

Principle of Development Location and Sustainability

Submitted in support of Planning Application 20/1660/FH
Shepway, Lymgne Hill - Erection of 4 bedroom house

1. Summary:

This document examines the principles of development and sustainability and concludes that the erection of a new house at this location meets all sustainability criteria and can be considered acceptable in terms of its impact on the AONB and wider countryside, in accordance with Development Plan Policy.

2. Introduction:

2.1 Schedules of the Local and National policies which are relevant to the application are scheduled as an Appendix and this statement and appraisal assesses the acceptability of the proposal in Planning terms.

2.2 The site is not in the open countryside but it is still necessary to demonstrate that the site is an appropriate location for new build development. Even a fleeting glimpse of the proposed new house from close up or afar is almost impossible from outside the site, nevertheless, development plan policy requires for the countryside to be protected for its own sake. This statement demonstrates that the proposal is sustainable development and addresses the Policy and Places Local Plan Policies that are relevant to the consideration of the application.

3. Location:

3.1 Whilst the site is outside the defined settlement boundaries in the proposals plan for the Shepway District Local Plan Review (2006) the Council has previously acknowledged that the settlement boundaries were defined to protect the character and appearance of the open countryside. Developments outside these boundaries have been approved as exceptions by the District Council where the site is adjacent to existing settlement and where development can be accommodated without material harm to the character and appearance of the countryside. This is more so when the application site is also located close to a larger settlement. Lymgne which is identified by the Core Strategy as a Primary Village in the settlement hierarchy is a few minutes walk from the application site, with the Primary School, Church and Village Hall being closer than from many of the houses in Lymgne village itself.

3.2 As a "Primary Village" it already provides services and facilities that will support further development and the new house will assist in the delivery of housing numbers in the Local Plan. This is in line with the requirement within the National Planning Policy Framework the heart of which is the aim of providing sustainable development, and with the up-to-date Folkestone & Hythe Places and Policies Local Plan (PPLP).

3.3 The application site is wholly contained within the 4 ½ acre gardens of Shepway, constructed in 1914, where there are already 3 existing houses. The site is screened on all sides by dense mature trees and hedges which visually separate the house and grounds from the surrounding countryside. Shepway forms part of a continuous residential development down Lymgne Hill and West Hythe. This whole settlement is distinctly separate in form and character from the surrounding countryside.

3.4 The settlement boundaries were defined by the 2006 Local Plan. This policy document now carries little weight. Following the Inspector's Report to the EIP finding the PPLP sound it is expected that the council will adopt this plan. It should therefore be given significant weight in decision making. It is recognised that the PPLP is accompanied by a Policies Map, which identifies settlement boundaries, however the local plan process allows no mechanism to change these unless a larger site had been identified and allocated. The Shepway site is wholly suitable for accommodating a further single dwelling without harm to the surrounding area.

3.5 Significant weight must also be given to the requirements of the NPPF to support smaller windfall development sites, and to take a positive and creative approach to decision making. The proposed development can be considered by the Planning Authority to accord with policy HB10 (Development of Residential Gardens) of the PPLP. This policy allows the complete or partial redevelopment of residential gardens. It is considered that the council can, based on the form, location and character of the proposed site, consider it to be within a settlement and due to its proximity to available services and facilities in Lympe, consider the proposal as wholly sustainable development which can rely upon and also support these services. The proposal has no conflict with other policies in the PPLP.

3.6 It is considered that the application site is in a highly sustainable location. It is located close to the heart of the village of Lympe. The village is centred on the Church, Castle, Village Halls, Pub and School. More recent development has significantly expanded the village to the north and homes there are around 1km from the Church and Primary School whilst the Application site is within 400 metres of both.

3.7 A key element of sustainability is reducing reliance on the private motor car for short trips. Although some reliance on the private car is inevitable in rural locations, the availability of good public transport links, cycling and walking routes can help to reduce this reliance and enable better accessibility to services and facilities. It is generally accepted that to be considered sustainable, basic day to day services such as a grocery shop, public house, play / community facilities and a primary school should be within an easy walking distance of 800 metres, and the Application site is well within this range for all. Children from Shepway and the upper part of Lympe Hill are amongst the very few pupils who actually walk to the primary school and successive generations have done for at least the last 30 years. The applicant's son and daughter-in-law, who live in Shepway East, habitually walk the short distance to their office at Lemnis House in Lympe. Secondary school buses pass up and down Lympe Hill and pick up and drop pupils off in front of the house.

3.8 Lympe Hill is restricted to 30mph along the frontage of Shepway. A public footpath on the other side of the road gives direct and safe access to the Primary School, the Church, the Village Halls and Pub and the rest of Lympe Village. There are other informal walking routes to the village and the wider countryside.

3.9 Lympe is served by the following bus services; 10, 10A, 18A, 111, providing regular services to Ashford and Folkestone and for which there are bus stops on Aldington Road and Stone Street within easy walking distance from the application site. The mainline railway stations are at Westenhanger, which is within acceptable walking distance, and Sandling slightly more distant but walkable when necessary, and both provide regular rail services to London and Dover.

3.10 Another key element of sustainability is the availability of cost effective infrastructure. The Application site is already served with good highway access, electricity, potable water, on-site sewerage treatment works, sustainable surface water drainage and very high speed fibre optic internet. A new house will make use of the available capacity without the need for further infrastructure investment.

3.11 For a small village there are a myriad of local employment opportunities, with Lympe

Industrial Park, Lympne Castle and Port Lympne Wildlife Park with its ever expanding development of residential holiday pods and cabins and catering facilities all in the AONB. Most of the younger residents of the houses at Shepway have been employed at these establishments over the years and walked to work. Lympne internet based offices are also expanding their workforce which can offset some of the Covid related losses in the holiday and travel sector.

3.12 Protection and enhancement of the AONB is a fundamental planning requirement. The AONB is not a completely natural landscape and much of its beauty derives from the land being managed by generations of land owners. Unlike farmland or woodland the 4 ½ acres at Shepway has no commercial income. The massive trees, hedges and formal gardens are a very important element in the landscape and their protection and enhancement is expensive. When considering development it behoves Planners to consider how financial mechanisms are available for maintenance and replacement tree planting for the benefit of future generations. In modern times it needs more working families to share the work and expense and permitting an additional family dwelling can achieve this.

4. APPRAISAL - Principle of development and sustainability

4.1 For the purposes of applying planning policy, the site lies outside of any designated settlement boundary and the detailed statements included above support the reasons why this can be considered to be acceptable

4.2 The site is within the continuous settlement of West Hythe and Lympne Hill which terminates immediately on the northern boundary of the application site. This, combined with the fact that there are another three existing dwellings within the Shepway curtilage, together with the proximity of the Village Hall, Church and local primary school, means that the site cannot be considered to be in an isolated location

4.2 Core strategy policy SS1 and saved policy CO1 SDLPR advises that development outside of any defined settlement boundary will only be allowed exceptionally. Core strategy SS1 states that 'development within (*Folkestone and Hythe*) is directed towards existing sustainable settlements to protect the open countryside....' and policy CO1 seeks to protect the countryside for its own sake. In this case the site is not considered to be open countryside as it forms part of the enclosed side section of residential garden of three existing dwellings and it is within the existing settlement.

4.3 Lympne Hill in this area is set with a 30mph speed limit There is a public footpath on the other side of the road directly opposite the frontage to Shepway which allows safe pedestrian access into the main village where local amenities can be found within a few hundred metres walking distance from the application site. Ranging from 7-13minutes for, village hall, hairdressers, bus stop, village school, village hall, play area, pub, restaurant, church, post box and post office. The walking distance to the Primary School, Village Halls, Pub and Church is considerably less than many of the more recent houses built in Lympne village. Secondary school buses service Lympne Hill and stop outside the house. The nearest train station is 35 minute walk and not fully accessible by path. This would be the case for any other residential property within the village of Lympne as the nearest train station is located at Westenhanger, some 1.5 miles north as the crow flies.

4.4 For these above reasons it is considered that the site cannot be considered as remote/isolated and that this could represent infill development by virtue of the fact that it forms development within residential curtilage, in close proximity to village services and the land is clearly defined as separate from the nearby agricultural land to the immediate North and East.

4.5 In further support of the case, paragraph 78 NPPF facilitates housing development that is located where it will enhance or maintain the vitality of rural communities and it is considered that this case meets those criteria as a modest scale development in close proximity to an array of amenities. In this particular case, although outside a Local Plan defined settlement boundary, it is considered that the proposal would not have an unacceptably detrimental impact upon the wider

countryside due to the residential status of the land and the existing boundary screening which encompasses the site. The latter would ensure that views of the physical dwelling from the wider countryside viewpoints are generally non-existent and at worst fleeting and any views obtained would be read in conjunction with the other three nearby dwellings ensuring that the development would not read as stand-alone development in the countryside. The proposal does not see the loss of undeveloped or agricultural land.

4.6 The concern of 'urban sprawl' and the potential for the development to set precedence for further development along Lympe Hill arising from this development is a material consideration. From assessing aerial photography of the site and surrounding area it is clear that the land immediately to the North and East of the application site is agricultural in nature, with a defining line between the residential land of Shepway and the wider countryside. With this in mind it is considered that the approval of this single dwelling within the confines of land associated with three existing dwellings would not set a precedence for further similar development outside of the boundary of settlement along Lympe Hill and therefore this development would not result in the opportunity for development sprawl into the wider countryside.

4.7 For the above reasons, the location of the proposed development is considered to be acceptable in accordance with Development Plan Policy.

5. Conclusion:

The proposed application site is immediately adjacent to other residential uses. It is located within the formal garden of the three dwellings at Shepway which is, in terms of its character and appearance, distinct from the character and appearance of the surrounding open countryside. The enclosed form and character of the site significantly limits the impact of the development on the character and appearance of the AONB and the Special Landscape Area designations within which the site is located. The application can reasonably be considered to be development that accords with the PPLP. In considering this point, the highly sustainable nature of the application site relative to existing infrastructure, village facilities and public transport links make this a site highly suitable for residential development of a single dwelling, which will contribute towards meeting the housing needs of the district as well as the applicants specific housing requirements. It can also assist the protection and enhancement of this small but important part of the AONB for future generations. For these reasons it is considered that the application should be supported.

APPENDIX - Schedule of Relevant Local and National Planning Policies.

Local Plan Review Saved Policies: SD1, HO1, BE1, BE8, BE16, U1, U10a, TR11, TR12, CO1, CO4, CO11,

Core Strategy Local Plan: DSD, SS1, SS2, SS3, SS5, CSD1, CSD2, CSD4, CSD5

Places and Policies Local Plan Submission: HB1, HB2, HB3, HB10, T2, T5, NE2, NE3, CC2, HE2

The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

Core Strategy Review Submission Draft 2019: DSD, SS1, SS3, CSD4

The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection.

NPPF - National Planning Policy Framework

NPPG -National Planning Policy Guidance