

4.2 SE/11/01325/LBCALT Date expired 4 August 2011

PROPOSAL: Works associated with the conversion of existing buildings into residential and ancillary accommodation

LOCATION: Farningham Mill & Associated Buildings, High Street, Farningham Kent DA4 0DG

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

ITEM FOR DECISION

This application has been referred to the 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 Listed Building Consent be GRANTED subject to the following conditions:-

1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) Prior to the commencement of works, a structural engineers method statement for carrying out structural works and repairs to the Mill House shall be submitted to and approved in writing by the Local Planning Authority, in consultation with English Heritage. The works shall be carried out in accordance with the approved details.

To ensure minimum harm to the fabric and character of this heritage asset.

3) Prior to the commencement of works on any existing buildings on this site, large scale drawings showing the proposed methods of providing any new insulation and sound separation to all dwellings shall be submitted and approved in writing by the Local Planning Authority in consultation with English Heritage. The scheme shall be carried out fully in accordance with the approved details.

To ensure the proposed development is in harmony with the existing listed building.

4) Prior to the commencement of work on any existing buildings on site, joinery details shall be provided to the LPA in consultation with English Heritage of 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. The scheme shall be carried out fully in accordance with the approved details.

To ensure the proposed works are in harmony with the existing listed building.

5) Prior to the commencement of works on site, details shall be provided of all works to construct new pedestrian bridges on site, including full details of siting materials and design. The details shall be submitted to and approved in writing by the Local Planning Authority in conjunction with English Heritage and the scheme shall be carried out in

accordance with the approved plans.

To ensure the proposed development is in harmony with the listed building and protects the character and setting of the site in accordance with policy SP1 of the Core Strategy.

6) Prior to the commencement of works on site drawings at a scale of 1:5 fully detailing all new or replacement bargeboards, weatherboarding, balconies, roof verges and roof eaves to the mill shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage. The works shall be carried out fully in accordance with the approved details.

To ensure the proposed works are in harmony with the listed buildings and to protect the character and setting of the site in accordance with the provisions of policy SP1 of the Core Strategy.

7) Prior to the commencement of works on site, details shall be provided to and approved in writing by the LPA in consultation with English Heritage of any new floor surface to the stables. The scheme shall be carried out in accordance with the approved details.

To ensure the proposed works are in harmony with the listed building in accordance with the provisions of policy SP1 of the Core Strategy.

8) Prior to the commencement of works on site, manufacturers details of all new roof lights shall be submitted to and approved in writing by the LPA in consultation with English Heritage. The scheme shall be carried out fully in accordance with the approved details.

To ensure the proposed development is in harmony with the listed building in accordance with the provisions of policy SP1 of the Core Strategy.

9) Prior to the commencement of works to Tiger Cottages drawings to a scale of 1:5 fully detailing eaves, verges, porch canopies and windows to Tiger Cottages shall be submitted to and approved in writing by the LPA in consultation with English Heritage. 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 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

10) Prior to the commencement of works on site details shall be submitted in writing to and approved by the LPA in consultation with English Heritage of all rainwater goods. 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 SP1 of the Core Strategy..

11) 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.

To ensure a satisfactory appearance upon completion and impact upon the character

and significance of the listed buildings.

12) Prior to the first occupation of the development hereby approved, samples shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage of all the hard surfacing materials and materials to be used in the external surfaces of the development hereby approved. 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 SP1 of the Core Strategy.

13) Prior to the commencement of the development hereby approved, details shall be submitted to and approved in writing by the LPA in consultation with English Heritage of the proposed landscaping scheme showing details of all hard and soft landscaping, including any phasing scheme. The scheme shall be carried out in accordance with the approved details.

In order to secure a satisfactory appearance upon completion in accordance with the provisions of policy SP1 of the Core Strategy.

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

The South East Plan 2009 - Policies BE6

Sevenoaks District Local Plan - Policies EN1 EN23

Sevenoaks District Core Strategy 2011 - Policies BE6

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

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

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

Description of Proposal

- 1 Works associated with the conversion of existing buildings into residential and ancillary accommodation:
- 2 This scheme comprises a revised submission and proposes the following works:
- 3 Conversion of the Mill House into two dwellings – with a front/rear sub-division. These works involve the excavation of an existing basement to provide a fully usable kitchen/family room across the whole of the front of the house, lit by an existing window beneath the access stairs and a window in the flank elevation. A new pedestrian access would be created to the flank window. The layout of the front section of the house would remain largely as existing apart from the creation of en-suite shower rooms to two of the bedrooms and would provide a 4 bed unit. An existing access from the house to the mill would be retained to provide en-suite facilities at first floor level adjacent to the Ballroom apartment.

- 4 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. Again this conversion would largely accommodate existing room layouts.
- 5 Conversion of the Mill into 4 apartments – At ground level a communal entrance to stair and lift to all apartments in the mill. A 2-bed unit with the bedrooms and bathrooms at the front of the apartment allowing the main part of the mill machinery and workings to remain open towards the centre/rear of the floor. At first floor a 3 bed unit following the same general configuration with a large kitchen, dining/living space towards the centre/rear of the floor, at second/third floor a front/rear division accommodating two units which combined with accommodation at both floors would provide two 2-bed units.
- 6 Ice House - To the rear of the engine house lies an ice house, connected to the folly above which is proposed for conversion as part of the engine house conversion
- 7 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.
- 8 Folly - General overhaul with some re-pointing and repairs to the flint work although further investigation required in respect of the stability of the foundations.
- 9 Cow shed - An existing single storey brick/tiled building lying on the edge of the village confines to be re-furbished.
- 10 Cartsheds – 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. 6 rooflights are proposed in the rear roofslope. It would sit adjacent to a parking courtyard.
- 11 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. A new stair case would provide access to the loft 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.
- 12 Carriage House – An existing timber open fronted storage area adjacent to the counting house. The open bays would be given timber screens, sitting on a brick plinth, retaining the original shape but providing 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 2 rooflights would enable the provision of two bedrooms.
- 13 Stables - With their white weatherboard exterior the existing stables retain many 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 stall screens would mostly 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 cottages. This subdivision would allow the provision of 1 3-bed and 1 2-bed unit. The first floor of these units would be lit by rooflights and some existing first floor windows.

- 14 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 partly replaced with glazed screens. 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 rooflights in the rear roofslope.
- 15 Gardeners Cottage – An existing one bed unit would be retained.
- 16 Tiger Cottages – At present the space to be used for this pair of cottages is garden space for the adjacent Mill cottages. The front of the garden 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 weatherboarded 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.
- 17 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 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 and flank elevation would have one dormer each whilst the rear elevations would provide 2 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. The parking area would lie to the rear of this building.
- 18 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 down towards the mill stream with the existing brick structure at the rear of the greenhouse being incorporated by an 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 roofslopes having integrated photovoltaic cells within the glazed roof.

- 19 Ancillary Works - New footbridge across the mill stream – in the location of a previous footbridge alongside the entrance drive. Restoration of the greenhouse in the walled garden Tennis Court in the rear garden beyond the walled garden Flood Alleviation Works – resulting in some new walls along the driveway and alterations to the floor level of the Old Cow shed

Description of Site

- 20 The site comprises the Mill House, dated from c.1790, the attached Mill and engine house, and a complex of buildings including cart shed, counting house, stables, workers cottages a folly and walled garden. 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.
- 21 The existing buildings are currently either in residential use or vacant with the Mill House being occupied until fairly 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/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.
- 22 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 house lies a walled garden and remains 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.
- 23 The site around the river is largely flat but rises quite steeply to the west of the mill stream to a belt of trees stretching on a north/south axis which visually divides 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 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, the river bank has been repaired and parking set out for these two units.
- 24 A number of the buildings on this site are listed:

*Mill House Grade II**

- 25 Circa 1790. Two storeys and attics, faced with buff bricks. Parapet. Mansard slate roof with 3 dormers. Wide porch between with pediment, up 7 steps.

*Mill/Engine House Grade II**

- 26 Present water mill is circa 1790. Three storeys and attics faced with weatherboarding.

Mansard slate roof with stone figures of eagles flanking the gable end. Projecting hoist in the gable end which also contains an ogee-headed attic window. In the north-east corner is a round-headed doorway with semi-circular fanlight. In the north-west corner a sham duplicate doorcase has been painted to balance it.

Folly Grade II

- 27 Probably dates from 1790. This is situated on a hill overlooking the Water Mill. To the left there is a network of low flint walls capped with red brick. To the right of this, approached up a steep bank are 3 octagonal turrets, the one on the extreme left built of flint and brick in a chequer work design with a stone crocket over surmounted by a ball finial. The central turret is truncated and is built of flint and brick. Underneath the turrets and summer house are 2 chambers excavated out of the hillside. The chambers are brick lined. Air shafts lead up, presumably to the turrets. Both chambers were probably used for storing grain for the adjacent mill and the Folly thus had a practical as well as ornamental purpose.

Gardeners Cottage/Stables/Counting House Grade II

- 28 C18 range with tiled roof. At the south-west end is The Counting House a cottage of 2 storeys and 3 windows, faced with flints with red brick window dressings, quoins and stringcourse. Casement windows, those on the ground floor having 2 painted lights. In the centre are the former stables and coach-house. One storey. These are faced with weatherboarding. Round-headed doorway and ogee-headed loft door over it. At the north-east end is Gardeners Cottage. Two storeys faced with weatherboarding. Two sashes with glazing bars intact. Doorcase with flat hood on brackets and door of 6 fielded panels.

Mill Cottages Grade II

Bridge Cottage Grade II

- 29 C18 L-shaped range. Two storeys and attics. Two windows and 2 gabled dormers facing north-east, 6 windows and 3 gabled dormers facing north-west. Faced with weatherboarding, the north-east front grooved in imitation of masonry. Tiled roof. Bridge Cottage, facing north-east, has very elaborate glazing to the windows, parts of which open as casements, 2 bays on the ground floor, and a doorcase between with pediment-shaped hood over. Nos. 1 and 2 Mill Cottages, facing north-west, have sash windows with glazing bars intact and doorcases with flat hoods on brackets.

Lion cottages Grade II

Cherry tree Cottage Grade II

- 30 The site lies mostly within the built confines of the village (outside the built envelope is in the green belt), within the Conservation Area, the whole site within the AONB, within a flood zone and within an area of archaeological potential.

Constraints:

- 31 A number of listed buildings (as detailed above), Farningham Conservation Area

Policies

South East Plan

32 Policies - BE6

Core Strategy

33 Policies - SP1

SDLP

34 Policies - EN23

Relevant Planning History

35 SE/10/03385/LBC Residential conversion: 24 net additional units with 130 sq m commercial floorspace, flood prevention measure, new footbridge, parking refuse provision and associated landscaping. Withdrawn.

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

Consultations

English Heritage

36 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.

37 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 ongoing 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 ongoing 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

38 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.

- 39 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.
- 40 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.
- 41 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 enforceably 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:

- 42 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
- 43 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.
- 44 Recommendation
- 45 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.

Georgian Group

- 46 Views in respect of the original scheme are contained below: comments in respect of the revised scheme are awaited.
- 47 Thank you for consulting The Georgian Group regarding the revised scheme at Farningham Mill. 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.

48 Farningham Mill

49 The mill and mill house, built circa 1790 are at the heart of a complex of buildings including cart sheds, stables, counting house, workers' cottages and a walled garden. The setting of the mill is largely unaltered from the time of its construction and includes the River Darent and millstream, gardens to the rear, and a folly structure. The mill house itself is a handsome small house, two bays wide and three storeys high. It retains a number of 18th century features, including mouldings, fireplaces and staircase, as well as its domestic plan form.

50 The house and mill are listed grade II* and the various outbuildings fall within the curtilage of these buildings; the site is largely within the Farningham Conservation Area.

51 Proposals

52 It is proposed to refurbish and subdivide the mill and mill house to accommodate six dwellings and carry out structural repairs; the application is proposing enabling development, claiming a conservation deficit owing to the present condition of the house and mill. A number of new buildings and the conversion of existing outbuildings into dwellings is proposed. This amounts to 36 dwellings in total with separate structures for home office accommodation, ancillary to these dwellings.

53 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.

54 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.

55 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.

56 Subdividing the water mill itself into four residential units is more problematic in terms of the impact upon the listed building and its character. The applicants have only provided viability assessments of various residential scenarios and have not offered any evidence that other less damaging uses are not viable. PPS 5 states that '*Significance can be harmed or lost through alteration or destruction of the historic asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification.*' (HE 9.1) and English Heritage gives further guidance:

- 57 *'In principle the aim should be to identify the optimum viable use that is compatible with the fabric, interior and setting of the historic building. This may not necessarily be the most profitable use if that would entail more destructive alterations than other viable uses.'* (Enabling Development and the Conservation of Significant Places', 2008, Para 3.9)
- 58 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. In the current scheme, over 50% of floor space at first and second floor levels is given over to partitioned rooms and at third floor level the open character is completely lost through the subdivision of the space into two flats; when we last wrote on these proposals we recommended that *'All efforts should be made to retain the mill's open character internally, therefore, vertical subdivision with a lift is unacceptable.'* The proposed interventions required for a residential conversion are severely damaging to the special interest of the building, these include escape stairs, concrete floors, roof lights, sound and heat insulation, jib door, and the loss of the trompe l'oeil windows as well as more significant flood protection measures than is necessary for other uses.
- 59 The Group remains concerned that the proposed lift, as well as adding to the subdivision of internal space, is an intrusive proposal that will involve the loss of historic floor fabric, as will the creation of new stairs to the third floor. The need for a lift, in line with part M of the building regulations (Heritage Impact Assessment), is generated by the decision to pursue the proposed use and ensure sufficient returns. It is The Group's opinion that many of the problems incurred in subdividing the building, poor lighting to the attic storey for example, are symptomatic of the proposed overdevelopment.
- 60 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, hardstanding, 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.
- 61 PPS 5 states that *'When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application.'* (HE 10.1) The proposals for new dwellings in the setting of the mill and mills house amount to, in our opinion, significant harm to the setting of the mill, mill house and complex as a whole - as an architectural set piece.
- 62 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. Notwithstanding the retention of a majority of fixtures and fittings the special

architectural interest of these buildings will be severely impacted upon. We therefore object to the introduction of large panes of glass in the coach house and carriage shed in principle, the proposal is incongruous with a small, historic, rural estate. Like the water mill, it is proposed to introduce a plethora of roof lights to this block and introduce a new first floor within the carriage house, stables and coach house to squeeze additional capacity out of the estate. We object to these aspects of the scheme, in principle, as they are symptoms of the proposed over development.

63 The current scheme would be 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:

64 *'Enabling development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:*

- *it will not materially harm the heritage values of the place or its setting'*
- *it avoids detrimental fragmentation of management of the place(P5)*

65 The Group's assessment of the proposals concluded that there would be substantial harm to the site and some loss of significance. PPS 5 states that *'Loss affecting any designated heritage asset should require clear and convincing justification.'* (HE 9.1). Whilst the applicants have this time submitted a report based on the financial aspects of delivering the site it still raises a number of issues. The report states that:

66 *'It is clear from the state and repair of the property that the previous long term owners have struggled to afford the significant maintenance and repair liabilities, hence their decision to sell. I think that it is unlikely, given its problems, that the site would have any great appeal to a hobbyist type buyer with a niche interest in maintaining historic water mills.'* (Lambert and Foster - Para. 7, May 2011)

67 The applicants are therefore arguing that the site is redundant as a single occupancy house / mill and that the estate, in its current form, cannot generate enough income to cover maintenance. Whilst this may be correct, at this time, it is speculation as the buildings have not been put on the market to be fully tested in terms of value and potential uses; it is understood that the current owners acquired the estate without it going onto the market, it is therefore not possible to fully understand to what degree the site meets those tests set out in PPS 5:

68 *'To be confident that no appropriate and viable use of the heritage asset can be found under policy HE9.2(ii) local planning authorities should require the applicant to provide evidence that other potential owners or users of the site have been sought through appropriate marketing and that reasonable endeavors have been made to seek grant funding for the heritage asset's conservation and to find charitable or public authorities willing to take on the heritage asset.'* (HE9.3)

69 Recommendation

70 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.

- 71 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. As in February 2011, we would be pleased to work with the applicants, once this exercise has been carried out, to discuss possible ways forward.

Victorian Group

- 72 views awaited

20th C Society

- 73 views awaited

Parish / Town Council

- 74 Objects

- 75 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

Group Manager - Planning Appraisal

Principal Issues

- 76 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 providing a rare insight into the workings of a late 18th C Kentish Mill. The mill and mill house are at the centre of the estate and are both Grade II* listed of outstanding significance. The ancillary buildings, listed at Grade II are allocated within the Farningham Conservation Area. A particular rarity in an industrial complex is the late 18th C Folly on rising land to the west of the mill.
- 77 It is the impact upon this asset and its significance that must be assessed.
- 78 The NPPF is clear that there is a presumption in favour of the conservation of designated heritage assets and the more significant the asset the greater the presumption in favour of its conservation. Significance can be harmed or lost through alteration or destruction of the asset or development within its setting. Loss affecting any asset should require clear and convincing justification. Substantial harm to assets of the highest significance (including Grade II* listed buildings) should be wholly exceptional.

- 79 If it is determined that the impact upon the asset is less than substantial harm, the LPA should weigh the public benefit of the proposal (i.e. it secures the optimum viable use of the asset) against the harm and recognise that the greater the harm to the significance of the asset the greater the justification will be needed for any loss.
- 80 In view of Officers concerns about the impact of the development proposed, it seems a reasonable approach in this instance to consider whether the works proposed are in fact required to ensure the repair/restoration of the mill and complex. In considering the impact of enabling development upon heritage assets, the following are relevant considerations: the question of whether the development would harm the significance of the assets or its setting, whether it will secure the long term future of the asset, whether the level of development is the minimum necessary to secure the future conservation of the asset and of design and type that minimises the harm to other public interests.
- 81 Quite clearly the development proposed does have an impact upon the character and setting of the mill house and complex and therefore an impact upon the significance of the 'asset'.
- 82 The site lies within the built confines of the village and any scheme for the re-development of the site would be assessed against a number of policies – there is no 'in principle' policy guidance that prevents such development in this location. Therefore in the strictest possible terms the works proposed are not 'enabling development'. However it is officers view that some of the works proposed would have an adverse impact upon the character and setting of the site that would be harmful to the 'heritage asset'. The works are therefore potentially justified on the basis that this is the minimum work required to provide the financial assistance to renovate and upgrade the listed buildings and ensure their on going survival. Clearly the site has been allowed to fall into some disrepair and the indications are that quite significant levels of work are required to ensure the repair/on going maintenance some of the buildings on this site. Indeed the buildings have deteriorated further during the negotiation period of this application.
- 83 The first development appraisal carried out to assess the original scheme concluded that the conversion of the existing units on site would be sufficient to demonstrate the optimum viable use. However, the scheme has been amended and a further viability assessment sought in respect of the affordable housing contribution considered that although the build costs are high that these seemed reasonable in view of the works being carried out. Consequently the scheme would not provide surplus money for affordable housing. That by default indicates that the current scheme is the optimum viable use of the site and that any lesser development would prejudice the restoration of the site.
- 84 Nevertheless a brief assessment of the individual works proposed is considered below:
- 85 *Conversion of Mill House:* Into 2 units with the division made along the central spine of the house dividing into a front and a rear unit. Previously concern had been expressed by EH about the adverse impact of alterations to the plan form, circulation and subdivision of rooms to provide toilets kitchens and fire/sound proofing. This application largely overcomes these concerns in terms of the sub

division of the house and individual rooms – the two units being sub divided along the line of the original rear wall of the original part of the house.

- 86 The Georgian Group express concern that this split would be harmful to the house and estate as a whole. Whilst it would be preferable to retain this as a single house it is considered that the works proposed would strike a balance between retaining sufficient significance of this building against contributing towards the financial development required to provide the restoration of this and other buildings on the estate.
- 87 *Conversion of Mill:* Advice from EH and the Georgian Group provide contrary views as to the acceptability of the conversion, in principle, of this building. Whilst clearly preferable in terms of its significance to retain as a single open space, a period of marketing may have revealed whether there is any real likelihood of a use coming forward that could make such use of this building. In the absence of such marketing however there is no information available on this matter.
- 88 In terms of the impact of the conversion upon the significance of the mill the sub division of the space would harm the large open space which characterises the interior of this building. A horizontal sub division could potentially be less damaging than a vertical sub division but it is evident from the proposed scheme that there is currently an element of both – with the 2nd/3rd floors being divided vertically resulting in the dissection of the existing open space on these floors with a number of partitions to provide separate flats and rooms within. At ground and first floor levels a significant degree of the floorspace would be partitioned although an element of larger open space would also be retained.
- 89 In order to provide these units, significant intervention in the historic fabric of the building would be required and it is clear that the significance of this building would be adversely affected by the works proposed. It is this element of the proposed works in particular that has to be considered as part of the balance between harm to the significance of the asset weighed against the long terms benefits of securing the restoration and future preservation of the whole estate.
- 90 Conversion of Counting House, Stables, Coach House
- 91 Carriage Shed: The counting house and gardeners cottage lying at either end of this group of buildings are already in habitable accommodation. In principle the conversion of these buildings is considered acceptable subject to an appropriate scheme. The Georgian Group object to a number of elements of the scheme considering that, for instance, the additional floor in these units, the plethora of rooflights in the rear roofspace, the introduction of large panes of glass in the coach house and carriage shed are incongruous with a small, historic, rural estate and symptomatic of the proposed over development of the site. The submitted plans would result in a very densely developed group of buildings which are likely to impact quite significantly upon the fabric of these buildings, for instance the scheme will result in a lot of changes to the roofline of the rear of these buildings with the insertion of a large number of rooflights. This largely arises from the proposed insertion of first floor accommodation where none currently exists.
- 92 Steps have been taken to retain as much fabric as possible compared to the previous application ie for instance the existing stalls are retained in the stables

which is advantageous from the perspective of the fabric of the building and changes have been made to the design of the new front walls to the coach house which has not been commented upon by the Georgian Group.

- 93 Cart Store: The proposed use and design is considered acceptable.
- 94 Tiger Cottages: This pair of cottages will sit in a gap currently occupied by gardens of the adjacent cottages. This space largely sits behind a group of evergreens running along the front of the space between the two cottages either side.
- 95 The cottages proposed would align with the cottages either sides and would be comparable in height to Bridge Cottages and the Counting House. The scale and design would be sympathetic to the existing cottages and buildings flanking the drive to the mill and mill house. The loss of this gap would undoubtedly have an impact upon the setting of the estate and the 'historic' view of the Mill and House. As with other elements of this scheme it is a matter of balance as to the weight given to this impact compared to the benefits that would accrue from this scheme.
- 96 Lion Yard/Greenhouse: This element of the scheme lies adjacent to the High Street in a gap in the built frontage but clearly forms part of the Mill Estate and part of the setting of the Mill and associated buildings. Views of the buildings proposed on this site will be significant both from the High Street and from within the mill site. This aspect of the proposal involves impact upon the fabric of the site and upon the setting of the mill and wider estate.
- 97 Lion Yard would encompass a 2 ½ storey building aligned with the High Street with its amenity space at the side adjacent to Cherry Tree Cottages and small patios to the rear of two of the houses. This provides partial enclosure to a parking courtyard and the entrance to the greenhouse 'conversion' as well as providing a setting to the adjacent Lion Cottages. The frontage part of the main building provides an interesting and attractive frontage that it is considered would fit sympathetically into the High Street at this point: leaving sufficient gaps to both adjacent cottages.
- 98 This site is visible from the High Street adjacent to the Mill entrance and from the adjacent mill driveway. Until recently this part of the estate was quite well screened from the driveway with vegetation. However as part of the works to clear the vegetation from around the rear of Lion Cottages and the Greenhouse this has opened up the estate at this point quite significantly. At present this side of the mill stream is largely undeveloped and presents an almost rural feel to balance the quite densely developed access drive leading to the house and mill. This contrast would have to be retained if Tiger Cottages were considered acceptable development.
- 99 The scheme has been amended to bring the general design and scale of this part of the site down to a level where it is considered that it would fit sympathetically into the surrounding conservation area. Whilst changing the views of the estate from this part of the High Street, because the scale and design of the building is now more modest it is considered that this will not adversely affect the setting of the mill and house.

- 100 The proposed greenhouse development would take the existing dilapidated greenhouse buildings and with some extension works turn these structures into a 3 bed house. The scheme has been revised to ensure that the impact of this upon the lawn area adjacent to the river would be minimal with the parking, gardens and other domestic features kept to the side and rear of the building.
- 101 The parking area will affect the setting of the adjacent cottages and be visible from the driveway to the Mill – but if all else is considered acceptable with the scheme this would be an acceptable compromise which could be softened with additional planting.
- 102 Footbridge: Potentially a significant impact upon the view of the site from High Street – but since this appears to be re-instating a previous feature no objections are raised to this, subject to acceptable detailing. The location may need to be amended slightly to avoid undue damage to an existing tree on site but this could be dealt with by condition.
- 103 It is clear that when considering applications for development that affect the setting of a heritage asset, local planning authorities should weigh any harm against the wider benefits of the application. In this case it is clear that the wider benefits of an application on this site are the restoration and renovation of the ‘heritage assets’ on this site. Clearly some development will be necessary to provide the financial return necessary to ensure the restoration/renovation of the Mill House, the Mill and the wider site.
- 104 It is considered that although this scheme would cause some harm to the character and setting of the mill estate that overall this is considered to be less than substantial and that the benefits of securing the long term future of this site outweighs the harm that has been identified.

Access Issues

- 105 To be resolved as part of a building regulations submission.

Conclusion

- 106 This application considers the impact of the proposed works, sought as part of an accompanying full application upon the character and setting of this estate and makes an assessment of whether any harm to the significance of the estate is outweighed by the benefits that the scheme would secure.
- 107 It is clear, as discussed above, that some elements of the scheme would cause harm to the significance of the estate and the buildings on it both in terms of actual physical harm to the fabric of the buildings and in terms of harm to the setting of the estate.
- 108 However, it is considered that this harm would not amount to substantial harm and as such the benefits that would accrue from 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. There are still a number of matters to be resolved and these are dealt with by means of a S106 Obligation and a number of conditions.

Background Papers

Site and Block Plan

Contact Officer(s): Lesley Westphal Extension: 7235

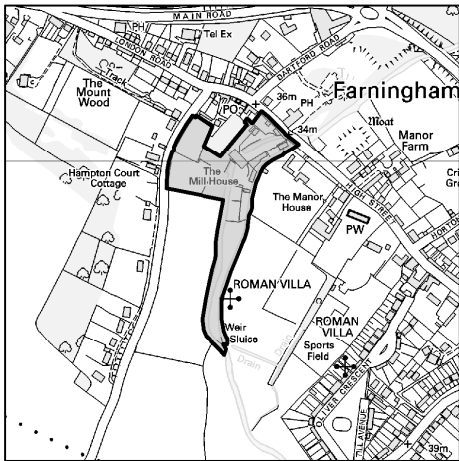
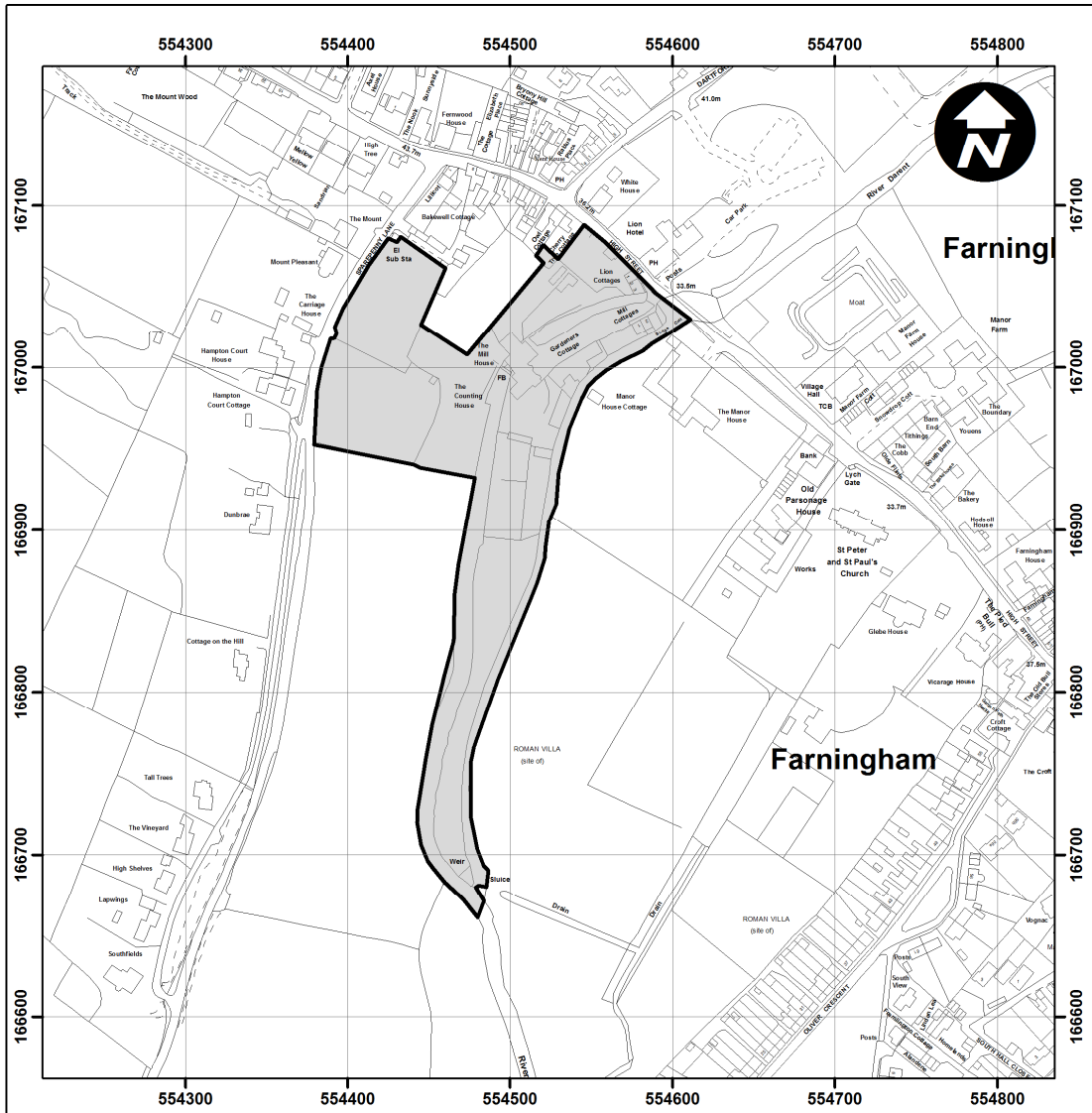
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LLRCJGBKOCR00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LLRCJGBKOCR00>



Site Plan

Scale 1:3,500
Date 11.07.2012



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