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CHARTERED SURVEYORS & CHARTERED TOWN PLANNERS

SHEPHERD NEAME LTD

LAND ADJOINING FORMER COCK HORSE PH,
LONDON ROAD, HILDENBOROUGH,
TONBRIDGE,
KENT TN11 8NH

FULL PLANNING APPLICATION FOR
THE ERECTION OF 3 BEDROOM DETACHED HOUSE
(CLASS C3: RESIDENTIAL USE);
CAR PARKING; AND HARD & SOFT LANDSCAPING WORKS

SUPPORTING PLANNING STATEMENT

DATE: FEBRUARY, 2019

REF: SM/1

1. INTRODUCTION

1. Post the closure of the Cock Horse PH and the submission of a full planning application for its conversion / extension into a pair of semi-detached houses, we are formally instructed to submit a separate full planning application for the erection of a small 2 storey detached house on land adjoining to the north. This is in place of the former linear stable block and garages which fronted onto the main London Road until their demolition in the mid 1950's and the construction of the pub car park in the 1990's.

2. Given the history of the site; its location between existing development fronting the main road; and restricted views to the west over the countryside towards the A21 by pass, it is considered that this development would serve to enhance the setting of the former Public House; enable an extensive area of hard surfacing (tarmacadam) to be replaced by garden land (plus an area of buffer land associated with the protection of the adjoining Ancient Woodland area); and would in physical terms would only result in 'limited' encroachment into the 'openness' of the Green Belt. In addition to the proposals only having a 'limited' impact on the 'openness' of the Green Belt, it is considered that a 'very special circumstances' case exists for allowing the redevelopment of a former pub car park site to residential use.

3. The sub consultants who have worked on this project are:

- CDP Architects – Preparation of drawings and design & access statement;
- ANS Surveyors – Topographical Survey;
- Heritage Collective – Heritage Assessment relating to the impact of the proposed development on the setting of the adjoining former Public House as a 'non-designated' heritage asset;
- Ecology Solutions – Habitat 1 & 2 ecological assessment for the site and the adjoining area of Ancient Woodland.

2. THE SITE & SURROUNDING AREA

3. The site comprises the car park area of the former Cock Horse PH (Class A4: Drinking Establishment – Previously Developed Land) (Site area = 0.1 ha). The car park was granted planning permission in 1990 (TM/90/11117/FUL) for 13 car parking spaces and a freestanding garage (south-west of pub), which has never been implemented. The car park (top part) used to be the site of a former a long, linear stable block which ran across the whole of the site's road frontage from the Public House to the land in front of No.7 London Road (George's Villas) – to the rear of which were standalone WC's and a vegetable garden. The stable block adjoined the Public House and read as a composite whole, with no breaks in the building frontage along the main road at this point. The stable block was demolished in the 1950's, apart from end of the stable block adjoining the pub. which was retained as part of the public house and converted into the Gents toilet.

4. The existing car park represents a large area of hardstanding which comprises an upper level fronting onto the main road and lower level to the rear, connected by a steep ramp. There is a retaining wall running through the site subdividing the upper and lower levels. The rear boundary of the car park is formed by a tall hedge, beyond which is grassland, trees, bushes and a watercourse. There are no long-distance views from the site across the car park site to the countryside beyond in a westerly direction.

5. To the south of the car park is the former Cock Horse PH. The southern boundary of the car park is formed by a sudden drop in levels from the main road frontage land to the rear of the site – a fall of over 3 metres. The southern boundary of the car park is formed by fencing and the existence of a large wooden, 2 tier decking structure granted planning permission in 2003 which is to be demolished as part of the proposals for the conversion of the pub to residential use (Forming part of a separate planning application).

6. The northern boundary to the car park site abuts No.7 London Road (Georges Villas) which is a modern property with a circa 10 metre, flank, brick wall with no overlooking windows. There is also a mature sycamore tree along this boundary with branches overhanging the pub car park area. To the front of the car park site is the main B 245 which connects Tonbridge with Sevenoaks and the A21. This used to be the main London Road (turnpike Road) in the days when the Cock Horse PH served as a stopping place for travellers (with connections to surrounding villages) on route to

Tunbridge Wells and beyond. There are no long-distance views from the site to the east in which the east side of the main road is screened by dense trees and bushes.

7. The car park site, in its present form, is of no amenity value. It detracts from the setting of the Cock Horse PH as a historic building along the main road frontage and is of no ecological value. On the basis that the Public House is to be converted into residential use, its use as a pub car park has ceased (vacant land). As such, consideration needs to be given to how the car park can be redeveloped for residential use on a small part of the site area.

3. PLANNING POLICY CONTEXT

8. The development plan context for the site is set out in the Adopted Core Strategy, September 2007; Adopted Managing Development and the Environment DPD, April 2010; Regulation 22 Submission Local Plan, January 2019; and the NPPF, February 2019 insofar as it is a relevant planning consideration of important material weight. The site is not identified on the Proposals Map for any specific use or allocation, but is located within the Green Belt. The adjoining Cock Horse PH is not listed but, due to its age, is considered by the Council to be a 'non designated' heritage asset. The whole of the pub's curtilage, including car park site, constitutes 'Previously Developed Land' (PDL).

(i) National Planning Policy Context

9. Whilst noting that the 'tilted balance' does not apply in this case due to the site's location within the Green Belt, it is the case that TMBC is not meeting its 5 YHLS needs (3 years supply – OAN 854dpa Standardised Methodology, 2014 based on Household Projections). As such, important material weight should still be applied in policy terms to the 'public benefit' of providing new housing on 'windfall' sites, particularly given that the shortfall in the Council's housing land supply is significantly below what is required.

10. In Green Belt policy terms, NPPF Para 145 g) would support the *'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:- not have a greater impact on the openness of the Green Belt than the existing development'*. NPPF Para 144 also states that *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt' and that 'Very special circumstance's will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'*.

(ii) Local Plan Policy

11. The Adopted Core Strategy, September 2007 states that national policy is applied to Green Belt sites. With respect to 'Community Services' (in which Public Houses are not specifically referred to as such in the Adopted Core Strategy, 2007 (Para 6.4.12), but cited as a relevant material consideration in Pre-Application advice), Policy CP26 states that *'Proposals for development that would result in*

the loss in whole or part of sites and premises currently or last used for the provision of community services will only be permitted if...

c)'the applicant has provided to the satisfaction of the Council that for the foreseeable future there is likely to be an absence of need or adequate support for the facility'.

12. In terms of emergent draft policy set out in the Regulation 22 Submission: Local Plan, January 2019 (which carries increased material weight given that its late stage of preparation and is consistent with the NPPF, 2019), Policy XXX, Criteria 5 relating to 'Development in Rural Areas' states that outside the confines of 'Other Rural Settlements' development will be restricted to: '*a. Limited infilling development where it does not erode the identity of settlements or harm the setting or character of a settlement*'. With respect to development within the Green Belt, Policy XXX also states that it will need to meet the requirements of Policy LP11 which, in turn, states that the Council will apply the relevant policy in the NPPF.

13. In summary, key national and local policy considerations in this case relate to the extent to which the redevelopment of the existing car park site between existing built development, with a small house (stable design) on the side of the car park area, would result in an encroachment into the Green Belt and whether, weighing in the balance any harm that may or may not arise, there is a 'very special circumstances' case to support the new development. Further, whether the house would have a negative or positive impact on the setting of the Cock Horse PH as a 'non designated' heritage asset.

4. THE DEVELOPMENT PROPOSAL

19. The development proposal has been designed to replicate in part the brick built /slate roof stable block which ran across the whole of the site frontage in the past (demolished in the 1950's). The former stable block had a total floor area of circa 80 sq m GEA (NB: The part that has been retained adjoining the Public House is 16 sq m GEA / 11 sq m GIA – Gents toilets).

21. The proposed stable block design is single storey from the front (ground to eaves height – 2.1 metres; ground to ridge height – 4.5 metres) and 2 storeys from the rear (ground to eaves height – 4.7 metres; ground to ridge height – 7 metres) taking into account the sharp fall in levels (east – west). The development proposals have a total floor area of 137 GEA / 114 sq m GIA and a footprint of 76 sq m GEA. The development footprint counts for 7% of the site area – equivalent to the former stable block coverage.

22. In physical terms, the development proposal has been designed to share a strong historical relationship with the former Public House to the south. Its scale, height and massing will remain subordinate to the former Public House, in which it has been partly set back from the existing building line. From the rear, the development will comprise a large conservatory extension with windows above. There is a double pitch roof profile with pitched roof side end. This design of the rear elevation will mirror, in part, the proposed rear extension to the Public House.

23. Internally, the development proposal comprises 2 double / 1 single bedroom, family bathroom and separate WC at the upper ground floor level (with front door access) and large, open plan kitchen / lounge area leading into the conservatory and garden beyond at lower ground floor level. There is also a separate study area and WC at this level.

24. There will be a vehicular access to the front of the property (as per existing) with good visibility in both directions along the London Road (right and left turn splays). To the side, provision is made for 2 car parking spaces and bin storage. Opportunity exists to carefully landscape the front of the site to enhance the levels of planting and greenery. To the rear, the north west corner of the site will need to be fenced off from the garden area and left as a semi wild, buffer zone (enhanced by additional planting and trees) to the Ancient Woodland area beyond.

25. The overall effect of the development proposals will be to create a scheme which is harmonious with the historical appearance of the former Public House which has a 'minimal' impact on the 'openness' of the Green Belt. Indeed, the development proposals will represent a net positive benefit in terms of the level of openness and greenery on site to the former car park use.

5. MAIN PLANNING CONSIDERATIONS

19. The main planning considerations in this case relate:

- (i) The impact of the development proposals on the Green Belt;
- (ii) The impact of the development proposals on the setting of the Cock Horse PH as a 'non-designated' heritage asset;
- (iii) The impact of the development proposals on an area of Ancient Woodland to the west of the site;
- (iv) Other relevant development control and design considerations.

1. Impact of the development proposals on the Green Belt

20. The car park constitutes a 'previously developed land' (PDL) site which forms part of the curtilage of the Cock Horse PH (Class A4: Drinking Establishment). In the past, the whole of the front part of site was developed as a single row of brick-built stables comprising wooden doors with clay tiled roofs (XXX sq m). Part of the original stable block is still attached to the pub's northern elevation and has been converted into the Gents toilet serving the main bar area. As such, the stable block was an important built structure which completely blocked views from the main road across the site to the west. At the northern end of the stable block was also a garage and refuse area. The stable block was demolished in the 1950's, at which time part of the stable block (referred to above) was converted into a Gents toilet attached to the pub. To the rear of the stable block were previously 2 stand-alone, outside toilets.

21. In 1990, planning permission was granted for the use of this land as a purpose-built pub car park (13 spaces) and separate garage (located to the south west of the pub – not implemented) with a heavily engineered, brick-built retaining wall (circa 2.5 meters) dividing the car park area between the front upper level and the rear lower level (with a vehicular access ramp and a retaining wall leading down the slope between the two). Along the top of the retaining wall is a fence plus dense planting and vegetation. The car park constitutes a large surface area of hardstanding (tarmac) with white lines delineating the car parking spaces. When in use, the presence of cars, vans and

sometimes delivery lorries on the site (particularly when the car park is full) will have in their own right a material impact on the 'openness' of the Green Belt by reason of their physical volume, movement (including associated pedestrian movements); noise; exhaust fumes; and use of car lights at night time. The car park could be in use for 12 to 14 hours a day and longer when cars are left by patrons overnight. Irrespective of whether the car park is full or empty, the large surface area of hardstanding also has in its own right an impact on the 'openness' of the Green Belt by reason of its physical form on 2 levels as a large engineering structure; extensive ground level coverage; and semi-urbanising effect (including loss of greenery).

22. Importantly, the car park site is sandwiched between the 10 metre, brick-built, flank wall of a 1980's house to the north (No.7 London Road – George's Villas) and the Public House to the south. As such, the car park has very much the character and appearance of an 'infill' site located within a small settlement (10 houses and former pub) fronting onto the main road, rather than of an isolated site located within the open countryside. Further views out of the site to the west towards the A21 by pass are restricted by tall trees and shrubs, whilst views out and into the site across the main road from the east are restricted by tall trees and bushes.

23. The sum total of the car park's former use as a stable block, its use by vehicles for a large part of the day and evening time, the existence of built development on either side (north and south) and the restricted views in and out, means that the site currently only makes a small material contribution to the 'openness' of the Green Belt in this location. In this respect, the replacement of the car park area with a small, split level detached house (designed to represent a stable) at its southern end (taking into account the change in levels), partly set back from the pub and the main road, in which the rest of the site would be landscaped as gardens / part buffer area for the Ancient Woodland area to the north-west would make a positive contribution to the greening of the site and the 'openness' of the Green Belt. The detached house would have the appearance of a single storey stable building from the front and a 2 storey building to the rear. Views of the house from the rear (east facing) would be restricted by existence of tall trees and undergrowth along the site's western boundary.

24. A further consideration which should be taken into account when weighing in the balance the overall impact of the development proposals on the 'openness' of the Green Belt includes the relinquishment of the extant planning permission for a double garage to the rear of the Cock Horse PH (which formed part of the car park planning permission in the 1990's) and the removal of a large

area of decking to the rear of the Public House (abutting the car park's southern boundary adjacent to where the new house is now proposed). It is considered that the loss of these structures, coupled with the removal the car park area, would more than compensate for the 'limited' encroachment of built development into the 'openness' of the Green Belt. As such, this impact would be 'minimal' in Green Belt terms.

25. Without prejudice to there being a strong case for allowing the development of a new house (designed as former stable block) on the former car park site, it is also considered that this is a case where 'very special circumstances' are seen to apply for allowing development within the Green Belt. First and foremost, the proposals would not only have a 'minimal' impact on the 'openness' of the Green Belt (as described above). Secondly, the proposals provide an important opportunity to remove a large area of tarmacadam from the site and landscape the majority of the site area (including new planting, trees and hedgerow), in which a large part could be planted out with native species as part of a 15 metre buffer area associated with the protection of the Ancient Woodland area to the north west. This is seen as particular 'public benefit' of the proposals which has an important net tangible benefit in ecological terms. Third, the redevelopment of the car park would result in an improvement to highway safety along the London Road, with less potential for disturbance to neighbours at night time during unsociable hours. Fourth, the revenue secured from the site's disposal would enable Shepherd Neame to reinvest in other pubs across its Estate to the benefit of local communities. Fifth, the development of site would be highly sustainable given that it does not involve the loss of greenfield land and would return a large part of tarmacadam site back to nature.

2. Impact of the development proposals on the setting of the Public House

26. The impact of the development proposals on the setting of the former Cock Horse PH ('Non-designated' heritage asset) has been considered in detail in the Heritage Collective's Heritage Impact Assessment. Importantly, the character and appearance of the Public House along its northside would have been very much dominated by the long row of brick-built stables fronting the main road – a remnant of which now forms the Gents toilets on the end of pub's northern elevation. There would have been a strong physical and functional relationship between the stables and the pub as a resting place on the main road between London and towns like Tunbridge Wells in the south.

27. Since the stable block's demolition in the 1950's and its replacement with a split-level, pub car park, it can be seen that this has had a negative impact on the setting of the pub from the main road

frontage (north) and in terms of views looking west. As such, the replacement of the car park area with a small split-level house, set back from the pub's main road frontage to appear subordinate, would be more akin to how the pub once appeared in the past and therefore would make a positive contribution to its setting as a former Public House. The proposed 'stable block' design would be sited and built using traditional materials (brick / render / wooden cart shed doors / clay tiles) to share a strong relationship with the pub, in which any domestic paraphernalia would be screened from view to the rear. To the front (north side) of the new house would be space for 2 cars. The rest of the site would be landscaped and planted out as a large garden and buffer area to create a long, attractive, green frontage to the main road (west).

3. Impact on the Ancient Woodland area

28. In accordance with advice received from Ecology Solutions as part of their Habitat 1 and 2 survey work, the woodland to the west and north west of the site is classified as Ancient Woodland in which a key important consideration regarding the protection of Ancient Woodland relates to its soil structure and the interconnectivity between trees below ground. As such, it is necessary to provide a 15metre buffer around the Ancient Woodland area where no development, including garden use, is permitted. This affects part of the car park site area (north-western quadrant) where it is proposed that this area should be fenced off from the garden area to the proposed house and planted out with native species. Clearly, the opportunity to replace a large area of tarmacadam is viewed as an important material benefit of the development proposals. The management of the buffer area would be the responsibility of the new home owner and enforced by means of a planning condition.

4. Other development control and design considerations

29. The coach house has been sited so as not lead to any issues relating to loss of privacy and overlooking of the adjoining Public House residential conversion or the house adjoining to the north (No.7 London Road). Sound insulation would be provided so as to cut down on any low level noise and disturbance from the main road – triple x glazing / mechanical ventilation (albeit the road is relatively lightly trafficked).

30. The proposals would benefit from 2 car parking spaces with access directly from the main road. Appropriate hard and soft landscaping measures would be used to create an attractive setting to the front of the property.

6. PLANNING BALANCE

31. On balance, it is the case that the 'minimal' impact that the development proposals would have on the 'openness' of the Green Belt is substantially outweighed by the replacement of the car park area which, in itself, has a far greater negative impact as a large engineering structure / operational use on the 'openness' of the Green Belt (coupled with the fact that the site is not located in an open location; namely it is sandwiched between existing development (north and south) within a small settlement of 10 houses fronting onto the main London Road).

32. In this context, it is also the case that any quantifiable 'minimal' impact that the development proposals would have on the 'openness' of the Green Belt is, in turn, outweighed by a 'very special circumstances' case for allowing the development of this site within the Green Belt. This includes the replacement and landscaping of the former pub car park; the creation a new Ancient Woodland buffer area; and the contribution that a 3 bed family house would make to the Council's 5 YHLS. The provision of a new house would also be more in keeping with the site's historic use for stabling along the road frontage and, as such, would serve to better reveal the Public House's former use. For these reasons, it is considered planning permission should be granted.

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