

**Replacement of existing stable building to create three bedroom holiday let, together with
associated car parking and amenity space
At Great Fowlehall Oast House, Darman Lane, Paddock Wood,
Tonbridge, Kent, TN12 6PW**

Full Planning Application

Planning Statement

**Town and Country Planning Solutions Ref No: TCPS 1045A
February 2024**

CONTENTS

	Para Nos.	Page
1. Introduction	1.1 – 1.2	3
2. Background to the proposal	2.1 – 2.15	4
3. Planning policy and other considerations	3.1 – 3.23	14

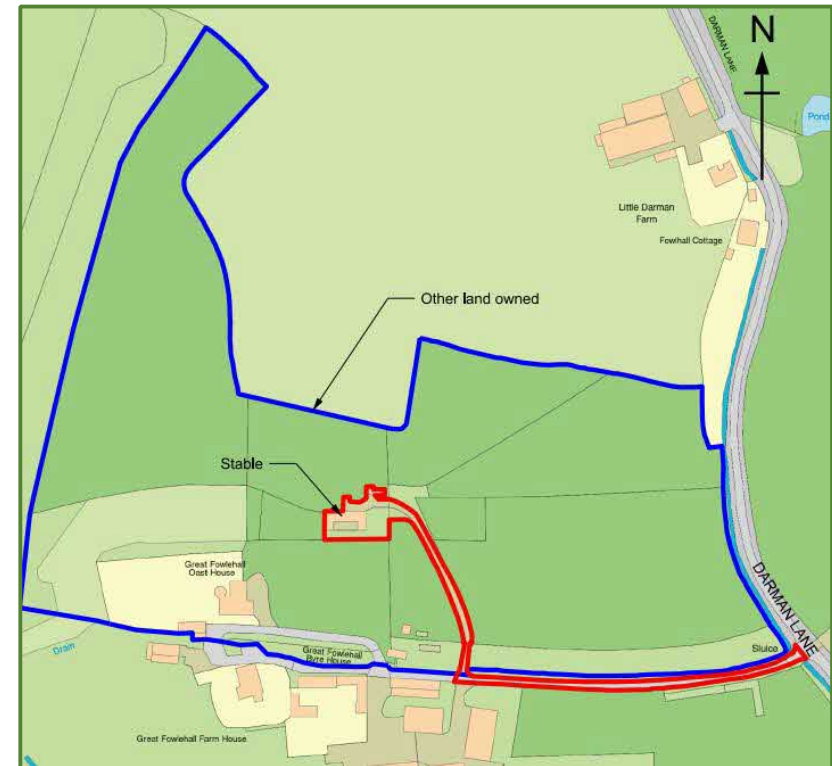
Appendices

1. Approved drawings and Officer Report – Extant permission no. 23/503128/FULL

1. INTRODUCTION

- 1.1 This Planning Statement accompanies a full planning application submitted to Maidstone Borough Council on behalf of Mr J Ould. The application site comprises a disused stable block situated within the grounds of a dwelling known as Great Fowlehall Oast House. There is an extant planning permission (no. 23/503128/FULL) to convert the building to create a three bedroom holiday let, together with associated car parking and amenity space. However, following further investigation, it would not be viable to convert the building and as such, this alternative proposal is to replace the existing structure like-for-like equivalent, to again create a three bedroom.
- 1.2 This Statement describes the site and the extant permission, before explaining the proposed scheme. This is followed by an assessment of the relevant planning policies and other material planning considerations taken into account. The final section provides a summary with conclusions.

Site location plan



2. BACKGROUND TO THE PROPOSAL

i) The site and surrounding area

2.1 The application site comprises a disused stable block containing six horse boxes, a tack room and hay store. The building is of timber construction in a U-shape, with timber cladding and a pitched roof covered with rubber corrugated sheeting. The site is accessed via an existing vehicular track, which connects to another shared access track linking to Darmen Lane.

2.2 The Applicant's ownership comprises the main dwelling and three outbuildings, a large garden surrounding the property and a field to the east. The remainder of the previous farmstead includes two other dwellings; Great Fowlehall Byre and Great Fowlehall Farmhouse, which is grade II listed. An additional barn at The Byre is being converted into a dwelling at present.

Photograph 1 – The southern and western elevations

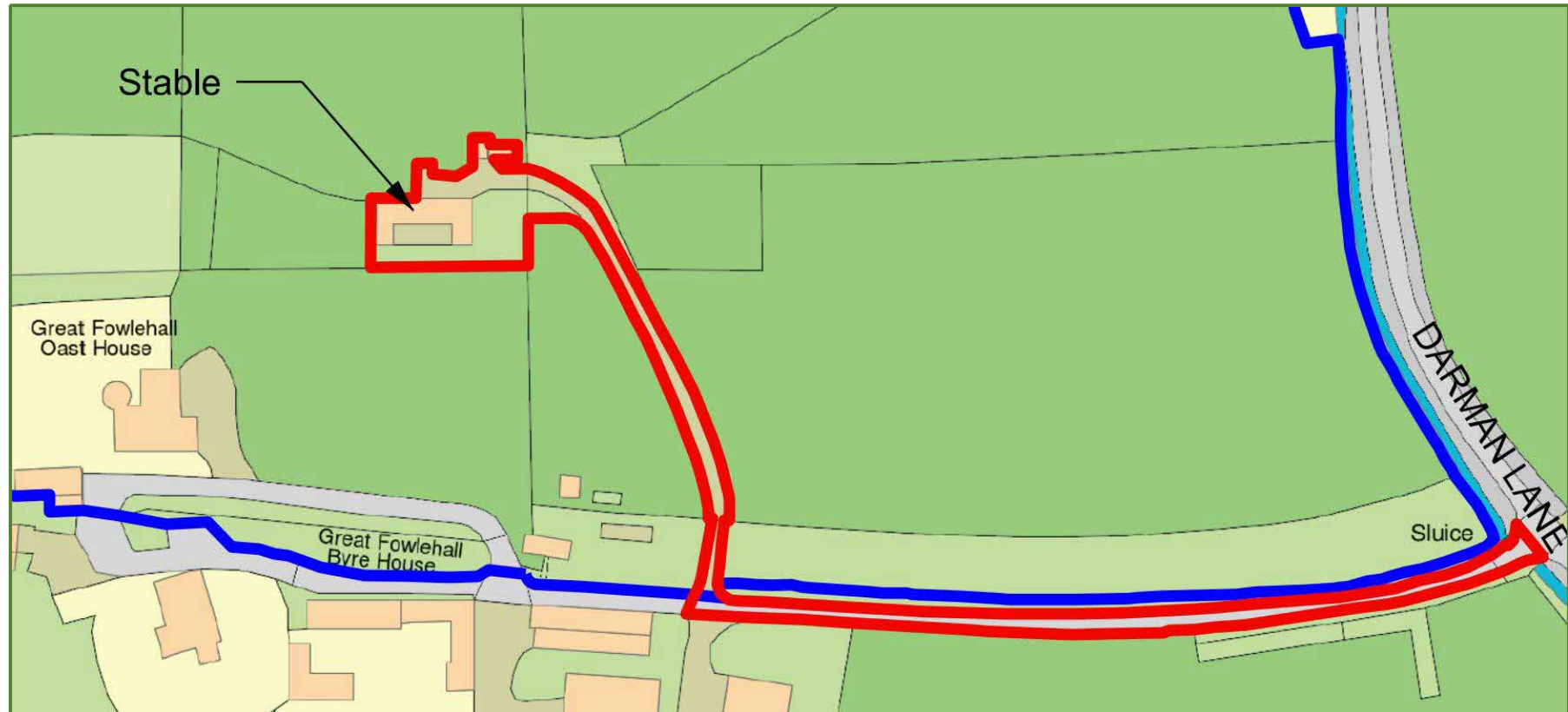


Photograph 2 – Southern elevation and front courtyard



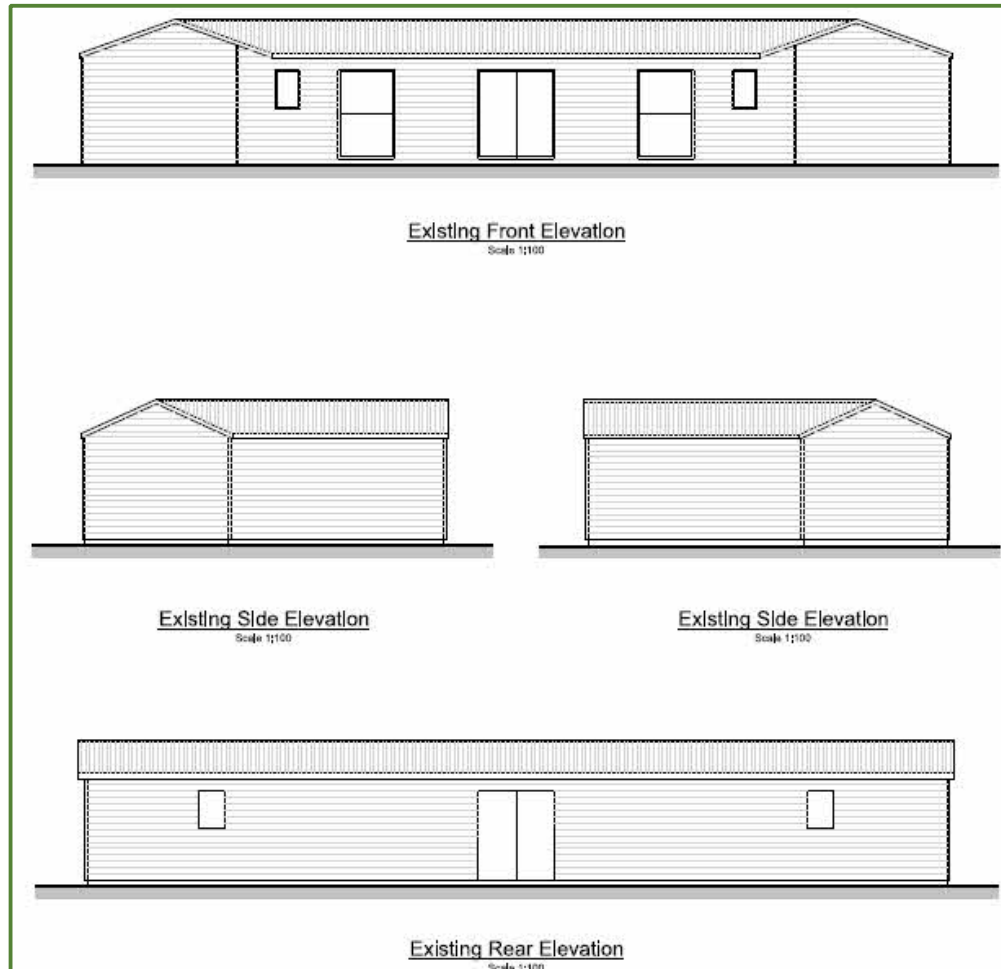
2. BACKGROUND TO THE PROPOSAL

Block plan



2. BACKGROUND TO THE PROPOSAL

Existing elevations – Drawing no. JBD/TN12/6PW/082



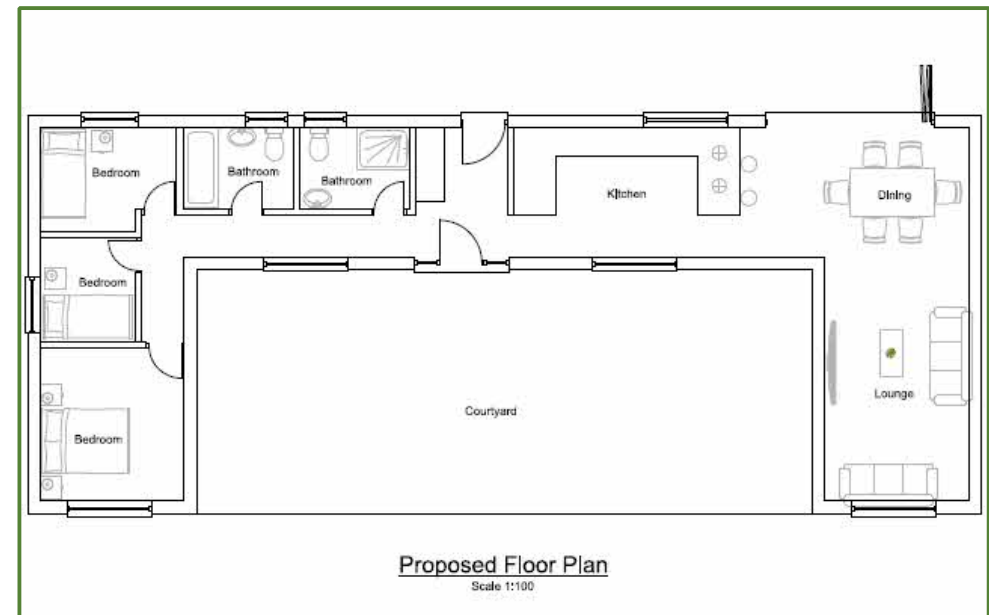
2. BACKGROUND TO THE PROPOSAL

ii) Permission no. 23/503128/FULL

2.3 Planning permission was granted in September 2023 for the conversion of the existing stable building to create a three bedroom holiday let. The three bedrooms were provided on the western side of the property, with a bathroom and a shower room at the north western corner. The eastern part of the property comprised an open plan kitchen, dining and living room area. The courtyard at the front of the property was retained as an amenity space, together with an additional grassed area to the east. An existing storage yard laid to hardstanding to the north east provided car parking.

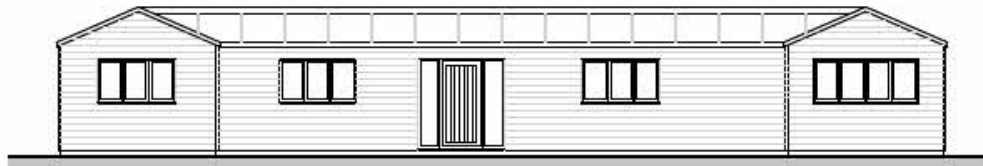
2.4 Externally, a central entrance door four windows were inserted on the southern elevations. Four windows were inserted on the northern elevation, with another door and full height glazed windows serving the living area.

Approved floor plan – Drawing no. JBD/TN12/6PW/081



2. BACKGROUND TO THE PROPOSAL

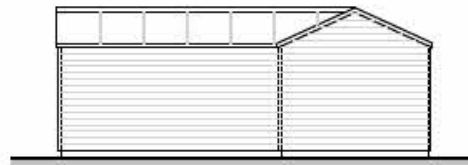
Approved elevations – Drawing no. JBD/TN12/6PW/083



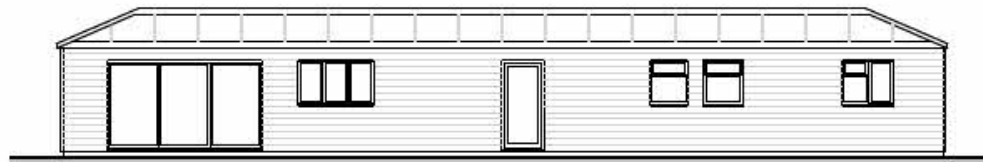
Proposed Front Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100

2. BACKGROUND TO THE PROPOSAL

2.5 The approved floor plan, elevations and officer report are reproduced in **Appendix 1**.

2.6 During the application, there was no objection from any neighbouring residents. Consultee responses were received in relation to highways, community safety (police) and environmental services, with no objections. The Parish Council originally objected, but subsequently withdrew their objection. As such, the scheme had no public or consultee objections.

2.7 The Council's Delegated Officer Report confirmed that the principle of creating a holiday let in this location would be acceptable, stating that;

"...the economic benefits of the proposal would entail to the rural economy would only be fairly limited considering its small scale, however there is strong support for rural tourism development in national and local policy,

particularly policy DM31 of the Local Plan and paragraph 84 of the NPPF. As this is a location where a new residential dwelling would not normally be permitted, it is necessary to append a holiday occupancy condition in order to prevent the use of the building as a sole or main residence.

In summary, holiday/tourism related development in the rural areas of the borough are generally supported by both national and local planning policies."

2.8 Regarding visual impact, while some domestic fenestration would be installed, this would not result in any greater visual impact than the current situation. It was also stated that *" the building is partially visible from the road Darman Lane with a low hedgerow located along the eastern boundary of the site, however the building is some 172m from the road and on the basis of the character and appearance of the structure broadly being retained, it is not considered that the development*

2. BACKGROUND TO THE PROPOSAL

would have a detrimental impact upon the character and appearance of the host structure of the character of the wider area.”

2.9 There was no harm in terms of residential amenity, heritage impact or highways. The scheme was considered acceptable in flood risk and drainage terms of no further ecological information was required.

2.10 As such, the application was approved with the Officer Report concluding that *“the proposed conversion of existing stable building to create three bedroom holiday let, together with associated car parking and amenity space would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed development is in accordance with current policy and guidance.”*

iii) This planning application

2.11 Following the grant of permission no. 23/503128/FULL, the Applicant went out to tender for the conversion works. However, while it is physically capable of conversion, following additional investigation it is considered that it would not be economically viable to convert the existing building. As such, for longevity purposes, this application is seeking to instead replace the structure with a like-for-like replacement building, also comprising a three bedroom holiday let.

2.12 The scale, bulk, mass and appearance of the building would be very similar to the existing building. Regarding the footprint, the only slight change would be an extension at the eastern part of the building into the courtyard, in order to create a more usable living area. This would increase the footprint from 104 sq m to 127 sq m. The western part of the building would have the

2. BACKGROUND TO THE PROPOSAL

same footprint at the existing building and also the extant approved scheme. The eave height would remain the same, as would the ridge height on the western side of the building. The slightly enlarged eastern part of the building would have a slightly higher ridge height of 4.38m.

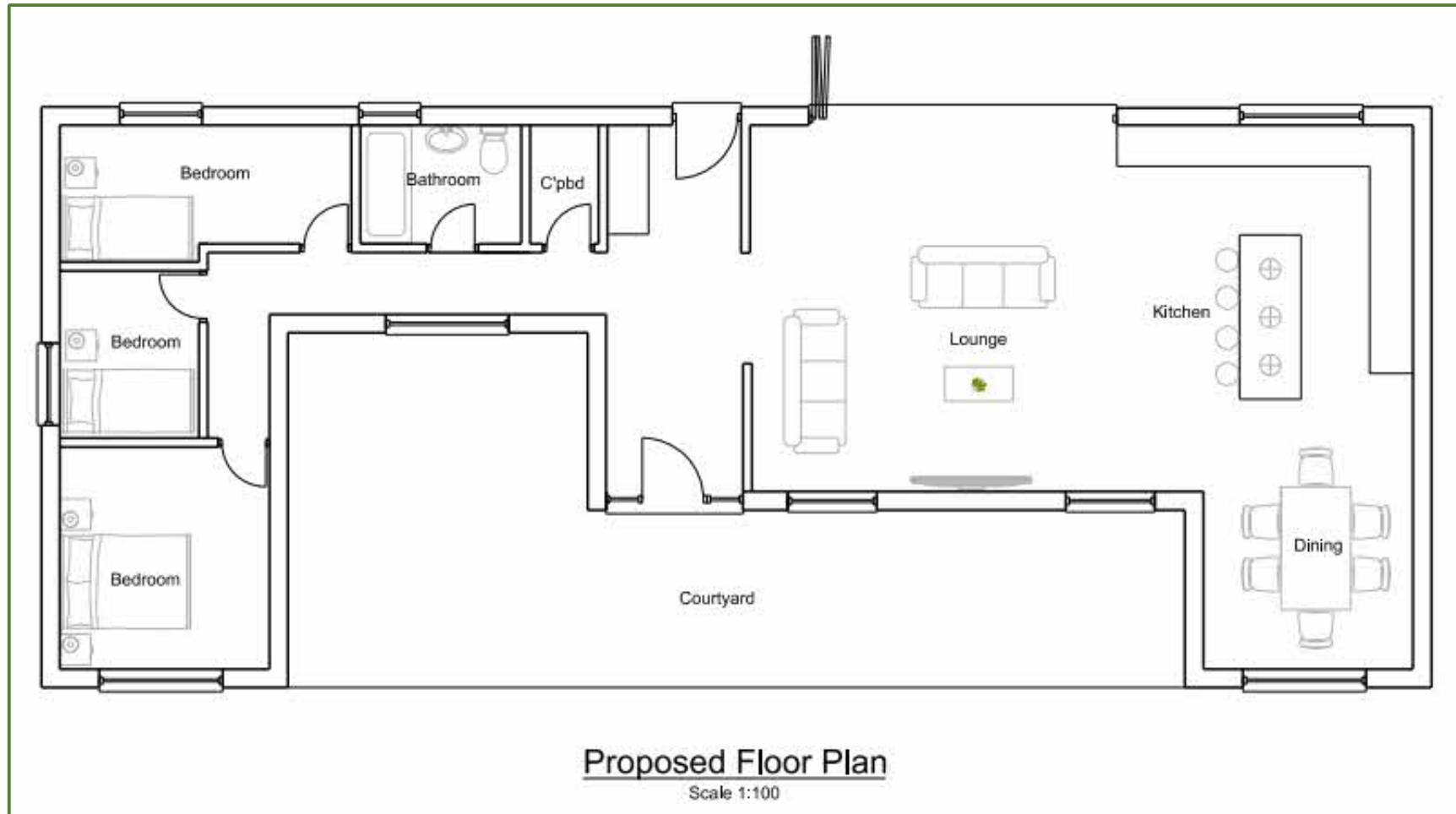
2.13 The external fenestration the same as the approved scheme, in terms of the size and placement of windows and doors. The building would be faced with natural timber weatherboarding, to retain a very similar visual appearance.

2.14 There would continue to be a private amenity space to the front and side of the building and the car parking arrangements would remain the same.

2.15 The proposed floor plan and elevations are reproduced on the following two pages.

2. BACKGROUND TO THE PROPOSAL

Proposed floor plan – Drawing no. JBD/TN12/6PW/081 A



2. BACKGROUND TO THE PROPOSAL

Proposed elevations – Drawing no. JBD/TN12/6PW/083 A



3. PLANNING POLICY AND OTHER CONSIDERATIONS

i) Statutory Provisions and Planning Policies

3.1 Section 70 (2) of the Town and Country Planning Act 1990 requires planning applications and decisions to have regard to the provisions of the development plan so far as they are material to the proposal. Other relevant material considerations must also be taken into account. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that *“if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.

3.2 The relevant part of the Development Plan for the area comprises the Maidstone Borough Local Plan 2011-2031 (2017).

3.3 Relevant Local Plan Policies are;

Policy SP17 (Countryside);
Policy SP18 (Historic environment);
Policy DM1 (Principles of good design);
Policy DM2 (Sustainable design);
Policy DM3 (Natural environment);
Policy DM4 (Development affecting designated and non-designated heritage assets);
DM8 (External lighting);
Policy DM23 (Parking standards);
Policy DM30 (Design principles in the countryside);
Policy SP21 (Economic development).

3.4 The Council are in the process of preparing the Maidstone Local Plan Review, which is currently at Regulation 19 stage and is undergoing formal Examination. At this stage, some weight can be attached to its draft Policies.

3. PLANNING POLICY AND OTHER CONSIDERATIONS

3.5 Relevant draft Policies include;

Policy LPRSP9 (Development in the Countryside);

Policy LPRSP1 (Design);

LPRSP11 (Economic development);

LPRSP14A (Natural environment);

Policy LPRQ&D 1 (Sustainable design);

LPRSP14(B) (The historic environment);

LPRSP15 (Principles of good design);

LPRENV1 (Historic environment);

LPRQ&D2 (External lighting);

Policy LPRQ&D 4 (Design principles in the countryside);

Policy LPRTL2 (Holiday lets, caravan and camp sites);

Policy LPRTRA4 (Parking Standards).

3.6 Other material planning considerations including relevant parts of the National Planning Policy Framework (2023) and the Kent Design Guide (2005).

3.7 Relevant parts of the Framework include;

2 – Achieving sustainable development;

6 – Building and strong, competitive economy;

11 – Making effective use of land;

12 – Achieving well-designed and beautiful places;

14 – Meeting the challenge of climate change, flooding and coastal change

15 – Conserving and enhancing the natural environment.

3. PLANNING POLICY AND OTHER CONSIDERATIONS

ii) The principle of redeveloping the application site

3.8 The NPPF (at Paragraph 88 c)) states that planning policies and decisions should enable sustainable rural tourism which respect the character of the countryside. It also states that rural business should be supported, including through the creation of 'well-designed, beautiful new buildings'.

3.9 Draft Local Plan Policy LPRTL2 states that;

1. *Proposals for sites for the stationing of holiday lets outside of the settlement boundaries as defined on the policies map will be permitted where:*

i. The proposal would not result in an unacceptable loss in the amenity of the area. In particular the impact on nearby properties and the appearance of the

development from public roads will be of importance; and

ii. The site would be unobtrusively located and well screened by existing or proposed vegetation and would be landscaped with indigenous species.

2. *A holiday occupancy condition will be attached to any permission, preventing use of any unit as a permanent dwelling.*

3.10 Furthermore, Local Plan Policy SP 21 is supportive of economic development in the countryside, including tourism related development, 'provided the scale and impact of the development is appropriate for its countryside location.'

3. PLANNING POLICY AND OTHER CONSIDERATIONS

- 3.11 Therefore, both national and local planning policies support the creation of new holiday lets in rural locations, in suitable circumstances.
- 3.12 There is an extant permission at the site for the conversion of the existing building into a three bedroom holiday let. This confirmed that the creation of a new holiday in this location would be supported. Specifically, the Officer Report confirmed that there would be economic benefits, which weigh heavily in favour of supporting new holiday lets in rural locations.
- 3.13 The Officer Report concluded that the creation of holiday lets in the countryside in general is supported, not solely the conversion of rural buildings, stating that *“In summary, holiday/tourism related development in the rural areas of the borough are generally supported by both national and local planning policies.”*
- 3.14 As previously explained, it would not be viable to convert the existing building and it is therefore proposed to replace the building with a like-for-like new building. This would be far more practical and create a much longer economic life for the building, compared to the conversion of a timber structure that is more than 20 years old.
- 3.15 This would still provide a three bedroom holiday let, which would be very similar in scale and appearance. While this is no longer a conversion, it is clear that both national and local planning policies are supportive of the creation of new holiday lets in rural locations.
- 3.16 In any case, the extant consent comprises a relevant fallback position on which this proposal should be assessed. In this regard, there would be no demonstrable harm caused by the building being

3. PLANNING POLICY AND OTHER CONSIDERATIONS

replaced (as opposed to converted) in the manner proposed and as such, the scheme should continue to be acceptable in principle, to enable a valuable new holiday let to be created.

iii) Impact upon the character and appearance of the area

3.17 The extant permission at the site confirmed that the conversion of the existing building and specifically, the creation of more domestic fenestration, would not have a harmful impact upon the character and appearance of the surrounding area.

3.18 The proposed replacement building would have a similar scale and appearance. While the eastern part of the building would be slightly larger, it would not result in a material visual difference, with the recent Officer Report

confirming that this location, in being located some distance from any public vantage points, is concealed from public view. Therefore, the slight increase in part of the building would not result in any material visual harm.

3.19 The building would continue to be faced with natural timber cladding and the proposed fenestration would be very similar to the extant scheme. As such, the scheme would not have a harmful impact upon the character and appearance of the area.

iv) Other matters

3.20 The recent Officer Report confirmed that there were no concerns in relation to residential amenity, heritage impact or highways. The scheme was considered acceptable in flood risk and drainage terms of no further ecological information was required. The proposed

3. PLANNING POLICY AND OTHER CONSIDERATIONS

scheme would not result in any material changes to any of these considerations and as such, should continue to be acceptable.

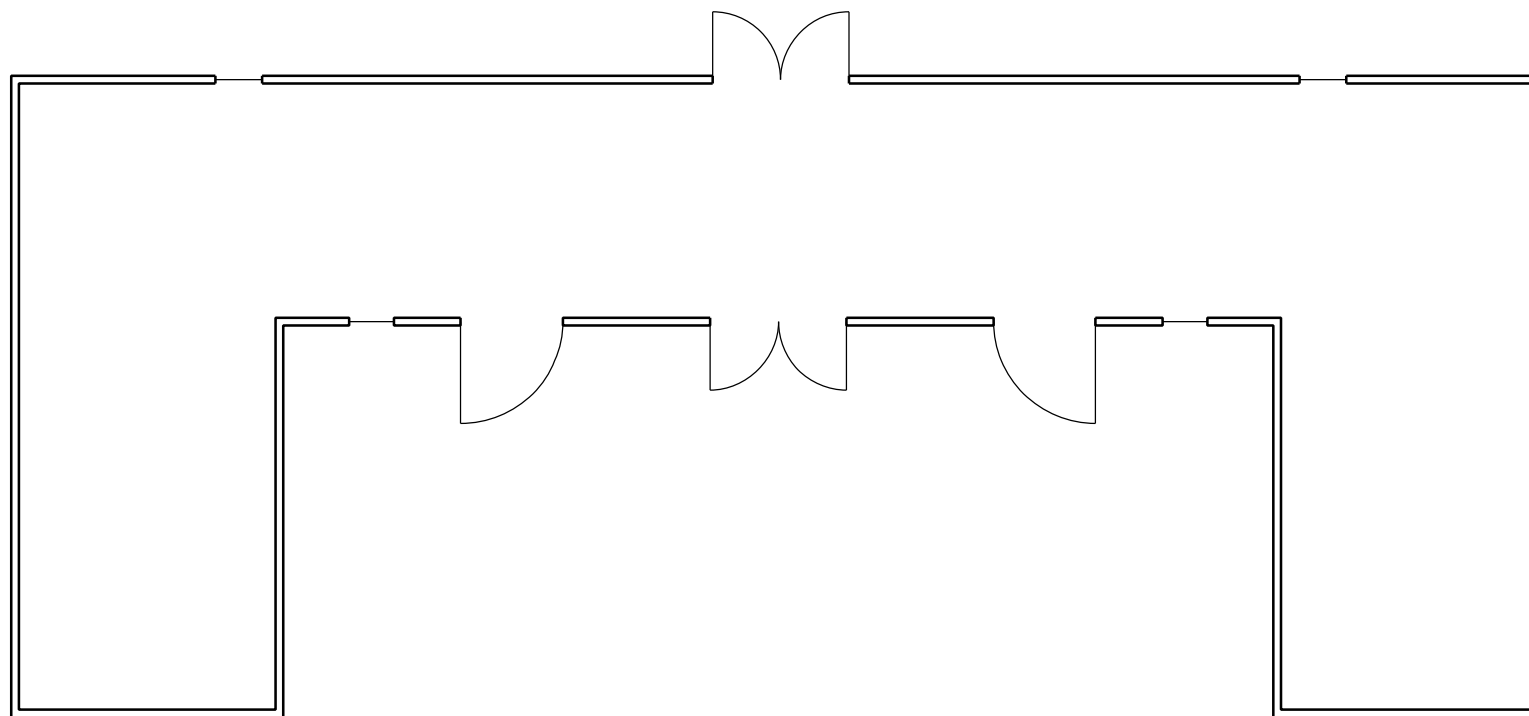
v) The planning balance

3.21 Overall, the proposal would comprise a highly comparable scheme to the extant permission at the site, which made it that the creation of a holiday in this location is supported by planning policy.

3.22 Although the building would be replaced as opposed to converted, it would have a similar scale, bulk and mass with a similar visual appearance and fenestration. The replacement of the existing building would create higher quality living accommodation than the extant conversion scheme which would be more attractive to visiting

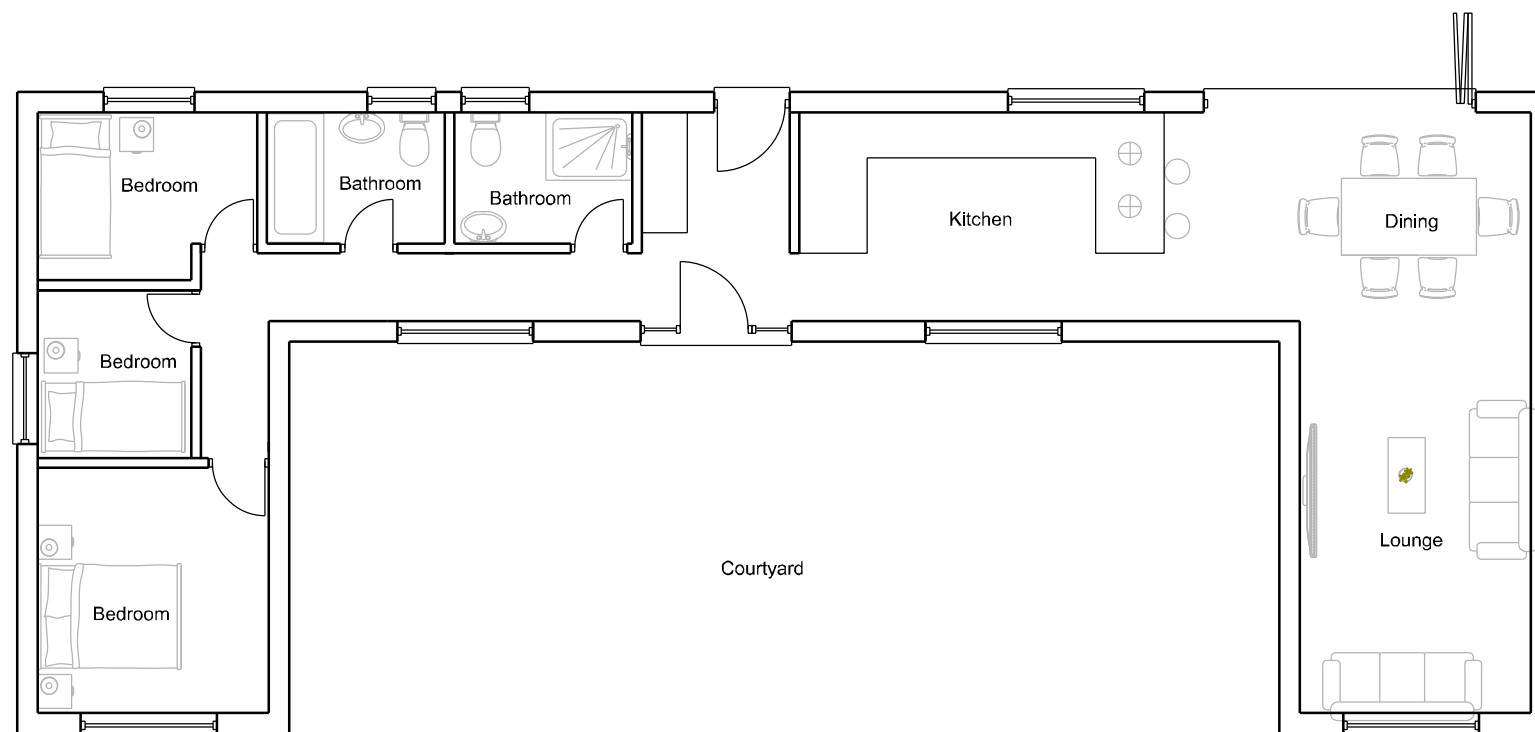
tourists. It would also have a far longer economic life compared to converting a timber building which is over 20 years old and as such, this scheme would be more sustainable from a life-cycle perspective.

3.23 Therefore, in absence of demonstrable harm and in line with national and local planning policies, this planning application should be granted.



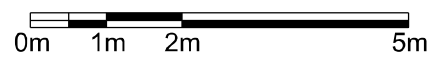
Existing Floor Plan

Scale 1:100



Proposed Floor Plan

Scale 1:100



Client **Mr Ould**

Title
**Great Fowle Hall Oast House,
 Paddock Wood,
 Tonbridge Kent,
 TN12 6PW**

Title
**Proposed Stable Conversion
 Existing & Proposed Plans**

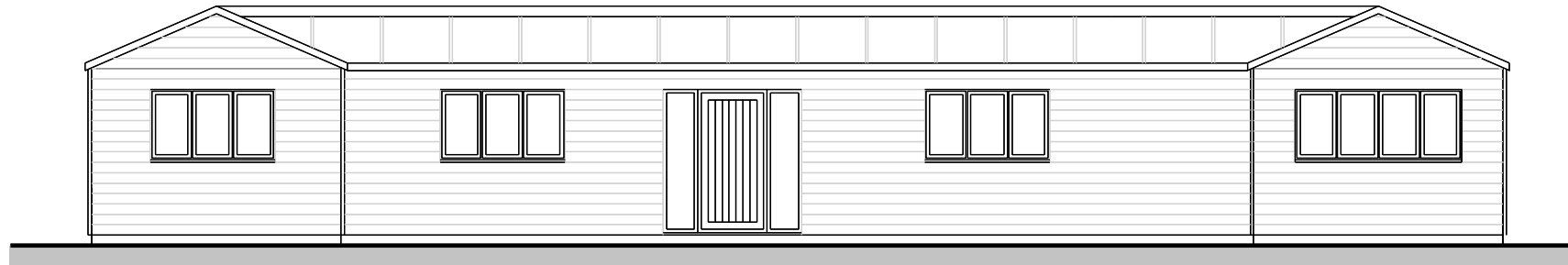
Drawn By

Drawing Number
JBD/TN12/6PW/081

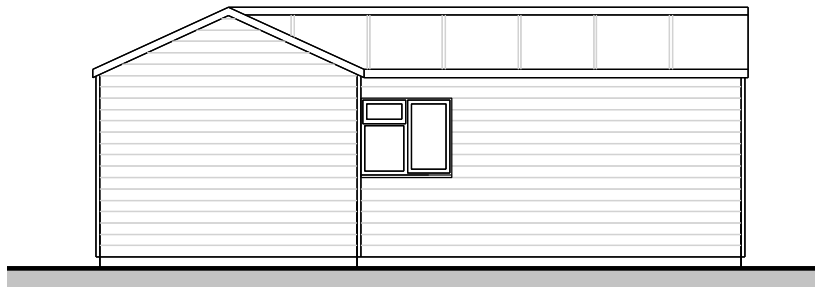
Size
A3

Date
03/05/23

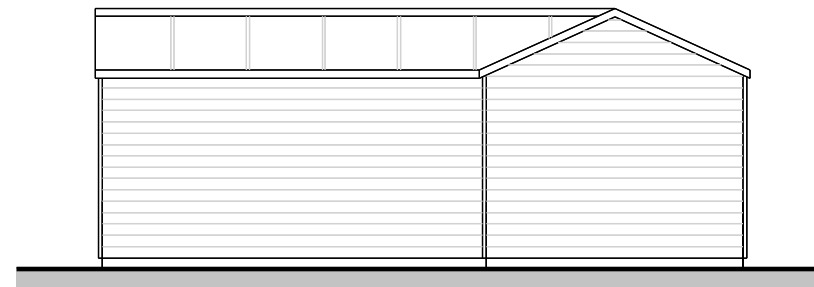
Rev
A



Proposed Front Elevation
Scale 1:100



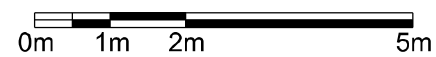
Proposed Side Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100



Client **Mr Ould**
Title
**Great Fowle Hall Oast House,
Paddock Wood,
Tonbridge Kent,
TN12 6PW**

Title
**Proposed Stable Conversion
Proposed Elevations**

Drawn By	Size A3	Date 03/05/23
Drawing Number JBD/TN12/6PW/083		Rev A

NOTES FOR TECH		
APPLICATION PROPOSAL		Ref No 23/503128/FULL
Conversion of existing stable building to create three bedroom holiday let, together with associated car parking and amenity space		
ADDRESS Great Fowle Hall Oast House Darman Lane Paddock Wood Tonbridge Kent TN12 6PW		
RECOMMENDATION - Application Permitted		
WARD Marden And Yalding	PARISH/TOWN COUNCIL Yalding	APPLICANT Mr & Mrs Ould AGENT Town & Country Planning Solutions
DECISION DUE DATE 24/11/23	PUBLICITY EXPIRY DATE 11/09/23	

Site Notice

Posted – 21/08/2023

Expiry – 11/09/2023

Officer Site Visit

21/08/2023

RELEVANT PLANNING HISTORY (including relevant history on adjoining site)

22/500206/LAWPRO : Lawful Development Certificate for the proposed conversion of existing outbuilding to be used as an annex, ancillary to occupation of the main dwelling. - Refused 18.03.2022

22/501604/LAWPRO : Lawful Development Certificate for the proposed use of existing outbuilding as an annex, ancillary to occupation of the main dwelling (Resubmission 22/500206/LAWPRO). – Approved 01.06.2022

22/505444/FULL : Erection of a proposed detached garage. (Retrospective) – Approved 31.01.2023

23/503095/FULL : Refurbishment and extension of existing building to create ancillary domestic annex, for the use and enjoyment of the main dwellinghouse. – Refused 14.09.2023

23/503136/FULL : Erection of barn for the purposes of agriculture use. – Permitted 26/10/2023

DESCRIPTION OF SITE

The application site is located within the countryside as defined in the local plan. The site is accessed from and located to the west of Darman Lane. The access track is shared with several other buildings and dwellings including Grade II listed Great Fowlehall Farmhouse.

The redline boundary includes the access track from Darman Lane and a further access track which heads north to the siting of the stable block. Also, within the applicant's ownership shown within the blue line boundary is Great Fowle Hall Oast House and approx. 10 acres of land. The site is partially enclosed with established trees and hedgerow to the north and west. Partial views of the site would be visible along Darman Lane with a short hedgerow located along the eastern boundary. To the south of the site there are several existing buildings including Grade II listed Great Fowlehall Farmhouse which is approx. 70m south-west of the proposed development.

Beyond the application site the area is characterised with undulating fields and sporadic built development mainly located along the road frontages. The application site is located within flood zone 2.

PROPOSAL

The proposal seeks the conversion of the existing stable building to create a three-bedroom holiday let, together with associated car parking and amenity space.

The proposed conversion would not incorporate any enlargements to the existing building, however it would incorporate various alterations to the fenestration.



Existing Elevations Proposed Elevations

POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

SS1 – Maidstone borough spatial strategy

SP17 – Countryside

SP18 – Historic environment

SP21 – Economic development

DM1 – Principles of good design

DM3 – Natural environment

DM4 – Development affecting designated and non-designated heritage assets

DM8 – External lighting

DM30 – Design principles in the countryside

DM31 – Conversion of rural buildings

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

LPRSS1 – Maidstone borough spatial strategy

LPRSP9 – Development in the countryside

LPRSP11 – Economic development

LPRSP14A – Natural environment

LPRSP14(B) – The historic environment

LPRSP15 – Principles of good design

LPRENV1 – Historic environment

LPRO&D2 – External lighting

LPRO&D4 – Design principles in the countryside

LPRO&D5 – Conversion of rural buildings in the countryside

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG)::

LOCAL REPRESENTATIONS

	COMMENTS RECEIVED
Yalding Parish Council	<p>Object to this application</p> <p>1.0This application needs to be taken in conjunction with planning application 23/503136. The applicant has applied for a new barn for a business that is not established. As such the proposed agricultural barn has not been adequately justified. This existing stable building could be used until such time as the business is established. However, Councillors do not fill if a new business is to be established then this location is suitable for holiday accommodation.</p> <p>2.0The application is adjacent to a listed building.</p> <p>3.0Should the planning officer be of a mind to approve the application Councillors ask that it be called into MBC Planning Committee.</p> <p>Email received on 07/11/2023 from Yalding Parish Council confirming that they will not withdraw their objection and would like it noting but will withdraw their call in request.</p>
7 neighbours consulted	4.02 representations received in support of the application.

CONSULTATION RESPONSES

KCC Highways: it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

Kent Police: This application falls outside of the scope of what we would usually comment on.

Environmental Services: No objection subject to conditions relating to:

- Foul drainage
- EV Charging points

BACKGROUND PAPERS

Application Form – Received 19/07/2023

Existing Elevations – Drawing No. JBD/TN12/6PW/082 Rev A – Received 05/07/2023

Proposed Elevations – Drawing No. JBD/TN12/6PW/083 Rev A – Received 05/07/2023

Site Location Plan and Block Plan – Drawing No. TCPS 1043 – Received 05/07/2023

Planning Statement including Heritage Statement – Received 05/07/2023

Planning Statement – Received 05/07/2023

Flood Risk Assessment – Received 19/07/2023

Site Location and Block Plan – Drawing No. JBD/TN12/6PW/080 Rev A – Received 19/07/2023
Existing and Proposed Floor Plans – Drawing No. JBD/TN12/6PW/081 Rev A – Received 19/07/2023
Existing and Proposed Roof Plans – Drawing No. JBD/TN12/6PW/084 Rev A – Received 19/07/2023
Structural Survey – Received 01/11/2023

APPRAISAL

The key issues are:

- Principle of development
- Character and appearance
- Residential amenity
- Heritage impact
- Highways/parking
- Other matters

Principle of development

For the purpose of the Maidstone Borough Local Plan 2017, the application site is located in the open countryside. The starting point for assessment of applications in the countryside is Local Plan Policy SP17. Policy SP17 states that development proposals in the countryside will not be permitted unless:

- a) they will not result in harm to the character and appearance of the area and
- b) they accord with other Local Plan policies

Policy SP17 does not specify an acceptable level of harm and all proposals in the countryside are likely to result in some harm to local character and appearance. In this context all development outside the designated settlements does not accord with this part of SP17.

Paragraph 4.95 of the Maidstone Borough Local Plan (the supporting text to policy SP17 states “The countryside has an intrinsic character and beauty that should be conserved and protected for its own sake. However, there is also a need to ensure a level of flexibility for certain forms of development in the countryside in order to support farming and other aspects of the countryside economy and to maintain mixed communities.”

Paragraph 84 (supporting a prosperous rural economy) of The National Planning Policy Framework (2023) states that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Other Local Plan policies permit development in the countryside in certain circumstances and subject to listed criteria. If development accords with one of these other Local Plan policies, this compliance is weighed against the harm caused to character and appearance with a proposal in accordance with policy SP17 overall.

Policy DM31 considers the conversion of rural buildings it states that:

Outside of the settlement boundaries as defined on the policies map, proposals for the re-use and adaptation of existing rural buildings which meet the following criteria will be permitted:

- i. The building is of a form, bulk, scale and design which takes account of and reinforces landscape character;
- ii. The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction;
- iii. Any alterations proposed as part of the conversion are in keeping with the landscape and building character in terms of materials used, design and form;
- iv. There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside; and
- v. No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which would harm landscape character and visual amenity.

An appeal for a similar application (Change of use of agricultural/former stable building to 1no. holiday let, with associated external alterations, access, parking and landscaping and enclosure of part of existing canopy) was recently allowed (reference APP/U2235/W/22/3305272, application reference 22/501154/FULL) where the inspectorate made the following comments:

“In respect of the requirement under LP Policy DM31 for any adapted building to be of a permanent, substantial and sound construction, there is no definition within that policy of what constitutes ‘permanent’, ‘substantial’ or ‘sound’. This is therefore a matter of judgement based upon the evidence before me and my observations on site.

From those observations and the submitted plans, I note that the building is enclosed on all sides, built over a concrete base. Accordingly, the structure could reasonably be described as a substantial and permanent structure. Its use for equestrian purposes does not reduce its permanence, as contended by the Council.”

Taking this into consideration, from the observations made at my site visit, the stable building appears to be of a permanent, substantial, and sound construction and capable of conversion. There is sufficient room around the building to provide adequate car parking spaces with the proposed holiday use of the stable building and the proposal does not involve landscaping or boundary treatments which would create a dominant visual obstruction. The proposal therefore appears to satisfy all the relevant requirements of policy DM31.

It is acknowledged that the economic benefits of the proposal would entail to the rural economy would only be fairly limited considering its small scale, however there is strong support for rural tourism development in national and local policy, particularly policy DM31 of the Local Plan and paragraph 84 of the NPPF. As this is a location where a new residential dwelling would not normally be permitted, it is necessary to append a holiday occupancy condition in order to prevent the use of the building as a sole or main residence.

In summary, holiday/tourism related development in the rural areas of the borough are generally supported by both national and local planning policies.

In relation to SP17 a) and considering the impact of development on the character and appearance of the countryside the relevant adopted local plan policies are DM1 and DM30. The impact of the development on local character and appearance is considered against policies DM1 and DM30 in the sections below.

Character and appearance

Policy DM1 outlines the importance of high-quality design for any proposal. This includes considering the scale, height, materials, detailing, mass, bulk, articulation and site coverage, respecting the amenities of neighbouring occupiers and properties, incorporating adequate storage for waste and recycling, providing adequate parking facilities to meet adopted Council standards, protect and enhance biodiversity.

Policy DM30 sets out that proposal in the countryside will be permitted if among other things, the type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible enhance local distinctiveness including landscape features. It also seeks to encourage the re-use of rural buildings rather than erect new buildings.

The rural building the application seeks to convert is a stable block. The stable block is 'u' shaped with a total width of approx. 20.2m and total depth of approx. 8.4m. The building has a pitched roof with two gable ends on the front elevation. It has an eaves height of approx. 2.6m and ridge height of 3.4m.

The application does not seek to increase the scale of the building. Plans indicated that fenestration more 'domestic' in nature would be installed, however overall, the form of the building as it exists now is retained. It is not considered that the building following the changes would cause any more impact that it does currently.

In terms of visibility of the site, the building is partially visible from the road Darman Lane with a low hedgerow located along the eastern boundary of the site, however the building is some 172m from the road and on the basis of the character and appearance of the structure broadly being retained, it is not considered that the development would have a detrimental impact upon the character and appearance of the host structure of the character of the wider area.

Residential amenity

Local Plan policy DM 1 states that proposals will be permitted which create high quality design and where they respect the amenities of occupiers of neighbouring properties. Development should not result in, excessive noise, vibration, odour, air pollution, activity, or vehicular movements, overlooking or visual intrusion. Built form should not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.

The neighbouring residential properties most impacted by the proposal would be the application property Great Fowle Hall Oast House which is approximately 44m from the application site, Great Fowlehall Farmhouse which is approximately 71m from the proposal and The Byre House Great Fowle Hall which is approximately 68m from the application building.

Given these distances and the nature of the proposal, I am satisfied that the proposal would not harm the residential amenity of any adjoining properties in terms of a loss of light or overshadowing or a loss of privacy or overlooking.

Heritage impact

Grade II listed Great Fowlehall Farmhouse is located approximately 71m south-west of the application building. There is an existing established hedgerow located between the proposed development and the Grade II listed farmhouse which would screen the development and considering the separation distance between the proposal and Grade II listed building and given that the visual appearance of the building would largely be retained, I am satisfied that the proposal would not harm the setting or the character of the Grade II listed farmhouse.

Highways/parking

Local Plan policy DM 1 states that proposals will be permitted, where they can safely accommodate the associated vehicular and pedestrian movement on the local highway network and through the site access.

Paragraph 111 of the NPPF (2023) states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The site benefits from an existing access track, at the end of the track to the north-east of the building a parking area is proposed on the existing hardstanding. There would therefore be sufficient parking space to accommodate the proposal.

A vehicle 'movements' assessment has not been submitted with the application, however, considering that conditions will be imposed restricting the number of days the holiday let can be occupied and that the building is served by an existing access it is not assessed that one holiday let would generate traffic levels that could be assessed as 'severe'.

Other matters

The application site is within flood zone 2. The proposed development is classified as 'more vulnerable' within annex 3 of the NPPF. The submitted flood risk assessment states the following:

As a minor development for a change of use, neither the sequential test nor the exception test applies in this case. As there will be no increase in impermeable surfaces, there would be no change in the existing surface water run-off arrangements.

Local Plan policy DM3 states: "To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the natural environment ...where appropriate development proposals will be expected to appraise the value of the borough's natural environment through the provision of...an ecological evaluation of development sites...to take full account of the biodiversity present, including the potential for the retention and provision of native plant species".

The proposal would not result in the need for further ecological surveys, and there are no protected species which would be at risk. Policy DM1, DM3 and the NPPF do however all promote ecological enhancement. With the nature and extent of the proposals a condition is recommended seeking integral biodiversity enhancements.

CONCLUSION

For the reasons set out above, the proposed conversion of existing stable building to create three-bedroom holiday let, together with associated car parking and amenity space would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed development is in accordance with current policy and guidance.

PUBLIC SECTOR EQUALITY DUTY

Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

RECOMMENDATION – Application Permitted subject to the following conditions/reasons:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form - Received 19/07/2023

Proposed Elevations - Drawing No. JBD/TN12/6PW/083 Rev A - Received 05/07/2023

Site Location and Block Plan - Drawing No. JBD/TN12/6PW/080 Rev A - Received 19/07/2023

Existing and Proposed Floor Plans - Drawing No. JBD/TN12/6PW/081 Rev A - Received 19/07/2023

Existing and Proposed Roof Plans - Drawing No. JBD/TN12/6PW/084 Rev A - Received 19/07/2023

Reason: To clarify which plans have been approved.

(3) The materials to be used in the development hereby approved shall be as indicated on the approved plans and application form.

Reason: To ensure a satisfactory appearance to the development

(4) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The submitted details shall:

a) be in accordance with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2021 (and any subsequent revisions) with reference to environmental zone E1.

b) be in accordance with the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting'.

c) include a layout plan with beam orientation.

d) provide a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles).

e) provide an ISO lux plan showing light spill.

The scheme of lighting shall be installed, maintained, and operated thereafter in accordance with the approved scheme.

Reason: To safeguard residential amenity, wildlife and to protect dark skies and prevent undue light pollution, in accordance with the maintenance of the character and quality of the countryside.

(5) The accommodation hereby permitted shall be occupied for bona fide holiday purposes only and no such accommodation shall be occupied as a person's sole or main place of residence

(i) The tourist accommodation hereby permitted shall only be occupied continuously by any persons for a period not in excess of 28 days and there shall be no return within a period of 3 months.

(ii) The operators of the site shall maintain an up-to-date register of the names, main home addresses and the duration of stay of all future occupants, and this information shall be made available at all reasonable times upon request to the local planning authority.

(iii) Relevant contact details (name, position, telephone number, email address and postal address) of the operators of the site, who will keep the register (referred to at (ii)) and make it available for inspection, shall also be submitted to the local planning authority (planningenforcement@maidstone.gov.uk) prior to the first occupation of any of the buildings with the relevant contact details subsequently kept up to date at all times.

(iv) At the end of each calendar year following first occupation the operators of the site shall submit the up-to-date register of occupants for the preceding calendar year to the Local Planning Authority (planningenforcement@maidstone.gov.uk) for review.

Reason: To ensure proper control of the use of the holiday let and to prevent the establishment of permanent residency.

(6) Prior to first occupation of the approved holiday let details of foul sewage treatment shall have been submitted to and approved in writing by the Local Planning Authority. These details should include the size of any individual cesspools and/or septic tanks and/or other treatment systems. Information provided should also specify exact locations on site plus any pertinent information as to where each system will discharge to, (since for example further treatment of the discharge will be required if a septic tank discharges to a ditch or watercourse as opposed to sub-soil irrigation). If a method other than a cesspit is to be used the applicant should also contact the Environment Agency to establish whether a discharge consent is required and provide evidence of obtaining the relevant discharge consent to the local planning authority. The approved measures for foul sewage treatment shall be implemented prior to first occupation of the approved holiday let and all features shall be maintained thereafter.

Reason: To safeguard the amenity of future occupants and to ensure adequate waste disposal measures are in place.

(7) Prior to first occupation of the approved holiday let details of measures to enhance biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods into the design and appearance of the building by means such as swift bricks, bat tube or bricks. The approved measures to enhance biodiversity shall be implemented prior to first occupation of the approved holiday let and all features shall be maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

(8) At the end of the first planting season (October to February) following first occupation of the approved holiday let landscaping shall be in place that is in accordance with a landscape scheme that shall have previously been submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall:

a) be designed in accordance with the principles of the Council's Landscape Guidelines (Maidstone Landscape Character Assessment Supplement 2012).

b) show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed,

c) provide details of additional native planting to screen the converted building

d) provide a planting schedule (including location, planting species and size).

e) provide implementation details and a [5] year management plan.

Reason: In the interests of landscape, visual amenity and to ensure a satisfactory appearance to the development.

(9) Any of the landscaping which fails to establish or any landscaping which, within five years from the first occupation of the holiday let, are removed, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

INFORMATIVES

(1) As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected. This can be found at: <https://tunbridgewells.gov.uk/environmental-code-of-development-practice>

(2) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

The Council's approach to this application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), September 2023 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The application was approved without delay.

The applicant/agent was advised of minor changes required to the application and these were agreed.

Delegated Authority to Sign:	Date:
------------------------------	-------



24.11.2023

Print name: Tony Ryan