

REPORT SUMMARY

REFERENCE NO - 17/503091/FULL		
APPLICATION PROPOSAL - Extension to existing car park to create 10 new car parking spaces.		
ADDRESS Barty House Nursing Home Roundwell Bearsted Maidstone Kent ME14 4HN		
RECOMMENDATION		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The details are considered to comply with the policies of the Development Plan, where relevant, and the National Planning Policy Framework, and there are no overriding material considerations to indicate a refusal of planning consent.		
REASON FOR REFERRAL TO COMMITTEE <ul style="list-style-type: none"> - Councillor Springett wishes to see application reported to Planning Committee if minded to recommend approval of application - Bearsted Parish Council wish to see the application refused and reported to Planning Committee 		
WARD Bearsted	PARISH COUNCIL Bearsted	APPLICANT Barty House AGENT TaDPlanning Ltd
DECISION DUE DATE	PUBLICITY EXPIRY DATE 21/07/17	OFFICER SITE VISIT DATE 21/07/17
RELEVANT PLANNING HISTORY:		

- Numerous planning applications and listed building consents to extend and refurbish Barty House Nursing Home have been approved, including MA/05/1175 (extension for 25 rooms); and MA/13/0735 (18 rooms and parking).

MAIN REPORT

1.0 SITE DESCRIPTION

- 1.01 Barty House Nursing Home, with access from Roundwell, is located at the eastern end of Bearsted. The original building is Grade II listed; public footpath KH131 runs along the north-western boundary of the site, and there is vehicle access also along this track to other properties and land; and a group of trees in the north-eastern corner of the site are protected under Tree Preservation Order no. 15 of 2017. For the purposes of both the 2000 Local Plan, the entire proposal site is within the countryside that falls within a Special Landscape Area; and for the purposes of both the submitted version of the Local Plan, the proposal site is within the countryside.

2.0 PROPOSAL

- 2.01 The proposal is for the extension of the existing car park at the nursing home, to provide an additional 10 spaces. The excavation work will take place at the north-eastern end of the site.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV34
- National Planning Policy Framework
- National Planning Practice Guidance
- Submitted Local Plan (2011-2031): SP17, SP18, DM1, DM3, DM4, DM34, DM41

4.0 LOCAL REPRESENTATIONS

- 4.01 **Local Residents:** No representations received.

5.0 CONSULTATIONS

- 5.01 **Councillor Springett:** If minded to approve application, then application should be referred to planning committee for following reasons;

“The red line around the site does not follow the correct site boundary to the north east yet the site cross sections show the car park extending almost up to this red line, and therefore encroaching into open countryside. Therefore, this application should be refused as it will be an encroachment into open countryside.

Open countryside should not be built on- especially for a car park when alternative parking is available. As I understand it the urban boundary runs along the existing property boundary which means land outside of that is open countryside. Permission for a house to the east of the Barty House boundary was refused several years ago as it was in open countryside. There is no justification for the car park to extend into open countryside and the application should be refused on that basis. If approved, it would set a dangerous precedent for future expansion further into the field.”

- 5.02 **Bearsted Parish Council:** Wish to see application refused and reported to Planning Committee;

“Decision was based on ownership/territorial concerns; Bearsted PC would like to query boundary line detailed on application with MBC. Additionally, concerns were voiced regarding lack of arboricultural report.”

- 5.03 **Landscape Officer:** Raises no objection subject to conditions.

- 5.04 **Conservation Officer:** Raises no objection.

6.0 APPRAISAL

Relevant policy/guidance

- 6.01 The proposal is under the normal constraints of countryside development under saved policies ENV6, ENV28 and ENV34 of the 2000 Local Plan and emerging policies SP17 (amended in Main Mods) and DM34 (amended in Main Mods and now DM30) of the submitted version of the Local Plan. Emerging policies SP18 and DM4 (both new policies in Main Mods) also seeks to protect the historic environment; emerging policy DM3 (amended in Main Mods) seeks to protect the natural environment; and emerging policy DM41 (amended in Main Mods and now DM37) allows for the expansion of existing businesses in rural areas provided there are no significant adverse impact on the rural environment. Please note that in the light of the Local Plan Inspector’s findings that the submission Maidstone Borough Local Plan is sound, it is considered that approaching full weight should be afforded to the Maidstone Borough Local Plan incorporating the Main Modifications in the determination any planning application.

Design, siting and appearance

- 6.02 The proposal is considered to be a modest extension of an existing car park that would see an area of hardstanding extend north-eastwards by some 12m. Given the nature of the proposal and the excavation of land, this new hardsurfacing would remain set down and largely screened when viewed from the adjacent public footpath along the north-western boundary of the site; and appropriate replacement planting would provide better screening of the site from the north-eastern boundary when compared to what is currently there. Indeed, the current boundary planting here is sparse and currently allows views into the site.

- 6.03 Despite the application lacking arboricultural information, the Landscape Officer confirms that the direct tree losses necessary to accommodate the proposal are all C grade, small to medium sized trees, with the exception of a medium sized (about 9m height) B graded Lime tree. The Landscape Officer is of the view that the loss of these trees is not sufficient to warrant refusal of the application, subject to appropriate replacement planting being secured by condition (which in this case would be of a native hedge with standard native tree planting along the north-eastern boundary). However, in the absence of a plan showing the scheme in relation to the root protection areas of the trees shown to be retained, the Landscape Officer cannot comment on the likely impact of the scheme on those trees and whether they can be successfully retained as shown. Indeed, the plotted canopies suggest that the excavation and level changes for the proposed ramp will conflict with the root protection area of at least one of the retained trees. As such, whilst no objection is raised to the proposal, an Arboricultural Method Statement (giving details of ground works around the RPA of those trees to be retained) is recommended to be secured by way of condition to ensure the retention of these trees.
- 6.04 The proposal would be at the north-eastern end of the site; it would be a modest addition to an existing car park area; and it would be read in context with the more modern buildings on the site. The proposal would not therefore have an adverse impact upon the setting of the Grade II listed Bart House.
- 6.05 Subject to the conditions recommended, I am therefore satisfied that the proposal would not have an adverse impact upon the character and appearance of the surrounding countryside hereabouts, but would be a development very much read in the context of the existing development on this site.

Other considerations

- 6.06 Given the existing use of the site and the separation distance of the proposal from any neighbouring property, no objection is raised to this development in terms of residential amenity and highway safety. Given the modest scale of the proposal, I also do not consider it necessary to request any further details to justify the need 10 additional parking spaces.
- 6.07 The comments raised by Councillor Springett and Bearsted Parish Council have been considered in making this recommendation. I would also add that provided the correct ownership certificates are served, there is no material planning reason to refuse an application because the land is in different ownership; and to clarify, Barty House Nursing Home is within the countryside. Furthermore, each application must be considered on its own merits under current policy/guidance and does not set precedent.

7.0 CONCLUSION

- 7.01 It is considered that the proposal is acceptable with regard to the relevant provisions of the Local Plans, the NPPF and all other material considerations such as are relevant. I therefore recommend refusal of this basis.

8.0 RECOMMENDATION – APPROVE:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and long term management. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines and shall include a minimum of 4m depth of new planting along the north-eastern boundary of the site that shall include;
- Mixed native species hedgerow (double staggered row at 45cm spacings with 30cm between rows and minimum 45-60cm bare root stock at planting) along the north-eastern boundary of the site, consisting of 65% Hawthorn and 35% consisting of species Field Maple, Guelder Rose, Hazel, Sallow, Spindle and Sweet Gale;
 - Replacement trees (such as Field Maple, Oak, Beech, Larch, Scots Pine) of at least Nursery Select Standard size at planting (10-12cm girth, 3-3.6m height) planted within the native hedge along the north-eastern boundary of the site;
 - Native shrub mix (double staggered row at 1.5m spacings with 1.5m between rows and minimum 45-60cm bare root stock at planting) consisting of species such as Field Maple, Guelder Rose, Hazel, Blackthorn, Dogwood, Spindle and Sweet Gale.

The landscaping scheme shall also include a mixed native species hedgerow (as above) along north-western boundary of the site, to fill in the gap between the existing planting and the new planting.

Reason: To mitigate the loss of the trees being removed and to ensure a satisfactory appearance to the development.

- (3) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory appearance of the development.

- (4) Prior to the commencement of any works/development on site, an Arboricultural Method Statement in accordance with BS5837:2012, which shall include details of ground works around the RPA of those trees to be retained and tree protection details, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority;

Reason: To safeguard the future of the retained trees.

- (5) The development hereby permitted shall be carried out in accordance with the following approved plans: 2527 04 F; 05 F; 06 E; and 14 C;

Reason: In the interest of visual amenity and to prevent harm to the residential amenity of neighbouring occupiers.

Case Officer: Kathryn Altieri

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.