



Planning Statement

Submission to Maidstone Borough Council

Proposal: Erection of a Detached Dwelling with parking, garden land and associated landscaping

**Land east of Butlers Farmhouse
Horseshoes Lane
Langley
Maidstone,
Kent**

December 2023

Introduction

This planning statement sets out the site context, planning history, key policy parameters, material considerations and an analysis of the proposed scheme, to present a planning case for supporting a planning application for residential development.

This application has been prepared by Kent Planning Consultancy Ltd in partnership with Kent Design Studio Ltd on and relates to the land known as the 'Land to the East of Butlers Farmhouse'.

Proposed Development

Full planning permission would be sought for the Erection of one detached dwelling, along with parking and garden land and associated landscaping.

The proposed description of development is as follows:

“Erection of a detached Dwelling with parking, garden land and associated landscaping”.

The proposal would be for scheme of 1 4-bedroom property.

The property sits comfortably within the plot and is of a traditional design which is complimentary to the local character of the area.

Off-road parking is provided to the north of the property.

The application would secure landscaping throughout the site, much of which is already present to be retained. This would help screen the development and ensure privacy and amenity for future occupiers and neighbouring properties.

Access would be provided from Horseshoes Lane from the existing access point. The driveway wraps around the north-east corner of the plot, leading to the parking area. The driveway would also provide access to Butlers Farmhouse to the west via a gated access.

The application is accompanied by a proposed layout drawing and elevations, prepared by Kent Design Studio Ltd.

Site context & surroundings

Immediate

The Site comprises a rectangular parcel of land, serving as a brownfield site (previously developed land) as it was previously garden land associated with Butlers Farmhouse. It is not currently maintained as a garden and is therefore an area of overgrown grassland.

The site benefits from an established means of access from the south-east corner, leading to a driveway which runs along the eastern and northern boundary of the site, accessing Butlers Farmhouse.

Established vegetation surrounds the site on the southern, northern and eastern boundaries. The site is largely level in its topography.

The Site is shown as follows:



Figure 1 Site – Source: Google

Surrounding

The site is located within the village of Langley, within the administrative area of Maidstone Borough Council. Langley is not defined within a settlement boundary in the Maidstone Local Plan and therefore the site falls within the countryside for development management purposes.

Regardless of this, there is a clear pattern of development in the village of Langley, and the site falls on the outskirts of the built-up area of the Langley Heath part of the village.

Properties in the immediate area comprise large detached and semi-detached properties along Horseshoes Lane.

Surrounding land-uses include the Langley Village Hall to the east, agricultural land to the north and the Butlers Farmhouse property to the west. Horseshoes Lane runs adjacent to the southern boundary of the site, a number of residential properties and the central area of Langley Heath fall to the south of this.

Horseshoes Lane provides direct access to the A274, from which Maidstone town can be reached in 4.5 miles. This stretch of the A274 has been the subject of substantial strategic growth in the area in recent years, and as such has introduced a number of amenities and facilities to the area.

The site is approximately 2.5 miles from the M20.

Planning History

Pre-application advice 23/500264 was received and suggested that the application could not be supported for the following reasons:

- Locational sustainability
- Impact on character of the area
- Impacts on amenity and provision for parking and services
- Need to demonstrate Biodiversity Net Gain

These matters have been responded to in the planning assessment below.

Planning Policy

The relevant national and local planning policy is set out below:

National Level

NPPF (published 2019 Feb)

Chapter 2 – Achieving Sustainable Development

Chapter 11 – Effective use of land

Chapter 12 - Achieving well-designed places

NPPG

Para. 106 – Guidance relating to the application of conditions upon planning permissions.

Local Level

Maidstone Local Plan 2017

- Policy SS1 – Maidstone Borough Spatial Strategy
- Policy SP17 – Countryside
- Chapter 8: Design and The Built Environment

- Policy DM1 – Good Design
This policy sets out the criteria for ensuring high quality design which responds positively to the character of the area

- Policy DM5 – Development on brownfield land

Sets out the policy provision for development on previously developed land. The policy states that this criteria does not apply to brownfield sites which are residential garden land, however case law has established that residential gardens which are in the countryside are to be considered as brownfield sites.

- DM 11 – Residential Garden Land

This sets out the criteria for permitted built development on residential garden land, whilst this policy only makes provision for garden land within the urban area, rural service centres and larger villages, the policy parameters still broadly apply.

- DM 23 – Parking Standards

This policy sets out the parking standards for residential development within the Maidstone Borough.

- Policy DM 30 – Design Principles in the Countryside

This policy sets out the criteria for development within the countryside, where they would also create high quality design and satisfy the requirements of other policies within the Plan.

Planning Analysis

The main considerations in the analysis of this application are:

- **Principle of Development**
- **Character and Appearance (Visual Amenity)**
- **Residential Amenity**
- **Parking and Highways**

Principle of Development

Use of a Brownfield Site

Policy DM 5 of the Maidstone Borough Local Plan sets out that proposal for development on brownfield sites within the countryside will be permitted where they are not of high environmental value, the proposal reflects the character and appearance of the area and

the site is accessible by sustainable modes of transport to the Maidstone Urban Area, a rural service centre or a larger village.

The policy states that this criteria does not apply to brownfield sites which are residential garden land, however case law¹ has established that residential gardens which are in the countryside are to be considered as brownfield sites. Therefore, the policy provision for this type of development within the NPPF does apply, where there is support for the use of previously developed land to deliver homes.

Locational Sustainability

The site is within the countryside for development management purposes however it is not in an isolated and rural location.

In appeal decision APP/U2235/W/15/3139288, the proposed development was outside of the settlement boundary. The inspector concluded that paragraph 29 (now 105) of the NPPF recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into consideration in decision making.

The Inspector recognised that the site in question lent itself to cycling opportunities and was served by a frequent bus service and was therefore sustainably located. Therefore, it can be taken that locational sustainability is not solely dependent on being within settlement boundaries and can be assessed on a case-by-case basis taking into account the local context.

Horseshoes Lane provides direct access to the A274, this part of Langley was allocated within the Maidstone Local Plan to house strategic growth in the area, introducing primary schools, a community centre and shopping facilities and publicly accessible open space. Significant improvements have also been made to the road including extending the bus lane and improving pedestrian and cycle access. There is a doctors surgery very close to the site on Horseshoes Lane along with the village hall, playground and village pub. The bus stop on Heath Road can be walked to in 3 minutes via pavements and a Public Right of Way and offers services between Maidstone and Tenterden.

Therefore, whilst the pre-application response considered this to be an unsustainable location for new dwellings, we contest this and conclude the proposal would not result in the introduction of dwellings to the countryside in an unsustainable location and aligns with Policy SS1 of the Maidstone Local Plan. Notwithstanding this, the scheme has also been reduced to one dwellinghouse, which is more easily accommodated in terms of locational sustainability.

¹ Dartford Borough Council v Secretary of State for Communities & Local Government (CO/4129/2015)

The development in this location would also align with Policy SP17 of the Maidstone Borough Local Plan states that development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area.

Character and Appearance (Visual Amenity)

The NPPF attaches great importance to the design of the built environment and advises that good design is indivisible from good planning (Chapter 12). This initiative is filtered through to policies DM1 and DM30 of the Maidstone Local Plan.

The dwelling would be of a high-quality design which is in keeping and harmonious to the locality, employing a palette of materials akin to the local vernacular which largely comprises two-storey dwellings made of brick. The dwelling would be of a size and scale consistent with the surrounding properties, sitting comfortably within the plot. The retention of the vegetation along the boundaries of the site helps to retain the local character of the area and screen the development from the street scene.

The pre-application response raised concern over the impact on visual amenity, concluding that the site offers relief from the built form in the area. The scheme has been amended to respond to this and now only comprises one dwelling to retain the openness of the majority of the site and allows for the transitional role moving from built form into the open countryside.

Given the above, the scheme would not result in any adverse or significant visual harm.

Ecology

Measures to enhance ecology at the site have been incorporated into the scheme, as shown on the submitted plans, to deliver biodiversity net-gain.

Residential Amenity

Policy DM1 of the Maidstone Local Plan requires that development provides adequate residential amenity for future and existing/surrounding occupiers.

Given the siting, location and the degree of vegetation to be retained on the site boundary, the new dwelling would ensure there are no adverse amenity issues through either overlooking or overbearing development to existing occupiers.

The development (intention to meet NDSS) would ensure sufficient habitable and private amenity space, as to provide adequate residential amenity for future occupiers.

Parking and Highways

The development would provide 2 spaces which is in accordance with Policy DM23 of the Maidstone Local Plan.

An existing means of access would be used and the addition of one dwelling would not overly intensify the use of the local highway network.

Therefore, the scheme would not result in any adverse impacts on the highway or highway safety.

Conclusion

A planning application is submitted for the erection of a well-designed and traditional new dwellinghouse, located within the village of Langley.

Based on the assessment given above, the proposal is considered to constitute sustainable development in a sustainable location. The development would not cause harm to neighbouring amenity, highway safety, or to the surrounding character. Overall, the proposed development is considered to be acceptable in the balance of issues discussed within this statement and there are not considered to be any other material considerations which would indicate a refusal of planning permission.

The scheme has responded to pre-application advice and represents sustainable development.

Given the above, it is politely requested that the proposed scheme should be positively viewed by officers, within the context of the NPPF and the Local Plan and that support is given.