

4.1 - SE/14/03286/FUL Date expired 10 December 2014

PROPOSAL: Conversion of the existing barn into a single independent dwelling with associated landscaping.

LOCATION: Barn Field North East Of Underriver Vineyard, Rooks Hill, Underriver, Kent

WARD(S): Seal & Weald

ITEM FOR DECISION

Councillor Thornton has called the application in to consider the objections raised by the parish council, in particular whether the building is of substantial construction and capable of conversion without major or complete reconstruction that would detract from the original character

RECOMMENDATION: That planning permission be Granted subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: P-0100A, P-2030, P-2010, P-1000, P-2020, P-1500A

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

3) The development shall achieve a BREEAM minimum rating of very good. Evidence shall be provided to the Local Authority - Prior to the occupation of the development, that the development has achieved a BREEAM minimum rating of very good or alternative as agreed in writing by the Local Planning Authority.

In the interests of sustainability and in accordance with SP2 of the Core Strategy

4) No development shall be carried out on the land until full details of hard and soft landscape and boundary treatment works (including the entrance gates) have been submitted to and approved in writing by the Council. Those details shall include:-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); -type, height and material of new boundary treatments;-type of hard landscaping material to be used; and-a programme of implementation

To protect the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

5) No external lighting shall be installed on the land until such details have been submitted to and approved by the Council. The installation of external lighting shall only be carried out in accordance with the approved details.

To ensure that the appearance of the development enhances the character and appearance of the AONB as supported by Policy EN1 of the Sevenoaks District Local

Plan.

6) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. 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 AONB as supported by Policy EN1 of the Sevenoaks District Local Plan.

7) Demolition works on the outside of the building should be undertaken outside nesting bird season where possible. If this is not possible a nesting bird check should be completed prior to any works on site and a written record of this be kept.

In the interests of ecological diversity in accordance with SP11 of the Core Strategy.

8) Prior to the completion of development, a scheme if biodiversity enhancement measures shall be submitted and approved by the local planning authority. the measures shall be implemented in accordance with the approved details prior to occupation of the building, and retained thereafter.

In the interests of ecological diversity in accordance with SP11 of the Core Strategy.

9) No development shall take place until full details of the proposed sewerage system has been submitted to and approved in writing by the Council. Any approved scheme shall be completed to the written satisfaction of the Council prior to the occupation of the development.

to ensure that satisfactory provision for the discharge of sewerage is made.

10) If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To protect the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

11) Notwithstanding the approved plans, the new drive shall be finished in a bound surface within 5m of the carriageway of Rooks Hill.

In the interest of road safety.

12) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors loading and unloading of plant and materials storage of plant and materials used in constructing the development wheel washing facilities measures to control the emission of dust and dirt during construction

In the interests of the amenity of the locality and highway safety

13) No building, enclosure or swimming pool, other than those shown on the

approved plans, shall be erected within the curtilage of the dwelling hereby approved, despite the provisions of any Development Order.

To safeguard the rural character of the area.

14) No extension or external alterations shall be carried out to the dwelling hereby approved, despite the provisions of any Development Order.

To safeguard the rural character of the area.

15) No boundary walls, fences or other means of enclosure shall be erected on the site boundary, despite the provisions of any Development Order.

To safeguard the rural character of the area.

16) If at any stage during the build process, asbestos is discovered in the structure of the building, an appropriately qualified environment specialist, shall be retained to assess the implications of this. In this case, no further work shall take place until the specialist has confirmed in writing to the Council that the development and the land is suitable for the permitted end use.

In the interests of the future occupants of the development

17) Prior to commencement of development, an amended residential curtilage plan shall be submitted and approved by the local planning authority. The development shall be carried out in accordance with the approved plan.

To protect the rural character of the locality.

Informatives

1) Please note that in accordance with the information on your Self Build Exemption Claim Form Part 1 and the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you MUST submit a COMMENCEMENT NOTICE to the Council BEFORE starting work on site. Failure to do so will result in the CIL charge becoming payable in full.

2) Please note that within six months of completing the home, the applicant must submit additional supporting evidence to confirm that the project is self build, being:

* A Self Build Exemption Claim Form - Part 2 (available on the Planning Portal website);

* The supporting evidence as set out in the form, to confirm that the levy exemption should be upheld.

If the evidence is not submitted to the Council within the 6 month time period, the full levy charge becomes payable.

3) The granting of any planning permission does not convey approval for any works in the highway or affecting it, e.g. construction of a driveway and linking it to the public highway. A licence must be obtained for such works. The Applicant should contact Kent County Council Highways and Transportation (web:

http://www.kent.gov.uk/roads_and_transport/highway_improvements/parking/dropped_kerbs.aspx telephone:03000 418181) in order to obtain the necessary Application

Pack. Please allow at least eight weeks notice.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.aspx),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was provided with pre-application advice that led to improvements to the acceptability of the proposal.

Description of Proposal

- 1 Permission is sought for the conversion of an existing barn to a residential unit. The frame and existing fibre cement cladding panels are shown as retained with the external cladding of the building to be over clad with sweet chestnut timber. The site access is retained, with a new vehicle grasscrete access road leading to the barn, which is shown as obscured from view by the use of landscaped bunding.
- 2 The proposal shows the re-use and adaptation of the existing barn. The floor level of the barn is shown as lowered by 90cm and an additional level of accommodation added within the existing structure. Facade materials are to be over-clad with Sweet Chestnut timber cladding.

- 3 The existing entrance at the front of the barn is shown as maintained and a vehicle route is created as a grasscrete path leading from the existing access point to a proposed screened domestic area, and a parking area which is also screened by landscaped bunding.
- 4 The existing openings on the roof are shown as reused, but predominately reduced in size on the south side for conservation style rooflights. The existing opening on the northern facade is proposed with a glazed screen infill with a rooflight above. In order to minimize the light pollution from the glazed facade the scheme proposes timber louvre sliding shutters to reduce the impact and presence of the building in its environment at dusk.
- 5 A post and wire fence is proposed around the perimeter of the application site. New grass banks are shown to the north and west elevations to screen the existing building, existing hardstanding and the new proposed parking. Additional tree planting is also proposed to the north and west elevations.

Description of Site

- 6 The site area is approximately 4.82Ha / 11.9 Acres set within an undulating landscape, although the planning application area is 0.28 Ha / 0.7 Acres. The existing building is screened by trees to the perimeter of the site running parallel with Rooks Hill Road. Existing smaller scale trees are located at the northern facade of the existing building. The Barn was historically associated with the Underriver Vineyard and has been redundant since the time of sale in March 2011.
- 7 The existing building is a steel portal frame on a concrete base structure. Large full height sliding industrial doors are located on the northern façade and a personnel door is located on the western flank wall. 12 no. large rooflights are located within the roof cladding within the structural bays. The roof covering is corrugated steel. The barn is surrounded by agricultural land and there are also mature hedgerows and trees to the perimeter - none of these would be affected by the proposals.

Constraints

- 8 AONB
- 9 Green belt

Policies

Sevenoaks District Local Plan

- 10 Policy- EN1,

Sevenoaks Core Strategy

- 11 Policies – L01, L08, SP1, SP2, GB3A, GB3B

ADMP

- 12 Policies – EN1, EN2, SC1, GB7

Others

13 Underriver Village Design Statement

14 Sevenoaks Countryside Assessment

Relevant Planning History

15 14/02571/FUL - Conversion of the existing barn into a single dwelling with associated landscaping. Withdrawn

Consultations

SDC Planning Policy

16 SDC Policy has made the following comment:

'Thank you for the opportunity to comment on this application. My comments are restricted to the impact of the proposal on the character and setting of the AONB.'

The site lies within the Kent Downs AONB and consists of an existing permanent barn which is already visible within the landscape. Conversion of the barn into a dwelling-house would not have a greater impact on openness or increase its prominence within the landscape. The inclusion of screening within the proposal is likely to decrease the visibility of the site and therefore the scheme is unlikely to have a detrimental impact on the character of the AONB.

The Planning Policy team does not wish to comment on detailed matters of the submission. I trust that the above is clear, however please do not hesitate to contact me should you wish to discuss the matter further.'

KCC Ecology

17 KCC Ecology has stated:

'We have reviewed the ecological information which has been submitted with the planning application and we are satisfied that the proposed development has limited potential to impact protected and notable species provided the precautionary mitigation detailed within the report is carried out.'

KCC Highways

18 Kent Highways made the following initial comments:

'One observation: If the scale bar is correct, the proposed parking and turning area appears to be too small and I would recommend it is widened. Recommended dimensions for the parking bays are 2.5 metres x 5 metres, and the driveway in front of the parking should be 6 metres wide to enable a car to turn easily into the parking bays.'

Assuming the above issue is resolved, we would not wish to raise any objection to the proposals as there would be little impact on the public highway. However, I would request a planning condition that the new driveway should have a bound surface within 5 metres of the edge of the carriageway of Rooks Hill.'

INFORMATIVE:

The granting of any planning permission does not convey approval for any works in the highway or affecting it, e.g. construction of a driveway and linking it to the public highway. A licence must be obtained for such works. The Applicant should contact Kent County Council Highways and Transportation (web:

http://www.kent.gov.uk/roads_and_transport/highway_improvements/parking/dropped_kerbs.aspx telephone:03000 418181) in order to obtain the necessary Application Pack. Please allow at least eight weeks notice.'

- 19 In response to an amendment to address this issue, the following response was then made:

'I confirm the latest proposals as shown in drawing 14065 P-0100 rev A address the concerns set out in my response of 7th November and should provide adequate parking and turning. Please note that if this application is granted permission we would request a planning condition that the new driveway should have a bound surface within 5 metres of the edge of the carriageway of Rooks Hill.

INFORMATIVE:

The granting of any planning permission does not convey approval for any works in the highway or affecting it, e.g. linking the driveway to the public highway. A licence must be obtained for such works. The Applicant should contact Kent County Council Highways and Transportation (web:

http://www.kent.gov.uk/roads_and_transport/highway_improvements/parking/dropped_kerbs.aspx telephone:03000 418181) in order to obtain the necessary Application Pack. Please allow at least eight weeks notice.'

Natural England

- 20 Natural England have made the following comments:

Statutory nature conservation sites – no objection

This application is in close proximity to the One Tree Hill & Bitchet Common Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected landscapes

Having reviewed the application Natural England does not wish to comment on this development proposal.

The development however, relates to the Kent Downs AONB. We therefore advise you to seek the advice of the AONB board. Their knowledge of the location and

wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving

biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

Impact Risk Zones for Sites of Special Scientific Interest

Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs and developers to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. Further information and guidance on how to access and use the IRZs is available on the Natural England website.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk’.

Southern Water

21 Southern Water has advised:

‘The applicant has not stated details of means of disposal of foul and surface water disposal from the site. There are no public sewers in the area to serve this development. The applicant is advised to examine alternative means of foul and surface water disposal.

The Environment Agency should be consulted directly regarding the use of a private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works or septic tank to ensure its long term effectiveness.’

Parish Council

22 Seal Parish Council has objected, and made the following comments:

‘National Planning Policy Framework states:

that conversion of redundant or disused buildings is acceptable where it would lead to an enhancement to the immediate setting which is clearly not the case in the part of the Kent Downs AONB and MGB. The formation of a domestic curtilage with associated garden furniture, children’s play equipment, mown lawns and ancillary items, would cause immense harm to this particularly attractive stretch of open countryside, and damage the views to and from the greensand ridge.

The application documents suggest the use of bunds would mitigate the harm. However in their own right bunds impose a deformity to the natural landscape.

The application documents also suggest that the existing floor (ground) would be lowered by 900mm which given the form of construction of this type of barn, a concrete raft, would virtually require substantial demolition or removal of a significant part of the structure to achieve.

The Law states under 2014 No. 564 TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014

Development not permitted if:

6. (g) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

The application documents retain the original walling and extend the external dimensions by over-cladding with the proposed wall material which is contrary to the above directive

The proposal is contrary to SDC Policy GB7 in that:

- The proposed new use, along with any associated use of land surrounding the building, will have a materially greater impact than the present use on the openness of the Green Belt and harm the existing character of the area.
- There is clear evidence that the buildings are not capable of conversion without major or complete re-construction.

The conversion works require substantial reconstruction as follows:

1. Underpinning of the main supporting posts (if possible).
2. Taking up the ground floor slab and lowering by 900mm. Re-forming the slab to Building Regulation requirements.
3. Inserting a complete new section to the lower 9000mm of the building, including structural element and cladding.

The proposal is contrary to the Underriver Village Design Statement, which is an adopted Supplementary Planning Document in that:

- R1 Particular account should be taken of the visual impact of any new developments upon the appearance of the Village. New developments should be designed to intrude as little as possible upon the openness of the countryside by taking advantage of the lie of the land and natural screening. The appearance of a low-density settlement should be maintained. Large obtrusive buildings amidst fields should be avoided.
 - R2 New developments should be designed so as not to damage distant views from and to the Greensand Ridge (see photograph on back cover) as stated Core Strategy Policy SP1, from public road, footpaths, bridleways and other public rights of way and from neighbouring properties. Large walls, entrance gates and prominent roofs on the skyline and large windows reflecting the light should be avoided wherever possible. Solar panels should be sited discreetly. Artificial lighting should be no brighter than required for its purpose: it should be low-angled, discreet and focussed as narrowly as possible. It should not intrude upon the darkness of the night sky.
- R3 New **developments** should be sympathetic with the general character of the Village, which has a wide variety of building styles, but innovative architecture might be considered in appropriate locations. Developers should be encouraged to use

traditional local materials and features, such as local rag stone, weatherboarding, oak framing and red clay hanging tiles or roof tiles. They should generally be of single or two storey construction and not higher than neighbouring buildings. Replacement dwellings should be of very high quality, reflect local style and massing and be located within the curtilage to minimise their impact to the surrounding area. The area is characterised by one and two storey buildings. Higher buildings are likely to be out of character with the area and will not generally be acceptable. Any lighting of which no details are given should be subject to a separate planning application to protect the rural landscape'

Kent AONB Unit

23 Kent AONB unit have made the following comment:

'This replacement of an agricultural building with one in residential use will in our view alter to a considerable degree the character of the area through the introduction of light pollution, vehicle use, domestic curtilage, all will reduce openness and affect the character of the area. Furthermore the proposals are contrary to the Design Guidelines of the Sevenoaks Greensand Ridge Landscape Character Area (page 35 of the Kent Downs AONB Landscape Design Handbook) and the Landscape Actions of the Sevenoaks District Countryside Assessment 2011 which is adopted as SPD. An isolated dwelling in open countryside with no agricultural justification, (and apparently visible from the Greensand Way), would be detrimental to the environment, landscape and recreational opportunities of the AONB. The proposed development would therefore weaken the special characteristics and qualities, natural beauty and landscape character and disregard the primary purpose of the AONB designation, namely the conservation and enhancement of its natural beauty, contrary to Policies SD1, SD3 and LLC1 of the AONB Management Plan 2014-2019.

If the recommendation were for approval would make a holding objection to this proposal'

Representations

24 47 notifications of objection have been received, 34 of these from people who use the footpath. They raise the following points:

- The proposal is for a new build
- A new build with a paved drive will stand out in the landscape
- The change of use along with the new driveway, hard surfaces, parking, gates, fences domestic planting and lighting will suburbanise the field.
- The proposal does not represent the conversion of an attractive farm building
- The impact of the proposal would be greater than an unused barn
- The proposal would encourage applications for new development and set a precedent
- The bunding would erode the natural shape of the hill
- Planning permission was refused for a house before the barns erection

- There are no special circumstances to allow this in the green belt where it would harm the openness
- The proposal is unacceptable within the AONB – its fails to conserve or enhance its character
- The barn is highly visible from the footpath
- The barn is not capable of conversion without significant/major rebuild
- The barn is in an isolated position
- There might be a lack of light to the inside of the barn
- The proposal would result in increased traffic
- The entrance treatment is unacceptable
- The site is close to a site of special scientific interest.
- Permitted development such as outbuildings would further harm the character of the area
- If permission is granted, then landscaping should be conditioned
- Construction work at the site would cause damage to the existing road by the lorries
- Sewerage should have been addressed
- The structural survey is misleading and incomplete. The building can not be converted as suggested.
- There is nothing to guarantee that there is not asbestos in the structure

Chief Planning Officer's Appraisal

25 The main issues for consideration are:

- Principle of development
- Appearance and impact on the AONB.
- Impact on neighbouring amenity
- CIL
- Other matters

Principle of Development

26 Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

27 Paragraph 90 of the National Planning Policy Framework states that certain forms of development, including the reuse of buildings provided that they are of permanent and substantial construction, are not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

- 28 Policy SC1 of ADMP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with policies in the LDF will be approved without delay unless material planning considerations indicate otherwise.
- 29 Policy LO1 of the Core Strategy states that in locations such as this, priority will be given to protecting the rural character of the District. Development will only take place where it is compatible with policies for protecting the Green Belt and the High Weald and Kent Downs AONB.
- 30 Policy GB3A of the local plan permits the reuse of buildings within the green belt providing that the proposed use would not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it, the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction, and the form, bulk and general design of the buildings are in keeping with their surroundings and respect local building styles and materials. The creation of a residential curtilage as part of a conversion proposal will not be permitted in AONBs where this would be harmful to the character of those areas.
- 31 Further to this, GB3B states that when considering proposals for the reuse of agricultural buildings for non agricultural purposes, the Local Planning Authority will also consider if the building or other related buildings within a group have been constructed within the last 10 years, whether there was a genuine agricultural justification for the building when originally constructed.
- 32 Policy GB7 of the ADMP permits the reuse of a building within the Green Belt subject to the proposed use and surrounding land not having a materially greater impact on the openness of the Green Belt than the current use, or harm the character of the area. The building must be of permanent and substantial construction and capable of conversion without major or complete reconstruction that would detract from its original character.
- 33 The proposal relates to the conversion of an existing building to residential use. The building was constructed more than 10 years ago. The applicant has submitted a survey by a structural engineer which confirms the Officer assessment of the building on site, and demonstrates that the building is of permanent and substantial construction. The works proposed are able to take place without major or complete reconstruction of the building. The conversion works only involve the cladding of the building and the insertion of minimal fenestration. The existing door to the barn is utilised as is the main entrance to the building.
- 34 Although some structural work consisting of the internal lowering of the floor by 90cm and the installation of plasterboard is proposed, this does not constitute major reconstruction. Queries have been raised in the consultation responses about whether this work is possible. The structural survey submitted with the application, and produced by a qualified engineer states that the proposal is a viable undertaking and that the building is sound and not in need of major reconstruction.

- 35 No extension of the building is proposed. It would remain of the same form, bulk and scale. As such, the physicality of the building would not have a materially greater impact on the openness of the Green Belt as it would be unchanged.
- 36 The use of sweet chestnut timber cladding on the exterior walls and roof of the building would enable it to harmonise more effectively with the green and wooded surroundings compared with the current metal structure. As such, the development would appear more in keeping with its environment in accordance with GB3A of the Local Plan.
- 37 The current use of the building for agricultural purposes could have a significant impact on the openness of the Green Belt in terms of levels of activity. There is some hardstanding outside the barn which would be used in connection with the stationing of agricultural machinery which could be stored in the barn. In comparison, the proposed use, while it would create some curtilage to the rear and side of the barn, also includes landscaping measures, including the provision of bunds and planting to improve the impact of the proposed use on the openness of the green belt, and shield the existing hardstanding and some of the barn from public view. The curtilage is of a restrained size and sits within the locality within existing grazing land and fenced using appropriate post and wire fencing. Boundary treatments can be conditioned to ensure that they remain appropriate to the character of the area. Additional landscaping is proposed which would soften the appearance of building even further.
- 38 Although alterations have already been made to the curtilage of the building, it has been suggested that it could be pulled even further back from the centre of the site, and softened around the edges so that it would sit more organically within the landscape and so that domestic paraphernalia would be kept closer to the dwelling. This can be dealt with by condition.
- 39 The barn is barely visible from a public footpath, the Greensand Way, which lies 430m away. It is screened from this vantage point by significant existing tree planting. A belt of tree coverage lies to all boundaries of the field in which the barn is located. This blocks the view of the barn within the wider landscape.
- 40 The access to the land already exists and the proposed driveway is shown as constructed of grasscrete so that it would 'disappear' as a grassed area into the wider landscape.
- 41 The building would no longer appear as an agricultural building. However, it is not the intention of the policy to secure this. The building would retain the appearance of a rural building in terms of its shape and mass, and would have no greater impact on the openness of the Green Belt than the existing use, it would be in harmonise with the surroundings and would be softened in the landscape and hidden from view to a greater extent than it currently is. As such, it would preserve the openness of the Greenbelt

Appearance and Impact on the AONB

Village Design Statement

- 42 Policy R1 requires particular account be taken of the visual impact of any new developments upon the appearance of the Village. New developments should be designed to intrude as little as possible upon the openness of the countryside by

taking advantage of the lie of the land and natural screening. The appearance of a low-density settlement should be maintained. Large obtrusive buildings amidst fields should be avoided.

- 43 Policy R2 requires that new developments should be designed so as not to damage distant views from and to the Greensand Ridge as stated Core Strategy Policy SP1, from public road, footpaths, bridleways and other public rights of way and from neighbouring properties. Large walls, entrance gates and prominent roofs on the skyline and large windows reflecting the light should be avoided wherever possible. Solar panels should be sited discreetly. Artificial lighting should be no brighter than required for its purpose: it should be low-angled, discreet and focussed as narrowly as possible. It should not intrude upon the darkness of the night sky.
- 44 Policy R6 states that residential conversions of redundant agricultural buildings of historic interest should be designed to conserve as much as practicable of the original character. Appropriate doors and windows should be used.

SDC Sevenoaks Countryside Assessment

- 45 The Sevenoaks Countryside Assessment states that the key characteristics of the area (Sevenoaks Weald and Underriver are an undulating, enclosed rural landscape, numerous 18th, 19th and 20th century properties set within large gardens, a topography emphasised by the numerous internal field boundaries, narrow lanes with clipped hedges and many gentrified oasts and barns. The visibility of the area is considered to be moderate with views 'contained by the frequent trees, hedgerows and woodland, and by the topography'.

Sevenoaks Core Strategy

- 46 Policy LO8 of the Core Strategy states that the extent of the Green Belt will be maintained, the countryside will be conserved and the distinctive features that contribute to the special character of the landscape and its biodiversity will be protected and enhanced where possible. The distinctive character of the Kent Downs and High Weald AONB and their settings will be conserved and enhanced. Particular regard will be given to the condition and sensitivity of the landscape character and securing the recommended landscape actions in the proposed SPD to ensue that all development conserves and enhances local landscape character and that appropriate mitigation is provided where damage to the local character cannot be avoided.
- 47 Policy SP1 of Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. In areas where the local environment lacks positive features, new development should contribute to an improvement in the quality of the environment. The Districts heritage assets and their settings will be protected and enhanced.

Sevenoaks District Local Plan

- 48 Policy EN1 of the local Plan contains a number of criteria including that all forms of development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.

The layout of proposed development should respect the topography of the site and retain important features such as trees.

ADMP

- 49 Policy EN1 of ADMP states that proposals which would create high quality design will be permitted subject to a number of design criteria including that the form of the development should respond to the scale, height, materials and site coverage of the area and the layout of proposals should respect the topography and character of the site.

The Kent AONB Management Plan

- 50 This is a document that has been adopted by the Council but does not form part of the Local Development Framework.
- 51 Policy SD1 states that the need to conserve and enhance the natural beauty of the Kent Downs AONB is recognised as the primary purpose of the designation and seeks the highest level of protection within statutory and other appropriate planning and development strategies and development control decisions.
- 52 Policy SD3 states that new development or changes to land use will be opposed where they disregard or run counter to the primary purpose of the Kent Downs AONB.
- 53 Policy LLC2 states that the promotion, management, restoration and appropriate creation of prominent views and viewpoints will be supported.
- 54 The Kent Downs AONB unit has, at the request of a member of the public, commented on the planning application. The comments are based on the replacement of an agricultural building with one in residential use. The application is for the conversion of an existing building with no increase in its size, height or bulk and not for the demolition and replacement with a new dwelling. Therefore, as will be discussed, while there would be minimal increased light pollution from the conversion, the use of the building and its appearance in the landscape, would be no greater than the existing use of the building. It is also barely visible from the Greensand Way.
- 55 The appearance of the application site is typical of the area as considered in the Sevenoaks Countryside Assessment. As per the key characteristics of the area, the site is undulating and appears as an enclosed rural landscape. It is surrounded by internal field boundaries, with views contained by the frequent trees, hedgerows and woodland, and by the topography. The proposal is set within field boundaries, and tree, woodland and hedgerow cover, and is proposed as one of the 'gentrified oasts and barns' quoted within the assessment document. On the basis of this analysis of the character of the area, the impact of the proposal would not have a detrimental impact on the wider countryside, but would benefit from the characteristics of the area.
- 56 As previously discussed, the visual impact of the proposal, compared with the existing barn and its use would be no more intrusive in the landscape and the openness of the countryside. The use of sweet chestnut timber cladding and the additional landscaping would soften its appearance and shield some of the building and existing hard standing from its current view. The restrained residential curtilage is located behind the barn and the proposed bunding and as

such would not appear excessive in the setting. The building would be no larger than it currently is, but would appear as less impacting because of the proposed materials. The distinctive character of the AONB would be conserved through the softening of the appearance of the barn and its environs.

- 57 Some lighting would be evident from the barn at night time. However the fenestration has been kept to a minimum, mostly utilises the existing openings, and is mainly located on the roof where it would be less evident from the street and public viewpoint. The front northern elevation is shown with timber louvered sliding barn doors which would reduce light pollution from the building. A condition could be imposed which would prevent any external lighting without approval. In this way, excessive or overly luminous lighting could be avoided.
- 58 The barn is well screened from view by natural tree coverage and is as such a distance away from the Greensand walk that its conversion, along with the associated mitigation measures would have no greater impact from this view than the existing building. Due to the mitigation measures, the development would appear less imposing in the landscape. The current barn has no historic interest.
- 59 The use of sweet chestnut timber for the building, and a grasscrete driveway would respond to the wooded and green setting of the barn.
- 60 As such, it is considered that the conversion along with the cladding and landscaping measures would comply with Policy R1, R2 and R6, of the Village Design Statement, policy LO8 and SP1 of the Core Strategy, EN1 of the Core Strategy and EN1 of the ADMP.

Impact on neighbouring amenity

- 61 The barn is located a significant distance from any residential dwelling. The closest being Underriver Vineyard at 192m away. It would therefore have a minimal impact on neighbouring amenity as there would be no potential for overlooking or impact. The proposal would not have a detrimental impact on the amenity of adjoining occupiers.

Other matters

Sustainable construction

- 62 Policy SP2 of the Core Strategy states that the District will contribute to reducing the causes and effects of climate change by promoting best practice in sustainable design and construction to improve the energy and water efficiency of all new development. Conversions would be expected to achieve at least very good BREEAM standard.
- 63 A sustainability statement has been submitted with the application which demonstrates that the proposal would achieve BREEAM excellent standard. A condition can require evidence to show that post construction, the development has achieved at least 'very good' standard.

Highway Impact

- 64 Kent Highways considers that the proposal provides adequate parking and turning and that the new driveway should have a bound surface within 5 metres of the edge of the carriageway of Rooks Hill. The proposal shows the use of grass

create which is a bound surface. As such, there are no highway issues outstanding at the site. Concerns have been raised about the impact of construction traffic on the highway. This is not a material planning consideration which can be afforded any weight in terms of the acceptability of the proposed development. However a construction method statement could be required to control and minimise the number of deliveries to the site, and the impact of parking and storage of materials on the locality.

Ecology Impact

- 65 KCC Ecology have reviewed the ecological information which has been submitted with the planning application and are satisfied that the proposed development has limited potential to impact protected and notable species provided the precautionary mitigation detailed within the report is carried out. As such, these items can be conditioned.

Waste

- 66 Southern Water has advised that because the applicant has not stated details of means of disposal of foul and surface water disposal from the site and there are no public sewers in the area to serve the development, they should examine alternative means of foul and surface water disposal. Further to this, the Environment Agency should be consulted directly on the proposal. This can be required by condition.
- 67 Natural England have noted that additional biodiversity enhancements could be incorporated into the proposal. These can be required by condition.

Consultation Responses

- 68 A number of other matters have been raised in the consultation responses which need to be addressed as follows:
- The proposal is not for a new build but for a conversion of the existing barn.
 - The proposed drive is shown as treated in grasscrete which would appear as a grassed area, not a hard paved area.
 - No external lighting is shown as part of the application. The only lighting would appear from the minimal openings. The application would be conditioned so that any external lighting would require consent.
 - The boundary is shown as post and wire which is an appropriate agricultural boundary treatment. Such subdivision of the land could be undertaken regardless without the need for planning permission to subdivide the land for, example grazing purposes.
 - The appearance of the existing barn is not relevant in terms of its consideration as an existing building. Policy does not differentiate between timber and steel barns. But only existing structures and whether they are of permanent and substantial construction.
 - The proposal cannot be assessed against the use of an unused barn, but against the existing use which is an agricultural barn. As such, the impact of the proposed domestic use of the building on the openness of the

locality has been assessed against its use as an operational agricultural barn.

- The proposal would not encourage new development or set a precedent. Each planning application is assessed on its own merits which are individual to each site and against planning policy.
- The proposed bunding would not be viewed in the context of the open landscape or as part of the natural slope of the site, but would act as a screen to the existing building. They would be significantly lower than the existing barn and their precise height would be clarified by the landscaping condition. The two proposed bunds would only ever appear with the existing barn behind them.
- The application is not being considered in terms of 'very special circumstances' but as the reuse of a building and therefore not inappropriate in the Green belt provided that it preserves the openness of the Green belt and does not conflict with the purposes of including land in the green belt as per Paragraph 90 of the National Planning Policy Framework which states that certain forms of development in the green belt are acceptable.
- The barn is not highly visible from the footpath. It can be seen but at a great distance and behind a dense screen of trees. Another barn is highly visible from the footpath. This other barn is located in close proximity to the footpath.
- The information submitted with the planning application shows that the barn is of permanent and substantial construction and that it can be converted without significant or major rebuild. The internal lowering of the floor and the cladding of the building, along with the insertion of glazing do not constitute significant or major rebuilding.
- The proposal would not result in significant increased traffic compared with its existing agricultural use (albeit currently not in use). Kent Highways have assessed the application and have no objections to its proposed use or the highway impacts of the use.
- The site is located a minimum of 300m away from a Site of Special Scientific Interest. This is such a distance that the conversion works cannot be considered to have a detrimental impact on the designation. No objection in this respect has been made by Natural England or Kent Ecology.
- Permitted development rights would be removed from the site so that no curtilage buildings and no extension works could be carried out without planning permission.
- There is nothing to guarantee that there is not asbestos in the structure, however if that were found to be the case, the application could not be implemented as approved.

69 Concern has been raised about the proposed front entrance gate detail. Limited information about this has been submitted with the planning application, however full details would be required by condition to ensure that the gates would be appropriate to the character of the area.

Community Infrastructure Levy (CIL)

- 70 The Council adopted the Community Infrastructure Levy on 18 February 2014 and began charging on applications approved from the 4th August.
- 71 A self build exemption is available to anyone who builds or commissions their own home for their own occupation providing the relevant criteria are met as set out in Sections 54A, 54B, 54C and 54D of The Community Infrastructure Levy Regulations 2010 (as amended).
- 72 The applicant has completed all the declarations on the exemption claim form and has assumed liability for CIL. The development has not commenced on site. It is therefore apparent that the applicant is exempt from CIL for the planning application.

Conclusion

- 73 That conditional permission is granted for the proposal.

Background Papers

Site and Block plans

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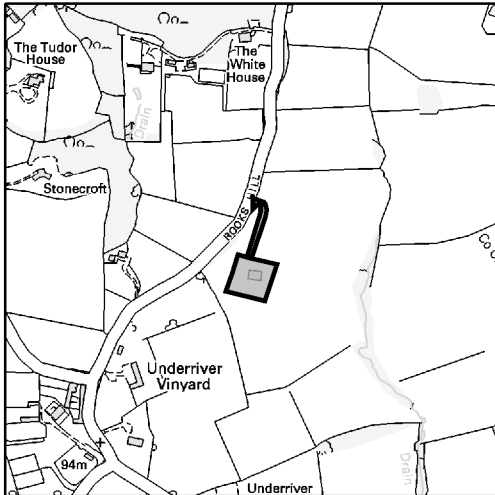
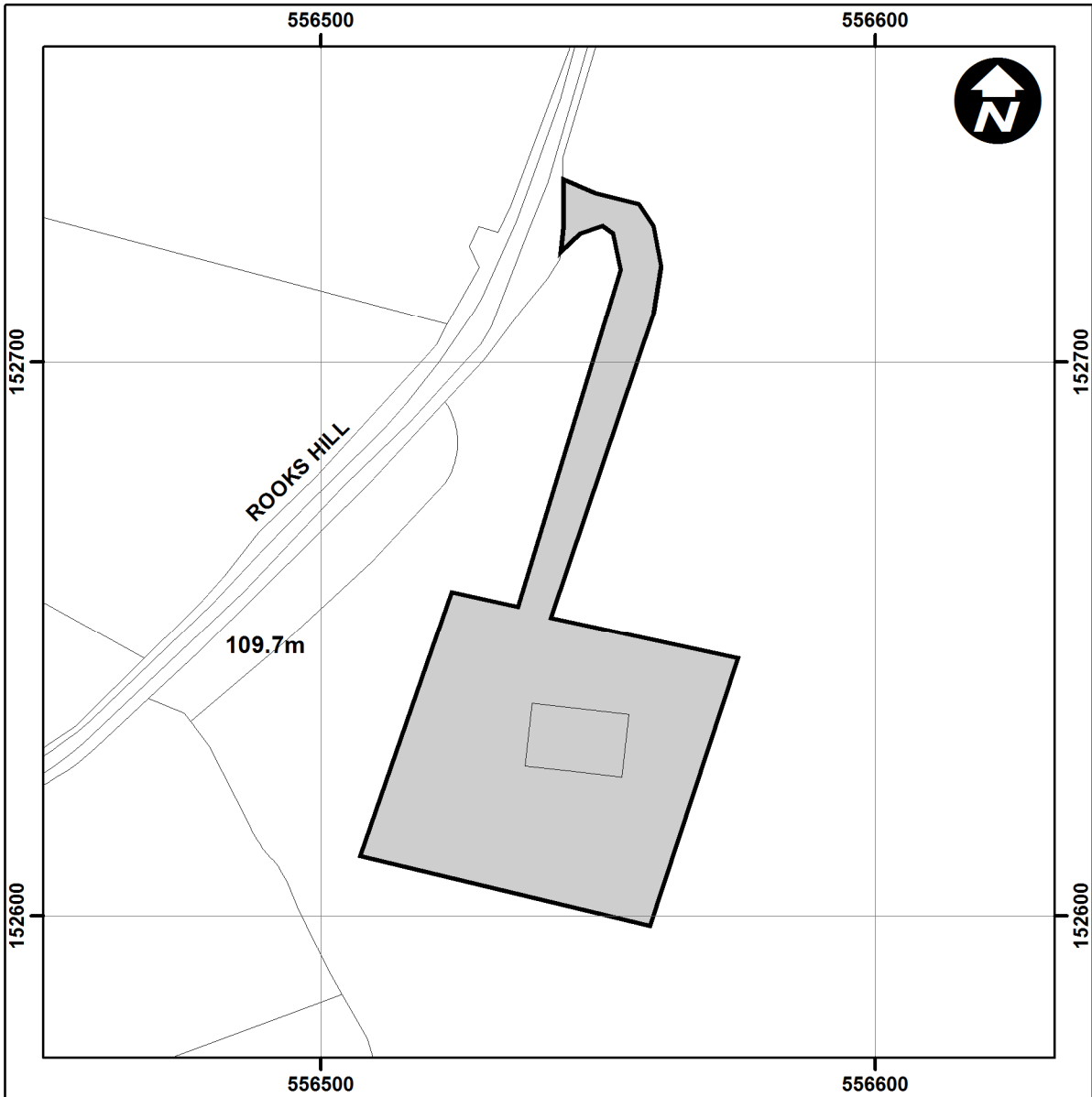
Richard Morris
Chief Planning Officer

Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NDH4X6BKHF00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NDH4X6BKHF00>



Site Plan

Scale 1:1,250

Date 14/01/2015



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Ordnance Survey 100019428.

Block Plan

