

5.02 – SE/11/02706/FUL Date expired 15 December 2011

PROPOSAL: The erection of an extension and renovation of listed farmhouse including conversion of associated farm building and rationalisation of outbuildings

LOCATION: Ludwells Farmhouse, Spode Lane, Cowden, Kent TN8 7HN

WARD(S): Cowden & Hever

ITEM FOR DECISION

This application has been referred to the Development Control Committee since the Officer's recommendation is at variance to the view of the Parish Council and in the absence of a Ward Member for the area.

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) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the extension and outbuilding hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

3) No development shall be carried out on the land until all door and window details, at a scale of not less than 1:20 have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

4) No development shall be carried out on the land until a detailed method statement has been submitted to and approved in writing by the Council. The method statement shall include the works required for the underpinning of the walls and chimney of the house, the works required for the lowering and tanking of the ground floor, and the works proposed at the junction of the original house and the extension. The development shall be carried out using the approved statement and shall be completed before the first occupation of the extension hereby permitted.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

5) No development shall take place until a method statement in accordance with The Ecology Consultancy Bat and Reptile Report of 3rd November 2011 has been submitted to and approved in writing by the Council demonstrating how and when

building works would take place taking into account the presence of protected species and including all enhancements proposed. The development shall be carried out in accordance with the approved statement.

To ensure the long term retention of protected species on the site as supported by the National Planning Policy Framework.

6) No external lighting shall be installed on the building or surrounding land until details regarding a lighting scheme which is sensitive to bats have been submitted to and approved in writing by the Council. The development should be carried out using the agreed lighting scheme and no additional lighting shall be permitted despite the provisions of any Development Order.

To ensure that the development does not significantly harm bats that may inhabit the area as supported by the National Planning Policy Framework.

7) The existing derelict stables, paint store, garage, office containers, services and store as shown on the approved plan H10-907-007 Revision A shall be demolished and all materials resulting therefrom shall be removed from the land before development commences, or within such period as shall have been agreed in writing by the Council.

To prevent inappropriate development in the Green Belt as supported by policy H14B of the Sevenoaks District Local Plan.

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

To prevent inappropriate development in the Green Belt as supported by policy H14A of the Sevenoaks District Local Plan.

9) No building, enclosure or swimming pool, other than those shown on the approved plans, shall be erected within the curtilage of the dwelling despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by policy H14B of the Sevenoaks District Local Plan.

10) The converted Apple Store shall not be occupied at any time other than for purposes ancillary to the residential use of Ludwells Farmhouse.

To prevent inappropriate development in the Green Belt as supported by the National Planning Policy Framework.

11) The development hereby permitted shall be carried out in accordance with the following approved plans: H10-907-001 Revision A, 002, 003, 004, 005 Revision A, 006, 007 Revision A, 010 Revision A, 011 Revision A, 012 Revision E and 013.

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

South East Plan 2009 - Policies SP5, CC6, C3 and BE6

Sevenoaks District Local Plan - Policies EN1, GB3A, H6B, H14A and H14B

Sevenoaks District Core Strategy 2011 - Policies LO8 and SP1

The following is a summary of the main reasons for the decision:

The following very special circumstances exceptionally outweigh any harm by reason of inappropriateness and any additional harm to the Metropolitan Green Belt by reason of other factors:- the house is Grade II Listed meaning the creation of a basement beneath it would not be acceptable;- the basement is wholly subterranean; and- the footprint of the basement is comparable to the footprint of the extended house and so is not deemed to be in any way excessive.

The development would respect the fabric, character and setting of the Listed Building.

The scale, location and design of the development would preserve the character and appearance of the Area of Outstanding Natural Beauty.

Description of Proposal

- 1 The application seeks the approval of the erection of a two storey side extension to the main house, a link addition to the rear and a separate two storey addition. Approval is also sought for a basement area under the proposed rear extension and terrace area, the conversion of an existing former store building to provide additional accommodation and the demolition of a number of existing outbuildings on the site and the erection of a single detached outbuilding.
- 2 The proposed two storey side extension would be located where an existing single storey side projection lies. This addition is proposed to tie into the main house with a large hip end over the extension.
- 3 The two storey link addition is proposed to be a mainly glazed structure, with a low flat roof, that would provide a new entrance to the building. The proposed two storey rear extension would again have a lower ridge height than the main house and would possess a traditional appearance, with a slight overhang at first floor level. The proposed basement area would be located partly below the proposed rear addition and link, and partly beneath a proposed terrace to the rear of the main house.
- 4 The proposed conversion involves a former store building, located to the north-east of the main house, at the end of what appears to be the residential curtilage of the property. The conversion would provide accommodation over two floors with minimal external alterations to the building.
- 5 The proposed outbuilding would be single storey in design and would be located to the west of the main house. The site would be cleared of several existing buildings including a large workshop and two office buildings adjacent to the rear of the dwelling, and a store building and stable building located to the north-east of the main house.

Description of Site

- 6 The application site comprises a large two storey detached dwelling, with accommodation in its roof, several detached outbuildings and an associated

curtilage located in a remote setting off of Spode Lane. Development in the area is sparse with a converted barn standing adjacent to the site to the north-west and several other residential properties sited back towards Spode Lane. The site is fairly well screened from long distant views but the site is open in places to views from within the locality of the main house.

Constraints

- 7 The site lies within the Metropolitan Green Belt, High Weald Area of Outstanding Natural Beauty (AONB) and the main Farmhouse building is Grade II Listed, with the Apple Store being curtilage Listed.

Policies

South East Plan

- 8 Policies – SP5, CC6, C3 and BE6

Sevenoaks District Local Plan

- 9 Policies – EN1, GB3A, H6B, H14A and H14B

Sevenoaks District Core Strategy

- 10 Policies – LO8 and SP1

Other

- 11 National Planning Policy Framework (NPPF)
12 Residential Extensions Supplementary Planning Document (SPD)

Planning History

- 13 SE/11/02707 - Listed Building Consent for the extension and renovation of listed farmhouse including conversion of associated farm building and rationalisation of outbuildings. Pending consideration

Consultations

Parish / Town Council

- 14 Comments received – 16.11.11

'Members of the Planning Committee of Cowden Parish Council have recently considered the planning applications referenced above. Members unanimously resolved not to support these applications on the grounds that:

- i) Members consider the proposed development to be excessive, particularly in terms of potential overdevelopment;
- ii) Members expressed doubt about the provenance of occupation of the Apple Store;

- iii) Members expressed doubt in respect of the percentage increase of the proposed extension in relation to the claimed provenance of the office cabins and other outbuildings.'

Natural England

15 Comments received – 16.11.11

Natural England raised no objection to the proposal but suggest several conditions to be included in any approval of planning permission. See file note for full comments.

KCC Biodiversity Officer

16 Comments received – 16.11.11

The KCC Biodiversity Officer raised no objection to the proposal but suggests several conditions to be included in any approval of planning permission. See file note for full comments.

The Society For The Protection Of Ancient Buildings (SPAB)

17 Comments received – 28.11.11

SPAB initially raised strong concerns about elements of the proposed works to the Farmhouse. However, after a meeting on site and further consultation SPAB have accepted the justification for the works and offered their support of the proposal. See file notes for full comments.

SDC Conservation Officer

18 Comments received – 14.12.11

'Following detailed discussions, I consider that the proposed extension would be appropriate in terms of location in relation to the existing house, scale and design. With regard to the proposed alterations to the existing building however I am not convinced that the reduction of the ground floor level, underpinning and tanking is justified in terms of the impact on historic fabric or is in any way necessary. Specialist advice should be sought to find a less drastic means of dealing with the perceived problem. In addition I am not convinced that all the existing windows need to be replaced. In summary this application is not yet at a stage where a positive recommendation can be made.'

19 Further comments – 08.02.11

'Following a site meeting held on 10/01/2012 the various issues raised by myself and by SPAB have been further discussed and since resolved. There are now no objections to the proposed underpinning and lowering of the ground floor levels (part) as these have been shown to be necessary in the particular circumstances of the site and the building. I therefore recommend consent subject to conditions relating the samples/details of materials, details of doors and windows (to be painted timber throughout), a detailed method statement in respect of various works e.g. underpinning new flooring.'

Southern Water

20 Comments received – 14.11.11

‘Southern Water has no objections to the above proposals.’

Representations

21 None received.

Head of Development Services Appraisal

22 The main issues in this case are the potential impact on the Green Belt, the potential impact on the impact on the landscape character of the AONB and the potential impact on the Listed Buildings. Other issues include impact on biodiversity, neighbouring amenity, parking provision, highways safety and drainage.

Principal Issues

Impact on the Metropolitan Green Belt

- 23 Policy regarding the Green Belt contains a presumption against inappropriate development in the Green Belt. New development is only seen as appropriate if it falls into one of several categories. One of these categories is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The re-use of existing buildings is also potentially deemed to be appropriate development.
- 24 Policy H14A of the Local Plan clarifies this by requiring that the 'gross floor area' of the existing dwelling plus the 'gross floor area' of the extension does not exceed the 'gross floor area' of the 'original' dwelling by more than 50%, amongst other requirements.
- 25 Policy H14B of the Sevenoaks District Local Plan allows for the erection of outbuildings within the curtilage of dwellings in an AONB provided; the floor area of the outbuilding falls within the 50% allowance of the property, the cumulative floor area of all outbuildings does not exceed 40m², the outbuilding is single storey and is well designed in relation to the dwelling and the surrounding area.
- 26 Policy GB3A of the Local Plan supports the conversion and re-use of existing buildings in the Green Belt provided the proposed new use will 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 re-construction and the form, bulk and general design of the buildings are in keeping with their surroundings and respect local building styles and materials.
- 27 In addition the NPPF states that ‘local planning authorities should ensure that substantial weight is given 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.’ (para. 88)

- 28 Policy EN1 of the Local Plan states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive character of the area in which it is situated.
- 29 The original floor area of the dwelling was roughly 240m² allowing additions to the house of up to 120m². The only alteration that appears to have occurred to the property is the addition of the single storey boiler room projection, which is proposed to be removed as part of the proposed works. The proposed extensions appear to create an additional 207m² in floor area, including a basement area beneath the proposed extension and terrace area. The area of the basement is roughly 87m².
- 30 The main house was designed and originally constructed for residential use, and the proposed extensions would not facilitate the creation of a separate unit. The design of the extensions, with their subservient appearance, would be sympathetic and well articulated to main house, and would not result in a large, bulky or intrusive building in the landscape. Visually, the harm that the proposed extension would have on the open character of the area would be minimal given the location of the development and the boundary treatment of the site.
- 31 The amount of proposed floor area exceeds the permitted amount and so it is considered that the proposal would not comply with policy H14A. It is therefore necessary to assess the case for very special circumstances that applies to the proposal. This includes the fact that the Farmhouse is a Listed Building and that the basement is wholly subterranean. An assessment of this case will be carried out later in the report.
- 32 The floor area of the proposed garage and workshop outbuilding is proposed to be about 115m². Due to this proposed floor area and the cumulative floor area of the extensions and the outbuilding, the proposal fails to comply with criteria 1 and 2 of policy H14B and so would be deemed to be inappropriate development. The proposal would comply with criteria 3 and 4 in that it would be single storey in design, would be well designed in relation to the main house, compatible with the character of the area and designed and sited to minimise visual intrusion.
- 33 It is therefore necessary to assess the case for very special circumstances provided by the applicant. This includes the fact that the site would be cleared of a number of outbuildings with a cumulative floor area significantly greater than that of the proposed building. Again, an assessment of this case will be carried out later in the report.
- 34 The proposed conversion of the existing store building to further residential accommodation 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. External alterations to the building are proposed to be minimal with existing openings being utilised and a few additional openings being created. Some works are proposed to be carried out to the building but these are not considered to be major or complete reconstruction. Finally, bulk and general design of the building is in keeping with the surroundings and respect local building styles and materials, especially given the adjacent redundant farm buildings.

- 35 Overall, the proposal constitutes inappropriate development in the Green Belt but very special circumstances are to be considered further later in the report.

Impact on the landscape character of the AONB

- 36 Policies relating to the AONB requires development that falls within these areas not to harm or detract from the landscape character of the area.
- 37 The character of the area is defined by the open fields that surround the site. These fields gently undulate, and the site is also surrounded by small groups of trees and so long distance views into the site are limited. Shorter views are available from the public right of way that runs along the access road directly adjacent to the site.
- 38 The main additions to the house would project to the side and rear of the property, and the proposed outbuilding would also lie to the rear of the house. The house is, and the proposed outbuilding would therefore be, some distance from the plot frontage. The existing store building, proposed to be converted, lies adjacent to the plot frontage but minimal external alterations are proposed to this building.
- 39 It is therefore considered that the proposed works would not to harm or detract from the landscape character of the AONB.

Impact on the Listed Buildings

- 40 The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 41 The proposal involves works to the Farmhouse in addition to the proposed side and rear extensions. The additions to the house are generally supported by SPAB and the Council's Conservation Officer. The extension to the side of the house replicates the general design of the existing building, using matching finishing materials, tying into the roof of the existing property and having the same depth as the dwelling.
- 42 The proposed link extension provides a modern break between the main house and the proposed rear extension, both of which are wholly acceptable in terms of their design and scale given the size and appearance of the main house.
- 43 The additional works to the building include the underpinning of the existing foundations of the building and the lowering of the floor, at ground floor level, in the proposed dining and family rooms. These works have the potential to have a significant effect on the fabric of the building, hence the concern initially raised by SPAB and the Council's Conservation Officer.
- 44 At a meeting on site, including a representative from SPAB and the Conservation Officer, further explanation for these structural works were provided. The site is found on clay and a high water table is evident. This combined with the shallow foundations has led to movement within the building, apparent from the fractures in the south and west elevations, floor distortions and cracking to the inglenook fireplace.

- 45 To combat this issue the applicants structural engineer has proposed a combination of dropping the internal floor level of the ground floor of the part of the house most affected, which are not original features of the building, and underpinning the foundations of the dwelling.
- 46 Since it has been demonstrated that these measures are required to ensure the retention of this Grade II Listed Building both SPAB and the Conservation Officer have agreed that, subject to several conditions including one relating to a detailed method statement regarding the structural works to the building, the proposed works are acceptable.
- 47 No objections are raised by SPAB or the Conservation Officer with regards the conversion of the Apple Store or the erection of the detached outbuilding. As explained above works required to convert the Apple Store are minimal and the outbuildings to be removed are more recent additions to the site and therefore have no historic links to the main Farmhouse building.
- 48 Overall, it is therefore considered that the proposal would preserve the historic fabric, the character and the setting of the Listed Buildings.

Other Issues

Impact on biodiversity

- 49 The NPPF states that When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.
- 50 Both Natural England and the KCC Biodiversity Officer have offered their support for the proposal subject to conditions to be attached to any approval of consent. These would require a method statement in accordance with the ecological report submitted and a scheme for any proposed external lighting to ensure that it is bat sensitive.

Impact on neighbouring amenity

- 51 Policies EN1 and H6B of the Sevenoaks District Local Plan require that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants. The Council's Residential Extensions Supplementary Planning Document also provides guidance relating to the design of extensions to dwellings.
- 52 The closest neighbouring residential property to the site will be the converted barn to the north of the site once it is completed. This property is roughly 30m away from the flank of the dwelling and so the proposed works would have minimal impact upon the future occupants of the converted barn.

Parking provision and highways safety

- 53 The site would retain provision for a significant number of vehicles on site, given the size of the proposed garage building and the extent of driveway proposed. The continued use of the existing access onto the site would also be acceptable.

Drainage

- 54 Following no objection to the proposal being raised by Southern Water it is considered that the proposal would be acceptable in terms of drainage.

Access Issues

- 55 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development provides appropriate facilities for those with disabilities. The new entrance to the property appears to be accessed via a step up to it. If required by Building Regulations the applicant can be notified by way of informative that a ramp may require a further planning permission and to contact the Council to discuss the matter.

Very Special Circumstances

- 56 Very special circumstances need to be considered with regards the proposed extensions and the proposed outbuilding.
- 57 It is asserted that the fact that the building is Listed prevents a basement from being created beneath the main house, hence the location of it partly below the proposed extension and partly beneath a terrace proposed to the rear of the house. This point is accepted since the works required to create a basement would cause a great deal of disruption to the historic fabric of the building. In addition to this, the footprint of the basement is comparable to the footprint of the extended house and so is not deemed to be in any way excessive.
- 58 Finally, the basement is wholly subterranean and so would have no impact on the maintenance and the open character of the area.
- 59 Therefore, while it is acknowledged that the cumulative floor area of the extensions and the basement exceeds the allowance permitted by policy, the basement area is not deemed to be excessive in size and would have no impact on the maintenance and the open character of the Green Belt. Subsequently, it is accepted that the basement area should be discounted from the floor area calculation of the house. With this area removed from the calculation, the proposed extensions would wholly comply with the criteria of policy H14A.
- 60 Turning to the proposed outbuilding, the proposal involves the removal of a number of large outbuildings from the site, with a cumulative floor area of about 230m². The proposed outbuilding would have a floor area significantly smaller than this at about 115m².
- 61 The floor area of the proposed outbuilding would be equal to half the cumulative floor area of the existing structures. This represents a significant reduction in built form on the site, which would have the effect of significantly opening up the site given the fact that several of the outbuildings stand prominently to the front of the Farmhouse and the proposed garage and workshop would be located to the rear.
- 62 Therefore, while it is again acknowledged that the floor area of the proposed outbuilding exceeds that permitted by policy, the planning gain in clearing the site of several outbuildings and replacing them, with a single structure with a much smaller footprint, is significant. It is also the case that the Council can control future development on the site by removing permitted development rights relating to the erection of outbuildings and other enclosures.

- 63 Overall, it is concluded that the case for very special circumstances is sufficient to outweigh the harm to the maintenance and the open character of the area that the proposal represents.

Conclusion

- 64 It is considered that the proposed development would not to harm or detract from the landscape character of the AONB and would not significantly impact upon the historic fabric, character and setting of the Listed Buildings. However, the proposal is considered to be inappropriate development in the Green Belt but circumstances exist that are sufficient to outweigh the harm that the development represents. Consequently the proposal is not wholly in accordance with the development plan but the Officer's recommendation is to approve.

Background Papers

Site and Block Plans

Contact Officer(s): Mr M Holmes Extension: 7406

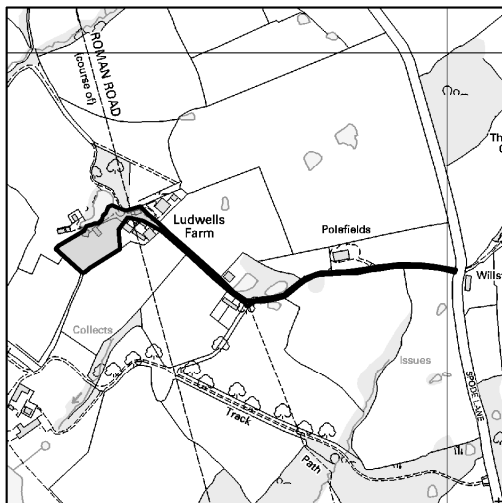
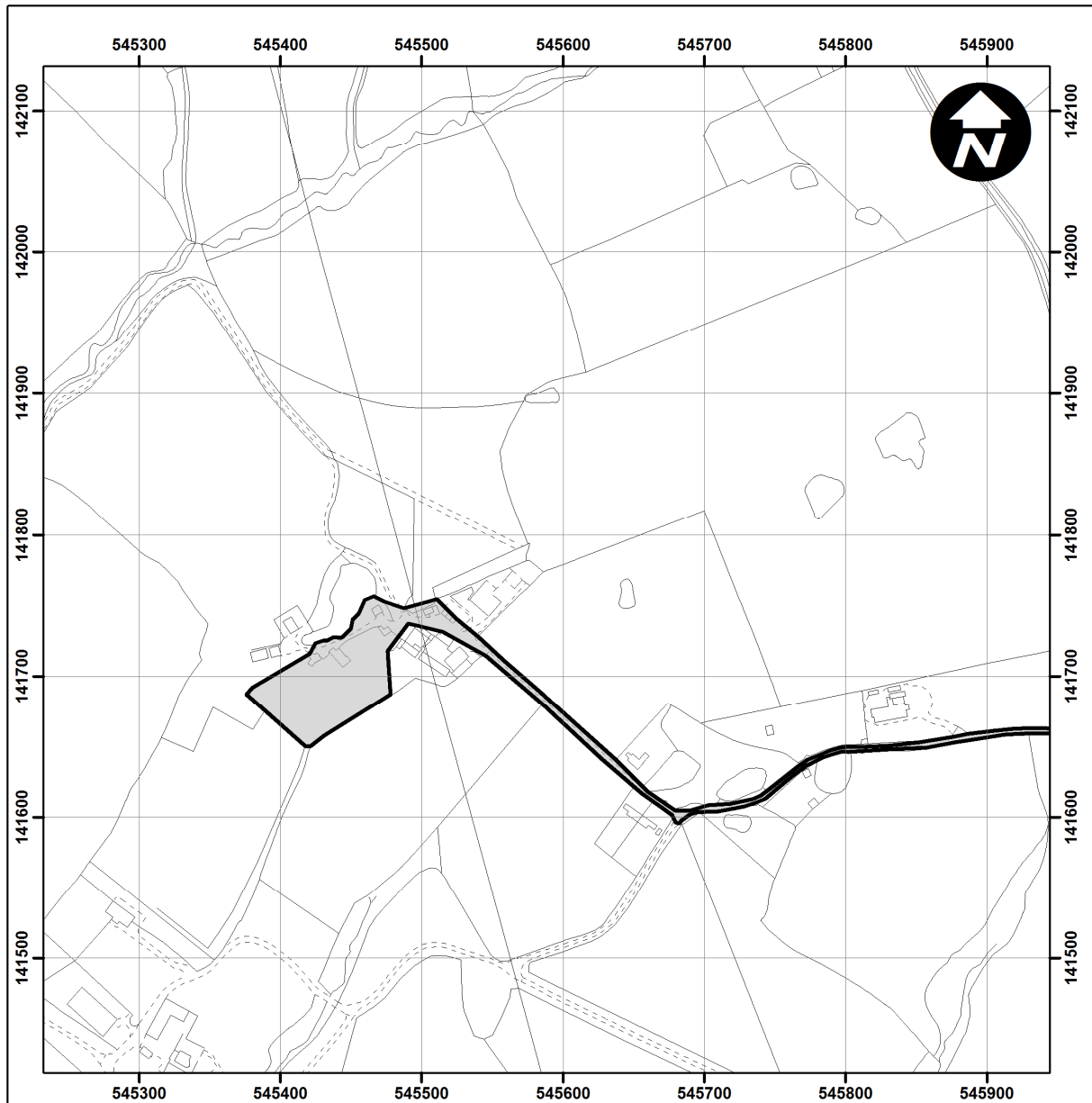
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LTCRIWBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LTCRIWBK8V000>



Site Plan

Scale 1:4,000
Date 22.02.2012



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sevenoaks District Council, 100019428, 2012.

BLOCK PLAN - PROPOSED

