

REPORT SUMMARY

REFERENCE NO - 22/01774/FULL		
APPLICATION PROPOSAL Erection of barn for hay / feed and equipment storage		
ADDRESS Pastheap Farm, The Meadows Hastings Road Pembury Tunbridge Wells TN2 4BL		
RECOMMENDATION to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation)		
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> - The principle of development is acceptable. - The proposal does not constitute inappropriate development in the Green Belt. - The scale and design are acceptable and appropriate for an agricultural building in the High Werald Area of Outstanding Natural Beauty (AONB), Green Belt and within the rural landscape. - The proposal would not have a detrimental impact on the openness of the Green Belt. - The proposal would preserve the site's setting within the AONB. - The development would respect the amenities of nearby properties. - The barn is of a scale and location that would have no impact upon the significance of surrounding heritage assets. - The building is reasonably necessary for agriculture. - There would be no significant impact on traffic or detrimental impact upon highway safety. - The scale, location and design of the development would respect the context of the site. - The proposal would not result in a significant increased risk in flooding in the area. - Other environmental impacts have been assessed and there are not any which are potentially significant, and which cannot be controlled by conditions. 		
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL The following are considered to be material to the application: Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A Net increase in numbers of jobs: N/A Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A The following are not considered to be material to the application: Estimated annual council tax benefit for Borough: N/A Estimated annual council tax benefit total: N/A Estimated annual business rates benefits for Borough: N/A		
REASON FOR REFERRAL TO COMMITTEE The application has been called into the planning committee by Councillor Hayward for the following reasons: Material planning considerations: For further consideration due to the impact of the development in regard to the Area of Outstanding Natural Beauty and Green Belt. Reasons that warrant discussion at Committee: Important that the determination of the application be undertaken by Committee given the particular nature of the site and its history.		
WARD Pembury	PARISH/TOWN COUNCIL	APPLICANT Mr N Cash

	Pembury Parish Council	AGENT Mr Simon McKay	
DECISION DUE DATE 12/08/22 (EOT 21/10/22)	PUBLICITY EXPIRY DATE 05/08/22	OFFICER SITE VISIT DATE 15/07/22	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App no.	Proposal	Decision	Date
22/00100/FULL	Erection of 60m x 20m riding arena in position of original sand school; removal of existing riding arena to the west	Granted	31/03/22
21/02292/FULL	Erection of 40m x 20m riding arena with associated earthworks (Retrospective)	Refused	01/11/21
21/02291/FULL	Erection of 2.3m acoustic fencing (Retrospective)	Refused	02/09/21
21/02290/FULL	Change of use for the stationing of up to 10 mobile homes for Gypsy / Traveller occupation as a transit site (Part retrospective)	Withdrawn	08/12/21
21/01670/TWORK	Telecommunication Notification: Install 1 x 9m wooden pole (7.2m above ground)	No Objection	03/06/21
20/01292/FULL	Proposed removal of one half of existing hay barn, and relocation of other half of existing hay barn to stabling area of site	Granted	28/07/20
19/02831/FULL	The relocation of a stabling block, the demolition of a stable block and the erection of a replacement stable block (Part Retrospective)	Granted	14/01/20
16/07667/LDCEX	Lawful Development Certificate (Existing) - Change of use of part of a building to form a dwelling house	Granted	14/12/16
16/504102/LDCEX	Lawful Development Certificate (Existing) - Material change of use of part of a building to a dwellinghouse	Refused (Appeal Withdrawn)	01/08/16 (19/12/16)
13/03481/FULL	Part Retrospective - Erection of a replacement agricultural barn	Granted	17/01/14
12/01691/NMAMD	Non-material amendment in relation to TW/11/01703/FUL - Addition of condition preventing the implementation of the application in combination with 11/03511/FUL	Granted	09/07/12
11/03511/FUL	Extension to an existing equestrian building and associated works	Granted	06/07/12
11/01703/FUL	Change of use from agricultural to	Granted	26/09/11

	equestrian with associated works (Part Retrospective)		
10/01940/FUL	Change of use from agricultural to equestrian with associated works (Part Retrospective)	Refused (Appeal Withdrawn)	08/09/10 (22/12/10)
09/02286/FUL	Retrospective - Use of land for the siting of a mobile home for residential occupancy for a period of three years	Refused	28/09/09
01/00819/FUL	Retention of mobile home for period of 3 years in connection with equestrian enterprises	Refused (Appeal Withdrawn)	26/04/02 (22/11/02)
00/01183/FUL	Stationing of one mobile home for gypsy occupation	Refused (Appeal Dismissed)	27/07/00 (26/01/01)
93/08008/AGRIC	Article 3 Submission - extension to existing barn for storage purposes	Prior Approval Required	15/06/93
93/00907/FUL	Retrospective - mobile home for gypsy family	Refused	13/12/93
92/00390/FUL	Block of ten stables	Refused	13/11/92
RELEVANT ENFORCEMENT HISTORY			
19/00144/OPDEV	Stables and earth bunds	Case Closed (Planning Permission Granted for stables under 19/02831/FULL)	16/01/20
16/00902/CHANGE	Part of agricultural building changed to residential use.	Case Closed (Lawful Development Certificate Granted under 16/07667/LDCEX)	02/01/20
16/00741/CHANGE	Agricultural barn has been converted into residential accommodation.	Case Closed (Lawful Development Certificate Granted under 16/07667/LDCEX)	20/12/16
14/00108/OTHERS	Residential flat created inside of stables.	Case Closed (No breach as immune from enforcement proceedings)	03/12/14
13/00300/UNAUTH	Steelbarn being constructed	Case Closed (Planning Permission Granted under 13/03481/FULL)	07/02/14

13/00051/UNAUTH	Unauthorised earth bund created	Case Closed (Compliance Achieved)	03/05/13
10/00242/CARAVN	Caravan on site	Case Closed (No evidence of a breach of planning control)	24/06/10

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is situated to the south of the A21 Pembury by-pass and to the west of Hastings Road in the Pembury Parish of the Borough. The site forms part of a yard and private equestrian land. The wider site comprises a relatively large agricultural style building, which has largely been converted into a single dwelling, stables, areas of hardstanding, an unlawful riding arena, unlawful acoustic fencing and several unlawful mobile homes. The fields associated with the holding are subdivided into paddocks. The total holding is just under 8 hectares. The land levels of the site are slope notably upwards towards the north.
- 1.02 The site is accessed from Hastings Road (the former A21 carriageway), which is now effectively a cul-de-sac serving the site and a small number of dwellings and other rural uses. This road is accessed directly from the current A21 Trunk Road. The access lane passes alongside the south-eastern boundary of the site where it sinks down leaving the site notably elevated above it. Substantial screen planting separates the site from this track and the boundaries of the site are generally marked with planting and hedging. The site is located within a rural location which is relatively sparsely developed.
- 1.03 The site is located Outside of the Limits to Built Development (LBD), within the Green Belt (GB) and an Area of Outstanding Natural Beauty (AONB). The south-west corner of the wider holding is within a 30m Ancient Woodlands Buffer Zone, however the application site falls well outside of this. To the east of the holding lies the Historic Farmstead of Pastheap Farm. The property of Pastheap Farm is also Grade II listed.

2.0 PROPOSAL

- 2.01 The application seeks permission for the erection of a barn for hay/feed and equipment storage adjacent to the west boundary of the holding in relation to the mixed agricultural and equestrian use of the land.
- 2.02 The barn is proposed to be of a traditional agricultural form and design, being rectangular in shape, with a pitched roof with gable ends. It would front towards the east and includes a central full height opening. No other openings are proposed. Internally the barn is proposed to comprise a single open space over a single level.
- 2.03 The proposed barn is shown to be finished in blockwork at the lower level and corrugated GRP (glass reinforced plastic) at the higher level and roof. The proposal seeks to retain the existing boundary treatments which surround the site and the west boundary.
- 2.04 The proposal is to utilise the site's existing access arrangements along with an existing internal track which presently provides access to the paddock located

towards the east and north of the site. The proposal does not impact upon the parking arrangements of the site.

- 2.05 The proposed barn is sought as an alternative to that permitted in 2020 under 20/01292/FULL, which was proposed to be sited adjacent to the south boundary of the application site.

3.0 SUMMARY INFORMATION

	Proposed	Approved under 20/01292/FULL
No. of storeys	1	1
Max height	4.2m	3.5m
Max depth	11.0m	8.7m
Max width	16.0m	4.6m

4.0 PLANNING CONSTRAINTS

- Outside the Limits to Built Development (LBD)
- Area of Outstanding Natural Beauty AONB (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*) - designation affects the entire site.
- Metropolitan Green Belt (GB)
- Agricultural Land Classification Grade 3
- Biodiversity Opportunity Areas
- Historic Farmstead - Pastheap Farm (to the east)
- Grade II listed building - Pastheap Farm (to the east) (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) 2021
National Planning Practice Guidance (NPPG)

Tunbridge Wells Borough Core Strategy (CS) 2010:

Core Policy 1: Delivery of Development
Core Policy 2: Green Belt
Core Policy 3: Transport Infrastructure
Core Policy 4: Environment
Core Policy 5: Sustainable Design and Construction
Core Policy 14: Development in the Villages and Rural Areas

Tunbridge Wells Borough Local Plan (LP) 2006:

Policy MGB1: Metropolitan Green Belt
Policy LBD1: Development Outside the Limits to Built Development
Policy EN1: General Development Control Criteria
Policy EN8: Outdoor Lighting
Policy EN13: Tree and Woodland Protection
Policy EN25: Development Control Criteria for all Development Proposals affecting the Rural Landscape
Policy TP4: Access to the Road Network
Policy TP5: Vehicle Parking Standards

Supplementary and Other Planning Documents:

Landscape Character Area Assessment: Speldhurst Wooded Farmland

Speldhurst Conservation Area Appraisal
Renewable Energy SPD
Rural Lanes SPD
Farmsteads SPD
AONB Management Plan
Green Belt Study 2017

Tunbridge Wells Borough Submission Local Plan 2020-2038

Policy STR1: The Development Strategy
Policy STR2: Place Shaping and Design
Policy STR6: Transport and Parking
Policy STR7: Climate Change
Policy STR9: Green Belt
Policy PSTR/PE1: The Strategy for Pembury parish
Policy EN1: Sustainable Design
Policy EN2: Sustainable Design Standards
Policy EN3: Climate Change Mitigation and Adaptation
Policy EN5: Heritage Assets
Policy EN8: Outdoor Lighting and Dark Skies
Policy EN9: Biodiversity Net Gain
Policy EN12: Trees, Woodland, Hedges, and Development
Policy EN14: Green, Grey, and Blue Infrastructure
Policy EN18: Rural Landscape
Policy EN19: The High Weald Area of Outstanding Natural Beauty
Policy EN20: Agricultural Land
Policy EN21: Air Quality
Policy EN22 Air Quality Management Areas
Policy EN27: Noise
Policy TP1: Transport Assessments, Travel Plans, and Mitigation
Policy TP3: Parking Standards

6.0 LOCAL REPRESENTATIONS

- 6.01 Site notices were displayed on the 15th July 2022 at two locations surrounding the site.
- 6.02 No comments have been received.

7.0 CONSULTATIONS

Pembury Parish Council

- 7.01 (26/07/22) Strongly object.
- Not enough information has been supplied with regard to the surrounding area of the proposed barn, the height and the impact on surrounding views as this is an Area of Outstanding Natural Beauty and in the Green Belt.
 - There has been no response to the refusal of the two previous applications and the Parish Council's view is that these should be addressed as a matter of urgency before considering a further application.

KCC Highways and Transportation

- 7.02 (04/07/22) It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

Environmental Protection

- 7.03 (19/07/22) No adverse comments to make. No objections subject to informatives.

TWBC Conservation Officer

- 7.04 (28/09/22) To the east of the site is the grade II listed Pastheap Farmhouse, with its 18th century barn to the side (converted to residential in the 1980s). It forms a historic farmstead, in a dispersed cluster layout and in an isolated position.

The field in which the barn will be located is at some distance from the farmstead and so would not form part of its layout. The field appears on historic maps to be an agricultural field, so presumably farmed by the farmer in Pastheap farmhouse. For these reasons, it would have no impact on the setting of the listed building – it, and the track, would be located well away from the historic farmstead, but otherwise the agricultural appearance of the building would be appropriate to the setting of the farmhouse, within an agricultural field. It is noted that the Historic Landscape Characterisation study has defined this field as early post-medieval, but that it appears no changes are proposed to the historic boundary fields with the insertion of the barn.

TWBC Landscape and Biodiversity Officer

- 7.05 (03/10/22, verbal comments) The proposed location of the barn is of limited ecological value and it is therefore recommended that this matter can be adequately dealt with through a condition to ensure appropriate enhancements and mitigation. The barn is of a typical agricultural design and is not of a scale design or location that would detract from the site's setting.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 Whilst the land lies within the Green Belt, one of the exceptions under the general approach to inappropriate development is the provision of agricultural buildings. We consider that the siting of the building has been considerate, it does not result in significant visual impact, nor does it result in any wider amenity impacts. Positioning the building along the existing track to the Northern Boundary would have resulted in a far more prominent building, and would in our view have a more harmful effect on the wider landscape than where the proposal is currently sited.
- 8.02 The building is of a strictly agricultural appearance and would not be at odds with the prevailing rural character of the locality. The height of the building has been designed to accommodate agricultural vehicles, and the provision of just a single opening stays true to its agricultural design and need, whilst allowing it to be utilised for the support of the equine use if necessary.

9.0 BACKGROUND PAPERS AND PLANS

021-069v4-ExistBloc - Existing Block Plan
2021-1069v4-Barn - Proposed Barn Plans
2021-069v4-PropBlock - Proposed Block Plan
2021-069v4-Location - Site Location Plan
Cover Letter

10.0 APPRAISAL **Background Information**

- 10.01 The application, as set out within the planning history section of the report, follows several previous applications at the site for various works along with several enforcement matters. Most notable to this current application, however, is the 20/01292/FULL permission for the removal of part of the existing barn at the front of the site and the erection of a new barn in the south-west of the holding. This permission has not been implemented. The existing barn located towards the front of

the holding and its entrance has largely been converted into a single residential unit under 16/07667/LDCEX. The remainder of this barn is used as a workshop. The now proposed application seeks to erect an agricultural barn in the west of the holding.

Principle of Development and Visual Impact

- 10.02 This application site is within the countryside and lies outside of the defined LBD of Pembury where Policy LBD1 of the Local Plan (LP) states development will only be permitted where it is in accordance with all other relevant LP policies. The site is also situated within the Metropolitan Green Belt and within an Area of Outstanding Natural Beauty (AONB).
- 10.03 Paragraph 137 of the NPPF sets out that *'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'* Paragraph 147 goes on to state that *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'*
- 10.04 Paragraph 149 of the NPPF comments that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but sets out that exceptions to this include, amongst other things:-
- a) buildings for agriculture and forestry and the provision of appropriate facilities for outdoor sport and recreation as long as the facilities preserve the openness of the Green Belt.*
- The proposed development would be considered to comply with these exceptions, due to the barn being proposed to store agricultural equipment and to store hay in connection with the equestrian use. Equine use of the land is considered to be an outdoor sport/recreation, whether a public or private use and the proposal would be considered to be a building to support outdoor sport/recreation. Therefore, the principle would be considered to be acceptable provided that the proposal preserves the openness of the Green Belt.
- 10.05 Policy MGB1 of the Local Plan seeks to preserve the openness of the Green Belt, but also allows the construction of new buildings for agriculture and forestry and the provision of appropriate facilities for outdoor sport and recreation as long as the facilities preserve the openness of the Green Belt. The proposal would therefore also be considered to comply with this policy. Core Policy 2 of the Core Strategy sets out that there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it. Any new development should accord with the national planning provisions which in this case is Paragraph 149 of the NPPF. As the proposal is considered to comply with the provisions of the NPPF the proposal is not considered to be contrary to Core Policy 2 of the Council's Core Strategy.
- 10.06 "Openness" is the absence of development such as buildings, hard surfacing and the residential use of land. It is essentially free from operational development and relates primarily to the quantum and extent of development and its physical effect on the application site. It is a different consideration to 'visual impact' as the openness of the GB has a spatial aspect as well as a visual aspect. The absence of visual intrusion does not in itself mean that there is no impact on the openness of the GB as a result (for example) of constructing a new or materially larger building there.

- 10.07 Paragraph 48 of the National Planning Policy Framework (NPPF) sets out that *'Local planning authorities may give weight to relevant policies in emerging plans...'*. The Council submitted its proposed Local Plan (Submission Local Plan) to the Inspector in November 2021, upon which examination has recently concluded and the Inspector's decision letter is awaited. At this time moderate weight is attached to the Submission Local Plan.
- 10.08 Policy STR9 of the Council's Submission Local Plan sets out that development in the Green Belt shall be regarded as inappropriate unless it meets the exceptions set out in the NPPF July 2021, Paragraph 149. As set out above the proposal is considered to meet the exceptions set out within this paragraph.
- 10.09 Given the that the Council's Core Strategy and NPPF support of such a use in rural areas the proposal can be considered acceptable in principle. It is also noted that the principle of a new barn has previously been accepted, albeit for a smaller scale than proposed under this application. The issues in this case are the visual impact on the locality, including from any boundary treatment, and impact on the character of the countryside.
- 10.10 There is no objection in principle to a structure to support private equestrian development in rural areas as it is accepted such uses are better suited there. However, there is a need to safeguard the character and appearance of the countryside, as outlined in the Local Plan and Core Strategy.
- 10.11 Local Plan Policy EN25 requires proposal to have a minimal impact on the landscape character of the locality, to not have a detrimental impact on the landscape setting of settlements, to not result in an unsympathetic change to the landscape and new buildings to be located adjacent to existing buildings or well screened by vegetation. Core Policy 4 of the Council's Core Strategy sets out that the Borough's built and natural environments are rich in heritage assets, landscape value and biodiversity, which combine to create a unique and distinctive local character. It goes on to state that the borough's urban and rural landscapes, including the AONB will be conserved and enhanced. Core Policy 14 sets out that the countryside will be protected for its own sake and a policy of restraint will operate in order to maintain the landscape character and quality of the countryside. The policy does however recognise under criterion 4 that equestrian activity is appropriate in rural areas.
- 10.12 Policy EN18 of the Submission Local Plan relates to development within the Rural Landscape and seeks to conserve and enhance the unique and diverse variety and juxtaposition of the borough's landscape and the special features that contribute positively to the local sense of place, include appropriate mitigation to ensure against significant harm to the landscape setting of settlements, including historic farmsteads and hamlets, that developments do not result in unsympathetic change to the character of a rural lane, which is of landscape, amenity, nature conservation, or historic or archaeological importance, restore landscape character where it has been eroded and to preserve intrinsically dark landscapes.
- 10.13 Policy EN19 of the Council's Submission Local Plan relates to development within the AONB and requires that all development within, or affecting the setting of, the High Weald Area of Outstanding Natural Beauty (AONB) shall seek to conserve and enhance its landscape and scenic beauty.
- 10.14 The High Weald AONB Management Plan details that the AONB as a whole is *"characterised by dispersed historic settlement, ancient routeways, an abundance of woodland, wooded heaths and shaws, and small irregularly shaped fields. These are*

draped over a deeply incised and ridged landform of clays and sandstones with numerous gill/ghyll streams, and are closely related to socio-economic characteristics that have roots extending deep into history”.

- 10.15 The proposed barn is to be sited toward the west of the holding where to the west of the proposed building lies an established row of trees and planting. By virtue of the position of the proposed barn within the site, being set back over 80m from the A21 and over 100m to Hastings Road, along with the existing screening at the site and its boundaries; it is not considered that the proposed development would appear highly visible or prominent from public vantage points.
- 10.16 It is also considered that the development’s visual impact could be further softened via additional landscaping and planting at the site and therefore a landscape scheme has been conditioned. A condition has also been attached which requires that the permission cannot be implemented in addition to the barn subject to the 2020 approval. This is in order to ensure that no unnecessary structures are built and to preserve the site’s character and its rural setting, and has been offered by the applicant
- 10.17 The proposed building is of a typical agriculture design and appearance and is of such a style of structure that is commonly found in such rural settings. It is also not considered to be of an excessive scale. Overall, it is of a design and appearance that is not considered to detract from the site’s rural setting within the countryside or AONB. By virtue of its design and location, being adjacent to the west boundary and screening the proposal is not considered to be harmful to the openness of the Green Belt. It is also considered that the proposed location is appropriate to serve its function as a hay store being located in close proximity to the paddocks at the site.
- 10.18 For the above reasons the proposed development is considered to be acceptable in principle and to not appear visually intrusive or harmful to the character of the area. It is concluded that the amount, scale and design of the proposals would be in keeping with the character and appearance of the surrounding area, in accordance with local and national planning policy and guidance.
- 10.19 The scheme would need to be satisfactory in all other respects in order to be considered acceptable. In this case, the other main issues for consideration are the impact upon heritage assets, impact on residential amenity, impact on highway safety, along with all other material considerations.

Heritage Impact

- 10.20 The site is located to the west of the Historic Farmstead of Pastheap Farm and the Grade II listed property of Pastheap Farm.
- 10.21 Sections 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and case law makes it clear that, amongst other things, the LPA 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.
- 10.22 Paragraph 199 of the NPPF states that:-
‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

- 10.23 From discussions with the Council's Conservation Officer it is considered that the proposed barn by virtue of its location and distance from the farmstead would not form part of the historic farmstead layout. Because of this the proposal would have no impact on the setting of the listed building or historic farmstead. It is also considered that the proposed barn is of an appropriate appearance and would preserve the significance of the farmhouse. The proposed development is not considered to have a detrimental heritage impact and is therefore acceptable in this regard.

Residential Amenity

- 10.24 Policy EN1 of the Council's Local Plan, requires under criterion 2 that proposals would not cause significant harm to the residential amenities of adjoining occupiers, and would provide adequate residential amenities for future occupiers of the development, when assessed in terms of daylight, sunlight and privacy.
- 10.25 The closest residential property to the proposed barn would be that of Fletchers located approximately 150m to the south. By virtue of the scale of the proposal, its use as an agricultural storage building, the boundary screening and separation distance to neighbouring properties; the proposed development is considered to respect the amenities of nearby residential properties. The proposal is therefore considered acceptable in regard to this matter.

Highways

- 10.26 Paragraph 111 of the NPPF sets out that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*
- 10.27 The proposal is to utilise the site's existing access arrangements, which are not proposed to be altered. The proposal would also not impact upon the site's current parking arrangements, which are located towards the site's entrance in the east of the holding. The proposal does also not seek a change of use to the land and the proposed development would support the existing use.
- 10.28 The application does not seek a change of use to the land, and it is not considered that the proposed development, by virtue of its scale, nature and use, would generate a material increase in traffic movements to and from the site that would have a detrimental impact upon highway safety. The proposal is to utilise the site's existing access arrangements, which are not proposed to be altered and are considered adequate support the use of the site and the proposed supporting structure. It is also considered that the site would retain an adequate level of onsite parking provisions to support the site and the proposed development.

Ecology and Trees

- 10.29 Paragraph 174 of the NPPF advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. It also advises that opportunities to incorporate biodiversity in and around developments should be encouraged and it is expected that all new developments result in net gain in biodiversity.
- 10.30 From discussions with the Council's Landscape and Biodiversity Officer it is considered that the proposed location of the barn is of limited ecological value. It is considered that ecological and biodiversity enhancements should nonetheless be secured and a condition has been recommended and along with a landscaping condition.

Flood Risk & Drainage

- 10.31 Paragraph 159 of the NPPF sets out that *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'*
- 10.32 Local Plan Policy EN18 sets out that within those developed areas identified by the Environment Agency as being at high risk from flooding, built development and conversions will only be permitted where practicable and effective flood protection and mitigation measures would be proposed and maintained, and practicable and effective measures would be included as part of the development proposals to prevent the increased risk of flooding elsewhere.
- 10.33 This site is not designated as being within a Flood Zone by the Environment Agency or a Strategic Flood Risk Area. The proposal is not considered to be of a scale or location to have a detrimental impact upon flood risk in the locality and it is therefore considered that the application does not warrant refusal on such grounds.

Other Matters

- 10.34 The Parish Council comments are noted. However, it is considered that sufficient information has been submitted in order to fully to assess the impact of the development in regard to the surrounding area, AONB and Green Belt. These matters have been discussed earlier within the appraisal.
- 10.35 The Parish also comment that no response to the previously refused applications. However, the previous two applications did not relate directly to this scheme and this proposal has been assessed on its own merits.

Conclusion

- 10.36 Based on the above, the development proposed is considered to be acceptable in principle and would be of a scale, massing and design which is considered to be acceptable and in keeping with the surrounding area. The siting and scale of the proposed barn in relation to the neighbouring properties is not considered to be detrimental to residential amenity or to the significance of nearby heritage assets. It is considered that there is sufficient parking provision at the site to serve the new development and that the proposal would not be detrimental to highway safety. Issues relating to ecological enhancements, landscaping and drainage can be adequately controlled through conditions. It is therefore recommended that this application be approved subject to the conditions set out below.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

2021-1069v4-Barn - Proposed Barn Plans
2021-069v4-PropBlock - Proposed Block Plan

Reason: To clarify what plans have been approved

3. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity.

4. No storage of feed, forage or bedding shall take place on the site other than within a building.

Reason: In the interests of the visual amenities of the site and surrounding area.

5. No additional external lighting shall be installed on the site without the prior written planning permission of the Local Planning Authority.

Reason: In the interests of amenities of the area.

6. The hereby approved development shall be used for agricultural or equestrian storage only and no other purpose unless approved in writing by the Local Planning Authority. Should the use of the hereby approved building for the above purposes cease within 10 years from the date on which the development is subsequently completed then, unless otherwise the Local Planning Authority have otherwise agreed in writing, the building shall be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the Local Planning Authority and the land owner/developer.

Reason: In the interest of visual amenity and to protect the character and appearance of the countryside. To prevent the proliferation of unnecessary buildings in the countryside, Area of Outstanding Natural Beauty and Metropolitan Green Belt.

7. This permission shall not be exercised in addition to the extant permission 20/01292/FULL granted by the Local Planning Authority on 28/07/20 but shall be an alternative to that permission. Should one of the permissions be implemented the other permission shall not be implemented.

Reason: In the interest of visual amenity, and to prevent the proliferation of unnecessary buildings in the countryside, Area of Outstanding Natural Beauty and Metropolitan Green Belt.

INFORMATIVES

1. As the development involves demolition and / or construction, broad compliance with the Mid Kent Environmental Code of Development Practices expected.

Case Officer: James Moysey

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.