



The Bearsted & Thurnham Society

The Residents Association for the Civil Parishes of Bearsted and Thurnham



C/O The Chairman
Bearsted & Thurnham Society
5 Shillingheld Close
Bearsted
Kent ME14 4QA

Amanda Marks
Mid Kent Planning Support
Maidstone House
King Street
Maidstone
ME15 6JQ

1st November 2016

Dear Sirs,

MA/14/506738 Application for the approval of reserved matters comprising the widening of the proposed means of access and associated relocation of a boundary wall at Barty House, Roundwell, Bearsted to serve an application for 100 houses at Barty Farm, Roundwell, Bearsted.

The Bearsted and Thurnham Society was bitterly disappointed that in May of this year, MBC resolved to grant planning permission for the erection of 100 houses at Barty Farm, especially as no means of vehicular access could be provided to the site that was acceptable in either planning or highway terms. Indeed, at the same time that the Planning Committee resolved to grant permission for the housing development, it also refused Listed Building Consent to relocate the boundary wall to Barty House whose relocation was necessary to enable a vehicular access to be provided to the housing development.

Consequently, no planning permission can be issued for the 100 houses at Barty Farm until an acceptable means of vehicular access can be provided to serve them.

The Society has already objected to the subsequent revised application for Listed Building Consent (16/506735LBC) to demolish and relocate the boundary wall to Barty House in order to provide a means of access to the housing site that is acceptable in highway and planning terms.

It is surely completely wrong of MBC to consider the concurrent application to seek planning approval for the widened access and demolition and relocation of the boundary wall simply as an application for the 'approval of reserved matters' because such 'reserved matters' can only be considered pursuant to the grant of planning permission – and no planning permission has been issued for the 100 houses at Barty Farm!

The Society, therefore, considers that it would be unlawful for MBC, if it were minded to do so, to grant planning approval for the widened access and the demolition and relocation of the boundary wall simply as 'details pursuant' to a non-existent planning permission!

Surely, the application for planning approval for the widened access and demolition and relocation of the boundary wall can only be legally determined as a fresh or revised planning application which must be advertised and processed as such.

Whatever; the Society objects strongly to planning approval being granted for the widened access and the demolition and relocation of the boundary wall because these works will create substantial demonstrable harm to:

1. the setting of Barty House because:

(i) the relocated wall will inevitably be of a 'new' reconstructed appearance; be lower in height than the existing historic wall; will introduce alien pedestrian steps which will destroy the integrity of the wall; and, most importantly, will substantially reduce the lawn and tree planting area to the front of Barty House which are so important to maintaining its historic setting and appearance; and

(j) the widened access will introduce more hard surfacing and open areas that will reduce the sense of enclosure around Barty House which are also so important to maintaining its historic setting and appearance;

2. the local historic street scene because both the widened access and the relocated boundary wall will lessen the sense of enclosure along the street scene and harm the setting of Barty House in a very attractive and historic approach road into Bearsted village.

In addition, we should like to point out again that the application for Listed Building Consent should be determined solely on its architectural and historical merits. Therefore, the argument put forward by the applicants that there are 'public benefits' flowing from the proposal because the realigned wall will enable access to be provided to another proposal to build 100 houses at Barty Farm is irrelevant and cannot be taken into account.

If, as it should, Listed Building Consent is refused for the realigned wall on purely architectural and historical criteria, it follows that planning approval for the housing scheme at Barty Farm must also be refused because a means of vehicular access to the site that is acceptable in highway and planning terms cannot be provided. If the proposal for housing at Barty Farm is to be pursued, it can only be done if an alternative means of vehicular access can be provided that is acceptable in highway and planning terms.

If, therefore, MBC is minded to grant Listed Building Consent for the realigned wall, it will need to clearly explain what material considerations have changed since it refused the previous applications for Listed Building Consent for this proposal and could, potentially, face a legal challenge if it cannot identify credible changes.

Yours sincerely,

Denis Spooner
Chairman
Bearsted & Thurnham Society