

- a) **DOV/22/01353 – Change of use and conversion of a farm building to dwelling; erection of an annexe for ancillary use/holiday let; alterations to granary building, erection of car barn, associated car parking, boundary wall, formation of new gated vehicular access, landscaping, biodiversity enhancements and installation of cesspool (existing buildings to be demolished) - Drellingore Barns, Stombers Lane, Drellingore, Alkham**

Reason for report – Number of contrary views (6)

- b) **Summary of Recommendation**

Planning permission be refused.

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010): CP1, DM1, DM4, DM9, DM11, DM13, DM15, DM16, DM17

Land Allocations Local Plan (2015): DM27

Draft Dover District Local Plan (March 2023): The Submission Draft Dover District Local Plan is a material planning consideration in the determination of applications. At submission stage the policies of the draft plan can be afforded weight, depending on the nature of objections and consistency with the NPPF. Relevant policies: SP1, SP4, SP6, SP13, SP14, SP15, CC5, PM1, PM2, H6, E4, NE1, NE2, HE1.

Kent Downs Area of Outstanding Natural Beauty Management Plan 2021- 2026

National Planning Policy Framework (NPPF) (2023): Paragraphs 7, 8, 11, 48, 79, 84, 130, 132, 174, 176, 180, 203

National Design Guide & National Model Design Code (2021)

- d) **Planning History**

DOV/18/01278 – Change of use and conversion of farm building to a dwelling, erection of a building for holiday let and erection of a car barn and associated car parking (existing buildings to be demolished). Granted. This permission has since lapsed.

(Officer note: This related to a sensitive conversion of the barn building only with minimal alterations that respected the historic interest of the building as a heritage asset).

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

Representations can be found in the online planning file, a summary is provided below:

Alkham Parish Council – Object to the application for the following reasons:

- The proposals are not sensitive to the location and do not reflect the historic farmstead. The design and layout are not appropriate for this historic building.
- The modern and contemporary nature of the proposed building is not suitable for this location and will be out of keeping.

- The Parish Council is not against development but the sensitive and historical nature of this location in the AONB must be protected and this proposal does not fulfil the criteria to enable us to support the application.

DDC Heritage – recommend refusal. The NPPF requires us to consider the impact of a proposal in respect of the significance of a non-designated heritage asset. This barn has significance as a former agricultural building of traditional form and as such is considered to be of importance to the rural character of the area. The proposed works result in the almost complete loss of the building. Externally the original barn is completely lost from public view and appreciation and replaced with a structural form that is alien to the local context. It is inconclusive how much of the existing barn structure would be retained and in my view this proposal is for a replacement/new build and is not a conversion of the existing heritage asset. The proposal is therefore contrary to policy and refusal is recommended.

DCC Trees – no objections provided that the recommendations set out in the Tree Survey and Report are adhered to. Conditions have been suggested.

DDC Environmental Health – Raise no objection subject to the imposition of conditions relating to contamination.

DDC Ecology - To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, all necessary ecological surveys must be undertaken, and the reports submitted. The applicant is attempting to demonstrate a biodiversity net gain, the additional information in respect of this is also needed prior to determination.

Southern Water – The EA should be consulted by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation. An informative should be included.

KCC Highways – The development does not meet the consultation protocol.

Natural England – No objection. Based on the plans submitted, the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Environment Agency – No objection, subject to suggested conditions relating to contamination and flood risk.

Kent Downs AONB Unit – The proposal does not represent a sensitive conversion/redevelopment of the historic farmstead and the proposal neither conserves nor enhances the AONB. As such, it is in conflict with the AONB Management Plan, and in particular Principles SD1, SD2, SD3, SD9, HCH1 and HCH6, paragraph 176 of the NPPF, the landscape management recommendations of the Kent Downs LCA and policies DM15 and DM16 of the Local Plan.

Third party Representations: 6 representations in support of the proposals have been received and are summarised below:

- This is a brownfield site which would benefit from development into a family home.
- Good design
- Eco-friendly
- Would enhance the immediate area and the valley.

- The owners have appreciated the form and nature of the structure, and it seems the garage might be below eye level and has a discrete roof line.
- The proposal will enhance the local setting both by improving upon the existing dilapidated structure in an environmentally friendly manner
- Would increase the diversity of wildlife in the area.
- The proposals would enhance the local setting

1 neutral representation has been received and is summarised:

- This was going to be redeveloped sooner or later
- It is a pivotal landscape structure and would be missed if it went.

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

1.1 The application site is within the countryside where fields, farmed land and woodland characterise the landscape. The site lies outside the settlement confines of Alkham. However, there is a small cluster of residential development around the site. The site is situated within the Kent Downs Area of Outstanding Natural Beauty (AONB).

1.2 The site lies to the west of Alkham Valley Road, 2km from Alkham village. The site comprises a farmyard, accessed from Stombers Lane, accommodating an 18th century aisled barn with a tin roof, a concrete barn clad in sheet metal, a 21st century timber stable block and an historic granary. The site once formed part of a wider farm holding.

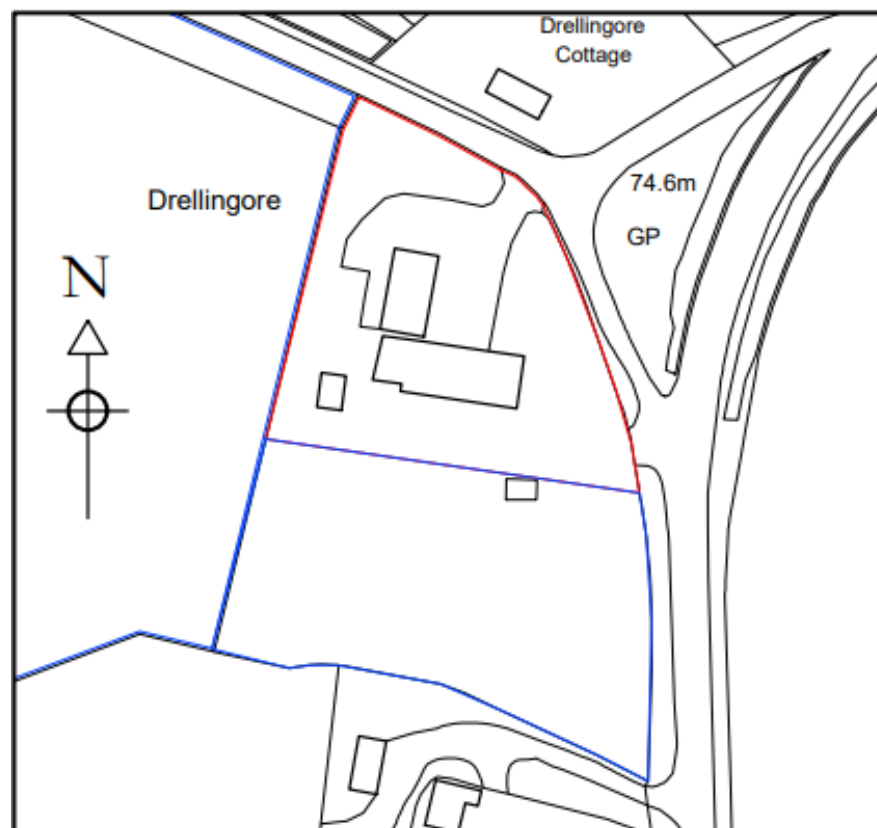


Figure 1 – Site location plan (not to scale)

- 1.3 The 18th century aisled barn is the predominant feature on the site. It is an Oak framed Kentish barn, comprising a tall, hipped roof with corrugated iron covering and central threshing door to the North elevation. The walls are predominantly brick and ragstone solid construction, with a number of openings which have been infilled with timber or corrugated iron cladding.
- 1.4 The main barn is approximately 17.7m long x 9.2m wide. To the west elevation there is a single storey brick and corrugated iron lean-to extension. To the east elevation there is a smaller lean-to extension which is incorporated under an extension of the original roof. The barn is considered to be a non-designated heritage asset.
- 1.5 The historic significance of the site has been established through the extant permission in 2018, where its significance lies within the historic character and fabric of the barn, with its large steeply pitched roof, and the presence of the historic farmstead at this prominent road junction. The value and significance of Drellingore Barn and its farmstead are clearly explained in the submitted Planning & Heritage Statement.
- 1.6 The applicant seeks the conversion of the barn to a dwelling, the erection of an annexe for ancillary use/holiday let, alterations to the granary building to provide an artist's studio, erection of a car barn, associated car parking, boundary wall, a gated vehicular access, landscaping, biodiversity enhancements and the installation of a cesspool (existing building to be demolished). Figure 2 below shows the proposed site plan.

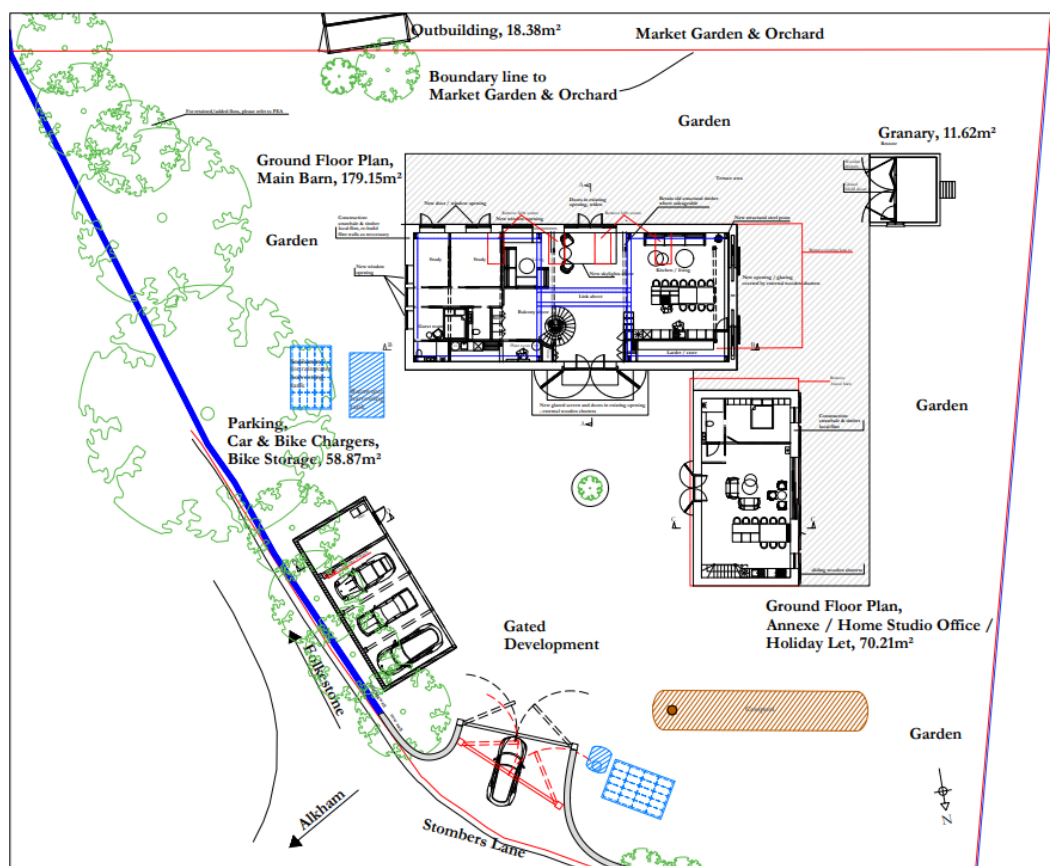
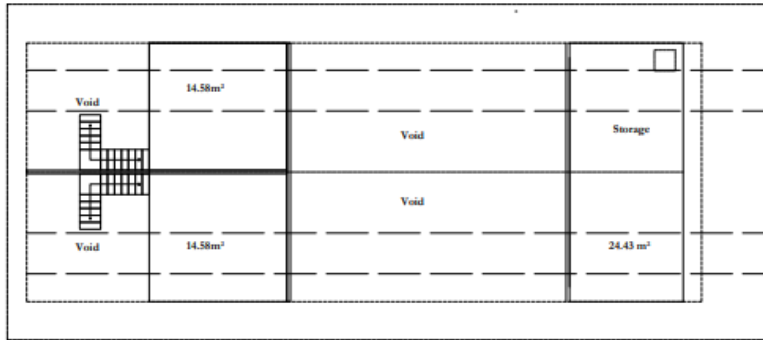
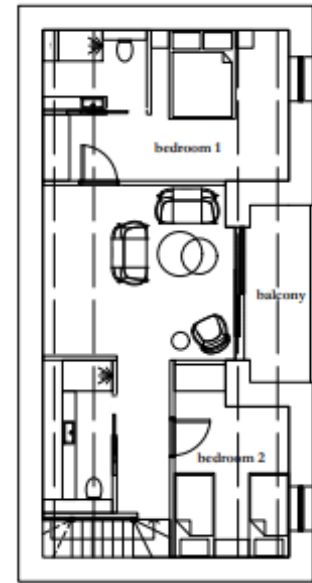


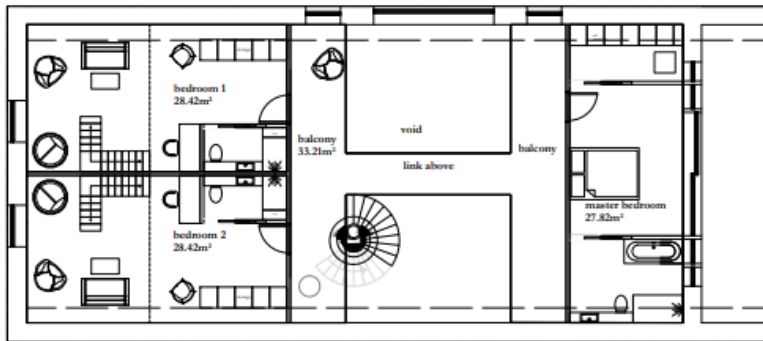
Figure 2 – Proposed Site Plan (Ground Floor) (not to scale)



Mezzanine, Main Barn, 53.59m²



First Floor, Annexe, 65.99m²



First Floor, Main Barn, 127.58m²

Figure 3 – Proposed first floor plans for Barn and Annexe (not to scale)

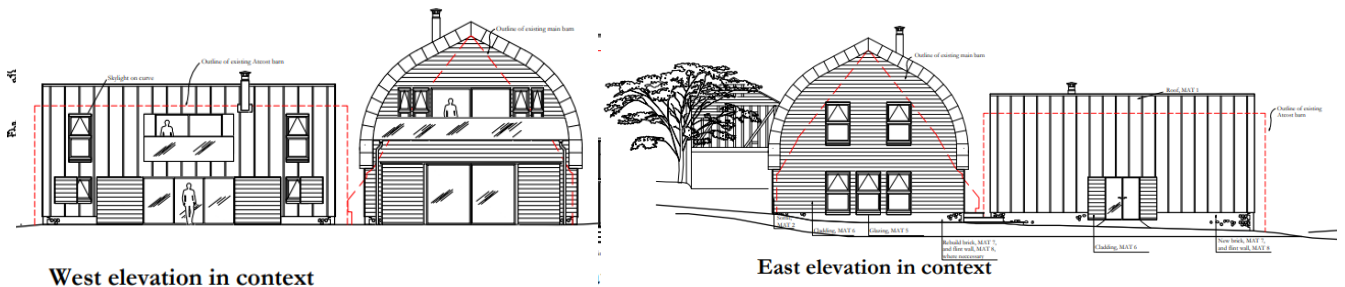
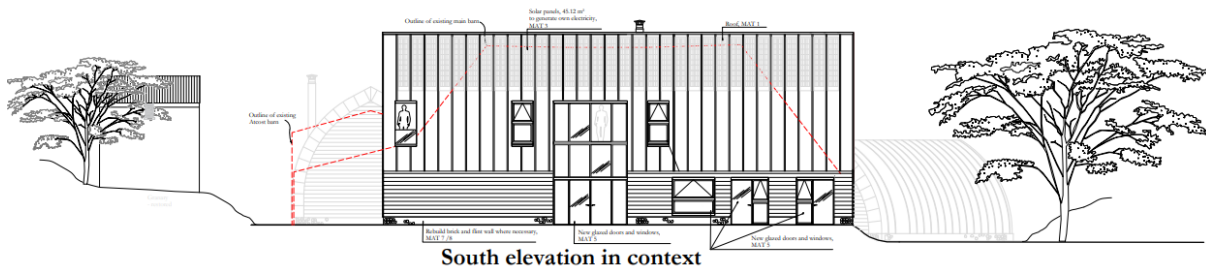


Figure 4 – Proposed elevations of Barn and Annexe (not to scale)

- 1.7 The annexe would be located to the northeast of the existing barn. This would have a maximum depth of 7m, with a width of 13m and a height of 6.5m. Internal accommodation would comprise living/kitchen/bathroom to the ground floor and 2 bedrooms to the first floor with a separate bathroom and seating area.
- 1.8 The garage would be located to the northwest of the existing barn and would have a depth of 5.5m, width of 11.7m and height of 4.9m. Bin storage would be located within the garage. The garage would be of a similar design to that of the main barn and the holiday let/annexe building with metal sheeting elevations.

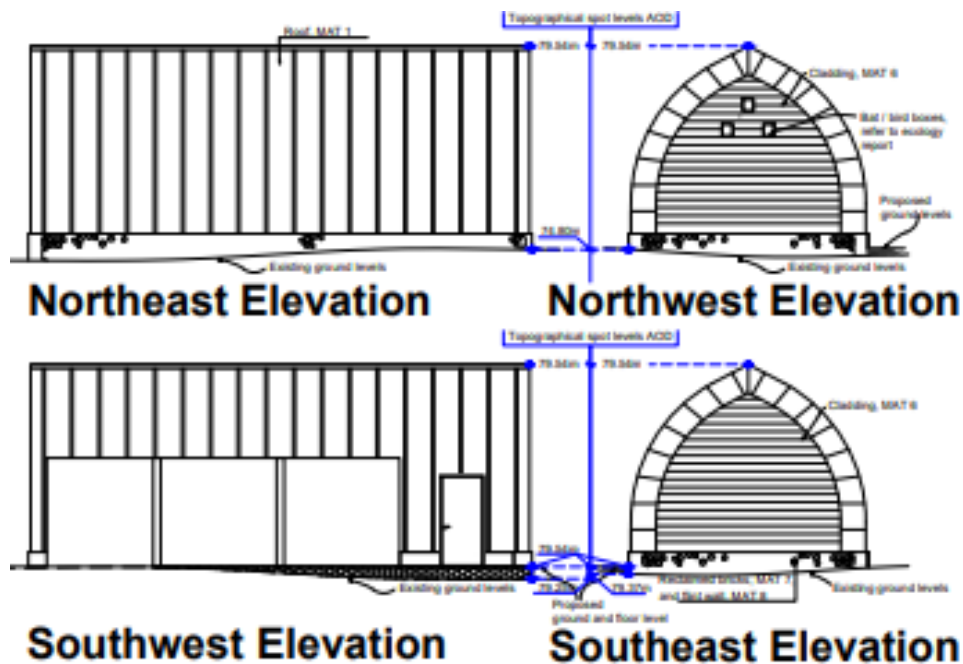
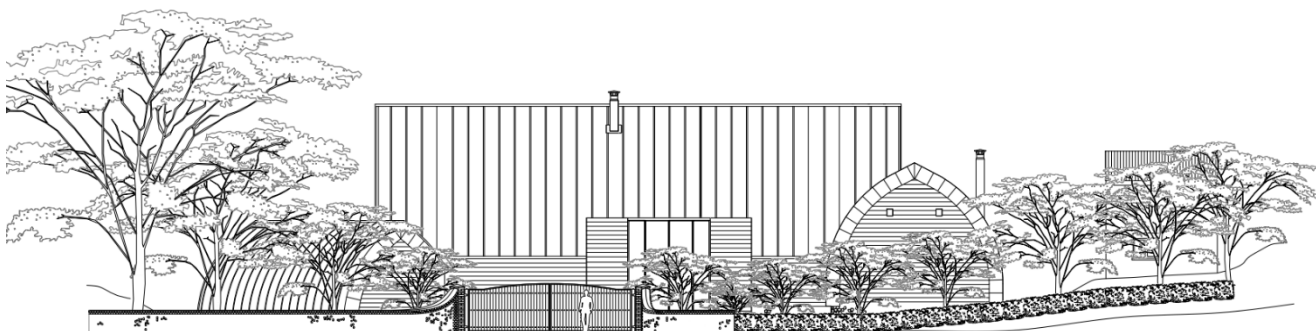


Figure 5 – Proposed elevations to garage (not to scale)

- 1.9 The gated vehicular access would be located in the same place as the existing gated access which is to the northwest of the main barn and the new boundary wall would be either side of this gate. The gate would have a height of 2.1m. The new wall would be finished in knapped flint with red bricks with a coping stone at the top and would have a height of 1m. A waste water treatment plant would be located to the north of the proposed annexe.



North elevation, street view

Figure 6 – Proposed street view (north) (not to scale)

1.10 Alterations are also proposed to the existing granary building which is located to the southwest of the barn. This includes new wooden shutters to the front elevation at ground floor to match the existing, with new glazing behind these shutters. The outline of the building would remain and the existing woodwork repaired with glazing installed between the timbers. The window on the north elevation would be repaired, the window on the south elevation would be extended and a new glazed door would be installed to the rear elevation.

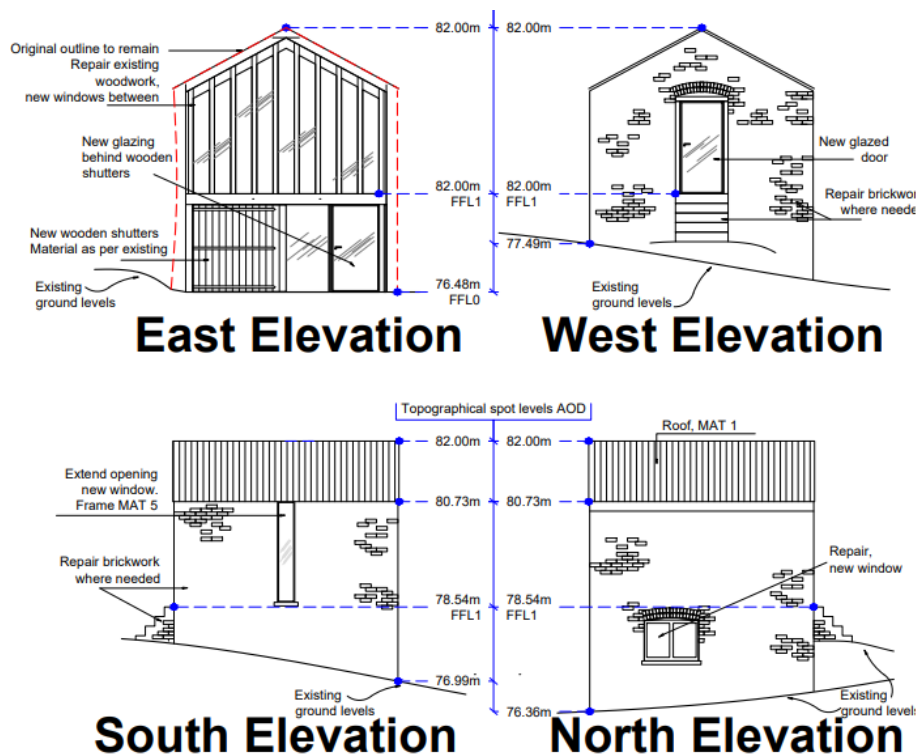


Figure 7 – Proposed elevations to granary

2. Main Issues

2.1 The main issues for consideration are:

- Principle of the development
- Heritage, impact on AONB and visual amenity
- Impact on residential amenity
- Highways
- Ecology

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 the plan unless material considerations indicate otherwise.

- 2.3 The principle of the residential conversion of the main 18th century barn has previously been established with the grant of permission on the site under DOV/18/01279, along with the erection of a new building for use as a holiday let and the erection of a 4 bay cart-shed garage.
- 2.4 The site is outside the settlement confines of Drellingore and is considered to be within the countryside for the purposes of planning. In such a location Policy DM1 (Settlement Boundaries) restricts development other than in specific and limited circumstances, unless justified by other development plan policies or it functionally requires such a location. As the proposed development does not fall within any of these exceptions, it is contrary to Policy DM1. Policy DM1 is considered to be partially consistent with the aims of the NPPF (recognising the intrinsic character and beauty of the countryside), it is also identified that Policy DM1 is a product of the level of housing growth required in the Core Strategy and is more restrictive than the NPPF which seeks to significantly boost the supply of homes.
- 2.5 The Core Strategy policies and the settlement confines were devised with the purpose of delivering at least 505 dwellings per annum. In accordance with the Government's standard method for calculating local housing need, the Council must now deliver at least 611 dwellings per annum. Consequently, as a matter of judgement, the evidence base underlying Policy DM1 is out-of-date. As such, Policy DM1 should carry less than full weight.
- 2.6 Policy DM11 seeks to restrict travel generating development to existing urban areas and rural settlement confines, unless otherwise justified by development plan policies. In this regard the proposed development, being outside a settlement is also considered to conflict with Policy DM11. The aim of DM11 to manage patterns of development and prioritise more sustainable modes of transport broadly reflects the aims of the NPPF. However, the blanket restriction within Policy DM11 against development outside of the settlement confines is significantly more restrictive than the NPPF which instead seeks to actively manage patterns of growth to support sustainable modes of transport. Therefore, Policy DM11 in the context of the proposed development should be afforded less than full weight.
- 2.7 Policy DM4 relates to the conversion of rural buildings for commercial, community or private residential uses but they are only permitted in buildings that are adjacent to the confines, which is not the case here.
- 2.8 Policy DM15 seeks to resist the loss of countryside, (which is more stringent than the NPPF), and development that would adversely affect the character or appearance of the countryside, (which is broadly consistent with the NPPF). The first strand of this policy is another blanket restriction against development outside confines; however, the second strand is more consistent with the NPPF, albeit the NPPF refers to character and beauty rather than character and appearance. Whilst not considered to be out of date, Policy DM15 is considered to carry reduced weight.
- 2.9 Given the importance of Policy DM1, the relationship between DM1 and DM15, and the tension between DM11 and the NPPF, it is considered that the 'basket of policies' in the Core Strategy which are most important for determining applications are out-of-date and should be given less than full weight.

- 2.10 There are no specific policies in the Core Strategy that relate to tourism, however, the NPPF at para. 84 clearly refers to sustainable rural tourism which respects the character of the countryside.
- 2.11 Policy DM9 relates to accommodation for dependent relatives that they must be designed so as to be able to function as ancillary accommodation to the principal dwelling and revert to single family accommodation as part of the main dwelling once the use has ceased, and be of a size and design appropriate to the needs of the intended occupant and acceptable in terms of flood risk.

Tilted Balance

- 2.12 Notwithstanding the primacy of the development plan, paragraph 11(d) of the NPPF states that where the policies which are most important for determining the application are out of date, permission should be granted unless (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole (known as the 'tilted balance') or (ii) specific policies in the Framework indicate that development should be restricted.
- 2.13 The tilted balance would therefore be engaged on the basis that the most important policies for the assessment of this application are out of date. It must be noted, however, that the tilted balance is not engaged by reason of the councils housing land supply or housing delivery positions. The council is able to demonstrate a housing land supply of 5.38 years and the council's Housing Delivery Test measurement is currently 88% and forecast to increase.
- 2.14 Notwithstanding the above, footnote 7 of paragraph 11 states that if the policies of the Framework that protect areas or assets of particular importance (such as AONB's) provide clear reasoning to refuse permission, the tilted balance should not be engaged. Paragraphs 174 and 176 of the NPPF are particularly relevant in determining whether or not the tilted balance applies. The impact of the development upon the AONB will be assessed below and a judgement made as to whether the impact is considered to be acceptable, and whether the titled balance is engaged.

Draft Local Plan

- 2.15 This is now a material consideration to weigh in the planning balance, Draft Policy SP4 seeks to ensure windfall development is located in a sustainable location and relates to an existing settlement. The policy is based on evidence of the sustainability of settlements within the district. This policy seeks to deliver a sustainable pattern of development, including within the rural area where opportunities for growth at villages (in line with paragraph 79 of the NPPF) are confirmed.
- 2.16 Policy SP4 makes reference to new dwellings (both isolated and non-isolated) in the countryside and outside of settlement boundaries only being permitted in exceptional circumstances under one or more criteria. The criteria relevant to this application is ii) *where the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;* and iii) *the development would re-use redundant or disused buildings and enhance its immediate setting.* In turn, further criteria are

set out relating to impact on the AONB, heritage assets, residential amenity and highway safety.

- 2.17 The development proposal includes the erection of a new building for an annexe for ancillary use or for a holiday let. Draft Policy SP6 supports tourism development that would extend or upgrade the range of tourist facilities, particularly those that attract the staying visitor, increase the attraction of tourists to the area and extend the season. Draft Policy E4 supports proposals for self-catering tourist accommodation across the District subject to a list of criteria being met including landscape impact, the preservation of heritage assets, residential amenity, parking and highway safety.
- 2.18 These policies are relatively consistent with the NPPF and should be afforded weight in the decision-making process. Paragraph 84 of the NPPF states that *“Planning policies and decisions should enable c) sustainable rural tourism...which respect the character of the countryside”*.
- 2.19 Policy H6 relates to residential annexes. Proposals for a stand-alone annexe must meet a list of criteria including that they must: *“h) be designed and located to ensure a clear dependency is retained between the annexe and the main dwelling; i) be capable of reverting to single family accommodation as part of the main dwelling once the need for an annexe has ceased; and j) be suitable in size and scale and clearly ancillary and visually subordinate to the main dwelling”*.
- 2.20 The Draft Local Plan currently carries some weight in decision making. However, in accordance with NPPF paragraph 48, given there are some objections to spatial and housing allocation policies that are unresolved ahead of examination, full weight cannot yet be afforded to its overall strategy of meeting housing needs. It is concluded that the Draft Policies and draft allocations carry moderate weight at this stage.

Heritage, Impact on AONB and Visual Amenity

- 2.21 The building is considered to be a non-designated heritage asset and therefore consideration must be had for paragraph 203 of the NPPF and draft policy HE1. Paragraph 203 states that *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly...affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm...and the significance of the heritage asset.”* Further to this, draft policy HE1 states that *“Proposals which conserve or enhance the heritage assets of the District, sustaining and enhancing their significance and making a positive contribution to local character and distinctiveness will be supported”*.
- 2.22 In comparison to the previously approved scheme which related to the conversion of the fabric of the existing former threshing barn, the current scheme introduces the erection of a completely new structure around the existing fabric of the building creating a distinctly different roof form to the aisled barn. The application describes this as a ‘flexible’ conversion, however, in effect a new roof would be installed in place of the previously approved conversion approach. This is a form that is not typical within the AONB and would result in the loss of one of the principal features of the barn, it’s steeply pitched catslide roof. The resultant structure would lead to a loss in the ability to read and understand the building as a Kentish barn and

would have a significantly harmful impact on the character of the site as a historic farmstead.

- 2.23 In respect of the structural timber frame an annotation on the plans indicates it would be retained 'where salvageable'. No structural report or condition survey has been submitted to support this application. This information is necessary in order to be able to determine whether the proposed development would be considered acceptable in principle, in accordance with policies relating to new residential development in the countryside. The lack of such report results in an ambiguous annotation of the plans regarding 'salvageable if possible'. As well as this, some further annotation identifies the use of straw bale, flint, brick etc 'as necessary' which raises questions over the proposed construction. This ambiguity regarding how much of the original building is to be retained means it is not possible to confirm that the scheme would represent a conversion of the existing building and instead presents as a substantial new build with at the very most small sections of the original timber frame sitting within it. This would therefore result in a significant loss of and damage to the historic and architectural integrity of the building, resulting in a new dwelling in the countryside which is contrary to policies. In turn, given such a visual change to the Kentish barn, this could not be seen as enhancing its immediate setting, a requirement of criteria 3(iii) of draft policy SP4. The site is not in an appropriate location for a new dwelling in line with both emerging and established planning policies.
- 2.24 The scheme also seeks to replace an existing outbuilding with new and introduce a garage. Both new structures would follow the design approach of the replacement barn and introduce the 'cruck' roof form, which as noted above, is not a traditional roof form within the district or AONB.
- 2.25 The design approach to introduce a roof form that is considered entirely out of character in the AONB, fails to reflect the historic character of the former farmstead. The uncharacteristic roof form would result in the loss of one of the barns main defining features; its steeply pitched and hipped roof. Furthermore, the design substantially increases the mass of the built form of both the existing structures, increasing their prominence in the landscape and having a significantly greater visual impact than the buildings they would replace.
- 2.26 The proposed design details such as the proposed fenestration are considered inappropriate and fail to reflect the historic character of the original farm buildings. In addition, unlike the previously approved scheme, the new build element would not recreate the historic farmstead layout, instead inserting a new garage building on an angle at the front of the site that was previously devoid of buildings, failing to respect the original historic farmstead layout. Further harm would also arise as a result of the suburban style gated entrance proposed, with the design of both the gates and piers being inappropriate given the rural location and introducing a suburban style more appropriate in an urban area.
- 2.27 As a result of the issues noted above, it is considered that the proposed scheme would have a detrimental impact on the historic character and appearance of the non-designated heritage asset. The harm is considered to be less than substantial as defined by the NPPF.
- 2.28 The NPPF, paragraph 176, requires great weight to be given to conserving and enhancing landscape and scenic beauty in the AONB, which have the highest status of protection in relation to landscape and scenic beauty. The conservation

of wildlife and cultural heritage are also important considerations and the scale and extent of development within these designated areas should be limited. Section 85 of the Countryside and Rights of Way Act requires that in exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving or enhancing the natural beauty of the area.

- 2.29 The application site lies in the bottom of the Alkham Valley, an attractive dry valley that typifies this part of the AONB. The Kent Downs AONB Management Plan makes clear, such dry valleys are a greatly valued and an intimate feature of the Kent Downs landscape, and along with the scarp slope were the main target for designation back in 1968. Accordingly, dry valleys are specifically identified as one of the special characteristics and qualities of the Kent Downs AONB. Such valleys are particularly sensitive to change. This is because they form quiet rural landscapes with strong associations of peace, tranquillity and a sense of remoteness.
- 2.30 The current proposal responds poorly to its sensitive location and fails to promote the local distinctiveness of the Kent Downs, nor does it reflect the historic farmstead in terms of design and layout. The proposal fails to be complementary to the local rural and historic character in design, scale and form, as required by national and local policy as well as principles SD2 and SD9 of the Management Plan. As identified in the Management Plan, Section 3.4, 'to conserve and enhance the natural and scenic beauty of the Kent Downs, the design of new development is critical'. Furthermore, recently revised guidance on new development in AONBs provided in the updated Planning Practice Guidance advises that 'all development in... an Area of Outstanding Natural Beauty will need to be located and designed in a way that reflects their status as landscapes of the highest quality'.
- 2.31 Turning to the detached building where a 'flexible' use is proposed to accommodate either annexe accommodation or a holiday let. In regards to the annexe accommodation, the building is of a similar scale to the previous permission and is of a scale that could be described as reflecting its function and could readily revert back to accommodation to serve the main dwelling at a later date. However, it is not clear from the application whether with the use of a 'cruck' form of structure results in this building being rebuilt or converted. That aside, there is provision within the policies for annexe accommodation to be provided within both existing and new buildings. However, its design and form, with a curved roof and modern metal panel elevations would be out of character with the rural landscape and the context of the site resulting in visual harm.
- 2.32 Turning to the potential use as tourism accommodation. In principle the development would be acceptable but would not meet criteria i), ii) and v) of draft policy E4 due to the visual harm identified. The development would fail to conserve and enhance landscape and scenic beauty and preserve or enhance any heritage assets within its setting.
- 2.33 The same applies to the detached garage given that its design and form mirrors that of the barn dwelling and the detached annexe/holiday let. The works to the granary are sensitive to its historic interest, such that there would be no harm in this respect. It is also noted that biodiversity enhancements are proposed, however, these do not outweigh the significant harm to the AONB arising from the proposed inappropriate design of redevelopment/conversion of the farmstead.

Impact on Residential Amenity

- 2.34 The proposed dwelling would be self-contained, have functional layouts and comfortable sized rooms. A garden area and on-site parking is provided. The building would not result in any interlocking issues. Accordingly, the proposal would provide a good standard of residential amenity for prospective occupants in accordance with para 130(f) of the NPPF. The development can also be provided with cycle parking, which could be secured by condition.
- 2.35 The residential amenity of the neighbouring property, Drellingore Cottage, will not be harmed by the proposal, due to the separation distance to the nearest dwelling. It is also considered that the closeness of the annexe to the barn would not cause an issue of interlocking but this could become an issue if it were used as a holiday let. This could be covered by a condition to ensure that the holiday let is not severed from the ownership of the main dwelling at a later date.

Highways

- 2.36 The site entrance has good visibility on to Stombers Lane, which is a relatively quiet road. The number of traffic movements likely to be generated by the proposal would not have an unacceptable impact on highway safety. The proposal would provide sufficient car parking to meet the needs of the development. Cycle storage would be provided within the proposed garage, located to the northeast of the barn. The proposal would accord with the relevant planning policies in these regards.

Ecology

- 2.37 The application submission does not include up-to-date ecological surveys that are required to understand the ecological value of the site, any potential impacts or any mitigation necessary. The requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) cannot therefore be addressed nor can the NPPF mitigation hierarchy principles (paragraph 180(a)) be applied, or follow government guidance that *"it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision"* (para 99 of circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within the Planning System).
- 2.38 This is further supported by Natural England 'standing advice' which makes it clear that LPAs should not decide planning applications until you have received all the necessary surveys and that planning conditions that ask for surveys are not appropriate. This is because it is necessary to consider the full impact of the proposal on protected species before you grant planning permission. When insufficient ecological information has been submitted, Natural England advise that:

"You can refuse planning permission if surveys:

- are carried out at the wrong time of year*
- are not up to date*
- do not follow standard survey guidelines without appropriate justification*

- *do not provide enough evidence to assess the likely negative effects on protected species”*

2.39 It is therefore concluded that in the absence of this survey information there could be significant harm to protected species and the requirements of paragraph 180 of the NPPF and draft policies SP13 and SP14 cannot be fully considered.

3. Conclusion

- 3.1 The NPPF requires us to consider the impact of a proposal in respect of the significance of a non-designated heritage asset. As indicated, this barn has significance as a former agricultural building of a traditional form and as such is considered to be of importance to the rural character of the area. The proposed works result in the almost complete loss of this building. Externally the original barn is completely lost from public view and appreciation and replaced with a structural form that is alien to the local context. It is inconclusive how much of the existing barn structure would be retained and therefore this proposal is for a replacement/new build and is not a conversion of the existing heritage asset. The proposal would cause harm to the historic character and appearance of the historic farmstead. Consequently, the proposal would be contrary to policy and therefore is refused.
- 3.2 The design and form of the proposed annexe/holiday let would also be at odds with the Kentish rural context of the site, failing to conserve the intrinsic character and beauty of the landscape/AONB. The same harm would result from the incidental garage building due to its design and form. The suburban style gated entrance would further compound this visual harm to the character and appearance of the countryside, contrary to the planning policies identified.
- 3.3 The proposal does not represent a sensitive conversion/redevelopment of the historic farmstead and the proposal neither conserves nor enhances the scenic beauty of the AONB. As such, it is in conflict with the AONB Management Plan, NPPF, Kent Downs LCA and policies DM15 and DM16. The tilted balance is therefore not engaged due to the harm caused to the AONB and its sensitive landscape, for the reasons identified in the report.

g) Recommendation

I PLANNING PERMISSION BE REFUSED for the following reasons:

1. The proposals do not represent a sensitive conversion/redevelopment of the historic farmstead, due to their design and form that is out of character with the traditional rural and historic form of the farmstead and the surrounding landscape and failing to enhance its immediate setting. As a result the proposals would cause visual harm and fail to conserve or enhance the landscape and scenic beauty of the Kent Downs Area of Outstanding Natural Beauty contrary to paragraphs 130, 134, 174 and 176 of the National Planning Policy Framework (2023), National Design Guidance (2021), policies DM15 and DM16 of the Dover Core Strategy (2010), draft policies SP4, E4, H6 and NE2 of the Submission Draft Dover District Local Plan (2023) and policies SD1, SD2, SD3, SD9, HCH1 and HCH6 of the Kent Downs Area of Outstanding Natural Beauty Management Plan 2021- 2026.

2. The proposals would result in unacceptable loss of historic form and fabric to a non-designated heritage asset and would have a detrimental impact on the character and appearance of the existing building without overriding justification. The proposal would fail to comply with paragraph 203 of the National Planning Policy Framework (2023) and draft policy HE1 of the Submission Draft Dover District Local Plan (2023).

3. The proposed new build development, would result in a dwellinghouse outside of any defined confines and in a location where day-to-day needs would be reliant on the use of the car, the need for which has not been demonstrated sufficiently to override normal sustainability objectives. The proposal would result in an unjustified residential development in this rural location contrary to policies DM1 and DM11 of the Dover Core Strategy (2010), Submission Draft Dover District Local Plan (2023) policies SP4 and TI1 and paragraphs 7, 8, 11 and 80 of the National Planning Policy Framework (2023).

4. The application has not been supported by a Preliminary Ecological Appraisal or species-specific surveys to demonstrate whether protected species are present on the site. In the absence of evidence to the contrary, the proposal has failed to fully consider the impact of the proposal on protected species and demonstrate that this site would protect, enhance and minimise impacts to biodiversity contrary to paragraphs 174 and 180 of the National Planning Policy Framework (2023) and paragraph 99 of Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

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

Case Officer

Alice Pitts