

Application No: Y19/0781/FH

Location of site: Oak Ryse, Forge Hill, Acrise, Folkestone

Parish/Town Council: Acrise Parish Meeting

Ward: North Downs East Ward

Development: Conversion of existing barn to residential dwelling.

Applicant: Mr & Mrs N Moss

Agent: Rebus Planning Solutions

Officer Contact: Louise Daniels

Site Area (ha): 0.18 ha

SUMMARY

This application seeks planning permission to convert a modern agricultural barn in the open countryside to a residential dwelling.

The site is located within an Area of Outstanding Natural Beauty (AONB) and Special Landscape Area (SLA) and is adjacent to a pair of Listed Cottages. The application has not been accompanied with information to demonstrate if or why the building is no longer required for agricultural purposes or failing that why it cannot be re-used for a rural business use, nor has a statement detailing the efforts made to secure a business reuse in the first instance been provided.

As such, it has not been satisfactorily demonstrated that the building cannot accommodate a more appropriate and sustainable use within the rural environment before considering a residential use. The proposal would also result in the domestication of the barn and site generally and would as a result have an unacceptable impact on the sustainable nature of the rural area, its landscape and open character of the AONB.

For these reasons, the harm the development would cause outweighs the benefits it would deliver, and the application is recommended for refusal.

RECOMMENDATION:

That planning permission be refused for the reasons set out at the end of the report.

1. INTRODUCTION

1.1. The application is reported to Committee by Cllr Godfrey.

2. SITE AND SURROUNDINGS

DCL/19/32

- 2.1. The application relates to a barn and the land around it, situated on the eastern side of Acrise Park Road, within the Kent Downs Area of Outstanding Natural Beauty (AONB) and a Special Landscape Area. The site is alongside a pair of dwellings 'Oak Ryse' and 'Park Cottage' which are Grade II listed cottages fronting onto the road with picket fence boundaries set behind a grass verge. The cottages are of white painted brick with hipped tiled roofs, with distinctive white painted timber framed windows with black surrounds.
- 2.2. The application site is bounded by a post and rail fence with a gated vehicular access set back behind the grass verge. An access runs down to the barn and the area of hardstanding behind it. The area in front of the barn is grassed with two mature trees alongside the front boundary. There are also trees alongside the application building. Behind the hardstanding area is a further area of grassed land. The southern side boundary of the site is screened by mature leylandii. The side boundary with Oak Ryse is demarked by hedging and post and rail fencing.
- 2.3. The building itself is a dual pitched barn of block construction clad with corrugated green metal to the walls of the building and corrugated metal cladding to the roof. There is a single storey addition to the northern side of the barn. The main entrance to the barn is a roller shuttered opening to the rear / eastern elevation, with a door and window to the northern side elevation and a window to the rear of the side addition.
- 2.4. The application submission states that the barn is utilised for domestic storage / accommodation by the Applicants who reside at Oak Ryse. Whilst this may currently be the case, this is not the lawful use of the building and the application site remains clearly physically and visually separated from the residential plot which contains Oak Ryse. In addition, the application site consists of only the barn and the land around it, the Oak Ryse residential plot has been excluded from the application site, which indicates it is considered by the applicants to be a separate planning unit.
- 2.5. The site is within the countryside, outside of defined settlement boundaries. The Grade II* listed Acrise Place lies to the south of the application site. The cottages are thought to have originally formed part of the Acrise Place estate serving as staff quarters. This connection to Acrise Place adds to the significance of the cottages.
- 2.6. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

- 3.1. It is proposed that the existing barn be converted to a residential dwelling, facilitated through external alterations comprising the formation of areas of glazing, glazed doors and windows, timber cladding to the external walls and a re-surfacing of the roof with a standing seam product, and internally through the insertion of a first floor and internal alterations. The submitted planning statement describes the proposal as a self-build.
- 3.2. The internal layout would comprise at ground floor level a living room, dining room / entrance hall, kitchen, utility room, shower room / W.C., and a home office, and at first floor three bedrooms (one en-suite with walk in wardrobe room), a bathroom, and a large open landing / study area.
- 3.3. It is proposed that the application site would form a residential plot separate to the Oake Ryse plot alongside. The existing vehicular access and driveway would be

utilised with vehicular parking provided on the driveway. The grassed area in front of the barn would be a garden area. To the rear of the barn a patio area with planting beds is proposed with a grassed garden area behind this including a pond to the southern rear corner associated with a sustainable urban drainage system (SUDs).

3.4 Hedging and domestic style planting are proposed within a landscape front garden.

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history for the site is as follows:

99/0122/SH	Extension to barn and replacement of cladding to walls.	No objection.
96/7101/SH	Application for determination whether prior approval is required for the erection of an extension to the lambing shed for storage use.	Acceptance.
95/7101/SH	Application for determination whether prior approval is required to erect an agricultural building.	Acceptance.

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

Acrise Parish Council: No comment received.

KCC Highways and Transportation: No comment received.

KCC Archaeology: No objection.

KCC Ecology: An Ecological Scoping Survey report has been submitted. This report provides sufficient information regarding the potential for ecological impacts; no further ecological survey work is necessary at this time. The potential ecological impacts are restricted to the removal of bird nesting habitat which should take place outside of nesting season (March to August inclusive). A scheme of ecological improvements should be secured by planning condition.

Southern Water: The Applicant has not stated details of foul water drainage from the site. There is no public foul sewer in the vicinity of the site. The Applicant is advised to examine alternative means of foul sewage disposal. The Environment Agency should be consulted regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

Contamination Consultant: As the application is for conversion and the change of use would introduce sensitive residential receptors to an area where contaminative activities may have been undertaken in the past. The council's standard land contamination condition should therefore be applied. The application makes reference to SUDS, this would require the submission of a full drainage scheme to the council including a strategy for management and maintenance of the system.

Local Residents Comments

5.2 No representations received.

6. RELEVANT PLANNING POLICY

- 6.1 The Development Plan comprises the saved policies of the Shepway District Local Plan Review (2006) and the Shepway Core Strategy Local Plan (2013)
- 6.2 The new Places and Policies Local Plan Submission Draft (February 2018) has been the subject to public examination, and as such its policies should now be afforded significant weight, according to the criteria in NPPF paragraph 48.
- 6.3 The Folkestone & Hythe District Council Core Strategy Review Submission Draft (2019) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019, as such its policies should be afforded weight where there are not significant unresolved objections.
- 6.4 The relevant development plan policies are as follows:-

Shepway District Local Plan Review (2006)

SD1 – Sustainable Development
BE1 - Building Design, Layout and Special Needs Access
BE5 – Listed Buildings
BE8 - Building Alterations and Extensions
BE16 – Landscape and Amenity
HO1 – New Housing
CO1 – Development in the Countryside
CO4 – Special Landscape Areas
CO11 – Protected Species
CO19 - Re-use and Adaptation of Rural Buildings
TR5 – Cycling
TR6 – Walking
TR12 – Vehicle Parking Standards
U1 - Sewage and Wastewater Disposal
U4 – Groundwater Protection

Shepway Local Plan Core Strategy (2013)

DSD – Delivering Sustainable Development
SS1 - District Spatial Strategy

SS2 – Housing and the Economy Growth Strategy
SS3 - Place-Shaping and Sustainable Settlements Strategy
CSD3 – Rural and Tourism Development
CSD4 - Green Infrastructure of Natural Networks, Open Spaces and Recreation

Places and Policies Local Plan Submission Draft (2019)

HB1 – Quality Places through Design
HB2 - Cohesive Design
HB3 - Internal and External Space Standards
NE2 - Biodiversity
NE3 - Protecting the District's Landscapes and Countryside
NE7 - Contaminated Land
T2 - Parking Standards
T5 - Cycle Parking
HE2 - Archaeology
CC2 - Sustainable Design and Construction
CC3 - Sustainable Drainage Systems (SuDS)
E7 – Reuse of Rural Buildings

Core Strategy Review Submission draft (2019)

SS1 – District Spatial Strategy
SS2 – Housing and the Economy Growth Strategy
SS3 – Place-Shaping and Sustainable Settlements Strategy
CSD4 - Green Infrastructure of Natural Networks, Open Spaces and Recreation

6.5 The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

KCC: Kent Design Guide

Kent Downs AONB Landscape Design Handbook – Key extracts as follows;

Farmed landscape

A long-established tradition of mixed farming has helped create the natural beauty of the Kent Downs. The pastoral scenery is a particularly valued part of the landscape. Farming covers around 64% of the AONB. Expansive arable fields are generally on the lower slopes, valley bottoms and plateaux tops. Disconnected 'ribbons' of permanent grassland (shaves) are found along the steep scarp,

Grazing pasture

Sheep and beef cattle play an important part in the AONB land-based economy. Livestock farming is important to retain the special character of the AONB. Yet there has been a significant decline in livestock farming, particularly sheep, which have nearly halved in number since 1990. This decline has been experienced in other AONBs; the High Weald AONB has researched opportunities to redress the change

(Restocking the High Weald report) – many of the proposals are applicable to the Kent Downs.

Government Advice

National Planning Policy Framework (NPPF) 2019

- 6.6 Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

Paragraph 11 - Presumption in favour of sustainable development.

Paragraph 47 - Applications for planning permission be determined in accordance with the development plan.

Paragraph 48: Weight to be applied to emerging policies

Paragraphs 108-110: Transport and access

Paragraphs 124, 127: Design

Paragraphs 189-196: Heritage

National Planning Policy Guidance (NPPG)

Design: process and tools

Climate Change

Flood Risk and Coastal Change

Natural Environment

National Design Guide October 2019

- C1 - Understand and relate well to the site, its local and wider context
- I2 - Well-designed, high quality and attractive
Paragraph 53 *'Well designed places are visually attractive and aim to delight their occupants and passers-by'*.
- N3 - Support rich and varied biodiversity

7. APPRAISAL

Background

- 7.1 The application building was originally granted under a prior approval application for the erection of agricultural buildings in 1995. An application for an extension to the building was granted in 1996 and at that time the building was used as a lambing shed.
- 7.2 The submitted Planning Statement for the current application states that the building is currently used as domestic storage / accommodation and that this may also have been the case prior to the Applicants purchasing the property in 2013. To support this contention, two aerial photographs dated 2006 and 2007 have been submitted showing

the site and Oak Ryse. These photographs confirm the previous general site layout was similar to that in place today, but does not provide any helpful information with regard to how the building and site was and is now used. Furthermore, it appears that there have always been boundary treatments in place in the form of post and rail fencing and hedging between the barn site and the Oake Ryse plot. Therefore, the barn site has always been physically and visually separated from the domestic plot alongside and this remains the case today.

7.3 On this basis, it is considered that the status and lawful use of the barn and the site around it is as an agricultural field and building.

7.4 In light of the above the main issues for consideration are:

- a) The principle of the conversion of the building to a residential dwelling in this location (including landscape impact)
- b) Design and Heritage Impact
- c) Neighbouring Amenity
- d) Standard of Accommodation
- e) Transport and Highway Safety
- f) Landscaping and Ecology
- g) Drainage
- h) Land contamination

a) The principle of the conversion of the building to a residential dwelling in this location

7.5 The site is located outside of any settlement boundary and within the open countryside. In this regard, it is a fundamental principle of national and local planning policy that new dwellings should not be permitted in the countryside outside the confines of the major/principal urban areas, rural service centres or smaller rural settlements unless they are replacements for existing dwellings or demonstrated to be necessary for the winning of minerals, farm, forestry or other workers where a rural location is essential.

7.6 The site is approximately 2km by road from the village of Densole and is adjacent to two residential cottages, with other buildings / dwellings in situ along Acrise Park Road, in the form of a group of buildings and a dwelling on the northern side of the road, and a group of dwellings situated to the east of the application site along Acrise Park Road. On this basis, whilst the site is outside of established settlements, and is poorly connected by sustainable transport modes, the site is not considered to be 'isolated' in NPPF terms and therefore paragraph 79 of the NPPF is not considered to apply.

- 7.7 However, notwithstanding that, national and local planning policies seek to direct new residential development towards existing settlements and sustainable locations with good access to sustainable transport modes and local amenities. Saved Local Plan Review policies CO1 and CO4 seek to protect the countryside and to direct new development within existing settlements. In addition, policies SS1, SS3 and CSD3 of the Council's Core Strategy restricts development in the countryside and to direct residential development towards existing sustainable settlements to protect the open countryside and the coastline. Policy SS1 states that development should be focused on the most sustainable towns and villages as set out in policy SS3. Development in the open countryside and on the coast (defined as anywhere outside of settlements within Table 4.3 Shepway Settlement Hierarchy) will only be allowed in exceptional circumstances, where a rural/ coastal location is essential (policy CSD3). Policy SS3 seeks to direct new development to within defined settlements in the Settlement Network, which is set out in paragraph 4.61 of the Core Strategy.
- 7.8 CSD3 goes on to state that where sites are unavailable within settlements and the development is proportionate in scale/impact and accessible by a choice of means of transport, it may be acceptable on the edge of Strategic Towns and Service Centres, and failing that, Rural Centres and Primary Villages. Densole (the nearest settlement) is not classified as any of these within the Settlement Network hierarchy. Focusing attention on existing centres underpins not only the protection of the District's open countryside, but also seeks the achievement of sustainable places.

In this context, the application site is considered to be in an unsustainable location where future occupants would be reliant upon private motor vehicle use to carry out day to day activities including accessing local amenities and schools. Whilst some regard is had to the rural nature of the location, where such circumstances are relatively common, this is not considered sufficient justification to condone the introduction of a new residential dwelling in a countryside location set away from established settlements and amenities. The application scheme would not deliver any wider sustainability benefits or social benefits to outweigh the harm.

Conversion of building

- 7.9 In this case, the proposal seeks to provide a new dwelling by way of converting an existing agricultural building. Saved Local Plan Policy CO19 and emerging policy E7 of the PPLP set out a framework for the assessment of proposals for the re-use or adaption of rural buildings to alternative uses. Amongst other things, these policies require that where a rural building can accommodate a business reuse in accordance, proposals for conversion to a residential use which is not ancillary to a scheme for business reuse, will need to be justified through a statement detailing the efforts made to secure a business reuse in the first instance and, in addition, the proposal would involve the re-use of a traditional building of architectural or historic merit that is worthy of retention. No such statement has been submitted or any evidence to indicate that a business reuse has been considered in accordance with policy requirements.
- 7.10 Emerging policy E7 also requires that the reuse of a rural building will be approved where it reinforces local distinctiveness and helps to maintain the AONB as a special place and that proposals should not prejudice the agricultural working of a farm unit or the vitality and functioning of nearby rural towns and villages. Policy CSD4 of the Core Strategy requires planning decisions to have close regard to the need for

conservation and enhancement of natural beauty in the AONB and its setting, which will take priority over other planning considerations.

- 7.11 Whilst the application building is of modern metal construction and not a traditional building of architectural or historic merit that is worthy of retention, its contribution to the landscape is that of an agricultural building and whilst not particularly attractive, it does not appear out of place within this rural context. The proposed alterations to convert the building into a dwelling would result in a building that, whilst arguably of better design, has a far greater impact upon the rural AONB landscape. The current building is muted in shade and located behind established planting. The resulting building will be of a much grander and domestic appearance than the existing involving a large flue, areas of glazing and domestic style modern materials. In addition, the proposal involves a domestic style garden to the front of the building. Whilst it could be argued that as the building exists, the scale and form are already determined and any alterations would not have a significant impact, Members should note that harm would occur from the 'domestication' of the site changing its character from one of a rural nature ie agricultural to a domestic setting involving parking of cars, washing lines, garden furniture, formal planting etc. As such, the changes to the site combined with the alterations to the building (including the materials) are considered to result in a far more visible and prominent presence within the landscape which will result in significant harm to the character of the rural area and would fail to preserve or enhance the character of the AONB or reinforce its distinctiveness. Cumulatively these features would result in a cluttered and domesticated appearance of the site.
- 7.12 The existing cottages are of small-scale domestic character and are sited close to the road with relatively deep rear garden areas. The barn is set significantly further back into the site with a relatively small space between the barn and the rear boundary of the site. This arrangement, in conjunction with the scale and form of the barn, and the alterations proposed, would mean that a relatively large building of domestic character would face directly on to the open countryside behind the site. This would represent a significant change in character from the existing building appearance; the agricultural character of the barn at present is in keeping with the character of the surrounding land. Existing residential buildings in the vicinity are set much closer to the roadside than the open countryside itself. The residential character of the proposed development, comprising a large building of domestic appearance and domesticated garden areas to the front and rear of the site, would appear as an intrusion into the countryside character of the surrounding landscape and would cause harm to this setting and the character of the AONB and the SLA.
- 7.13 As such, it is considered this would have a negative impact on the rural landscape character of this part of the AONB. As such, it is considered the proposal would harm the natural beauty of the AONB contrary to planning policies which seek to protect it, and disregard the primary purpose of the AONB designation which is to conserve and enhance the natural beauty.
- 7.14 In addition, the application has also not provided any information to demonstrate that the proposal would not result in harm to the working of an agricultural unit. The proposal for a conversion to a residential use resulting in the creation of a new dwelling is considered to be unacceptable both in principle and contrary to saved policy CO19 of the Local Plan and emerging policy E7 of the PPLP which seek to ensure that where existing buildings are converted, their use is consistent with the character of the rural area and landscape and a sustainable use.

- 7.15 The Applicant's case regarding the proposal amounting to 'self-build' has been given consideration. However, the proposal relates to a conversion of a building rather than a new-build dwelling. The aim behind self-build is to provide suitable serviced plots for individuals to design and influence the layout of a home to suit their needs. This project is not considered to fall within the remit of self-build as the project is constrained to being within an existing structure. However, even if it was to be considered self-build residential development, as with other types of residential development, is to be directed towards existing settlements and sustainable locations in the first instance.
- 7.16 In light of the above matters, the principle of the development of the site as a new residential dwelling is therefore considered to be unacceptable for all of the reasons outlined above.

b) Design and Heritage Impact

The site is within the setting of the listed cottages Oak Ryse and Park cottage. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 7.17 The proposal to convert the barn to a residential use includes the cladding of the barn in timber, and the insertion of glazed doors, windows and sections of large glazing to the rear of the barn, and glazed doors and smaller windows to the front of the barn. In the context of the application site, the new dwelling would be out of keeping with the small-scale domestic character of the listed cottages. Viewed from the road, this contrast would be apparent and the setting of the cottages would be harmed. At present the cottages sit surrounded by open countryside and the barn which is of agricultural appearance in keeping with this countryside setting. The introduction of a relatively large contemporary dwelling combined with the associated paraphernalia alongside the cottages would compromise this setting.
- 7.18 Viewed from the countryside behind the site, the contrast in style, form and scale between the converted barn and the listed cottages would be very clear. Appreciation of the cottages and their modest scale, and countryside setting, would be diminished. The requirements of the Act to preserve the setting of the listed cottages is given significant weight, and therefore the harm to the setting which the development would cause represents a substantial concern.
- 7.19 Overall it is considered that the proposed development would cause harm to the setting of the listed cottages. The application warrants refusal on these grounds.

c) Neighbouring Amenity

- 7.20 The proposed external alterations would not have a harmful impact upon neighbouring amenity. One first floor side window is proposed facing towards the rear gardens of the cottages, this window however serves a bathroom and would therefore be obscure

glazed. The residential occupation of the site would be of a level and nature of activity in keeping with the residential plots alongside and would not cause significant harm to warrant refusal of the application

d) Standard of accommodation

7.21 The proposed dwelling would provide a high standard of amenity for future occupiers. The proposed internal accommodation is generous and the outdoor garden space proposed would also represent a high standard of provision.

e) Transport and Highway Safety

7.22 As detailed above, the application site is considered to represent an unsustainable location for new residential development. There is no footway to the roads leading from the site to neighbouring settlements, no easy access to public transport, and local amenities are set away from the site. Reliance on private motor vehicle use is therefore highly likely.

7.23 It is proposed that the existing access to the road would be utilised which is considered to be acceptable; an increased highway safety risk would not result. It is proposed that parking would be provided on the existing driveway and this provision is considered adequate to serve the dwelling proposed. No details of cycle storage have been provided however these could be secured by condition were the scheme to be considered acceptable in all other regards.

f) Landscaping and Ecology

7.24 The submitted layout shows an indicative landscaping scheme, full details of which including a planting schedule could be secured by condition. The KCC Ecologist has advised that the scheme would have an acceptable ecological impact subject to compliance with bird nesting protections and a scheme of ecological enhancement measures which again could be secured by condition. Some additional / replacement hedge planting is proposed, this would be of benefit to the scheme but would not overcome the concerns detailed above regarding the overall visual impact of the proposed development.

g) Drainage

7.25 Details of foul water drainage / disposal have not been provided. Southern Water has advised that a connection to the public sewer is not possible and therefore this information is required. In addition, a pond is proposed in connection with a SUDs proposal for the drainage of surface water. Full details of the proposed drainage scheme could be secured by planning condition were the scheme to be considered acceptable in all other regards.

h) Land Contamination

7.26 Due to the previous agricultural use of the site and the residential use proposed, it would be necessary to investigate the site for potential contamination and carry out mitigation measures if required. These measures could be secured by the application of the council's standard condition.

Environmental Impact Assessment

7.27 In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Local Finance Considerations

7.28 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

7.29 In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. The CIL levy in the application area is charged at £138.94 per square metre for new residential floor space.

Human Rights

7.30 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

Public Sector Equality Duty

7.31 In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

Working with the applicant

7.32 In accordance with paragraphs 38 of the NPPF, Folkestone and Hythe District Council (F&HDC) takes a positive and creative approach to development proposals focused on solutions. F&HDC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

8. CONCLUSION

8.1 The proposed conversion of this modern rural building to a residential use is contrary to development plan and emerging development plan policies that seek to direct development to sustainable locations and ensure conversion of rural buildings are for appropriate and sustainable uses. The application site, away from established settlements and local amenities, is not suited to new residential development. Future occupants would be reliant on private motor vehicle use to carry out day to day activities. Furthermore, the proposed development would have a harmful impact upon the setting of the listed cottages and the character of the surrounding countryside within the AONB. For these reasons, the harm which the development would cause outweighs the benefits it would deliver, and the application is recommended for refusal.

9. BACKGROUND DOCUMENTS

9.1 The consultation responses set out at Section 5.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

10. RECOMMENDATIONS

That planning permission be refused/for the following reason(s):

1. The site is located within the Kent Downs Area of Outstanding Natural Beauty (AONB) and Special Landscape Area (SLA) where the proposal would result in an unacceptable and unsustainable residential development in the countryside outside the confines of an existing town, village or rural settlement. As such the proposed residential use would result in harm to the landscape character of the AONB and SLA failing to conserve or enhance the natural beauty of this rural area. As such, the proposal is contrary to Saved Local Plan Review policies SD1, CO1, CO4, CO19 and HO1 and Core Strategy Local Plan policies; DSD, SS1, SS2, SS3, CSD3 and CSD4 and the sustainable development principles of the National Planning Policy Framework, which seek to direct new residential development to the built confines of identified existing rural settlements (in accordance with the adopted settlement hierarchy) whilst conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty and Special Landscape Areas and the existing rural character and setting.

2. The application site is a rural building located within the open countryside. In the absence of information to demonstrate why the building is no longer required for agricultural purposes or cannot be re-used for a rural business use, nor a statement detailing the efforts made to secure a business reuse in the first instance, it has not been satisfactorily demonstrated that the building cannot accommodate a more appropriate and sustainable use within the rural environment. As such the development is contrary to saved Local Plan Review policy CO19 which in the case of the re-use or adaptation of rural buildings, require efforts made to secure a business reuse in the first instance and policy E7 of the Places and Policies Local Plan Submission Draft.
3. The proposed development by way of its design, appearance and use would result in the domestication of the site, and the introduction of suburban features such as gardens to the front and rear, and the associated parking would have a harmful impact on the rural nature of the application site as well as the setting of the adjacent Grade II listed cottages. As such, the proposal is contrary to Saved Local Plan Review policies CO1, CO4, Core Strategy Local Plan policy CSD4, and Policy E7 of the Places and Policies Local Plan and to the NPPF.

Annexe 1 – Site Location Plan

Y19/0781FH
Oak Ryse
Forge Hill
Acrise

