

4.1 - SE/11/01324/FUL Date expired 8 September 2011

PROPOSAL: Residential conversion of existing building and new build.
Flood protection measures, on site parking, new pedestrian bridge and associated landscaping and refuse provision

LOCATION: Farningham Mill & Associated Buildings, High Street,
Farningham Kent DA4 ODG

WARD(S): Farningham, Horton Kirby & South Darenth

ITEM FOR DECISION

This item has been referred to Development Control Committee by the Director of Community and Planning Services on the grounds that the application is of a significant, controversial or sensitive nature.

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) Prior to the commencement of works to implement this permission, details shall be submitted to and approved in writing by the Local Planning Authority (LPA) of the means of protection for all retained trees. The details to include the specification and position of any such fencing or other means of protection. The scheme shall be implemented in accordance with the approved plans prior to any site clearance works, or before any equipment, machinery or materials are brought on the land for the purposes of development and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Within the areas of tree protection the following works shall not be carried out:- levels shall not be altered in relation to ground levels - no roots shall be cut, trenches dug, or soil removed - no buildings, roads or other engineering operations shall be constructed or carried out - no fires shall be lit- no vehicles shall be driven or parked over the area- no materials or equipment shall be stored unless otherwise approved in writing by the LPA.

To ensure the protection of trees within the site.

3) Prior to the commencement of development details shall be submitted to and approved in writing by the LPA, of the precise location, construction and means of enclosure of any temporary construction compound, including any temporary buildings sited within, storage areas for materials, access/turning areas for delivery of materials and goods and parking for construction staff. The scheme shall be implemented in accordance with approved details prior to the commencement of development.

To minimise the impact of this development upon the surrounding village and to ensure the protection of buildings and features of this site in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

4) Prior to the commencement of works on Lion Yard, Tiger Cottages and the Greenhouse, details shall be provided to the LPA of site levels, including details of existing and proposed ground levels and the proposed ground floor slab level. The scheme shall be carried out in accordance with the approved plans.

To ensure a satisfactory appearance upon completion and to ensure the protection of retained trees within the site.

5) Prior to the commencement of any development in connection with the construction of Tiger Cottages, details shall be submitted to and approved in writing by the LPA of a scheme to demonstrate that the loss of flood storage arising from the two dwellings and associated flood wall, using approved hydraulic modelling techniques, will not result in increased flood levels elsewhere. This should include precise details of all additional flood mitigation and defences, flood storage compensation areas and confirmation that the post development model accurately reflects these measures.

To reduce the impact of flooding resulting from the proposed development elsewhere.

6) No works within the channel of the Mill Leat or main channel of the River Darent or to any structure within either channel shall take place without the applicant first obtaining written consent from the Environment Agency.

To ensure no increased risk of flooding as a result of the development.

7) Details of all landscaped flood bunds, flood walls and flood gates to individual dwellings shall be submitted to and approved in writing by the LPA. This should include flood proof garden walls which separate the rear gardens of dwellings from the Counting House to Gardeners Cottage.

To ensure flood risk to individual dwellings will be minimised.

8) No sleeping accommodation within any of the proposed dwellings are to be located below 33.95mODN.

To minimise risk to life.

9) Details shall be submitted to the LPA prior to the first occupation of any dwelling to demonstrate that each dwelling will have an unobstructed pedestrian access route to an area of the High Street within Flood Zone 1 during flood conditions and the scheme shall be carried out in accordance with the approved details. Occupants of each dwelling should have guaranteed legal rights of access.

To ensure safe access under flood conditions, to all occupants and emergency services.

10) Prior to the commencement of development, a scheme to demonstrate that the disposal of surface water will not increase the risk of flooding on site or elsewhere shall be submitted to and approved in writing by the LPA. The scheme shall be carried out in accordance with the approved details.

To prevent increased risk of flooding.

11) Prior to the commencement of work on the Mill House, details shall be submitted to and approved in writing by the LPA of works to waterproof the basement to the mill

house. The scheme shall be carried out in accordance with the approved details.

To prevent groundwater flooding.

12) Prior to the first occupation of any new dwellings on site details shall be submitted in writing to and be approved by the LPA, in consultation with the EA of those works required to ensure the safe removal of the existing Mill sluice and replacement with any alternative flow control structure required, to enable control of water levels . The scheme shall be carried out in accordance with the approved details prior to the first occupation of any of the new dwellings within flood zone 2 or 3.

To prevent increased risk of flooding.

13) During the construction period, use of the identified disused badger sett must be monitored by an appropriately qualified person. If evidence is found of badgers using the sett a mitigation strategy must be produced, within 2 weeks, be agreed in writing by the LPA and implemented to minimise the potential of the sett being disturbed by the development works.

To minimise the impact of the development works upon badgers.

14) The mitigation strategy shall be implemented during the construction period in respect of breeding birds specified in para 4.2.5 of the EECOS Protected Species Survey .

To ensure adequate protection of breeding birds during the construction period of the development hereby approved.

15) Details of any outside lighting shall be submitted to and approved in writing by the LPA before the related residential units are occupied. Despite the provisions of any Development Order outside lighting shall only be provided in accordance with the approved details, or such additional details as shall have been previously submitted to and agreed in writing by the LPA.

To safeguard the visual appearance of the area and protect the habitat of wildlife species on site.

16) Prior to the first occupation a detailed method statement in respect of Japanese Knotweed on the site shall be submitted to and be approved in writing by the LPA. The statement shall include the proposed means to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain means to ensure that any soil brought to the site are free of the seeds/roots /stem of any invasive plant covered under the Wildlife _ Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Japanese Knotweed is an invasive plant the spread of which is prohibited under the Wildlife _ Countryside Act 1981. Without measures to prevent its spread as a result of development there would be a risk of an offence being committed and avoidable harm to the environment occurring.

17) Prior to the first occupation of the site, details shall be submitted to and approved in writing by the LPA of a plan indicating the allocations of parking spaces to individual dwellings. The scheme shall be carried out in accordance with the approved details.

To ensure a convenient allocation of parking space to future residents to ensure

maximum use of those spaces.

18) No development shall take place until the applicant or their agents or successors in title has secured the implementation of:- archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the LPA and- following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the LPA.

To ensure that historic building features are properly examined and recorded..

19) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the LPA.

To ensure that historic building features are properly recorded and examined.

20) No development shall begin until details of foundations design and any other proposals involving below ground excavation have been submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details.

To ensure that due regard is had to the preservation in situ of important archaeological remains.

21) The parking spaces, and accesses and turning spaces shown on the approved plans shall be provided prior to the first occupation of the related dwellings and shall be permanently maintained for such purposes thereafter. The garages shown on the approved plans shall be made available for parking prior to the first occupation of the related dwellings and no development shall take place to prevent their retention thereafter for the purposes of the parking of a motor car.

To ensure adequate on site turning and parking space in accordance with policy VP1 of the Sevenoaks District Local Plan.

22) Visitor or communal spaces shown on the approved drawing shall be provided and kept available for use at all times for such purpose and shall not be allocated to or reserved for individual properties.

In the interests of the provision of adequate visitor parking on site.

23) The development at Lion Yard and the Greenhouse shall not be occupied until the access and parking/turning space has been laid out and surfaced, and visibility splays provided in accordance with the details approved by the LPA.

To ensure adequate off street parking for the residents of Lion Yard and to protect highways safety on the adjacent highway.

24) The newly created residential dwellings (apart from Lion Yard and the Greenhouse) shall not be first occupied until details have been submitted to and approved in writing by the LPA of works to the access drive and the scheme implemented in accordance with the approved details. The details shall include:- existing and

proposed land levels- details of any surface drainage- details of the construction of the access drive- details of the surface materials proposed.

To ensure adequate off street parking and vehicular access to the newly created units .

25) Prior to the first occupation of the newly created residential units, details shall be submitted in writing to and approved by the LPA of all proposed hard landscaping within the site. The scheme shall be implemented in accordance with the approved details.

To ensure a satisfactory appearance upon completion.

26) Details of a phased programme of soft landscaping works shall be submitted to and approved in writing by the LPA. The details for each phase shall include:- planting plans (identifying existing planting, plants to be retained and new planting)- a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities)- programme of implementation. The landscaping shall be undertaken fully in accordance with the approved plans for each phase, and in accordance with the approved programme of implementation.

To ensure a satisfactory appearance upon completion of the site as supported by policy EN1 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

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

To ensure a satisfactory appearance of the site in accordance with the provisions of policy EN1 of the Sevenoaks District Local plan.

28) No satellite dishes or aerials shall be fixed externally to any of the buildings, despite the provisions of any Development Order unless otherwise agreed in writing by the LPA.

To safeguard the appearance of this sensitive site in accordance with the provisions of policy SP1 of the Sevenoaks District Core Strategy.

29) No extensions, additions, additional windows or other openings, other than those show on the approved plans, shall be made to the scheme hereby permitted, despite the provisions of any Development Order without the prior written approval of the LPA.

To ensure a satisfactory appearance to this sensitive site in accordance with the provisions of policy EN1 of the SDLP and policy SP1 of the Core Strategy.

30) No fences, walls or other means of enclosure, buildings, swimming pools or other development forming part of Class E of the Town _ Country Planning (General Permitted Development) Order (or any legislation re-enacting that Order) order shall be constructed without the prior written approval of the LPA.

To ensure the protection of the sensitive historic character of this site in accordance with the provisions of policies EN1 and EN23 of the SDLP and policy SP1 of the Core Strategy.

31) No areas of hard standing shall be constructed within the site, other than those

approved as part of the permission without the prior written approval of the LPA.

To protect the sensitive character of this sensitive heritage site.

32) Prior to the first occupation of the development hereby permitted, details shall be submitted in writing to and be approved by the LPA of proposed means of refuse storage other than that within the Cart Sheds. The scheme shall be implemented in accordance with the approved scheme.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 and EN23 of the Sevenoaks District Local Plan and policy SP1 of the Sevenoaks Core Strategy.

33) Prior to the commencement of development, samples shall be submitted to and be approved in writing by the LPA of all the materials to be used in the construction of the external surfaces of the buildings hereby permitted. The scheme shall be implemented in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provision of policy EN1 of the SDLP and policy SP1 of the Core Strategy.

34) Within 2 months of the commencement of development, details of all rainwater goods and any external soil or waste pipe and vent pipes have been submitted to and approved in writing by the LPA. The scheme shall be completed in accordance with the approved scheme.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the SDLP and policy SP1 of the Core Strategy.

35) Prior to the installation of any rooflights hereby approved, the manufacturers details shall be submitted to and approved in writing by the LPA, in consultation with English Heritage of the proposed rooflights. The scheme shall be carried out in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 and EN23 of the SDLP and policy SP1 of the Core Strategy.

36) Notwithstanding the details hereby approved, details shall be submitted to and approved in writing by the LPA of both proposed footbridges prior the first occupation of the scheme. The details shall include the siting, design and materials of both bridges. The scheme shall be completed in accordance with the approved details in accordance with a timetable to be submitted to and approved in writing by the LPA.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the SDLP and SP1 of the Core Strategy..

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

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by policies EN1 of the SDLP and SP1 of the Core Strategy.

38) Prior to the commencement of development on site, details shall be submitted in writing to and be approved by the LPA of wheelwashing facilities. The scheme shall be implemented in accordance with the approved details and shall be permanently retained during the development period.

To prevent the spread of mud to the adjacent public highway.

39) No site clearance, demolition, construction or associated activities including deliveries, loading, unloading, servicing vehicle parking or the manoeuvring of vehicles shall be carried out on the premises outside the hours of 0800 and 1800 hours Mondays to Saturdays and not at all on Sundays or bank holidays.

To protect the amenities of the nearby residents.

40) No development shall take place on the site until a report detailing the investigation and recording of any contamination within the site has been submitted to and approved in writing by the LPA. This would include detailed proposals for the means of removal, containment or otherwise rendering harmless such contamination and in the event such works are required the submission of a post development report to verify that the required works regarding contamination have been carried out in accordance with any approved method statement. The scheme shall be carried out in accordance with the approved details.

In the interests of pollution prevention and safety.

41) Within 3 months of the commencement of development, details shall be submitted to and approved in writing by the LPA in consultation with the Environment Agency of any proposed solar panels, water source heat pumps and the proposed water driven turbine. The scheme shall be carried out in accordance with the approved details.

To ensure an acceptable impact upon the character and heritage significance of this site as a result of the proposed works.

42) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan (as amended), FARN/PL-10-001,002B, FARN/PL-10-004G, 05D,006A, 007A, 010E, FARN/PL-13-001 Rev A,002,003C,004C,005D, FARN/PL-13-046, 047B, FARN/PL-13-050 RevA,051A,052C,053C054,056B, FARN/PL-13-060,061F,065G,067D,068D, FARN/PL-13-071C, 072B

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

43) No occupation shall take place prior to details being agreed and works carried out to the satisfaction of the Highway Authority, Kent County Council and Sevenoaks District Council at the tie-in between the vehicular access to the site and the High Street. These works will include a revised surface treatment required to better define the edge of carriageway in the High Street and associated location of the give way marking which in turn will improve junction visibility to the south.

To improve visibility and highways safety at the entrance to the site.

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

The South East Plan 2009 - Policies SP5 CC1-4 H1-H5 T1 T4 W2 C3 BE6

Sevenoaks District Local Plan - Policies EN1 EN4B EN9 EN23 EN25A NR10 GB1 VP1 H1 H6A H6B

Sevenoaks District Core Strategy 2011 - Policies LO1 L07 SP1 SP2 SP3 SP5 SP7 SP11

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

The development would respect the 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.

Any potentially significant impacts on the amenities of nearby dwellings can be satisfactorily mitigated by way of the conditions imposed.

The traffic movements generated by the development can be accommodated without detriment to highway safety.

The development makes adequate provision for the parking and turning of vehicles within the application site.

The development would protect the special character and appearance of the Conservation Area.

The scale, location and design of the development would respect the context of the site and protect the visual amenities of the locality.

Informatives

- 1) In connection with Condition 5, the relevant sections of the EA Hydraulic model can be made available for reference and for re-use for external parties through the EA's charging and licensing for Flood Risk Information Procedure. Please note the sliding scale of fees applicable to this type of information and that the EA can advise of the potential cost of obtaining modelling data.
- 2) You are advised that in respect of condition 12 a weir structure or similar is considered an appropriate means of ensuring water flow into the leat can be increased at times of flood. Such details shall be covered by an application to the Environment Agency for Flood Defence Consent under the terms of Section 109 of the Water Resource Act 1991.
- 3) You are advised that in connection with condition 15, any external lighting should, as far as possible, be low or zero UV installations. Lighting should include light shades to reduce the impact upon bats, should only see to illuminate ground floor areas and should not include lamps greater than 2000(150w) lumens. Lights should not be directed at or close to any bat roost , access points or flight paths and should not illuminate any brick bats and boxes placed on buildings or trees.
- 4) Care should be taken during and after construction to ensure that all fuel, oils and any other potentially contaminating materials shall be stored so as to prevent accidental discharge into the ground. The area of storage shall not drain to any surface water

system.

5) Where it is proposed to store more than 200 litres of any type of oil it must be stored in accordance with the control of pollution (Oil Storage)(England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the oil.

Description of Proposal

- 1 This scheme comprises a revised submission and proposes a combination of new build residential dwellings and the renovation and conversion of existing buildings to residential use, together with ancillary works to address the renovation of the listed folly, flood alleviation works, car parking and landscaping works.
- 2 These works comprise:
 - conversion of the Mill House into two dwellings - with a front/rear sub-division. A 4-bed unit at the front of the ex house including works to fully excavate the basement.
 - The rear part of the house would be converted into a 4-bed unit with access via an existing door at the side of the house. This work would incorporate an existing annexe at the rear of the house into the habitable floorspace. This conversion would largely accommodate existing room layouts.
- 3 Conversion of the Mill into 4 apartments. At ground level a communal entrance to stairs and lift to all apartments in the mill. A 2-bed unit on the ground floor, a 3 bed unit following the same general configuration at first floor, at second/third floor a front/rear division accommodating two units which would provide two x 2-bed units.
- 4 Engine House - Although part of the listing, this is a later addition and in extremely poor and dilapidated condition. This part of the building would provide, once refurbished, on a front/rear split, 2 x 2-bed units. The revised scheme would also incorporate part of the ice house complex as a dining room/study and store area. This would be facilitated by a modest single storey rear addition to the engine house to connect the ice house to the interior of the engine house.
- 5 Ice House - conversion into habitable accommodation as part of the engine house conversion
- 6 Folly - Investigations are required to establish fully the extent of works proposed, but in general terms a complete overhaul/repair.
- 7 Cow shed - An existing single storey brick/tiled building lying on the edge of the village confines. The building would be converted to form a store room and a garden room for Mill House 1.
- 8 Cart Sheds - This single storey building lies opposite the flank wall of the house and at present comprises an empty somewhat dilapidated structure. It is proposed that it would be converted into 6 garages with a study above and that one bay would provide a refuse store. It would sit adjacent to a parking courtyard.

- 9 Counting House – A two storey house with brick/flint elevations partially in residential use albeit with part of the structure unconverted. The rear part of the building would be converted into residential use enabling provision of a 3 bed/study unit. A small private garden would be accessed adjacent to the river. The existing room layout /sub-divisions would remain largely unaltered.
- 10 Carriage House – An existing timber open fronted storage area adjacent to the counting house. The open bays would be given timber screens, with windows/glazed sections inserted within the surrounding timber framework. They would retain the original shape but provide the front wall of the proposed living area. The ground floor would remain largely open apart from a bathroom and would incorporate an open space beneath an existing roof to form a kitchen/breakfast room addition. A small private garden would back onto the river. At first floor, provision of two bedrooms.
- 11 Stables With their white weatherboard exterior the existing stables retain much of their original fittings/fixtures and their outward appearance would remain much as existing apart from the insertion of a significant number of rooflights into the rear roof slopes. Internally the majority of the stall screens would be retained within an otherwise open kitchen/dining/living space This building would be divided front/rear with access to the rear unit via a side footpath adjacent to Tiger cottage. This subdivision would allow the provision of 1x3 bed and 1x2 bed unit.
- 12 Coach House - Another white weather boarded building the Coach House has two sets of timber doors to a single open space within. The timber doors would be replaced with timber/glazed doors. At ground floor level the single space would be retained apart from a bathroom. A staircase would be inserted to provide access to two bedrooms and bathroom at first floor. The first floor would be lit by roof lights in the rear roof slope.
- 13 Gardeners Cottage – In residential use, this two bed unit would be retained.
- 14 Tiger Cottages – At present the space to be used for these two cottages is garden space for the adjacent Mill cottages. The front of the space is lined with conifers which largely prevents views through the space to the river beyond. A pair of two cottages is proposed, aligning with the adjacent cottages. The cottages would have weather boarded elevations sitting upon a brick plinth (as the adjacent cottages). The intention is that the details of the elevations ie porches, window details etc will match those of the adjacent Bridge Cottages. They would have a double pitched tiled roof with two dormer windows in the rear roofslope providing light/ventilation to the second floor stairwells. Each house would have a small rear terrace adjacent to the river.
- 15 Lion Yard - At present occupied by the modest timber Vanity Box building. A 2 ½ storey building fronting the High Street is proposed across the front of the site (located broadly mid way between Lion Cottages and Cherry Tree Cottage). This building would provide accommodation for 3 dwellings. The three cottages would be set back from the High Street with a small front garden, and would provide three x 3-bedroom houses each in an 'L' shape. 1 & 2 Lion Yard would have small courtyard gardens at the rear of the units whilst unit 3 would have a reasonable sized garden at the side of the house. The design has been simplified compared to the original scheme with a single ridge line running across the building and three x 2 storey back additions. The front roofslope would accommodate a single

dormer window whilst the rear elevation would provide two dormer windows – each of traditional pitched roof design. Traditional detailing and materials are proposed with a mixture of brick and weather boarded elevations with pitched tiled roofs.

- 16 Greenhouse - The existing derelict greenhouse would be replaced by a single storey 3 bedroom home utilising much of the form and materials of the existing greenhouse. The predominantly glazed 'L' shaped structure, set upon brick plinths, would face towards the mill stream with the existing brick structure at the rear of the greenhouse being incorporated by extension into the form and layout of the new dwelling. The main entrance would lie at the side of the building and doors in the west facing elevation would lead to the rear garden for this unit: the land immediately to the rear of the greenhouse being very steeply sloping uphill to a flatter area providing useable garden space (to the rear of Cherry Tree Cottage garden). The materials proposed would be a mixture of brick, weatherboarding and glazing with some roof slopes having integrated photovoltaic cells within the glazed roof.
- 17 Ancillary Works New footbridge across the mill stream – in the location of a previous footbridge. Restoration of the greenhouse in the walled garden Tennis Court in the rear garden beyond the walled garden Flood Alleviation Works – resulting in the re-grading of the access drive and some new banking around the rear of the site.

Description of Site

- 18 The site comprises a late 18C mill complex centred on a grade II* weather boarded, listed watermill and attached mill house with a mill stream and river running through the site. The site includes a number of other Grade II listed buildings including cart shed, counting house, stables, workers cottages and walled garden. A particularly rare feature of the site (in an industrial complex such as this) is the flint, brick and ragstone folly lying on high ground to the west of the mill (Grade II).
- 19 The site lies to the south of the High Street, central to the village of Farningham, straddling the River Darent and associated mill stream. Fields forming part of the site abut Sparepenny Lane to the west of the main mill site. The site remains largely in its original form.
- 20 The existing buildings are currently either in residential use or vacant with the Mill House being occupied until relatively recently. Cherry Tree Cottage and Lion Cottages lie adjacent to the High Street and although part of the wider site have been refurbished and are now for sale/recently sold. A sluice gate at the far south of the site, when working, should control the division of water through the river and mill stream. The site forms a key part of the historic fabric and character of the village.
- 21 The site maintains a green and rural feel with land to the front of the house and west of the race remaining largely undeveloped apart from Lion Cottages, the Vanity Box (an unlisted modest timber building used by a local hairdresser) and the remains of a dilapidated greenhouse set to the rear of the Vanity Box. To the rear of the Mill house lies a walled garden with remnants of a greenhouse, and

other land forming part of the garden of the house. This stretches down to the sluice gate and is bounded by the river and mill stream.

- 22 The site around the river is largely flat but rises quite steeply to the west of the mill stream over a grassed area adjacent to the race up to a belt of trees. These stretch on a north/south axis and visually divide the mill and buildings from the pasture land adjoining Sparepenny Lane. Land adjoining the High Street around the Vanity Box and Lion Cottages has been cleared to reveal the derelict greenhouse structure and has now opened up much more significant views of the Mill from the High Street than had been previously available from the High Street. This clearance has also opened up views of the area to the rear of Lion Cottages/Vanity Box from the access drive leading to the Mill House. The garden areas of Lion Cottages have been formalised with new fencing, and lawn and repairs to the river bank .
- 23 A number of the buildings on this site are listed:
- Mill House Grade II*
 - Mill/Engine House Grade II*
 - Folly Grade II
 - Gardeners Cottage/Stables/Counting House Grade II
 - Mill Cottages Grade II
 - Bridge Cottage Grade II
 - Lion cottages Grade II
 - Cherry tree Cottage Grade II
- 24 The site lies mostly within the built confines of the village, partly within the green belt, mostly within the Conservation Area (the Cow Shed, Cart Shed and rear garden lie outside the CA), the whole site lies within the AONB, within flood zone 2 & 3 and within an area of archaeological potential.
- 25 To the east of the site lies the Manor House complex comprising two substantial houses with substantial gardens to the side and rear. This complex is Grade II listed.
- 26 Farningham Bridge at the entrance to the site is Grade II Listed whilst opposite the site lies the Grade II Lion Hotel with ancillary parking and seating area, adjacent to the river and further to the north west The White House, a Grade II listed house and gardens.
- 27 To the north/north west lies further listed residential properties – the closest being the Grade II listed Cherry Tree Cottage.

Constraints:

South East Plan

28 Policies - SP5, CC1- 4, H1-H5, T1,T4, W2, C3, BE6

Core Strategy

29 Policies - L01 L07 SP1 SP2 SP3 SP5 SP7 SP11

SDLP

30 Policies - EN1, EN4B EN9 EN23 EN25A NR10 GB1 VP1 H1 H6A H6B

Other

31 NPPF

Relevant Planning History

32 SE/10/03385/LBC Works to facilitate the above scheme Withdrawn

SE/10/03384/FUL Residential conversion: 24 net additional units with 130 sq m's commercial floor space, flood prevention measure, new footbridge, parking, refuse provision and associated landscaping. Withdrawn

Consultations

English Heritage

33 English Heritage previously objected to this application in a letter of 18 November 2011 on the basis that it would do substantial harm to the significance of the Farningham Mill complex, which includes at its heart a grade II* listed mill and mill house. The scheme has since been amended with elements previously identified by English Heritage as contributing most harm to the complex's collective heritage significance now omitted or redesigned.

34 This amended scheme would still do some harm to the significance of the complex, including in relation to subdivision of the mill house, however we suggest that this harm may now for the purposes of the National Planning Policy Framework (hereafter NPPF) be considered principally in relation to paragraph 134, which relates to development proposals that would do less than substantial harm to the significance of designated heritage assets. Great weight should continue to be given to the conservation of all affected designated heritage assets (paragraph 132), but we are prepared to accept that the public benefits of securing the future use and on going maintenance of this significant group of assets in the manner proposed are now capable of outweighing the reduced harm to significance. Listed building consent should only be granted subject to a planning obligation requiring upfront repairs and on going maintenance of the mill's highly significant landscape setting (including the folly) and conditions to cover elements of detailed design that are critical to conserving the significance of the mill complex.

Heritage Advice

35 Farningham Mill is a late eighteenth-century mill complex centred on a grade-II* listed watermill and attached mill house, and set within a picturesque landscape with a mill stream meandering through it. The significance of the site was

previously set out in my letter of 2 March 2011 and is summarised in my letter of 18 November 2011; it is not repeated here. This application has been amended with the objective of addressing objections previously lodged by English Heritage and others. The number of new-build units has been reduced, most notably including the omission from the scheme of the most visually intrusive boathouse and cow shed units. The development of Lion Yard has been reduced in scale and is repositioned to address Farningham High Street to be more consistent with the street frontage development rising up the High Street to the northwest. The greenhouse unit is restricted to the footprint of the former glasshouses, with its private garden moved to the northwest to avoid subdivision of the landscape around the mill stream and the intrusion of domestic paraphernalia in key views of the mill complex from the High Street. A more sensitive flood risk mitigation strategy has been developed which avoids the need for dwarf walls in parts of the site where the openness of the landscape is critical to its significance. Tiger Cottages have been reduced from three to two dwellings and they have been repositioned and redesigned to fall in line with the existing character of development.

- 36 The consequence of the above positive changes is that the scheme is no longer, in our view, substantially harmful to the significance of the mill complex. There will still be some harm to the heritage significance of the site resulting in particular from conversion of the mill and mill house, as previously set out in my letter of 18 November 2011. This harm should, though, for the purposes of the NPPF be treated as being less than substantial and therefore needing to be balanced against the public benefits of the proposal in the manner required by paragraph 134. Great weight should continue to be given to the assets' conservation as necessitated by paragraph 132, but we are prepared to accept that the public benefits of securing the future use and maintenance of this significant group of assets in the manner proposed are now capable of outweighing the reduced harm to significance.
- 37 Our judgment in this case is affected by the increasingly urgent need to secure a long term beneficial use for a highly significant group of mill buildings that are rapidly deteriorating in condition to the point where they are now at risk of serious decay. We recognise that a degree of new development is required to secure that beneficial future. The proposed plans also provide an opportunity for the future management of the site to be planned holistically and in a way that would minimise the harmful effects of parking and provide for the conservation and future maintenance of its significant designed landscape setting. Conservation works to structural elements of the landscape that are incapable of conversion to beneficial use, such as the folly, can also be brought within the scope of the site's overall management. If ownership were to become fragmented without such a long-term strategy in place (as would seem likely if this application is refused), this opportunity for conserving the site as a whole is likely to be lost.
- 38 We advise that listed building consent should therefore only be granted subject to the production of a management plan for the estate, to include a schedule of upfront repairs and on going maintenance works to the landscape that are legally and enforceable tied to that consent by way of a planning obligation, such as a Section 106 Agreement. We would want to be involved in agreeing the final wording of the management plan and the planning obligation. Conditions should also be attached to any consent to cover those aspects of detailed design that are

relevant to avoiding or minimising harm to significance. We suggest that the following conditions should be applied if consent is granted.

- 39 Before any work is commenced, details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage and shall be carried out in full in accordance with such approved details:
- samples of external hard surfacing finishes and facing materials
 - a landscaping scheme, showing details of all hard and soft landscaping materials and of managing parking provision
 - a structural engineer's method statement for carrying out structural repairs to the mill house
 - large-scale section drawings showing the proposed methods of providing any new insulation and sound separation to all existing buildings
 - joinery details for all new and replacement windows and doors (including to the Carriage House and Coach House), including full-scale sections for glazing bars, sills, heads and details of protective finishes
 - details of all new bridges
 - drawings at 1:5 scale fully detailing all new or replacement bargeboards, weatherboarding, balconies, roof verges and roof eaves to the mill.
 - details of any new floor surfaces to the stables
 - manufacturer's details of all new rooflights
 - drawings at 1:5 scale fully detailing eaves, verges and porch canopies to Tiger Cottages.
 - details of rainwater goods
- 40 Before any work is commenced, the position, type and method of installation of all new and relocated services and related fixtures (including plumbing, grilles, flues, vents, alarms, lighting, cameras, ductwork and communications and information technology servicing), shall be specified and agreed in writing with the Council wherever these installations are to be visible. Any works shall be implemented only in accordance with such approval.
- 41 Recommendation - Listed building consent and planning permission should only be granted subject to the production of a management plan for the estate, to include a schedule of upfront repairs and on going maintenance works to the landscape that are legally and enforceably tied to those consents by way of a planning obligation, such as a Section 106 Agreement. We would want to be involved in agreeing the final wording of the management plan and the planning obligation. Conditions should also be attached to any consent to cover those aspects of detailed design that are relevant to avoiding or minimising harm to significance.

Victorian Society

42 Views Awaited:

20C Society

43 Views awaited

Georgian Group

44 Comments provided in full in the accompanying LBC application but in summary the following views are offered:

45 Following a site visit, 15th February 2011, and a full review of the proposals at The Group's most recent Casework Panel, 26th July 2011, we have the following objections.

46 Proposals: Whilst it is positive that there is still interest in bringing this site back into use and that the proposals have been slightly reduced from those assessed by The Group in March 2011 – the folly dwelling has been removed, subdivision of the mill house reduced by one unit, and stable fittings retained -The Group still considers the current proposals to constitute an over development of the historic site. We therefore object to the current scheme to subdivide the mill, mill house and stables to multiple dwellings because it will cause material harm to the character and special architectural significance of these buildings and the site.

47 Overall, our concern is that what is being proposed is the conversion of a rural estate to one more suburban in character, to the detriment of the site's special architectural interest and setting, with inevitable harm to the interiors of the listed buildings:

- Subdividing the mill house into two distinct units will begin a process of fragmentation within the site that should be resisted. This will be detrimental to both the character of the estate and listed building, as well as jeopardise the future management of the site as a cohesive whole.
- Subdividing the water mill itself into four residential units is more problematic in terms of the impact upon the listed building and its character. It is The Group's position that residential uses will, in this case, always be damaging to the open character of the building's interior.
- Notwithstanding that the proposed 'boat house', 'greenhouses', Cart Sheds' and 'cowsheds' are based on demolished / existing structures that will be rebuilt in the spirit of the original structures, The Group is of the opinion that the proposals will create a suburban feeling on the estate, one that not likely to be reversible once set in motion, and will be damaging to the setting of the listed building. Small houses such as these will inevitably require TV aerials, hard standing, bin stores, parking etc. The Group objects to these new build developments in principle; the same applies to the buildings proposed at Tiger Cottages and Lions Yard.
- The Group has no objections to the conversion of the stables, coach house and carriage shed to residential uses in principle; however, we have a number of concerns regarding the current proposals. Again, The Group is of

the opinion that the current proposals, for four dwellings, amounts to over development.

- 48 The current scheme would still be subject to those tests set out by English Heritage in its document '*Enabling Development and the Conservation of Significant Places*' 2008. The Group is of the opinion that the scheme considered by The Panel would not be able to pass the most fundamental test, for those reasons set out above:
- 49 *Recommendation-* The Group objects to the proposed subdivision of the house, mill and its outbuildings as multiple dwellings. The Group also objects to the proposed new build elements on the site in principle and reiterates its previous comments: that if new development is required to accommodate a conservation deficit that this should be achieved off-site.
- 50 The applicants need to carry out a thorough market testing exercise to determine what the market will accommodate in terms the site's use and this should be used to guide the restoration of the site. For this reason, The Group recommends that application SE/11/01325/LBCALT be refused.
- 51 Views awaited in respect of the most recent revisions.

Kent Downs AONB Unit

- 52 This is a major re-development within a community within the Kent Downs AONB in an area which is under considerable urbanisation pressures. It is important that the local and vernacular characteristics which make this a built area of the AONB so significant are conserved and enhanced. In this respect we refer to the following documents:
- 53 Kent Downs Landscape Design Handbook
- 54 Kent Downs AONV Farmstead Guidance and Kent Farmstead Guidance
- 55 Rural Streets & Lanes: A design Handbook
- 56 We are pleased to see the applicant excluded the option of housing development towards Sparepenny Lane.

Natural England

- 57 Objects pending submission of additional bat evening/dawn surveys. These have been submitted and updated comments are awaited.

Thames Water

- 58 Waste Comments
- 59 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

60 Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

61 Water Comments

62 On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.

Kent Wildlife Trust

63 Views awaited

Environment Agency

64 Have commented on a number of stages of this scheme and objections were raised both to the previous application and the earlier stages of this scheme. However following discussions between the applicant and the EA, their objection in principle has been removed. The comments below represent a summary of their earliest comments together with full copy of the most recent comments:

65 As you are aware, the Sequential Test and other planning policy related to flooding would be a matter for the Local Authority to consider. Using information from the Flood Risk Assessment (FRA) and our own data, we have endeavoured to provide as much flooding and hydrological information to them as possible, in order for them to make appropriate decisions.

66 In undertaking a FRA to demonstrate part C of the Exception Test can be passed, we would seek confirmation that the proposed development is not only itself safe from flooding but that it would not increase flood risk to neighbouring property. We would generally also seek a reduction in flood risk overall.

67 Further to receiving additional information by emails sent 6 June at 15.18 and 19 June at 15.32, from H20K Consultants and further emails subsequently received on 21 June 2012, we would like to make the following comments:

68 These emails include a topographic survey of the land and property on the right bank of the River Darent and proposed mitigation to reduce flood levels if deemed necessary to do so.

69 In summary, we can remove our previous objection to the proposal subject to conditions as described below.

70 Based on the findings of the topographic survey and data from our own hydraulic model, the Manor House basement and adjacent cottage, would be at an existing risk of internal flooding under the 100yr + 20% flood event (the 20% is an allowance to accommodate climate change). In the case of the adjacent Manor Cottage, the threshold levels are only very slightly above the estimated flood level under the present day 100yr flood event and so we recommend that measures should be in place, to ensure there is no increase in flood level as a result of the development. We believe measures can be incorporated which ensure the risk of flooding to adjacent property will not be increased.

- 71 However, the models in the Flood Risk Assessment (FRA) should be based on the existing, pre-development scenario and compared against a proposed, post development scenario. We have previously requested confirmation from the applicant that the latest post-development model is based on all the latest proposed land levels, flood walls and landscaping etc. and for the Flood Design Plan (FARN PL/005 rev D) to be revised accordingly. A revised version of the Flood Design Plan (rev. E) was received on 22 June, but doubt remains whether the post development model accurately reflects the post development scenario.
- 72 Using our own data, we are satisfied the proposed works to the Mill House, Counting House, Carriage Shed, Stables, Coach House and Gardeners Cottage, in association with the proposed compensation strategy will not result in increased flood levels off site.
- 73 As of 21 June 2012, it appears cross sections of the model are still being altered to accurately reflect the proposed floodplain compensation and flood mitigation strategy and we are still awaiting confirmation that the completed model accurately reflects all proposed site levels, flood walls and landscaping etc. as shown on an up to date Flood Design Plan.
- 74 Therefore, while we believe an acceptable scheme can be developed which enables construction of Tiger Cottages and the associated flood wall without increasing flood levels to adjacent property, we are not satisfied the modelling information submitted to date confirms this. The principle of widening the top of the bank by 0.5m to improve conveyance of peak flow may be acceptable to ensure flood levels do not increase, but as the relevant cross section of the model has only recently been modified to include the flood wall, we remain concerned that other cross sections may also require modification to accurately reflect the post development scenario.
- 75 We are therefore only prepared to remove our objection to the proposal to construct Tiger Cottages subject to a suitable condition of planning.
- 76 We also have reservations concerning the proposed installation of a culvert in the Mill Leat. The proposed culvert would increase the rate of peak flow into the main channel and for similar reasons, as described above concerning the modelling, we are not satisfied this will not increase flood risk to adjacent property. We therefore also request a condition that will ensure this is reviewed before construction.
- 77 Using data from our own hydraulic model we are satisfied redevelopment and conversion of the Mill House, Mill and Engine House can proceed based on details supplied on DWGs FARN/PL-13-003 rev. C and FARN/PL-10-005 rev. E, without the need for any flow control structure to be placed upstream in the leat. A planning condition is recommended to ensure the safe removal of the existing mill sluice and if an alternative flow control structure is required for the purposes of amenity or biodiversity, we suggest a weir structure or similar is built, to ensure flow into the leat can be increased at times of flood. These details should be covered by an application to the Environment Agency for Flood Defence Consent under the terms of section 109 of the Water Resources Act 1991.
- 78 If the Local Authority is minded to grant planning consent for the application, we have no objection subject to the following conditions of planning:
- 79 Condition 1

The development of Tiger Cottages hereby permitted shall not be commenced until such time as a scheme to demonstrate the loss of flood storage arising from the two dwellings and associated flood wall, using approved hydraulic modelling techniques, will not result in increased flood levels elsewhere. This should include precise details of all additional flood mitigation and defences, flood storage compensation areas and confirmation the post-development model accurately reflects these measures.

Reason

To reduce the impact of flooding on the proposed development and elsewhere.

For information, the relevant sections of the Environment Agency hydraulic model can be made available for reference and for reuse for external parties through our charging and licensing for flood risk information procedure. Please note that a sliding scale of fees applies to this type of information and we can advise of the potential cost of obtaining modelled data.

80 Condition 2

No works within the channel of the Mill Leat or main channel of the River Darent, or to any structure within either channel, shall take place without the applicant first obtaining written consent from the Environment Agency.

Reason

To ensure no increased risk of flooding as a result of the development.

81 Condition 3

82 Details of all landscaped flood bunds, flood walls and flood gates to individual dwellings be submitted and approved by the Local Authority. This should include flood proof garden walls which separate the rear gardens of dwellings from the Counting House to Gardeners Cottage.

Reason

To ensure flood risk to individual dwellings will be minimised.

83 Condition 4

No sleeping accommodation within any of the proposed dwellings to be located below 33.95mODN

Reason

To minimise risk to life.

84 Condition 5

Details to show each dwelling will have an unobstructed pedestrian access route to an area of the High Street within Flood Zone 1 during flood conditions. Occupants should have guaranteed legal rights of access.

Reason

To ensure safe access under flood conditions, to all occupants and emergency services.

85 Condition 6

A scheme to demonstrate means of surface water disposal will not increase risk of flooding on site or elsewhere.

Reason

To prevent an increased risk of flooding.

86 Condition 7

The Local Authority should be satisfied any permanent built development works below ground level such as the basement to Mill House, will be suitably waterproofed.

Reason

To prevent groundwater flooding.

West Kent Primary Care Trust:

87 Inevitably any increase in the local population has a knock-on effect in terms of healthcare and NHS West Kent would apply the S106 contribution to meet the extra demand. At this stage a health care need has been identified to support Hextable and Swanley and will help towards refurbishment of one or two practices. NHS West Kent seek a contribution of £8,640 plus legal costs in connection with this. Attached is the formula to support this calculation.

KCC Highways

88 Having now had the opportunity to look in more detail at the various layout plans and associated transport statement for the Farningham Mill site, please note the following KHS observations.

89 Traffic generation and impact

90 I am satisfied that the applicants supporting projected traffic generation figures based on TRICS data give as accurate a representation as could be expected for a projection on a site of this nature. Furthermore, the level of additional projected movements (i.e. without existing unit movements included) are not considered to be of a level which would generate a Kent Highways concern when considered against the existing levels of observed vehicle movements through the village.

91 Vehicle access

92 Proposed access to the Mill site via the existing drive provides a sufficient means of internal access but it is noted that the consideration of a minor junction improvement with the High Street which widens significantly at the access location would serve to improve sight line visibility to the right (east) across the adjacent bridge for vehicles emerging from the site which is slightly restricted and

it is therefore recommended that such an improvement be explored and considered.

- 93 Access to Lion Yard appears acceptable in relation to observed vehicle speeds with note being made that visibility for vehicles emerging from the access is somewhat restricted to the left (west) of the access - albeit with the traffic approaching from that direction being on the far side of the road thus reducing the impact of the reduced visibility splay.
- 94 Parking
- 95 Whilst it is accepted that the overall total number of proposed parking spaces now meets the Kent IGN3 guidance for residential parking provision, it is not particularly clear how the parking layout relates to the units served. A layout of this type is likely to require a certain degree of allocated parking provision, particularly for the 3 or more bed units but there would appear to be a rather unbalanced spread of provision across the Mill and Lion Yard sites in respect of the unit numbers and types.
- 96 As a result of these concerns I would ideally like to see a plan showing specific details of which space is allocated to which unit and of any unallocated visitor spaces and this could be dealt with by means of an appropriate condition.
- 97 Other issues
- 98 There would appear to be some additional merit in reviewing the junction arrangement at the access to the Mill in order to improve visibility and again this could be dealt with by means of an appropriate condition. As a result of these required works there will be a need for the applicant to enter into agreement with the highway authority for their delivery..
- 99 There are no further Kent Highways concerns at this stage.

KCC Archaeology

- 100 The roman villa complex straddles the river at the south of the site: although partly excavated, associated remains are likely to still be present across the application site.
- 101 A mill is mentioned in the Domesday Book although the current structure dates to late 18th C. As well as the current mill buildings, the routes of watercourses any industrial remains and buried remains of earlier Mills are of potential heritage significance. Evidence of the medieval and post medieval development of Farningham may also be present in parts of the site closest to the high Street.
- 102 The proposed sub division and extensions to the buildings as well as conversion of the site combine to alter the character of the site and distance it further from its industrial past. If SDC chooses to approve this application conditions should be attached to ensure:
- field evaluation works prior to commencement and any ensuing safeguarding works required

- implementation of a programme of building recording prior to commencement
- details of foundation design and any other works below ground to be approved prior to commencement.

Kent County Council

- 104 In accordance with KCC methodologies the development as proposed has been assessed having regard to new clients generated and local service provision capacities and creates the following KCC service requirements:
- 105 Primary School: places within 2 mile radius: £3590.24/applicable flat and £2360.96/applicable house towards extension at one of the nearby schools
- 106 Secondary Schools: no current requirement
- 107 Libraries: Swanley library has been identified for upgrade and expansion requiring additional bookstock. A contribution of £1,210.27 will ensure sufficient resources for new clients arising through this development at Swanley and the mobile library that calls at Farningham.
- 108 Adult Education: no current requirement
- 109 Youth and community: Additional youth workers will be required who deliver services at both exiting youth centres and attend villages as/when required.. The cost of a detached youth worker over 5 years is £42,500: the cost to the site being £6,215.63.
- 110 Adult social services: no local spaces: running in excess of capacity. Additional clients will be generated by this development at a cost of £294.09/dwelling.

KCC Ecology:

- 111 Thank you for the opportunity to comment on this application. We have the following response to make:
- 112 Under the Natural Environment and Rural Communities Act (2006), *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. In order to comply with this ‘Biodiversity Duty’, planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.
- 113 The National Planning Policy Framework states that “the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible.”
- 114 Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological
- 115 Conservation - Statutory Obligations & Their Impact Within the Planning System states that ‘It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established

before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.'

- 116 Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation. We have reviewed the submitted protected species surveys report and we are satisfied that the surveys have adequately assessed the impacted the proposed development will have on protected species.

Bats

- 117 We are satisfied that the submitted surveys have adequately assessed the impact the proposed development will have on roosting and foraging bats.
- 118 Emergence surveys were carried out on all buildings to be impacted by the development and had a moderate and high potential to contain bats. Roosts were located within the Ice House, Mill House and Counting House. Since the survey was carried out, the plans have changed slightly and works are now proposed to be carried out to the Folly. The Folly was identified as having some potential to be suitable for roosting bats however emergence surveys were not carried out on the folly – instead two internal and external examinations were carried out.
- 119 We did query whether there would be a need for emergence surveys to be carried out – the ecologist provided the following information: *Having carried out the two search surveys, the roost potential was assessed as 'low'. Many of the cavities within the structure contain plant roots and loose soil and are not considered suitable for use by bats. Others are not deep or sheltered enough to have much potential*
- 120 We are satisfied with the information provided and we are satisfied that no emergence surveys need to be carried out on the Folly.
- 121 We require no further information to be submitted prior to determination.
- 122 If planning permission is granted and there is a significant delay to work starting there will be a need for follow up surveys to be carried out to assess if the suitability of the site for roosting bats has changed.
- 123 We are satisfied with the proposed mitigation detailed within the protected species survey – a detailed mitigation strategy must be submitted as a condition of planning permission. It must incorporate the mitigation detailed within the response.

Bat Barns

- 124 The report has detailed that new bat barns will be created within the cart store and the pavilion. A drawing has been submitted showing the bat barn within the Cart Store, however we are unable to find a drawing to confirm that the bat barn has been included within the pavilion.

- 125 We query why a drawing hasn't been submitted of the pavilion showing the bat barn.
- 126 Please provide a drawing showing how the bat barn will be incorporated in to the pavilion.

Other

- 127 The implementation of the mitigation proposed for badgers, kingfishers and breeding birds must be carried out as a condition of planning permission.

Enhancements

- 128 It is proposed to produce an ecological enhancement plan for the site – this must cover the whole site and not be limited to the river bank.
- 129 The enhancement plan must also include details of proposed management for the site to ensure areas which have been designed to enhance biodiversity are managed

SDC Tree Officer:

- 130 The whole site is visually important to the village, from a landscaping point of view. The main frontage area inclusive of Lion Yard will have the main impact on the visual aspects of the village. The existing site plan as supplied, (FARN/PL-10-001) has changed recently with the removal of a number of mature trees from the site.
- 131 This new scheme as proposed and from a landscaping point of view is an improvement on the previous proposals. Space has been allocated to the rear of the proposed Lion Houses. This should allow the retention of most of the existing trees there. It would be expected that the loss of 1 Robinia tree located immediately to the rear of the proposed Lion House D will occur. The remaining twin stemmed Sycamore, the single stemmed Sycamore and the Horse Chestnut should be able to be retained as part of the proposal. It is clear however that all of the above trees will require pruning. It is also expected that any future residents will place pressure on this authority for permission to remove them due to potential problems of shade, leaf fall and their overall size. I am pleased to see the removal of the proposals for the Folly area with its proposed access from Sparepenny Lane.
- 132 I also note the proposal to construct the "Vanity Box" and the "Octagon". Both of these structures are close to what is perceived as trees for retention. Whereas it may be feasible to construct this close to trees. Special circumstances as well as special design details will have to be presented to us and agreed prior to any consent provided. It is also noted that a large area is shown for parking and other hard landscaping needs. Again some of this is shown to be located near to trees that are required to be retained. The permeability for such hard landscaped areas as well as materials used are also important to the visual aspects of the site and should be discussed further or at the very least conditioned.
- 133 I would expect to see further discussion on all of the aforementioned issues. I would also expect to see a landscaping condition attached to any consent provided.

SDC Environmental Health

- 134 Despite the conclusions of the Environmental Desk Study, I believe it is prudent should you be minded to grant permission for this development, that a phased contaminated land condition is attached.
- 135 This would include an intrusive investigation and remediation proposals to be agreed with the district council if significant ground contamination is found. The reason for including such a condition is the length of time, diversity of use and lack of specific information on what may have been introduced onto this site require further investigation.
- 136 If remediation is required then a further validation report will be required to demonstrate adequate implementation of any remediation requirements.

SDC Waste & Recycling

- 137 No objection providing:
- suitable road surface on the access drive
 - sufficient turning space at the head of the access drive
 - the double yellow lines at the entrance to the site must remain to enable access to the site by the effuse lorry
 - a fully laden refuse bin can weight up to 500K. We therefore request that the bin store be as close as possible to where the vehicle will be stopped, and the proposed Mill House 1 parking bay appears to be most suitable. Especially if the surface will cobble stones. We have an obligation to crew safety, and the current proposed location of the bin store at the end of the row of parking areas is nearly twice the distance as the Mill House 1 parking bay. So although I do appreciate the aesthetic and conservation point of view, safety must override in this case.
- 138 If nos. 1 to 4 above can be resolved as suggested, then we will be able to safely and effectively collect household refuse, recycling, and garden waste from the site.

GL Hearn:

- 139 Were instructed jointly by SDC and English Heritage to assess the economic viability of the scheme with a view to determining the optimum viable use of the site. In other words to advise whether the level of development proposed was necessary to ensure the renovation and continued long term protection of the site or whether in fact the level of development was in fact much greater than required to ensure the renovation and protection of the site.
- 140 In summary they assessed a number of development options with varying levels of development included in each assessment ranging from the existing use of the site through to this application - as originally submitted. That scheme exceeded the current proposal insofar as it included two new houses at the rear of the site,

three units on the site of Tiger Cottages and 4 units on the site of Lion Yard as well as an underground car park on the site of Lion yard.

- 141 In summary it was concluded that the continued use of the site in its current use would not be viable to ensure the long term protection of the site whilst the scheme then proposed would be excessive resulting in the over development of the site.
- 142 It was considered that the conversion of existing buildings was justified, although the split of the mill house into two units was not felt to be compelling (although possibly acceptable). The level of new build then proposed was not justified as it exceeded the minimum required to secure the future of the site. If a profit level of 15% was considered to be acceptable then this could be achieved with the conversion of the mill, single occupation of the house and conversion of the driveway units.

Adams Integra

- 143 Were instructed by the Council to carry out a desktop viability assessment of the housing viability statement submitted. Using the HCA's Economic Appraisal Tool they concluded that *The appraisal shows that the scheme is unable to deliver any affordable housing due to the high costs involved in the scheme. The applicants have used a build cost in their appraisal which in my opinion is too high. However even with the reduced build costs my appraisals show that the scheme cannot support the inclusion of any affordable housing.*

Parish / Town Council

- 144 Objects - Tiger Cottages represent over development of the site and result in a change of vista, there should be no parking on either side of the access drive except those couple of spaces outside the Mill house; this will also impede the overall vista enjoyed for centuries and obscure the protected detail to be maintained/replaced on access road dwellings.

Representations

- 145 The two full applications submitted in respect of this site have generated varying numbers of objections – the previously withdrawn scheme close to 100 objections, the first version of this application nearly 40 and finally the re-consultation for this scheme has resulted in 15 objections – albeit several people responded several times. The responses came from 8 different households raising objection. Their comments can be summarised as follows:
- This site lies in a service village whose capacity to absorb more development is constrained.
 - This would result in over development of the site
 - The sub division of the mill and mill house would be harmful to the integrity of these listed structures and contrary to the views previously expressed by English Heritage
 - The land upon which Tiger cottages sits has always been garden space for the adjoining cottages and should not be developed. This aspect of the

development would be harmful to the character and setting of the estate – having been a feature of the estate for hundreds of years. This would adversely affect the setting of the estate when viewed from the High Street and from the neighbouring house/garden.

- Tiger Cottages would adversely affect the neighbours outlook and privacy.
- Too much parking is being created and would adversely affect the character and setting of the listed building, general character of the estate and neighbours amenities through loss of outlook due to lack of screening, increased noise and pollution.
- Fewer car parking spaces should be provided in this sensitive location and this should be supplemented by a green travel plan which would enable reduced provision.
- The levels of parking would adversely affect the setting of the surrounding conservation area.
- No parking should be provided at the front of the estate, there is sufficient land at the rear of the house for such provision.
- In the face of such high levels of parking provision, less development should be proposed to ensure lower levels of on site parking.
- The village already suffers high levels of parking on the High Street and surrounding roads both from residents and visitors to the area, this would only increase as a result of this development.
- The proposed Flood Risk Assessment does not adequately demonstrate that potential for flooding of the neighbouring dwelling could be prevented. This would not accord therefore with National Flood Risk Policy.
- Lion Yard would dominate the High Street at this point creating a tunnelling effect as a result of the high roof.
- The Vanity Box should be protected and retained: perhaps the Lion Yard houses could sit behind the vanity box.
- Build something more worthwhile on the greenhouse plot.
- Any new building on the site would be harmful to the character and setting of this historic site and village.
- Views around the site should be preserved.
- There is no need for further commercial units on this site, businesses have shut through lack of custom the past and the last thing Farningham needs is more empty units.
- The mill is unsuitable for conversion into 4 flats and should be restored as a working museum, albeit it is not clear how this could be funded

- Potential damage to tourism as a result of harm to the mill and its setting
- Farningham has sufficient number of workers cottages, it would help the village if some 4 bedroom houses had been included in this scheme.
- Planning documents submitted with this scheme need to be updated to reflect changes to the scheme and changes in legislation
- The scheme fails to comply with the NPPF, Core Strategy and SDLP

Group Manager - Planning Appraisal

Principal Issues

146 The main issues concern the impact upon the setting/character of the listed buildings (dealt with more comprehensively in the accompanying LBC application), design, impact upon the character and appearance of the conservation area, impact upon the AONB, flooding, highways/parking, archaeology, ecology, trees/landscaping, affordable housing, S106 contributions, sustainability, neighbours amenities and impact upon green belt.

Listed Buildings:

147 Farningham Mill is an exceptionally well preserved historic mill complex centred on the Mill and Mill House and set within an extensive attractive landscape. The site is considered of outstanding heritage significance primarily for its comprehensive group of late 18th Century mill buildings. The complex remains largely unaltered. The mill and mill house are at the centre of the estate and are both Grade II* listed. The ancillary buildings, listed at Grade II lie within the Farningham Conservation Area. A particular rarity in an industrial complex such as this is the late 18th C Folly on rising land to the west of the mill. The significance of the estate is the sum of its architectural, historic, aesthetic and archaeological interest.

148 It is the impact upon this asset and its significance that must be assessed.

149 The NPPF is clear that *when considering the impact of a proposed development on the significance of a designated heritage asset (HA) that great weight should be given to the asset's conservation.* Where a development will lead to substantial harm to the significance of a designated HA, LPA's should refuse consent. Where a development proposal will lead to less than substantial harm to the significance of the HA this harm should be weighed against the public benefits of the proposal including securing its optimum viable use. In other words we need to ensure that the level of development approved is appropriate to the level of need to secure the future of the heritage asset and does not cause more change or damage to the asset than is justified. Para 134 of the NPPF refers to an assessment of the public benefits of a scheme including an assessment of the optimum viable use of the site.

150 The Council/EH commissioned an assessment by GL Hearn to consider this matter which considered the scheme prior to its most recent revision. It concluded that whilst the site in its current form would not enable the restoration and future security of the site that the originally proposed scheme proposed too much development that would be harmful to the significance of the site. The

consultants report suggested that the conversion of the existing units would generate sufficient income to make this scheme viable.

- 151 The GL Hearn report made several assumptions about, for instance, property values that are contested by the applicant and which have not been proven to be wholly accurate, for instance one of the units outside the estate estimated with a finished value of £290k by the consultants (Cherry Tree Cottage) has been renovated and on the market now for some months at just under £250k. Of course this may or may not be representative of the market conditions when the proposed development is completed should permission be forthcoming for the rest of the estate.
- 152 However, the scheme was re-considered in conjunction with English Heritage and a revised scheme submitted. The revised scheme removed two detached houses proposed at the rear of the site, reduced Tiger Cottages from a terrace of three units to a pair of semi's, reduced the size of the greenhouse dwelling, reduced the size of the Lion Yard development and in so doing removed one dwelling and removed an underground car park.
- 153 Following those revisions the scheme was submitted to Adams Integra for a review of the financial side of this scheme in connection with the issue of affordable housing. The conclusion drawn is that although the build costs are high, there are a number of explanations for this, such as the cost of restoration works on the listed buildings requiring a higher standard of work than necessarily associated with costs associated with a new build unit, works on alternative power sources (heat source pump), works to the folly which will give no financial reward when completed, flood protection works on site and that in fact there is no spare money in the scheme to provide for affordable housing. This therefore by default demonstrates that the revised scheme is only just and that any further reduction in the number of units on this site would affect the viability of the scheme.
- 154 English Heritage have re-considered the scheme and concluded that the revised scheme would not now cause significant harm to the heritage asset and are prepared to accept that the public benefits of securing the future use of the site, in the manner proposed, are now capable of outweighing the reduced harm to significance.
- 155 The original scheme proposed a greater level of new buildings around the site with consequent effects in terms of the setting and general character of the site, greater more intrusive parking levels and a more visually intrusive flood management system. That scheme has been revised and reduced in scale removing 4 new dwellings from the scheme, an underground car park and changing the manner of flood alleviation around the site. Further changes have been made to the design of the new build units, the greenhouse unit and the two Tiger cottages as well as to the parking layout, to assist their integration within the site and surrounding village. The buildings on Lion Yard in particular have been reduced in size and designed to be more sympathetic to the general scale and character of surrounding buildings in this part of the village.
- 156 The scheme would allow the future management of the site to be planned holistically in a way to minimise the harmful effects of this level of development. Conservation works to the folly in particular, which is incapable of conversion to

beneficial use, is being brought into the site's overall management. If ownership were to become fragmented without such a long term strategy (as would be possible if the application is refused) this opportunity for conserving the site as a whole could be lost.

- 157 It is therefore considered vital that a management plan is approved to include a schedule of repairs and on going maintenance works to the landscape. Conditions are also required to cover those aspects of the detailed design that are relevant to avoiding or minimising harm to the significance of this site.
- 158 Design: A number of changes will be made to the appearance of various parts of the site – including minor changes to existing buildings to facilitate their conversion and provide flood resistance through to the new build projects at Lion Yard and Tiger Cottages.
- 159 Tiger Cottages: The land at the side of the existing cottages fronting the driveway has thus far been used as a garden for the existing cottages and is largely screened from view from the driveway and High Street by a screen of evergreens. One pair of cottages are proposed on this site. The original scheme showed a terrace of three cottages on this site but after discussions including those with English Heritage the scheme has been amended to that currently proposed.
- 160 The front of the cottages now align with those on either side and a gap of 4 – 5.5m will be left between this pair of houses and Gardeners Cottage to the south and 4.4 - 4.7m between this and Bridge Cottages to the north. The ridge height will be higher than the immediately adjacent run of buildings to the south, but will be the same height as the Counting House at the southern end of this group of buildings and the adjacent Bridge Cottages. The roof form is similar to that used on the Counting House at the other end of the driveway. And the elevational treatment has been amended to align more closely with the adjacent Bridge Cottages to the north, with its brick plinth and weatherboard elevations. Subject to the submission of details, the finer details of the houses such as windows, porches, doors etc. are intended to be sympathetic to the characteristics of those elements found on Bridge Cottages. The intention of this design is to ensure that the buildings, when completed, fit sympathetically into their surroundings.
- 161 Lion yard: This element of the scheme has been much reduced in scale and now proposes a single building, set back behind modest front gardens fronting the High Street providing three dwellings. This part of the High Street is very narrow and lies on ground that rises to the west. It was felt important to the general character of the High Street and surrounding Conservation Area that this building sit close to the highway rather than being set back into the site as some have suggested. The roof is now a single entity with the ridge line running parallel to the High Street with a single dormer in the flank elevation and two in the rear elevation. At the rear, two 2-storey additions are proposed stretching some 4.5m back into the site. The elevations would be brick at ground floor with the first floor being white weatherboarding topped with a plain clay tiled roof. Windows would be timber sashes.
- 162 This building would sit between the Grade II listed white weather boarded Lion Cottages to the east and brick and flint walled Grade II Listed Cherry Tree Cottage to the west. The design and positioning of this block is considered acceptable within the context of the design, style and scale of surrounding buildings.

- 163 Greenhouse: To the rear of Lion Yard would lie a part glass part brick single storey house on the site of the existing greenhouse. The design would replicate the design and materials of the original greenhouse and would include the consolidation of existing brick built structures to the rear within this 3 bedroom unit.
- 164 Existing Buildings: In order to facilitate the conversion of the existing buildings on site a number of external alterations will take place such as
- the introduction of roof lights,
 - some amendments to the front elevation of the stables and coach house to provide a front wall and entrance,
 - minor works to provide flood resistance (for instance steel doors that can be inserted across the lower part of the entrance door in times of flood risk)
 - extension to the rear of the mill building to facilitate access to the ice houses.
 - renovation works to the engine house
- 165 Those changes to the front elevations will be more visible within the public realm than those to the rear but the guiding consideration has been that they should not be so harmful to the significance of these buildings as to be unacceptable or to irreparably change the character of these buildings.

Conservation Area:

- 166 The whole of the site except the Cow Shed, Cart Shed and rear garden lies within the Farningham Conservation Area. The CA Appraisal identifies the site as follows:
- 167 The most visually significant group of buildings in Farningham, due in large part to their siting, is that centred around the river Darent and the bridge. This includes the Mill and Mill House, their outbuildings, the cottages flanking the approach to the Mill buildings, the Lion Hotel and cattle screen. Together they form a truly picturesque setting and provide the real heart of the village.
- 168 The appraisal also identifies that the mill is in a poor state of repair and that the grounds contain a derelict greenhouse.
- 169 The Mill, Mill House and group of buildings with the Counting House are identified as an important group of buildings as are Bridge Cottages, Lion Cottages, The greenhouse, Vanity Box and Lion Hotel. Clearly the site is of significant prominence within the village and sensitive to change and alteration.
- 170 The site lies at a part of the village where the road narrows to cross the river, and where, for a short distance, buildings directly abut the public footpath along the High Street, giving this part of the High Street a more enclosed feel. The site is open around the entrance and in combination with views into the estate from the Lion Yard area makes this estate a focal point within the Conservation Area and indeed village.

- 171 The principal changes that would be noticeable from the High Street would be the 2 new cottages along the drive, Lion Yard, the Greenhouse and changes to the exterior of the Engine House. The restoration of the Folly would also be visible from the High Street. Works to re-grade the driveway would be apparent as would elevational changes to the carriage house and coach house. Works to the rear of the site i.e. parking provision, alterations to the cart shed and alterations to the Mill house and mill would be largely hidden from public view.
- 172 Tiger Cottages would fill a gap in development along the driveway that has existed for centuries and this is a sensitive element of the scheme. However in terms of the impact upon the CA it is considered acceptable. The character of the estate is formed in part by the number of modest buildings lining one side of the driveway, offset by the semi rural feel of the opposite river bank which has remained largely undeveloped. The proposed scheme would retain that character – infilling the gap with a pair of modest cottages of very similar character to those already lining the driveway.
- 173 The site of the Lion Yard development currently comprises the modest weather boarded building known as the Vanity Box. This structure is an interesting adjunct to the estate but is not of sufficient merit to warrant listing and its reconstruction on a nearby location is not considered in principle harmful to the character of the CA. There are concerns about the location of this building within such close proximity to retained trees on the site and in the interests of the longevity of these trees the vanity box would be more appropriately removed altogether. However the precise layout of the parking spaces and replacement vanity box could appropriately be dealt with by condition.
- 174 The proposed new building at Lion Yard has been extensively changed to reflect more closely the scale and character of nearby development, and it is considered would now be sympathetic to this part of the High Street and CA: representing now a much simpler form of development with a much simpler roof line that is more sympathetic to the scale of the buildings on either side.
- 175 The frontage building will, to a limited extent, shield views of the parking area to the rear from the High Street. Beyond that will lie the Greenhouse unit, lying on the site of an existing, albeit dilapidated greenhouse. The form and size of that unit will be replicated, using as much of the original material as possible to form a single detached house. The parking for this unit will be within the adjacent yard and efforts have been made to simplify the landscaping around this house to prevent encroachment of general residential form and paraphernalia around the adjacent river bank. This is to ensure that it remains a part of the general estate landscape rather than being viewed as a separate and self contained garden. In this way it is considered that this would form a satisfactory use of a partially existing structure that would lend itself sympathetically to the wider CA.
- 176 Overall it is felt that the new development, whilst clearly changing the character of the surrounding CA will, as materials ‘weather in’ sit comfortably within the general character and spatial characteristics of the estate and wider CA.
- 177 Much concern has been expressed about the impact of parking upon the character of the estate and wider CA with particular concern being expressed about preventing parking on the estate driveway. At present an area in front of some of the units flanking the driveway and in front of the house is available for parking –

albeit with the house in single occupation this has not often it would appear been fully utilised. Many suggestions have been made about where else on the estate the parking should be located. It is considered that an acceptable balance has been reached with some parking in the adjacent cart shed and land at the side of the house, a few spaces in front of the house and outside the counting house and the rest located within Lions yard. At present a low fence post and chain fence runs alongside the river and it is intended that this could be re-positioned on the grass verge adjacent to the driveway to prevent parking on the verge. Another such fence would be positioned on the opposite side of the driveway for the same reason. This, it is considered would largely retain the existing uncluttered view of the mill house and mill that currently exists and would not therefore be harmful to the character of this part of the CA.

AONB

- 178 The site lies wholly within the surrounding North Downs AONB, as indeed does the surrounding village. Those parts of the site where new built form is proposed are contained within the village confines, surrounded by other existing buildings. Whilst the partially undeveloped character of the site contributes to the openness and character of the site and the surrounding village, development in the manner now proposed such as to preserve the character and appearance of the conservation area and setting of the estate would not detract from the wider countryside or the attributes that define the AONB around Farningham.

Flooding

- 179 The site lies predominantly within the Flood Zone 2 and 3 with the River Darent and the mill stream running through the site and most of the proposed dwellings lying between these two watercourses. The outer limits of flood zone 3 follows the line of the mill race, with the site to the east of that line lying within zone 3. Flood Zone 3 represents a 1:100 year or greater risk of flooding. Zone 2 extends a little further west – as far as the vanity box with land beyond that line lying outside zone 2. Flood Zone 2 represents between a 1:100 and 1:1000 risk of flooding. The scheme has therefore had to deal with issues of flood defences, floodplain compensation strategies, surface water drainage and bio diversity enhancements.
- 180 The NPPF advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but that where it is necessary it should be made safe without increasing flood risk elsewhere. Local Authorities are advised to apply a sequential risk based approach to the location of development to avoid, where possible, flood risk to people and property. The sequential approach advises that in allocating land for development this test should demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate and that this approach should also be used in areas known to be at risk from flooding. In this case of course the site is already a residential site and as far as possible development has been placed in the Lion Yard area such as to avoid the most sensitive flood zone. However a judgement also has to be taken regarding the need for further development to make this scheme viable and where that development could be placed to cause least harm to the character and significance of the surrounding estate. That development has to be on this site and realistically there is no other land within the estate that could be used without causing significant harm to the estate.

- 181 Within the flood zone buildings used for dwelling houses are considered to be more vulnerable types of development with basement dwellings being considered highly vulnerable. Such development must be assessed against the exceptions test. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a SFRA where one has been prepared.
 - the benefits in this case relate to the renovation and preservation of the estate and it is considered that this would outweigh potential flood risk.
 - the development should be on developable previously-developed land
 - previously developed land is that which is or was occupied by a permanent structure including the curtilage of the developed land. There is no presumption however that the whole of the curtilage of such land should be developed. In this case it is considered that the site of Tiger Cottages does form previously developed land.
 - a FRA must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 182 A FRA has been submitted that has been assessed by the EA. Although the case has not been proven conclusively in respect of all aspects of the development to avoid increasing flood risk to surrounding sites, the EA is confident that all development apart from Tiger Cottages can be overcome. They have recommended in respect of Tiger Cottages that until adequate modelling information in respect of the pre and post development conditions is submitted that work on Tiger Cottages should not commence. This can be dealt with by means of an appropriate condition. Subject to the conditions suggested by the Environment Agency it is considered that this scheme would satisfy the provisions of the NPPF.
- 183 The original scheme was subject to objections from the Environment Agency (EA) and the revised scheme has been the subject of objections from some surrounding villagers concerned about the impact of further development of this site.
- 184 The scheme has found a more aesthetically pleasing manner in which to afford protection to the proposed dwellings from future floods by means of changes to land levels (the re-grading of the access drive for instance) and some banking around sensitive parts of the site (around the side of the Mill house) rather than the erection of boundary walls. Aesthetically this is far more sympathetic to the character of the estate than the previous proposal and offers sufficient protection to future residents to overcome objections from the EA in this respect. The only basement accommodate is not sleeping accommodation and forms only part of one unit with higher floors available within the same house..
- 185 In terms of flood compensation measures a sunken tennis court is proposed in the rear garden and the level of land further towards the rear of the garden will

be reduced. At the front of the site the grass banks immediately either side of the river would be reduced by an average of 150mm.

- 186 The EA accept the proposed scheme subject to the implementation of a number of conditions regarding flood defence measures, floor levels and surface water drainage and bio-diversity enhancements.

Highways/parking

- 187 The NPPF seeks to guide development to sustainable locations that encourage less reliance upon private modes of transport. Farningham is identified in policy L07 of the Core Strategy as a small settlement with a restricted range of services which renders it unsuitable for promoting development: where infilling and redevelopment on a small scale only will be permitted. Development within Farningham should be of a scale and nature appropriate to the village and should respond to the distinctive local characteristics of the area.
- 188 This scheme proposes 17 additional units and given the poor provision of public transport links to the village (minimal bus service only) the development would not be considered to accord with the sustainability aims of the NPPF. There are few local services and few local job opportunities that would suggest that the new private dwellings would be expected to rely heavily on the use of private motor vehicles to access the site. This would be contrary to the general aims of the NPPF but has to be weighed against the benefits of the development funding the restoration of the listed buildings.
- 189 It is not considered that the increase in traffic drawn to the site would be such as to cause harm to road safety objectives and the free flow of traffic around the site such as to warrant a refusal of permission.
- 190 In terms of the junction of the main access with the High Street some works are considered prudent to improve visibility but these deal largely with the re-surfacing of part of the access where it joins the High Street, this could be dealt with by condition and would not impact upon the visual character of the mill site.
- 191 In terms of parking provision the applicant has provided sufficient spaces to accord with current policy requirements.
- 192 Representations received from local residents and the Parish Council make it clear that on street parking levels within the village are high and that particularly during the summer months, visitors to the area increase parking pressures. Concern has been expressed about on site parking, both in terms of the potential impact upon the visual amenities of the site (considered above) and in terms of the potential for traffic to spill out of the site into surrounding residential areas to park.
- 193 That area of the highway outside the application site narrows as it passes across the river and on street parking is discouraged by double yellow lines extending from just beyond the nearby bridge to a point several hundred yards to the west of the site: the western end of the village around the site is subject to particularly significant on street parking restrictions. Any traffic displaced from the site therefore would not be able to park immediately outside the site but would be displaced towards the centre of the village or around the London Road/Sparepenney Road area.

- 194 Of particular concern is that the driveway leading to the Mill and Mill House and indeed the area around the house should not be wholly utilised for parking. Whilst there is sufficient space to enable off street parking for the site, such provision would be considered detrimental to the character and setting of the Mill site. Part of the attempt to overcome this harm is to remove some of the parking into Lion Yard. Concern has been expressed that these spaces do not readily connect to the location of the units that would utilise all of the spaces thereby forcing cars to park on surrounding roads. Local parking restrictions may however discourage such actions. In addition a new footbridge will be placed across the river to provide pedestrian access within the site to both sides of the river.
- 195 One way to deal with the visual impact of parking upon sites of historical significance such as this could be to reduce parking levels required. However in this particular instance, given the rural location and poor access to public transport, this is not considered a realistic option: this would almost certainly push additional traffic onto surrounding roads to park. Given the current situation and the potential impact upon nearby residents that is not considered a viable option.
- 196 Previously more surface parking was proposed around the Mill/Mill House and this was considered unacceptable in terms of the impact upon the setting of the mill and house. With the current scheme there would not appear to be anywhere else on the site to place surface parking that would not encounter either green belt objections. Landscape objections or potential harm to the character/appearance of either the listed buildings or the conservation area. A reduction in the level of development proposed with the consequent impact upon parking levels is discussed in connection with other aspects of this scheme elsewhere in this report

Archaeology

- 197 The middle and rear part of the site lies within an area of Archaeological potential, and the Farningham Roman Villa site lies nearby. It is anticipated that the site could have potential for the remains of a number of types/ages to be recovered. Subject to relevant conditions however to ensure suitable recording/protection of any findings, no objections are raised to the proposed works.

Ecology

- 198 The site has potential for harm to bats and nesting birds. Further survey work has been carried out in response to previously expressed concerns regarding bats and the submitted survey work provides for a mitigation strategy. Views are awaited in respect of this issue from KCC.

Affordable Housing:

- 199 The number of new residential units being created would ensure that this application should make provision for affordable housing units equivalent to 40% of the units being created. It is contended that there is insufficient profit within the scheme to make such provision available.

- 200 As a result of the need to protect the architectural and historical significance of this site a more densely developed scheme that could perhaps provide some affordable housing would not be acceptable.
- 201 The viability statement submitted by the applicant has been independently assessed and it is considered that the scheme could not support either on site provision or an off site contribution.

S106 Contributions

- 202 A number of contributions are being sought from KCC and the Local Health Trust . The Council does not consider the methodology used to justify these contributions to be sound. In addition these contributions raise the same issues as in respect of the affordable housing contributions ie conflict between the requirements for these contributions and the protection of the significance of the site. The Council are advised that an affordable housing contribution could not be sustained by this scheme and the same consideration is relevant in respect of these other financial contributions.

Sustainability

- 203 The NPPF describes sustainable development as being able to meet the needs of the present without compromising the ability of future generations to meet their own needs.
- 204 In respect of the use of alternative energy sources this scheme refers to the use of solar hot water panels, solar photovoltaic panels water sourced heat pumps and water driven turbine and ground source heat pumps. The aim of these measures being to provide a total of 10% of the energy needs of the site through these renewable energy sources.
- 205 Precise details of these methods have not been provided, ie it is not clear where the panels would be sited and in view of the heritage significance of this site some of this may actually be unobtainable. However it is proposed that this particular aspect of the scheme is dealt with by condition to enable full consideration of the impact of the proposals upon the site.
- 206 Also considered as part of the sustainable benefits offered by this scheme would be the improvement to the insulation of existing buildings, the use of local materials and suppliers and the extension of the existing Darent Valley Path across the western part of the site.

Trees/Landscaping

- 207 The site contains a number of mature trees both within the site and on the site boundaries which contribute to the overall character and setting of the site and indeed the wider village and conservation area. Some trees have already been subject of pruning and maintenance works and such work will undoubtedly be required to other trees within the site. Clearly some trees will need to be removed from within the site, most specifically those affected by the development of the greenhouse and potentially one or two within the area adjacent to the parking area at the side of the Mill House. It is not anticipated at that stage that any trees of particular merit are proposed for removal.

208 Those trees lying within the Conservation Area are of course afforded an additional level of protection. However in order to ensure that the maximum number of trees are protected and preserved during the development process, a number of conditions are recommended in respect of parking layouts, alignment of footbridges, tree protection during development, etc.

Neighbour Amenities:

209 The neighbours most affected by the scheme would be those living to the east in Manor House and Cottage, those opposite and next to Lion Yard.

210 The Lion Yard properties would allow some overlooking of the garden of the house opposite, White House and some oblique views of the house itself, however not to an extent that is considered significant. Some sideways overlooking would be possible from a bedroom window in each of the flank elevations of the gardens of neighbouring cottages. However this also is not considered significant.

211 Manor House Cottage lies on the opposite river bank to the scheme – with the boundary of its garden and that of Manor House running almost the entire length of the application site. The visual amenities of the Cottage residents would be affected as a result of Tiger Cottages since the cottages would lie directly opposite the cottage. However the houses would have a distance of some 20-24 m between facing rear walls. Although the outlook from the cottage would change it is not considered that at these distances this would be so significant as to justify a refusal.

212 In terms of overlooking issues, Tiger Cottages have been designed to prevent any overlooking of the opposite side of the river above ground floor level. Views would be partially obscured by hedging on the Manor House Cottage side of the river from ground floor level but not completely.

213 Other impacts upon the Manor House residents from this scheme would result from new roof lights in the rear of existing buildings and the use of the land to the rear of these buildings as private amenity space. There is some boundary screening from existing trees on the Manor House side of the river and those parts of the garden being overlooked are not those immediately adjacent to the houses themselves. It is not considered that this level of overlooking could be considered so significant as to be unacceptable.

214 The residents of Manor House have raised objections to the potential noise, pollution and light pollution impact of the parking area proposed at the side of the Mill House upon their garden. This parking area would lie some distance from the nearest part of either house and the impact would be upon the garden rather than the house. It would undoubtedly be noticeable to anyone in the garden but is not considered a significant intrusion such as to be harmful to the amenities of those residents.

Green Belt

215 The only works to that part of the site lying within the green belt relate to the restoration of the greenhouse lying within the walled garden, the restoration/replacement of the footbridge to the rear of the mill and the lowering of ground levels in response to the flood compensation scheme. In the case of restoration/replacement works the replacement structures would not have any

greater impact upon the surrounding green belt than the existing/original structures. The final alterations to the ground levels at the rear of the site have yet to be agreed but such works would not affect the openness of the surrounding green belt nor indeed the visual character or amenities of the green belt. These works are all considered to constitute appropriate development within the green belt.

Other Issues

216 Alternative uses: An alternative use of the premises has been suggested by a local resident that could secure its long term protection but without the impact in terms of works to the buildings, parking etc. that would result from this scheme. Unfortunately we have no evidence that such a proposal could be funded and this scheme could not be refused on the basis that there may be an alternative use of the sort suggested.

Access Issues

217 Will be determined by the relevant building regulations submission.

Conclusion

218 The proposed scheme would see the renovation and conversion of the existing buildings on site into a number of houses and flats along with the construction of 6 new dwellings. The works required are substantial and would have an adverse impact upon the significance of this site and its many listed buildings and structures. The level of harm is considered however to be less than substantial. Great weight should continue to be given to the conservation of all affected designated heritage assets but it is now considered that the public benefits of securing the future use and on going maintenance of this significant group of assets in the manner proposed are now capable of outweighing the reduced harm to significance.

219 Other issues as discussed in detail above are, it is recognised, are going to cause a change in visual terms and to the levels of activity around the site and consequently village that will affect surrounding residents and the visual amenities of the area. However it is considered that the changes proposed to the appearance and character of the site would be sympathetic to the existing character of the site and wider area. The levels of activity primarily associated with increased traffic drawn to the site would be within acceptable limits within this High Street Location.

220 Subject to the relevant conditions and legal agreement to secure a number of objectives the scheme is considered, overall to be acceptable.

Background Papers

Site and Block Plan

Contact Officer(s): Lesley Westphal Extension: 7235

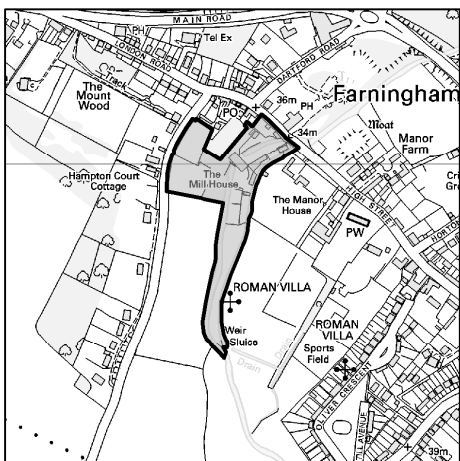
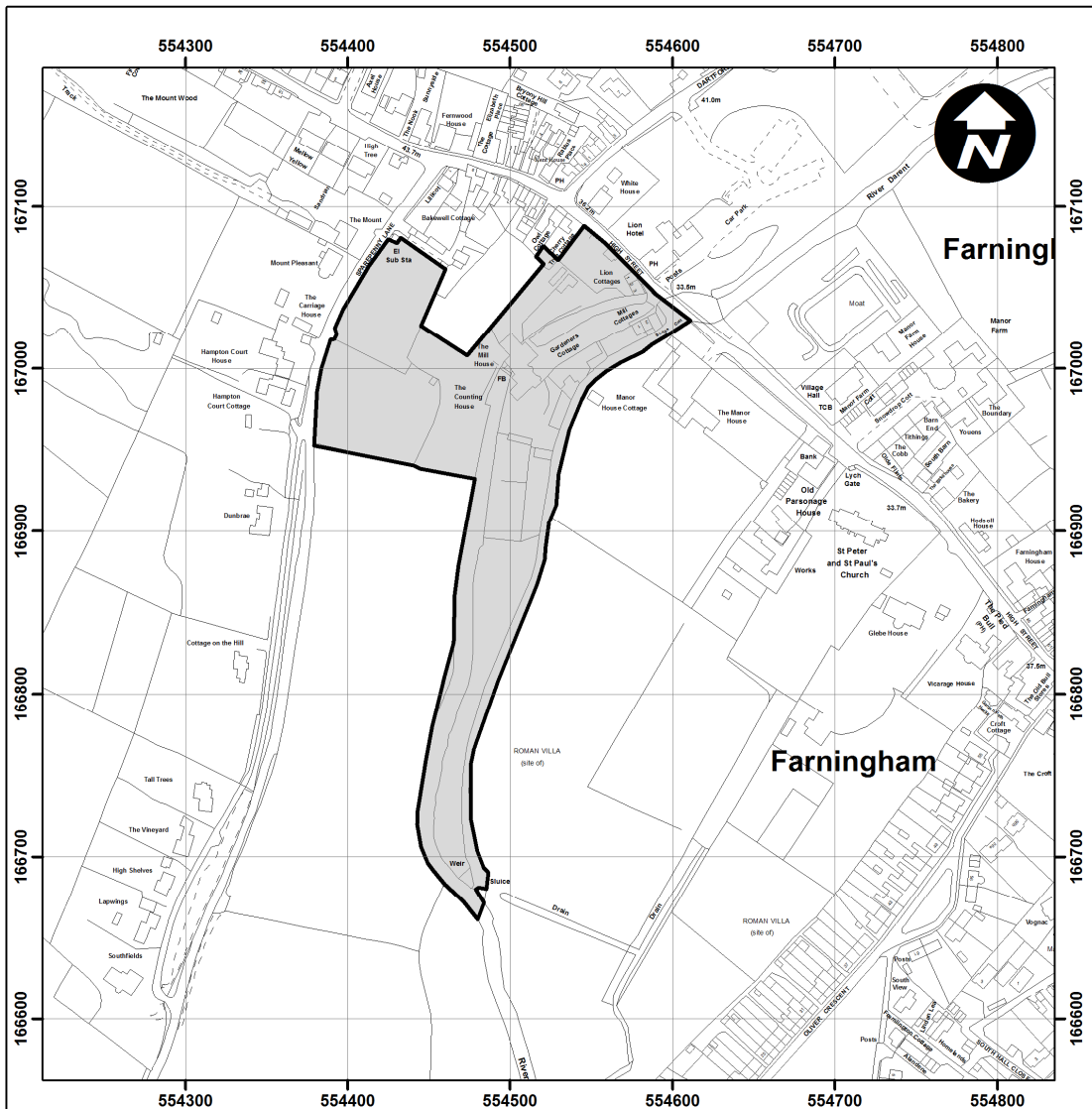
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LLRBU8BKOCR00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LLRBU8BKOCR00>



Site Plan

Scale 1:3,500

Date 11.07.2012



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