APPLICATION PROPOSAL		**Ref No** 22/504036/FULL
Erection of new barn development for 6no. dwellings, parking barns, cycle/bin storage, waste water pumping station, new vehicular and pedestrian access, reuse of Victorian outbuilding for storage, new permissive footpath link, hard and soft landscaping works, communal and community open space.		
ADDRESS Queen Court Barns, Water Lane, Ospringe, Kent ME13 8UA		
RECOMMENDATION – Grant Planning Permission subject to conditions and a S106 agreement.		
WARD Watling	**PARISH/TOWN COUNCIL** Faversham Town Council	**APPLICANT** Shepherd Neame Ltd **AGENT** Milliken & Co. Chartered Surveyors
DECISION DUE DATE 04/12/2025	**PUBLICITY EXPIRY DATE** 17/04/2025	

Relevant Planning History - Adjacent Site

21/503788/FULL
Conversion of the barn to create a three bedroom dwelling with hard and soft landscaping.
Approved Decision Date: 15.09.2023

21/503789/LBC
Listed Building Consent for conversion of the barn to create a three bedroom dwelling with internal and external alterations.
Approved Decision Date: 15.09.2023

19/505888/FULL
Conversion / refurbishment of barns to provide 2 dwellings, new garage building; demolition of farmyard structures; and hard and soft landscaping works.
Approved Decision Date: 09.11.2020

19/505890/LBC
Listed Building Consent for conversion / refurbishment of barns to provide 2 dwellings, new garage building; demolition of farmyard structures; and hard and soft landscaping works.
Approved Decision Date: 09.11.2020

DESCRIPTION OF SITE

The site is located to the east of Water Lane and to the south and west of Mutton Lane. The site measures 1.5 hectares and comprises a group of disused agricultural buildings. The existing buildings have a footprint of approximately 1450 square metres and are arranged in a group at the southern part of the site.

The following designations are applicable to the site and immediately adjacent land:

- The site lies outside the built-up area of Faversham, albeit the land north of Mutton Lane and land to the west of Water Lane that is opposite the northern part of the site is within the defined built-up area of Faversham.
- The site lies within the Ospringe Conservation Area
- The site contains a building which is referred to as “the Victorian Outbuilding.” This is considered to be Grade II* curtilage listed by association with the listing that is set out below.
- The site is located within Flood Zones 1 in terms of the content of the Environment Agency Flood Risk Map. However, surface water mapping shows that a band of

land is at a 1 in 30 year chance of flooding. This amounts to a large section of the northern part of the site and a finger of land that extends to the south.

To the south and south west of the site, but east of Water Lane and north of Vicarage Lane are four listed buildings which comprise of the following:

- Queen Court Farmhouse & Outbuildings - Grade II*.
  "*Fine C15 timber-framed house. The original portion is all studded. 2 storeys. 3 windows. Consists of a centre portion and 2 wings which project on the 1st floor on the protruding ends of the floor joists and brackets. Curved braces support the eaves of the centre portion. The It floor windows are original casement windows with small square leaded panes, 2 of them being oriel windows with a cove beneath them. Other windows modern casement windows. Tiled roof. At the south end of. the front one window bay has been added, probably in the C17. This is fronted with red brick now painted white, but the ends of the floor joists project over the ground floor window. Original casement window with small square panes on the 1st floor. Behind the house to the east is a T-Wing in red brink, also added in the Cl7, to which a range of timber-framed outbuildings with brick infilling is attached. Queen Court Farmhouse and Outbuildings form a group with the Barns."*

- Barn to the North of Queen Court Farmhouse – Grade II*
  This is the subject of a lengthy statutory description that is summarised as follows:
  " Barn, thought to date from the C15, with two bays thought to date from the late C17 or early C18; there is an attached granary, probably also of late-C17 or early-C18 date. The entire site is listed at Grade II as being of more than special interest; however, the principal focus of more than special interest is on the C15 part of the building, whilst the link block between the barn and the granary is of lesser interest."*

- Barn to the North West of Queen Court Farmhouse – Grade II
  This is the subject of a lengthy statutory description that is summarised as follows:
  Barn, thought to date from the C16, and possibly extended in the C17, with a stable installed in the C19.

Further to the south west, at the west side of Water Lane, is the Grade II listed building of "Carthouse 20 metres west of Queen Court." This is formally described as follows: *"Carthouse. C18.Timber framed and weather boarded with some red brick cladding, and thatched roof. Ten framed bays, one storey and hipped roof. Open arcaded front, with 2 closed bays at either end. Interior: queen strut roof with clasped purlins."*

To the north west of the site is the Grade II listed building of 1 and 2 Thatch Cottage, Water Lane. These are described as *"GV II Pair of C16 cottages. Timber framed and weather boarded cottages with thatched and slated roof. One storey and attic, with 3 gabled semi-dormers in hipped roof, and stacks to north and south ends. Four wooden casement windows, the central of 3 mullioned lights. Boarded door to centre left, and half glazed door to centre, with small fire-light over. Miller's House, The Arbory and Nos 1 & 2 Thatch Cottage form a group….The pair of cottages are shown on the 1879 Ordnance survey map but fabric and design would suggest that they date to the C16."*

To the North east of the site is the Grade II listed Laurel Cottage which is described as: *House. C16 or earlier, altered and extended early C18 and mid C20. Timber framed and clad with render and applied framing, and extended with hammer dressed stone and painted*

brick. Plain tiled roof. Three bay framed house in origin, possibly a small Wealden type. Two storeys on plinth with plat band to left end bay (which projects slightly to both front and rear elevations) and with recessed central bay. Hipped roof, stepped up to left, and with rebuilt stacks to left and to end right. Four 2 light wooden casements on first floor and five wooden casements on ground floor of 2, 3, 1 and 3 lights, all mid C20. Central door of 6 panels and garage doors to end left. The ground floor stonework of the end left bay, until recently galleted, may come from the nearby and partly demolished Maison Dieu building, at Ospringe Street, certainly the exposed brick dressing on the plinth, the plat bands on both front and rear elevations suggest a C17 or C18 date for the building of this bay. Interior: full frame visible, of rather slight scantling, but with arched tension bracing to main beams, some alteration of wall plate, probably c,1700. Roof not accessable. Early photographs show arched braced frame exposed to main exterior elevations.

Other listed buildings within the vicinity include the Grade II* listed St Peter and St Paul Church to the south west and its Grade II listed outbuildings. The Grade II listed Bridge Cottage and Fern Lodge to the north and the Grade II listed Ospringe Place to the north east.

PROPOSAL

The application seeks planning permission to remove the majority of the buildings from the application site and replace them with 4 buildings. These buildings would be as follows:

- Building 1 (labelled on drawings as CB1) – A building that is intended to be used mostly for the parking of 8 cars, albeit with a refuse store at the southern end. The building would measure 28.4 metres by 6.8 metres with a pitched roof built to an eaves height of 2.5 metres and a ridge height of 4.7 metres. The building would be built with brick and cladding to three elevations but would be open, except for doors to the refuse store, at the east side. A foul drainage pumping station is proposed beneath the southern part of the building.

- Building 2 (labelled on drawings as B1 and CB2)– An 'L' shaped building that would be single storey for the western part, with that part of the building measuring 28.5 metres by 6.7 metres with a pitched roof built to an eaves height of 2.5 metres and a ridge height of 4.6 metres. The western part of the building would provide 7 parking spaces as an open fronted barn similar to building 1 and a cycle store with doors at the western side.

  The eastern part of the building would feature a 5 bedroom dwelling with accommodation over two storeys. That part of the building would measure 20.2 metres by 7 metres and be built to an eaves height of 4.3 metres and a ridge height of 8.5 metres (measured at the west end of that part of the building).

- Building 3 (labelled on drawings B2) would be at the eastern part of the proposed group. It would measure 32.2 metres by 4.7 metres, with an eaves height of 5.5 metres and a ridge height of up to 9.7 metres. The building would feature three dwellings, two with four bedrooms and one with three.

- Building 4 (labelled on drawings B3 and CB3) would be at the southern part of the proposed group. At the east end, it would measure 20 metres by 7 metres, with an eaves height of up to 4.7 metres and a maximum ridge height of 8.9 metres. That part of the building would feature two dwellings, each with three bedrooms. At the western end, the building would feature a an open fronted car barn with 4 parking spaces.

The new buildings would feature a mixture of timber cladding, brickwork, clay tiles and slate.

The arrangement of the buildings would create two courtyards, a hard surfaced courtyard to the parking barns and a soft landscaped courtyard to the front of the residential units providing a communal garden area. Semi-private areas are shown to the outside of each dwelling (consisting of patios that would be enclosed by planting).

In addition to the 19 car parking spaces that are shown within the proposed buildings, the plans informally show that 2 further spaces could be provided within the courtyard. This is not formally demarked but it is clear from the plans that there would be additional informal space that could be used for the parking of cars which can be factored into the assessment below. One parking space per dwelling will be provided with EV charging. Cycle storage is proposed within a communal secure storage within the eastern car barn.

The group would be accessed from a new vehicular access onto Water Lane which would extend to the east before crossing a newly built 'bridge' over a swale that is proposed to be created within the site to accommodate the watercourse that is referred to above and within the supporting submissions. The new vehicular access has been set as a minimum of 13.3m AOD over the culvert to the dry swale to ensure vehicular access in the event of flooding. The bellmouth access will be surfaced with stable block paving and the remainder of the access road surfaced with tar spray and chip finish to resemble a gravelled drive.

Ground levels are proposed to be changed throughout the site to accommodate the proposed development, with stepped height changes to enable some of the buildings to be set partially within the land.

A building outside of the proposed group (labelled on drawings B4), referred to above as 'The Victorian Building', is proposed to be retained. This would be adapted through the existing north elevation being replaced with doors and then subsequently used for storage purposes.

It is the intention of the applicant to gift the land between the proposed dwellings and Mutton Lane to the North, to Faversham Town Council to provide an area of community open space. This will be secured through the completion of a S106 agreement.

Amended plans have been added to the planning file since the most recent phase of public consultation has been undertaken. These update the positioning of rooflights to a minor degree. The minor degree of change is not considered to be grounds to undertake a further phase of public consultation.

PLANNING CONSTRAINTS

Potential Archaeological Importance

Conservation Area Ospringe

Listed Buildings – As Described Above.

Environment Agency Surface Water Flood Risk Area.

Kent Minerals & Waste Local Plan Safeguarded Area – River Terrace

Beyond the south west of the site, Water Lane becomes a 'Rural Lane'.

POLICY AND OTHER CONSIDERATIONS

Bearing Fruits 2031: The Swale Borough Local Plan 2017 (the Local Plan)

ST1: Delivering Sustainable Development in Swale
ST3: The Swale settlement Strategy
ST7: The Faversham area and Kent Downs strategy
CP4: Requiring good design
DM14: General development criteria
DM19: Sustainable design and construction
DM21: Water, flooding and drainage
DM28: Biodiversity and geological conservation
DM32: Development involving listed buildings
DM33: Development affecting a conservation area
DM34: Scheduled monuments and archaeological sites

Faversham Neighbourhood Plan (FNP)

FAV2: Housing Development
FAV3: Residential Mix and Standards
FAV4: Mobility and Sustainable Transport
FAV5: Critical Road Junctions
FAV6: Public Rights of Way, National Trails, Promoted Routes and Cycleways
FAV7: Natural Environment and Landscape
FAV8: Flooding and Surface Water
FAV9: Air Quality
FAV10: Sustainable Design and Character
FAV11: Heritage
FAV12: Community Facilities

National Planning Policy Framework

Supplementary Planning Guidance: 'Conservation Areas' and 'Listed Buildings'

Supplementary Planning Document: Swale Parking Standards (2020)

Swale Landscape Character and Biodiversity Appraisal SPD, 2011.
Ospringe Parish Design Statement

LOCAL REPRESENTATIONS

24 representations have been received. 14 of those representations are clearly marked as objections, 7 are marked as being neutral and 1 is marked as being supportive. The objections and the areas of concern, that have been raised in the neutral and supportive letters, include the following:

- Community space and footpaths on site will lead to increased crime and antisocial behaviour and do not adhere to secured by design standards.
- Increased traffic, with it being noted that the agricultural use has declined to the extent that this is not a realistic starting point. Moreover, school traffic is required to be fully considered.
- Impact on nearby listed buildings during construction.
- Air quality impacts.
- Inadequate parking and increased parking issues on Water Lane.

- Water Lane junction should be improved with traffic lights.
- Concerns regarding residential amenity during construction.
- Contamination, including Japanese Knotweed.
- Ecology concerns with it being identified that protected species may be present.
- Seeking the provision of smaller dwellings and dwellings of a different design.
- Concerns around future maintenance of the community amenity area.
- Concerns about the creep of development.
- An alternative footpath route leading to other routes would be preferable.
- Substantial tree planting should be secured to replace that which has been lost in recent years.
- Potential light pollution.
- Works being proposed on land within the control of the objector.
- Concerns about there being insufficient sewage, flood risk and drainage details and a lack of input from Southern Water. It has been suggested that the impact of this proposal needs to be considered in addition to other development proposals within the catchment area. These objections have been supplemented with a commentary of the performance and actions of the relevant statutory undertakers.
- Seeking controls over the impact of construction on the use of highways in the vicinity of the site.

A letter of support and some of the neutral comments identify that the scheme is an improvement to previous proposals and the current situation, that the landscaping would be acceptable and the amenity area and footpath would be welcomed.

Several of the representations make suggestions as to how the proposals and the area could be improved.

NOTE: Due to the number of objections and the fact Officers were recommending approval, as per the Council's Scheme of Officer Delegation that existed at the time, the Ward Members were written to, to establish whether they wished the application to be determined by the Planning Committee. Neither Ward Member wished to call the application in to committee.

CONSULTATION RESPONSES

The latest consultation responses from all consultees are listed below. For all representations, please view the planning application on the Council's website.

Faversham Town Council: The most recent comments are neutral. However, earlier comments indicate that the proposal has been supported subject to a condition relating to landscaping, the removal of permitted development rights and heritage considerations.

Ospringe Parish Council: The latest comment raises no objection. Earlier comments raise a mixture of support for the community amenity area and design but objections on the grounds of traffic impact, including congestion in Water Lane and the rural area and at the A2. It was considered that there is insufficient parking and concerns around air quality impacts. Drainage improvements, the protection of ecology and the removal of permitted development rights were sought.

Environment Agency: No objection.

Natural England: No objection subject to SAMMs payment.

Historic England: Identifies harm but recognises that this harm has to be weighed against the public benefits of the proposal. This is discussed further below.

KCC Highways: No objection subject to conditions.

KCC Ecology: No objection subject to conditions.

KCC Minerals and Waste: No objection.

KCC Flood and Water Management: No objection subject to conditions which have been included below.

SBC Heritage: Identifies harm but recognises that this harm has to be weighed against the public benefits of the proposal.

Southern Water: No objection.

Environmental Health Officer: No objection subject to a condition related to contaminated land which has been included below.

APPRAISAL

Principle

The site lies outside of any defined built up area boundary and is therefore in the countryside. Policy ST3 of the Local Plan states that *"At locations in the open countryside, outside the built-up area boundaries shown on the Proposals Map, development will not be permitted, unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities."* A number of these factors will be considered further below but, overall, it is considered that the undertaking of a residential development in this context would be contrary to Policy ST3 of the Local Plan.

Notwithstanding this, it is relevant to the assessment below that the site is reasonably well located relative to the shops, services and facilities of Ospringe and Faversham. The site cannot be considered to be remote and it is noted that there is footpath access along Water Lane from the site to the A2 and the bus routes that this provides, along with the facilities of Faversham further beyond. A public right of way also exists to the east of the site which, albeit encompassing significant ground level changes, provides a route from Mutton Lane to the London Road. From this basis, whilst contrary to the settlement strategy, this is not considered to be a poor location for development in terms of accessibility and locational sustainability. In this regard, the proposal is considered to accord with Policy FAV4 of the FNP through the provision of adequate means of accessing the site.

The historic use of the site appears to have been for agriculture, with grazing occurring more recently on part of the site. The agricultural buildings have become disused and have an appearance that reflects this. Mapping indicates that the land is likely to be Grade 2 (Very Good) agricultural land. No assessment of the quality of the agricultural land has been provided and no assessment has been provided to demonstrate that the criteria in Policy DM31 of the Local Plan have been met. Policy FAV7 of the FNP also requires development not to lead to the loss of BMV agricultural land. The proposal is, therefore, contrary to Policy DM31 of the Local Plan, FAV7 of the FNP and paragraph 187b) of the NPPF. In the context of modern agricultural practices, the small area of affected land, including when measured

against the large amount of it in the Borough, and the long-term absence of productive use indicates that the harm arising from the conflict with the policies is reduced.

Neighbourhood Plan Policy FAV2 states that residential development will be supported where it comprises the redevelopment of existing buildings provided it does not involve the demolition of heritage assets and does not involve the loss of amenity space. The proposal accords with this policy. Policy FAV3 of the FNP indicates that a mix of housing to be provided and, as the proposal includes a variety of 3, 4 and 5 bedroom dwellings it is considered that the proposal is not in conflict with this policy. The absence of 2 bedroom policies is unfortunate but as the policy says that the preferred mix should be provided rather than it shall be provided, it is not considered that the mix can be found unacceptable in this case.

The Council is unable to demonstrate a 5 year housing land supply and therefore, in the context of paragraph 11d) of the NPPF, national planning policy indicates that planning permission should be granted unless either a) the application of policies that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. or b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The assessment of the application in these terms will be undertaken below.

Heritage

Any planning application for development which will affect a listed building or its setting must be assessed in accordance with the requirements of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires a local planning authority to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which is possesses.

A similar duty exists where the proposed development will be within a conservation area where section 72 of the same Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Policy DM32 sets out three criteria for considering development involving listed buildings. This includes seeking the preservation of the building's special architectural or historic interest, and its setting and any features of special architectural or historic interest which it possesses, paying special attention to the design, scale, materials, situation and detailing of the works, the appropriateness of the proposed use and the desirability of removing unsightly features.

Policy DM33 of the Local Plan states that development within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area's special character or appearance, going on to set out four criteria of how this will be achieved.

Policy FAV11 of the FNP states that heritage-led regeneration and the adaptation and reuse of historic buildings will be supported, providing such works preserve or enhance the character or appearance of Conservation Areas and preserve listed buildings and their

settings. It goes on to state that heritage-led regeneration and the adaptation and reuse of historic buildings will be supported, providing such works preserve or enhance the character or appearance of Conservation Areas and preserve listed buildings and their settings. It also states that development in the Ospringe Conservation Area should preserve or enhance their character or appearance and setting, including their architectural quality and diversity, historic landscapes, townscape, historic layout and other historic features. It also states that development should have no adverse impact on the rural setting of Faversham, including on historic landscape and surviving historic features.

The proposed development would involve direct works to a Grade II* curtilage listed building. This would involve converting the building (labelled B4 on the drawings) to a store building for purposes associated with the maintenance of the open space at the site, thereby providing stewardship of the building and a purpose with limited direct use that could impact on the fabric of the building through wear and tear and through demand for additions and alterations. It is considered that a condition could be imposed to secure the use of the building. It is noted that Listed Building Consent has not been sought for the works to this building at this time. This can be resolved separately and it is considered that granting planning permission would not preclude a full assessment of the works as is required at that stage. Insofar as is required for an assessment under the terms of an application for planning permission, it is considered that the works to the building are acceptable or capable of being made acceptable through the imposition of conditions to control the detail of the works to the building. Relative to the existing situation of the building being disused, it is considered that there would be heritage benefits arising from the proposal to put this building to a use.

The site is within the Faversham-Ospringe Conservation Area which was the subject of a Conservation Area Appraisal in 2004. This is identified as consisting of two distinct areas, the area along the A2 and a *"line of more informally structured development running north-south along Water Lane."* The Appraisal refers to The Nailbourne which is the water course that has its remnants passing through the application site and is the area which would be bridged to enable access to the proposed development. Queen Court Farm and its history is specifically addressed at paragraph 9 of the Appraisal, reflecting the status of this site in the importance of the Conservation Area. Paragraph 22 of the Appraisal identifies that the Water Lane part of the CA is open and embracing of the transition from urban to rural. Before the Appraisal goes on to address the heritage assets to the south, which will be discussed below, paragraph 26 goes on to specifically address the area of the application site stating:

"South of Mutton Lane the environment turns distinctly rural in character with fields breaking through into the street frontage. Queen Court (just beyond Mutton Lane) is a large working farm complex where a prominent array of concrete-framed animal shelters and farm buildings now sits alongside the C15 farmhouse. Until 1982 the farm supplied hops to the Shepherd Neame brewery in Faversham but the fields around are now predominantly arable and parts of the farmyard appear to be rather sparingly used."

At Paragraph 30, the Appraisal notes the quiet roads of Water Lane and states that beyond Mutton Lane, Water Lane turns *"markedly rural in character with arable and grazing fields breaking through into the frontage and where open views of the valley setting are possible."*

The modern and disused agricultural buildings are reflective of the historic use of the site and the transition into a rural character that is to the south of Ospringe. However, their appearance is considered to have become somewhat dilapidated and, as such, they detract from the appearance of the Conservation Area. Given the small size of the parcel of land, its use for agricultural purposes is considered to be unlikely and, if it were, this would be likely to be a small scale operation. An aspiration of putting the site to agricultural use is

considered optimistic and, as such, it is considered that the re-development of the site would have the potential to be beneficial to the character and appearance of the Conservation Area. Alternative uses would be likely to generate more intensive traffic or have less visually sympathetic operational requirements and, as such, it is considered that a suitably designed residential development could be the most appropriate means to put the site to use.

Noting that the site has a history of buildings that have been in agricultural use alongside a wider holding, which itself included barns that have been put to residential use, it is considered that the provision of buildings with a rural aesthetic is sensible. In this context, a courtyard of buildings of semi—rural appearance is considered acceptable and reflective of the urban to rural transition that is referred to within the CA Appraisal. However, as identified by SBC Heritage, the development *"would undoubtedly give rise to a group of buildings with a more domestic character and appearance compared with the current scenario."* Given the importance of the rural character of this part of the Conservation Area to that heritage asset, it is considered that the proposal would cause harm.

The use of ground levels to enable the buildings to sit lower than the rising land to the east is considered to be reflective of the pattern of development in the Conservation Area. In this regard, it is noted that the Appraisal refers to the building at the junction of Water Lane and Mutton Lane as settling into the slope of the valley. The proposed development would do the same in terms of nestling into the topography, whilst only partially hampering views of or the appreciation of the nailbourne valley which are identified as being important to the southern part of the Conservation Area.

From this basis, whilst the proposal would have impacts that are harmful to the character and appearance of the Conservation Area, particularly through the removal of the indicators of the agricultural history of the area and the domestication of the site, it is considered that the design approach taken is at the more acceptable end of what could be introduced to the site to enable it to be put to a better use and, as such, the harm to the heritage asset is considered to be low. This is generally consistent with the advice provided by the Council's Conservation & Design Manager and Historic England who identified harm at the 'lower end of less than substantial'.

In terms of the setting of listed buildings, for much the same reasons as above, the domestication of the site within the setting of the cluster of listed buildings that forms the Queen Court Farm complex represents a harmful impact of the proposals. This harm is mediated by virtue of the improvement that would arise relative to the existing, somewhat dilapidated, situation and the securing of the land within the setting for open space that would deliver landscaping benefits. The advice received is that, in respect of each of those buildings, the harm would be at the lower end of less than substantial. This advice is considered to be sound and is the basis for the assessment of Officers. In terms of other listed buildings, including the Grade I listed church to the south, the impact on setting is less and the harm is diminished accordingly. Through domestication and development there is inevitably harm, but this is at the low end of less than substantial.

The comments from Historic England state that the presence of the landscape enhancements is a heritage benefit as the proposed wet grassland will help to restore a historic landscape feature to the conservation area as this part of Swale was historically well populated with water meadows which is in accordance with paragraph 203(c) of the NPPF.

A balancing exercise, as required by paragraph 215 of the NPPF is undertaken below, where the identified less than substantial harm is weighed against the public benefits of the proposal.

In terms of development plan, Policies DM32, DM33 and FAV11, the proposals would conflict as they would cause some harm which would not preserve or enhance all features that contribute positively to the Conservation Area's special character or appearance and would not preserve the setting of the nearby listed buildings. There is no scope within the policies for harms to be outweighed by public benefits and, as such, there is a policy conflict arising from a lower level of less than substantial harm being caused to heritage assets. The conflict with these policies will be weighed against the benefits of the proposal below.

Layout, Appearance and Scale

The NPPF attaches great importance to the design of the built environment and considers design should contribute positively to making places better for people. The NPPF also supports the efficient use of land through appropriate densities. The Local Plan reinforces this requirement through Policies CP4 and DM14 as does Neighbourhood Plan Policy FAV10. That policy also requires regard to be had to the Faversham Design Guidance and Codes.

The number of dwellings has been reduced from the initial discussions with the applicant to the proposal now being considered. Whilst the site covers a large area, it is considered that 6no. proposed dwellings would be an appropriate density for the site given the sensitive location within a conservation area and adjacent to the abovementioned listed buildings.

The appearance of the dwellings has been altered to take on board discussions with Historic England and the Council's Design and Conservation team and has been designed to respond to the agricultural character of the site. The siting of the dwellings around a central courtyard would give a farmstead appearance and would be considered to sit well within the streetscene. The proposed materials including red brick, black weatherboarding, clay and slate tiles are considered acceptable and are readily seen on existing agricultural buildings.

Due to the topography of the site the dwellings have been designed to sit subserviently to the existing listed barns and farmhouse which would be the predominant feature in views across the conservation area from Water Lane.

The setback from the public highways does not prevent the buildings having an impact on the character and appearance of the area, but it is considered that their set back positioning and the alterations to the ground levels helps to partially mitigate the visual imposition of the development. Moreover, it is considered that the design of the built form is reflective of a rural environment and the edge-of-settlement context that exists.

Although the condition of the existing buildings causes them to not be positive features of their locality, their scale, form and appearance reflects the agricultural history of the site and the surrounding area.

With regard to the wider landscape impact, Policy DM24 states that non-designated landscapes will be protected and enhanced and planning permission will be granted subject to the minimisation and mitigation of adverse landscape impacts; and when significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh the harm to the landscape character and value of the area. In addition it states that the scale, layout, build and landscape design of development will be informed by landscape and visual impact assessment having regard to the Council's Urban Extension Landscape Capacity Study and Landscape Character and Biodiversity Appraisal SPD. The applicant has submitted an LVIA in relation to this matter which regard has been had to.

In terms of landscape impact, the effect of the development is localised by virtue of the topography and the presence of surrounding buildings and vegetation belts which limit views throughout the area. It is noted that the development would have an impact on views of the Nailbourne valley as has been described in the heritage assessment. This is not, however, considered to be substantially more impactful than the existing built form as, whilst taller, it would be an improvement and sympathetic to a semi-rural setting without restricting expansive views. The use of topography would enable the buildings to sit suitably within the changing ground levels of the area.

The site is within the general vicinity of the Kent Downs National Landscape (KDNL) and the comments of Natural England are noted along with the duty that exists to 'seek to further the purpose of conserving and enhancing the natural beauty of the area.' In this instance it is considered that the proposal would have no direct impacts on the National Landscape and any improvements to the site in terms of landscaping would have the effect of benefitting the setting of the KDNL to a sufficient degree to outweigh any miniscule harm that could be caused to the approach to the KDNL. The proposal would also enable housing development without encroaching into the KDNL which helps to preserve the KDNL. Therefore the duty is considered to be met.

The proposed refuse storage is considered to be sufficiently discreet to accord with the requirement of Neighbourhood Plan Policy FAV3.

It is noted that the site is within the immediate vicinity of Ospringe, but not within that Parish and, therefore, not within the area covered by the Ospringe Parish Design Statement. In any case, having regard to the content of that document, it is not considered that its content, in particular Guideline 9, would give reason to find the proposal unacceptable.

Overall, it is considered that the proposals are respectful of the character and appearance of the locality and in accordance with Policies CP4 and DM14 of the Local Plan. Moreover, there is considered to be a visual benefit arising from the re-development of the site, albeit not to the extent that is the view of the applicant within their submissions.

Living Conditions

There are two main considerations in terms of living conditions, firstly the impact of the proposed development on neighbours, and secondly, the living conditions which would be created for the future occupants of the development itself. Policy DM14 of the Local Plan and the NPPF seeks to achieve the provision and protection of these amenities.

<u>Neighbouring Occupiers</u>

Due to the separation distance of the proposed dwellings and the existing neighbouring properties it is considered that there would be no harmful impact to existing residents in terms of loss of daylight, sunlight, privacy or outlook. The buildings would appear in views from neighbouring properties, but this is not a material consideration and it is not considered that the development would be imposing to such a degree that would cause unacceptable harm to living conditions.

It is acknowledged that concerns have been raised relating to a path to link the site with Vicarage Lane and Mutton Lane, particularly in regards to potential criminality. However, whilst it is noted that the path would run close to neighbouring properties and that it has been stated that unauthorised access has occurred previously, it is not considered that this would make unauthorised access more likely. The wish for a boundary to be secured with fencing would be a matter for the respective parties and could be provided outside of this application but, noting the visual impact of such fencing, it is not considered that it is

appropriate to require such fencing. A conflict with secured by design principles has been stated but it is not considered that this is the type of path or context that is intended to be addressed by that guidance. In this instance, it is considered that the benefits arising from the connectivity provided by the path outweigh any potential harms that could arise.

Future Occupiers

The proposed dwellings have been considered against the Technical Housing Standards – Nationally Described Space Standards dated March 2015. All dwellings meet the minimum space standards for the overall floor space for each size of dwelling. The layout of the development is such that there would be no overlooking of habitable room windows between units on the site. The garden areas for the proposed dwellings are provided by a communal space around the dwellings so as to not domesticate the site however, each has an area of patio space to the rear of the dwellings to provide a small area of semi-private amenity space.

It is noted that there is a commercial operation involving pallets to the north of the site. That use is near to residential properties and, as such, there is already a constraint on the noise that can be generated by that operation. The proposed dwellings would be further from that site and, therefore, it is not considered that there would be an increased imposition on that use. Likewise, it is not considered that the use would hamper the reasonable occupation of the proposed dwellings or provide unacceptable living conditions.

Highways and Parking

It is acknowledged that there have been several objections to the proposal on highways grounds and in particular with regards to the Water Lane junction and potential parking issues on Water Lane. As part of the consideration of the scheme KCC Highways who are responsible for the local road network have been consulted. The comments provided by KCC raise no concerns regarding any intensification of the use of Water Lane. From this basis, and noting that the proposed use would not generate significant traffic movements due to the scale of the development, it is not considered that the proposal would have a significant impact on any of the critical road junctions that are identified within Neighbourhood Plan Policy FAV5.

In terms of parking, on site parking provision is proposed car within barns which is more than sufficient under the requirements of the Council's Car Parking SPD and would be unlikely to lead to any increase of on street parking on Water Lane. The additional courtyard parking that is shown on the plans is noted and beneficial to the future occupants but not determinative to the assessment of the adequacy of the parking provision at the site as it has not been formally demarked.

Each dwelling is to provided with access to an EV charging space and cycle storage will be accommodated within the eastern car barn which will encourage sustainable transport methods. Moreover, the provision of paths within the site would accord with Neighbourhood Plan Policy FAV4.

For these reasons, the proposal is considered to be acceptable and compliant with Policies DM6 and DM7 of the Local Plan.

Flood Risk, Drainage and Surface Water

Whilst the Council's flood risk mapping indicates that the site falls within Flood Zones 2 and 3, the more recent Environment Agency (EA) mapping indicates that the site falls outside

these flood zones. Based on the most up-to-date mapping, the only risk of flooding arises from surface water flooding.

Taking a precautionary stance, it would be necessary to undertake a sequential test to identify if any sites are sequentially preferable to undertake the proposed development. Whilst there may be in respect of residential development, this development is unique in that it would involve the change of use of land to be used for amenity purposes. This is bespoke to this proposal and this site and, therefore, the proposal would pass the sequential test.

Noting the duration of this application and given the Council's mapping and the historic EA mapping, the EA were consulted. KCC (as Lead Local Flood Authority) have also been consulted. Neither have raised an objection. The EA set out previously that they are satisfied with the recommendations set out within the FRA which include raised finished floor levels. The access to the site over the existing culvert will also be 13.3m AOD so that the access will remain accessible even in the event of a flood. KCC note that no drainage strategy has been submitted however, on review of the documents they are satisfied that this can be dealt with by way of a suitably worded condition which is included below.

Furthermore, without duplicating the comments made elsewhere, it is considered that there are wider sustainability benefits arising from the development in terms of managing flood risk at the site, improving the appearance of the site, providing a community feature and supplying housing in an accessible location.

The proposal, therefore, passes both the sequential and exception tests.

Notwithstanding an extensive objection which has been provided which suggests that the drainage and sewage infrastructure within the locality will not be able to accommodate the development, Southern Water have confirmed that the proposal can be accommodated. From this basis, and noting that other matters have been addressed above or would be addressed by building regulations, it is not considered that an objection can be raised on this ground.

The proposal is, therefore, considered to be in accordance with Policy DM21 of the Local Plan, Policy FAV8 of the Neighbourhood Plan and the NPPF.

Ecology

Section 40 of the Natural Environment and Rural Communities Act (2006) states *"For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England"* and *"A public authority which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective."* Furthermore, the NPPF states that 'the planning system should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.' The NPPF states that 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Policy DM28 of the Local Plan sets out that proposals will conserve, enhance and extend biodiversity and provide for biodiversity net gains where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.

The application was submitted prior to the mandatory 10% BNG requirement on minor sites. However, Policy FAV7 of the Neighbourhood Plan requires that for major development on brownfield or greenfield sites, a 10% or 20% biodiversity net gain, respectively, should be achieved. The site area is more than a hectare and so the proposal meets the definition of a major in the context of the applicable legislation. Greenfield is not a defined term within the neighbourhood plan but, as the site would not sit within the definition of brownfield given that its past use appears to be for agriculture, it is considered that the site can only be considered to be Greenfield.

The submitted LEMP demonstrates that areas of open space will be created within the site which will be planted with native species in a manner that creates linear and continuous landscape features. KCC Ecology have been consulted on the LEMP and are satisfied with the proposals subject to additional conditions including an invasive non-native species removal plan, a lighting plan to minimise impacts on biodiversity and a construction and environmental management plan to ensure wildlife is protected during works.

The LEMP will be secured and the land will be gifted to the Town Council which is considered to be strong grounds to be satisfied that the requirements will be complied with. It is, however, necessary to impose a condition to require it to be demonstrate that sufficient measures will be incorporated into the landscaping of the site to achieve a 20% biodiversity net gain.

The proposal is in accordance with Policy DM28 of the Local Plan and Policy FAV7 of the FNP.

Air Quality

The Local Plan at Policy DM6 sets out that development proposals will integrate air quality management and environmental quality into the location and design of, and access to development and in so doing, demonstrate that the proposals do not worsen air quality to an unacceptable degree.

The closest Air Quality Management Area (AQMA) to the site is at Ospringe. The Council has published Technical Guidance entitled 'Air Quality and Planning' and the Council's Environmental Protection team have been consulted on the application. They have stated that the air quality report submitted with the application concludes that the development will not have a significant impact and a condition has been requested to ensure the development follows the air mitigation measures detailed in the submitted report. On this basis it is considered that the proposal deals acceptably with air quality matter and complies with Policy DM6 of the Local Plan. For similar reasons and as tree planting would be achieved, the proposal accords with Policy FAV9 of the FNP.

Contamination

Given the previous use of the site the Environmental Protection Team have requested standard contaminated land conditions which are included below. This deals with this matter acceptably.

Energy Efficiency

In accordance with Policy DM19 of the Local Plan and Policies FAV3, FAV10 and FAV14 of the Neighbourhood Plan, it is considered appropriate to impose a condition to require details of energy generation and energy efficiency measures to be secured.

Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.

This Appropriate Assessment (AA) has been undertaken without information provided by the applicant.

The application site is located within 6km of The Swale Special Protection Area (SPA) which is a European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).

SPAs are protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds and for regularly occurring migratory species. Article 4(4) of the Birds Directive (2009/147/EC) requires Member States to take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article.

The proposal therefore has potential to affect said site's features of interest, and an Appropriate Assessment is required to establish the likely impacts of the development.

In considering the European site interest, Natural England advises the Council that it should have regard to any potential impacts that the proposal may have. Regulations 63 and 64 of the Habitat Regulations require a Habitat Regulations Assessment. For similar proposals NE also advise that the proposal is not necessary for the management of the European sites and that subject to a financial contribution to strategic mitigation and site remediation satisfactory to the EA, the proposal is unlikely to have significant effects on these sites.

The (April 2018) judgement (People Over Wind v Coillte Teoranta, ref. C-323/17) handed down by the Court of Justice of the European Union ruled that, when determining the impacts of a development on protected area, "it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site." The development therefore cannot be screened out of the need to provide an Appropriate Assessment solely on the basis of the mitigation measures agreed between Natural England and the North Kent Environmental Planning Group.

NE has stipulated that, when considering any residential development within 6km of the SPA, the Council should secure financial contributions to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring (SAMM) Strategy in accordance with the recommendations of the North Kent Environmental Planning Group (NKEPG), and that such strategic mitigation must be in place before the dwelling is occupied.

Due to the scale of development, even noting the area of open space that would be devoted to public use, there is not scope to provide on site mitigation such as an on-site dog walking area or signage to prevent the primary causes of bird disturbance, which are recreational disturbance including walking, dog walking (particularly off the lead), and predation of birds by cats.

Based on the correspondence with Natural England (via the NKEPG), it is concluded that off site mitigation is required.

In this regard, whilst there are likely to be impacts upon the SPA arising from this development, the mitigation measures to be implemented within the SPA from collection of the standard SAMMS tariff (to be secured prior to the determination of this application) will ensure that these impacts will not be significant or long-term. I therefore consider that, subject to mitigation, there will be no adverse effect on the integrity of the SPA.

It can be noted that the required mitigation works will be carried out by Bird Wise, the brand name of the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, which itself is a partnership of local authorities, developers and environmental organisations, including SBC, KCC, Medway Council, Canterbury Council, the RSPB, Kent Wildlife Trust, and others (https://birdwise.org.uk/).

Planning Obligations.

The proposal does not involve the provision of dwellings to the extent that affordable housing is required and, in most respects, the proposal is below the applicable thresholds for providing contributions as are generally required of larger developments. However, in this case, unless it has already been paid by the time of the decision, the SAMMS payment will be required to be secured. Moreover, given the weight that it has been afforded as a community benefit and as a factor in the application of the sequential test, it is considered that it is necessary to secure the provision and future stewardship of the public open space that is proposed as part of the proposal. This would be passed to the relevant Town Council which is considered to be acceptable in this case.

Heritage Balance

It has been identified that, even allowing for there being some heritage benefits arising from the proposals, the development would lead to less than substantial harm to the heritage assets. In accordance with paragraph 215 of the Framework, this must be weighed against the public benefits of the scheme. This exercise should be done with it being remembered that the Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses and that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

The proposal would lead to the contribution of 6no. dwellings to the local stock at a time when the Council is unable to demonstrate a 5 year supply of housing land. In addition, whilst outside the built-up area boundary, lies in a sustainable location with lit public footpaths available to reach train and bus services as well as Faversham Town Centre. The proposal would also provide an area of open space to Faversham Town Council for community open space, thus benefitting the local community as additional local recreation area. This area and its management will be secured by a legal agreement. It is considered in this instance that the public benefits of the proposal would outweigh the less than substantial harm caused to the nearby heritage assets. The proposal, therefore, accords with Paragraph 215 of the NPPF.

This balancing exercise does not appear within Policies DM32 and DM33 of the Local Plan nor Policy FAV11 of the FNP. However, the conflict with these policies and the weight to give this factor will be considered further below.

Planning Balance

As set out above, the proposal would conflict with the Settlement Strategy that is set out in Policy ST3 of the Local Plan and, although the harm would be limited, the loss of best and most versatile land would conflict with Policy DM31 of the Local Plan and FAV7 of the FNP. Moreover, noting that the tests within Policies DM32 and DM33 of the Local and Policy FAV11 of the FNP are different to the test contained within the NPPF and does not enable harm to be outweighed by public benefits, it is considered that the proposals also conflicts with those policies. It would, however, be illogical to give much weight to the conflict with heritage policies on the grounds that they are not up-to-date. Notwithstanding this, it is

considered that the proposal conflicts with each of these policies and is therefore contrary to the development plan when taken as a whole.

The Council is currently unable to demonstrate a five year housing land supply and on this basis paragraph 11(d) of the NPPF is triggered. This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

> *"i. the application of policies in this Framework that protect areas or assets of particular importance7 provides a strong reason for refusing the development proposed; or*
>
> *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."*

Footnote 7 to paragraph 11(d)(i) states that exceptions to this so-called tilted balance include conflict with policies within the NPPF designed to protect 'designated heritage assets' and given the location of the site within the conservation area and close proximity to the nearby listed buildings, this site falls potentially within that exception. However, as set out above, the heritage balance has been undertaken and it has been concluded that the harm caused is outweighed by public benefits. Therefore, the application of the policies that are intended to protect heritage assets are not considered to represent a reason for the refusal of the application, let alone a strong reason for refusal.

It is noted that Paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided that the neighbourhood plan is less than five years old (which the FNP is) and the neighbourhood plan contains policies and allocations to meet its identified housing requirement. The recent finding within appeal APP/V2255/W/24/3350524 was that the FNP contains policies and allocations that would only meet a housing requirement that does not accurately reflect up-to-date housing need. From this basis, it is not considered that both tests are met and, as a result, any conflict with the FNP (Policies FAV7 and FAV11 specifically) is not considered to be grounds to argue that paragraph 14 is reason to state that paragraph 11d) is not applicable.

From that basis, it remains for an assessment to be made as to whether the conflict arising from the development being on Best and Most Versatile Agricultural Land, outside of the defined built-up boundary and therefore contrary to the Council's Settlement Strategy, is outweighed by the benefits of the proposal. The benefits include the housing supply and provision of open space that are identified above as well as minor economic benefits through construction and future occupation.

In the context of paragraph 11 of the NPPF, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits. Therefore, the NPPF indicates that planning permission should be granted.

It is considered that the NPPF should be a material consideration of significant weight and, as that indicates planning permission should be granted, it is considered that this outweighs the harm arising from the conflict with the development plan. Therefore, it is recommended that planning permission is granted.

RECOMMENDATION – Application Permitted subject to the completion of a Section 106 agreement and the following conditions:

CONDITIONS

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

(2) The development hereby approved shall not be carried out otherwise than in complete compliance with the following approved drawings:

Site Location Plan 0001 - P05
Victorian Outbuilding Plans and Elevations - Existing and Proposed 0208-P01
Proposed (Ground Floor) Site Plan 1010 - P1
Proposed (First Floor) Site Plan 1011 - P2
Proposed (Second Floor) Site Plan 1012 - P2
Proposed (Roof) Block Plan 1013 - P2
Proposed Ground Floor Plan 1020 - P3
Proposed First Floor Plan 1021 - P2
Proposed Second Floor Plan 1022 - P2
Proposed Roof Plan 1023 – P1
Proposed Elevations (1) 1031 - P7
Proposed Elevations (2) 1032 - P6
Proposed Elevations (3) 1033 - P6
Proposed Elevations (4) 1034 - P5
Proposed Sectional Elevation 1040 - P5
Eaves Detail 5000 P1
Proposed Access Arrangement and Visibility Splay 2020/5629/001 P9
Landscape Proposals Courtyard Figure 06 Rev A
Landscape Proposals Figure_05 Rev A

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include

a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (3). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: To ensure that contaminated land is adequately dealt with.

(4) The development hereby permitted shall not be commenced until a Construction and Environmental Management Plan (CEMP) detailing how the development will protect wildlife during the demolition of the current buildings and the construction of the new building has been submitted to and approved in writing by the Local Planning Authority. The precautionary measures for reptiles in paragraph 5.3.21 of the Ecological Assessment (Ecology Solutions, March 2016) and following mitigation for individual badgers and hedgehogs must be included and implemented during construction works to avoid harm to protected/notable species:

• Any holes and excavations will be covered over each night to prevent animals from being trapped or injured.
• If this is not possible, a structure/plank will be placed into the hole to enable animals to escape.

Reason: In the interests of the protection of wildlife and protected species.

(5) The development hereby permitted shall not be commenced until an invasive non-native species removal plan has been submitted to and approved in writing by the local planning authority, detailing the containment, control, and removal of Japanese Knotweed on site. Any required and approved measures shall be carried out strictly in accordance with the approved scheme prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure that invasive non-native species are adequately dealt with.

(6) The development hereby permitted shall not be commenced until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The document shall include the following:

(a) Routing of construction and delivery vehicles to / from site
(b) Parking and turning areas for construction and delivery vehicles and site personnel
(c) Timing of deliveries
(d) Provision of wheel washing facilities
(e) Temporary traffic management / signage

Subsequently, the development shall only be undertaken in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and convenience.

(7) The development hereby permitted shall not be commenced until a drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the submitted Flood Risk Assessment (including its addendums)) and the Flood Risk Assessment and Drainage Strategy - Addendum 2 (November 2022) prepared by Odyssey and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings hereby approved.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

(8) No building that is part of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of the National Planning Policy Framework.

(9) No development beyond the construction of foundations shall take place until details of facing bricks, roof tiles (including ridge and hip tiles) and weatherboarding have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with these approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

(10) All redundant modern agricultural buildings on site outlined on the plans for removal shall be removed and all resultant waste materials shall be removed from the site within three months of the commencement of the development hereby approved unless an alternative timetable for undertaking these works has first been submitted to and approved in writing by the Local Planning Authority. In that case, the buildings and waste materials shall be removed in accordance with the approved timetable.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

(11) No development beyond the construction of foundations shall take place until construction detail drawings showing a 1:1 or 1:2 vertical section of the eaves and verge details and a 1:1 or 1:2 vertical section of the brickwork/weatherboard cladding junction details have been submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall only be implemented in accordance with these approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

(12) No development beyond the construction of foundations shall take place until joinery details have been submitted to and approved in writing by the Local Planning Authority. These details shall include 1:10 elevation detail and 1:1 or 1:2 vertical and/or plan section for each door and window type. The drawings shall include glazing, glazing bars and depth of external reveal along with head and cill detailing. Subsequently, the development shall only be implemented in accordance with these approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

(13) Prior to the installation of any lighting, a lighting plan which has been designed to minimise impacts on biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The plan will show how and where external lighting will be installed and provide commentary regarding how the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23: Bats and Artificial Lighting at Night' has been considered in the lighting design. It will be clearly demonstrated that areas to be lit will not impact protected species. Subsequently, no external lighting shall be installed at the site other than in accordance with the specifications and locations set out in the plan and it shall therefore be maintained in accordance with the approved details.

Reason: In the interests of ecology and biodiversity.

(14) Prior to the occupation of any dwelling hereby approved details of a scheme of heritage interpretation measures to be provided shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, type and size of signage and text and images to be used. The heritage interpretation measures shall then be fully provided in accordance with these approved details and prior to the occupation of any dwelling hereby approved.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

(15) Prior to the commencement of the development hereby approved, a scheme of biodiversity net gains demonstrating a minimum biodiversity net gain of 20%, an updated Landscape and Ecological Management Plan (LEMP) reflecting any measures required to achieve this net gain and a timetable for all works and subsequent management and monitoring shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, all approved measures shall be implemented, monitored and managed in accordance with the approved details and the approved timetable.

Reason: In the interests of ecology and biodiversity.

(16) Prior to first use of the access hereby approved, the visibility splays as shown on drawing 2020/5629/001 shall be provided free of any obstruction over 0.9 metres above carriageway level. They shall subsequently be maintained in this condition at all times.

Reason: In the interests of highway safety and convenience.

(17) Prior to the occupation of any dwelling hereby approved, all car parking, cycle storage and refuse/bin storage facilities that are shown on the plans hereby approved shall be provided. They shall subsequently be retained at all times.

Reason: In the interests of ensuring adequate cycle parking, refuse storage and car parking.

(18) Prior to the occupation of any dwelling hereby approved, a scheme of details indicating the inclusion of measures to generate renewable energy and/or improve energy efficiency shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, all approved measures intended to serve a dwelling shall be installed prior to the occupation of that dwelling.

Reason: To increase energy efficiency and reduce the carbon footprint of development.

(19) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is first submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

(20) Prior to occupation the air quality mitigation measures detailed in the Air Quality Assessment dated October 2021 document ref 807548-WOOD-XX-XX-RP-OA-0002_A_C01.1 shall be installed in full.

Reason: In the interests of air quality management and residential amenity.

(21) All external joinery including window and door framing shall be stained black and retained as such thereafter.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

(22) Notwithstanding any details approved in writing by the Local Planning Authority associated with the conditions of this approval, upon completion, no further development, whether permitted by Classes A, AA, B, C, D, E, F, G and H of Part 1 of Schedule 2, Class A of Part 2, Schedule 2 and/or Classes A, B, C, D, E, F, G, H and I of Part 14 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out at any time.

Reason: In the interests of the amenities of the area and the surrounding heritage assets.

(23) The first 5metres of the access road hereby approved shall be finished using a bound surface.

Reason: In the interests of highway safety and convenience.

(24) The 'Victorian Building' shall only be used for storage purposes where that storage use is ancillary or incidental to the use of other land within the application site. The building shall not be used for an independent use or a commercial storage use whether that falls within Use Class B8 (as defined by the Town and Country Planning (Uses Classes) Order 1987) or otherwise.

Reason: To clarify the terms of the permission, to protect the amenity of the area and to ensure that unexpected levels of vehicle movements are not generated.

(25) Prior to the occupation of any dwellings at the site, a timetable for undertaking the works shown to the 'Victorian Building' shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, all works shall be undertaken in accordance with that approved timetable.

Reason: To ensure the long-term protection of the building through it being put into a condition that can enable its use.

(26) The areas shown on the approved plans as car parking and cycle parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

(27) The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the dwellings shall not be occupied unless the notice for that dwelling of the potential consumption of water per person per day

required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

INFORMATIVES

1. Please note that listed building consent appears to be required for works to the 'Victorian Building.' Such consent should be sought prior to undertaking any works to that building.

The Council's approach to the application

In accordance with paragraph 39 of the National Planning Policy Framework (2024), 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 applicant/agent was advised of changes required to the application and these were agreed.

Case Officer Ian Harrison

Case Officer Sign: *Ian Harrison*	Date: 05/11/2025
Delegated Authority Sign: *Carly Stoddart* PRINT NAME: CARLY STODDART	Date: *06/11/2025*
TL/DM Countersign: P.Gregory	Date: 11.11.2025