I consider that in the absence of any overriding need for the development that objection should be raised to the development in terms of its adverse impact on these designated heritage assets.

5.5 Impact on Residential Amenity

5.5.1 The proposed development is likely to have most potential impact on the occupiers of properties located on the east side of Rectory Lane. The new development is at an angle to Rectory Lane and between 15m and 18m from 4 Rectory Lane, some 27m from the Church and 28m from 6 Rectory Lane with the proposed car park intervening. Given these distances and the fact that the premises are single-storey, with existing gardens and the boundary wall and the road itself in between, I do not consider that the development would result in an unacceptable loss of privacy to the occupiers of properties on the east side of Rectory Lane.

5.5.2 Whilst I acknowledge the outlook for the properties in Rectory Lane will change as a result of development on what is currently an open area, I do not consider that the development will result in any unacceptable loss of light to the occupiers of the existing properties given the separation distances involved.

5.5.3 I do not consider that the occupiers of Chumleigh and Anglesey in East Street will suffer any unacceptable loss of light or privacy as a result of the development due to their location fronting East Street and the separation distance (18m+) and angles involved.

5.5.4 No objections are raised to the development in terms of its potential impact on residential amenity.

5.6 Highways

5.6.1 Kent Highway Services have raised no objections to the traffic likely to be generated by the development.

5.6.2 They have also raised no objections on the proposed parking provision. This is subject to the adoption of the Travel Plan proposed by the applicant's that would secure amongst other targets and measures, a commitment by the Charity to ensure that no more than 50% of the occupants would be car owners and for the provision of mini-buses to enable residents to make trips and journeys.

5.6.3 Kent Highways have requested details of vehicle tracking for the proposed temporary haul road at its junction with Church Lane. These have not yet been requested due to the objection in principle to the development as a whole. However, I have no reason to believe that a suitable access onto Church Lane with sufficient turning space could not be provided.

5.6.4 No objections are raised to the development on highway related grounds.

5.7 Other Matters

5.7.1 The landscape strategy plan submitted with the application is considered to be acceptable and provide a mixture of formal and informal planting and securing the retention of the existing vegetable plots used by the residents on the site. There are no significant ecological implications for the proposed development.

5.7.2 The representations regarding localised flooding are noted. The site is not located within a designated flood risk area. Appropriate conditions regarding surface water and foul drainage for the site could be imposed in the event that permission was to be granted.

5.7.3 The applicants have advised that the development has been designed to achieve Code Level 4 of the Code for Sustainable Homes. This would secure an acceptable level of sustainable design.

6. CONCLUSION

- 6.1 Whilst the provision of specifically designed elderly persons' accommodation would meet a general need for such accommodation, there has been no specific need put forward sufficient in this case to outweigh the harm that would be caused to the designated heritage assets, the existing listed buildings and the conservation area. The development is also in my view poorly located in relation to the facilities of Harrietsham village and being outside the defined settlement area in the absence of an overriding need represents an unjustified addition to existing sporadic development in the area. The following recommendation is therefore appropriate.

7. RECOMMENDATION

REFUSE PLANNING PERMISSION for the following reasons:

1. In the absence of a demonstrated clear and compelling need for the development, the proposal would represent an unjustified extension to existing sporadic residential development in the countryside outside a defined settlement on a site poorly related to existing community facilities causing harm to the character and visual amenities of the area. To permit the development would therefore be contrary to policy ENV28 of the Maidstone Borough-wide Local Plan 2000, policies CC1 and CC6 of the South East Plan 2009 and the advice in the National Planning Policy Framework 2012.
2. The proposed development would, by reason of the substantial erosion and loss of the open area to the rear of the existing almshouses adversely affect the openness and character of this part of the Harrietsham East Street Conservation Area and the setting of the Grade II listed almshouses. To permit the development would therefore result in unacceptable harm to the setting and character of designated heritage assets and thus be contrary to policy BE6 of the South East Plan 2009 and the advice in the National Planning Policy Framework 2012.