

Stubbs, Lilian

From: Irene Bowie <irenebowie.smpc@gmail.com>
Sent: 02 July 2019 12:44
To: Planning
Subject: Land West of Hatch Meadow, Bossingham Road, Stelling Minnis, CT4 6 AQ Planning Application Y19/0631/FH
Attachments: SMPC Planning Application Y190631FH.pdf

Hello Adam,

Please find attached the detailed comments from Stelling Minnis Parish Council regarding planning application Y19/0631/FH. The Parish Council has voted as follows :

Approve 4 : No Objection 2 : Abstention 1

Kind regards,

Irene

Irene Bowie

Clerk to Stelling Minnis Parish Council

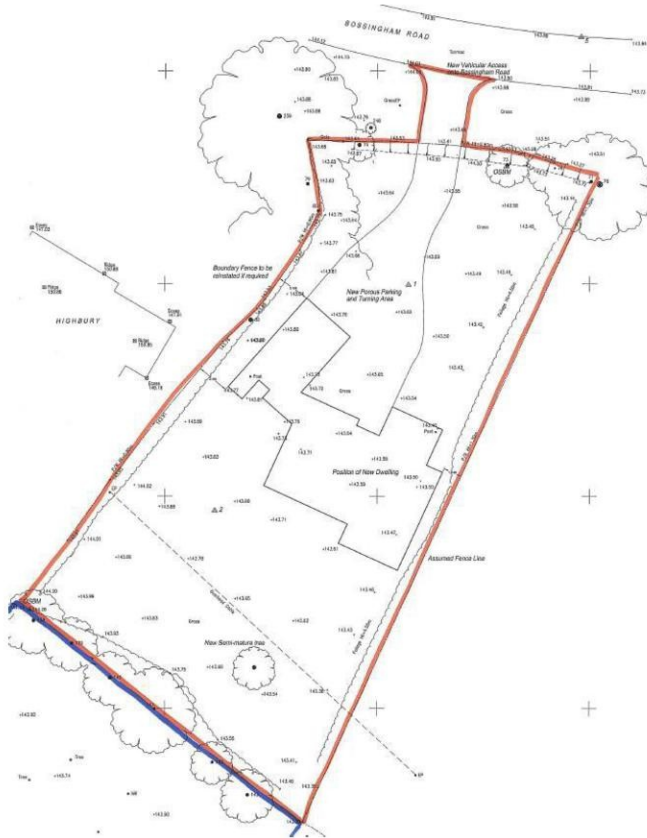
email: irenebowie.smpc@gmail.com

Land West of Hatch Meadow, Bossingham Road, Stelling Minnis, CT4 6 AQ

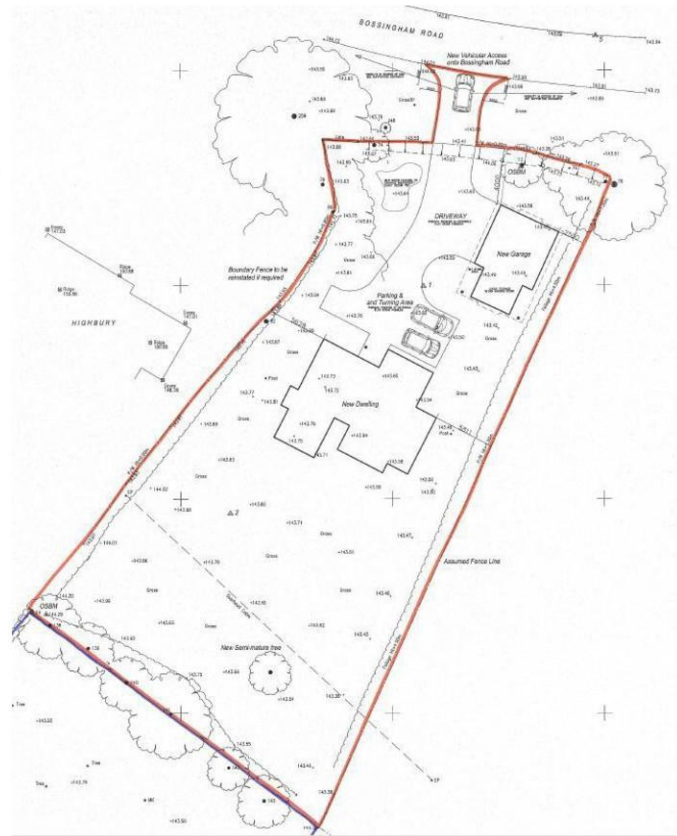
Planning Application Y19/0631/FH

The applicant withdrew the previous application (Y17/1029) for a new dwelling prior to determination in 2017. The current scheme has been significantly amended following objections received from neighbours.

Previous Scheme Y17/1029



Current Scheme - Y19/0631/FH



- The dwelling has reduced significantly in scale and mass on this generous plot.
- The dwelling has reduced in width to provide increased separation between the boundaries and distance from neighbouring properties.
- The detached garaging has been moved further to the north.
- Vehicular access has been improved with splayed sight lines.
- Revised external design and improved site layout.

Planning Policy

The National Planning Policy Framework (Updated Feb 2019), is an overarching national planning document with Social, Environmental and Economic objectives. The revised NPPF is designed to work with other local policies which comprise;

- The Local Plan Review (2006).
- The Core Strategy Document (2013).
- Places & Policies Local Plan (2018).
- Core Strategy Review Document (2019).

A number of these documents have superseded one another or 'saved' from previous policies, and some are still 'emerging'. Great care should be taken by Councillors in the 'interpretation' of policies relating to permissible countryside development.

However, the National Planning Policy Framework (NPPF) is a '*material consideration*', and even when there is a Local Plan, the NPPF must still be considered when making development decisions. Please see Annex A and link to NPPF 2019.

Local Plan - SD1, HO1, CO2, C01, CO11, BE1, B16, TR5, TR11, TR12

Having read the Planning Consultants report submitted with this application and the policies (attached), I am comfortable that the applicants' proposal is sustainable and that new dwellings in villages can be acceptable and in doing so must meet Social, Environmental and Economic objectives, whilst not affecting the character of the village and AONB.

The proposed dwelling is of high quality and sustainable and fits well into the generous plot of land. The development will not harm any existing hedgerows or habitats. The dwelling would fit well into the village street scene and countryside. Parking provision has been amended with safe access and egress onto Bossingham Road.

Core Strategy 2013 - SS3

This policy seeks to protect Stelling Minnis as a '*secondary*' village in terms of safeguarding "crucial rural facilities to visitors, and their own residents and workforce, in line with local needs, their environment, and roles as relatively small country settlements". Policy S3 does not exclude provision of additional dwellings in the settlement hierarchy to promote the creation of sustainable, vibrant communities.

This policy allows for limited development in county settlements for their own residents that help sustain our vibrant and distinct communities without impact on AONB.

The Places and Policies Local Plan 2018 - HB1, HB3, HB4, NE2, NE3, T2, T5

The proposed 'self-built' dwelling is of good design and high quality and will make a positive contribution to the area. The proposed new dwelling is a type that is usually considered favourably and which I would support.

The Ecology, Biodiversity and Habitats will be protected as much as possible. The perimeter hedgerows will be retained.

NE3 is an important policy which sets out a number of 'tests' for the developer that should protect the AONB.

1. *"Reinforce and respond to, the distinctive character and special qualities of the AONB with design, scale, setting and materials of new development which are appropriate".*
2. *"Development should not lead to actual or perceived coalescence of settlements or undermine the integrity of the rural character of the AONB".*
3. *"Development should be appropriate to the economic, social and environmental well-being of the area".*
4. *"Development meets the policy aims of the Kent Downs AONB management plan and design guidance".*

I believe that the proposed development satisfies these conditions.

Arboriculture Report & Ecology Desk Top Appraisal

A desktop appraisal has been completed to provide an overview of potential impacts that might arise from the development and the report has highlighted a number of habitats that may be present. A further preliminary site visit will be required to confirm the presence of these habitats.

At this stage the Environmental Consultants desk top report (4.1) states *"it is highly unlikely that the development would have any measurable negative impact on this site"*.

F&HDC Arboriculture officer, David Sephton confirmed in writing on 20th October 2017, that *"he had no objections to the erection of the proposed dwelling. All recommendations in the tree survey report would need to be conditioned"*.

Summary

Having reviewed the plans and documents of the current application in conjunction with the principle Planning Policies (above), the Parish Council can see no reason to object to it. Each development will be different and therefore each will need to be assessed separately on its own merits, size of plot, scale and mass, quality of building, sustainability, effect on ecology, suitable access, etc. For a variety of reasons, (including housing need), it would be wrong to say that we should not consider any additional dwellings in the village apart from what has been allocated in the Local Plan (ND 10).

A 'precedent' cannot be set for individual houses or developments in Stelling Minnis, because this is tightly controlled by planning policies and by the Parish Council ,as successfully demonstrated this year with the R&C development.

Rather than think of this proposal as 'in-filling', the National Planning Policy Framework and Local Plan both provide stringent '*tests*' for developers and councillors alike to decide whether the proposed development may or may not be permissible.

The applicant is not a developer and has lived within the village boundaries for 16 years and wishes to continue living in the village for many more years. Therefore it could be argued that he may fall into the special category set out in Policy CSD3 which indicates that development can be allowed outside the settlement hierarchy boundary in special cases. However, this proposal is well inside the village boundaries.

The applicant has reviewed his plans and submitted a coherent revised scheme in terms of scale and mass with much improved layout with good highway visibility. The desk-top Ecological report states that the proposed dwelling is highly unlikely to cause any measurable negative impact on this site.

The Parish Council believe this to be an application for a high quality, sustainable single dwelling which fits well amongst similar sized houses and street scene and therefore can find no reason to object.

Annex A

Revised National Planning Policy Framework (Updated Feb 2019)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

The presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁶; 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.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; 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.