

- a) **DOV/20/00254 – Change of use of timber barn and cart shed and erection of a single storey extension to facilitate conversion into single dwelling (existing barn and lean-to to timber barn to be demolished) - Barn at Potts Farm, Richborough Road, Ash**

Reason for report: Councillor call-in

- b) **Summary of Recommendation**

Planning permission be refused.

- c) **Planning Policies and Guidance**

Core Strategy Policies

- DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM4 - Beyond the confines or rural service centres, local centres and villages, permission will be given for the re-use or conversion of structurally sound, permanent buildings where it is for commercial uses and for private residential use in buildings that are adjacent to the confines.
- DM11 – Development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies.
- DM13 – Provision for parking should be a design led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives. Provision for non-residential development, and for residential cycle provision, should be informed by Kent County Council Guidance SPG4, or any successor. Provision for residential development should be informed by the guidance in the Table for Residential Parking.
- DM15 - Development which would result in the loss of, or adversely affect the character and appearance of the countryside will not normally be permitted.
- DM16 - Generally seeks to resist development which would harm the character of the landscape, unless it is in accordance with a Development Plan designation and incorporates mitigation measures, or can be sited to avoid or reduce the harm and/or incorporates design measures to mitigate the impacts to an acceptable level.

National Planning Policy Framework 2019 (NPPF)

- Paragraph 2 states that “planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”.
- Paragraph 8 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These three overarching objectives are interdependent and need to be pursued in a mutually supportive way.

- Paragraph 11 states that where development accords with an up-to-date development plan it should be approved without delay; or where there are no relevant policies or the most important policies for the determination of the application are out of date, then also granting consent. Where there is a clear reason for refusing the proposed development due to conflict with an area/asset of particular importance (as identified in the framework); and/or where any adverse impacts of granting permission significantly and demonstrably outweigh the benefits, when taking the Framework as a whole, then planning permission should be refused.
- Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- Paragraph 47 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing'.
- Chapter five of the NPPF seeks to significantly boost the supply of housing, requiring Local Planning Authorities to identify specific deliverable sites sufficient to provide five years' worth of housing.
- Chapter nine of the NPPF seeks to promote sustainable transport.
- Chapter twelve seeks to achieve well-designed places, with the creation of high quality buildings and places being fundamental to what planning and development process should achieve.
- Chapter fifteen requires that the planning system contributes to and enhances the natural and local environment, by recognising the intrinsic character and beauty of the countryside, protecting valued landscapes, geological conservation interests and soils, recognising the value of ecosystems, minimising impacts on, and where possible enhancing, biodiversity, preventing pollution and remediating contamination.
- Chapter sixteen of the NPPF seeks to conserve and enhance the historic environment.
- Paragraph 177 states 'The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.'

National Design Guide

Kent Design Guide

d) **Relevant Planning History**

There is no relevant planning history for the site.

e) **Consultee and Third-Party Responses**

Ash Parish Council – no objection raised. The following comments have been made:

“The parish council noted that while local knowledge indicates that this road is not used as a cut through and the traffic is very local, the access does not have clear visibility onto the Richborough Road going towards Cop Street, leading into Ash. It may be helpful to consider the use of a mirror to give a clear line of sight.”

KCC PROW – no objection. Informatives recommended to be attached.

DDC Environmental Health – no observations.

DDC Waste Officer – views not received.

DDC Ecologist – I have reviewed the bat survey carried out by Mountfield Ecology and it is a very thorough report. I support all of its recommendations, which should form a condition of planning consent. The details of the mitigation strategy will of course be captured within the terms of a European Protected species mitigation licence, issued by Natural England and will depend upon the final design of the new buildings, which was unknown to the consultant at the time of writing the report. In summary mitigation/compensation measures for bats include:

- Three bat boxes of a suitable style for the bat species concerned (i.e. 1 x timber Kent-style bat box and 2 x Schwegler 2FN, or equivalent) must be installed either within the site area or within close proximity □ Bat exclusion measures will be required at building 6 with timber joints having one-way exclusion devices fitted by the ecologist.
- The commencement of works including any demolition of the various site buildings must avoid the winter bat hibernation period between mid-November and mid-March and the peak summer maternity period between mid-May and August (inclusive) and will be overseen by an ecological consultant.
- Works at buildings 4 and 6 (including any dismantling and/or demolition) must only commence between September and mid-November in order to ensure adequate time to construct the compensatory brown long-eared roost associated with building 6
- Compensation for the loss of brown long-eared roosts must include a designated roof void for the bats to utilise in the long-term. This should ideally be a minimum of 5m in length and width and 2.8m in height. It should be completed by mid-May at the latest, following commencement of works at buildings 4 and 6, to ensure the satellite roost is not left without a suitable roost space.
- The roof/walls of the designated void must be lined with traditional bitumen 1F felt only and the internal area of the void must be uncluttered with a basic rafter construction and timber ridge board.
- Crevice roosting boards must be incorporated into the roof void, positioned upon the underside of the rafters, to provide opportunities for bats to use crevices
- Dark flight paths and hedge lines will be required at the site in order to provide sheltered flight lines for bats to navigate to/from the compensatory roost features.

- Bat boxes must be retained for a minimum of 5 years post-development and the bat void must be retained and maintained for bat usage for a minimum period of 10 years post- development.
- A bat friendly lighting scheme following the published guidance of the BCT
- Post-development bat monitoring is required for two years. This should not take place in the first year following completion of the project and it may be appropriate to stagger the monitoring over alternate years.

Birds

- Evidence of nesting birds was found within the buildings. As such demolition works should avoid the nesting season between March and August or if this is not possible, then a check for nesting birds by a consultant ecologist, should be made within 48 hours of work commencing.

Enhancements

- Appropriate planting of native species to encourage insects. Hedge lines should be incorporated at the site wherever feasible in order to provide sheltered flight paths for bats. Night-scented flowering plants are especially beneficial to insects and in turn provide foraging opportunities for bats. A list of suitable species is included in Appendix 3 of the report.
- Bird boxes. The type of features and positioning are dependent upon the final design proposals, external finishes and site layout.

Kent Wildlife Trust – views not received.

Natural England – views not received.

f) 1 **The Site and the Proposal**

- 1.1 The application relates to a farmstead 'Potts Farm' which lies outside of any defined settlement confines and for the purposes of planning, it is considered to be within the countryside. Potts Farm is located north of Richborough Road, Ash and comprises a group of farm buildings consisting of a timber clad barn with a single storey lean to extension and a large modern Atcost style metal clad barn. The site is set down slightly lower than Richborough Road. At the time of site visit, it was noted that the timber barn, lean-to extension and single storey cow shed (as described within the planning statement) were in a state of disrepair whilst the Atcost barn is a typical precast concrete portal framed building. The site has an existing access off Richborough Road. The site lies at a distance of approximately 2.1 miles from the Local Centre of Ash (as defined in Local Plan Policy CP1).
- 1.2 Having reviewed the planning statement, it is understood that the site has been owned by the Connell family since 1945. The maps within the statement make it apparent that there was a building in a similar location as the existing timber barn since 1840s however, it also acknowledges that it may not be the same building. The planning statement concludes that whilst the timber barn is not considered to be a heritage asset, it does consider the building to be of local interest and that it is no longer required for agricultural purposes.
- 1.3 The application seeks permission for the change of use and conversion of timber barn and cart shed and erection of a single storey extension to facilitate conversion into single dwelling. The existing single storey lean-to extension to the timber barn and the

Atcost barn is proposed to be demolished.

2 **Main Issues**

2.1 The main issues are:

- The principle of the development
- Convertibility of the buildings
- Non-designated heritage asset
- The impact on the character and appearance of the area
- The impact on residential amenity
- The impact on the highway network
- The impact on ecology
- The impact on trees
- Drainage and flooding

Assessment

Principle of Development

- 2.2 The starting point for decision making, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990, is the adopted development plan. Decisions should be taken in accordance with the policies in such plans, unless material considerations indicate otherwise.
- 2.3 However, notwithstanding the primacy of the development plan, paragraph 11 of the NPPF 2019 states that where the policies which are most important for determining the application are out of date (including where the LPA cannot demonstrate a five year housing land supply or where the LPA has 'failed' the Housing Delivery Test), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (known as the 'tilted balance') or where specific policies in the NPPF indicate that development should be restricted.
- 2.4 Having regard for the most recent Annual Monitoring Report 2018/19, the Council are currently able to demonstrate a five-year supply and the Council have not 'failed' the Housing Delivery Test (achieving 92%). It is considered that the policies which are most important for determining the application are DM1, DM11, DM15 and DM16.
- 2.5 In respect of Policy DM1, the settlement confines referred to within the policy were devised with the purpose of delivering 505 dwellings per annum in conjunction with other policies for the supply of housing in the Council's 2010 Adopted Core Strategy. In accordance with the Government's standardised methodology for calculating the need for housing, the council must now deliver 629 dwellings per annum. As a matter of judgement, it is considered that policy DM1 is in tension with the NPPF, as it is out-of-date and, as a result, limited weight should be afforded to this policy.
- 2.6 Policy DM4 states that beyond the confines or rural service centres, local centres and villages, permission will be given for the re-use or conversion of structurally sound, permanent buildings where it is for commercial uses and for private residential use in buildings that are adjacent to the confines. The policy is considered to be broadly consistent with the aims and objectives of the NPPF which includes reuse of redundant buildings, albeit DM4 is more restrictive regarding residential conversions. It is therefore

not considered to be out-of-date and should continue to attract significant, albeit reduced, weight.

- 2.7 Policy DM11 seeks to locate travel generating development within settlement confines and restrict development that would generate high levels of travel outside confines. The site is in a highly unsustainable location, located away from settlements (such that it would be unlikely to provide significant support for rural facilities and services) and would be wholly dependent upon the private car. Whilst there is some tension, this policy broadly accords with the NPPF's aim to actively manage patterns of growth to support the promotion of sustainable transport and is therefore not considered to be out-of-date and should continue to attract significant weight.
- 2.8 Policies DM15 and DM16 generally seek to resist development that would result in the loss of, or adversely affect the character or appearance, of the countryside or would cause harm to the character of the landscape. However, these policies are broadly consistent with the aims of the NPPF including the need to: recognise the intrinsic character and beauty of the countryside. Whilst the blanket approach of refusing development which results in the loss of the countryside within DM15 is at odds with the NPPF, the policies are otherwise consistent with the NPPF, are not considered to be out-of-date and continue to attract significant weight in the assessment of this application.
- 2.9 Whilst it is considered that policy DM4, DM11, DM15 and DM16 are not out-of-date, it is concluded that Policy DM1 is out of date. Whilst DM1 is important in the determination of the current application, it is considered that, on balance, given that the development is in an unsustainable location and having regard for the degree of consistency of policies DM4, DM11, DM15 and DM16, the 'basket' of policies are not out of date and the 'tilted balance' is not engaged.
- 2.10 Policy DM1 states that development will not be permitted outside of the settlement boundaries, unless it is justified by another development plan policy, functionally requires a rural location or is ancillary to existing development or uses. The site is located outside of the defined settlement confines, is not supported by other development plan policies and is not ancillary to existing development or uses. As such, the application is contrary to Policy DM1.
- 2.11 Policy DM11 seeks to resist development outside of the settlement confines if it would generate a need to travel, unless it is justified by other development plan policies. The site is located outside of the settlement confines. It is considered that the occupants of the development would need to travel in order to reach all of the necessary day to day facilities and services (for example shops, schools or a doctor's surgery). The development is not justified by other development plan policies. As such, the development is contrary to Policy DM11.
- 2.12 The report contains an in-depth assessment of the degree of compliance of the proposal with policies DM15 and DM16 and whether the development would cause harm to the character and appearance of the countryside and the wider landscape under the section 'Character and appearance' of the report.
- 2.13 The site lies at a distance of approximately 2.1 miles from the nearest village 'Ash'. Therefore, the proposal does not benefit from the provisions of policy DM4. Further to this, having regard for the state of the structure, it is not considered that the farm buildings under consideration have any architectural merit and are therefore not considered worthy of conversion. It is noted that the planning statement makes reference to paragraph 79. Paragraph 79 of the NPPF supports the development that would reuse redundant or disused buildings and enhance its immediate setting. The proposal would

require substantial rebuilding of the existing structures, demolition of existing buildings and also involves building new structures. Overall it falls outside the remit of paragraph 79 of the NPPF (discussed at length within 'convertibility of the buildings' section).

- 2.14 The NPPF paragraph 78 requires that "housing should be located where it will enhance or maintain the vitality of rural communities" and paragraph 110 prioritises pedestrian and cycle movements and facilitating access to high quality public transport. Therefore, the proposal would be contrary to paragraphs 78 and 110 of the NPPF.
- 2.15 Regard has also been had later in this report to whether there are any material considerations which indicate that permission should exceptionally be granted.

Convertibility of the Buildings

- 2.16 Prior to assessing the visual impacts arising from the proposed development, it is necessary to establish whether the existing buildings are considered to constitute a 'genuine' conversion.
- 2.17 The planning application is accompanied by a structural appraisal. Within the introduction of the appraisal, it has been confirmed that the findings are based on visual inspection. Having reviewed the appraisal, it is apparent that significant structural intervention together with other building works would be required for the proposed development. This would, it is considered, amount to new build with very limited help from the existing structures which are in a state of disrepair and insubstantial in nature. The following conclusion has been reached at the end of the structural appraisal.

"As part of the conversion the majority of the blockwork walls from the stores and stables we consider could be retained with adequate repairs and finishes, although we suspect these will probably be removed and replaced.

The frame of the timber barn is in need of repair which could be achieved by replacement or repair using resin and carbon rod technology. Additional support and bracing will be required. We consider however that the timber frame of the barn is not used to support additional loading and any new loads should be transferred on to independent foundations within the buildings.

Similarly, with the steel framed "Atcost" building, the steel frame is to be retained and to support the roof, however any new structure should be supported on independent foundations".

- 2.18 The above conclusion establishes that the conversion would require new structural framework with new foundations. New walls, cladding, roofs would be required to be constructed as part of the proposed development. Having regard for the above, it is not considered the proposal qualifies as a conversion. It is noted that the planning statement makes reference to paragraph 79 of the NPPF. Paragraph 79 (c) supports the development that would re-use redundant or disused buildings and enhance its immediate setting. Therefore, it is necessary to note that the NPPF requires reuse of the existing redundant building and does not support rebuilding of insubstantial structures. In conclusion, it is not considered that the existing buildings qualify as 'genuine conversions' as they would require substantial works constituting a mix of rebuild and newbuild.

Non-Designated Heritage Asset

- 2.19 Historic England has published 'Conservation Principles, Policies and Guidance' which sets out a method for thinking systematically and consistently about the heritage values that can be ascribed to a place. People value historic places in many different ways. It has been grouped into four categories:
1. **Evidential value:** the potential of a place to yield evidence about past human activity.
 2. **Historical value:** the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative.
 3. **Aesthetic value:** the ways in which people draw sensory and intellectual stimulation from a place.
 4. **Communal value:** the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.
- 2.20 The planning statement relies on the historic maps which show that a building has been in the location where the timber barn is since 18th century. However, it also acknowledges that it may not be the same building. On this basis, the timber barn has been considered by the applicant to be of local interest and has been termed as a 'historic' barn in the planning statement. However, it is relevant to note that such barns are a common feature of rural areas (comprising of multiple farmsteads spread sporadically across the wider area). Whilst it is accepted that the existing buildings have been in agricultural use historically, it is not considered that the building holds significant evidential, historical, aesthetic or communal values. Therefore, it is not felt that the explanation within the planning statement constitutes a robust basis for the rebuilding of the insubstantial structures together with introduction of new buildings in a rural area in residential use.

Impact on the Character and Appearance of the Area

- 2.21 The site lies within the countryside, where policy DM15 applies. This policy directs that planning permission for development that adversely affects the character or appearance of the countryside should be refused, unless one of four criteria is met, and the development does not result in the loss of ecological habitats.
- 2.22 Regard must also be had for whether the development would harm the landscape character of the area, in accordance with policy DM16. Where harm is identified, permission should be refused unless it is in accordance with the development plan and incorporates any necessary avoidance or mitigation measures or can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.
- 2.23 The application site constitutes a prominent corner plot and lies at the bend along Richborough Road. It is highly visible when approaching the site from the south by virtue of the siting of the buildings and the topography of the land. The timber barn, lean-to extension and the cart shed sit at a lower level than the road whilst the Atcost Barn sits at a higher level than the rest of the buildings on site. The application site abuts a narrow rural lane with no footpaths or streetlights and is bounded by hedges on both sides which gives the area a strong rural character. The application property and its neighbours lie within a predominantly open landscape comprising arable farmland, punctuated by similar small pockets of development focussed on farmsteads, often screened by trees. The area comprises very limited development and does not have any strong defining

character. It is reasonable to state that this is an isolated farmstead with the nearest residential property 'Sparrow Castle' being at a distance of approximately 150m. Potts Farm Cottages and Guston Cottages lie at a distance of approximately 300m to the south whilst a cluster of farm buildings (Guston Farm) lies at a distance of approximately 500m.

- 2.24 The intent of utilising the current form of the timber barn is noted together with the reduction in the overall footprint by demolition of the Atcost barn. The proposal would comprise substantial amount of new build together with rebuilding of the existing structures with a view to form a 6-bed single residential unit. Given the scale and siting of the proposed dwelling, views of the dwelling would be readily achievable from Richborough Road. The farmstead is a relatively typical and unremarkable group of agricultural buildings in the rural area and retains a strong relationship with its rural context. Despite the large size of the existing Atcost barn, it sits comfortably within the rural area and whilst utilitarian, it is typical of agricultural buildings around farms and thereby reflects the agricultural character of its surroundings. The proposed dwelling is of substantial size and given its exposed location, it would appear prominent in views along Richborough Road and would be out of keeping with the prevailing agrarian character of the area. It would be seen together with a range of domestic paraphernalia such as hardsurfacing, fences, walls, gates etc, would jar with the relatively unspoilt rural setting and would have sub-urbanising effect to the detriment of the rural character and appearance of the immediate area. It would produce a prominent and dominant form of development which would be visually intrusive and at odds with the prevailing character of the area and harmful to the character and appearance of the countryside. The NPPF paragraph 170 calls for development to take into account the intrinsic character and beauty of the countryside. The proposed development fails to address this and is therefore unacceptable.
- 2.25 It has been established that the development would adversely affect the character of the countryside; as such Policy DM15 would apply. Regard must be had, therefore, to whether in light of this harm, the proposed development could be acceptable by meeting any of the four criteria listed under Policy DM15 *which include (i) it is in accordance with allocations made in the Development Plan Documents; or (ii) justified by the needs of agriculture; or (iii) justified by a need to sustain the rural economy or a rural community; (iv) it cannot be accommodated elsewhere and it does not result in the loss of ecological habitats*. In respect of these matters, the proposed dwelling would be located in a rural location beyond any designated settlement confines. It is not justified by the needs of agriculture. Whilst it is acknowledged that the proposal would provide a short term economic benefit, by providing employment during the construction phase, it is not considered that this very limited benefit justifies the development. Furthermore, no overriding justification has been provided that demonstrates why it needs to be in this location and why it cannot be accommodated elsewhere. Whilst the development would not result in the loss of ecological habitats (this issue is considered later in the report), as none of the four preceding criteria would be met, the development is contrary to Policy DM15.
- 2.26 Regard should also be had to policy DM16 of the Core Strategy which generally seeks to resist development which would harm the character of the landscape, unless it is in accordance with a Development Plan designation and incorporates mitigation measures, or can be sited to avoid or reduce the harm and/or incorporates design measures to mitigate the impacts to an acceptable level.
- 2.27 The topography of the land is relatively flat. By virtue of hedges along the rural roads and along the boundaries of the fields, the proposed dwelling would not be highly prominent in the wider landscape to the north. Therefore, it is not considered that the

proposed development would cause harm to the wider landscape. As such, the proposed development would not be contrary to policy DM16 of the Core Strategy.

Highways/Travel Impacts

- 2.28 Regard has also been had to Policy DM11 which states that development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies. The proposed dwelling would give rise to additional travel in a location beyond the settlement confines. The proposed development would therefore be contrary to policy DM11 of the Core Strategy.
- 2.29 The proposed development would utilise the existing accesses. Table 1.1 of the Core Strategy suggests that a minimum of two independently accessible car parking spaces be provided for residents of the dwelling, together with an additional 0.2 spaces per dwelling for visitors, although parking should be a design-led process. The proposal makes adequate parking provision for off-street parking. Therefore, the proposed development would comply with policy DM13 of the Core Strategy.
- 2.30 The development does not include any defined provision of cycle parking spaces. In accordance with the recommendations of the Kent Design Guide (including Interim Guidance Note 3) and the NPPF, and to encourage and facilitate the use of this sustainable form of transport, it is considered that details for the provision of cycle parking (at one space per bedroom) could be secured by condition.

Impact on Neighbours

- 2.31 The site shares boundaries with Potts Farmhouse to the west. The finished dwelling would lie at a distance of approximately 22m from the existing dwelling. Therefore, no loss of light, loss of privacy, overshadowing or sense of enclosure would result from the proposal.
- 2.32 The proposed development would lie at a significant distance of approximately 150m from 'Sparrow Castle' to the south and approximately 300m from Potts Farm Cottages and Guston Cottages to the east. Having regard for the substantial separation distances, it is not considered that the proposed dwelling would cause harm to the residential amenity of the neighbouring occupiers.

Living Conditions of Future Occupiers

- 2.33 The proposed dwelling, together with their individual rooms would be of a good size, whilst all habitable rooms would be naturally lit. It would be provided with a large private garden and areas which could be used for refuge storage and general amenity space. As such, the living conditions of future occupiers would be acceptable and would accord with paragraph 127 of the NPPF.

Ecology

- 2.34 The application has been accompanied by a bats survey. The Council's ecologist has supported the recommendations made within the survey (listed within the 'Consultations' section of the report). One of the primary recommendations include compensation for the loss of brown long-eared roosts must include a designated roof void for the bats to utilise in the long-term. The planning statement makes reference to the bat roost being incorporated within scheme however, no such details have been received. In the event that the planning permission is granted, the above recommendations could be secured via suitably worded conditions.

The Conservation of Habitats and Species Regulations 2017, Regulation 63:
Appropriate Assessment

- 2.35 All impacts of the development have been considered and assessed. It is concluded that the only aspect of the development that causes uncertainty regarding the likely significant effects on a European Site is the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay.
- 2.36 Detailed surveys at Sandwich Bay and Pegwell Bay were carried out in 2011, 2012 and 2018. However, applying a precautionary approach and with the best scientific knowledge in the field, it is not currently possible to discount the potential for housing development within Dover district, when considered in-combination with all other housing development within the district, to have a likely significant effect on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 2.37 Following consultation with Natural England, the identified pathway for such a likely effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves.
- 2.38 The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing the harmful effects of housing development on the sites.
- 2.39 Given the limited scale of the development proposed by this application, a contribution towards the Councils Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy will not be required as the costs of administration would negate the benefit of collecting a contribution. However, the development would still be mitigated by the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy as the Council will draw on existing resources to fully implement the agreed Strategy.

Drainage and Flooding

- 2.40 The site lies within Flood Risk Zone 1, where there is the lowest risk of flooding. However, given the size of the site, it is appropriate to consider whether the development would be likely to lead to localised on or off-site flooding. The NPPF, paragraph 163, states that local planning authorities should ensure that flooding is not increased elsewhere and priority should be given to the use of sustainable drainage systems. In furtherance to this, the Planning Practice Guidance states that sustainable drainage systems should be designed to control surface water run-off close to where it falls and replicate natural drainage as closely as possible.
- 2.41 Whilst Southern Water have raised no objection in this instance, it is considered that in the event of grant of planning permission, pre-commencement conditions requiring the submission of detailed schemes for both foul water and surface water disposal would be imposed.

Other Material Considerations

- 2.42 The NPPF, at paragraph 8, states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. Therefore, the assessment of sustainability can be separated into three dimensions: social, economic and environmental.

- 2.43 The proposed development would provide a short term and very modest economic benefit, by providing employment during the construction phase.
- 2.44 With regards to the social and environmental roles, it is not considered that the proposal would result in the creation of a high-quality environment. Given the fact that the Council can demonstrate a 5-year housing land supply, the benefit associated with the provision of one dwelling would be negligible. Furthermore, it is considered that the proposed development lies in an unsustainable location and would not enhance or maintain the vitality of rural communities and would fail to prioritise pedestrian and cycle movements or facilitate access to high quality public transport, contrary to paragraph 110 of the NPPF. For the same reasons, the development would be contrary to Policy DM11 of the Core Strategy.
- 2.45 To conclude, the proposal would provide only limited economic benefits; however, this is considered to be more than outweighed by the significant and demonstrable harm caused to the wider environmental objectives relating to the detrimental impact to the countryside and the unsustainable travel patterns that the development would necessitate. It is not considered that the development represents 'sustainable development' and is, therefore, not supported by the NPPF and as such the development should be refused.

3. Conclusion

- 3.1 The application site lies outside of settlement confines, where planning policy strictly controls new development. The proposal doesn't address any of the exceptions allowed for by policy and as such is considered to be unacceptable in principle, contrary to Policy DM1 of the Core Strategy. The proposal would constitute an incongruous and visually intrusive feature in this important rural environment to the detriment of the character and appearance of this part of countryside, contrary to policy DM15 and paragraph 170 of the NPPF. The very limited benefits associated with the proposal are considered to be more than outweighed by the significant and demonstrable harm caused to the wider environment. Finally, by virtue of its location, the proposal would constitute an unsustainable form of development and would therefore be contrary to the development plan policies and the NPPF.

g) Recommendation

- I Planning permission be REFUSED for the following reasons:

The proposed development, if permitted, would result in an unjustified dwellinghouse, outside of any defined urban or village confines, the need for which has not been demonstrated sufficiently to override normal restraint policies. The proposal would constitute unsustainable unjustified residential development in this rural location, resulting in additional vehicle movements and the need to travel by private car, and would result in an overtly domestic form of development in the rural area significantly and demonstrably harm the rural character and appearance of the locality contrary to policies CP1, DM1, DM11 and DM15 of the Core Strategy (2010) and paragraphs 78, 110, 127, 130 and 170 of the National Planning Policy Framework (2019).

- II Powers to be delegated to the Head of Planning, Regeneration and Development to settle any necessary issues in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Case Officer Benazir Kachchhi