

4.4 19/02474/FUL

Date expired 9 December 2019

Proposal: Conversion of redundant agricultural Buildings to form 9 new residential units. Demolition of outbuildings. Landscaping works with new access and access alterations.

Location: Claydene Farm, Hartfield Road, Cowden KENT TN8 7HF

Ward(s): Cowden & Hever

Item for decision

The application was discussed by the Development Control Committee on 13th February 2020 and the committee agreed the following resolution, to either:

- A) Grant planning permission subject to the conditions below and a legal agreement to secure the contribution to affordable housing for either: a) an onsite policy compliant provision, or b) a payment in lieu of affordable housing for the provision of affordable housing elsewhere, calculated in accordance with the Affordable Housing SPD 2011, or
- B) In the event that, using all reasonable endeavours, the legal agreement referred to in A) is not completed within 4 months, that the application be refused for failure to provide affordable housing.

A financial contribution of £450,000 has now been secured for affordable housing in the District. This report is therefore referred to Committee to consider whether planning permission can now be Granted.

RECOMMENDATION: That planning permission be GRANTED subject to the Section 106 agreement to secure the contribution to affordable housing, and subject to the following conditions:

- 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, D or E of Part 1 of Schedule 2 of the 2015 Order (as amended), or any enclosure other than those approved shall be permitted by Class A of Part 2 of the 2015 Order (as amended) shall be carried out or made to the dwellings and development hereby approved without the grant of a further planning permission by the local planning authority.

To preserve the special landscape character of the AONB and to protect residential amenity, to comply with policies EN2 and EN5 of the ADMP.

3) No development shall take place until details of tree protection measures for all retained trees have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and the approved protection measures retained throughout the course of the development.

To prevent damage to the retained trees during the construction period of the dwelling as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) Prior to bringing the development hereby approved into first use details of a scheme to show the provision of electric vehicle charging points, including the proposed location, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging point shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan.

5) Prior to the installation of glazing on the residential dwellings, full details of the type of glazing and mitigation measures to be installed to prevent light spillage should be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and once implemented the approved details shall thereafter be retained as approved.

In the interests of the dark skies of the Area of Outstanding Natural Beauty in accordance with policy EN5 of the Sevenoaks District Council Allocation and Development Management Plan.

6) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of; - a programme of building recording in accordance with a written specification and timetable, - a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The programme of building recording, written specification, timetable and watching brief shall be in accordance with a written programme and specification which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the aforementioned approved details.

To ensure that features of archaeological interest are properly examined and recorded in accordance with policy EN4 of the Sevenoaks District Council Allocation and Development Management Plan.

7) Prior to first occupation of the development hereby approved all demolition as indicated on plan 400 P 1 shall be undertaken and all resultant materials removed from the land.

To prevent inappropriate development in the Green Belt as supported by GB7 of the Sevenoaks Allocations and Development Management Plan.

8) No development shall be carried out on the land until details of the materials to be used in the cladding of the external surfaces of the converted barns hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

To ensure that the appearance of the development enhances the character and appearance of the High Weald Area of Outstanding Natural Beauty as supported by Policy EN5 of the Sevenoaks Allocations and Development Management Plan.

9) If the demolition of each of the buildings hereby approved does not commence within 2 years from the date of the submitted bat surveys (summer 2019) under application 19/02474/FUL, further ecological surveys shall be undertaken to: i) establish if there have been any changes in the presence and/or abundance of bats, and ii) identify any likely ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, a Biodiversity Method Statement, detailing all necessary ecological mitigation/compensation measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of demolition. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable, unless varied by a European Protected Species licence subsequently issued by Natural England.

In the interest of protected species in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

10) No external lighting shall be installed within the red line site plan as illustrated on plan 100 P 2 or on any elevation of the approved dwellings without seeking approval in writing from the local planning authority. Prior to the use of the first building a "lighting design strategy for biodiversity" for the site will be submitted to and approved in writing by the local planning authority. The lighting strategy will: a) Identify those areas/features on site that are particularly sensitive; b) Show how and where external lighting will be installed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' (Bat Conservation Trust and Institute of Lighting Professionals); All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy. Such details shall include proposed location(s), height, type and direction of light sources. The development shall be carried out in accordance with any approved details and maintained thereafter.

In the interest of protected species in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

11) Within six months prior to the commencement of development, a walkover badger survey shall be carried out and the results along with any necessary mitigation measures will be submitted to and approved in writing by the Local Planning Authority. The measures will include: a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or

by using planks placed into them at the end of each working day; and b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day. The measures shall be implemented in accordance with the approved details.

In the interest of protected species in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

12) No demolition works shall take place (including any ground works, site or vegetation clearance), until a method statement for the prevention of unnecessary suffering to foxes and rabbits has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the: a) Purpose and objectives for the proposed works; b) Working method, including timings, necessary to achieve stated objectives; c) Extent and location of proposed works shown on appropriate scale plans; d) Provision for species rescue; e) Persons responsible for implementing works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works. The works shall be carried out in accordance with the approved details

In the interest of mammals found on site in accordance with policy SP11 of the Sevenoaks District Council Core Strategy

13) Within six months prior to the commencement of development, a barn owl survey shall be carried out and the results along with any necessary mitigation measures will be submitted to and approved in writing by the Local Planning Authority. The measures will include: a) Provision for update surveys prior to commencement of development; b) Replacement temporary and permanent nesting provision for any lost as a result of the development works, with reference to The Barn Owl Trust guidance. The measures shall be implemented in accordance with the approved details.

In the interest of protected species in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

14) Prior to first occupation of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with native species planting and the provision of hedgehog holes in boundary features. The approved details will be implemented and thereafter retained.

In the interest of the biodiversity of the area in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

15) Prior to the commencement of the development details of the works to all hedges within the red line boundary shall be submitted to the Local Planning Authority and approved in writing. The details shall include: (i) All hedging to be removed from site and the ecological implications and method of removal, (ii) replacement and mitigation measures for all hedging removed from the application site. The proposed development shall be carried out in accordance with the approved method and mitigation measures.

In the interest of the biodiversity of the area in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

16) Prior to the commencement of the development hereby approved, a phase 2 intrusive investigation contaminated land assessment and associated remedial strategy, together with a timetable of works, shall be submitted to and approved by the Local Planning Authority. The details shall include: a) A site investigation report detailing all intrusive investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. b) Approved remediation works shall be carried out in full on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. c) Upon completion of the works, this condition shall not be discharged until a closure/validation report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure/validation report together with the necessary documentation detailing what waste materials have been removed from the site.

To ensure that development of the land does not result in pollution of the environment in accordance with the aims of the National Planning Policy Framework.

17) Prior to development above slab level a detailed acoustic assessment shall be submitted to and approved in writing by the local planning authority. The assessment shall measure the perceived noise level and include any required mitigation measures if necessary. The proposed mitigation measures shall be implemented prior to the first occupation of the dwellings hereby approved.

In the interest of amenity in accordance with policy EN2 of the Sevenoaks District Council Allocation and Development Management Plan.

18) Prior to the commencement of the development details of the proposed discharge of foul water 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.

To ensure that development of the land does not result in pollution of the environment in accordance with the aims of the National Planning Policy Framework.

19) The proposed development shall be carried out in accordance with the approved Bellamy Wallace Partnership Drainage Strategy Report and associated drainage details unless otherwise approved in writing.

To ensure that development of the land does not result in pollution of the environment in accordance with the aims of the National Planning Policy Framework.

20) Prior to the first occupation of Barn 5 hereby approved, details of the boundary treatment between Barn 5 and Claydene Farmhouse shall be submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be installed prior to first occupation of that unit and maintained as such thereafter.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

21) Prior to the first occupation of the dwellings hereby approved parking provision as shown on approved plan no. 19-14-211-RevD shall be provided and maintained as such thereafter.

In accordance with policy T2 of the Sevenoaks District Council Allocation and Development Management Plan.

22) Prior to the bring the development hereby approved into first use and occupation the provision and maintenance of the visibility splays and access shown on the submitted plans 10203/103 B shall be provided at 2.4 metres x 115 metres, with no obstruction 0.6 metres above carriageway level within the splay. The visibility splays shall be maintained as such thereafter.

In the interest of highway safety.

23) The proposed hard and soft landscaping plans shall be implemented in accordance with the Materials, Furniture and Planting Palette 501 - Rev A and the Landscape Design and Access - Addendum including plan 19-14-211-Rev D. Any alterations to the landscaping shall be submitted to and approved in writing by the local planning authority. If any part of the approved landscaping scheme is removed, dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the local planning authority within the next planting season. The approved details shall be implemented prior to bringing the development hereby approved into first use and maintained as such thereafter.

To enhance the visual appearance of the area as supported by EN5 of the Sevenoaks Allocations and Development Management Plan.

24) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 426 P 2, 19-14-211 - Rev D, 19-14-161, 10203/101 Rev B, 10203/103 Rev B, 10203/102 Rev B, K1986 - BWP - ZZ-XX- DR - D -0101 - P01, K1986 - BWP - ZZ- XX -DR -D - 0102 - P01, K1986 - BWP - ZZ - XX - DR - D - 0100 - P1, K1986 - BWP - ZZ - XX - DR - D - 0100 - P01, 415 P 3, 425 P 2, 424 P 2, 423 P 3, 421 P 2, 420 P 1, 419 P 2, 414 P 2, 411 P 2, 410 P 2, 407 P 2, 403 P 2, 406 P 2, 404 P 1, 417 P 1, 416 P 1, 413 P 1, 409 P 1, 408 P 1, 405 P 1, 401 P 1, 400

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

25) The ground floor windows along the south east side elevation of barn 2 to serve the en suite shall be obscure glazed and fix shut up to 1.7m from finished floor level. The proposed ground and first floor opening along the north west side elevation of barn 3(b) shall be obscure glazed and fixed shut up to 1.7m from finished floor level. The obscure glazing and fixed shut windows shall be maintained at all times.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

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.

Foreword

- 1 Application 19/02474/FUL at Claydene Farm, Hartfield Road, Cowden, KENT, TN8 7HF was heard at the 13th of February 2020 Development Control Committee. The proposal sought:

'Conversion of redundant agricultural Buildings to form 9 new residential units. Demolition of outbuildings. Landscaping works with new access and access alterations'.

- 2 Members agreed to the following resolution:

- A) That planning permission be GRANTED subject to the following conditions and a legal agreement to secure the contribution to affordable housing for either:
- a) An onsite policy compliant provision, or
 - b) A payment in lieu of affordable housing for provision of affordable housing elsewhere, calculated in accordance with the Affordable Housing SPD 2011.

OR

- B) In the event that, using all reasonable endeavours, the legal agreement referred to in recommendation A is not completed within 4 months of the

meeting the Development Control Committee, the Chief Planning Officer be authorised to REFUSE the application for the following reason:

The application fails to make a contribution to affordable housing, contrary to policy SP3 of the Core Strategy.

- 3 The principle of the development was discussed and agreed by members.
- 4 The resolution required that all reasonable endeavours were required to reach an agreement. In light of Coronavirus, and the need to seek independent advice, the matter has been delayed past the 4-month time period given. In adopting reasonable endeavors to secure an agreement, the matter can return for the Committee's consideration with regard to the affordable housing offer, in accordance with part (b) of resolution A.
- 5 Members are asked to agree the acceptability of the proposed affordable housing contribution, which in this case is a financial contribution of £450,000 for the provision of affordable housing elsewhere in the District.
- 6 For reference the original committee report is appended to this report.

Description of Site

- 7 Claydene Farm is located to the south west of Hartfield Road and is comprised of an agricultural unit. The agricultural unit is comprised of 8 barns and other various outbuildings, structures and enclosures. The barns are set back from the road, however are visible due to the low rise hedging and the flat topography of the area.
- 8 The barns vary in height, bulk and design. The height varies from two storey to single storey with built form fluctuating in shape, form and materiality. The site is covered in informal hardstanding and is covered in debris.
- 9 An existing access is located off of Hartfield Road which is flanked by hedges and a low rise stone/brick wall.

Description of Proposal

- 10 Conversion of redundant agricultural buildings to form 9 new residential units. Demolition of outbuildings. Landscaping works with new access and access alterations.

Relevant planning history

- 11 19/02252/HOUSE - Proposed demolition of existing outbuilding, garage and rear extension, single storey rear and side extension with roof lantern, replacement double garage, new porch, Juliette balcony and alterations to fenestration - GRANTED.

Policies

- National Planning Policy Framework
- National Planning Policy Guidance

12 Core Strategy (CS)

- SP3 Provision of Affordable Housing

13 Other:

- Affordable Housing Supplementary Planning Document (2011)
- Update to Affordable Housing Supplementary Planning Document (2019)

Constraints

14 The following constraints apply:

- Green Belt - GB
- High Weald Area of Outstanding Natural Beauty - AONB
- Public Right of Way - PROW

Chief Planning Officer's Appraisal

15 Principle issue:

- Affordable Housing Provision

Affordable Housing provision:

16 As identified in the original officer report the application site exceeds 0.5 hectares and represents a major development. As such, and in accordance with the guidance of the National Planning Policy Framework and Policy SP3 of the Sevenoaks District Council Core Strategy an affordable housing contribution shall be sought.

17 The application site is located in the High Weald Area of Outstanding Natural Beauty. In accordance with the Affordable Housing SPD update (2019), the affordable housing contribution in this case should be provided in the form of a financial contribution, rather than an onsite contribution.

18 The site is located in a rural area with development of a unique nature which is likely to be unattractive to an affordable housing provider. As such, a financial contribution is accepted in this case.

19 The Government's Planning Practice Guidance, and the Council's Affordable Housing SPD acknowledge that an applicant can submit a viability case with their application.

20 The applicant has put forward that the scheme cannot support the extent of contribution required by the formula in the Affordable Housing SPD. As a result, a viability assessment was submitted for consideration by DHA Planning Ltd, supported by appropriate RICS valuations. The viability assessment was independently tested by Adams Integra on behalf of the Local Planning Authority. Discussion around an appropriate inputs was held, for example due to the variance in market values relating to the nature of the scheme being bespoke barn conversions.

- 21 Having considered all relevant factors in line with the principles set out in the Government's Planning Practice Guidance and local policy, the Local Authority and the applicant came to the agreement of a contribution of £450,000. The payment would be due upon completion of the development and this would be secured through a Section 106 legal agreement.

Conclusion

- 22 A financial contribution in lieu of affordable housing is considered appropriate and policy compliant in this case. It is considered that the offer of £450,000 has been appropriately tested and is the maximum reasonable viable contribution in this case.
- 23 It is therefore recommended that the contribution be agreed and planning permission granted subject to the S106 agreement to secure the payment and the planning conditions described above.

Background papers

N/A

Contact Officer(s):

Emma Gore 01732 227000

Richard Morris
Chief Planning Officer

Appendix 1 Original report from Development Control Committee held on 13th February 2020

Appendix 1

4.3 19/02474/FUL

Date expired 9 December 2019

Proposal:

Conversion of redundant agricultural Buildings to form 9 new residential units. Demolition of outbuildings. Landscaping works with new access and access alterations.

Location:

Claydene Farm, Hartfield Road, Cowden KENT TN8 7HF

Ward(s):

Cowden & Hever

Item for decision

The application has been referred to Development Control Committee by Councillor Dickins so members can assess the impact of the development to the High Weald Area of Outstanding Natural Beauty.

RECOMMENDATION:

- A) That planning permission be GRANTED subject to the following conditions and a legal agreement to secure the contribution to affordable housing for either:
- a) An onsite policy compliant provision, or
 - b) A payment in lieu of affordable housing for provision of affordable housing elsewhere, calculated in accordance with the Affordable Housing SPD 2011.

OR

- B) In the event that, using all reasonable endeavours, the legal agreement referred to in recommendation A is not completed within 4 months of the meeting the Development Control Committee, the Chief Planning Officer be authorised to REFUSE the application for the following reason:

The application fails to make a contribution to affordable housing, contrary to policy SP3 of the Core Strategy.

- 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, D or E of Part 1 of Schedule 2 of the 2015

(Item No 4.4)

Order (as amended), or any enclosure other than those approved shall be permitted by Class A of Part 2 of the 2015 Order (as amended) shall be carried out or made to the dwellings and development hereby approved without the grant further planning permission by the local planning authority.

To prevent inappropriate development in the Green Belt as supported by GB7 of the Sevenoaks Allocations and Development Management Plan.

- 3) No development shall take place until details of tree protection measures for all retained trees have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and the approved protection measures retained throughout the course of the development.

To prevent damage to the retained trees during the construction period of the dwelling as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 4) Prior to bringing the development hereby approved into first use details of a scheme to show the provision of electric vehicle charging points, including the proposed location, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging point shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan.

- 5) Prior to the installation of glazing on the residential dwellings, full details of the type of glazing and mitigation measures to be installed to prevent light spillage should be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and once implemented the approved details shall thereafter be retained as approved.

In the interests of the dark skies of the Area of Outstanding Natural Beauty in accordance with policy EN5 of the Sevenoaks District Council Allocation and Development Management Plan.

- 6) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of; - a programme of building recording in accordance with a written specification and timetable, - a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The programme of building recording, written specification, timetable and watching brief shall be in accordance with a written programme and specification which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the aforementioned approved details.

To ensure that features of archaeological interest are properly examined and recorded in accordance with policy EN4 of the Sevenoaks District Council Allocation and Development Management Plan.

- 7) Prior to first occupation of the development hereby approved all demolition as indicated on plan 400 P 1 shall be undertaken and all resultant materials removed from the land.

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- 8) No development shall be carried out on the land until details of the materials to be used in the cladding of the external surfaces of the converted barns hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

To ensure that the appearance of the development enhances the character and appearance of the High Weald Area of Outstanding Natural Beauty as supported by Policy EN5 of the Sevenoaks Allocations and Development Management Plan.

- 9) If the demolition of each of the buildings hereby approved does not commence within 2 years from the date of the submitted bat surveys (summer 2019) under application 19/02474/FUL, further ecological surveys shall be undertaken to: i) establish if there have been any changes in the presence and/or abundance of bats, and ii) identify any likely ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, a Biodiversity Method Statement, detailing all necessary ecological mitigation/compensation measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of demolition. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable, unless varied by a European Protected Species licence subsequently issued by Natural England.

In the interest of protected species in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

- 10) No external lighting shall be installed within the red line site plan as illustrated on plan 100 P 2 or on any elevation of the approved dwellings without seeking approval in writing from the local planning authority. Prior to the use of the first building a "lighting design strategy for biodiversity" for the site will be submitted to and approved in writing by the local planning authority. The lighting strategy will: a) Identify those areas/features on site that are particularly sensitive; b) Show how and where external lighting will be installed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' (Bat Conservation Trust and Institute of Lighting Professionals); All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy. Such details shall include proposed location(s), height, type and

direction of light sources. The development shall be carried out in accordance with any approved details and maintained thereafter.

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In the interest of mammals found on site in accordance with policy SP11 of the Sevenoaks District Council Core Strategy

- 13) Within six months prior to the commencement of development, a barn owl survey shall be carried out and the results along with any necessary mitigation measures will be submitted to and approved in writing by the Local Planning Authority. The measures will include: a) Provision for update surveys prior to commencement of development; b) Replacement temporary and permanent nesting provision for any lost as a result of the development works, with reference to The Barn Owl Trust guidance. The measures shall be implemented in accordance with the approved details.

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- 14) Prior to first occupation of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with native species planting and the provision of hedgehog holes in boundary features. The approved details will be implemented and thereafter retained.

In the interest of the biodiversity of the area in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

- 15) Prior to the commencement of the development details of the works to all hedges within the red line boundary shall be submitted to the Local Planning Authority and approved in writing. The details shall include: (i) All hedging to be removed from site and the ecological implications and method of removal, (ii) replacement and mitigation measures for all hedging removed from the application site. The proposed development shall be carried out in accordance with the approved method and mitigation measures.

In the interest of the biodiversity of the area in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

- 16) Prior to the commencement of the development hereby approved, a phase 2 intrusive investigation contaminated land assessment and associated remedial strategy, together with a timetable of works, shall be submitted to and approved by the Local Planning Authority. The details shall include: a) A site investigation report detailing all intrusive investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. b) Approved remediation works shall be carried out in full on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. c) Upon completion of the works, this condition shall not be discharged until a closure/validation report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure/validation report together with the necessary documentation detailing what waste materials have been removed from the site.

To ensure that development of the land does not result in pollution of the environment in accordance with the aims of the National Planning Policy Framework.

- 17) Prior to development above slab level a detailed acoustic assessment shall be submitted to and approved in writing by the local planning authority. The assessment shall measure the perceived noise level and include any required mitigation measures if necessary. The proposed mitigation measures shall be implemented prior to the first occupation of the dwellings hereby approved.

In the interest of amenity in accordance with policy EN2 of the Sevenoaks District Council Allocation and Development Management Plan.

- 18) Prior to the commencement of the development details of the proposed discharge of foul water 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.

To ensure that development of the land does not result in pollution of the environment in accordance with the aims of the National Planning Policy Framework.

- 19) The proposed development shall be carried out in accordance with the approved Bellamy Wallace Partnership Drainage Strategy Report and associated drainage details.

To ensure that development of the land does not result in pollution of the environment in accordance with the aims of the National Planning Policy Framework.

- 20) Prior to the first occupation of Barn 5 hereby approved, details of the boundary treatment between Barn 5 and Claydene Farmhouse shall be submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be installed prior to first occupation of that unit and maintained as such thereafter.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 21) Prior to the first occupation of the dwellings hereby approved parking provision as shown on approved plan no. 19-14-211-RevD shall be provided and maintained as such thereafter.

In accordance with policy T2 of the Sevenoaks District Council Allocation and Development Management Plan.

- 22) Prior to the bring the development hereby approved into first use and occupation the provision and maintenance of the visibility splays and access shown on the submitted plans 10203/103 B shall be provided at 2.4 metres x 115 metres, with no obstruction 0.6 metres above carriageway level within the splay. The visibility splays shall be maintained as such thereafter.

In the interest of highway safety.

- 23) The proposed hard and soft landscaping plans shall be implemented in accordance with the Materials, Furniture and Planting Palette 501 - Rev A and the Landscape Design and Access - Addendum including plan 19-14-211-Rev D. Any alterations to the landscaping shall be submitted to and approved in writing by the local planning authority. If any part of the approved landscaping scheme is removed, dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the local planning authority within the next planting season. The approved details shall be

implemented prior to bringing the development hereby approved into first use and maintained as such thereafter.

To enhance the visual appearance of the area as supported by EN5 of the Sevenoaks Allocations and Development Management Plan.

- 24) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 426 P 2, 19-14-211 - Rev D, 19-14-161, 10203/101 Rev B, 10203/103 Rev B, 10203/102 Rev B, K1986 - BWP - ZZ-XX-DR- D -0101 - P01, K1986 - BWP - ZZ- XX -DR -D - 0102 - P01, K1986 - BWP - ZZ - XX - DR - D - 0100 - P1, K1986 - BWP - ZZ - XX - DR - D - 0100 - P01, 415 P 3, 425 P 2, 424 P 2, 423 P 3, 421 P 2, 420 P 1, 419 P 2, 414 P 2, 411 P 2, 410 P 2, 407 P 2, 403 P 2, 406 P 2, 404 P 1, 417 P 1, 416 P 1, 413 P 1, 409 P 1, 408 P 1, 405 P 1, 401 P 1, 400 P 1, 100 P 2, 501 A, 19-14-211-RevD, Protected species report amended, Design and Access Statement

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

- 25) The ground floor windows along the south east side elevation of barn 2 to serve the en-suite shall be obscure glazed and fix shut up to 1.7m from finished floor level. The proposed ground and first floor opening along the north west side elevation of barn 3(b) shall be obscure glazed and fixed shut up to 1.7m from finished floor level. The obscure glazing and fixed shut windows shall be maintained at all times.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

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 Claydene Farm is located to the south west of Hartfield Road and is comprised of an agricultural unit. The agricultural unit is comprised of 8 barns and other various outbuildings, structures and enclosures. The barns are set back from the road, however are visible due to the low rise hedging and the flat topography of the area.
- 2 The barns vary in height, bulk and design. The height varies from two storey to single storey with built form fluctuating in shape, form and materiality. The site is covered in informal hardstanding and is covered in debris.

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- 3 An existing access is located off of Hartfield Road which is flanked by hedges and a low rise stone/brick wall.

Description of proposal

- 4 Conversion of redundant agricultural buildings to form 9 new residential units. Demolition of outbuildings. Landscaping works with new access and access alterations.

Relevant planning history

- 5 19/02252/HOUSE - Proposed demolition of existing outbuilding, garage and rear extension, single storey rear and side extension with roof lantern, replacement double garage, new porch, Juliette balcony and alterations to fenestration - GRANTED.

Policies

- 6 National Planning Policy Framework (NPPF)

- 7 Core Strategy (CS)

- LO1 Distribution of Development
- LO8 The Countryside and the Rural Economy
- SP1 Design and New Development and Conservation
- SP2 Sustainable Development
- SP3 Provision of Affordable Housing
- SP7 Housing Density
- SP8 Economic Development and Land for Business
- SP11 Biodiversity

- 8 Allocations and Development Management Plan (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- EN6 Outdoor Lighting
- EMP5 Non Allocated Employment Site
- GB7 Re-use of a Building within the Green Belt
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

- 9 Other:

- Development in the Green Belt SPD
- The High Weald AONB Management Plan 2019 -2024
- Sevenoaks District Council Landscape Management Plan

- High Weald Housing Design Guide: Building better, building beautiful in the AONB

Constraints

10 The following constraints apply:

- Green Belt - GB
- High Weald Area of Outstanding Natural Beauty - AONB
- Public Right of Way - PROW

Consultations

11 Cowden Parish Council -

12 “Members of the Planning Committee of Cowden Parish Council have recently considered the planning application referenced above and have raised several concerns in respect of the proposed development.

13 Members expressed concerns in respect of the significant detrimental impact that the proposed development would have upon the openness of the Green Belt as a result of its design, scale and volume:

14 Design- Sevenoaks District Council issues guidance on the re-use of buildings in the Green Belt. Section 4 of SDC’s Development in the Green Belt SPD, for example, seeks to achieve the sympathetic conversion of traditionally-built farm buildings in order to retain, as far as possible, their original character. Whilst the plans as proposed strive to achieve the retention of the original buildings’ character, because the existing buildings are characterless, Members considered that in this instance the result was similarly without character and totally unsympathetic to the local area. It was suggested, for instance, that in this specific case a small residential development of well-designed houses with less overall bulk and dominance might be a more preferable route.

15 Access- Safe vehicle access to and from the proposed development onto the busy B2026 Hartfield Road was also raised by Members. However, Members noted that Kent Highways have overall responsibility for this aspect.

16 Openness of the Greenbelt- This proposal represents a significant new development within both the Parish and the Ward. Over recent years, other development has been undertaken within the vicinity of this site and Members are concerned that the development’s size and significance will compound infilling and the associated impact that this would bring to the openness of the Green Belt. One of the larger conversion plans applying to the Dutch barn, currently an open structure, would result in a closed structure if the plans were approved. In recent years there have been large and incremental developments in close proximity to this proposal that have

changed the character of this area. It is considered that this proposal will exacerbate that and there were concerns that future development may result in further infilling.

- 17 Decision- As submitted, Members of Cowden Parish Council would not support this application based upon its detrimental impact upon the openness of the Green Belt as a result of its bulk and scale which Members believe are in contravention of planning policies GB7 and GB4.
- 18 However, Members, would consider another application for development at this site which provided for a smaller, more aesthetically pleasing development with a clear reduction in bulk and scale.
- 19 The Parish Council has reviewed responses submitted to Sevenoaks District Council from Cowden residents in respect of the proposed development and their comments are noted.
- 20 Members resolved not to support this application.”
- 21 Environment Agency -
- 22 “We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.”
- 23 Natural England -
- No comment
- 24 Environmental Health -
- 25 1st Response:
- 26 Objection - “The applicant has not submitted a phased contaminated land assessment and whilst this could be required by condition a comprehensive assessment will be required due to the former use of the site.
- 27 It appears that a commercial concern is in operation nearby, therefore the applicant should have regard to paragraph 182 of the National Planning Policy Framework and associated planning practice guidance. This would indicate a significant acoustic assessment is required not just to quantify the impact of noise on the future residents but to ensure that those residents do not impose any unreasonable restrictions on any business.
- 28 At the moment there is insufficient information for me to support this application.”
- 29 2nd Response:
- 30 “Environmental Health have no further comments or observations since our previous comments made on the 1st October 2019’.
- 31 ‘Please disregard the comments of the 22nd October, as a phase 1 investigation has now been undertaken, as identified by the investigation the applicant should submit a remediation strategy to be agreed in writing

by the local planning authority. On completion of remedial works and soil importation the applicant shall submit a verification report to demonstrate that all necessary remedial works have been undertaken, to be agreed in writing by the local planning authority prior to first habitation of the dwellings.

- 32 My comments regarding the need for an acoustic assessment are as previously stated”.
- 33 Clarification: “Sorry for the confusion. As the report identified that further investigation was required Colin’s earlier comments remained unaddressed. My fault and I should have clarified.
- 34 The submitted phase one assessment has identified a number of concerns and recommendations that an intrusive investigation will be required and potentially a remediation strategy submitted. As before could be required by condition, as could the requirement for an acoustic assessment as suggested by Colin’.
- 35 Further Clarification: “With reference to my email below concerning possible conditions for acoustic assessment and intrusive investigation for ground contamination, I am happy for these to be required as pre-commencement conditions.”
- 36 KCC West Kent Public Rights of Way -
No response
- 37 Southern Water -
No response
- 38 SDC Tree Officer -
- 39 “I refer to the above application. I have visited the site and have studied the plans provided and have made the following observations:
- 40 I can inform you that there are no protected trees located at this site and it is not situated within a conservation area. The principle trees located at this site are all situated besides the pond including a mature willow and a young Oak tree. According to the plan provided, drawing no. 401, these trees are shown to be retained. I also note from the demolition plan, that several buildings are to be demolished including barn 7 and barn 8. These works would be taking place within the RPA’s of both trees. I recommend that the developer provides further information as to how these works are to take place without damaging these trees. Other than this, I have no further objections to the proposed development.”
- 41 2nd Consultation -
- 42 “I refer to the above application. I have visited the site and have studied the plans provided and have made the following observations:

- 43 I refer to my previous comments dated 23rd September. Having viewed the amended plans, the layout appears to be similar to those previously submitted. Therefore, my comments remain the same.”
- 44 KCC Ecology -
- 45 KCC Ecology have provided a series of comments. The final comments can be seen below, these have been summarised for brevity:
- 46 “The amended *Protected Species Report* has been submitted. The amendments relate to the great crested newt section of the report. Bats With regards to bats, our previous advice remains valid and we suggest condition wording below...
- 47 The amended *Protected Species Report* clarifies that the grassland in the south of the site has been taken account of in the evaluation of potential ecological impacts. Further information outlining the proposed approaches to mitigation/compensation for impacts to great crested newts has been provided, with Figure 4 of the report showing the proposed location of the great crested newt receptor area.
- 48 With reference to our previous advice note, we advise that in relation to the ‘third test’, the information provided is sufficient for us to conclude that the favourable conservation status of great crested newts can/will be met in the proposed scheme.
- 49 We do note that the submitted landscaping arrangements show the proposed receptor area as ‘species rich amenity lawn’. The use of and habitat enhancement measures within the receptor area will be secured within the European protected species mitigation licence (EPSML) so we do not consider it necessary for amendments to be sought at this time. It should though be noted that the currently submitted landscaping will be subject to changes as a result of EPSML requirements.
- 50 Other mammals- To ensure that appropriate measures are implemented to minimise the potential for harm and/or unnecessary suffering of badgers, foxes and rabbits, we advise that the submission and implementation of a method statement is secured by condition, if planning permission is granted.
- 51 Badgers - suggested condition wording... Foxes and rabbits - suggested condition wording...
- 52 Barn owl protection - suggested condition wording...
- 53 Other matters not addressed in the *Protected Species Report*:
No information has been provided to address our previous query: A new entrance and access road to the site is included within the proposed development, this will result in the loss of a small section(s?) of hedgerow and grassland. We advise that further information is sought to ensure that the potential ecological impacts of these aspects of the proposal can be addressed.

- 54 Ecological enhancements- The proposed development provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting and the installation of bat/bird nest boxes. We advise that measures to enhance biodiversity, in addition to all necessary mitigation/compensation measures, are secured as a condition of planning permission, if granted. This is in accordance with Paragraph 175 of the NPPF *“opportunities to incorporate biodiversity improvements in and around developments should be encouraged”*.
Ecological enhancements - suggested condition wording...”
- 55 Hever Parish Council -
- 56 “As a neighbouring parish, Hever Parish Council planning committee make the following comments for your consideration;
1. Noting that Miller Architects have submitted separate applications for the conversion of the barns from the farm house refurbishment.
 2. Although the site is currently unsightly, any development should be in proportion to the surrounding area and properties. The high intensity development on previous agricultural land may be contrary to LO8.
 3. For CIL purposes it is suggested this should be nil, as leases prove an agricultural use has occurred for at least 6mths in the last 3 years. However, the actual application form states it to be a redundant dairy farm which is a contradiction to the first statement.
 4. The Government’s Planning Policy Statement PPS1 sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. In our view is a unsustainable location, no footpaths, public transport etc. and this location is not sustainable due to the absolute reliance on the ownership of a private car for every aspect of daily life - schooling, shops, employment, medical services etc. The proposal is contrary to Policy SC1 and EN1, which states that proposals must ensure satisfactory means of access for pedestrians.
 5. What is the proposed provision of rural affordable units? Noting Policy SP3 of the Core Strategy.
 6. We note that a comparable site, Eden Hall (Conversion of a Convent) down the road is still in the main unsold after a year post completion.”
- 57 Local Lead Flood Authority -
- 58 1st response -
- 59 “Unfortunately no surface water drainage strategy has been provided for the proposed development. We would therefore recommend the application is not determined until a complete surface water drainage strategy has been provided for review”
- 60 2nd response -

- 61 “Kent County Council as Lead Local Flood Authority have reviewed the application and understand the application falls outside our remit as statutory consultee. Although it is outside our remit, we have the following comments to make:
- 62 The application has provided a detailed drainage strategy which proposes to attenuate and discharge at a controlled rate into an existing ditch onsite of which we agree with these principles. We would advise however that prior to occupation, a suitable maintenance schedule is provided and implemented for the lifetime of the development.
- 63 It is also apparent that the development proposes to discharge treated foul water into the existing ditch. While we do not comment on foul water disposal, we would advise that the EA are consulted with regards to this proposal.
- 64 We would have no objection in principle to the proposed development but recommend the LPA considers the above comments when determining the application.”
- 65 KCC Highways -
- 66 1st Response -
- 67 “The proposal is for the conversion of redundant agricultural buildings to form 9 residential units (2 x 2 bed, 3 x 3 bed, 3 x 4 bed and 1 x 5 bed), providing 17 car parking spaces, 30 cycle parking spaces and a new access from Hartfield Road, Hartfield is subject to a 50mph speed limit in the vicinity of the site. The existing accesses are proposed to be stopped up due to the restricted visibility and a new access is proposed.
- 68 Visibility splays of 2.4 metres x 115 metres are proposed. The desired minimum deceleration would require visibility splays of 147 metres in both direction. It is clear that this length of splay is not achievable due to the bend in the road. I am minded to accept the proposed visibility splays of 2.4 metres x 115 metres, with no obstruction 0.6 metres above carriageway level within the splay.
- 69 Public Right of Way SR667 passes through the site along the existing access route. I suggest that colleagues in KCC PROW are consulted to ensure that a safe passage for all pedestrians along the route is maintained. I suggest that an internal footpath is incorporated between barn 2 and 5 to ensure conflicts to not arise between pedestrians and vehicles.
- 70 17 car parking spaces are proposed, which in line with IGN3 parking standards, of 1.5 spaces per 2 bed unit and 2 independently accessible spaces for units 3 bed and above. However, no visitor parking has been proposed. Due to the location of the site, I suggest a minimum of 20% is provided on site. 30 cycle parking spaces are proposed which is in line with SPG4 standards.

- 71 Scale measurements of the access indicate a road width of 4.3 metres. The belmouth entrance abutting the highway is approximately 13.4 in width. Tracking for refuse and emergency vehicles has been provided as part of the TA, which indicates that the proposed access would mean that larger vehicles would traverse on to the opposite side of the road when existing the site. The tracking indicates that the access route is not wide enough to accommodate a refuse freighter and any other vehicles travelling in the opposing direction.
- 72 I am concerned about the narrow nature of the access, which would require widening to 4.8 metres minimum or provide passing places. Due to the undulating nature of the access route, I would prefer for the access road to be widened to safely accommodate two vehicles. The road north of the turning head requires widening as the tracking indicates some conflict where a freighter would be required to stop to reverse. The turning movement would overrun the road boundary on either side.
- 73 Clear visibility will be required for vehicles exiting spaces for barns 4b and 4c, which currently has some restrictions due to the bend in the road heading north.
In line with the above, in order that I may fully assess the highway implications I shall require further information in respect of: Visitor parking spaces within the development at a minimum of 20% provision on site; Widening of the access at the junction with Hartfield Road to enable easier movement of large vehicles to avoid conflicts with traffic travelling in the opposite direction; Widening of the access to a minimum of 4.8 metres to allow two vehicles to pass; Realignment to ensure suitable visibility at barns 4b and 4c and remove conflicts of large vehicles reversing at the turning area.
- 74 I shall also be grateful if you will allow an extension of time to the normal consultation period in order that the highway implications of this proposal can be properly assessed. I will let you have my comments as soon as possible”.
- 75 2nd Response -
- 76 “Further to my previous comments dated 8 October 2019 on the above planning application I confirm that I now raise no objection on behalf of the local highway authority.
- 77 Additional visitor car parking spaces have been included to the site layout which is considered acceptable. The access has been widened to 5.5 metres with a junction radii of 10.5 metres.
- 78 Tracking indicates that some encroachment on to the opposite side of Hartfield Road still occurs, but this is deemed acceptable. The access route has been winded to 4.8 metres to enable to vehicles to pass. In addition, the turning area has been amended to enable greater visibility”.

- 79 Kent Wildlife Trust -
- 80 No response
- 81 KCC County Archaeology -
- 82 “Thank you for your letter consulting us on the above planning application for conversion of redundant agricultural buildings to form 9 residential units and associated works.
- 83 The farm complex is identifiable on the 1st Ed OS map and may be of post medieval or earlier origins. Remains associated with post medieval activity may survive on site. In view of the archaeological potential, I recommend the following conditions are placed on any forthcoming consent...”
- 84 Environment Agency -
- 85 “We have no comments”
- 86 KCC Economic Development -
- 87 Request for funds as a result of development

Representations

- 88 1 letter neither supporting nor objecting to the scheme has been received related to the following issues:
- Generally in support of the application.
 - Located in an AONB and in the setting of listed buildings, design should be sensitive.
 - Barn 4 is large and dominate in the landscape, the height of the barn should be reduced.
- 89 4 letters of objection have been received relating to the following issues:
- Design would not be in keeping with the local area.
 - Density and type of housing proposes is too high for local amenities to support.
 - Limited parking in rail station to handle commuters.
 - Highway risks due to blind bend.
 - Too many graded planning permissions in the local vicinity.
 - Site is currently untidy and dangerous, to have 9 houses on the site would make it more unsightly.
 - Road is busy and dangerous.
 - Houses would alter the natural beauty of the landscape.
 - Limited public transport.
 - Local services are full (i.e. schools).
 - No need for additional housing.
 - Highway safety risks.

- Noise as a result of additional traffic would be unacceptable.
- Light pollution due to additional traffic.
- Scale of the development would not conserve or enhance the AONB landscape.
- Harm to the open character of the Green Belt.
- No need for additional housing as other developments have not sold out and no record of such an intense redevelopment in the local area.
- Application should be considered as a major development not minor.
- Proposal ignores local and national design guidance in regard to developments in the Green Belt and AONB.
- Material impact to the openness of the Green Belt and harm to existing character of the area.
- Development out of character with the area.
- Material increased negative impact at the apex of the ridgeline in an AONB.
- The redevelopment of barn 4 represents incongruous and dominate built form.

Chief Planning Officer's Appraisal

90 The main planning considerations are:

- Principle of development
- Impact to the Green Belt
- Impact to the Area of Outstanding Natural Beauty
- Impact to the design and character of the area
- Impact to neighbouring amenity
- Impact to highways and parking
- Other
- Affordable Housing
- Biodiversity
- Trees and Landscaping
- Area of Archaeological Potential
- Drainage
- Public Rights of Way

Principle of development

91 Whilst the National Planning Policy Framework (NPPF) places an emphasis on development on previously developed land, it does not preclude other land, from being developed for residential use, provided such development is in suitable locations and relates well to its surroundings.

92 Para 122 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting or of promoting regeneration and change.

93 Policy LO1 of the Core Strategy identifies that development would be focused within the built confines of existing settlement. In locations outside
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- 94 of defined settlement the policy allows development to take place, only where it is compatible with policies for protecting the Green Belt and the High Weald Areas of Outstanding Natural Beauty.
- 95 Policy LO8 of the Core Strategy states that the countryside will be conserved and the distinctive features of these landscapes will be conserved and enhanced and protects the Green Belt.
- 96 Policy EMP5 of the ADMP seeks to protect existing employment sites. The site was previously utilised as a dairy farm which has ceased to operate. The site is not allocated for employment. In addition, due to the need for repair to meet modern agricultural standards significant investment would be required.
- 97 The site was marketed from May 2018 which included two large V boards on the farm yard facing towards the main road and further down the road. The site was also advertised in the 'South East Farmer' magazine, farmers weekly, Kent and Sussex Courier and Complete Land Management web-site.
- 98 The lot was divided up and larger parcels of land were sold off to private residents. The site had been marketed for the required 6 months. The site would require significant investment for farming purposes and the land was not purchased for farming during the marketing period. The proposal is considered to comply with policy EMP5 of the ADMP.
- 99 Local and National policy does seek to provide residential accommodation, subject to the impact to the impact to the Green Belt and AONB alongside other material planning considerations the development may be principally acceptable.

Green Belt

- 100 The application site is utilised for agricultural purposes and does not represent Previously Developed Land (PDL), in accordance with the NPPFs definition. As identified above the NPPF does not specifically exclude such land from development. Paragraph 146 of the NPPF also states:
- 101 'Certain other forms of development are also not inappropriate in the Green Belt providing they preserve its openness and do not conflict with the purposes of including land within it. These are... (d) the re-use of buildings provided that the buildings are of permanent and substantial construction'.
- 102 In addition, Policy GB7 of the Allocation and Development Management Plan does permit the re-use of buildings in the Green Belt subject to meeting various criteria. The agricultural units on site were constructed more than 10 years ago as they feature on aerial photography from 2009.
- 103 Criteria (a) of policy GB7 seeks to ensure that any new use of the land would not result in a materially greater impact to the open character of the Green Belt.

- 104 The proposal would result in the creation of 9 residential units. The use of the land would introduce a degree of residential paraphernalia to the landscape. However, the existing agricultural use also adds paraphernalia with agricultural practices and machinery.
- 105 The proposal would see the removal of a number of outbuildings and the enclosures of the silage clamps. In addition, large portions of the barns built form would also be removed. The site would see the loss of bulk and massing across the site as a result of the proposal.
- 106 Permitted development rights would be removed upon any approval which would provide control of any further development to prevent a loss of openness. The proposal is considered to comply with criteria (a) of policy GB7 of the ADMP.
- 107 Criteria (b) of policy GB7 states that the applicant must be able to demonstrate that the buildings are of permanent and substantial construction and capable of conversion without major reconstruction that would detract from their original character.
- 108 The applicant has submitted a detailed structural report and method statement as part of the application. The guidance to policy GB7 does state that 75% of the structures should be retained. The structural report submitted survey each of the barns located on site. The report concludes that 'overall the buildings are of good quality and, in our view, of permanent and substantial construction'.
- 109 The survey indicates that while some additional support and strengthening will be required in parts of the barns, at least 75% of the original structures would be retained. Indeed, the method statement does state that some underpinning would occur and a form of propping up during conversion would occur to maintain stability, but the structure would be retained.
- 110 The proposed structures would see some demolition, this is considered to be of benefit to the Green Belt. The buildings would also be re-clad. However, the structure and form of the barns would be retained. The form, bulk and massing would be maintained and thus the character of the original structure could still be observed.
- 111 Although the barns would be clad large portions of glazing would be introduced to retain the impression of openings. The cladding does not remove the structural integrity or 75% of the structure of the barns. The conclusions of appeal APPG/G2245/W/17/3181949, Land South of Vine Cottage, Grove Road, Penshurst, it is clear that recladding does not amount to re-building and so long as the structure remains in place that is considered adequate for the provision of local and national policy. Some of the barns roof do contain asbestos and as such the roofs may require replacement, however as stated above re-cladding rather than re-building.

- 112 Given that the barns are considered capable of conversion and are of permeant and substantial construction. The proposal is considered to comply with policy GB7 of the ADMP and paragraph 146 of the NPPF, as the sizes and proportions of the conversions would reflect the utilitarian character of the barns. The development is considered to be appropriate in the Green Belt and preserves openness.
- 113 Paragraph 146 of the NPPF is not as prescriptive as policy GB7. As identified above it is considered that the application complies with policy GB7 and would therefore comply with paragraph 146.
- 114 In addition, it is worth noting paragraph 143 and 144 of the NPPF which allows development if a case of very special circumstances outweighs the harm resulting from the development. While the application is considered policy compliant it is worth noting that the proposal would result in the loss of large degrees of built form. In addition, the enclosure of the silage clamps would be removed and the landscaping restored. As such, a case of very special circumstances could likely be utilised to justify development outside of the other supportive policy in this regard.

Impact to the Area of Outstanding Natural Beauty

- 115 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 116 There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.
- 117 Policy EN5 of the ADMP states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
- 118 The application site is located within the High Weald Area of Outstanding Natural Beauty. The natural beauty of the High Weald AONB is defined by 5 components in accordance with the Management Plan, these are; geology, landform and water systems, settlement, route ways, woodland and field and heath.
- 119 Paragraph 172 of the NPPF states that: '...Planning permission should be REFUSED for major developments⁵⁵ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public

interest'. While it is, in accordance with footnote 55 for the decision maker to determine what constitutes 'major development', in this instance the proposal will be assessed under the three tests below:

- a) The need for development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon, the local economy.
 - The proposal would provide additional housing for the district in accordance with the provisions and aims of the NPPF and local planning policy.
 - As assessed above a large degree of the land formally associated with the dairy farm was sold off. In addition, a large degree of investment would be required to bring the farm back into viable agriculture. The site was marketed for an appropriate period. The impact in regard to the conversion would provide some short term employment in construction but ultimately have a nil impact to the economy.

- b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - The site, although not previously developed, does contain built form and a degree of contamination. The impact of converting the site which already has impact on the landscape is preferred to the impact of building on Green Field sites.
 - The sites current condition provides a method of creating rural housing stock without further significant harm to Green Field sites in a District for which 60% of the land is covered by an AONB designation.

- c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
 - The proposal would offer the opportunity to remediate the contaminated land on site which would be of benefit to the environment.
 - As will be discussed below the application has been accompanied by an extensive landscaping plan which would see a net gain in trees and hedging across the site.
 - The proposal is located within the vicinity to a cluster of established built form and residential land uses.

120 It is considered that the proposal meets with the three test provided above and further assessment of the impacts to the AONB will be considered below.

121 Settlements and development form part of the character of the AONB with 'dispersed historic settlement including high densities of isolated farmsteads'. The site in question is a modern collection of farm buildings located on a historic farmstead. The AONB management plan identifies that such farmsteads form an intrinsic part of the character of the High Weald AONB.

- 122 Farmsteads in the High Weald have their origins in medieval farming which has led to irregular field patterns but also include more modern farmstead development in the industrial revolution. The High Weald Housing Design Guide identifies that:
- 123 ‘For development to reflect and enhance the character of the High Weald it must be designed to integrate into its setting. This means more than reflecting merely the visual appearance of the current setting, but includes understanding how the landscape and its settlements have evolved and why the area is the way it is today’.
- 124 The conversion of the existing barns allows for the development to reflect the design guidance for the AONB. While some of the buildings on site have modern origins some pre-date 1940 and the site itself appears as a farm unit in historic mapping. The County Archaeologist identifies that the site may have medieval farm links. The proposal would provide the opportunity to explore the archaeology of the area.
- 125 The retention and conversion of the unit would reflect the agricultural ties to the area and its historical development. The barns and buildings on site form part of the existing landscape and link to the areas historic farming context. The retention of the built form also allows the informal layout of the site to be maintained. The layouts density and form conserves the agricultural character rather than reflecting the more suburban residential development that can occur with redevelopment.
- 126 The conversion of the existing barns would retain the form, bulk and massing present on the existing landscape. The form of the buildings have clear agricultural ties with the linear, square and utilitarian appearance of the buildings. The conversion would conserve the existing character of the site.
- 127 The buildings do have a large scale which is typical of such farming units. Barn 4 is the tallest building on site with an unusual semi-circular roof form. The building is distinct. However, it sits within a group of buildings and does not stand alone or isolated. The site is located on a ridgeline however the siting to the edge of a field pattern in close proximity to other residential built form would not dominate the landscape.
- 128 The other barns have a more typical pitched gable roof form with low slung eaves. The conversion preserves and conserves the character of the landscape. The formalisation of the barns would create a more substantive building. However, this already forms part of the landscape and is reflective of the large agricultural buildings which are present in the vicinity.
- 129 The use of timber cladding would aid the development in weathering into the landscape. Timber is a typical material associated with the High Weald AONB. The materials proposed have a matt quality which would prevent reflection and conserve the character of the site and its impression on the landscape.

- 130 A loss of some associated farming paraphernalia including the silage clamps is welcome. The loss of such features does allow for parts of the landscape to be reclaimed. The loss of built form would also aid in opening up the site. Due to the existing layout the curtilages of the proposed dwellings would follow the irregular field pattern which is featured across the AONB.
- 131 The proposal has been accompanied by a landscape design and access statement and has been landscape lead. The proposal includes access routes which are curved to the buildings layout, curtilages have been designed to interface with the fields to include hedgerows. A significant degree of trees, landscaping and grass would be incorporated within the site which would result in a net gain for the area.
- 132 The application site is currently fairly un-tidy and has an appearance of neglect. The proposal would provide the opportunity improve the defined hedgerows and provide landscape management. Field gates to properties, brick walls, clay pavers, flint gravel paths, hot rolled asphalt with limestone chippings would be implemented. The materials for the landscaping would reflect the character and tonality of the area. The proposal would remove the neglected and untidy character of the site and enhance the landscape.
- 133 Residential development and glazing does result in light admittance into the AONB. However, the large glazing is design to reflect the large openings associated with the agricultural buildings and maintain the impression on the surrounding landscape.
- 134 Some mitigation measure for light admittance could be secure via condition. In addition, the removal of the rights for external lighting without prior consent could be conditioned upon approval to limit the impact. While vehicle headlight may add a degree of light to the area, given that Hartfield Road is a classified 'B' road vehicles can utilise the area and park on site.
- 135 The proposal is considered to conserve and enhance the AONB landscaping and would comply with policy EN5 and LO8 of the ADMP and Core Strategy.

Impact to the design and character of the area

- 136 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.
- 137 Hartfield Road is a long road which cuts through the rural countryside surrounding Edenbridge. A number of small settlements including Markbeece, Chiddingstone Hoath and Cowden are located in the vicinity. A number of small groups of residential dwellings can be observed while traveling along this road a number of which are converted farmsteads.
- 138 Policy SP7 of the Core Strategy recommends that housing development in rural locations should achieve a density of 30 dwellings per hectare (dph). The proposed development would result in 8dph. The site appears to have a dense environment. However, the dwellings would have a large scale and

footprint due to the conversion. The pattern of the development would not be dissimilar to Pylegate located to the north of the site.

- 139 The application site is formed of a farmstead with a number of modern agricultural buildings. To the opposite side of the road Pylegate has previously been subject to conversion of a former agricultural unit. A large scale modern agricultural barn is also located within Pylegate.
- 140 The character in the immediate vicinity has links to agriculture with varying design, form and massing. The site is surrounded by wide open countryside and the irregular field patterns typical of the area. The existing barns form a distinct part of the character of the area.
- 141 The proposed conversion of the agricultural units would result in some demolition of the built form. However, the overall bulk, scale and massing of the built form would be retained as would its impression on the character of the area. The distinctive semi-circular roof form of barn 4 would be maintained and the low pitched gabled roofs of the other barns retained.
- 142 The buildings would see formalisation which would provide a greater appearance of permanency. The formal timber cladding would be reflective of the former use of the buildings and the metal roofing would retain the form functionality of the built form. This would retain the character of the site in maintaining the modern agricultural form, massing and appearance.
- 143 The proposed openings, including windows and doors, would have irregular patterns with wide open glazed panels. The pattern of glazing would work to reflect the scale and use of the built form and prevent the regular and balanced proportionate window details often found on sub-urban residential dwellings.
- 144 The proposed development would result in the formalisation of the site including formal hard standing and residential paraphernalia. While this would alter the existing informality of the site, given the sites proximity to an existing residential area (Pylegate). Residential use is therefore associated with the character of the area. Although Pylegate is sheltered by the slight drop in levels, the proposal includes a large degree of landscaping which would aid in settling the development into its surrounds.
- 145 The proposed development is considered to retain the character of the area and would comply with policy EN1 of the ADMP.

Impact to neighbouring amenity

- 146 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 147 Claydene Farmhouse is located to the north west of the application site and was connected to the farm unit. The farmhouse has been granted planning permission for extensions and refurbishment under application, 19/02252/HOUSE.

- 148 The closest dwellings would be converted barns 6 and 5. The other converted units would be located at a sufficient distance that they would not cause a loss of amenity.
- 149 Barn 6 would be located within 3 - 5m of Claydene Farmhouse. The barn already exists and although the built form would become more substantive the general proportions of the building would be retained. As a result, the proposal would not result in further significant losses of daylight and or sunlight.
- 150 As a result of the built form already existing and being converted, visual intrusion to outlook would not be further comprised to a significant degree.
- 151 The rear elevation would sit against the private 5m amenity space of the farmhouse, however the proposal would not contain any windows facing directly into this space. The side windows would include French doors to a bedroom/living area. The direction of view would look into amenity space of Claydene Farm, although oblique. Details of a boundary treatment to prevent significant overlooking could be secured. The openings at ground floor could be mitigated by a form of enclosure secured by condition.
- 152 Barn 5, located further to the south of barn 6's, windows would not face directly onto the 5m rear amenity space of Claydene Farmhouse. The proposal would be for a single storey dwelling and as such a loss of privacy would not occur. The barns siting would mean it would not result in significant loss of daylight/sunlight or result in significant visual intrusion to neighbouring outlook.
- 153 Becketts is located to the north of the application site on the other side of Hartfield Road. A distance of approximately 27m extends between Becketts and the nearest converted barn. As a result of this distance, the fact the built form already exists, the interspersion of the road and the height of the proposed conversion would not result in a significant loss of daylight/sunlight to Becketts.
- 154 As a result of the separation between the proposed units and Becketts and the existing nature of the built form, which is to be converted and not extended, visual intrusion to outlook would not occur to a significant degree. As highlight planning cannot protect a view.
- 155 The closest converted barn to Becketts would be barn 6, which would include three openings plus roof lights facing towards Becketts. Due to the distance in excess of 21m and the interspersion of the road a significant loss of privacy would not occur as a result. The other conversions across the site are set further to the south east and would not have direct views. A significant loss of privacy would not therefore occur.
- 156 Hazelden is located to the north of the site within the Pylegate Farm complex. Approximately 48m extends between Hazelden and barn 6 and 70m between barn 4 (to include 4a, b and c) and Hazelden. Due to the distance between the development and Hazelden, the road which intersects

between and the existing nature of the built form a further significant loss of daylight/sunlight would not occur as a result of the conversion.

- 157 Due to the distances that separate the development from Hazelden visual intrusion to outlook would not occur to a significant degree. The built form would be visible from Hazelden, and the conversion would certainly provide a more substantive appearance to the buildings. However, planning legislation cannot protect a view and views could still be gained from Hazeleden.
- 158 The proposed development change of use to residential would result in a more permeant and habituated site. Proposed barn 4 would consists of three dwellings with large openings to the front elevations and would provide views. However, barn 4 is offset from Hazelden and Pylegate as a whole. The distance between the development and the residential dwellings at Pylegate would mean significant overlooking would not occur.
- 159 Although the site is located in a rural environment, previous conversions, particularly as seen in Pylgate have led to pockets of denser development. As a result there is already a degree of mutual overlooking which occurs in the area.
- 160 As a general rule a distance of 21m is considered sufficient to ensure that a significant loss of amenity would not occur. Planning is unable to protect a view and transport issues would be considered under the highways section of this report. As such other dwellings including those within the Pylegate complex and dwellings to the south east and north- west would not suffer a significant loss of amenity.

Proposed dwellings

- 161 The proposed conversion would result in the creation of 9 units. All of these units would contain at least dual outlook. The result of this would ensure sufficient outlook would be provided for all of the proposed units. In addition, the proposed openings would allow for sunlight/daylight to filter into the dwellings providing natural light.
- 162 All of the properties would have a degree of private amenity space, although somewhat mutually overlooked this is to be expected of such a development. The degree of amenity space would vary from property to property. The site is directly located adjacent to a public right of way which gives access to the open countryside.
- 163 The proposal would be comprised of 9 units and a degree of mutual overlooking would occur, however this would be within acceptable limits. Barns 5 and 6 would not directly overlook one another as the flank elevation of barn 5's openings would be infilled. Barn 5 would contain openings facing towards barn 2, however these would be secondary outlook points and would be located in excess of 18m from barn 2. Barn 2 would contain large openings however at first floor this would serve a landing which is non-

habitable space. As such, the distance would be acceptable to maintain privacy.

- 164 Barn 2 elevation facing towards barn 1 would contain some openings all of which would be non-habitable spaces at ground floor and could be obscure glazed and fixed shut to prevent mutual overlooking. Barn 1 openings at first floor would have view towards the private amenity space of Barn 2. However, due to internal voids the overlooking would be oblique.
- 165 Barns 3(b) and 3(a) would have mutual overlooking, however this is to be expected of semi-detached properties and the views again would to a degree be oblique. Barn 1 and 3 would be offset from one another and significant overlooking would not occur.
- 166 Barn 3(b) would be sited adjacent to barn 4(a). At ground floor the barn 3(b) would include openings to serve a study and hallway, these could be obscure glazed and fixed shut to prevent mutual overlooking as they are non-habitable spaces. At first floor 3(b) would be offset from the main bulk of barn 4(a) and the windows would serve an en-suite and dressing room which could be obscure glazed and fixed shut to prevent loss of privacy.
- 167 Barn 1 and 4 would face towards one another. Barn 4s southern elevation at ground floor the openings would serve studies/hallways and utility rooms all of which are non-habitable spaces. To prevent overlooking these could be obscure glazed up to 1.7m from finished floor level. At first floor barn 1 has a limited first floor provision. The inset balconies would provide oblique views only and the narrow first floor windows serving habitable rooms would not provide a significant sense of overlooking.
- 168 Overall the proposed dwellings subject to condition would provide adequate amenity provision.
- 169 The proposed development, subject to condition, would not result in a significant loss of amenity and would be considered to comply with policy EN2 of the ADMP.

Impact to highways and parking

- 170 Policies EN1, T1 and T2 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 171 The application site is located along Hartfield Road which is subject to a 50mph speed limit. The site does benefit from an existing access, but this would be blocked off and a revised access created. The Highways Officer is satisfied with the revised access and visibility splays of 2.4x115m with no obstruction above 0.6m. The splays would be conditioned upon any grant of permission.
- 172 The revised width of the access to 5.5m with a junction radii of 10.5m. The tracking has indicated some encroachment on the opposite side of the road,

however the Highways Officer is deems this acceptable. The access route into the site provides a width of 4.8m which allows vehicles to pass one another.

- 173 KCC Highways commented on the application and revised plans were received. The Officer has commented that the site would provide sufficient parking with 17 parking spaces made available in line with policy IGN3. The development would also provide sufficient cycle parking. As part of the revisions provided, the Highways Officer is satisfied that sufficient parking for visitors has been provided.
- 174 There is sufficient space on site for the storage of refuse and due to the revisions the proposal would provide sufficient access for refuse vehicles in accordance with KCC Highways considerations.
- 175 The proposal would not increase traffic in the area to a significant degree. The KCC Highways Officer is satisfied with the proposal, in accordance with paragraph 109 of the NPPF which only allows refusal which results in a severe impact to the highway.
- 176 Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigate climate change. Vehicle charging points would be required via condition upon any grant of permission.
- 177 The proposal is considered to comply with highway policy.

Other

Affordable housing

- 178 The application site exceeds 0.5 hectares and represents a major development. As such, and in accordance with the guidance of the National Planning Policy Framework and Policy SP3 of the Sevenoaks District Council Core Strategy an affordable housing contribution shall be sought.
- 179 The applicant has agreed to the provision of an affordable housing contribution and as per the present resolution and agreement as to its form would be reached prior to issuing any decision to grant the planning application. This could take the form of on site or an off-site contribution.

Biodiversity

- 180 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity.
- 181 The applicant has provided various ecology reports to support the application, including a protective species report. The KCC Ecological Officer was consulted on the planning application and has suggested a number of conditions upon the grant of any planning permission.

- 182 The submitted reports have identified that four of the barns on site have bat roosting potential, although no bats were found to emerge from these buildings. In line with the report's recommendations the application would be conditioned to ensure that if development had not occurred within 2 years further bat surveys would be submitted. To ensure the development does not significantly affect habitat a lighting strategy would also be required via condition.
- 183 A number of ponds are located within 250m of the site, including 1 on site. Great Crested newts have been found within a number of these ponds. In accordance with the Habitats Directive it must be considered if an EPSM Licence from Natural England would be granted. The test is formed of three parts and KCC Ecology are satisfied that that the third part of the test has been satisfied.
- 184 In regard to the first two parts of the test the proposal is considered compliant with local and national planning policy and would result in the provision of additional housing in accordance with the aims of the NPPF. In regard, to the second part of the test mitigation and compensatory measures have been put forward. The local authority is satisfied that the three parts of the test have been provided.
- 185 To ensure that the local badger, fox and rabbit population is not adversely affected a condition securing a method statement for the development could be secured prior to any grant of permission.
- 186 The submitted report identifies that Barn Owls have infrequently used the site and suitable habitat exists to support Barn Owls. A condition to ensure mitigation and compensation would be provided subject to any grant of planning permission.
- 187 In regard to the proposed works to the hedging and grassland on site the KCC Ecology Officer has advised further information would be required. A condition prior to the commencement of development could ensure that relevant surveys and mitigation measure be put in place to secure both habitat and mitigation of any loss as with the method statements to protect mammals.
- 188 In line with policy SP11 details of ecological enhancements would need to be submitted and approved in writing to ensure the scheme provides a net gain on site.

Trees and landscaping

- 189 The SDC Tree Officer has identified that no protected trees are located on the site. The site in addition, is not located within a Conservation Area for which any formal protection of trees is in place.
- 190 The Tree Officer has identified that principle trees located at this site are all situated besides the pond including a mature willow and a young Oak

tree. A number of buildings are to be demolished as the officer advises and these would be located close to the aforementioned trees.

- 191 The barns 7 and 8 are to be demolished primarily for the purposes of a different application previously granted, 19/02252/HOUSE. However, to ensure protection of the trees a condition setting out protection measures and method statements for the impact to the trees could be applied upon any grant of permission.
- 192 The applicant has provided a comprehensive landscaping scheme, as mentioned in the AONB section of this report. The landscaping scheme proposed a significant addition of trees across the site, in addition to hedging, lawn and grassland meadow. This would be a significant enhancement to the current state of the site.
- 193 The landscaping, as indicated on plan 161Rev A identifies a number of native species planting, which accord with national and local planning policy. The landscaping would be conditioned, although the condition would for some changes due to ecology requirements.

Area of Archaeological Potential

- 194 The application site is located within an area of archaeological potential. The KCC Archaeological Officer was consulted on the application and considers that the farm complex is identified as a farm that may have medieval or even earlier origins. As some remnants of these may still exist on site, two conditions would be placed on any grant of permission to ensure that any remains are recorded.

Drainage

- 195 The applicant has submitted a drainage strategy with the proposal which would be secured by condition. The Lead Local Flood Authority is satisfied with the drainage scheme and has requested an additional condition securing a maintenance schedule which could be conditioned as part of the application.
- 196 The Lead Local Flood Authority has noted that treated foul water would be discharged into the existing ditch and advised that the Environment Agency (EA) be consulted. The EA was consulted but offered no comment on the application. A condition with further details on the discharge of foul water could be applied to any grant of permission. The Lead Local Flood Authority have no objection to the proposal.

Public Right of Way

- 197 A Public Right of Way runs through the site to the south. A Public Right of Way Officer has not commented on the application despite consultation. The right way would cross the ownership of one of the plots of land. It is an offence to obstruct a public right of way and diversion may need to be

secured with KCC Public Rights of Way team. This would be a matter for the applicants and KCC Public Rights of Way.

Other issues - Third party comments

Levels of development locally

198 Third party comments have raised concerns with the level of granted planning permissions in the local vicinity. Each individual planning application has to be considered on its own merits and the local planning authority is under an obligation to review applications submitted.

Major application

199 Third parties consider that the planning application should be defined as a major. The application has been considered as a minor major application.

Provision of additional housing

200 Third party comments have identified that new development are still in the process of selling housing stock and as a result additional housing is not required. The local planning authority again has an obligation to consider proposal submitted and in their own individual context.

Local amenity provisions

201 Third party comments have raised concerns that the proposal for 9 new dwellings would impact the local facilities including school places and local parking. The development has been found compliant with parking standards and the provision of CIL payments would contribute to local infrastructure.

Community Infrastructure Levy (CIL)

202 The application is CIL liable.

Conclusion

203 The proposal is considered principally acceptable. The proposal would preserve the open character of the Green Belt, conserve and enhance the AONB, retain the character of the area, preserve amenity and comply with highways policy. The proposal is considered policy compliant.

204 It is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

Contact Officer(s):

Emma Gore 01732 227000

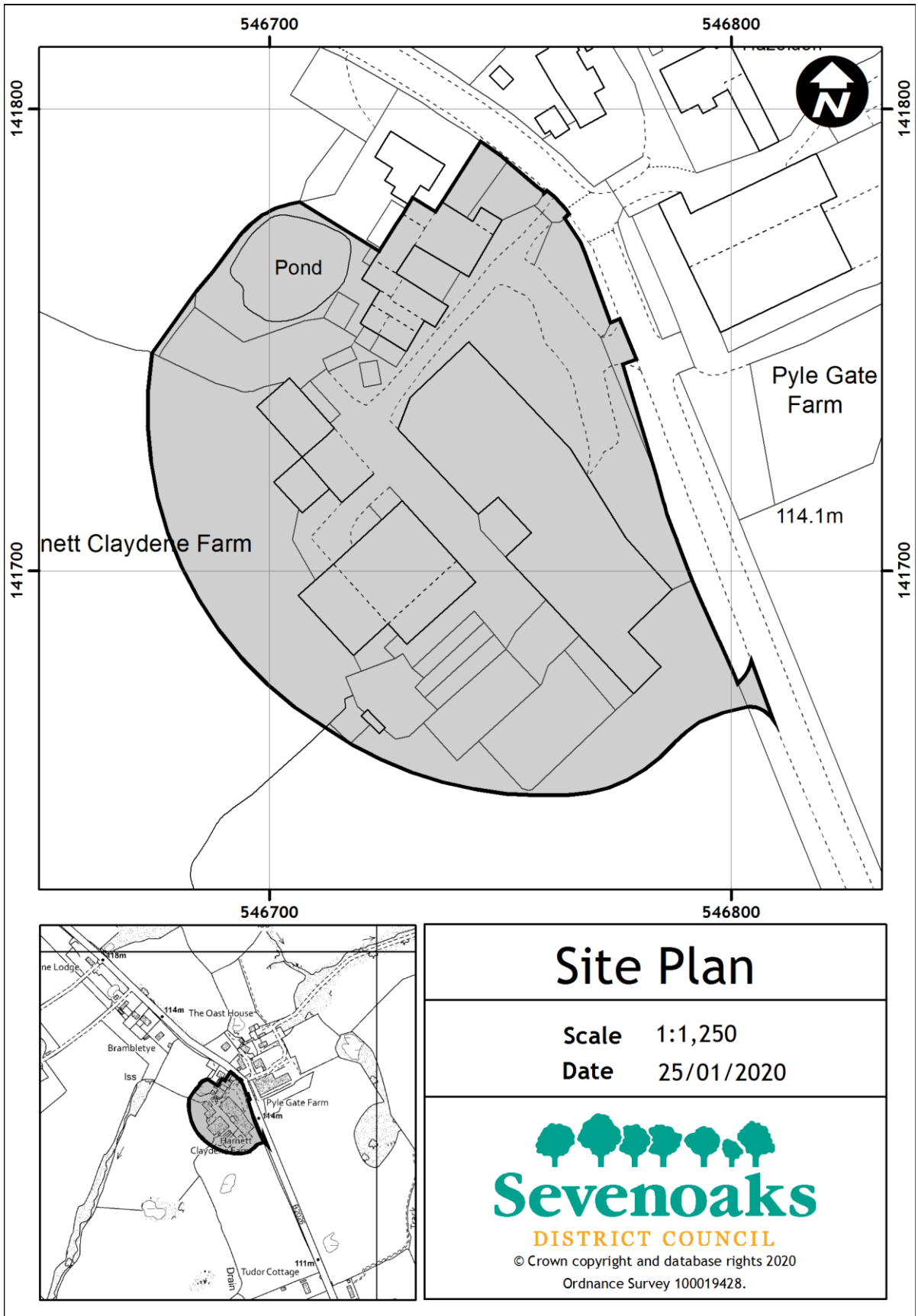
Richard Morris
Chief Planning Officer

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=PWWK9TBKJ2500>



BLOCK PLAN

