

**REPORT SUMMARY**

<b>REFERENCE NO:</b> 23/503253/LBC		
<b>APPLICATION PROPOSAL:</b> Listed Building Consent for demolition of existing buildings. Erection of 2no. barn-type dwellings with ancillary development, landscape enhancement and repairs to rear elevation of the listed barn.		
<b>ADDRESS:</b> Salts Farm Salts Lane Loose Kent ME15 0BD		
<b>RECOMMENDATION: GRANT LISTED BUILDING CONSENT</b> – subject to the planning conditions set out in Section 8 of this report.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> The proposal would result in a high quality development that would cause less than significant harm to the designated heritage assets that would be justified by the improved appearance and landscaping of the site compared to the consented scheme.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Loose Parish Council has called the application to committee if consent is recommended.		
<b>WARD:</b> Loose	<b>PARISH COUNCIL:</b> Loose	<b>APPLICANT:</b> Mr K Tremain  <b>AGENT:</b> Patrick Durr Associates
<b>CASE OFFICER:</b> Joanna Russell	<b>VALIDATION DATE:</b> 21/07/23	<b>DECISION DUE DATE:</b> 21/12/23
<b>ADVERTISED AS A DEPARTURE:</b> No		

**Relevant planning history**

Application site

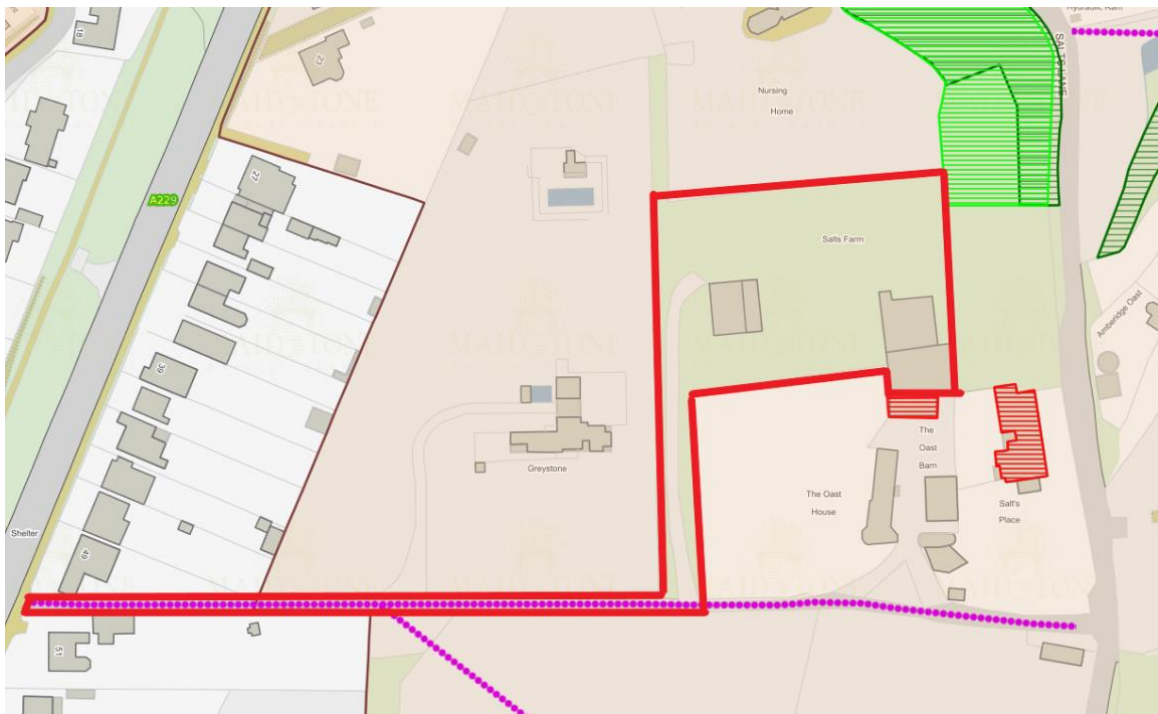
- 18/503663/FULL - Demolition of steel framed building and other structures. Conversion of two agricultural buildings to create two residential dwellings. Removal of hardstanding and replacement with comprehensive landscape scheme. Retention and restoration of historic wall. Access via existing lane to A229. Approved.
- 19/500499/SUB - Submission of Details to Discharge Condition 3- Written details and samples of materials, Condition 4 and 5-Turning/Parking and Electric charging, Condition 7- Lighting design strategy for biodiversity- a) Areas/features particularly sensitive for bats, b) External lighting, Condition 8- Ecology - 1) Preliminary Risk Assessment, 2) Site investigation, 3) Remediation method statement, 4) Closure report, Condition 11- refuse bin collection and Condition 12- Landscape scheme subject to 18/503663/FULL. Approved.
- 21/500430/FULL - Demolition of existing buildings and construction of 3(no) dwellings, together with gardens, parking and access to A229 via existing lane. Retention of ragstone wallings and strategic landscape and ecology benefit. Refused
- 21/503702/SUB - Submission of details pursuant to Condition 9 (contamination), and 13 (demolition method statement), of application 18/503663/FULL. Approved.

- 21/504511/FULL Demolition of existing barns and erection of 2(no) detached dwellings, with rear balconies, external staircases and associated access, parking, fencing and landscaping. Refused
- 23/503252/FULL Demolition of existing buildings. Erection of 2no. barn-type dwellings with ancillary development, landscape enhancement and repairs to rear elevation of listed barn. Decision pending.

#### Adjacent land to the south

- 18/504069/FULL -Restoration and conversion of existing Grade 2 listed barn (Salts Oast Barn) to form two bedroom accommodation. Permission granted.

#### Site boundaries



### **MAIN REPORT**

- 1.01 The site covering 0.53ha for the purposes of the Local Plan is located outside of a built settlement and in the countryside. The site is located between Linton Road (A229) to the west and Salts Lane to the east.
- 1.02 Adjoining the application site to the west is a residential property set within a relatively large plot called Greystone. A residential nursing home (Loose Valley Care Home) is to the north. A public right of way (KM68) and byway runs east to west to the south the application site. The public right of way follows the surfaced vehicle access route that is shared with Greystone and existing dwellings to the south (Oast House, Oast Barn, and Salts Place).
- 1.03 The application site contains two buildings, a detached Dutch barn (Building 1) to the west and a former cold store building (Building 2) in the south east corner. These semi derelict vacant buildings are brick and blockwork with a steel frame. Salts Oast Barn is immediately adjacent to the south east site corner, but outside the red line application site boundary, this building has been converted to residential accommodation (18/504069/FULL).

- 1.04 The open areas of the site are a mix of overgrown brambles, grassland, and hardstanding. The site boundaries are screened by conifer and deciduous trees and vegetation with the northern boundary with Greystone more open.
- 1.05 The site is in the Loose Valley Conservation Area. To the south of the site are a group of buildings that include two grade II listed buildings 'Salts Place' (formally Salts Farmhouse) and Salts Oast Barn (listing description 'Barn about 12 metres west of Salts Place') and The Oast House a non-designated heritage asset. Further heritage assets are located to the south east (closest circa 200 metres from the site).
- 1.06 Adjacent to the north-east site corner is woodland protected under TPO no.11 of 1996. Part of this adjacent area is designated as Ancient Semi Natural Woodland. The site is in an Area of Archaeological Potential and Flood Zone 1.

Dutch barn (Building 1)



Former cold store building (Building 2)



## **2. PROPOSAL**

- 2.01 Permission is sought for the demolition of the existing buildings along with the erection of 2no. barn-type dwellings with ancillary development, landscape enhancement and repairs to rear elevation of the adjacent listed barn.

## **3. POLICY AND OTHER CONSIDERATIONS**

### Maidstone Borough Local Plan (2011-2031):

SS1 Maidstone borough spatial strategy  
SP17 Countryside  
SP18 Historic environment  
DM1 Principles of good design  
DM3 Natural environment  
DM4 Development affecting designated and non-designated heritage assets  
DM6 Air Quality  
DM8 External lighting  
DM21 Assessing the transport impacts of development  
DM23 Parking standards  
DM30 Design principles in the countryside

Loose Neighbourhood Plan

### Emerging Draft Policy: Maidstone Draft Local Plan:

The Regulation 22 Local Plan Review (LPR) submission comprises the draft plan for submission (Regulation 19) dated October 2023, the representations and proposed

main modifications. It is therefore a material consideration and attracts some weight. The LPR has been through Stage 1 and 2 Hearings and the main modifications the Inspector considers are required to make it sound are out to public consultation, so it is at an advanced stage. However, responses to the consultation need to be considered by the Inspector along with him producing his Final Report so the LPR is considered to attract moderate weight at the current time.

The relevant policies in the Maidstone Draft Local Plan are as follows:

LPRSS1– Maidstone Borough Spatial Strategy

LPRSP9 – Development in the Countryside

LPRSP15 – Principles of Good Design

LPRQ & D4 – Design principles in the Countryside

LPRTRA4 – Parking

#### Supplementary Planning Documents

Ministry of Housing, Communities and Local Government: National Design Guide.  
Government's Technical Housing Standards: Nationally Described Space Standards (March 2015).

Maidstone Landscape Character Assessment

The National Planning Policy Framework -NPPF (2023)

National Planning Policy Guidelines (NPPG).

## **4. LOCAL REPRESENTATIONS**

### **Loose Parish Council**

4.01 Object on the following grounds:

- Scale, design, and layout, would cause less than substantial harm to the significance of the adjacent listed buildings and the Loose Valley Conservation Area
- Harm to the character and appearance of the countryside
- Poor design.
- Impact on protected species
- Insufficient access for 2 cars to pass
- Access would cause harm to highway safety
- Large lorries would be unable to access the site
- The access forms part of a public way. Its use would cause harm to pedestrian safety.

4.02 2 objections received from local residents raising the following (summarised) issues:

- Does not preserve historic farm buildings
- If permission is granted, the roofs should be clay not slate.

## **5. CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

### **Maidstone Conservation Officer**

5.01 No objection for the following reasons

- Demolition of existing buildings - The cold store and modern agricultural building are modern additions, and they have no architectural interest. The demolition would result in a small degree of harm, at the lower end of less than substantial.

- Impact on setting - The proposed planting to the southeast is intended to provide a visual screen for the development and mitigate its impact on the listed buildings' surroundings. The applicant asserts. There is agreement with the applicant that there is no line of sight between Salts Place and the proposed dwellings, thus no negative effect on Salts Place's setting.
- Proposed works to the barn have already been accepted in principle and the repair works will enhance the character of the listed building.
- Adherence to traditional forms and materials is deemed appropriate. Nonetheless, the expansion of development beyond the existing, will lead to a minor level of harm to the Loose Conservation Area's setting but this harm falls within the lower range of less than substantial harm.

## **6. APPRAISAL**

- 6.01 The local planning authority has a statutory duty to have special regard to the desirability of preserving listed buildings and their settings under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.02 Policy DM 4 of the local plan requires that the significance of designated heritage assets and their settings are conserved, and, where possible, enhanced, and policy SP 18 similarly seeks to protect and enhance the quality of heritage assets. Neighbourhood Plan policy DQ2 seeks the protection and enhancement of Loose Conservation Area.
- 6.03 The NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. When considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be); and that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 6.04 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, NPPF paragraph 202 requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.05 NPPF Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.06 The site is in the Loose Valley Conservation Area. To the south of the site are a group of buildings that include two grade II listed buildings 'Salts Place' (formally Salts Farmhouse) and Salts Oast Barn (listing description 'Barn about 12 metres west of Salts Place') and The Oast House a non-designated heritage asset. Further heritage assets are located to the south east (closest circa 200 metres from the site).
- 6.07 The submitted heritage statement provides an analysis of the historic development of the site, advising:

*'Salts Place is recorded as a Regular courtyard multi-yard (Here) which establishes the form of farmstead appropriate for the proposal site. Much of the historic farmstead was remodelled in the 20th century when the farmstead expanded its pig rearing and fruit storage activities with the construction of steel framed*

*buildings on the proposal site. The proposals offer an opportunity to replace these poorly designed and located buildings with dwellings in keeping with the historic farmstead group, that will also enhance the setting and appearance of the adjacent listed barn and this isolated part of the conservation area.'*

- 6.08 The existing layout includes a spread of development across the site from east to west. The Dutch barn is located within the west part of the site, whilst the cold store is situated in the south-east corner. There is a large area of hardstanding in between which has largely become covered with moss and breakthrough grass.
- 6.09 The two buildings due to be demolished are low quality, modern structures constructed of brick and steel Dutch barn, and steel frame and the concrete block cold store. The proposal includes removal of existing hardstanding and remnants of other structures, such as dwarf walls and raised concrete details. The demolition would result in a small degree of harm, at the lower end of less than substantial. This harm would be mitigated through improved relationship with the surrounding heritage assets, the removal of extensive hard surfacing on site and the enhanced openness to the east of the site.
- 6.10 The existing former cold store obscures the rear wall of the listed building and the planning permission for the retention and conversion of buildings (under 18/503663/FULL) would have maintained this situation. The current application includes the removal of the unsympathetic existing former cold store that is currently immediately adjacent to the listed building.
- 6.11 The removal of the former cold store will allow full views of the rear of the Oast Barn ('Barn about 12 metres west of Salts Place'). This change will enhance the character and appearance of this grade II listed building and return to its historic setting prior to the erection of the modern barn. The proposal shows this newly exposed rear elevation reclad in weatherboarding to match the existing. A planning condition is recommended to ensure appropriate locally sensitive materials, and this approach is supported by the conservation officer.

#### Internal site photographs



- 6.12 The proposed site layout addresses the historic multi yard farm character by creating a courtyard with a pair of hay barns and cart sheds orientated in line with Salts Place. It concentrates the built form to the west of the site, away from the Ancient Woodland (to the north east corner) and built heritage assets (to the south-east corner).
- 6.13 The proposed planting to the southeast would provide a visual screen for the development and mitigate its impact on the listed buildings. The applicant asserts that there is no line of sight between Salts Place (grade II listed) and the proposed dwellings, thus no negative effect on Salts Place's setting. The conservation officer

agrees with this and considers that as a considerable distance separates the proposed development and Salts Place, there would be no detriment to its setting.

- 6.14 Orientation and massing of proposed buildings create a loose courtyard with garaging being housed in cart sheds. The proposed dwellings seek to reflect heritage Kentish barns. The buildings are designed around a traditional three bay barn with central, double-height cart door openings. To the front, the cart door space is glazed and bordered by barn doors, whilst to the rear the cart door space is glazed. The design includes limited fenestration across the dwelling.
- 6.15 The dwellings are shown as feather edged black stained weatherboarding under a half-hipped roof with traditional doors and two single storey cart sheds. The proposed materials include black painted timber boarding with ragstone plinths, clay tile roofs and timber windows and doors.
- 6.16 The proposed outbuilding for each of the dwellings are low buildings with shallow pitched roofs and reflect the same finishes of the dwellings. The buildings include two open car parking bays and a garden store secured by timber double doors.
- 6.17 The proportions and scale of the proposal would not overwhelm the site. The siting and layout of the proposal would allow for extensive landscaping (particularly to the east) and would maintain generous gaps around its edges.
- 6.18 In assessing the setting of the conservation area, the modern outbuildings, while not architecturally significant, possesses a small degree of historical value. It is noted however that the modern farm buildings on the site were all constructed after July 1948 (the first Planning Act) and were not built before Salts Place was listed in 1952.
- 6.19 The adherence to traditional forms and materials in the design of the proposal is supported. The proposal will lead to a minor level of harm to the Loose Conservation Area's setting, although with the slightly lower land levels when compared with neighbouring land, landscaping and existing buildings, the development would not be widely visible. This minor level of harm is outweighed by the high quality and detailing of the proposal when compared with the previously approved scheme, the enhanced landscaping provision and the addition of two dwellings on a plot (reduced in number from earlier refused applications) which has previously been established as acceptable for residential development.
- 6.20 The proposal includes new landscaping to soften the boundary edges with native planting. To the rear of the dwellings (to the east), the proposed Landscape Plan shows a soft native planted buffer with meadow grass. This buffer seeks to protect the natural character to this side of the site where it adjoins protected woodland. The proposed hard landscaped areas are kept to a minimum and are mainly concentrated to the front of the site (west) where access, parking and turning areas seek to reflect a converted farmyard.
- 6.21 In summary, the proposal would have an acceptable visual and heritage impact in accordance with national, local and neighbourhood plan policies. The proposal offers high quality development that would cause less than significant harm to designated heritage assets. The public benefits of the proposal outweighing the identified harm.
- 6.22 The conversion of the existing buildings as granted under application ref 18/503663/FULL provide a fallback position and establishes the principle of residential development on this site . The current proposal provides improvements to the earlier approved development and there would be no merit in planning terms in refusing an alternative. There has been no material change to either the site or

the planning policy framework in the period since the earlier approval was given and it would be unreasonable to conclude that the principle is objectionable.

- 6.23 The Parish Council have commented that they consider the design of the proposal to be poor. In contrast, an analysis of the wider context of the site shows that the proposed buildings are reflective of the historic agricultural use of the site and the character of the adjacent remaining buildings from the farmstead. The tight group of buildings is located above the historic farmhouse and separated by a ragstone retaining wall. The proposed materials and proportions of the buildings, including the detail of the fenestration, and simple layout and form are reflective of these.

### **PUBLIC SECTOR EQUALITY DUTY**

- 6.24 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

## **7.0 CONCLUSION**

- 7.1 The proposal is for a high quality scheme that would respond appropriately in terms of layout, scale and detailing to the heritage and setting of the site. The loss of the existing modern buildings would cause less than substantial harm (at the low end of the scale) to the setting of the conservation area. This harm is mitigated and justified by the provision of an alternative redevelopment of the site to that approved, being of a higher design quality, with improved landscaping and sensitive relationship to the protected woodland.
- 7.2 Taking this into account, and subject to the imposition of conditions, on balance the proposal is acceptable and it is recommended that listed building consent is granted

## **8. RECOMMENDATION**

### **GRANT LISTED BUILDING CONSENT subject to the following conditions**

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

- (1) The works to which this consent relates must be begun before the expiration of three years from the date of this consent. Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) No development above floor slab level shall take place until written details and samples of the materials to be used in the construction of the external surfaces of all buildings have been submitted to and approved in writing by the local planning authority. The materials shall consist of the following:
- a) Kentish ragstone plinths in place of the brick plinths for all buildings.
  - b) Natural slate tiles for all buildings.
  - c) Hardwood timber weatherboarding for all buildings.
  - d) Hardwood timber fenestration for all buildings.
  - e) Metal rainwater goods for all buildings.
  - f) Oak posts for the garages.

The development shall be constructed using the approved materials, implemented prior to first occupation of the approved dwellings, and shall be maintained as such thereafter. Reason: To ensure a high-quality development.



- (3) No development above floor slab level shall take place until written details and samples of hard surfaces have been submitted to and approved in writing by the local planning authority. The hard surface details shall consist of the following:
- a) Loose stone and granite setts for the driveways and stone for the patios as shown on drawing no. P005 RevP01 (Proposed Site Plan).
  - b) Details of sensitive kerb edges.
- The development shall be constructed using the approved materials, implemented prior to first occupation of the approved dwellings, and shall be maintained as such thereafter. Reason: To ensure a high-quality development.
- (4) No development above floor slab level shall take place until photographs of a sample panel of the Kentish ragstone for the buildings (which has been constructed on site) have been submitted to and approved in writing by the Local Planning Authority including written details of the mortar mix. The development shall be constructed using the approved materials, implemented prior to first occupation of the approved dwellings, and shall be maintained as such thereafter. Reason: To ensure a high-quality design and finish.
- (5) No development above floor slab level shall take place until details of any external utility pipes and paraphernalia on the elevations of buildings have been submitted to and approved in writing by the local planning authority for that phase. Any external features shall be positioned and coloured to minimise their impact. The development shall be constructed using the approved materials and details, implemented prior to first occupation of the approved dwellings, and shall be maintained as such thereafter. Reason: To ensure a high-quality design and finish.
- (6) If unexpected works not hereby covered by this Listed Building Consent are required to the Grade II listed barn (The Oast Barn) at any time when carrying out the approved works, details must be immediately reported in writing to the Local Planning Authority. A heritage assessment must be undertaken and where remediation is necessary, a new Listed Building Consent application must be prepared and submitted to the Local Planning Authority. Reason: In order to protect the designated heritage asset
- (7) Upon demolition of Building 2, no further works will take place on site until the Grade II listed barn (The Oast Barn) rear elevation works have been completed in accordance with the approved plans. Once complete the rear elevation works will be maintained in accordance with the approved details. Reason: In order to protect the designated heritage asset
- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.