

2.2 REFERENCE NO - 22/500601/FULL		
APPLICATION PROPOSAL Sub- division of Radfield House into 2 no. separate residential units. Conversion and redevelopment of existing farm structures to create 9 no. residential units with associated landscaping and parking with improvements to existing access from Dully Road.		
ADDRESS Radfield House And Farm, London Road, Tonge, Sittingbourne, Kent, ME9 9PS		
RECOMMENDATION Grant		
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would result in enhancement to the designated heritage asset, the setting of the asset and the landscape. The proposal would contribute to the Council's 5-year housing land supply, providing a net gain of 10 residential units. The proposal would be considered to be of benefit to the local context.		
REASON FOR REFERRAL TO COMMITTEE Parish Council Objection.		
WARD Teynham and Lynsted	PARISH/TOWN COUNCIL Tonge	APPLICANT GH Dean & Co Ltd AGENT Hume Planning Consultancy Ltd
DECISION DUE DATE	PUBLICITY EXPIRY DATE 04/04/2022	CASE OFFICER Emma Gore

Planning History

SW/10/1523

Change of use of former granary, potato store and part of farmyard to office and commercial use with associated parking.

Grand of Unconditional (stat 3yrs) Decision Date: 27.04.2011

1.0 Description of Site

- 1.1 The application site is located to the south of the A2 (London Road). The site is located to the east of Bapchild and to the west of Teynham. The Built-up area boundary of Bapchild is located approximately 0.50km from the site. The Built-up area boundary of Teynham is also located approximately 0.51km from the site. The site contains a mix of uses including residential and former agricultural. The wider context of the site also includes some commercial uses. The site is approximately 1.5ha. The site comprises a detached Grade II Listed Building which fronts the highway, is two storeys, and in a state of disrepair. The dwelling known as Radfield House has attractive brick wall enclosures and frontage. The list description reads as follows:
- 1.2 To the east of the dwelling a vehicle access extends in a north-west trajectory. The access is also a Public Right of Way.

- 1.3 To the south of the dwelling the site extends to include a collection of former farm buildings (with a combined floor area of approximately 3015square metres). The agricultural buildings and former farm offices, located to the south of Radfield House, are associated with the wider Hempstead Farm. The buildings are predominantly open fronted and were used for storage associated with agriculture.
- 1.4 The buildings are arranged in a linear pattern and number 6 in total, and have a utilitarian character with mainly gable end pitches and clad in metal, breeze block and timber. The site is subject to a large degree of hardstanding which has a clear affiliation with the former agricultural use.
- 1.5 A secondary access to the site is located along Dully Road. The access is formed of an agricultural track which extends in an east west trajectory for a distance of approximately 307metres. Dully Road is a designated Rural Lane and contains mainly residential dwellings which are located sporadically along the road.
- 1.6 To the east of the site, three existing residential dwellings are located namely, Bailiffs House, Jubilee Cottage, Elizabeth Cottage. To the southeast, two commercial buildings and associated yards extend. Agricultural fields extend to the south and west of the site. The landscape surrounding the site is open although screened from the immediate public view and road by built form and landscape.
- 1.7 The Teynham Air Quality Management Area is located on the A2 and starts 1180metres to the east of the application site.

2.0 Proposal

- 2.1 The proposal seeks to sub-divide Radfield House to create a semi-detached property, each compromising three bedrooms.
- 2.2 The proposal would result in the demolition of five of the six buildings on site. The buildings are former agricultural units with a varying bulk, mass, and design. In place eight residential units would be created in two terrace style buildings with varying roof designs. The units would be comprised of three, four and five bedrooms. The proposed units would have on-site parking and include visitor parking spaces.
- 2.3 The proposal would also see the conversion of the existing southeast barn into a four bedroomed residential unit. The dwelling would include 3 parking spaces on site and wide curtilage.
- 2.4 The proposal would introduce retractable bollards to the southeast of the converted barn to ensure that traffic does not utilise the eastern access (directly linking to the A2) but instead traverses the western access to Dully Road (linking to the A2 further west and at a point where sight lines are better). Further, bollards would be located to the rear of Radfield House to ensure use of the western access.
- 2.5 The proposal would further introduce additional landscaping and a SUDS pond.

3.0 Planning Constraints

- Grade II Listed Building Radfield House,
- Public Right of Way – ZR 196 (a public footpath connecting to Dully Road approximately one kilometre to the south),

- Flood Zone 2 and 3 (Located on a narrow strip of the access to the west onto Dully Road),
- Grade I Agricultural Land (best and most versatile),
- Brickearth – Swale areas,
- Special Protection Area (SPA) for ecology – 6km consultation zone,
- Area of Archaeological Potential,
- Adjacent to Dully Road which is, as noted above, a Designated Rural Lane.

4.0 Policy and Considerations

Bearing Fruits 2031: The Swale Borough Local Plan 2017:

- ST 1** - Delivering sustainable development in Swale
- ST 2** - Development targets for jobs and homes 2014 – 2031
- ST 3** - The Swale settlement strategy
- ST5** - Sittingbourne area strategy
- CP 3** - Delivering a wide choice of high-quality homes
- CP 4** - Requiring good design
- CP 8** - Conserving and enhancing the historic environment
- DM 6** - Managing transport demand and impact
- DM 7** - Vehicle Parking
- DM 8** - Affordable housing
- DM 14** - General development criteria
- DM 17** - Open Space, sports, and recreation provision
- DM 19** - Sustainable design and construction
- DM 20** - Renewable and low carbon energy
- DM 21** - Water, flooding and drainage
- DM 24** – Landscape
- DM 26** - Rural Lanes
- DM 28** - Biodiversity and geological conservation
- DM 29** - Woodland, trees and hedges
- DM 31** - Agricultural Land
- DM 32** - Development involving listed buildings
- DM 34** - Scheduled Monuments and archaeological sites

The National Planning Policy Framework (NPPF):

- Paragraph 8 (Sustainable Development)
- Paragraph 11 (The Presumption in favour of sustainable development)
- Paragraph 174 (Landscape)

National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance (SPG):

‘Swale Landscape Character and Biodiversity Appraisal 2011’ Rodmersham Mixed Farmlands which is of Moderate sensitivity

‘Swale Borough Council Parking Standards Supplementary Planning Document’ ‘Kent Minerals and Waste Local Plan 2013-30’

5.0 Local Representations

5.1 Letters were sent to neighbouring occupiers; a site notice was posted in the vicinity of the site and an advert was placed in a local paper. In response to these two letters of objections were received and can be summarised as follows:

- The development would compromise the setting and integrity of the listed building,
- Conversion of Radfield House will destroy the character of a listed building,
- A better option would be to convert the house as one or turn it into a pub/hotel,
- Development will significantly increase traffic in Dully Road which is a designated country lane,
- The Dully Road junction with the A2 is already problematic and accidents and near misses will increase,
- Dully Road joins the A2 at a point where there is no 30mph speed limit which increases the risks of entry onto the A2 from Dully Road,
- Many vehicles on the A2 are doing 60mph including HGVs,
- A2 has no cycle path and walking along the A2 is not much fun,
- The haulage company and reality golf company currently use the Dully Road track to access their properties. Prevents use of the original farm track. Will this continue to occur or will they be using the farm entrance? Could result in accidents.
- How wide will the road to the existing house be, and will it be wide enough for 2 vehicles to pass? Existing residents have to use the farmyard to do so.
- Why are the retractable bollards required and who would have access to them?
- The area surrounding the house is a working farm, how will farm vehicles gain access?
- What improvements will be made to the Dully Road track? Will it be widened to allow two cars to pass comfortably? Will a proper road be installed?
- How do the plans tie in with existing plans to lengthen the great Easthall estate and link road?
- How much land will be taken away from the farmland between Sittingbourne and Teynham due to other housing developments, how will this affect wildlife?

5.2 Tonge Parish Council:

Radfield House is an historically important Grade II listed house in Tonge Parish. It has fallen into considerable disrepair in recent times and so we would support any effort to restore this building as long as it is done sensitively and conforms to all rules pertaining to the development of listed buildings including the railings at the front, which are part of the listing.

We object to the conversion and redevelopment of the existing farm structures into 9 residential units.

Nine further houses would almost certainly create a minimum of eighteen extra cars accessing the A2. Accessing the A2 at Radfield House is obviously unacceptable as it is extremely dangerous because it is on a hill and a bend.

The application says that residents would use the existing track to drive to Dully Road and access the A2 from there. It says that the refuse vehicle would be able to circulate around the proposed development and retractable bollards would be installed so that residents could only access their houses from Dully Road. There is no mention of who would control these bollards.

Our main concern is that even if the residents used Dully Road to access the A2 it would still be dangerous. Although the site lines from this junction have been improved in

recent years it would mean a minimum of an extra 18 cars joining the busy, fast moving A2. At this point the A2 has the national speed limit of 60 MPH. This junction is regularly used by large, heavy agricultural vehicles, so more cars would make it more dangerous.

Any further cars using the A2 will also exacerbate the traffic problems through Teynham and Bapchild. National Highways in their response to the Regulation 18 Local Plan consultation also highlight the existing problems with congestion and pollution along the A2 corridor. There are already a further 120 houses currently under construction in Teynham and 300 houses given planning permission for the centre of Teynham, plus 600 houses currently being built at Stones Farm, Bapchild. Consequently, any further traffic feeding on to the A2 would only make the problems worse.

The 'Bearing Fruits 2031: The Swale Borough Local Plan 2017' does not include this area for housing development. We are also extremely concerned that if this area is given permission for development then it leaves the land along the A2 from Radfield House to Dully Road a candidate for 'infill' development in the future. This part of Swale is currently undergoing considerable housing development without proper provision for the necessary infrastructure such as transport and services.

For these reasons, we object to this planning application.

6.0 Consultations

6.1 Kent County Council Highways:

"Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

The proposals are for redevelopment of Radfield House and the existing farm structures to provide a development of 11 dwellings, with vehicle access to be provided via improvements to the western existing access which links the site to Dully Road. Pedestrians and cyclists from the proposed new development will use the existing access onto London Road, which has footway links to the existing highway network.

The site is not being offered for adoption, and as such Kent Council have limited interest in the site layout. I have however made comments below to assist the Local Planning Authority in making a decision with regards to this application.

Access

The existing access to the west of the site, which exits onto Dully Road will be used for all vehicle movements from this development. A Transport Statement has been submitted, and this states that improvements will be made to this road, it will be widened to 4.8m to allow a lorry and a car to pass each other safely. This will also ensure the other existing businesses that use this road will have improved access. This is acceptable.

Traffic calming measures will also be installed every 60m, to keep driven speeds low and this is acceptable.

The Transport Statement included TRICS data which demonstrates that the proposals will not increase traffic movements from the development, when compared to the movements of the business that previously operated from this site. This is acceptable.

Plans demonstrating visibility splays have been submitted, and whilst they are not required as the proposals do not increase traffic movements here, they are acceptable.

Plans demonstrating tracking have been submitted which demonstrate that a 11.4m refuse vehicle can safely access the site from Dully Road, and manoeuvre around the site. I note retractable bollards are proposed to ensure that the access onto Dully Road is used by refuse/emergency vehicles have the necessary access when required.

Parking

Dwellings B to H only have 2 parking spaces allocated to each dwelling, and as these are three and four bedroom dwellings, 3 parking spaces should be allocated as per Swale Borough Councils Residential Parking Standards. 10 visitor parking spaces have been allocated, only 2 would be required and they are located in 2 locations only and remote from some of the properties. The allocation could benefit from a revision that would result in more appropriate parking provision for the dwellings mentioned here.

An Electric Vehicle charging point is proposed for each dwelling, which will future proof the use of the site.

Bicycle storage has been indicated on the submitted plans, except for the two dwellings that are part of the conversion of Radfield House. There would appear to be small building next to the parking area, however I can find no details on this.

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Submission of a Construction Management Plan before the commencement of any development on site to 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
- Completion and maintenance of the access shown on the submitted plans prior to the use of the site commencing.
- Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1.05metres above carriageway level within the splays, prior to the use of the site commencing.
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the vehicle parking spaces and/or car barns shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the Electric Vehicle charging spaces shown on the submitted plans prior to the use of the site commencing. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved charge point model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway”.

6.2 KCC Flood and Water Management:

Thank you for your consultation on the above referenced planning application. Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment prepared by Herrington dated December 2021 and agree in principle to the proposed development.

The proposals seek to utilise infiltration via an infiltration basin and trenches.

Should your authority be minded to grant permission for the proposed development, we recommend the following conditions are attached:

Condition:

Development shall not begin in any phase until a detailed sustainable surface water 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 Flood Risk Assessment prepared by Herrington dated December 2021 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 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.

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.

Condition:

No building on any phase (or within an agreed implementation schedule) 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 paragraph 165 of the National Planning Policy Framework.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

6.3 KCC Minerals and Waste:

Thank you for consulting the County Councils Minerals and Waste Planning Policy Team on the above planning application.

I can confirm that the application site is not within 250 metres of any safeguarded mineral or waste facility, and thus would not have to be considered against the safeguarding exemption provisions of Policy DM 8: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan 3013-30.

With regard to land-won minerals safeguarding matters it is the case that the area of the application site is coincident with a safeguarded mineral deposit in the area, Brickearth, as shown in the extract from the Mineral Safeguarding Area for the Swale Borough area, as part of the adopted proposals maps of the Kent Minerals and waste Local Plan 2013-30.

Therefore, the application details should include a Minerals Assessment (MA) to determine if the safeguarded mineral deposit is being needlessly sterilised by the development proposed, and if not whether an exemption to mineral safeguarding pursuant to Policy DM 7: Safeguarding Mineral Resources of the Kent Minerals and Waste Local Plan 2013-30 can be invoked. The application details do include a MA for this to be objectively determined. The MA demonstrates satisfactorily that the area of the application has limited quantities of potentially important resources of this economic mineral, this is also verified by a known mineral operator in the area.

Therefore, the County Council concludes that mineral safeguarding exemption criterion 2 of Policy DM 7 can be invoked with regard to this application.

The County Council has therefore no land-won minerals or waste safeguarding objections regarding this proposal.

6.4 Kent County Council Ecology:

“We advise that sufficient survey information has been submitted to enable the LPA to have a good understanding of the ecological interest of the site but additional information

is required, prior to determination, to demonstrate that the ecological mitigation will be implemented and what ecological enhancements will be carried out.

The submitted information has detailed that there is suitable habitat for breeding birds, at least 4 species of bats recorded within the site and 2 species of roosting bat within Radfield House. The surveys detail that Radfield House supports a non-breeding summer day roost of common pipistrelle (peak count of 3 bats recorded) and long-eared bats (peak count of 2 bats recorded).

Due to the presence/potential presence of protected /notable species a mitigation strategy has been provided and it has detailed the following:

- Precautionary approach to avoid impacts on breeding birds
- Bat sensitive lighting strategy
- An ecological clerk of works on site when works to strip Radfield House is being carried out.
- Erection of 2 bat boxes within the site grounds prior to works commencing
- Inclusion of at least 3 raised tiles within the building during renovation works
- The use of breathable roofing membrane **must** be avoided. Bats can get tangled and die in breathable membrane and therefore traditional roofing felt must be used in areas where bats can access.

The submitted site plans do not demonstrate that the proposed mitigation will be implemented and therefore prior to determination we require an updated plan to be submitted demonstrating that the mitigation will be implemented.

Ecological Enhancements

One of the principles of the National Planning Policy Framework 2021 is that *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”*. The Preliminary Ecological Appraisal and Bat survey Report has made a number of recommendations to enhance the site for biodiversity including the use of native species planting (including the planting of native species hedgerows along the site boundaries) and the integration of bird boxes within the buildings and erection of bird boxes within the site. We highlight that more could be done including the inclusion of bat bricks/tiles (over and above what is required for mitigation) and insect bricks or towers.

It's not clear from the submitted information that the proposed enhancements will be implemented and therefore we advise that prior to determination there is a need for a plan to be submitted demonstrating what ecological enhancements will be implemented.

Designated Sites

The development includes proposals for new dwellings within the zone of influence (6km) of The Swale Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Swale Borough Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full ‘appropriate assessment’ is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the North

Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application.

If you have any queries regarding our comments, please do not hesitate to get in touch”.

6.5 Kent County Council Public Rights of Way Officer:

1st Response:

“Thank you for giving me the opportunity to comment on this planning application.

Public footpath ZR196 as indicated in the application passes adjacent to the proposed development. A copy of the current Public Rights of Way Network Map showing the line of this path is enclosed.

I would make the following comments regarding the submitted plans;

- the area to the east of the proposed barn conversion appears to be incorporating land that is currently forms part of the public footpath. The footpath would be considered to the be the full width that is currently available for the public to use there should be no impingement on to the footpath and
- the proposed retractable bollard to the south east of the proposed barn conversion appears to be within the public footpath. Any such structure would need to be approved by this office and can only be installed if it can be clearly shown that it is required to safeguard the public using the footpath.

If the Proposed Site Block plan can be resubmitted to reflect the full width of the public footpath I would have no objection to the proposal.

Please make the applicant aware of the following informatives;

Informatives

- No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority
- There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development.
- Planning consent does not confer consent or a right to disturb or unofficially divert any Public Right of Way at any time without the express permission of the Highway Authority.
- No trees or shrubs should be planted within 1.5 metres of the public right of way.

This response is made on behalf of Kent County Council Public Rights of Way and Access Service. The views expressed should be considered only as the response of the County Council in respect of public rights of way and countryside access matters relating to the application”.

2nd Response:

“Further to my response dated 17 March 2022 I have had the opportunity to meet the applicant on site to discuss how public footpath ZR196 can be incorporated into the proposed development.

In order to achieve the layout in the Proposed Site Block Plan the applicant will be required to submit an application to stop up part of the width of public footpath ZR196. S257 of TCPA 1990 may be the appropriate legislation to accomplish this.

If you are minded to grant permission I would request that the following condition is included in the decision notice:

Condition

A confirmed legal order is in place that defines the width of public footpath in the vicinity of the proposed barn conversion prior to the commencement of any works on this building.

Reason – In order to protect public rights to use the footpath

The applicant is advised to make an application at the earliest opportunity to minimise possible delays to the planning process.

The proposed retractable bollard would need the written agreement of this office before installation of the structure. It needs to be made clear that only reason for a structure being install in the public footpath is to safeguard public, pedestrian, use of the route.

Subject to inclusion of the above condition I would be happy to withdraw my holding objection on receipt of an application to stop up part of the width of the footpath.

An informative is also recommended as set out in their first consultation response.

6.6 Environment Agency:

“We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.

Please refer to the attached ‘When to consult the Environment Agency’ document for guidance on when to consult us.

Please note: If the application at a later stage proposes the use of non-mains drainage, we will need to be re-consulted”.

6.7 Natural England: To be provided as part of tabled updates.

6.8 Southern Water:

“Thank you for your letter dated 03/03/2022.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required.

This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways.

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site”.

6.9 Kent Police:

“Whilst this proposal falls outside our scope for SBD [Secure by Design], we recommend the site follows guidance set out in SBD Homes 2019, and if possible a condition to secure this.

If the applicant wishes to discuss site-specific security with us, please contact us on pandcr@kent.police.uk”.

6.10 Lower Medway Drainage Board: No response.

6.11 Scotland Gas Network: No response.

6.12 UK Power Network: No response.

6.13 NHS Swale: No response.

6.14 Client Services: No response

6.15 SBC Trees:

Based on the proposed site block plan the actual conversion of the buildings will not appear to throw up any arboricultural issues. However, the new access road and drainage bason shown towards the western boundary are likely to have an impact on a line of maturing trees that are growing along the existing field boundary. The application is not accompanied by any arboricultural information so the impact that this area of the development will have on the existing trees cannot be assessed. Therefore, to ensure the trees can be successfully integrated within the scheme an arb impact assessment (AIA), arb method statement (AMS) and tree protection plan (TPP) need to be submitted by a suitably qualified arboriculturist in accordance with the recommendations of British Standard 5837:2012.

6.16 Environmental Health:

COMMENTS: I have no adverse comments or objections to this application subject to the following suggested conditions:

Construction Hours: No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 - 1800 hours, Saturdays 0800 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Construction Dust Control: The commencement of the development shall not take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.

EV Charging: The commencement of the development shall not take place until a scheme for the adequate provision of active electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the development hereby approved”.

6.17 Kent County Council Archaeology: No response.

6.18 Kent County Council Development Contributions:

	Per Applicable House (x10)	Per Applicable Flat (x0)	Total	Project
Primary Education	£4,642.00	£1,160.50	£46,420.00	Towards a 1FE expansion at Teynham CE Primary School and/or provision of new places within the Sittingbourne East education planning group
Secondary Education	£5,176.00	£1294.00	£51,760.00	Towards a new Secondary school within the Borough serving this development
Secondary Land	£2,635.73	£658.93	£26,357.30	Towards the land costs for a new secondary school within the Borough serving this development
Special Education	£1,051.82	£262.97	£10,518.20	Towards expansion of capacity through a satellite school of Meadowfield School, Sittingbourne and/or increased SEND capacity in the Borough

‘Applicable’ excludes: 1 bed units of less than 56 sqm GIA, and any sheltered accommodation.

	Per Dwelling (x10)	Total	Project
Community Learning	£16.42	£164.20	Contributions requested towards additional equipment and remote capacity at Adult Education Centres within the vicinity of the development, including at Sittingbourne Adult Education Centre.
Youth Service	£65.50	£655.00	Towards additional resources and upgrading of existing youth facilities including the New House Sports and Youth Centre in Sittingbourne to accommodate the additional attendees, as well as resources and equipment to enable outreach services in the vicinity of the development.
Libraries	£55.45	£554.50	Towards additional resources, services, stock, and works to libraries within the vicinity of the development, including Teynham Library and Sittingbourne Library.
Social Care	£146.88	£1,468.80	Towards Specialist care accommodation, assistive technology, and home adaptation equipment, adapting existing community facilities, sensory facilities, and Changing Places Facilities within the Borough.
	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)		
Waste	£183.67	£1,836.70	Towards additional capacity at the HWRCs & WTS' within the borough
Broadband:	Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre		

	<p>Optic (minimal internal speed of 1000mbps) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 114 NPPF.</p>
<i>Highways</i>	<i>Kent Highway Services will respond separately</i>

Please note that these figures:

- are to be index linked by the BCIS General Building Cost Index from April 2020 to the date of payment (Apr-20 Index 360.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

Justification for infrastructure provision/development contributions requested

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in the attached appendices.

6.19 Rural Planning:

“Further to your request for advice, this proposal appears to follow on from the pre-application submission which I commented upon in my email dated 10 November 2020 (copy attached).

In that email I referred to my understanding of relevant changes to the owners’ farm business, but suggested that any Planning Application could usefully confirm the reasons why the farm buildings are no longer needed for agriculture.

In this regard, I note that para 6.4 of the Planning Statement states:

*“The existing buildings are underutilised and no longer required for storage due to the consolidation of the Applicant’s agricultural operations at Hempstead Farm, Tonge. [located approximately one kilometre to the west]
There are no employees currently operating from these buildings and as they are open fronted, they cannot be easily converted to other employment uses because of the associated costs. Therefore, there will be no impact on rural employment related to the use of these buildings as a result of the proposals”.*

This appears to confirm the redundancy point. I don't believe I can add anything else but please let me know if you think I can be of further assistance”.

7 Background Papers and Plans

- Site/Location Plan – 21_257-01 Rev B
- Topographical Survey – 1
- As Existing Ground Floor Plan of Barn 1 - 2

- As Existing First Floor Plan of Barn 1 – 3
- As Existing Elevations of Barn 1 – 4
- As Existing Elevations – 5
- Existing Site Block Plan – 21_257-02 Rev A
- Radfield House – Existing Plans and Elevations – 21_257-30
- Radfield House – Proposed Plans and Elevations – 21_257-31
- Proposed Site Block Plan – 21_257-03 Rev D
- Roof Plans – 21_257-05 Rev B
- Proposed Floor Plans – Ground Floor 21_257-10 Rev B
- Proposed Floor Plans – First Floor – 21_257-11 Rev D
- Proposed Floor Plans - Second Floor – 21_257-12 Rev D
- Proposed Elevations – Sheet 1 – 21_257-20 Rev C
- Proposed Elevations – Sheet 2 – 21_257-21 Rev B
- Proposed Elevations – Sheet 3 – 21_257-22 Rev B
- Proposed Elevations – Sheet 4 – 21_257-23 Rev B
- Flood Risk Assessment
- Air Quality Assessment
- Transport Assessment
- Structural Assessment
- Preliminary Ecological Appraisal and Bat Survey
- Landscape and Visual Appraisal
- Approach to Climate Change
- Planning Statement
- Heritage Statement
- Land Contamination Assessment
- Design and Access Statement
- Mineral Survey
- Drainage Statement

8.0 Appraisal

Principle of Development:

- 8.1 Policy ST 3 of the Local Plan seeks to secure development on previously developed land and within the defined built-up area boundaries of settlements within Swale. The settlement strategy identifies the settlement of Sittingbourne would be the primary urban focus for growth. Faversham and Sheerness would act as the secondary urban centres for growth with Rural Local Services Centres forming part of the tertiary areas for development. Other villages within built-up area boundaries are identified as having the potential to provide limited infill development.
- 8.2 The application site is located outside of built-up area boundaries. The site is located in between the settlement of Teynham, which is a Rural Service Centre, and Bapchild which is listed as an 'Other' village. The site is located 0.51 and 0.50m respectively from the aforementioned settlements. Development in said locations would be supported if they demonstrate they would contribute to protecting and where appropriate enhancing the intrinsic value, landscape setting, tranquillity, and beauty of the countryside.
- 8.3 The application site is comprised of several buildings including Radfield House, agricultural storage buildings, and a commercial/farm office. The existing built form of Radfield House and its associated residential curtilage constitutes previously developed land.

- 8.4 While outside of the built-up area boundaries the subdivision of the residential unit would not result in additional built form and such development is supported by the NPPF. The restoration and subdivision would be considered principally acceptable, subject to other planning considerations.
- 8.5 However, the definition of Previously Developed Land as per the Framework excludes land that was occupied by agricultural buildings. The built form of the agricultural storage units would not be considered to represent Previously Developed Land. Limited details about the precise use of the barn to be converted has been provided and given its association with farming on balance the barn is also considered to represent an agricultural building.
- 8.6 The application site is located on Agricultural Land which in accord with the Council's mapping system is classified as Best and Most Versatile Land. Policy DM 31 allows development where there is an overriding need which cannot be met within the built-up area boundaries. The loss of BMV land is permitted whereby it can demonstrate compliance with one of the below criteria:
- 8.7 The site is allocated for development by the Local Plan; or
- 8.8 The application is not allocated for development by the Local Plan. The following two criteria must therefore be considered.
- 8.9 There is no alternative site on land of a lower grade than 3a or that use of land of a lower grade would significantly and demonstrably work against the achievement of sustainable development; and
- 8.10 The Local Planning Authority cannot demonstrate a 5-year housing land supply and wider swathes of the Borough are designated as Best and Most Versatile Land. The land tends to be located in areas close to designated built-up area boundaries. The application site in question is formed of a series of buildings formally used for agricultural storage.
- 8.11 The land in question is covered to a wider degree in hard core and/or foundations and is not used for the cultivation of crops. The site would connect to the A2 (London Road) which has a pedestrian footpath into Bapchild which has services and links to Sittingbourne. To the east the site is also near Teynham.
- 8.12 The development will not result in the remainder of the agricultural holding becoming not viable or lead to likely accumulated and significant losses of high-quality agricultural land.
- 8.13 As above the buildings on site have formally been used for storage in connection with the agricultural holding. The applicant has noted that the existing buildings are underutilised and no longer required for storage due to the consolidation of the agricultural operations at Hempstead Farm (Tonge). Further due to the open fronted nature of the buildings and the overall form could not be easily converted into commercial uses.
- 8.14 The Council's Agricultural consultant responded to the proposal and considers the applicant's statement confirms the redundant nature of the buildings for agricultural purposes. As a result, the proposal would not be considered to impact the viability of the agricultural holding. Further, given the limited scale of the site and its current use the proposal would not be considered to result in significant losses of high-quality agricultural land.

- 8.15 Paragraphs 11 and 73 of the National Planning Policy Framework (NPPF) requires Local Planning Authorities to meet its full, objectively assessed needs (OAN) for housing and other uses. The Council should annually update a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional 5% buffer.
- 8.16 The latest published position Statement of Housing Land Supply illustrates that the Council has a 4.8 Housing Land Supply (HLS). As the Council cannot demonstrate a 5 year supply a presumption in favour of sustainable development maybe applied under paragraph 11 of the NPPF.
- 8.17 Paragraph 11 of the National Planning Policy Framework states that:
- 8.18 Plans and decisions should apply a presumption in favour of sustainable development....

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-date⁸, granting permission unless:

(i) the application of polices in this Framework that protect areas of particular importance provides a clear reason for refusing the development proposed⁷; 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.

Footnote 7 of the NPPF identifies areas and assets defined as 'protected areas or assets of particular importance'. The application site is bound by a defined asset as a designated heritage is contained within the red line boundary. An assessment of the impact to the heritage asset will play a deciding factor as to the application of the tilted balance.

In light of the above a review of the site's 'sustainability' will be considered below:

- 8.19 Paragraph 8 of the National Planning Policy Framework (2021) states that:
- 8.20 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)'. These will be assessed below:
- 8.21 a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- 8.22 Policy DM 3 of the Local Plan states that planning permission would be granted for the sustainable growth and expansion of business enterprise in the rural area. Planning permission for residential development will not be permitted where this would reduce the potential for rural employment.

- 8.23 As identified above the proposal would see the loss of agricultural use on site. However, the use has been found and established by the Councils Rural consultant to be largely redundant. The agricultural holdings operations have largely been re-located and the barn has been used in connection with the farm as an ancillary office.
- 8.24 The proposed units do not have, under planning legislation, a commercial use. Further, the site currently does not provide a wide-ranging employment area as the buildings are used for ad hoc storage. The proposal would not see the loss of an active rural employment area.
- 8.25 The framework recognises that residential development can add vibrancy and economic spending power in the local vicinity. Further, ancillary temporary benefits can be found through spend during the construction period.
- 8.26 The proposal would be considered to have a neutral economic impact.
- 8.27 b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- 8.28 The Local Planning Authority cannot demonstrate a 5-year housing land supply and as such requires all types of homes to meet its overall needs. The site is located in a rural location although in close proximity to settlements with a variety of services. The proposal would see a net gain of 10 residential units.
- 8.29 The scheme overall would provide 6 three-bedroom properties and 5 four plus bedroom properties. The mix does not wholly accord with the provision of policy CP 3 of the Local Plan. However, the proposal would see the provision of a wide range of semi-detached, detached, and terraced units. The units would be well designed and have drawn specific architectural merit from the context of the site.
- 8.30 The proposal would see a small communal space for residents in the form of landscaped courtyard. Further, a SUDS pond and other landscaping would enhance the site which is currently subject to a wider degree of hardstanding and utilitarian style buildings which are not reflective of the historic and varied design of properties in the vicinity.
- 8.31 The provision of residential units would add a degree of vibrancy to the site which currently is underutilised. The site would be located approximately a 9/10 minute walk to Bapchild which is within the recommended walking distances of the Manual for Streets guidance. The proposal would be considered to have social benefits.
- 8.32 c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.33 Paragraph 119 of the National Planning Policy Framework states that:
- 8.34 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions...'

- 8.35 As above the application site is not wholly considered Previously Developed Land. However, the site is subject to hardstanding, built form and could be actively used for farming practices. The site does already have an existing impact on the environment. The site does have an existing residential use and the proposal while not technically brownfield land in whole provides a unique opportunity to improve the degree of soft landscaping, impact visually to the surrounding area and improvement to heritage assets.
- 8.36 The site is not comprised of green fields and would make efficient use of land which can be redeveloped for other purposes than agricultural storage. The site while located outside of the built-up area boundary it would be located in a confined setting of built form. The site's location between two settlements in fairly close proximity there would be access to services.
- 8.37 The site would be considered to meet environmental impacts which will be considered further below. The site would be considered to represent an area where sustainable development could be achieved.
- 8.38 Due to the technical status of the site as partially Previously Developed Land and the presence of a Heritage asset the application of the titled balance will be determined through an examination of the heritage impacts. The proposal does illustrate clear benefits in terms of design, landscape, and the provision of housing. These matters will be considered in light of heritage assessment to be undertaken below.
- 8.39 Impact to the Landscape**
- 8.40 Policy CP 7 of the Local Plan seeks to protect and enhance Swale's natural assets and green infrastructure network. Policy CP 3 of the Local Plan seeks to protect and enhance the open countryside.
- 8.41 The application site is located outside of a designated landscape area. Policy DM 24 of the Local Plan states that in non-designated landscapes the minimisation and mitigation of adverse landscape impacts is required.
- 8.42 The application site sits adjacent to the A2 and is comprised of several buildings. To the east of the application site a series of dwellings are situated in a linear row in a north south direction. To the northeast and east of the site, adjacent to the A2, a mixture of residential and commercial units sits between Bapchild and Teynham.
- 8.43 To the south of the site extend a wider extent of field networks. Although part of the site does not technically meet the definition of Previously Developed Land the site is subject to built form which has a distinct presence. The buildings on site are contained by other built form to the east, south and north with existing screening in the form of tree cover to the east.
- 8.44 In accord with the Swale Landscape Character and Biodiversity Appraisal the site is located within the Rodmersham Mixed Farmlands character area. The area's key characteristics are defined as gently rolling landscape with steeply slopping rounded dry chalk valleys. The appraisal notes that the land is largely used for grazing and arable production. In amongst this lie isolated properties and farmsteads and occasional small scale historic villages. The character appraisal does note that in places un-sympathetic large scale modern agricultural buildings can be observed.
- 8.45 Some views of the built form can be seen when travelling along the A2 and observed when traversing the eastern adjacent public right of way. Due to the existing built form

on site, there is an expected and existing view of roof forms, bulk, and massing associated with the site. The modern agricultural buildings and their associated materiality detract from the character of the area.

- 8.46 Views from the south of the site along Dully Road and close Public Rights of Way would see some limited views of the site. Given the distance and some intervening landscaping this would mainly be comprised of ridgelines. Development is already present in these views and an existing commercial unit sits between the site and the more open field to the south. The impact is considered limited.
- 8.47 Furthermore, the proposed ground floor coverage of the proposed development would not exceed that of the existing barns. The siting of the units within the area currently covered by built form means the proposal would remain contained in an area already subject to an existing bulk and mass. The site is contained by built form and existing screening to the west which would be retained reducing viability of the proposal.
- 8.48 The style and form of the proposed units and conversion would, in landscape impact terms, reflect the agricultural character of the area. The proposal would not be considered to have an undue adverse effect on local landscape character or visual amenity. The proposal would be considered to preserve the landscape and provide some improvements.
- 8.49 Mitigation would also be provided in the form of additional landscaping to soften the impact of the proposal. Such landscaping would be secured through the imposition of conditions should members be minded granting the proposal. The improvements to the façade of Radfield House would be considered an enhancement and longer-term management of the site would generally improve the character of the landscape. Conditions could also secure appropriate materials.
- 8.50 Policy DM 26 of the Local Plan states that planning permission would not be granted for development that would either physically, or as a result of traffic levels significantly harm the character of Rural Lanes. Dully Road is a designated Rural Lane, the development's western access would enter onto said lane.
- 8.51 The proposal for a net gain of 10 units with 11 utilising the access to Dully Road would not be considered to result in significant traffic movement in comparison to the existing uses on site. Further, the development would be separated by the lengthy access road and so the development would not have an un-due impact on the character of the rural lane.
- 8.52 **Design and Layout:**
- 8.53 Policy CP 4 of the Local Plan seeks to ensure that development proposals will be of a high-quality design that is appropriate to its surroundings. Policy DM 14 of the Local Plan requires development to reflect the positive characteristics and features of the site and locality. The development should be well sited and of a scale, design, appearance, and details that is sympathetic and appropriate to the location.
- 8.54 The proposed development would re-introduce a traditional agricultural courtyard design to the rear of Radfield House. The layout would reflect the historical use of the site and would provide a pedestrianised permitter block.
- 8.55 The proposed layout would provide a degree of informality which is reflective of rural development. Further, pockets of open green space would be incorporated within the scheme providing relief from the built form. The layout allows the movement of people

along the Public Rights of Way and directs cars towards Dully Road, preserving the use and experience of the area.

- 8.56 The provision of SUDS ponds, additional planting and varied design would also aid in providing a rural character to the design of the scheme. The proposal has made careful use of varied ridgelines and roof forms to provide different characters to the replacement buildings. The roofs reflect the more traditional low eaves and slopes of agricultural buildings and modern conversions.
- 8.57 The overall design approach utilises materials that would be reflective of the rural setting. Openings, enclosures, and hard landscaping has also been provided in a form which would blend into the local environment.
- 8.58 The individual character of each of the units would ensure that the development retains the appearance of small-scale development. The character and appearance of the converted units and the new dwellings would be considered appropriate to the area and in compliance with local and national policy.

8.59 **Heritage**

- 8.60 Policy CP 8 of the Local Plan seeks to support the Borough's heritage assets. The policy outlines that development will sustain and enhance the significance of designated and non-designated heritage assets. Policy DM 32 of the Local Plan permits development that affects a listed building and/or its setting provided that the buildings special architectural or historic interest and its setting are preserved.
- 8.61 Policy DM 32 provides three criteria to consider when assessing the impact of a development to a Listed Building and its setting. The criteria includes:
- 8.62 design, including scale, materials, situation and detailing;
- 8.63 appropriateness of the proposed use of the building; and
- 8.64 desirability of removing unsightly or negative features or restoring or reinstating historic features.
- 8.65 Paragraph 197 of the National Planning Policy Framework states that:

*In determining applications, local planning authorities should take account of :
the desirability of sustaining and enhancing the significance of the heritage assets
and putting them to viable uses consistent with their conservation;*

*the positive contribution that conservation of heritage assets can make to sustainable
communities including their economic vitality; and*

*the desirability of new development making a positive contribution to local character
and distinctiveness.*

- 8.66 Radfield House is a Grade II Listed Building which is currently listed as 'at risk' within the 'A Heritage Strategy for Swale 2020-2032 Adopted March 2020'. Radfield House was historically in use as a farmhouse. Historic mapping layers show an outline of a former range of barns and cart sheds etc. The building is considered by the Historic consultant and the Conservation Officer to be 15th century in origin and part of a 'Wealden Hall House' arrangement. A number of these buildings have been largely replaced with modern-steel-framed agricultural storage buildings.

- 8.67 The proposed conversion of Radfield House would retain a residential use of the building. However, the conversion of the dwelling into two units would see minimal internal alteration and external alteration and would preserve the historic character and interest of the building.
- 8.68 The proposal would see a minimal loss of historic fabric through conversion. The addition of some windows and the conversion of a window into an entrance door to the western unit would preserve much of the historic fabric and bring the unit back into use. The reinstatement of previous extensions and retention of the existing outbuilding would all preserve the historic character and interest of the building.
- 8.69 The steel framed agricultural storage buildings are located to the rear of Radfield House. The buildings, due to the scale and materiality, have a negative impact on the setting of the Listed Building (particularly the two western barns). Aside from the farmhouse and its associated 19th century brick wall and part weather boarded building, the remaining modern farm buildings are utilitarian steel-framed buildings, which in the current redundant state fail to make a positive contribution to the setting of Radfield House.
- 8.70 Historically, Radfield House has been in use as a farmhouse and historic mapping layers show the outline of former barns and cart sheds etc. These elements have by in large been lost over time to modern steel framed buildings which have a negative impact on the setting of Radfield House. The setting has been altered by evolving agricultural practices and growth of nearby settlements.
- 8.71 The removal of the modern agricultural buildings would be considered a betterment to the setting of the Listed Building. In reviewing the historic mapping layers that the proposed siting and layout of the proposed 8 units (in combination with the retained barn) would in terms of footprint reflect the historic farmstead setting that the Listed Building previously enjoyed.
- 8.72 The proposed layout of the units would reflect a traditional farm layout. The proposal would therefore improve the setting of the listed building in the creation of units which in design, materiality and scale would be more appropriate to the character of the site and its historic agricultural association.
- 8.73 The proposed 8 units three-dimensional form of blocks in a strongly barn-like form further serves the re-creation of the historic farmstead. The varied scale and form of the proposed roof lines would be considered a positive feature of the development in design terms. The scheme is intended to take on a traditional farmstead range rather than a pastiche replication.
- 8.74 The proposal was originally considered to contain too many roof lights, which have now been reduced. While there remain several roof lights this is acceptable given building control requirements and amenity standards. The Conservation Officer has accepted the distribution of the rooflights given the spread and roof variations proposed. The staggering of the proposed roof lights would result in a more organic/informal character. A condition is recommended below to remove permitted development rights to prevent further insertions.
- 8.75 The proposal would also seek to retain the southern most barn on site. The barn is a late 19th century/ early 20th century building. The building is not considered to be curtilage listed but is considered to represent a non-designated heritage asset. The retention of the building would add additional character and authenticity to the overall proposal.

- 8.76 The degree of openings to the barn conversion was initially of concern. However, the proposed conversion seeks to re-open existing openings in the building which have in place been blocked up. The proposal is considered to conform to the adopted guidance for such conversions. Again, approval of the development would offer the opportunity to re-generate the building and remove permitted development rights to prevent alteration of the external aspect of the barn.
- 8.77 A revised landscaping plan was submitted with the proposal. The landscaping includes details of the SUDS pond which is to be situated to the west of Radfield House. The SUDS Pond was reduced in scale to ensure protection of the listed wall. The pond, subject to landscaping (to aquatic and marginal plants) and management of the details such that the minimum water level is controlled to prevent it emptying out completely, would add character to the site as a whole. The landscaping including hard standing is designed to ensure a degree of informality to reflect the wider agricultural character. Some concerns with the formality of the central courtyard have been identified. These can be addressed through a landscaping condition which would secure a more informal scheme.
- 8.78 The proposal would secure the Listed Building residential use and would allow for the restoration of the asset which has longer term heritage benefits. The proposal would also see an improvement to the Listed Buildings setting.
- 8.79 Overall the proposal is considered to preserve the setting of the Listed Building and therefore in accord with policy CP 8 and DM 32 of the Local Plan and the NPPF.
- 8.80 **Living conditions:**
- 8.81 Policy DM 14 of the Swale Local Plan states that development should cause no significant harm to amenity other sensitive uses or areas.
- 8.82 The nearest residential dwellings to the application site are located to the east of the site. The properties comprised of Bailiffs House, Jubilee Cottage, and Elizabeth Cottage. The new dwellings are in excess of 21m away from existing dwellings and as such this aspect of the proposal is considered to have an acceptable impact upon the living conditions of these dwellings. In terms of the conversion of the existing building, while it is proposed to be subdivided the impact upon the adjoining dwelling known as Bailiffs House is no worse than the existing arrangement.
- 8.83 In terms of noise impacts, the proposal would see residential activity taking place near the existing residential units. However, the site can be used for agricultural purposes and other business are located close to these units and as such a degree of expected activity would be anticipated in this location and as such any impact is no worse than the existing arrangements. Furthermore, retractor bollards would be located to direct traffic to the western access rather than the eastern access utilised by the existing properties. The direction of traffic would limit the noise implications.
- 8.84 To ensure control of the construction process a condition requiring a Management Plan would be applied to any grant of consent to ensure amenity during the construction process.
- 8.85 The proposed development would be considered to have an acceptable impact to neighbouring amenity levels in accord with Local and National policy.
- 8.86 *Living conditions of future occupiers*

- 8.87 The proposed dwellings are suitably laid out to ensure that there is no adverse impact upon the living conditions of future occupiers. Based on the submitted plans, the proposed dwellings would provide internal accommodation that meets national space standards and sufficient garden space to meet the requirements of the Local Plan, including secure cycle and bin storage.
- 8.88 The proposed development is considered to comply with Local and National Policy and would provide appropriate amenity levels.
- 8.89 **Biodiversity:**
- 8.90 Policy DM 28 of the Local Plan states that development proposal will conserve, enhance, and extend biodiversity, and provide net gains in biodiversity where possible.
- 8.91 A Preliminary Ecological Appraisal and Bat Survey Report was submitted with the application. KCC Ecology has considered this information and considers sufficient detail has been provided.
- 8.92 The site was considered to have suitable habitat for breeding birds, at least 4 species of bats recorded within the site. From within Radfield House two roosting bats were found and the survey also details a non-breeding summer day roost of common pipistrelle (peak count 3 bats recorded) and long eared bats (peak count of 2 bats recorded).
- 8.93 Due to the presence of protected species on site a mitigation strategy has been provided with the application. The mitigation approach has detailed a number of measures including:
- Precautionary approach,
 - Bat sensitive lighting strategy,
 - A ecological clerk of works on site when works to strip Radfield house is being undertaken,
 - Provision of 2 bat boxes within the site grounds prior to works commencing,
 - Inclusion of 3 raised tiles within the building during renovation,
 - Use of breathable roofing membrane must be avoided.
- 8.94 A plan of these measures will be required, and these will be sought prior to the commencement of the development through the imposition of condition.
- 8.95 The Preliminary Ecological Appraisal and Bat Survey Report indicated a number of ecological enhancements on site could be achieved including native species planting, integration of bird and bat boxes. The Ecology Officer has recommended further measures could be provided such as bat bricks and tiles. A plan of ecological enhancement measures would be required prior to the commencement of the development to ensure sufficient enhancement on site.
- 8.96 The proposal is considered to provide sufficient information in regard to the ecological impact and the development would comply with local and national policy.
- 8.97 *Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017:*
- 8.98 The application site is located within the 6km buffer of the Special Protection Area (SPA) which is a European designated site afforded protection under the Conservation of

Habitats and Species Regulations 2017 as amended (the Habitat Regulations) and Wetland of International Importance under the Ramsar Convention.

- 8.99 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.
- 8.100 Residential development within 6km of any access point to the SPAs has the potential for negative impacts upon that protected area by virtue of increased public access and degradation of special features therein. 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.
- 8.101 The HRA carried out by the Council as part of the Local Plan process (at the publication stage in April 2015 and one at the Main Mods stage in June 2016) considered the imposition of a tariff system to mitigate impacts upon the SPA (£275.88 per dwelling as ultimately agreed by the North Kent Environmental Planning Group and Natural England) – these mitigation measures are considered to be ecologically sound.
- 8.102 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.
- 8.103 The recent (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.
- 8.104 The proposal would have an impact upon the SPAs. However, the scale of the development (net 10 new residential units) is such that it would not be considered, alongside the mitigation measures to be implemented within the SPA from collection of the standard SAMMS tariff, that the impacts would be significant or long-term.
- 8.105 Based on the potential of a net gain of 10 residential units being accommodated on the site A SAMMS contribution of up to £2,758.80 could be secured under the Section 106 agreement. The legal agreement could be worded such that it sets out that the SPA mitigation contribution is to be secured prior to the occupation of any dwelling. Therefore, taking into account the above it is considered that there will be no adverse effect on the integrity of the SPAs.
- 8.106 Finally, 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/>).

8.107 The proposal would be considered to reflect the aims of policy DM 28 and would provide onsite improvements for biodiversity as well off-site mitigation through SAMMS contributions.

8.108 Highways:

8.109 Policy DM 6 of the Local Plan seeks to manage transport demand and impact. Policy DM 7 of the Local Plan provides guidance on parking standards alongside the Swale Borough Council Parking Standards SPD.

8.110 Paragraph 111 of the National Planning Policy Framework states that:

'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe'.

8.111 The proposed development would see a net gain of 10 residential units. The site has previously been used for commercial/agricultural use which has generate a degree of traffic. The Transport Statement submitted as part of the application. The TRICS data demonstrates that the proposal would not increase traffic movements from the development in comparison with the movements of the businesses that previously operated from the site. The proposal would not be considered to result in a severe impact to the highway network.

8.112 The proposed access would be located to the west of the site and not the east access directly onto London Road. Vehicles would be directed to the western access which adjoins Dully Road, which in turn leads onto the London Road (A2). To secure use of the western access bollards would be placed to the south of Radfield House rear access. The western access would be widened to 4.8m to allow a lorry and car to pass each other safely. Further, the western access would be subject to traffic calming measures every 60m to keep speeds low.

8.113 The improvements to the western access would benefit not just the proposed residential unit but the business located around Radfield House which also utilise this access. Visibility Splays have also been illustrated onto Dully Road. The Highways Officer has noted that these are not required due to the same level of traffic movement. However, the splays are considered acceptable.

8.114 Initially the KCC Highways Officer noted that the parking provision did not meet the required terms of the Swale Borough Council Parking SPD. The site layout was adjusted so that all the units would have the provision to park at 3 vehicles, some within the curtilage and others within allocated on site parking. The proposal would also provide 3 visitor parking bays which would be in accord with policy parameters.

8.115 As per local policy each unit would have electrical vehicle charging point including one for the visitor bays. No objection has been raised by the Highway Authority and no part of the development would be adopted. A list of conditions was suggested and these would be applied should Members be minded to grant the application.

8.116 The proposal is considered to comply with Local and National policy and would provide suitable access and parking arrangements. The proposal would have an acceptable impact on the local highway network.

8.117 **Water, Flooding, and Drainage**

8.118 Policy DM 21 of the Local Plan states that development will be avoided in areas liable to flooding. The policy also seeks to include where possible sustainable drainage systems to restrict run-off. SUDs are the preferred approach of the Local Planning Authority.

8.119 The application site is in Flood Zone 1 and therefore is at low risk of flooding. The proposal seeks to utilise several methods to provide adequate drainage. The surface water would be managed using infiltration via an infiltration basin, trenches and Geocellular create soak away.

8.120 The multi-pronged approach has been selected to introduce character through the provision of a SUDS pond. However, to ensure the pond would not undermine the Radfield House listed wall the size of the pond has been reduced and thus other methods for drainage have been introduced to ensure adequate drainage.

8.121 KCC Flood and Water Management have stated that they agree in principle to the proposed drainage measures. KCC have commented that in accord with the KCC Drainage and Planning Policy Statement (2019) it is recommended that drainage measures are located within common land or public open space.

8.122 The current drainage strategy would locate the Geocellular create soakaway in the gardens of dwellings A and B. The site has limited opportunities to located drainage systems within open space due to the need to ensure such measures do not undermine the integrity of the heritage asset. A section 106 could ensure access to these areas for maintenance. KCC Officer has noted that such matters and investigation could be undertaken with detailed design works.

8.123 The site is located in Ground Source Protection zone 3. As per the Phase 1 contamination report this area is not a drink water protection area. The site lies on the periphery of this designation which is the outer layer of this protection area. In order to ensure that the proposal would be designed to prevent contamination to the catchment area a condition for both foul and surface water drainage would be applied to any consent. The Environment Agency declined to comment on the proposal.

8.124 In line with the comments from KCC Drainage condition relating to Surface Water Drainage would need to demonstrate that surface water run off would generate by the development can be accommodated and disposed of within the site in accord with critical 100-year storm in compliance with the Local Plan and NPPF

8.125 **Contamination**

8.126 A Phase 1 Land Contamination Assessment has been undertaken and submitted with the application. The assessment identifies that the site former use as agricultural. A Preliminary Risk Assessment was produced based on the relevant pollutant linkages. The following had been identified:

(Future End Users) Moderate Risk of inhalation of indoor and outdoor dust and vapours from Made Ground and infilled land,

(Groundwater) A moderate risk of vertical soil leaching to principal and secondary 'A' Aquifers,
(Surface Water) A low risk of surface water run-off to Mill Pond,
(Building and Structures) High risk associated with gas accumulation, Moderate/Low Risk associated with aggressive ground to sub-surface concrete, Moderate Risk associated with VOC permeation of plastic utilities pipes,
(Off-Site Sources) Low Risk associated with lateral migration of contaminants from surrounding agricultural historic tank and neighbouring roads.

8.127 The results of the Phase 1 Land Contamination Assessment led to the recommendation that a Phase 2 intrusive investigation be undertaken to assess the presence of Made Ground, infilled land, and potential contamination levels. Although not required by Environmental Health in reviewing the Phase 1 a condition to secure appropriate remediation would be applied to any grant of permission. The condition would seek to ensure the land has been adequately remediated for residential use in compliance with the Local Plan and the NPPF.

8.128 Air quality:

8.129 Policy ST 3 of the Local Plan seeks to ensure that development does not negatively impact Air Quality management areas specifically located along the A2 (including at Teynham, just to the east of the site). An Air Quality Impact Assessment was submitted with the application.

8.130 The Air Quality Assessment considers both construction and operational impacts of the development. The assessment illustrates that limited releases of dust and particulate matter realise may be effectively mitigated and considered negligible. The Environmental Health Officer has requested the imposition of a condition to ensure this detail is provided prior to commencement.

8.131 The proposal is not considered to generate significant traffic. ADMS Roads dispersion modelling was carried out which indicated that the predicted concentrations of relevant pollutants would be well below the relevant objectives. The impact is considered negligible.

8.132 While the damage cost calculation was indicated at £2, 008.27, the report argued this would not be payable as EV charging points and low NOX (nitrogen oxides) boilers would exceed this amount. However, these cannot be counted as mitigation as they are standard requirements. The contribution would therefore be secured via a section 106 agreement in accord with the Local Plan and the NPPF.

8.133 Minerals:

8.134 The application site is located within a Brickearth protection area. Policy DM 7: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan 2013 – 30 is a relevant consideration.

8.135 The Kent Minerals and Waste Planning team from Kent County Council have commented on the application. The team have confirmed that the site is not within 250m of any safeguarded minerals or waste facilities. Regarding land won minerals safeguarding matters the site is within a safeguarded mineral deposit in the area (Brickearth). A Minerals Assessment was provided with the application which has demonstrated that the area has limited quantities of potentially important resources of these economic minerals, which has been confirmed by a mineral operator in the area.

8.136 Kent County Council has considered that exemption criterion 2 of Policy DM 7 can be invoked. The development is considered appropriate without the requirement for extraction.

8.137 Area of Archaeological Potential

8.138 Policy DM 34 of the Local Plan seeks to preserve important archaeological sites in-situ and to protect their setting. The application site is located in an area highlighted for potential for archaeological remains.

8.139 A Heritage Statement was submitted with the application including an Archaeological Investigation. The assessment mainly references Radfield House and its development over the centuries. No response has been provided by Kent County Council Archaeological Officer. Given the site and its surroundings may be subject to finds in associated with the house use and association with farming a condition would be secured to ensure any finds are adequately recorded.

8.140 Developer Contributions:

8.141 Policy CP 6 and IMP 1 seek to deliver infrastructure requirements and other facilities to ensure these needs of the Borough are met.

8.142 Kent County Council have outlined the contributions required in association with the development to ensure the additional service pressure is mitigated by the proposal (see paragraph 6.19 above). Members will note the consultation response from Kent County Council above. The contributions would fund Primary and Secondary Education and associated land requirements including special educational needs. Further contributions would be sought for community learning, youth services, libraries, social care, waste and broadband.

8.143 Based on a net gain of 10 residential dwellings being constructed Kent County Council have requested a contribution of approximately (excluding index rate) of £139,734.70. Such an amount would be secured via a section 106 agreement.

8.144 Based on a net gain of 10 additional residential units Swale Borough Council would require a contribution towards the provision of wheelie bins this would amount to approximately £1,059.00. Again, this would be secured via a section 106.

8.145 No comments have been received from the Open Space Manager. However, the proposal would not, given the scale of the proposal, provide an open space which would accommodate a play area or of a scale that could be used for meaningful recreation. As such, based on the Open Spaces and Play Area Strategy 2018 – 2022 a contribution would likely to be sought based on £593.00 per dwelling on formal sports and £446.00 per dwelling for play and fitness. The total would amount to £10,390.00 on a net gain of 10 residential units.

8.146 The contributions above, in addition to those secured in relation to the SPA, will be secured via a section 106 agreement and the securing of appropriate monitoring fees.

8.147 Affordable Housing:

8.148 Policy DM 8 of the Local Plan identifies that for development proposals of 11 or more dwellings there will be a need to provide affordable housing.

8.149 In this instance the proposal is seeking the provision of 9 new residential dwellings and the subdivision of Radfield House which would see a net gain of a single unit. The development would generate a net gain of 10 residential units. As a result, an affordable housing contribution would not be sought in accord with policy DM 8 of the Local Plan

8.150 Public Right of Way:

8.151 Public Right of Way ZR196 runs to the eastern access of the site. Concerns were initially raised by the Public Rights of Way Officer in regard to the retractable bollards to the southeast of the proposed barn conversion which appears to be within the public footpath. The Public Right of Way Officer conducted a site visit and considered that an application could be made to allow for such a structure to be erected on the Public Right of Way as it is designed to direct traffic away from the Public Right of Way.

8.152 Further, comments initially drew concern in regard to the proximity of the barn conversion incorporating land as part of the Public Footpath. Again, the Officer considers an application in relation to the footpath can resolve these concerns. A condition has been recommended by the Officer to ensure such an application is made to the County Council.

8.153 The proposal would be considered subject to the conditions as laid out to retain the Public Rights of Way in an acceptable condition.

8.154 Titled Balance:

8.155 The development is not considered to have negative impacts to the heritage asset. The proposal would see repair works to Radfield House undertaken which would be considered of benefit to the 'At Risk' asset. The subdivision and development would aid in the longer-term maintenance of the unit through occupation.

8.156 The proposed re-development of the site for residential purposes would be well designed and in keeping with the character of the area. The proposal would see the provision of additional residential units which is given significant weight. Given the improvement to both the heritage assets, the provision of housing, ecological and smaller term economic benefits it is considered that the titled balance is engaged and that the proposal should be approved.

8.157 Other Matters:

8.158 Third parties raised comments that alternative uses could be considered for the application site such as Hotels etc. Planning committee can only consider the proposal before them for which residential use has been set out.

9.0 Conclusion

The proposed development would be considered appropriate in terms of the impact to the landscape, heritage and character of the area. The proposal would provide additional dwellings in a location which, on balance, would be considered sustainable under the Framework's definition.

The proposal would provide additional residential units which would aid in addressing the Council's housing needs. The proposal would be subject to a number of conditions, should Members be minded to approve the scheme, to ensure the quality of the final development and that mitigation is adequately addressed.

- 10. Recommendation** – Grant, subject to conditions and a completed Section 106 agreement with delegated authority to amend the wording of the section 106 agreement and of conditions as may reasonably be required.

Conditions

1. The developments to which this permission relates must be begun no 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 developments hereby approved shall be carried out and maintained in accordance with the following approved plans:

- Site/Location Plan – 21_257-01 Rev B
- Topographical Survey – 1
- As Existing Ground Floor Plan of Barn 1 – 2
- As Existing First Floor Plan of Barn 1 – 3
- As Existing Elevations of Barn 1 – 4
- As Existing Elevations – 5
- Existing Site Block Plan – 21_257-02 Rev A
- Radfield House – Existing Plans and Elevations – 21_257-30
- Radfield House – Proposed Plans and Elevations – 21_257-31
- Proposed Site Block Plan – 21_257-03 Rev D
- Roof Plans – 21_257-05 Rev B
- Proposed Floor Plans – Ground Floor 21_257-10 Rev B
- Proposed Floor Plans – First Floor – 21_257-11 Rev D
- Proposed Floor Plans - Second Floor – 21_257-12 Rev D
- Proposed Elevations – Sheet 1 – 21_257-20 Rev C
- Proposed Elevations – Sheet 2 – 21_257-21 Rev B
- Proposed Elevations – Sheet 3 – 21_257-22 Rev B
- Proposed Elevations – Sheet 4 – 21_257-23 Rev B
- Proposed site Access Option 2 - 20-092/002 Rev A

Reason: For the avoidance of doubt and interest of proper planning.

3. Prior to the commencement of the development hereby approved the following information shall be submitted to and approved in writing by the Local Planning Authority:
4.
 - (i) details of the proposed width of the public footpath in the vicinity of the proposed barn conversion,
 - (ii) a confirmed legal order (issued by Kent County Council Public Rights of Way team) is in place that secures the defines the width of public footpath in the vicinity of the proposed barn conversion

The application shall be carried out in accord with the approved details.

Reason: In order to protect public rights to use the footpath

5. Prior to the commencement of the development hereby approved details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The following details shall be provided within the Construction Management Plan:
 - (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.

The development hereby approved shall be carried out in accord with the approved details at all times.

Reason: In the interest of highways safety.

6. Prior to bringing any part of the development hereby approved into first use the completion and maintenance of the access shown on the approved plan 20-092/002 Rev A shall have been implemented in full.

Reason: In the interest of highway safety.

7. Prior to bringing any part of the development hereby approved into first use the provision and maintenance of the visibility splays shown on the approved plan 20-092/002 Rev A with no obstructions over 1.05metres above carriageway level within the splays, shall have been implemented in full and maintained as such thereafter.

Reason: In the interest of highway safety.

8. Prior to bringing any part of the development hereby approved into first use the provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the approved plan 21_257-03 Rev D shall have been implemented.

Reason: In the interest of highway safety.

9. Prior to bringing any part of the development hereby approved into first use the provision and permanent retention of the vehicle parking spaces and/or car barns shown on the approved plan 21_257-03 Rev D shall have been implemented.

Reason: In the interest of highways and sufficient parking.

10. Prior to bringing any part of the development hereby approved into first use the provision and permanent retention of the Electric Vehicle charging spaces shown on the approved plan 21_257-03 Rev D shall have been implemented. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Reason: In the interest of sustainability and the provision of sufficient infrastructure.

11. Prior to reaching slab level on the development hereby approved details of the provision and permanent retention of the retention of secure, covered cycle parking facilities prior to the shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accord with the approved details and maintained as such thereafter.

Reason: In the interest of sustainable transport.

12. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Friday 0730 - 1800 hours, Saturdays 0800 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interest of amenity.

13. Prior to the commencement of the development hereby approved a programme for the suppression of dust during the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.

Reason: In the interest of Air Quality.

14. No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 1. An intrusive site investigation (phase II intrusive investigation) scheme, based on the information provided in the submitted Phase 1 Land Contamination Assessment (Radfield House and Farm, London Road, Teynham, Sittingbourne, Kent, ME9 9PS) Ecologica report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The report shall include results of sampling and monitoring carried out in accord with the verification plan to demonstrate that the site remediation criteria have been met. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution or contamination.

15. Prior to the commencement of the development hereby approved a detailed sustainable surface water 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 Drainage Statement prepared by Herrington Consulting Limited dated 1st November 2022 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.

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.

16. No part of the development hereby approved 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 paragraph 165 of the National Planning Policy Framework.

17. 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 submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability, this shall be submitted prior to the commencement of the

development hereby approved. 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.

18. Information shall be submitted to (and approved in writing) by the Local Planning Authority that demonstrates that the surface water drainage works are appropriately secured and protected and subsequently implemented prior to the occupation of any part of the development hereby approved.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water.

19. Prior to the commencement of the development hereby approved an Arboriculture Impact Assessment and a Arboriculture Method Statement, and Tree Protection Plan in accordance with the BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accord with the approved details at all times throughout the construction process.

Reason: To ensure protection of the tree both within and adjacent to the site are adequately protected.

20. Prior to reaching Damp Proof Course of the development hereby approved a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall provide images together with relevant sizes/ dimensions of the relevant shrubs, trees, surfacing materials (hard surfaces), marginal and aquatic plants for the attenuation pond and boundary treatments to be used. The development shall indicate a landscape buffer along the western boundary of the site which shall include a strong mix of native species trees. The development shall be carried out in accord with the approved details and in accordance with a program that shall first have been agreed in writing by the Local Planning Authority (see informative B, below).

Reason: In the interest of enhancing the visual amenity of the area.

21. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

22. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accord with the approved details.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

23. The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and no dwelling shall 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.

24. No gas boilers shall be fitted in the dwellings hereby permitted other than a low emission boiler of a minimum standard of <40mgNOx/kWh. No dwellings shall be occupied until details of the boilers to be installed have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with such details.

Reason: In the interests of minimizing air quality impacts.

25. Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.

Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.

26. Notwithstanding the provisions of Class, A, Part 2, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order, no fences, gates walls or other means of enclosure shall be erected within the application site other than those approved under this application.

Reason: In the interest of visual amenity and heritage provisions.

27. Upon completion of the development, no further development permitted by Classes A, B, C, D, E and F of Part 1 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), shall be carried out to the dwellings hereby approved.

Reason: In the interests of the amenities of the area.

28. Prior to commencement of the development hereby approved, a schedule (including colour images) of the specific facing and roofing materials (including the specific colour finish(es)) and ridge and hip tiles to be used, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accord with the approved plans.

Reason: In the interest of visual amenity and conservation of the setting of the Listed Building.

29. Prior to commencement of the development hereby approved, details of the specific conservation rooflights to be used shall be submitted to and approved in writing by the Local Planning Authority (details to include section showing how the

placement within the roof slope achieves a near flush finish). The development shall be carried out in accord with the approved details.

Reason: In the interest of visual amenity and conservation of the setting of the Listed Building.

30. Prior to commencement of the development hereby approved, a 1:10 elevation detail and 1:1 or 1:2 plan and vertical section of each timber window and timber door type to be used shall be submitted to and approved in writing by the Local Planning Authority (see informative A, below). The development shall be carried out in accord with the approved details.

Reason: In the interest of visual amenity and conservation of the setting of the Listed Building.

31. Prior to commencement of the development hereby approved, details of the following key construction details shall be submitted to and approved in writing by the Local Planning Authority:
- (a) roof ridge detailing (via a 1:1 or 1:2 scale vertical section drawing)
 - (b) eaves detailing, including guttering and guttering brackets (via a 1:1 or 1:2 scale vertical section drawing)
 - (c) roof verge detailing (via a 1:1 or 1:2 scale vertical section drawing)
 - (d) roof hip detailing (via a 1:1 or 1:2 scale vertical section drawing)

The development shall be carried out in accord with the approved details.

Reason: In the interest of visual amenity and conservation of the setting of the Listed Building.

32. Prior to first occupation of any of the residential units forming the scheme, including the two contained within the listed building, a scheme for the management of the communal/shared landscaped spaces and of the heritage interpretation board (approved in relation to condition 34) within the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be maintained in accord with the approved details.

Reason: In the interests of amenity.

33. Prior to commencement of the development hereby approved, details of the sustainability measures to be implemented, shall be submitted to and approved in writing by the Local Planning Authority, building on the principles/framework set out in the submitted statement on 'The development's approach to climate change'. The details shall set out a 50% CO2 reduction. The development shall be carried out in accord with the approved details.

Reason: In the interest of sustainability.

34. Details of any flues, vents, grilles, energy meter boxes or external wiring/cabling or piping to be inserted into or mounted to the external faces of the new buildings and retained barn shall first have been agreed in writing by the Local Planning Authority prior to installation, and thereafter installed strictly in accordance with the approved details.

Reason: In the interest of heritage.

35. Prior to first occupation of any of the residential units forming the scheme, a scheme for the heritage interpretation of the site shall have been implemented in accordance with details previously submitted to and agreed in writing by the Local Planning Authority (see informative C, below).

Reason: In the interest of heritage.

36. Prior to the commencement of the development hereby approved a plan to demonstrate the proposed ecological mitigation shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be based upon the Preliminary Ecological Appraisal. The development shall be carried out in accord with the approved plans.

Reason: In the interest of ecology.

37. Prior to the commencement of the development hereby approved details of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The details shall include detail of the percentage Biodiversity Net Gain to be achieved on site. The development shall be carried out in accord with the approved details.

Reason: In the interest of ecology.

38. Prior to the commencement of the development details of (including site clearance) all precautionary mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The proposal shall be carried out at all times in accordance with the approved details.

Reason: In the interests of protected species.

Informative:

1. Public Right of Way:

- No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority
- There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development.
- Planning consent does not confer consent or a right to disturb or unofficially divert any Public Right of Way at any time without the express permission of the Highway Authority.
- No trees or shrubs should be planted within 1.5 metres of the public right of way.

2. Highways:

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

3. Heritage:

Informative A:

The sections to be provided shall include part of the surrounding masonry or joinery bordering the window or door opening and shall be set out clearly (annotated as necessary) to show the following details, as applicable:

- Depth of reveal
- Window head and cill/sub-cill detailing
- Glazing section (thickness of glass and in case of double glazing, dimension of spacing between the panes of glass)
- Glazing bar profile(s)
- Door frame / window frame
- Weatherboard and threshold detail (for doors only)

Informative B:

The details required to be included in the detailed landscaping scheme drawing(s) to be provided must include:

- Sample image of and specific details (including relevant web link(s)) of the different hard surfacing materials to be used, including any visible rainwater drainage products to be used, and where these would be located
- Method of marking out the non-covered parking spaces (white-lining or similar will not be accepted)
- Sample image of and specific details (including relevant web link(s)) of the different fencing/railing/walling and bollard designs to be used.
- Specific tree, hedge and shrub species to be used, including size and where applicable, spacing.

Note: the type of fairly formal landscaping scheme shown on the submitted proposed landscape strategy plan is not considered appropriate and a more informal approach is required which would be more compatible with partial recreation of the former historic farmstead setting to the listed farmhouse, in particular avoiding the enclosure of spaces except where this is critical to achieve a decent standard of residential amenity.

Informative C:

The details to be provided must include the draft text and images to be used on the interpretation board(s)/panels together with details of the physical form (i.e. materials and design) of the interpretation panel(s)/board(s) (including any support posts) and a part block plan of the application site showing the exact location where the boards/panels are to be installed.

