

Application report

Application Reference:	19/00701/FUL	Date of report:	10/05/2019
Proposal:	Redevelopment of the site; including the conversion of two commercial buildings to dwelling-houses and the erection of a semi-detached pair of dwelling-houses, following the demolition of existing storage building.	Case officer:	Emma Gore
Address:	Redleaf Estate Yard, Camp Hill, Chiddingstone Casuseway, Kent		

Description of site

The application site is located to the south east of Camp Hill. The site is comprised of three large outbuildings, which formally housed a commercial enterprise. The buildings have a rural character and are located forward of the Grade II listed building, Stonelake. The site is located adjacent to a row of residential dwellings but is set in rural countryside. The site is located within the Green Belt and is adjacent to the listed building.

Description of proposal

Redevelopment of the site; including the conversion of two commercial buildings to dwelling houses and the erection of a semi-detached pair of dwelling houses, following the demolition of existing storage building.

Relevant planning history

98/02460/HIST	Change of use and alteration of redundant yard stores and stables to form two lettable residential units and one small B1 unit. As amended by letter and plans dated 21.4.99.	GRANT	21/05/1999
98/02540/HIST	Construction of an Energy Harvester 3 bedroom house	REFUSE	21/04/1999
99/02327/DETAIL	Submission of landscaping, car parking, boundary treatment, joinery and acoustic protection pursuant to conditions 4, 5,7,8,9 and 10 of SE/98/2460	GRANT	23/11/1999

00/02633/LBCALT	Change of use redundant estate yard store and stable to form two lettable residential units and one small B1 unit as amended by plans received with letter dated 28.02.01 drg no 3011/SK05 rev J, SK10 rev E, SK11 rev A.	GRANT	26/09/2001
04/00178/FUL	Change of use from B1 to Bed-Sit dwelling.	GRANT	03/03/2004
04/00185/LBCALT	Change of use from B1 to Bed-Sit dwelling. Insertion of one new window and minor internal partitioning.	GRANT	03/03/2004
07/03588/FUL	Change of use/conversion of existing shed to residential for letting as amended by plan received 21/02/08.	GRANT	10/03/2008
16/03449/LDCEX	Confirmation that works have lawfully commenced on approved application SE/07/03588/FUL.	GRANT	23/01/2017
17/02412/HOUSE	Extension to dwelling.	GRANT	09/10/2017

Constraints

- Green Belt
- Adjacent to a Grade II Listed Building

Policies

National Planning Policy Framework (NPPF)

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 6); or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 6 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

Core Strategy (CS)

- SP1 Design of New Development and Conservation
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- LO8 The Countryside and the Rural Economy
- SP11 Biodiversity

Allocations and Development Management (ADMP)

- EMP5 Non-allocated Employment Sites
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- GB7 Re-use of a Building within the Green Belt
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

Other

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
- Development in the Green Belt SPD

Consultations responses

Chiddingstone Parish Council: 'Chiddingstone Parish Council supports this application'.

Environmental Health: Support, subject to condition.

Southern Water: Formal advice provided to applicant, to be included as an informative.

Conservation Officer: 'The Redleaf Estate Yard along with Stonelake forms part of a historic farmstead. For a number of years the Estate Yard has been used as a Builder's Yard with the Main Barn and Small Barn serving as commercial buildings. It is proposed to convert the Main Barn and Small Barn into residential accommodation and erect a pair of semi-detached houses along Camp Hill. From a conservation perspective, there is no objection as the proposed scheme as it will not cause harm to the setting of the Listed Building.'

Main Barn

The building has previously undergone a number of unsympathetic alterations and extensions including a large side extension and front entrance extension. The proposed scheme will see the removal of these elements and a reinstatement of the midstray, which will improve the appearance of the Barn.

Small Barn

The Small Barn is a later structure and there are minimal changes proposed to the exterior. To retain a more agricultural appearance the horizontal glazing bar should be omitted as this detailing associated with residential buildings. This can be dealt with via condition.

New build pair of semi-detached

There is no objection as it continues the development of Camphill Cottages and will not harm the setting of the listed building.

Please conditions:

- Details and sample of materials used in the external construction of the new dwellings.

Details and sample of new roof tiles proposed for the Small Barn. Any new weatherboarding required for the Main Barn and Small Barn should match existing. Any new clay roof tiles for the Main Barn should match existing.

- Windows and doors at 1:10 (section and elevation) for Main Barn and Small Barn

- Landscaping Plan showing soft and hard landscaping. In order to maintain the rural character of the site'.

KCC Ecology: No objection, subject to conditions and further assessment by officer.

KCC Highways: No objection.

Representations

We received one letter of objection relating to the following issues:

- An number of consents relating to the site which feature a variety of change of use and listed building consents,
- Property noted as Log Shed is a property known as Pucknells and has been for some years,
- The barn to be converted is attached to the two curtilage listed buildings and therefore a listed building application should be required for this scheme,
- All three buildings are located close to the Listed building should be treated as curtilage listed,
- Part of the store room to be retained close to listed building concern as regard to further infill development at a later date,
- Proposal would add at least 8 additional cars to a very busy road, due to development in the vicinity there is an accident waiting to happen,
- Village has been subject to its fair share of development (includes a list of development),
- Further development could be sought within the gardens of surrounding dwellings
- The building known as the 'Log shed' on plan is actually Pucknells
- The barn is connected to two curtilage listed buildings and so listed building consent must be required for this application,
- All buildings should be considered curtilage listed regardless of length of ownership,
- Sightlines in the area are poor in the area,

- Pedestrians forced to walk onto the road due to overhanging vehicles,

Planning appraisal

The main planning considerations are:

- Principal of Development
- Impact to the Green Belt
- Impact to the design and character of the area
- Impact to neighbouring amenity
- Parking and Highways
- Other

Principal of Development:

Whilst the NPPF places an emphasis on development on previously developed land, it does not preclude other land, including garden land, from being developed for residential use, provided such development is in suitable locations and relates well to its surroundings. Residential gardens outside built up areas' can be previously developed land. Land in built up areas such as private residential gardens is excluded from the definition of previously developed land (Annex 2 NPPF).

Para 122 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change.

The application site is located within the settlement of Chiddingstone Causeway but sits just outside of the settlement boundary of Leigh. As a result, policy LO7 of the Core Strategy does not apply. Policy LO8 of the Core Strategy is however a relevant consideration.

Policy LO8 states that the countryside will be conserved and enhanced. Paragraph 117 of the NPPF encourages the re-use of previously developed land.

The site contains a number of buildings, which have been utilised for commercial operations. The building do not therefore represent agricultural buildings. On this basis, the site is considered to represent previously developed land with existing built form.

Policy EMP5 of the ADMP states that in considering the loss of business uses on unallocated sites, the council will assess the impact on the environment, local economy, and the local community. The policy usually requires 6 months of marketing data to understand the employment site is no longer required.

The application site has been used as a builders' merchant yard. The site has various outbuildings, which have been used as office accommodation in connection with the yard and the main building (plot 3) has been used as a workshop.

The agent has advised that the site has been vacant for nine months with no enquires made to rent the site. The site is rurally located and is fairly remote in its

location with limited service and transport links. This limits the attractiveness of the site for employment purposes.

Upon the conduction of a site visit it is clear, particularly with regard to the main building (plot 3), that the structures are not fit for purpose and require work to bring the building up to modern day standards. This limits the viability of the site for business purposes.

Although relevant marketing data has not been submitted with regard to the proposal, the proposal would see the loss of a large and unattractive extension to the main building. In addition, the proposal would aid in cleaning up the site and creating opportunities for an improvement to the setting and character of the area.

In addition, it is noted due to the deterioration of the site and the NPPFs emphasis on optimising the use of land and approaching development positively that the benefits of the proposal could outweigh the loss of an employment site that is not in active use. It is considered that there is no reasonable prospect of the future take up or future use for the site for business of the site and its buildings in the long term.

The principle of development is considered acceptable subject to the impact to the Green Belt, character of the area and other material planning considerations.

Impact on the Green Belt:

As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development, there are some exceptions. Paragraph 143 states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.

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

Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principal to the Green Belt from inappropriate development.

Assessment against policy and impact on openness:

The proposal seeks permission for the creation of four residential units, this involves the conversion of two existing buildings and the creation of two new semi-detached dwellings, which the agent has suggested, represent infill development.

No local policy exists with regard to infill development, although paragraphs 3.3 and 3.4 of the Development in the Green Belt SPD defines the local planning authority's definition of infill development as:

'...the completion of an otherwise substantially built up frontage by the filling of a narrow gap normally capable of taking one or two dwellings only'.

The definition of a substantially built up frontage is defined by the SPD as: *'...an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene'*.

The Development in the Green Belt SPD states that there may be opportunities for limited infilling in villages, which are washed over by the Green Belt and contain substantially built up frontages.

Paragraph 145 of the NPPF states that the construction of new buildings is inappropriate development in the Green Belt, however there are a number of exceptions including:

'(e) limited infilling in villages'.

The application site is located within the village of Chiddingstone Causeway, which is washed over by the Green Belt. The site is located along Camp Hill and is situated between built form to the north-east, south-east and south-west. The site is towards the terminus of development but is contained within the existing settlement.

The existing gap between the dwellings neighbouring the site is approximately 30m. The gap is somewhat uncharacteristic of the local area as the majority of development along Camp Hill is dense and is a substantially built up frontage. In addition, the existing dwelling Stonelake is located to the rear and as such the development would be contained within the built form of the settlement.

The proposed development would also see the partial demolition of a substantial outbuilding located within the site. The proposed dwellings would be situated just forward of this outbuilding. The outbuilding does form part of the built up frontage as it stands although it would have a lesser affect that the proposed semi-detached pair.

As a result of the above and on balance the proposed development is considered appropriate infill development which would not harm the purposes of the Green Belt and would comply with the NPPF and the Development in the Green Belt SPD.

Policy GB7 of the ADMP is relevant to the conversion of the two existing buildings on the site. Policy GB7 contains two criteria in determination:

- a) The proposed new use, along with any associated use of land surrounding the building, will not have a materially greater impact than the present use on the openness of the Green Belt or harm the existing character of the area; and

- b) The applicant can demonstrate through a detailed structural survey and method statement that the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction that would detract from their original character.

The two buildings proposed to be converted are labelled plot 3 and plot 4 on plan 1321 P001C. The change of use to residential would result in the creation of residential curtilage. The use of the land for residential purposes can result in a greater degree of paraphernalia appearing on site. However, the sites current use for commercial activity already results in a large degree of paraphernalia including materials, storage and equipment. In addition, the proposed residential curtilages are relatively modest. The change of use would not result in a materially greater impact to the Green Belt.

The site is located between existing residential built forms. Although the area is rural, the land is already developed and has informal hardstanding and has a commercial appearance. The proposal would convert existing buildings, which already form part of the street scene. The loss of the large extensions to plot 3 would be of benefit to the appearance of the area. The proposal would comply with criteria (a) of policy GB7 of the ADMP.

Plot 4 currently consists of an existing outbuilding. The proposal would not seek to increase the floorspace of the outbuilding. Some excavation to ground levels would be undertaken, which expose a greater degree of the property. Overall the conversion would not significantly alter the scale, volume and massing of the building.

The structural appraisal and method statement conducted by Lambert and Foster identifies that plot 4 is comprised of brick plinth walls, timber framed walls with weatherboard finish. The roof is currently comprised of a pitched timber roof with felt covering. The report identifies that the barn is in structurally sound condition and is of permeant and sound construction capable of conversion. Some alterations would occur including the potential re-covering of the roof. However, the roof structure would remain intact.

The Lambert and Foster structural survey identifies that the building labelled as plot 3 consists of sandstone, solid brickwork and concrete blockwork plinth walls. The structure is comprised of an oak frame and external timber stud walls. The building is in structurally sound condition and capable of conversion without any major reconstruction. The loss of the existing extension and replacement with more appropriate modest scale would be of benefit the openness of the Green Belt as well as the overall appearance of the building.

The proposed conversions would comply with criteria (b) of policy GB7. The proposed development would therefore be considered to comply with local and national Green Belt policy. The proposed development as a whole would be appropriate development in the Green Belt.

Impact on Listed Buildings and their setting:

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.

The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).

Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.

The application site is located adjacent to a Grade II Listed Building Stonelake. Stonelake is a 16th century timber framed building which was re-faced in 1879. Stonelake and Redleaf Estate Yard form part of an historic farmstead. Stonelake is now a domestic property and the Estate Yard has been used for commercial purposes.

The Conservation Officer has offered no objection to the proposal as the scheme is not considered to cause harm to the setting of the listed building, but would conserve its setting. The Conservation Officer has noted that no objection is held with regard to the proposed semi-detached pair, as they would continue the development along Camp Hill. The siting of the semi-detached pair is such that it would not obscure the limited views of Stonelake from along Camp Hill and would not dominate its setting.

The main barn (plot 3) has been subject to a number of alterations and unsympathetic alterations. These include a large side extension and front entrance extension. The proposal would result in the loss of these unsympathetic additions. The proposed extensions would result in an improvement to the form and design of the built form.

The small pitched roof barn (plot 4) is a later structure and does not hold a significant degree of architectural merit. Limited alterations are proposed although the Conservation Officer has suggested that the horizontal glazing bars are removed to retain a more agricultural appearance.

Third party comments have considered the existing barns on the site are curtilage listed. No listed building consent has accompanied the application. Historic England updated their guidance in February 2018, with the introduction of Listed Buildings and Curtilage, Historic England Advice Note 10. The guidance addresses the curtilage listing of previous farmhouses.

The Historic England guidance states that:

'The courts have said that there are three key factors to be taken into account in assessing whether a structure or object is within the curtilage of a listed building:

- *The physical layout of the listed building and the structure;*

- *Their ownership, both historically and at the date of listing; and*
- *The use or function of the relevant buildings, again both historically and at the date of listing...*

2.1 of the Historic England guidance refers to Farmhouses (Grade II) with farm buildings. In reference to the case study example, the guidance states that:

'...the physical separation of the unlisted farm buildings from the listed farmhouse when combined with the distinction between the mostly domestic nature of the farmhouse and the business-related function of the barn and stable block are likely to mean that they would be considered to be outside of its curtilage'.

Stonelake and the outbuildings formed part of a historic farmstead. The Kent Historic Environment Record (HER) assessed the farmstead as a post medieval regular U-plan with detached elements with the detached farmhouse located in a central position, which is reflected in the councils historic map layers.

Stonelake was listed in 1975 and at the time of listing the Estate Yard and Stonelake were in the same ownership, in accordance with the agent, to the Hills family. Stonelake and Redleaf Estate Yard are now in separate ownership. Stonelake is now a residential dwelling, which stands in its own garden and is separated from the Estate Yard by fencing. Stonelake was a farmhouse but is now a domestic dwelling.

In accordance with the information provided by the agent the Estate Yard has functioned as a builder's yard since 1979/1980 and the Small Barn were converted into office use at a similar time. As a result the main barn, small barn have a business related function compared to the domestic/residential function of the farmhouse.

As a result, it is not considered that the buildings represent curtilage listed structures and therefore no listed building consent is required based on the 2018 guidance produced by Historic England.

The Conservation Officer is satisfied that the proposal would not cause less than substantial harm to the setting of the listed building and the proposed conversion would be acceptable and improve the form of the buildings.

The proposed development would conserve the setting and would comply with policy EN4 of the ADMP.

Design and impact on the character of the area:

Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

Camp Hill is a long narrow rural road, which has a verdant character. The section of road for which the site is situated is characterised by residential development,

which fronts the street scene. The built form varies with rural agricultural style barns and converted cottages to more suburban style terraces.

The proposed semi-detached dwelling would front the street scene and continue the line of terraces, which extend along the road. The proposed dwellings would maintain the building line along this section of the road. The siting would maintain the pattern of development and maintain the grass verges, which characterise the roadside.

The proposed semi-detached pair would feature pitched roofs, gable features proportionate windows and doors and would mirror the existing form of properties along the road. The gables would aid in breaking up the bulk and massing. The proposed semi-detached dwelling would be located within 1m of the boundary with 6 Camp Hill Road. However, the building would maintain a gap and its departure from the terraced units and its slight alteration in design would ensure it would not result in the appearance of terracing.

The proposed semi-detached dwelling would have a high ridge height of approx. 7.9m. However, the siting represents an area of transition from the terraces to the more rural style dwelling. The alteration in height indicates the break of development and the proposed set back of the dwellings would aid in preventing the building appearing dominate.

Plot 4 would involve the conversion of the existing single storey pitched barn. The barn is set well back within the plot and has a limited bulk, height and massing. The proposal would see a level of excavation, which expose more of the foundation but would not significantly increase its overall height and form of the building. Due to the minimal interventions to the building its conversion, subject to materials, would have a limited impact on the street scene and character of the area.

Plot 3 would also involve the conversion of the existing barn style building which is located to the rear of Old Stable Cottages. The conversion of this building would see the loss of a large concrete block extension to the rear. While this element is not widely visible from the street scene, it would represent an improvement to the site and the character and form of the existing building.

The conversion would see the alteration/extension to the front of the building and a lean-to in replacement of the demolished elements of the built form to the side of the building. The proposed extensions would be proportionate in scale and form to the main building and would maintain the characterful roof pitches. The design and form of the extensions would also mirror the rural style and form of the building. The windows and roof lights would be appropriate to the large scale of the building and its overall proportions.

The access to the site would run between the proposed semi-detached pair and Old Stable Cottages. The access would locate parking adjacent to this access. However, the set back of the parking and the proposed trees would partially screen the parking. The side elevation of the semi-detached pair would not contain any

outlook points. However, the outlook of Old Stable Cottages would ensure this area is partially overlooked.

The proposed scheme is considered to be in keeping with the character of the area and would improve the site in the loss of informal storage and large existing extensions. The proposal would be considered to comply with policy EN1 of the ADMP.

Neighbouring Amenity

Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development. The Residential Extensions SPD recommends that a 45 degree test is undertaken for a loss of light to neighbouring dwellings, based on BRE guidance.

6 Camp Hill:

6 Camp Hill is located to the south west of the site and is an end of terrace unit. The proposal would site the semi-detached property adjacent to this building.

The proposed semi-detached dwellings would not contain any side windows facing directly towards 6 Camp Hill. The rear windows would have an oblique view of the rear garden of 6 Camp Hill. However, the view of the private rear amenity space, which is considered the rear 5m of the garden, would be limited. In addition, 5 Camp Hill has first floor windows and has a view to the garden of 6 Camp Hill. Due to the existing density, a degree of overlooking is expected in this area. A significant loss of privacy would not occur.

6 Camp Hill has no side windows and main direction of outlook is gained from the rear and front of the property. As the proposed semi-detached dwelling would be located to the side of 6 Camp Hill significant visual intrusion to neighbouring outlook would not occur.

6 Camp Hill faces towards the north west as a result the sun's trajectory the rear garden and rear of the dwelling received daylight and sunlight throughout the day with the front receiving sunlight in the evening. As a result of the sun's trajectory limited shadowing would occur as a result of the semi-detached pair. A 45 degree light test was conducted and passed on floor plan. Due to the above, the proposal would not result in a significant loss of daylight and sunlight.

The converted buildings on site (plots 3 and 4) would be located at a sufficient distance that a significant loss of daylight and sunlight would not occur.

1 and 2 Old Stable Cottage:

1 and 2 Old Stable Cottages are located to the north east of the site. The proposed semi-detached pair would be located approximately 7.9m from the Cottages. Due to the distance and the trajectory of the sun a significant loss of sunlight would not occur. A 45 degree daylight test was conducted and passed on floor plan and elevation. No loss of daylight and sunlight would not occur to these properties. Due to the separate distance, no significant loss of outlook or visual intrusion to would occur.

The proposed semi-detached pair would not contain any side windows facing onto the Cottages. No loss of privacy would not therefore occur.

The conversion of the pitched roof barn (plot 4) would be a sufficient distance and height that a loss of daylight/sunlight and visual intrusion would not occur.

The building on plot 3 is attached to the Old Stable Cottages. Only one set of windows at ground floor, serving the study would have a direct view toward the cottages. This is a non-habitable space. As is the hallway, for which the large glazing panel would serve. The amenity space of the cottages is already overlooked to a large degree within the site and from the street. No further loss of privacy would not therefore occur.

The existing unit to be converted (plot3) would not see an increase in bulk and form. Therefore no significant loss of outlook, daylight and sunlight would not occur. The outlook would face towards 1 and 2 Old Stable Cottages. However, the amenity area of these properties is already overlooked and a significant loss of privacy would not occur.

Stonelake:

Stonelake is located to the south east of the site and would be located to the rear of the proposed semi-detached pair. A distance of approximately 14.2m would extend between the proposed semi-detached pair and Stonelake. The distance and siting would mean significant visual intrusion and loss of daylight and sunlight would not occur.

The rear windows of the semi-detached pair would face towards the front of Stonelake at an oblique angle. The direction of view would face towards the front of the property and would not have a direct view of the property's rear 5m private amenity space. Due to the distance and direction of view a significant loss of privacy would not occur.

Plot 4 would see the conversion of the existing pitched roof barn. The barn lies directly against the curtilage of Stonelake. The conversion would not include any windows located within the southern elevation of the converted barn facing towards Stonelake. One window would be located within the west elevation of the building, but would not have direct view of private amenity space. The proposal would not result in a significant loss of privacy.

The building already exists, the lower portion of the building would be exposed with some excavation but would not significantly increase the ridgeline. A further significant loss of daylight/sunlight and visual intrusion would not occur.

Plot 3 is located to the north east of Stonelake. The proposal seeks to convert the existing building and loss of some of the existing built form. An approximate distance of 10.4m extends between the building labelled plot 3 and Stonelake. As the building already exists significant visual intrusion and loss of daylight and sunlight would not occur.

Due to the angled relationship between Stonelake and the proposed converted unit. A direct outlook to the rear 5m amenity space would not occur to a significant degree. Two of the bedrooms would face towards Stonelakes access, which is not private residential space. The proposal would not result in a significant loss of privacy.

Pucknells:

Pucknells is located to the north east of the site. The proposed semi-detached dwelling and conversion of the single storey outbuilding (plots 1,2 and 4) would be located at a sufficient distance from Pucknells that a significant loss of amenity would not occur.

The proposed conversion of the building labelled plot 3 would not see an increase in the scale of the built form. The proposal would not therefore result in significant increase in visual intrusion and/or loss of daylight and sunlight.

The proposal would include a pair of roof lights facing towards Pucknells to serve a bedroom. The roof lights would not provide a wider outlook across the site and would mainly view the access rather than the private amenity space.

Proposed dwellings:

All of the proposed dwellings would have dual outlook, which would allow a sufficient degree of natural light to filter into the properties. Roof lights would serve some of the bedrooms at plot 3, but these would still provide light and outlook.

All of the plots would have sufficient amenity space for family living. Plot 4's amenity space would have limited privacy. However, this is common as the amenity space of 1 and 2 Old Stable Cottages is limited and overlooked. The space would be sufficient for a 2 bedroom dwelling.

Other dwellings are located at a sufficient distance and orientation that a significant loss of amenity would not occur. The proposed development would comply with the provisions of policy EN2 of the ADMP.

Parking and Highways Impact:

Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that dwellings in this location require 2 parking spaces.

KCC Highways were consulted on the application and provided comments. Camp Hill already contains residential dwellings an associated accesses. Residential accesses are therefore characteristic of the area. The site already benefits from an access. The KCC Highways Officer has noted that the access would be widened as part of the application to 5.10m in width. The proposal would maintain access for the existing Stable Cottages.

The proposal would include 2 parking spaces per dwelling which is in line with the Kent Design Interim Guidance Note 3 and policy T2 of the ADMP. While visitors may

arrive at the site, which would not have a formal parking area, the proposal has complied with the parking guidance.

In addition, paragraph 109 of the NPPF states that:

‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be serve’.

The proposal would not result in serve impact on the highway network and thus a refusal could not be warranted on this basis. It should also be noted that KCC Highways raise no objection to the proposal.

Third party comments have identified that the area has parking issue with pedestrians forced to walk out onto the road due to overhanging vehicles. As the site already benefits from an access for which number of vehicles could utilise on day to day basis and the proposal complies with the number of parking unit the proposal is not considered to significantly exacerbate this issue.

Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigate climate change. Vehicle charging points could be conditioned upon any granted application.

The scale of the site is such that sufficient space for the storage of refuse could be easily accommodated within the site. The proposal is considered to comply with parking and highways policy.

Trees and Landscaping

A number of trees surround the site. A detailed landscaping plan would be required to ensure the protection of the existing and retained trees and details of landscaping enhancements to the site.

Biodiversity:

Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity.

The outbuilding to be converted (plot 3) has been identified as a bat roost. It is recommended in the report that the roost is retained and a condition could be attached to any approval to ensure these details are provided.

The Preliminary Ecological Appraisal has outlined, in accordance with KCC Ecology Officer, an acceptable methodology for the proposed works with regard to Bats.

A European Protected Species mitigation licence would be required to carry out the development. The KCC Ecology Officer has noted that the three tests of the Conservation of Habitats and Species Regulations 2017 should be undertaken.

1. Regulation 55(2)(e) states: a licence can be granted for the purposes of *“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”*.
2. Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied *“that there is no satisfactory alternative”*.
3. Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied *“that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*

KCC Ecology are satisfied that test 3 will be met as a result of the proposed mitigation/compensation measures. In regard to the first two tests Sevenoaks District Council and the National Planning Policy Framework has policy which allows for the conversion and infill development. The mitigation measures, planning conditions and ecological enhancement would outweigh the proposed impact. In addition, the proposal would create additional housing for the district, which follows the aims of the NPPF. The granting of an EPSML licence would still need to be applied for and granted under separate wildlife legislation.

The site contains habitat that may attract nesting birds. The Preliminary Ecological Appraisal has made recommendation to limit any potential impact. The KCC Ecological Officer has advised that an informative is attached to any granted permission.

The site would also present suitable habitat for hedgehogs and similarly to the breeding bird the Preliminary Ecological Appraisal has made recommendation to limit any potential impact. The recommended measures of the Preliminary Ecological Appraisal would be secured by condition upon any granted permission alongside relevant informative.

The site would provide opportunities to incorporate opportunities to enhance the ecology of the area. While some have been indicated on plan, a condition would be more appropriate as the indicated enhancements may not lie within the site and more extensive enhancements would be required.

The proposal, subject to condition, would comply with policy SP11 of the Core Strategy.

Contaminated land:

The site is located on a former commercial site. An Environmental Health Officer was consulted on the application and supports the application. It was noted that the Phase 1 Ground Investigation submitted states that a Phase 2 investigation should include a scheme of remediation should any contaminated ground be found. This could be conditioned upon any grant of permission to ensure the land is suitably remediated for residential purposes.

Affordable Housing:

In relation to affordable housing, on 28 November 2014 the Government issued a Written Ministerial Statement that amended National Planning Practice Guidance

(PPG) to restrict the circumstances where contributions for affordable housing should be sought. Under that guidance, other than in designated rural areas, contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. In Areas of Outstanding Natural Beauty, contributions should not be sought from developments of 5 units or less.

The proposal would only provide 4 units and so affordable housing would not be sought.

Community Infrastructure Levy (CIL):

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

Other issues

Development within the village:

Each planning application is determined on its own merits and subject to its own assessment. The National Planning Policy Framework and policy SC1 of the ADMP require a presumption in favour of sustainable development.

Application must be determined on their own merits and it is not feasible to predict future development which cannot pay a bearing in the determination of this individual application.

Conclusion

The proposed development would be appropriate development in the Green Belt, in keeping with the character of the area and conserve the setting of the listed building the proposed development. The proposal would not result in a significant loss of amenity and would provide sufficient parking and access. The proposal is considered to comply with policy.

Recommendation

It is therefore recommended that this application is granted.

Case officer: Emma Gore

Date: 24/06/2019

Manager/Principal: **Aaron Hill**

Date: **27/6/19**