

4.3 20/01319/FUL Revised expiry date 2 October 2020

Proposal: Replacement of existing forestry building with new building to be used for storage associated with existing forestry yard.

Location: Little Thyme, Calfstock Lane, Farningham KENT DA4 9JH

Ward(s): Farningham, Horton Kirby & South Darent

Item for decision

This application is being called to the Planning Committee as the applicant is an employee of the Council

RECOMMENDATION: That planning permission be GRANTED

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

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The materials to be used in the construction of the development shall be those indicated on the approved plan 3578-19-PL101 revision P2.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) The bat and bird boxes as shown on plan 3578-19-PL101 revision P2 shall be installed prior to the occupation of the permitted building.

To enhance biodiversity as supported by Policy SP11 of Sevenoaks District Councils Core Strategy.

4) Prior to occupation of the building, details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The facilities shall be installed in accordance with the details so approved, within 3 months of the approval and be retained, maintained thereafter and be available for use at all times.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

5) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection of any trees located within the vicinity of the proposed works in accordance with BS5837 : 2012 Trees

in Relation to Construction are to be submitted and approved in writing by the Local Planning Authority and the land so enclosed shall be kept clear of all contractors materials and machinery. The existing soil levels around the boles of the trees shall not be altered. The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land.

To prevent damage to the trees during the construction period as supported by Policy EN1 of the Sevenoaks District Councils Allocation and Development Management Plan.

6) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 3578-19-PL101 revision P2

For the avoidance of doubt and in the interests of proper planning

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

- 1 The site comprises of an existing small workshop and store located to the north of a row of properties on the southern side of Calfstock Lane within a rural location.

Description of proposal

- 2 Replacement of existing forestry building with new building to be used for storage associated with existing forestry yard.

Relevant planning history

- 3 03/00620/LDCEX - Use of the building as a workshop and store for tools, equipment and materials in connection with forestry, and the use of associated land for storage of materials and the parking and turning of vehicles in connection with forestry - GRANTED - 21/07/2003

Policies

- 4 National Planning Policy Framework (NPPF)
- 5 Core Strategy (CS)

- LO1 Distribution of Development
- SP1 Design of New Development and Conservation
- SP11 Biodiversity

6 Allocations and Development Management Plan (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage
- EN7 Noise Pollution
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

7 Other:

- Development in the Green Belt Supplementary Planning Document

Constraints

8 The following constraints apply:

- Area of Archaeological Potential
- Metropolitan Green Belt

Consultations

9 Farningham Parish Council - “No comment”

10 Rural Planning Ltd -

“The revised single storey replacement building, with its shallow pitched roof, and fenestration excluded, appears to be the sort of functional structure that would be reasonably expected, and required, for the identified forestry business storage purposes, with associated office/shower/WC.”

11 SDC’s Countryside and Open Spaces Manager -

“Sevenoaks District Council is very lucky to have a number of special countryside sites in its portfolio. Farningham Woods is one of these, and considered by some to be one of the most important given its designation of being a Special Site of Scientific Interest (SSSI), an Ancient Woodland and a Local Nature Reserve.

12 In order to protect its status and value to wildlife and local users we undertake forestry management under guidance from an approved Forestry Commission and Natural England Management Plan. This includes improving footpaths and rides, undertaking a rotation coppice of the Sweet Chestnut and managing other important features like the ponds, grassland and heathland.

- 13 Due to the nature of this type of work and the size of the timber needing to be coppiced, large forestry machinery is required. Utilising Little Thyme as a storage area for this machinery helps reduce cost to the Council in haulage fees and overall contractor costs.
- 14 As Ray [the applicant] has mentioned vandalism to contractor equipment has occurred in the past when machinery has been left on site. This is not only distressing for the contractors, but also impacts on the management of the site with operations being delayed or even stopped all together.
- 15 Having a secured forestry building here would not only provide better security for this expensive machinery, but as Ray suggest, will also provide welfare facilities for Council staff and contractors working on Council behalf, which are lacking at present.”
- 16 SDC Tree Officer -
- “I refer to the above application. I have visited the site and have studied the plans provided and have made the following observations:
- 17 A mature Yew tree is located to the front of the existing building. I have estimated that this tree requires a RPA of 5.40m. According to the plan provided, drawing no. 3578-19-PL001, the proposed building would be constructed 8.0m from the base of this tree. It can be seen that any excavation would be taking place outside of the RPA. A mature Beech tree and several Sycamores are located on this site. These should be located a sufficient distance away from the proposal to be unaffected by it. Providing the Yew tree is adequately protected, I have no objection to the proposal. Details of the protective measures to be used should be submitted for comment and should comply with BS 5837:2012”.

Representations

- 18 One representation in support, one response neither supporting or objecting and 4 representations of objection have been received relating to the following issues:
- That the proposed building could be converted to a dwelling;
 - Adverse impact on neighbours amenities through additional noise and traffic;
 - That the proposal would encourage similar types of development within the locality;
 - That a building of this size is not required ;
 - That the access is unsuitable for large vehicles;
 - That there is insufficient turning space for large vehicles on site;
 - That a commercial building is unsuitable in this location;
 - That the building would store dangerous, inflammable liquids unsuitable for the locality;
 - That historically such a building was never previously mooted as a solution to vandalism of machinery at Farningham Woods;
 - That the proposal is inappropriate to the needs of the applicant;

- That the proposal is inappropriate development within the Green Belt;

Chief Planning Officer's appraisal

19 The main planning considerations are:

- Impact upon the Green Belt
- Impact upon potential archaeology
- Design and Impact upon the Street Scene
- Impact upon amenities
- Parking

Impact upon the Green Belt

20 The NPPF, paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this amongst others are:

- buildings for agriculture and forestry.

21 Therefore the principle of a forestry building is appropriate development in the green belt.

22 The pre-fabricated building is currently located on site for which a lawful development certificate (03/00620/LDCEX) was granted in 2003 for its use as a workshop and store for tools, equipment and materials in connection with forestry and for the use of the associated land for storage of materials and the parking and turning of vehicles in connection with forestry. The land owner is employed by Sevenoaks District Council as a Senior Countryside Ranger whose work incorporates forestry work.

23 The replacement would result in the erection of a building rising to a maximum height of 5.01m with a width of 13m and a maximum depth of 9.97m to comprise of an office, a tool and an equipment store. This is larger than the existing building.

24 The Council's rural consultant was consulted on the application confirming that the proposal represented a functional structure that would be reasonably expected, and required, for the identified forestry business storage purposes, with associated office, shower and WC.

25 The SDC's Countryside and Open Spaces Manager has confirmed that the Council undertakes forestry works at Farningham Wood, located 0.25km to the west. The wood is a designated Site of Special Scientific Interest, Local Wildlife Site and Ancient Woodland, and works are carried out from an approved Forestry Commission and Natural England Management Plan which requires the use of large forestry equipment. The Council uses Little Thyme as a storage area for the equipment reducing the cost to the Council in haulage fees and overall contractor costs.

- 26 It has been confirmed that vandalism to equipment has previously occurred on site and that the proposed building would provide a building within which the equipment could be stored and ensure that the welfare provision of staff through the inclusion of washing and toilet facilities.
- 27 As established by R. (on the application of *Lee Valley Regional Park Authority*) v Epping Forest District Council [2016], the NPPF does not qualify the appropriateness of agricultural buildings with a proviso on openness or proportionality.
- 28 Whilst the building would be larger than the existing forestry building on site the replacement building as confirmed by the Council's rural planning consultant would incorporate an appropriate design for its use.
- 29 The proposal would result in a replacement building that would be used for forestry and accordingly would represent appropriate development within the Green Belt.

Impact upon Archaeology

- 30 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 31 Where the application is located within, or would affect an area or suspected area of archaeological importance an archaeological assessment must be provided to ensure that provision is made for the preservation of important archaeological remains/findings. Preference will be given to preservation in situ unless it can be shown that recording of remains, assessment, analysis report and deposition of archive is more appropriate.
- 32 The proposed development would partially occupy the site of the existing building located on land that has previously been levelled and therefore disturbed. In consequence it is not considered that the proposal would have an adverse impact any potential archaeology ensuring that the proposal would meet the requirements of national and local planning policy.

Design and Impact upon the street scene

- 33 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 34 The proposal would erect a forestry building on the site of an existing pre-fabricated building currently used for this function. The site is located above Calfstock Lane with the site set into the slope of the land. The land drops from the west to the east and whilst the building would rise to a height of 5.01m, through the land upon which the building is located being levelled below the height of the land to the west, with a hedge extending along the ridge there would be only limited views of the upper portion of the building as viewed from the west.

- 35 The proposed design would be appropriate for a forestry building comprising of a brick/block base with timber clad walls and eternity slate tiles. The building would be visible from part of Calfstock Lane however through the proposal incorporating an appropriate design for its function it would not be out of character within the wider landscape.
- 36 The proposed building would accordingly possess an appropriate design that would meet the requirements of the NPPF and policy EN1 of the ADMP.

Impact on residential amenity

- 37 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 38 The site is located on Calfstock Lane at the end of a row of detached dwellings extending along the southern elevation of this road. A small outbuilding is located on the site which is currently used as a forestry yard with machinery stored within the adjacent field.
- 39 The only property within close proximity of the site is Willow Cottage located approximately 25m to the south. The proposed building would be set at such a distance that it would not impact upon Willow Cottage in respect to a loss of light, overlooking or an adverse impact to the neighbour's outlook. Due to the proposal incorporating the same use as that currently occurring on site it is not considered that it would have any additional noise impacts than those currently occur
- 40 From visiting the site it was noted that Calfstock Lane was being used for access to the adjacent farmland by farm machinery. Whilst access exists to the site from Calfstock Lane the applicant has noted that there is also access to the site from the adjacent farmland which would minimise traffic impacting upon the adjacent residential properties.
- 41 If however Calfstock Lane were to be used to access the site, it is not considered that the frequency of traffic would be such as to have an adverse impact upon the neighbouring properties amenities. In consequence it is considered that the proposal would accordingly meet the requirements of the NPPF and policy EN2 of the ADMP.

Impact on highways safety and parking

- 42 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 43 Access to the site is either from the field to the west or via Calfstock Lane with sufficient room to manoeuvre vehicles and store the vehicles within the proposed building.

Impact on Ecology

- 43 The existing building whilst tired is well maintained and the grounds upon which the proposed building would be erected is cut short ensuring that the proposal would not have an adverse impact upon ecology.
- 44 The proposal would incorporate a number of bat and insect boxes and a condition could be imposed to ensure that these features are incorporated within the build prior to the occupation of the building.

Trees and landscaping

- 45 SDC's Tree Officer was consulted on the proposal and had no objections subject to a condition to ensure that tree protection strategies were incorporated within the scheme.

Other issues

- 46 The current application is for the erection of a forestry building. We have to judge the application as submitted, not what could happen in the future. If at a future date an application were made to convert the building to a residential use the merits of that application would be made at that time.
- 47 The storage of flammable materials is not an issue that can be considered through a planning application and would be covered by other legislation.
- 48 Each planning application is considered on its merits and accordingly this application does not represent a precedence to future applications.

Conclusion

- 49 The proposal would represent appropriate development within the Green Belt with a suitable design for its function. The building would not have an adverse impact upon local amenities or potential archaeology on site. Conditions can be imposed in respect to tree protection and securing ecological enhancements. Therefore the proposal would meet the requirements of national and local planning policy.
- 50 It is therefore recommended that this application is Granted.

Background papers

Site and block plan

Contact Officer(s): Guy Martin

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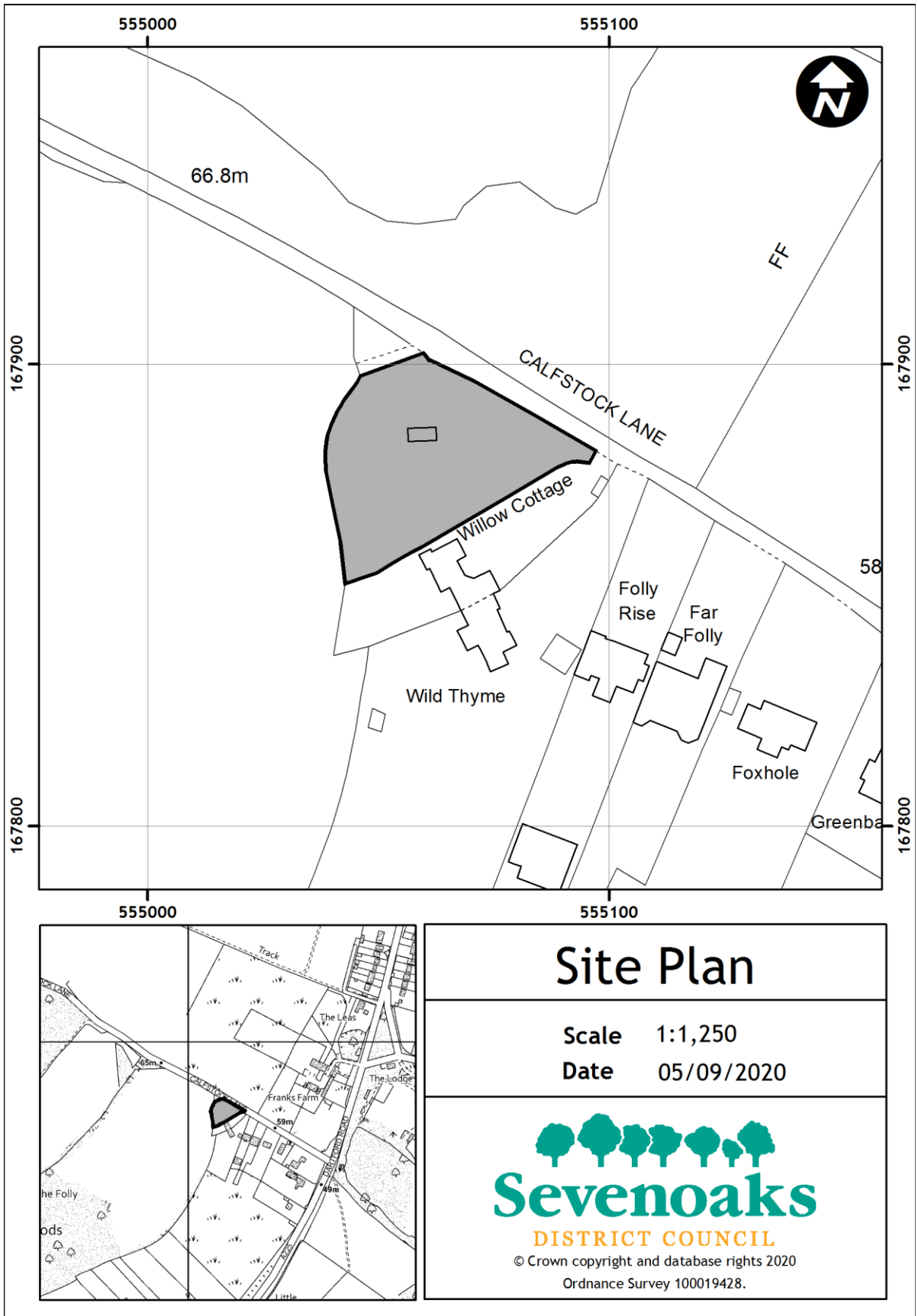
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QABW8WBKJED00>



BLOCK PLAN

