

**NOTIFICATION OF DECISION OF
THE LOCAL PLANNING AUTHORITY**

Date of Decision: 27 February 2024



Email: planning@folkestone-hythe.gov.uk

Mr Tillings
C/o Mr Ian Horswell
AGI Architecture
8 Sams Close
Hatherleigh
Bideford
EX39 3FY

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 23/1610/FH

Proposal: 32 dwellings and doctors surgery

**Site Location: Land Adjoining The Dragonfly (former Piggery)
Main Road, Sellindge**

DECISION: REFUSED in accordance with the planning application and plans.

REFUSAL REASONS

- 1 The application site is set outside of the defined settlement boundary and away from established and planned strategic residential development, amenities and services, with no justification of need for the proposed residential and healthcare uses in this location, and would represent a significant, unsustainable development, away from the emerging village core, contrary to policies SS1, SS3 and CSD9 of the Core Strategy Review, policy ND5 of the Places and Policies Local Plan and the National Planning Policy Framework, which seek to direct new residential development towards existing settlements and sustainable locations.
- 2 The proposed layout of the scheme as a whole, together with the poor building design at the site entrance, would fail to respond to the character of the existing development or rural location, thereby failing to create a sense of place and appearing incongruous, visually dominant and out of character with the locality. In addition, the failure to provide a street hierarchy that places pedestrians above vehicles, promote active travel, or successfully incorporate the existing PROW network into the layout, would be contrary to policies T1, HB1, HB2, HW4 and C1 of the Places and Policies Local Plan and the National Planning Policy Framework.
- 3 By virtue of the removal of existing landscaping across the frontage, an unsympathetic urban layout, poor building design, and a failure to provide

adequate replacement landscaping throughout the scheme as a whole, the development would represent unplanned and unsympathetic urban sprawl detrimental to the rural character and appearance of the area, contrary to policy CSD4 of the Core Strategy Review, policies HB1 and HB2 of the Places and Policies Local Plan, and paragraph 180 of the National Planning Policy Framework.

- 4 The proposals provide inadequate vehicle parking facilities to serve the proposed development, which is likely to lead to vehicles being parked on the highway. In addition, the proposed junction onto the A20 does not meet appropriate design standards, both of which are to the detriment of highway safety, contrary to Places and Policies Local Plan policy T1 and National Planning Policy Framework paragraph 115.
- 5 In the absence of a site specific ecological impact assessment, the proposal fails to properly address the potential ecological impacts arising from the proposed development, necessary mitigation measures or measures to enhance within the proposed development resulting in potential harm to biodiversity. As such, the proposed development would potentially have an adverse effect on protected species and habitats and the proposal would be contrary to Core Strategy Review policy CSD4, Places and Policies Local Plan Review policy NE2 and National Planning Policy Framework paragraph 186.
- 6 As the application site is within the Stour Operational Catchment, in the absence of information that would allow the competent authority to conduct a Habitats Regulations Assessment (HRA) it cannot be determined that the proposal would not have a likely significant effect relating to the proposals impact on the on the internationally designated Stodmarsh sites (SAC, SPA and Ramsar) and the proposal is contrary to Core Strategy Review policy CSD5, Places and Policies Local Plan policy NE2 and National Planning Policy Framework paragraphs, 180 and 185.
- 7 The proposal fails to acknowledge or address the identified local need for plots for self-build and custom housebuilding development and as such fails to address this identified housing need. The proposal is therefore contrary to Places and Policies Local Plan policy HB4.
- 8 No information has been submitted in respect of a proposed surface water drainage scheme and it cannot be demonstrated that there would be no increase to flood risk on or off-site, contrary to Places and Policies Local Plan policy CC3.
- 9 The proposed development would result in the loss of a significant area of Grade 2 agricultural land, with no compelling or overriding planning reason to justify this loss. Neither is any mitigation for this loss proposed through the provision of productive landscapes on-site or in the locality. As such the proposal would be contrary to Places and Policies Local Plan policy HW3 and National Planning Policy Framework paragraph 180.
- 10 The application fails to make provision for affordable housing, nor does it demonstrate that such provision would make the development otherwise unviable. As such, the scheme fails to address the housing needs as set

out in the development plan and the proposal is contrary to policies CSD1 and CSD2 of the Core Strategy.

Informatives and notes

- 1 Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted drawings:

SP01 - Block Plan Zone Plan 1 of 3
SP02 - Block Plan Zone Plan 2 of 3
SP03 - Block Plan Zone Plan 3 of 3
SP04 - Site Plan Land Zones
SP05 - Proposed Block Plan 1 of 3
SP06 - Proposed Block Plan 2 of 3
SP07 - Proposed Block Plan 3 of 3
SP08 - Site Plan
SP09 - Site Location Plan
MH01 - Medical Hub Elevations & Floor Plans
H01 - Proposed SH 1 Bed Bungalow Elevations & Plans
H02 - 2 Bed Bungalow Elevations & Floor Plans
H03 - 2 Bed Houses Elevations & Plans
H04 - 3 bed House Elevations & Floor Plans
H05 - 4 Bed House Elevations & Plans
H06 - 4 Bay & 2 Bay Car Ports Elevations & Plans

In determining this planning application, the Council has had due regard for all relevant matters and particularly the National Planning Policy Framework. This includes the duty to work positively with the applicant to resolve potential issues and seek acceptable solutions.

This decision relates ONLY to the requirements of Town and Country Planning Act 1990. Separate determinations are required for other aspects of the planning regime, building regulations and environmental legislation. Any other permissions must be obtained separately from the relevant body.



Issued by the Chief Planning Officer

This decision notice consists of 4 pages

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority then you may be able appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so promptly.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.

The Inspectorate's website also gives details of timescales and the processes which would apply to this type of application.