

4.2 19/02863/FUL

Date expired 3 December 2019

Proposal: Change of use and conversion of 3 no. agricultural barns to provide 4no. residential dwellings, including partial demolition of existing barn, with associated landscaping, access and parking

Location: Porters Farm, Birch in Cross Road, Knatts Valley KENT TN15 6XH

Ward(s): Otford & Shoreham

### Item for decision

The application has been referred to the Development Control Committee by Councillor Edwards-Winsor for reasons of: the impact on the Green Belt and whether the proposals comprise 're-use' of the existing buildings; harm to the AONB, and; the unsustainable location of the development and subsequent reliance on private cars.

RECOMMENDATION: That planning permission be GRANTED 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) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 478/02 rev.E, 478/03 rev.A, 478/04 rev.B, 478/05 rev.d, 478/06 rev.A, 478/07 rev.E, 478/08, 478/09, 478/10 rev.C.

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

3) Prior to the first occupation of any part of the development, full details of hard and soft landscaping across the site shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include details of materials for all ground surfaces including measures to prevent the discharge of surface water onto the highway and use of a hard bound surface for the first 5 metres of the access from the edge of the highway. All soft landscaping shall be implemented not later than the first planting season following the first occupation of any part of the development. All hard surfaces shall be laid in accordance with the approved details prior to the first occupation of any part of the development.

To preserve the character and appearance of the area and the special landscape character of the AONB, to comply with policies EN1 and EN5 of the ADMP.

4) If within a period of five 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 preserve the character and appearance of the area and the special landscape character of the AONB, to comply with policies EN1 and EN5 of the ADMP.

5) Prior to the commencement of development, details of the materials and finishes to the external facades of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

To preserve the character and appearance of the area and the special landscape character of the AONB, to comply with policies EN1 and EN5 of the ADMP.

6) Prior to the first occupation of any residential unit, the car parking area shall be fitted with electrical charging points for the safe charging of four electrical vehicles. These facilities shall be maintained at all times.

To ensure the development provides opportunities for the safe charging of electric vehicles, to comply with policy T3 of the ADMP.

7) Prior to the first occupation of any part of the site, visibility splays of 25 x 2m in both directions shall be provided at the point of access onto Birch Cross Road. Those visibility splays shall be maintained free of any obstructions above a height of 1.05m at all times.

To ensure safe access for vehicles, to comply with policy EN1 of the ADMP.

8) Prior to the first occupation of any part of the development, the parking spaces and associated turning areas shown on drawing 478/02 rev.E shall be provided in full and shall be so maintained and available for use as such at all times.

To ensure the development delivers appropriate parking provision and turning areas, to comply with policy EN1 of the ADMP.

9) Prior to the commencement of development (and vegetation clearance), the full reptiles precautionary mitigation measures, as detailed in paragraph 4.4.29 of the Preliminary Ecological Appraisal, and the full GCN method statement, as detailed in paragraph 2 of the Great Crested Newt Non-Licensed Method Statement shall be undertaken in accordance with the specifications set out in the strategies and be retained thereafter.

To ensure that appropriate mitigation is in place for protected species, to comply with Core Strategy policy SP11.

10) Prior to any demolition of the on plots 03 and 04, a precautionary bat mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. To ensure no harm occurs to bats during the demolition/conversion of the building, the precautionary strategy shall include : - An artificial woodcrete tree mounted bat box (Schwegler 2FN or similar) should be sited on a mature tree within the Site boundaries prior to the start of works and it

must be detailed within the site and landscape plans; - Two artificial bat bricks (i.e. Schwegler 2FR bat tubes or similar) will be installed into the south-western aspect of the newly refurbished plot 03-04 to increase the roosting opportunities for bats; - A tool box talk will be undertaken to contractors involved in the demolition/conversion; - A licenced bat ecologist will search for evidence of bat activity around the building (i.e. fresh bat droppings);- Enclosed spaces (wooden beams, cavity walls...) will be removed by hand under the supervision of a licenced bat ecologist; - Once any features for bats have been searched for or dismantled to the level required, and no bats found, the works may continue without further restriction. In the unlikely event of a bat being found then works should cease immediately and a licence from Natural England sought. The development shall be carried out only in accordance with the approved details.

To ensure that appropriate mitigation is in place for protected species, to comply with Core Strategy policy SP11.

11) No external lighting shall be installed to any part of the site until a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall: a) Take into account measures as described in paragraph 4.1.9 of the Bat Emergence/Reentry Survey Report; b) Identify those areas/features on site that are particularly sensitive for badgers, dormice and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory; c) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory (including details of light spill which shall not exceed 1LUX on the vegetated boundaries). All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

To ensure that appropriate mitigation is in place for protected species, to comply with Core Strategy policy SP11, and to protect the special landscape character of the AONB to comply with policy EN5 of the ADMP.

12) Should it be necessary to cut back some of the onsite hedges (but not uproot), then such activity should be done during hibernation (taken to be November to March included), when dormice are hibernating at ground level. Should uprooting of any of the hedges be needed, there would be a need to check the vegetation for dormice nests by a qualified ecologist prior to cutting back, as per standing advice from Natural England.

To ensure that appropriate mitigation is in place for protected species, to comply with Core Strategy policy SP11.

13) Prior to commencement of development on the site (including demolition), details of protection measures for trees and hedgerows to be retained across the site shall be submitted to and approved in writing by the Local Planning Authority. Those protection measures approved shall be installed in full on the site prior to commencement of any development, and shall remain in situ for the duration of the construction process.

To preserve the character and appearance of the area and the special landscape character of the AONB, to comply with policies EN1 and EN5 of the ADMP, and to protect existing habitats, to comply with policy SP11 of the Core Strategy.

14) Prior to the first occupation of any part of the site, details of an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved plan shall be installed in full within 6 months of the first occupation of the development.

To ensure the development delivers ecological enhancements, to comply with policy SP11 of the Core Strategy.

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, C, D, E, F, G and H of that Order.

To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development, the landscape character of the AONB, setting of the listed building or the amenities of future occupants of the development in accordance with Policy EN1, EN2 and EN5 of the Sevenoaks Allocations and Development Management Plan.

### **Informatives**

1) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

2) The applicant must ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

3) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and hedgerows are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and hedgerows are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent

survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

4) Excavations should not be left open for animals to fall into, or planks of wood should be placed to enable any animals which may fall into such a hole to escape.

#### **National Planning Policy Framework**

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

#### **Description of site**

- 1 The proposals relate to a triangular parcel of land situated between Birchin Cross Road to the south and Magpie Bottom to the north. The application site excludes the eastern tip of the triangle which contains the Grade II listed farmhouse of Porters Farm. The application relates to three farm buildings located on land to the west of the farm house and which benefit from a separate access from Birchin Cross Road.

#### **Description of proposal**

- 2 Planning permission is sought for the conversion of 3 agricultural buildings to provide 4 residential units. The proposals include the provision of parking spaces within the site and associated changes to the buildings.
- 3 The proposals also entail an alteration to the footprint of buildings on plots 03 and 04 (described below) to pull the building away from the edge of the highway of Magpie Bottom.
- 4 The submitted drawings refer to the three existing buildings as follows:  
  
Plot 01- This is the far western detached barn comprising vertical metal cladding to its elevations and a corrugated metal pitched roof. The barn is entirely open on its north facing elevation.  
  
Plot 02- A smaller detached barn set centrally within the site with vertical timber cladding and tiled roof.  
  
Plots 03 and 04- These are two staggered but linked buildings which adjoin Magpie Bottom to the north. They are the closest to the listed building and comprise predominantly concrete block elevations with a corrugated metal roof.

## Relevant planning history

- 5 On 1 April 2019, planning permission was refused under delegated powers for the change of use and conversion of existing barns to provide 5 residential dwellings, with associated landscaping and parking (19/00179/FUL). The application was refused for the following reasons:
1. The proposals would be inappropriate development in the Green Belt and harmful to the Green Belt by definition, contrary to policy GB7 of the Sevenoaks ADMP and the NPPF.
  2. The proposed development, by reason of the design and appearance of the resulting buildings and the proposed site layout, would fail to respond positively to the character and appearance of the area, or conserve and enhance the landscape character of the AONB, and would cause harm to the setting of the Grade II listed building of Porters Farm. This is contrary to policies EN1, EN4 and EN5 of the Sevenoaks ADMP, policy SP1 of the Sevenoaks Core Strategy, and the NPPF.
  3. The application fails to demonstrate that the proposed access arrangements are suitable, particularly with regard to movements of refuse and emergency vehicles, and the retention of the adjacent agricultural buildings to the west, contrary to policy EN1 of Sevenoaks ADMP.

## Policies

- 6 National Planning Policy Framework (NPPF)
- 7 Core Strategy (CS)
- L01 Distribution of Development
  - L08 The Countryside and the Rural Economy
  - SP1 Design of New Development and Conservation
  - SP11 Biodiversity
- 8 Allocations and Development Management (ADMP)
- SC1 Presumption in Favour of Sustainable Development
  - EN1 Design Principles
  - EN2 Amenity Protection
  - EN4 Heritage Assets
  - EN5 Landscape
  - EN6 Outdoor Lighting
  - GB7 Reuse of a Building in the Green Belt
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking
  - T3 Provision of Electrical Vehicle Charging Points

9 Other:

- Sevenoaks Development in the Green Belt Supplementary Planning Document (SPD)
- Countryside Character Assessment Supplementary Planning Document (SPD)
- Kent Downs AONB Management Plan

**Constraints**

10 The following Constraints apply:

- Area of Outstanding Natural Beauty
- Metropolitan Green Belt
- Biodiversity Opportunity Area
- Adjacent listed building of Porters Farm (Grade II)

**Consultations**

11 Shoreham Parish Council

Objection - "Shoreham Parish Council objects to this development for the following reasons:

- 12 The proposed development would constitute inappropriate development in the Green Belt, as it requires major reconstruction of the three existing farm buildings to make them suitable for residential use.
- 13 The proposal is contrary to the National Planning Policy Framework 2018, policies L01 and L08 of the Core Strategy (2011); policies EN5 and GB7 of the Allocations and Development Management Plan (2015), the Development in the Green Belt Supplementary Planning Document (2015) and policies ST1 and GB1 of the submitted Sevenoaks District Local Plan
- 14 There are no very special circumstances in this case which would justify development of the reconstructed dwellings for residential use in this Green Belt location.
- 15 The application site is in open countryside, forming part of the Metropolitan Green Belt, approximately 3 km east of the village of Shoreham. The hamlet of Romney Street lies around 1 km to the north. The larger settlements of Otford and Kemsing are approximately 2 km to the south. Access roads to the application site are narrow, winding country lanes, often single track with passing places, and bounded by high mature hedges giving little forward visibility. The site fronts onto Birchin Cross Road (south east side) and Magpie Bottom (north west side), both of which roads have these characteristics.
- 16 The site is on a small elevated plateau within the North Downs, more than 200 metres above sea level, which affords extensive views, particularly to the north and east

- 17 The Grade 2 listed Porters Farm House (originally c.17, but with a c.19 front span) is situated immediately to the north-east of the application site. Other farm buildings are located immediately to the south west, and will be retained in agricultural use.
- 18 The planning application proposes change of use and conversion of three agricultural buildings on the site to residential use, forming 4 no. new dwellings.
- 19 The Government attaches great importance to Green Belts. The fundamental aim of Green belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belt are their openness and permanence (NPPF 2019 paragraph 133)
- 20 Within Green Belt, it is both national and local planning policy to strictly control inappropriate development in order to preserve these essential characteristics of openness and permanence.
- 21 National guidance in NPPF 2019 paragraph 143 is that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.
- 22 The construction of new dwellings is identified as inappropriate in the Green Belt, although construction of buildings for agriculture and forestry is identified as being an exception in paragraph 145. Paragraph 146 also allows an exception for the re-use of buildings, provided that the buildings are of permanent and substantial construction.
- 23 National policy is elaborated further in local planning policy, in particular policy GB7 of Sevenoaks District Council’s (SDC) “Allocations and Development Management Plan” and the accompanying “Development in the Green Belt SPD”, both adopted in 2015. Policy GB7 states that proposals for re-use of a building in the green Belt which would meet the following criteria will be permitted:

Policy GB7 - Re-use of a Building within the Green Belt

Proposals for the re-use of a building in the Green Belt which would meet the following criteria will be permitted:

- a) the proposed new use, along with any associated use of land surrounding the building, will not have a materially greater impact than the present use on the openness of the Green Belt or harm the existing character of the area; and
  - b) the applicant can demonstrate through a detailed structural survey and method statement that the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction that would detract from their original character.
- 24 Where a proposal seeks the re-use of an agricultural building constructed within the last 10 years, it will be necessary for the applicant to



demonstrate that there is no longer an agricultural need for the building, or that the building is no longer fit for its agricultural purpose.

- 25 Where it is accepted that there is no future agricultural need for the building, the Council will resist future proposals for new agricultural buildings, unless it is apparent that they are of a different type and nature than that previously identified as being surplus to requirements.

- 26 Supporting text for policy GB7 states in paragraph 7.44 that:

Where the proposed conversion relates to an agricultural building, the applicant should demonstrate that the building is no longer required for agricultural purposes. Where it is demonstrated and accepted that there is no longer an agricultural need for the building, the Council will not permit the future construction of new agricultural buildings of the same type and nature unless it is satisfied that circumstances have significantly changed that would warrant allowing the proposal

- 27 Local planning policy is further elaborated in the “Development in the Green Belt SPD” where paragraphs 4.4 and 4.9 state:

Conversion of a building that requires substantial rebuilding in order to make it suitable for re-use will not be permitted. As a starting point when determining whether a proposal constitutes substantial new rebuilding, the Council will wish to see at least 75% of the original structure maintained to protect its character. However, the Council recognise that in some instances proposals may be able to protect the character of the existing building with a lesser proportion of the original structure being retained

Where the conversion of existing buildings would lead directly to a need for a replacement building and this could have a significant detrimental effect on the Green Belt, the Council will not generally permit the future construction of new agricultural buildings of the same type and nature and will consider the need to attach a condition to the permission removing permitted development rights for the erection of new buildings. The purpose of this control is to ensure that new agricultural buildings in the Green Belt are not permitted solely for the intention of subsequent conversion.

- 28 Sevenoaks District Council published a new draft Local Plan in December 2018, which they submitted for independent examination in April 2019. The new plan looks ahead to 2033. This reaffirms the application site and its surroundings as Green Belt. At the same time, the District Council consulted on a new “Development in the Green Belt” Supplementary Planning Document. Both documents await formal examination and so, as yet, carry little weight in planning decisions.

- 29 On the basis of existing national and local planning policy, the key issues are:

Whether the buildings proposed for residential use are no longer required for agricultural purposes; the impact of the proposals on the openness of the Green Belt; whether the proposed works to enable residential use of the  
(Item No 4.2 )

buildings represent “re-use” or whether they involve major reconstruction; on the basis of the above matters, whether the proposals are, or are not, inappropriate development in the Green Belt.

- 30 Whether the buildings proposed for residential use are no longer required for agricultural purposes:

The application proposals comprise re-use and conversion of three buildings:

Building A: a pre-cast concrete frame building with profiled side and roof cladding and open side , approx. 18 X 10 metres Used for hay storage: to be converted to 1no.dwelling ( Plot 1) .

Building B: a timber framed building formed of blockwork and timber cladding, approx. 11 X 6 metres, Used for general storage: to be converted to 1.no dwelling (Plot 2).

Building C: a larger pre-cast concrete framed building of approx. 14 x 13 metres with profiled cladding above blockwork. Used for garaging farm vehicles and equipment storage: to be converted to 2.no dwellings (Plots 3-4)

- 31 All three are utilitarian agricultural buildings of the type frequently seen in the Kent countryside. Whilst they have no intrinsic architectural merit, they have been part of the rural scene at Porters Farm for many years. They appear to have been in active agricultural use right up to the present time, as evidenced by the applicants’ structural engineers’ photographs from 2018. Although the owners do not appear to have undertaken carried out much basic maintenance on the buildings in recent years, there appears to be no obvious reason why they could not continue in agricultural use with very modest investment in routine maintenance.

- 32 The applicants claim that the buildings “are no longer required for agricultural use”, but they are being used today to store straw, hay and agricultural machinery and, with routine maintenance, could still be used in that way for many years to come

- 33 (b) the impact of the proposals on the openness of the Green Belt

- 34 The application proposals will not extend the building footprint of the three buildings and will result in the demolition and removal of some small ancillary agricultural structures on the site. On this basis, the applicants claim that the proposals will increase the openness of this part of the Green Belt.

- 35 However, set against that, the proposals will take an area of 0.447 hectares (or 1.10 acres) out of agricultural use and into residential curtilages. This would introduce a range of domestic paraphernalia which will fundamentally change the openness of the Green Belt. These changes will include driveways and hardstanding areas for 10 vehicles and could also include sheds, lighting, washing lines, waste bins, children’s play equipment and

other items which are permitted development and which are notoriously difficult to control, even if planning conditions are imposed. The impact will also be apparent at night when the light spillage from four new residential properties with extensive glazing on Buildings A and C (necessary to bring natural light into the buildings) will be very apparent to travellers along adjacent rural roads.

36 If the existing buildings are all redundant in terms of agricultural use by the current owner or agricultural tenant, and there is a risk of their becoming a visual eyesore, the alternatives would be maintain them properly and make them available to another working farm, or to demolish them and completely restore the site to rural uses. The latter option would fully restore the openness of this Green Belt site.

37 (c) whether the proposed works to enable residential use of the buildings represent “re-use” or whether they involve substantial reconstruction

38 The Structural Engineer’s report provided with the application describes the current condition of Buildings A, B and C, and the range of works that will be necessary to convert them for residential use.

39 The Parish Council have not commissioned their own independent structural survey, so have to rely on that prepared by the applicant’s engineers.

40 Building A

The applicants’ structural engineers report recommends a number of structural works and various other works are proposed to enable the building to be converted to residential use:

- The existing concrete frame is retained , but strengthened with lateral stability measures and corrosion protection
- Concrete repair, strengthening or replacement to the existing edge beams and purlins
- New perimeter walls with masonry cavity walls, and internal walls
- New clay tile roofing and new concrete roof purlins and concrete edge beam
- Insertion of roof lights and extensive external glazing to bring light into the building
- New foundations under walls and to support ground floor slab
- Insertion of timber upper floor

Whilst the Building Regulations are not a planning matter, they do bear on the issue of how much building and reconstruction work will be required in terms of matters such as provision of cavity walls and appropriate insulation to meet national energy efficiency standards

41 Building B

Again, the applicants’ structural engineers recommend a number of structural works, and various other works are proposed to enable the building to be converted to residential use:

Addition of ply sheeting to walls, as required; Foundation underpinning to perimeter walls; Strengthening roof covering and insertion of roof truss; Possible new ground floor slab; Insertion of new windows and doors on all elevations.

42 Building C

Again, the applicants' structural engineers recommend a number of structural works, and various other works are proposed to enable the building to be converted to residential use:

The existing concrete frame is retained , but strengthened with lateral stability measures; New perimeter walls with masonry cavity walls; New clay tile roofing and new concrete roof purlins, concrete edge beam, and metal cleats; Insertion of ply decking to strengthen the roof structure; Insertion of roof lights and extensive external glazing to bring light into the building; New foundations under walls and ground floor slab; Insertion of timber upper floor; Possible replacement of ground floor concrete slab.

43 By any reasonable assessment, all these changes to the buildings to enable residential use can hardly be termed "re-use of existing buildings". They represent major reconstruction of these buildings, necessitated by their current very basic structure and simple, utilitarian, walls and roofing materials.

44 In the case of Buildings A and C , these were designed to enclose large spaces for agricultural storage .This large size also makes residential use difficult without large scale reconstruction works to bring in natural light. It is accepted that the degree of work necessary with Building B is of a lesser degree, but these have to be considered within the overall package for which planning permission is sought

45 (d) on the basis of the above matters, whether the proposals are, or are not, inappropriate development in the Green Belt

46 New walls and roofs mean substantial reconstruction of the farm buildings, even if the existing structural "skeleton" is largely retained. In planning policy terms, this means that they constitute inappropriate development in the Green Belt and should be refused planning permission. This is compounded by the scale of the proposal, transforming an isolated and historic farm house, and associated farm buildings, into to a significant residential cluster in the countryside.

47 Any other decision can only invite further proposals for major reconstruction of similar utilitarian farm buildings for residential use, to the further detriment of the openness of the Green Belt in Sevenoaks District.

48 There are no very special circumstances in this case which would justify development of the reconstructed dwellings for residential use in this Green Belt location, which also forms part of the Kent Downs AONB (see below).

49 The proposed residential buildings by virtue of their prominent location, size and bulk, and poor quality design would introduce an incongruous and

(Item No 4.2 )

jarring element into the countryside, which would have a harmfully intrusive impact on the Kent Downs AONB landscape and would have a harmful impact on the rural character of the area

- 50 The proposals would therefore be contrary to the National Planning Policy Framework; policies SP1 and LO8 of the Core Strategy; policies EN1 and EN5 of the Allocations and Development Management Plan (2015); and emerging policy LA1 of the submitted Sevenoaks District Local Plan (2018)
- 51 The application site is identified in the Sevenoaks District Landscape Character Assessment (January 2017) prepared by LUC for Sevenoaks District Council as forming part of the “East Hill Wooded Downs”. The character of the area is defined in that document (page 45) as follows:
- 52 A level chalk plateau carved by steeply undulating and folding valleys. The field pattern is small to medium scale with irregular shaped fields, enclosed by woodland and hedgerows of mixed native species. Woodland is mixed coniferous and deciduous, with large blocks of mature coppiced Sweet Chestnut on the plateau giving an overall well-wooded character. Much of the woodland is ancient in origin. The valley slopes are used for agriculture and recreation. Land use includes unimproved pasture, “horsiculture”, arable fields and a golf course.
- 53 Settlement includes isolated farmsteads, a large caravan site and residential properties, scattered along narrow lanes. These lanes undulate across the valleys and are enclosed by dense woodland that forms vegetative tunnels over the road. Agricultural properties are generally in vernacular style and date from the 19th century. Elsewhere linear residential settlements are of mixed style 20th century housing, sited on large plots. The landscape is extensively used for recreation with many footpaths and bridleways including the North Downs Way and Woodlands Manor Golf Club.
- 54 From points on the plateau boundary, there are long views over Dartford and of the Eynsford Downs. Elsewhere, views are restricted by topography and vegetation. There is a strong sense of enclosure created by the topography and large areas of mixed woodland.
- 55 The Landscape Character Assessment (page 47) goes on to set local objectives for conservation and enhancement of landscape character which include amongst other things:
- Conserving historic farmsteads in the landscape; Enhancing local vernacular built form and maintain roads and trackways to historic buildings; respecting the special qualities of the Kent Downs AONB.
- 56 The application site lies within the Kent Downs AONB, a nationally important landscape. National planning policy in NPPF 2019 paragraph 172 “gives great weight to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas”

- 57 Local planning policy echoes the NPPF with policy EN5 of the Allocations and Development Management Plan stating that the highest standards of protection will be given to the Kent Downs AONB and that proposals there will only 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 guidance (in this case the Kent Downs AONB Management Plan 2019-2024.) The thrust of policy EN5 is carried forward into the submitted policy LA1 of the new Local Plan.
- 58 Securing good quality design in all new development is an objective of both national and local planning policy, as indicated in paragraphs 124 -132 of the 2018 NPPF and policies SP1, LO8 and EN1 of the SDC Allocations and Development Management Plan.
- 59 SP1 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” and LO8 that “the visual quality of the landscape requires development to respect the countryside by having no detrimental impact upon landscape character.
- 60 Policy EN1 state, inter alia, that “proposals should create high quality design” and meet a number of criteria including “the form of the proposed development would respond to the scale, height, materials and site coverage of the area”.
- 61 We do not consider that the application proposals will meet these policy requirements in terms of conserving and enhancing the AONB landscape and providing high quality design which fits into its surroundings.
- 62 The application site is in a prominent location with two road frontages. Although filtered to some extent by hedging, they are visible to people driving, cycling, walking, or on horseback along these roads
- 63 It is hard to see how the design of the proposed dwellings responds to the distinctive local character, or to the AONB landscape. This is because - particularly in the case of buildings A and C - they are reconstructions of large utilitarian buildings and because the design of the dwellings has been driven by two factors wholly unrelated to either achieving good design, or responding to the cues provided by local character. These two factors are:
- (a) The over-riding desire to produce a proposal which is compliant with Green Belt policy over inappropriate development ( which we think fails anyway) , which means that the design of the dwellings is highly constrained by the existing buildings
  - (b) Buildings A and C produce dwellings of a very large size and bulk and difficulties of achieving suitable fenestration and natural lighting. Addressing the latter issue has produced incongruous designs, which detract from the character of this sensitive nationally important landscape.

- 64 The result is poor quality designs which do not respond to their surroundings, which do not conserve and enhance the AONB landscape, and which would have a harmful impact on the rural character of the area.
- 65 The harmful impact of the proposals is compounded by the introduction of a large new residential cluster in an isolated rural location served by very narrow, winding country lanes with little capacity to handle the significant increase in traffic generated by a proposal of this scale. Any residential development in this location will be highly car dependent.
- 66 The proposed development would cause harm to the setting of the Grade 2 listed building of Porters Farm, contrary to the National Planning Policy Framework and policy EN4 of the Allocations and Development Management Plan (2015) and policies HEN1 and HEN2 of the submitted Sevenoaks District Local Plan (2018)
- 67 Porters Farm is a grade 2 listed building and its setting is partly formed by the adjacent agricultural buildings, which have long had a secondary and ancillary relationship to the farmhouse. The introduction of four new dwellings greatly dilutes this longstanding relationship by the domestication of the farm buildings (changes in building materials, fenestration and the areas around buildings) and formation of residential curtilages. This adversely affects the setting of the listed building.
- 68 The conservation and enhancement of heritage assets, such as listed buildings, together with their settings, is afforded high priority in the NPPF 2019 paragraphs 184,189,190 and 192 and in local planning policies EN4 and HEN1 and HEN2
- 69 The present application does not satisfactorily address the issues which led to the refusal of an earlier application for reconstruction and conversion of these agricultural buildings to residential use (SE/19/00179)
- 70 A previous planning application for the reconstruction and conversion of these buildings to residential use (SE/19/00179) was refused by the District Council on 1 April 2019. The grounds of refusal were:

Contrary to Green Belt policy, with no very special exceptional circumstances to support the application; Impact on the Kent Downs AONB landscape and the setting of the adjacent listed building; Access arrangements.

Although the applicants have revised their proposals by reducing the number of new dwellings from 5 to 4, changes to some aspects of the proposed reconstruction and conversion works ( such as roofing materials), and access arrangements , particularly for larger vehicles, the same fundamental planning policy , and landscape and heritage impact, issues remain.

For all these reasons, we urge Sevenoaks District Council to refuse planning permission for these proposals and maintain the integrity of the Green Belt and the AONB in this part of our parish.”

71 SDC Conservation Officer

“There is no objection to the scheme. Porters Farm is a historic farmstead with only the listed farm house at the north east of the site remaining. There is a large modern barn which sits in close proximity to the rear of the farmhouse and the scheme will reduce the barn by a bay benefitting the setting of the listed building. Overall the detailing of the current scheme is less domestic than the previous. Please condition the materials used in the external construction and a landscaping plan which covers hard and soft landscaping.”

72 SDC Tree Officer

“I refer to my previous comments dated 4<sup>th</sup> March 2019. This application appears to be identical to the previous one. There, my comments remain the same. These were: I can inform you that there are no protected trees situated at this site. Although several mature trees are present, none would be considered worthy of protection with a preservation order. According to the plan provided, drawing 478/02, it appears that the developer proposes to retain the majority of the vegetation present. In view of these comments, I have no objection to the proposed development.”

73 KCC Highways and Transportation (summary)

- (c) Concerns for the unsustainable location of this proposal where any travel to essential facilities e.g. work, schools, shops, medical practices etc. would be almost totally reliant on the use of the private care contrary to the recommendations provided in Paragraph 103 of the NPPF.
- (d) The surrounding roads are constrained in nature however, the modest scale of this development is unlikely to result in a significant detrimental impact due to traffic flows when one takes into account the possible traffic generation from the existing building, albeit different in nature.
- (e) Parking is provided on site in accordance with the requirements of KCC Residential parking Standards and there is sufficient space within the proposed development for vehicles to turn and enter/ egress in forward gear.
- (f) The proposal utilises the existing access off Birchin Cross Road which is of adequate width although visibility in both directions is restricted. Whilst any intensification of use of this access would be difficult to demonstrate, I do consider that it would be appropriate, both for existing road users and for new residents, that a condition should be applied to any consent granted requiring 25m x 2.0m visibility splays in both directions with no obstructions above a height of 1.05m to be provided and maintained prior to any works on the site commencing.
- (g) Other conditions in the interests of highway safety recommended are: 1. provision of measures to prevent the discharge of surface water onto the highway; 2. provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site

(Item No 4.2 )



commencing; 3. Provision and permanent retention of the vehicle turning facilities shown on the submitted plans prior to the use of the site commencing; 4. Use of a bound surface for the first 5 metres of the access from the edge of the highway; 5. Any gates to open away from the highway and to be set back a minimum of 5m from the edge of the carriageway.

(h) Informatives recommended.

74 KCC Ecology- (summary)

- (i) Sufficient ecological information has been provided for the determination of the planning application, but the detailed mitigation/ enhancement requirements must be submitted/ implemented as a condition.
- (j) Small habitats on the site such as the hedgerows and grassland of longer swards offer some suitability for reptiles and Great Crested Newts to be present. We do not agree with the conclusion that the proposed development will not result in the loss of optimum habitat and connectivity between the surrounding habitats.
- (k) In order to minimise any residual risk of harm or impact to reptiles and GCNs (if present), precautionary mitigation measures will have to be undertaken by condition.
- (l) Buildings on site were found to be of low suitability and bat droppings found in one building, and these are going to be lost/ converted by the proposals. Bat emergence/ re-entry surveys have been undertaken on-site but no bats were recorded and bat activity was low. Despite this, a precautionary bat mitigation strategy must be undertaken prior to any demolition/ construction works on building B2 (Plot 02). In the unlikely event of a bat being found then works should cease immediately and a licence from Natural England sought. Condition recommended.
- (m) Satisfied that none of the trees present on site offered potential for roosting bats.
- (n) Condition recommended to ensure appropriate lighting designed in accordance with the Bat Conservation Trust's Guidance Note 8: Bats and artificial lighting in the UK.
- (o) The ecological assessment considered the hedgerows to have potential to support the hazel dormouse due to the presence of species rich hedgerow along the red line boundaries which are connected to ancient woodlands. A condition is recommended with regard to the management of those hedgerows.
- (p) Informative recommended in relation to breeding birds and the provisions of the Wildlife and Countryside Act 1981.

- (q) To protect other mammals (eg hedgehogs and badgers), excavations should not be left open for animals to fall into, or plants of wood should be placed to enable any animals which may fall in to escape.
- (r) Hedgerows and trees to be retained shall be protected during construction and recommend incorporating the protection of the retained habitats in to the Construction Management Plan and to secure this as a condition.
- (s) Ecological enhancements should be secured by condition.

## Representations

- 75 One letter of support has been received. The issues it raises can be summarised as follows:
- Traffic in the area has decreased since the closing of the golf course
  - Congestion is on Row Dow due to the St Michaels School
  - Need for smaller units for families
  - The application supports Sevenoaks' housing need
  - No additional volume of development
  - Respectful to AONB and Green Belt
  - The development is not visually intrusive or larger than the existing buildings
- 76 Six letters of objections have been received to date, including one from Campaign to Protect Rural England (CPRE). The issues raised can be summarised as follows:
- There is a rich history to this area
  - Orchids and chalk loving plants grow in the valley
  - Permanent change to the farmstead character and landscape
  - The buildings are being replaced not converted
  - The barns are being made redundant to obtain planning permission
  - Farm buildings are typical of the landscape and contribute to character
  - Residential use brings domestic clutter, near garden sheds and cars and car parks, out of character with the landscape
  - Golf courses have already harmed the landscape
  - Question the inclusion of a farm building into a modern housing complex
  - Increased traffic and congestion
  - Existing problems at nearby junctions and due to lack of passing points
  - The proposals would detract from the listed farmhouse
  - The concerns of the previous application have not been overcome
  - Harm to AONB and SSSI, and conflict with management plans
  - Harm to wildlife and ecosystems
  - The proposals will contribute to urban sprawl
  - No need for housing in this area or this site
  - Light pollution, detracting from dark skies

(Item No 4.2 )

- The existing barns are in use
- Effect of 'pepper potting' housing across the countryside

### Chief Planning Officer's appraisal

77 The main planning considerations are:

- Green Belt impact- whether the development would be appropriate in the Green Belt and its impact on openness
- Impact on the AONB, character and appearance of the area, and impact on the setting of the adjacent designated heritage asset
- Residential amenity
- Parking and highways
- Ecology and trees

### Impact on the Green Belt

78 As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development and lists exceptions. Paragraph 146 lists other forms of development which are also not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. These include: *d) the re-use of buildings provided that the buildings are of permanent and substantial construction.*

79 Paragraph 143 states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.

80 Paragraph 144 of the NPPF advises we should give substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. Therefore, the harm in principal to the Green Belt remains even if there is no further harm to openness because of the development.

81 Local policy GB7 of the ADMP relates to the re-use of a building in the Green Belt. GB7 states that the re-use of a building in the Green Belt would be permitted where it meets the following criteria:

- a) The proposed use, along with any associated use of land surrounding the building, will not have a materially greater impact than the present use on the openness of the Green Belt or harm the existing character of the area;
- b) The applicant can demonstrate through a detailed structural survey and method statement that the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction that would detract from their original character.

- 82 The policy goes on to describe that applications for conversion of agricultural buildings constructed in the last ten years should be accompanied by information to demonstrate that it is no longer fit for its agricultural purpose.
- 83 It is first necessary to establish whether the proposals could sit within exception d) of paragraph 146 of the NPPF and whether the proposals entail 're-use' of the buildings rather than rebuild. Policy GB7 and the 'Development in the Green Belt' SPD are relevant to this consideration.
- 84 Each of the three buildings can be considered in turn in light of the proposed drawings and the submitted 'Structural Engineering Appraisal Report'. This report has been prepared by a suitably qualified structure engineer and has been updated since the last application to reflect the amended proposals and provide some further information on the existing buildings. This report, in connection with the proposed drawings suggest the changes required to each building include the following works:

Building A (Plot 01):

- A 'reasonable' amount of concrete repair works required to the main concrete frame, plus new edge beam
- Removal of all existing cladding and walls
- Laying of new concrete floor required as floor is just earth
- Need for lateral supports to support new elevations
- New roof covering replacing profiled sheeting with plain clay tiles, requiring new purlins and new concrete edge beams
- Use of new central spine wall to provide structural support for first floor (drawing 478/04/B)
- Potential underpinning (drawing 478/04/B)

Building B (Plot 02)

- Roof and timber structure have been replaced in the last 3 years.
- Replacement of existing metal roof with slate roof, with associated strengthening of the roof structure
- Concrete slab may be retained, not confirmed
- The walls are made of blockwork and timber walls, some repairs may be required
- Replacement timber cladding to elevations with window and door openings inserted as proposed. Stud walls beneath have not been assessed.
- Suspected to be no ply sheeting to provide lateral stiffness.

Building C (Plots 03 and 04)

- Corrugated metal roofs removed and replaced with zinc roofs and roof lights
- Corrugated metal and concrete bricks on all elevations removed and replaced with new walls
- Northern elevations repositioned by removing 'lean tos'

- Adaptations required to provide lateral stability
  - Anticipated that the frame has spare loading capacity to support the roof load
  - New purlins and beams to be added
  - Repair to existing pre-cast concrete frame
  - New foundations required to perimeter and underpinning required to internal foundations
- 85 The structural report concludes that overall, more than 80% of the existing structure is envisaged to be retained and reused. It concludes that no major or complete re-construction is needed and that the buildings are capable of accommodating the proposed works.
- 86 It is clear from the structural report, and a comparison of the existing and proposed drawings, that much of the existing fabric of those buildings would be lost by the works and the proposals entail retention and maintenance of predominantly just the concrete frames on buildings A (Plot 01) and C (Plots 03 and 04).
- 87 The guidance in the 'Development in the Green Belt' SPD (2015) states that as a starting point the Council wish to see at least 75% of the original structure maintained to protect its character as a starting point. It is unclear whether this relates to the structure frame or overall fabric of the existing buildings. However in this instance it is clear that buildings A (Plot 01) and C (Plots 03 and 04) would require significant works to their elevations and roof in order to accommodate a residential use.
- 88 It is relevant to consider a recent appeal decision at Vine Cottage, Penshurst (ref 17/00825/FUL) where the Council considered that the works to convert the agricultural building amounted to substantial reconstruction. In that case the proposals would retain the portal frame and the ground slab and required strengthening works, support to the plinth and potential underpinning. The Inspector in that case concluded that the scale of the works would not be major but could be considered as 'alterations' given that the roof and wall works involved recladding rather than rebuilding. The Inspector found no conflict with policy GB7 or the advice in the SPD.
- 89 It is considered that this appeal scheme is comparable to this current application. While Building A lacks an existing slab, it is not considered that creation of a new slab would result in a different conclusion.
- 90 It is relevant that the NPPF (February 2019) refers only to the 'reuse of existing buildings'. In this instance, it is considered that the proposals would result in the re-use of the existing buildings, compliant with the NPPF and the works required would not result in major or complete reconstruction of the buildings, compliant with Sevenoaks policy GB7.
- 91 With regard to GB7a), as the proposal would retain areas of open land around the site, in particular to the southern side of plots 01 and 02 facing Birchin Cross Road, the openness of the site would still be perceived from the south. There would be some increased harm to openness arising from the use of the parking areas and residential paraphernalia associated with

the residential uses. However, as the outdoor spaces associated with the units is limited to small areas close to the buildings, they would not unduly intrude into the openness of the site.

**Impact on the AONB, character and appearance of the area, and impact on the setting of the adjacent designated heritage asset**

- 92 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.
- 93 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.
- 94 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.
- 95 The site lies within a distinctly rural area characterised only by clusters of buildings and isolated development including farmsteads. The site is part of a cluster of agricultural buildings typical of this setting and overall makes a positive contribution to this part of the AONB.
- 96 The existing buildings each comprise a simple form and character with little animation provided by any openings and no features of notable architectural merit. As such they appear typical of buildings with agricultural origins and their utility, and sit comfortably within this setting. They have an informal positioning on the site and lack any regularity, appearing as a cluster of structures related to the main farmhouse of Porters Farm.
- 97 The design of the development has been amended since the earlier applications.
- 98 On Plot 01 (the most western building), the proposal now incorporates reduced sized roof lights and timber frame windows and doors rather than metal as previously proposed. The proposed elevations are now entirely timber clad rather than introducing decorative brickwork features.
- 99 The building on Plot 02 is now proposed to have a clay tiled roof with elevations of timber cladding incorporating timber framed openings and a brick plinth.
- 100 On Plots 03 and 04, the scale of openings on the north elevation (facing the lane of Magpie Bottom) have been substantially reduced and this elevation would incorporate modestly scaled openings. The roof treatment is now

(Item No 4.2 )

proposed to be slate rather than zinc and the elevations would be re-clad in timber boarding and brickwork and incorporate timber framed windows.

- 101 As a result of these changes the buildings now appear more simplistic in their design and would incorporate a pallet of materials which is typical of a rural setting. Overall the buildings would continue to sit quietly and incorporate a rural, unobtrusive character which adequately respects their farmstead heritage. Subject to conditions relating to material samples and a scheme of hard and soft landscaping, the proposals would comply with policy EN5 and would preserve and enhance the special landscape character.
- 102 For the above reasons the proposals would also comply with policy EN1 of the ADMP and SP1 of the Core Strategy in terms of their impact on the character and appearance of the area.

### **Impact on Heritage Assets**

- 103 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 104 The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).
- 105 Sevenoaks policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 106 ‘Porters Farmhouse’ is grade II listed and its setting is formed, in part, by the adjacent agricultural buildings for which its name would suggest it historically had a relationship. The elevation on Plot 04 which faces the listed building has been amended to be simple in its design, incorporating only one window alongside a glazed main entrance. A new soft boundary treatment would be positioned between building and the courtyard of the listed building.
- 107 The Council’s Conservation Officer has visited the site and noted that the current application is less domestic in its detailing than the previous. She has raised no objection to the proposals.
- 108 It is considered that the proposals now respect, and preserve, the setting of the listed building and the traditional hierarchy of buildings across the site. The proposals are considered to comply with EN4 of the ADMP.
- 109 In light of the sensitivity of the site to change, its positive contribution to the landscape character and proximity to the listed building, it is recommended that permitted development rights for each of the new dwellings are removed to prevent further alterations being undertaken without further planning permission.

## **Residential amenity**

- 110 The main existing dwelling likely to be affected by the proposed development is Porters Farmhouse. The proposed works to plot 04 (closest to Porters Farmhouse) would not increase the impact of the development on this building in terms of sunlight and daylight or sense of enclosure. However the proposals would see the introduction of the main entrance to plot 05 in this side elevation, facing the Farmhouse. The proposals would rely on the maintenance of a hedgerow to prevent overlooking to the main Farmhouse. Provision of such a hedgerow could be conditioned, to help protect the privacy of future occupants.
- 111 Other nearby residential dwellings are such a distance from the proposed conversions that their living conditions would be preserved. This is compliant with policy EN2.
- 112 EN2 also seeks to ensure that occupants of new development benefit from good standards of amenity. In this case the proposed developments would provide a good standard of living conditions, each with private outdoor amenity space. There is likely to be some inter-visibility between the dwellings proposed, however this would mostly be at oblique angles and there would be an element of 'buyer beware' for potential future occupants.

## **Parking and highways**

- 113 The site is located in a rural location with poor pedestrian links to local facilities. As a result there is likely to be a heavy reliance on vehicles serving the site. However, this alone is not objectionable and this is a situation shared by many rural dwellings. KCC as the Highways Authority have noted that while the local roads are constrained, the development is unlikely to give rise to a significant increase in traffic flows on the local highway.
- 114 The proposals would provide 10 parking spaces on the site to serve the 4 dwellings. This is considered to be adequate and would include visitor spaces for the new houses, compliant with policy T2 of the ADMP. Provision of electrical charging points could also be secured by condition to comply with policy T3.
- 115 The proposals would utilise an existing access from Birchin Cross Road. The Highways Authority have raised no objection to the use of this access subject to the imposition of a condition to maintain visibility splays to ensure that vehicles can safely exit the site. The Highways Authority have recommended a number of other conditions to ensure that the parking spaces and site access are maintained to the required standard.
- 116 One of the reasons for refusal on the earlier application related to access arrangements to the site, specifically for refuse and emergency vehicles, as raised by the Highways Authority. This application has been accompanied by tracking diagrams to demonstrate that a fire engine would enter and



manoeuvre around the site. Refuse storage facilities have also been proposed closer to the site entrance.

- 117 The Highways Authority have raised no objection to these issues under this application and it is considered that the revised proposals, and associated additional information, adequately address the earlier reason for refusal.
- 118 It is noted that the proposals would enclose part of the site on Magpie Bottom adjacent to Plots 03 and 04. This is understood to be under the ownership of the applicant and any rights of access over this land are a separate matter which would need to be addressed with the Highways Authority.

### **Ecology and trees**

- 119 There are no protected trees on the site. However, those trees and hedgerows surrounding the site contribute positively to the character and appearance of the area and conditions could be used to ensure their protection during the construction process. A comprehensive landscaping scheme, and its retention for 5 years, site could also be secured by condition.
- 120 The application has been accompanied by a preliminary ecological appraisal and also a Great Crested Newt method statement. These documents have been subject to consideration by KCC Ecology. It has been found that the documents are adequate for the determination of the planning application. Further actions required to ensure the development preserves and enhances local biodiversity could be secured by condition. This would ensure compliance with policy SP11.

### **Other issues**

- 121 The Parish Council have raised concern that the existing buildings may still be required for agricultural purposes. It is agreed that, at the time of the site visit, some of the buildings were still in use for this purpose. However, policy GB7 only requires an assessment of the agricultural need if the buildings have been constructed within the last 10 years. Therefore this test is not applicable to the buildings in question.
- 122 Concern has been raised for light spillage from the site. While this could not reasonably be controlled from the buildings themselves, a condition is recommended to secure a lighting scheme for the site, to ensure any lighting is appropriately designed to reduce its impact on the AONB and local biodiversity.
- 123 The Parish Council have also considered that the re-use of the buildings for agricultural purposes, or their demolition, would restore the openness of the Green Belt. Despite this, we are required to determine the proposals submitted and their compliance against development plan policy. The NPPF, at paragraph 146 does allow for the re-use of buildings in the Green Belt.

## **Community Infrastructure Levy (CIL)**

124 This proposal is CIL liable and there is no application for an exemption.

### **Conclusion**

125 The proposals have adequately overcome the earlier reasons for refusal and can now be concluded to be appropriate development in the Green Belt, which preserves openness. The proposals would conserve and enhance the special landscape character of the AONB and sit comfortably within the character and appearance of the area, subject to compliance with the recommended conditions. Residential amenity would be preserved, as would highway safety and local ecology.

126 The proposals are compliant with the policies of the development plan and it is recommended that the application is approved.

### **Background papers**

Site and block plan

Contact Officer(s): Claire Shearing

Contact: 01732 227000

**Richard Morris**

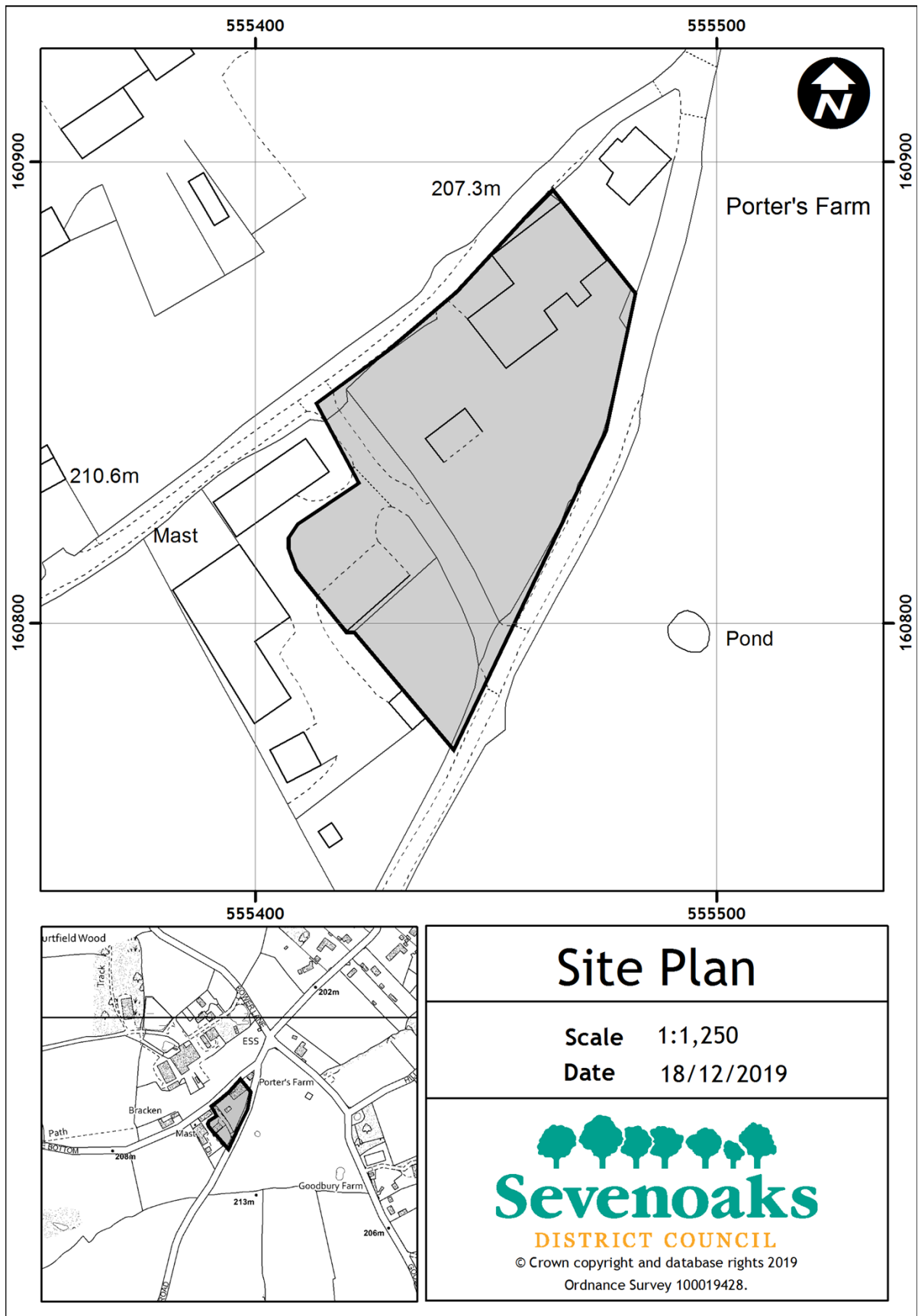
**Chief Planning Officer**

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=PZ2C9ABKMY200>



## BLOCK PLAN

