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EASTERN AREA PLANNING COMMITTEE

REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL SERVICES

MONDAY 9 APRIL 2001

PLANNING APPLICATIONS FOR CONSIDERATION

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Category - Planning D  Highways D

DESCRIPTION

The application site is within the defined Limits to Built Development of Brenchley village in a cul-de-sac where a number of houses have, in recent years, been demolished and the plots redeveloped. This plot is at the end of the cul-de-sac and is occupied by one large detached house, built about 1949. The house is set back 17 metres from the turning head. The ground on the plot slopes down away from the road and the plot is some 65 metres deep. It is proposed to demolish the house and built two houses some 30 metres back from the highway. Each would have an on site turning area.

The houses would be at slab levels of 107.2 and 108.2, relative to a level of 109.6 at the entrance to the public highway. The new house to the south-east, recently built by the applicants was constructed at a slab level of 106.4. The proposed houses would have 5 bedrooms and an integral double garage. The house on plot 2 has been moved forward by 4 metres to reduce its impact on the property adjoining. A tall hedge on the west boundary with plot 1 will be retained. It should be noted the house on plot 1 adjacent to this boundary is 5 metres from the boundary and incorporates a balcony off of the master bedroom.

It is important to note that the plots on either side have also been redeveloped, each for 3 new houses, in recent years. The property “Broad Oak” to the north west was demolished in about 1989, following an appeal decision in 1987 which allowed the site to be redeveloped for three detached houses (TW/86/1694 refers). The property “High Leas” to the south-east was demolished in 1998 following the decision to grant planning permission for 3 new detached houses on the plot (TW/97/01513 refers).

RELEVANT HISTORY

SW/6/72/214 - extension - Approved 05/06/72.

TW/77/337 - Sun room - Approved 04/05/77.
POLICY

1. Kent Structure Plan 1996
   - Policy RS1 - New development criteria
   - Policy RS2 - New residential development at villages
   - Policy ENV3 - Protection of Area of Outstanding Natural Beauty
   - Policy ENV4 - Site within High Weald Special Landscape Area
   - Policy T17 - Parking Standards

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy EN1 - Development control criteria
   - Policy EN23 - Landscape protection in High Weald Area of Outstanding Natural Beauty and Special Landscape Area.
   - Policy H9 - New residential development
   - Policy VP1 - Parking standards

CONSULTATIONS AND BACKGROUND PAPERS

1. Highways Manager

   19/03/01 - No objection in principle, subject to maintenance of car parking, turning and no obstruction above 900mm across site frontage.

2. Brenchley Parish Council

   09/01/01 - We recommend refusal as the proposed dwellings would overlook existing property and the site is over-crowded. We should prefer to see two smaller houses.

   05/02/01 - Note amended plans but continue to recommend refusal as our concerns of overcrowding the site has not been addressed.

3. Private

   Objection from 7 local addresses (some refer to proposals before amended plans received 30 January 2001).
   - Out of character with neighbourhood.
   - Houses too large for plot. Too close to neighbouring properties.
   - One property includes a balcony.
   - Will be overlooking. Houses do not keep to building line.
   - Applicant squeezing a "quart into a pint pot" without any consideration for adjoining households.
   - Will be overshadowing, as level of site to be raised at rear.
   - Insufficient off street parking and will increase traffic movements.
   - Should be small homes, this is the main housing need.
   - Why not make the houses multi-level as it is wrong to artificially raise the ground level at rear.
   - Whole proposal is an anti-social attempt to make as much money as possible from a community in which developer plays no part.

   05/02/01 - 1 letter pleased to note amendments and in agreement with them.
APPRAISAL

The key issues for consideration are:-

(1) Does the proposal constitute acceptable minor development in the village? In particular, is the scale, character and layout of the proposal sympathetic to the character of this end of Broad Oak, and does it respect the landscape setting of the village?

(2) Does the development result in an unacceptable impact on existing and proposed residential amenities?

(3) Is the development acceptable in highway terms?

Character of development

This end of Broad Oak has a distinctive character of substantial houses sited on plots being softened by mature boundary planting. The application site itself plays an important part in contributing to this character, when seen from the road.

The plots on either side have been recently redeveloped for 3 new houses and I consider this scheme for 2 new houses repeats the pattern. There is however, no defined building line. The proposed houses would be set well back from the turning area, as are the adjoining houses. I consider that the siting will allow this plot to continue to contribute to the character of the area while at the same time making the best use of land within the village Limits of Built Development, as required by PPG3.

Residential amenities

Concerns regarding the effect of the development on the proposed residential amenities of adjoining properties due to levels and overlooking have been addressed, to a large degree, by the amended plans which delete a balcony on plot 2 and re-site the house on this plot, whilst the slab level will be 1.85m higher than the adjacent plot to the south-east, the only first floor widows on side elevations, near boundaries are bathroom windows. In addition it must be noted a tall hedge on the west boundary of plot 1 will be retained and this will significantly screen this new development.

Additional traffic and parking provision

The council’s Highways and Transportation Services Manager has raised no objection in principal and notes that each plot will have its own site turning area similar to others in this road. He would have preferred a footway along the site frontage but it has to be noted none was provided when adjacent plots were redeveloped.

CONCLUSION

The replacement of one house with two substantial 5 bedroom properties will clearly result in a change to the character of the site on the edge of the village. It is considered, however, that the amended plans have regard to the characteristics of the site and that the development is now acceptable.

RECOMMENDATION - APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:-

(1) Standard detailed YZ01.

(2) Samples of materials D001.

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted development) Order 1995, no development shall be carried out within Class A-C of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local planning Authority.
   Reason: to enable the Local Planning Authority to regulate and control any further development in the interests of protecting the character and amenities of the locality and to safeguard existing landscaping.

(4) Level of development D019 <Visual and residential amenities>.

(5) No windows to be inserted in elevation D016 <side>.
(6) Existing trees to be retained L003.

(7) Shrubs/trees to be protected during construction L008.

(8) Landscaping scheme to be approved L006.

(9) Landscaping scheme to be implemented L001.

(10) Provision of parking space V004.

(11) Limitation on access H008 (the access shown on the approved drawing K886/01 Rev. A).

(12) Provision of a turning space H010.

(13) A 1.8 metre close board fence shall be constructed along the eastern boundary of plot 2 as detailed in the letter of 7 February 2001, before any dwelling is occupied. 
Reason: In the interests of residential amenity.

**PLANS**

The following plans are the subject of the recommendation above: K886/01 Rev. A, K886/02 Rev. A, K886/03, K886/04.

Reference: AJB/JCS
INTRODUCTION

I reported to the 18 December 2000 Committee that:-

(a) A car park had been constructed not in accordance with the plans approved as part of planning application TW/95/11026, approved 29 January 1996.

(b) No landscaping plans had been submitted and approved, pursuant to Condition (3) of permission TW/95/11026.

Members authorised two enforcement notices to be issued requiring:

Notice A - break-up and remove all areas of hardstanding not shown on the approved plans and all recently installed kerbs.

Notice B - to submit within 3 months a landscaping plan to re-establish the rural character of the area and on approval carry-out the landscaping plan.

Officers have given further consideration to the matter in consultation with the applicant’s agent, and agreed that it is not legally possible to issue notices that refer to planning permission TW/95/11026 because it expired on the 29 January 2001. By that date the Authority had not agreed details of landscaping, materials and land drainage works as required by Condition 2, 3 and 5 of permission TW/95/11026 and therefore any works carried out to implement planning permission TW/95/11026 were in themselves a breach of planning control.

The agent has therefore submitted this current application on 26 January 2001 i.e. before planning permission TW/95/11026 expired and correctly describing it as a “renewal”. In addition he has submitted with this application:

- Details of landscaping (Drawing RR/01).
- Details of land drainage works (Drawing RR/01 Rev. Drainage).
- Details of materials namely:
  
  Roof to rod room: Cedar shingles.
  Cladding for rod room: Stained softwood feathered boards.
  Walls: Wealden Sandstone.
  Decking: Pre-treated sawn softwood boards.
  Risers: Railway sleepers.
  Car park surface: Hoggin/gravel.
DESCRIPTION

The application site is at the east end of a lake created in the early 19th century for the third Marquis of Camden. The lake was one of the principle features of Humphrey Repton’s design and probably utilised a dam that survived from an earlier Hammer pond.

Humphrey Repton was the leading landscape gardener of the later Georgian period and was commissioned to devise a scheme for the entire Bayham Lake Estate in 1800. This survives in a “Red Book” and what is important is that the applicants part of the estate incorporates elements of the Red Book design that were actually implemented.

The previous owner had since 1980 been running a commercial trout fishery based on day tickets, and photographs are available which clearly show that in the 1980’s the site of this application was used as a car park and there was on site a single storey fishing hut. A planning permission for a fishing hut had first been agreed in 1978 (TW/78/0588 refers) but was never built.

In 1986 planning permission (TW/86/0973) was granted for not only a fishery manager’s house elsewhere on the lake edge but also a new rod room on the site of this current application. The 1986 committee report noted “the rod room is to be built to the north of the weir and waterfalls and will be sited to the west of the existing rod rooms which are to be demolished and the building will not be open to the view from the Abbey. Additional landscaping is proposed”. This alternative rod room was never built and in 1990 planning permission was granted for an amended scheme for a rod room and car park.

A letter dated 27 July 1990 which accompanied that application confirmed it was an amendment to the previously approved scheme and was:-

“\textbf{In order that the present needs of our client and those of his corporate customers as well as day fishermen can be met and are as a result of a substantial increase in our clients corporate business since the original 1978 application was made. The majority of the corporate parties number between 25 and 40 persons, on many occasions consisting of both sexes. It is therefore essential that correct facilities are available for changing etc. and that the building is of sufficient size to cater for such numbers.}

\textit{During the past four years the volume of corporate business has doubled each year and our clients now entertain at least one or two such parties each week, throughout the season and clearly it is essential, under such circumstances, to be able to offer proper conditions}.”

The building was in the same area as the original application and now measured 16.4 metres x 4.5 metres. It provided a club room, changing room two WC’s plus a manager’s office/WC and tea room. This was again never built and planning permission was renewed in 1995 (TW/95/11026 refers). The approved car park provided 27 spaces cut into the bank and was thus well screened. It was to be constructed at the same level as the drive thus involving extensive excavation works. A narrow entrance into the car park was proposed, so that the parked cars could be part screened.

However, what has now happened is that the car park has been built some 10 metres too wide at the entrance, resulting in a far greater impact on the landscape.

The current application proposes to return the car park layout to that approved in 1990 and renewed in 1995. It proposes to thus narrow the entrance and plant a clump of 38 rhododendron on one side of the entrance to part screen the car park and reduce the entrance to 7 metres wide. Further extensive landscaping plans are shown on the submitted plans.

The plan also indicates the position for the rod room building on a reformed bank behind the car park, approached by 10 steps. The building would contain a WC and details are shown of an entec clargester sewage treatment plant behind the building.
RELEVANT HISTORY

TW/78/0588 - Fishing hut and parking area - Approved 25/07/78. Not built.

TW/83/0938 - Demolition of existing fishery lodge and associated buildings and reconstruction of lodge with manager’s accommodation - Refused. Appeal dismissed 18/09/84.

TW/86/0973 - Fishery manager’s house, rod room and landscape works - Approved 12/12/86. Note: Rod room not built, only house built. A “temporary” fishing hut put up after 1987 hurricane but without planning permission.

TW/90/01166 - Revised plans for club room, changing area and rod room and car park in connection with fishery - Approved 29/11/90.

TW/95/11026 - Renewal of TW/90/01166 - Approved 29/01/96 - Works to part implement unauthorised as conditions not complied with.

TW/98/01423 - Certificate of Lawful Development for an existing use of the estate for corporate entertaining and the occasional use of the boathouse for reception facilities - Refused 03/12/98.

TW/00/01178 - Retrospective consent for an observation platform, kitchen patio extension with grotto under, boatstore, clargester cover, entrance gates, messroom/toilet block, works to the drive, helicopter pad and associated landscape works. Appeal against non-determination. Public Inquiry Tuesday 5 June 2001. Members resolved to object to application, in so far as it includes a fishing boat store, entrance gates, clargester cover and toilet block.

POLICY

1. Kent Structure Plan 1996
   - Policy RS1 - General policy new development in rural Kent
   - Policy RS5 - Development in the countryside
   - Policy ENV1 - Countryside to be protected for its own sake
   - Policy ENV3 - Landscape protection (AONB)
   - Policy ENV4 - Landscape protection (SLA)

2. Tunbridge Wells Borough Adopted Local Plan 1996
   - Policy LBD1 - Development outside the Limits to Built Development
   - Policy EN1 - General control criteria
   - Policy EN12 - Historic Parks and Gardens - English Heritage Register
   - Policy EN23 - Landscape protection (AONB/SLA)

3. English Heritage Register of Parks and gardens of Special National Historic Interest
   - Listed as Grade II 1987

4. Kent Wildlife Trust

CONSULTATIONS AND BACKGROUND PAPERS

1. Wealden District Council
   27/02/01 - No objections to proposal
2. Garden History Society

21/03/01 - We would like to express our objection to the proposed rod room. The construction of the car park has caused significant physical harm to the fabric of the registered historic landscape. It involved substantial excavation of the hillside, is prominently sited and visible from several important locations around the registered landscape. The construction of a new building here would augment that intrusion and further damage the character and appearance of the historic landscape.

As this is a new application, rather than a renewal of the former consent, we believe it offers the opportunity to review the potential impact of the development. The siting is within the core of the historic landscape, located as it is between the mansion and the lake, it is close to the drive over the dam, and the building would we guess be visible from walks beside the lake. Thus its impact on the designed landscape would be significant. It would be harmful insofar as it would intensify the built element in a part of the landscape which historically was predominantly undeveloped and dominated in character-terms by wood and water. It would also be harmful in representing ad hoc commercial development of the kind which has already eroded much of the historic character of the lake estate.

We would therefore advise that the application should be refused consent on the grounds of its impact on the registered landscape.

3. English Heritage

01/03/01 - I understand that the applicants have started work before the conditions on the original permission had been complied with and therefore the works are unauthorised. I would certainly support you requiring a further justification for the need for a significant building on a site which has such an impact on the view from the approach down the main drive and to the house. We would be glad to comment further when the applicant has replied to your letter of 20 February 2001.

4. Lamberhurst Parish Council

27/02/01 - Repeat and reinforce the strong objections previously submitted. The views of other Bayham residents in properties other than at the Bayham Lake complex should be given full consideration. In connection with this rod room application it should be noted it is not sited on the original application site (TW/90/01166), which in any case is no longer available as all the bank has been cut away.

5. Environment Agency

09/03/01 - No objection in principle but the applicant must be aware site is vulnerable to flooding from River Teise. The Environment Agency would advise the applicant to reconsider the design and location of structures with this in mind. Also the applicant should note the written consent of the Upper Medway Internal Drainage Board is required before carrying out any works in, over or under the channel of the watercourse or on the banks within 8 metres of the top of the channel.

6. Kent Wildlife Trust

Points out that car park and meadow to north is part of a designated SNCI (Site of Nature Conservation Interest) TW48: Bayham Woods. Cannot see that the Restoration Management Plan puts forward any ecological objectives for this area or has carried out any detailed nature conservation surveys. This needs clarifying. No objection to proposals provided any restoration plan is amended to take fuller account of the nature conservation interest on site and appropriate surveys and assessments are carried out to determine the likely impacts.

7. Bayham Abbey Residents Association Ltd (BARAL)

02/02/01 - Points out that previous planning permission expired on 29 January 2001. Object to plans to discharge rainwater from car park onto the private drive. Surplus water already causing flooding of their drive and during recent heavy rain the overflow scoured a deep trench in the dam - thus a risk to long term stability of earth dam. There are many errors and inconsistencies on the submitted drawings i.e. have used 1986 approved plans, not the 1990 approved drawings.

05/03/01 - Concerned at pressure of supply of water to applicant's property off private supply to other residents.
8. **Bayham Abbey Conservation group**

05/02/01 - Plans are based on 1986 approved plans. Thus wrong to call it a renewal of 1990 approved plans.

- Plans totally fail to show contours and cross sections thus rendering landscape/drainage plans meaningless.

- Site is in an Area of Outstanding Natural Beauty and Historic Park and is not an appropriate development.

20/03/01 - It is a fact that operations carried out are unlawful. In our view there has been a change in circumstance since permission TW/95/11026, in that;

(1) The Tunbridge Wells Local Plan has been adopted.
(2) The lake was briefly de-stocked in 1995, and although it was briefly re-stocked with diploids (sterile female fish) for a corporate entertainment day, these fish are now gone.
(3) A rod room building no longer necessary as there is no fishery.

Proposal is contrary to Local Plan Policies EN1, EN3 (affects setting of Bayham Lake Grade II), EN12, EN23 and R13. Should be no exception to Local Plan policies. No Management Plan designed to preserve and enhance the landscape of the park could ever compensate for the siting of this building and car park. Site should be returned to its original state and the rock garden above the cascades should be reinstated.

9. **Letter from former owner**

17/02/01 - Confirms original 1986 permission for a rod room was part of a composite consent for the estate (including a manager’s House). The fishery business has not been continued, since he sold site in 1996. Points out that a Certificate of Lawful Use for Corporate Entertaining was refused 03/12/98 and there is no business of any kind now taking place at property. Applicant should therefore justify why he wants a rod room and large car park. The applicant has now changed the topography of site - so impossible to build the rod room on the original approved site.

10. **Private**

3 letters of objection

- Points out original permission expired. Wrong to call it a renewal - is now on a site with a totally different topography.

- Rod room building will greatly increase the built element of site. Be very obtrusive.

- Site for rod room is now site of a brutal excavation of hill side in order to form a monstrous car park.

- Sections and levels not capable of being reconstructed.

- What is need for a rod room if no commercial fishing?
APPRAISAL

This application must be considered based on the policies of the Development Plan and the main issues identified in the January 2001 Inspector’s decision i.e. “The effect of the development on the character of the surrounding area, which forms part of a registered Park and Garden of Historic Interest, an Area of Outstanding Natural Beauty and Special Landscape Area”.

In addition, following Members decision at the March committee and my letter to the agent dated 20 February 2001 one has to ask:-

- What is the justification for such a building and car park in the countryside if the applicant is not running a commercial fishery?
- Have not circumstances changed since the previous permissions in that the Victorian boat house is now restored and could be used by fishermen, a large car park has been built by the fishery manager’s house and an estate office/workshop constructed in a forestry workers barn in Forge Wood (TW/96/1550 refers)

It is my conclusion that the development, even if the topography is modified and the site well landscaped will be contrary to the Area of Outstanding Natural Beauty and Historic Park policies of the Development Plan. The development will not conserve or enhance the Special Character of the landscape and would harm the character of the English Heritage designated Historic Park.

Other material issues

I do not consider the previous planning permission for a rod room and use of this area for parking now justifies the current proposals, particularly as there has been a significant change in circumstances. Unlike in 1978, 1986 and 1990, there is no longer any justification for this scale of development in this sensitive location as there is not an active commercial fishery business. If a fishery business was re-established, other buildings could be used. Finally, I do not consider I have had a sufficient response to my letter of 20 February 2001, outlining my concerns on detailed issues such as

- If this is a renewal of permission TW/90/01166 why is the footprint of the building on the submitted plan 13 metres x 4.3 metres, where as on the 1990 plan it was 16.4 x 4.5 metres?
- Is it a good idea to locate the sewage treatment plant on the bank behind the building?
- Details of disposing of surface water flows off the car park are not satisfactory.
- Landscaping details should have more regard to the adjoining site of Nature Conservation Interest

CONCLUSION

I consider permission should be refused and enforcement action taken to restore the landscape

RECOMMENDATION - REFUSE

(1) The development would cause significant harm to the character, amenities and setting of an English Heritage Designated Park and Garden of Special Historic Interest and is therefore contrary to Policy EN12 of the Tunbridge Wells Borough Local Plan Adopted 1996.

(2) The development would be detrimental to the quality of the landscape in an Area of Outstanding Natural Beauty and designated High Weald Special Landscape Area and is, therefore, contrary to Policies ENV3 and ENV4 of the Kent Structure Plan 1996 and Policy EN23 of the Tunbridge Wells Borough Local Plan Adopted 1996.

(3) The development introduces elements of built form into the landscape which are not necessary for any current use. It is therefore contrary to policy RS5 of the Kent Structure Plan 1996.
(a) The breach of planning control is:

The construction of a car park and the excavation of a bank without planning permission.

(b) It is expedient to take enforcement action for the reasons noted above in the grounds of refusal.

(c) The steps to comply are:

(i) To break-up all areas of hard-standing including kerbs, gravel bonded tarmac road base and sub-base materials into unstable hardcore.

(ii) To install drainage as necessary to prevent erosion or land slip.

(iii) To re-consolidate hardcore, re-grading to a new formation level 1m below a finished level which rises evenly from the existing level at the top of the grass embankment, south of the car park, to the existing level at the top of the cutting north of the car park.

(iv) To reform the contours of the land to create a shallow and concave profile using subsoil to be obtained from existing repositioned supplies on site. Any additional subsoil required shall be from a source approved by the Local Planning Authority.

(v) To seed the entire disturbed area in accordance with a specification which has first been submitted to and approved by the Local Planning Authority.

(vi) All the above steps to be carried out in accordance with British Standards 5930, 6031 and 4428.

(d) The period for compliance with steps (i), (ii), (iii), and (iv) is three months. The period for submitting the details required by step (v) is three months. The period for compliance with step (v) is the first available planting season following approval of the details.

(2) Further, in the event that the Notice is not complied with, the Borough Secretary and Solicitor shall be authorised to bring prosecution proceedings in the Magistrates’ Court.

PLANS

The following plans are the subject of the recommendation above: LA/01; RR/01/Drainage; letter 23 January 2001 - details of materials.

Reference: AJB/JCS
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<tr>
<td>MR AND MRS T ALLEN</td>
<td>(c/o Anna Bloomfield 22 Headingley Road Allington Maidstone Kent ME16 0HR)</td>
<td>TW/99/02244</td>
<td>Oasthanger Lamberhurst Road HORSMONDEN HO</td>
<td>RETROSPECTIVE - Change of use of agricultural land to residential, construction of hardstanding for car parking and construction of brick steps and retaining walls</td>
</tr>
<tr>
<td></td>
<td></td>
<td>02/12/99</td>
<td>698100/402900</td>
<td>02/12/99</td>
</tr>
</tbody>
</table>

**Category - Planning D   Highways X**

________________________________________________________________________________________

**DESCRIPTION**

This application was deferred at the 5 March 2000 committee to seek clarification whether there was agreement between the applicant and his neighbour over land ownership and the location of the agreed boundaries between the two properties. This was relevant because the applicant was proposing to plant a hedge on his neighbour’s side of the wall in a 700mm wide strip. In order to do this, it was necessary that there be evidence that ownership of the 700mm strip was agreed by both parties.

A copy of a letter has now been received from Solicitors acting for the neighbours, which confirms:-

“Our client will agree to a deed being entered into to evidence the location of the boundaries and your surveyor will provide the plan. Our clients surveyor will then check this plan”.

In a telephone conversation 20 March 2001 the Solicitor confirmed that their clients agreed the deed and plan and he was confident it would be signed by their clients by April 9th as all matters had now been agreed by both parties several months ago.

I will update Members on the matter verbally.

**RECOMMENDATION** - This remains as in my report to the 5 March 2001 committee.

________________________________________________________________________________________

**Reference:** AJB/JCS
# APPENDIX

## REPORT OF EASTERN AREA PLANNING COMMITTEE - 5 MARCH 2001

<table>
<thead>
<tr>
<th>APPLICANTS' NAME</th>
<th>T.P. REF.</th>
<th>LOCATION</th>
<th>BRIEF PARTICULARS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MR AND MRS T ALLEN (c/o Anna Bloomfield 22 Headingley Road Allington Maidstone Kent ME16 0HR)</td>
<td>TW/99/02244</td>
<td>Oasthanger Lamberhurst Road HORSMONDEN HO</td>
<td>RETROSPECTIVE - Change of use of agricultural land to residential, construction of hardstanding for car parking and construction of brick steps and retaining walls</td>
</tr>
</tbody>
</table>

**DATE VALID**

02/12/99

**NAT. GRID REF.**

698100/402900

**DATE OF APPLICATION**

02/12/99

**Category - Planning D  Highways X**

---

### DESCRIPTION

This proposal is retrospective but since the application was submitted officers have agreed with the applicant that the construction of a 1.8 metre brick boundary wall on one boundary is “permitted development” by virtue of the provisions of part 2 Class A of the schedule to the General Permitted Development Order.

There was considerable local concern at the construction of this brick wall in October 1999 as it involved taking out about 20 metres of hedge. The applicants have also questioned whether the extension of the domestic garden into the adjoining agricultural land needs permission, on the grounds that they consider that it has probably been domestic curtilage for 10 years. In order to avoid any argument they wish to obtain planning permission for the change of use to curtilage together with the construction of hardstanding for parking, with a low brick retaining wall around it.

The original plan for an ornamental pond in this new residential curtilage has been deleted and the half finished pond will now be levelled and the area landscaped.

The proposal that needs planning permission is thus to extend the garden and improve vehicular access and parking at the site in an area of some 930 square metres of former paddock at the front of the existing dwelling. In view of a change of level a retaining wall approximately 600mm high has also been built around the car park, which is now surfaced with loose roadstone.

An important part of the application is that officers have obtained the agreement of the applicant to plant a new hedge on the neighbour’s side of the new brick boundary wall, to replace the hedge taken out. This will go some way to reduce its impact on the rural landscape. There has been a delay in reporting this matter to Members because of a land ownership dispute with the neighbour as to whether the wall is built on the applicant’s side of the boundary and whether there is room to plant a hedge on the applicant’s land. Solicitors acting for the neighbour and solicitors acting for the applicant have now agreed that 700mm on the neighbour’s side of the wall belongs to the applicant.

This application has been referred to committee at the request of the local Member.

### RELEVANT HISTORY

- **SW/6/62/139B - Conversion of oast to dwelling with garaging and storage in barn** - Approved 24/10/64.
- **TW/89/746 - Single storey extension to oast** - Refused 19/05/89. Appeal dismissed 19/03/90.
- **TW/97/903 - Conservatory** - Approved 27/01/98.
POLICY

1. Kent Structure Plan 1996
   - Policy ENV1 - Countryside to be protected
   - Policy ENV4 - High Weald Special Landscape Area
   - Policy RS1 - Rural settlement, General

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy EN1 - Design and other control criteria
   - Policy EN23 - High Weald Special Landscape Area
   - Policy H14 - Extensions to residential curtilages

CONSULTATIONS AND BACKGROUND PAPERS

1. Horsmonden Parish Council

   30/12/99 and 24/03/00 - Recommend refusal.

   Applicants have removed a 20 metre length of established hedge without permission and any application under Hedgerow regulations.

   Brick wall is a hard feature adjacent to agricultural land. The Parish Council is vehemently opposed to any extension of the curtilage from agricultural to residential use. Having visited the site we note a pond is being excavated and we ask that site be returned to its original state in all respects, including the removal of the hardstanding car park.

2. Private

   Two letters received from the neighbour with whom there was a dispute over the boundary as to whether the wall was built on their land.

   - Loss of established hedgerow to make way for boundary wall. This hedge was in any case not the property of the applicant.
   - Brick walls, parking area domestic garden and pond are all out of keeping with the character of the area.
   - Although the area being changed to residential use is small the drawings submitted do not show other areas maintained to residential garden standard.
   - The wall has not been on land owned by the applicant.
   - The proposed hedge cannot therefore be located on the land within the applicants control.
   - Correspondence between solicitors about land ownership and line of boundary between the two properties.

   12/02/01 - Letter from neighbour confirms that boundary dispute resolved but at time of writing we understand that our solicitors are awaiting for the other party’s solicitor to sign the deed. Hopefully, they confirm this will be quite soon. As regards the planning issues they still believe their previous comments on the planning issues are valid.
APPRAISAL

The main issues in this case are the effects of this change of use on the appearance and character of the countryside which is located outside the Limits to Built Development of Horsmonden and within the High Weald Special Landscape Area.

It is noted that the major feature of concern to the Parish Council is the length of the new 1.8 metre brick boundary wall. I consider that the wall does appear out of character in this location. However, even if it were built on agricultural land, it would be ‘permitted development’ being a means of enclosure under 2 metres in height. Now that the ownership disputes along the boundary has been resolved, the applicant can however, confirm he is able to plant a new hedge alongside the neighbours side of wall. This will go some way to reduce its impact in the landscape. The area of land being changed to residential will have limited impact on the wider landscape. The half finished pond which was of concern to the Parish council is now to be levelled and then landscaped.

I do not consider that there is a planning objection to this minor proposal if appropriate landscaping is carried out.

RECOMMENDATION - APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:-

(1) Within one month of the date of this decision a landscaping plan that includes details of a new hedge along the north side of the new wall, details of boundary treatment and landscaping of the remainder of the site, and the levelling of the half excavated pond area shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping works shall be carried out in accordance with the approved landscaping scheme within the first available planting season following approval of the landscaping scheme. If within a period of 5 years from the date of the planting of any new tree or plant forming part of the approved landscaping scheme that tree or plant, or any tree or plant in replacement for it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning authority seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be provided in the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: Pursuant to Section 192 of the Town and Country Planning Act 1990 and in the interests of enhancing the visual amenities of this part of the High Weald Special Landscape Area.

PLANS

The following plans are subject of the recommendation above: 3474/2 dated January 2001.

Reference: A JB/JCS
### APPLICANTS' NAME
**MR AND MRS M R Keeble**  
(Madgwick and Dottridge  
16-18 Mount Ephraim  
Tunbridge Wells  
Kent  
TN4 8AS)

### AGENTS' NAME - AGENTS’ OR APPLICANTS’ ADDRESS
**TW/01/00310**  
**19/02/01**  
**Yves Farm Shop**  
North Road  
GOUDHURST  
GO  
**72310/39505**  
**19/02/01**

### LOCATION
**Detached garage**

### NAT. GRID REF.

### BRIEF PARTICULARS

#### DESCRIPTION
This former farm shop has now been converted to a small dwelling. The permission included a new detached single garage at the side of the property measuring 6 metres x 3 metres. The applicant states that he requires a secure storage area for garden machinery, log store, kennel and double car port.

He thus proposes a building 7 metres x 8.3 metres with stained weatherboards and plain clay tile roof. It would be sited to the immediate south of the building, some 10 metres back from the public highway.

This application would have been refused as a delegated decision but for the contrary view of the Parish Council.

### RELEVANT HISTORY

- **TW/98/01108 - Conversion of farm shop to dwelling - Refused 26/11/98.**
- **TW/99/01215 - Conversion of farm shop to residential - Refused 13/10/99.**
- **TW/00/0008 - Conversion of farm shop to residential, single storey rear extension, part enclosed front lean-to and detached garage - Approved 21/03/00.**

### POLICY

1. **Kent Structure Plan 1996**
   - Policy RS1 - New development in countryside - criteria
   - Policy ENV1 - countryside protected for its own sake
   - Policy ENV3 - Area of Outstanding Natural Beauty
   - Policy ENV4 - New development countryside - criteria

2. **Tunbridge Wells Borough Local Plan 1996**
   - Policy LBD1 - development outside Limits to Built Development
   - Policy EN1 - General development criteria
   - Policy EN23 - Area of outstanding Natural Beauty and Special Landscape Area
   - Policy H13 - Extensions to dwellings outside the Limits to Built Development

### CONSULTATIONS AND BACKGROUND PAPERS

1. **Goudhurst Parish Council**  
   06/03/01 - Approve
APPRAISAL

Having regard to Local Plan Policies EN23 and H13 the issue is whether the proposed building on this site will harm the special character of the rural landscape. In my view it is important to maintain the open aspect of the landscape and not to create an area of sporadic development in the countryside on this important road frontage. The area between the newly converted dwelling and the adjoining commercial premises is an important gap and allows views of the surrounding Area of Outstanding Natural Beauty landscape beyond.

The applicant argues that it is the same site as the approved single garage, and once the newly planted landscaping is established the gap will be even less of an open area affording views of the Area of Outstanding Natural Beauty countryside beyond.

However, the proposed building would occupy the greater part of the gap between the former Yves Farm Shop and the southern site boundary. Closing this gap with built development would harm the setting of the converted building.

I do not consider a building of this size will enhance the Area of Outstanding Natural Beauty landscape as required by adopted policies. If a building is required for mowers etc. a separate smaller building could be sited in a less sensitive part of the site.

RECOMMENDATION - REFUSE

(1) The proposal, by virtue of its size and siting, is an overintensive form of development that would detract from the rural character and appearance of the area and the setting of Yves Farm Shop. It is therefore contrary to Policy RS1 of the Kent Structure Plan 1996 and Policy EN1 and H13 of the Tunbridge Wells Borough Local Plan Adopted 1996.

(2) The proposal, by virtue of the scale and siting of the building, will be detrimental to the quality of the landscape in this part of the High Weald Area of Outstanding Natural Beauty and Special Landscape Area and is therefore contrary to policy ENV3 and ENV4 of the Kent Structure Plan 1996 and Policy EN23 of the Tunbridge Wells Borough Local Plan 1996.

PLANS

The following plans are the subject of the recommendation above: 1984-1

Reference: AJB/JCS
MR SPARKS AND MS P LAW
(Chris Saunders Associates
29 Wheatfield Way
Cranbrook
Kent
TN17 3LX)

TW/00/01754

Lake Cottage
Furnace Lane
HORSMONDEN
HO

695150/411300

Two storey rear extension and single storey front extension

25/08/00

DESCRIPTION

This is a modern three bedroom house in an isolated rural area, some distance from any other houses or the village centre. It is screened by a woodland area. However, public footpath WT282 runs through the applicant’s property. The proposal is to build a two storey extension on the site of an existing decking area for new ground floor family room with an en-suite master bedroom over. A single storey extension would also be added to enlarge the kitchen.

The increased volume is agreed by the agent to be.

<table>
<thead>
<tr>
<th>Volume of existing dwelling</th>
<th>Volume of proposed</th>
<th>Percentage change</th>
</tr>
</thead>
<tbody>
<tr>
<td>290 square metres</td>
<td>534 square metres</td>
<td>84%</td>
</tr>
</tbody>
</table>

An amended plan, received 7 February 2001 proposes a considerable amount of glazing on the ground elevations. This change is intended to reduce the impact of the proposed extension.

The application would have been refused as an officer delegated decision but for the contrary view of the Parish Council.

RELEVANT HISTORY

POLICY

1. Kent Structure Plan 1996
   - Policy RS1 - Rural Settlement - General
   - Policy RS5 - Development at Hamlets and in the countryside
   - Policy ENV3 - Areas of Outstanding Natural Beauty
   - Policy ENV4 - High Weald Special Landscape Area

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy LBD1 - Limits to Built Development
   - Policy EN1 - design and other control criteria
   - Policy H13 - Extensions to dwellings outside the Limits to Built Development
   - Policy EN23 - Areas of Outstanding Natural Beauty and Special Landscape Areas
CONSULTATIONS AND BACKGROUND PAPERS

1. Horsmonden Parish Council

05/09/00 and 21/02/01 Recommend approval.

APPRAISAL

The main consideration in this case is the size of the proposed addition and its impact on the existing dwelling, as well as on the character of the locality.

Policy H13 of the Local Plan allows for modest extensions to houses outside the Limits to Built Development, with particular care and attention being required for locations within the Area of Outstanding Natural Beauty and Special Landscape Areas. Subject to the criteria of the policy if an extension is normally judged as modest if it amounts to an addition of no more than 50% or 150 cubic metres (whichever is the greater), subject in all cases to a maximum of 250 cubic metres. In this instance the increase is some 84% and cannot therefore be regarded as 'modest' in terms of Development Plan Policy.

The extension will have a significant impact on the character of the original dwelling and will considerably increase the impact of the building on the rural landscape.

RECOMMENDATION - REFUSE

(1) The site is outside the defined Limits to Built Development and the proposal is not modest in scale and will dominate the existing dwelling. It is therefore considered to be contrary to the provisions of Policy H13 of the Tunbridge Wells Borough Local Plan 1996 and Policy RS5 of the Kent Structure Plan 1996.

(2) The site is within the High Weald Area of Outstanding Natural Beauty and Special Landscape Area. The bulk and design of the proposal would be detrimental to the special character of the landscape and is therefore contrary to the provisions of Policy EN23 of the Tunbridge Wells Borough Local Plan 1996 and Policies ENV3 and ENV4 of the Kent Structure Plan 1996.

PLANS

The following plans are the subject of the recommendation above: 0473/2 received 7 February 2001.

Reference: AJB/JCS
**APPLICANTS’ NAME**

Mr J Carlton-Smith

(Alan Bishop Consultancy
Grove Barn
Grove Lane
Hunton
Maidstone
Kent
ME15 0SE)

**AGENTS’ NAME - AGENTS’ OR APPLICANTS’ ADDRESS**

T.P. REF.

Crowbourne Farm
Lidwells Lane
Goudhurst
GO

LOCATION

NAT. GRID REF.

01/12/00

715450/378400

BRIEF PARTICULARS

Conversion of cart-shed to holiday let

**DATE OF APPLICATION**

01/12/00

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**DESCRIPTION**

The building is a Grade II listed timber framed building, which has been identified on the “At risk” register. It is a simple, early 19th century cart shed, a single storey hipped building of 4 bays, measuring 11 x 7 metres.

The majority of the weatherboard and cladding on all elevations has been removed and all the roof tiles are missing. Nevertheless a significant amount of the original historic timbers remain to enable the structure to remain as part of this proposed conversion to a holiday let. A structural appraisal concludes that 95% of the timbers are sound. The frame is at present being laterally restrained by mild steel plates, tie rods and brackets bolted to the frame.

Discussions with officers have aimed to ensure that any conversion scheme respects the special architectural interest of the buildings particularly an internal layout in keeping with the 4 bays of the frame.

The proposal is thus for an open plan layout to include a kitchen and a combined living/sleeping area. Existing frame openings are utilised to provide a number of glazed openings from ground to ceiling, particularly on the rear elevation.

The building is located in a farmyard, where a large brick built oast, in separate ownership, is already being converted to a dwelling and permission has been granted to replace a small farm workers cottage with a new dwelling.

The cart shed is now in the same ownership as the adjoining farmhouse, a grade II listed building with a number of other listed small barns and cart sheds in its curtilage.

The entire group of buildings occupies a prominent site in an open and attractive rural landscape, seen in views across the valley from Horsmonden Church. The public footpath WC35 and WC35A through the original farmyard is being diverted around the boundary of the applicant’s land and the oast conversion to the south. The path will now be some 17 metres from the rear elevation of the cart shed. It is proposed to therefore take out the hedge along the line of the original footpath and extend the curtilage of the site westwards by some 14 metres towards Horsmonden Church, creating an amenity grass area for the use of occupiers of the holiday let. A new mixed native hedge of hawthorn, field maple, hazel and holly would then be planted around the applicants new boundary, along the line of the diverted public footpath..

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**Category** - Planning D Highways X
RELEVANT HISTORY

TW/98/01650 - Conversion to dwelling with attached garage - Refused 18/11/98.
TW/98/02267 - Conversion to dwelling with attached garage - Withdrawn 01/11/99.
TW/00/02444 - Listed Building Consent - Conversion of cart shed to holiday let - Reported elsewhere on agenda.

POLICY

   - Policy ENV1 - Countryside protected for its own sake
   - Policy ENV3 - Area of Outstanding Natural Beauty
   - Policy ENV4 - High Weald Special Landscape Area
   - Policy ENV19 - Listed Buildings
   - Policy RS1 - New development in countryside - criteria
   - Policy T17 - Parking standards

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy EN1 - General development criteria
   - Policy EN23 - Are of Outstanding Natural Beauty and Special Landscape Area
   - Policy EN3 - Listed Buildings
   - Policy LBD1 - Development outside Limits to Built Development
   - Policy H15 - Conversion of rural buildings
   - Policy TP1 - Vehicle access
   - Policy VP1 - Vehicle Parking Standards

CONSULTATIONS AND BACKGROUND PAPERS

1. Goudhurst Parish Council
   09/01/01 - Recommend approval.

2. English Nature
   15/12/00 - Applicant should check whether bats are present. They are a European protected species and the DETR should be consulted about licensing implications.

3. Environment Agency
   14/12/00 - No objection but before development commences details shall be approved of a scheme for disposal of foul and surface waters.
   The site is within a Source Protection Zone III of a public water supply abstraction and only clean uncontaminated roof water should be allowed to drain to any soakaway. A licence will be required under the terms of the Water Resources act 1991 for any discharge of sewage or trade effluent into controlled waters.

4. Tourism and Marketing Manager
   20/12/00 - Assuming that the location is a quiet one and the conversion will be of high quality, we would support the application. The demand for self-catering holidays continues to grow now and is predicted to grow in the future.
5. **Weald of Kent Preservation Society**

01/12/00 - The Weald of Kent Preservation Society supports the conversion of redundant agricultural buildings to domestic accommodation provided that this is done in keeping with the original building and its surroundings. Mr Carlton-Smith who has owned Crowbourne Farm for three years has spent a lot of money and energy restoring various outhouses in the farm complex, greatly to enhance the surroundings and only this cartshed remains to be saved. It is very dilapidated, roofless and with very little of the side cladding left so that really it consists of just the original framework. From what Mr Carlton-Smith has done on the rest of his estate it seems probable that he will restore the cartshed to the nearest approximation of its original state that is consistent with its proposed function. At present it has no foundations so these will be needed and a completely new roof of Kent peg tiles will be put on.

The WKPS supports this proposed conversion. However, a case has arisen in the area recently where a building for which conversion to a ‘holiday let’ was approved by Tunbridge Wells Borough Council has been permanently occupied as a dwelling. To ensure that this does not happen Crowbourne Farm it is suggested that the Council should consider making it a condition of any approval it may grant that it should remain unoccupied for a period each year. It is suggested that 2 months would be appropriate, the exact dates to be agreed with the Council and the owner and monitored by the former.

6. **Kent County Council, Public Rights of Way**

Confirms application been made to divert footpath WC35 and WC35A.

**APPRaisal**

This is a prominent site in the Area of Outstanding Natural Beauty Landscape and the listed building is in a poor state of repair. Nevertheless any proposed conversion must have regard to the buildings special character and the impact of any proposal on the landscape.

Although there is no objection in principle to a proposed conversion for a low-key use such as a holiday let to be managed by the owner of the adjoining farmhouse, officers have been unable to reach agreement on two important issues.

**The design of the conversion**

It is considered that the amount of glazing, particularly on the rear elevation, should be reduced. This is particularly important as this elevation faces across the valley. The extent of glazing will emphasise the domestic use of the building by day and the building will be very visible at night. Bearing in mind the internal layout and the use of the building as a holiday let I do not consider it unreasonable to reduce the amount of glazing.

**The proposed curtilage**

In my view the line of the original hedge and public footpath before diversion, should form the curtilage of the building. There should not be any extension of domestic activity/use into the surrounding open landscape.

The site is particularly sensitive as it is located in a ridge. The proposed extended curtilage would encroach on the open landscape and affect the setting of the group of converted buildings.

**RECOMMENDATION - REFUSE**

(1) The proposed conversion by virtue of the amount of external glazing would have a significant impact on the character and appearance of this cart shed building and the setting of nearby listed buildings and is therefore contrary to Policy ENV19 of the Kent Structure Plan 1996, Policies EN1 and EN3 of the Tunbridge Wells Borough Local Plan 1996 and the guidance contained within the Planning Policy Guidance Note 15: Planning and the Historic Environment.

(2) The proposed residential curtilage would be harmful to the natural beauty and special character of the rural landscape in this prominent location within the High Weald Area of Outstanding Natural Beauty and Kent Special Landscape Area and is therefore contrary to policy ENV3 and ENV4 of the Kent Structure Plan 1996 and Policy EN23 of the Tunbridge Wells Borough Local Plan Adopted 1996.
The following plans are the subject of the recommendation above: 411(811)-1, 411(811)2A, 411(811)-3 and 411(811)-4.

Reference: AJB/JCS
MR J CARLTON-SMITH  
(Alan Bishop Consultancy  
Grove Barn  
Grove Lane  
Hunton  
Maidstone  
Kent  
ME15 0SE)

<table>
<thead>
<tr>
<th>APPELLANTS’ NAME</th>
<th>TW/00/02444</th>
<th>Crowbourne Farm Lidwells Lane GOUDHURST GO</th>
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<tr>
<td>AGENTS’ NAME - AGENTS’ OR APPELLANTS’ ADDRESS</td>
<td>01/12/00</td>
<td>715450/378400</td>
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<td>T.P. REF. DATE VALID</td>
<td>LOCATION NAT. GRID REF.</td>
<td>BRIEF PARTICULARS DATE OF APPLICATION</td>
</tr>
<tr>
<td>LISTED BUILDING CONSENT - Conversion of cart-shed to holiday let</td>
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</tbody>
</table>

**Category - Planning D  Highways X**

**DESCRIPTION**

This applications seeks approval for alterations to this Grade II listed building, this subject of planning application TW/00/02441, reported elsewhere on this agenda.

**RELEVANT HISTORY**

See report for application TW/00/02441 on this agenda.

**POLICY**

See report for application TW/00/02441 on this agenda.

**APPRAISAL**

As with my report in application TW/00/02441 I do not consider the proposal has full regard to the special character of the building, an early 19th century cart shed.

**RECOMMENDATION - REFUSE**

(1) The proposed conversion by virtue of the amount of external glazing would have a significant impact on the appearance of this cart shed building and the setting of nearby listed buildings and is therefore contrary to Policy ENV19 of the Kent Structure Plan 1996, Policies EN1 and EN3 of the Tunbridge Wells Borough Local Plan 1996 and the guidance contained within the Planning Policy Guidance Note 15: Planning and the Historic Environment.

**PLANS**

The following plans are the subject of the recommendation above: 411(811)-1, 411(811)2A, 411(811)-3 and 411(811)-4.

Reference: AJB/JCS
PIERMONT HOMES  
(c/o Fountain Flanagan Briscoe Associates  
Royal Victoria House  
The Pantiles  
Royal Tunbridge Wells  
Kent  
TN2 5TE)

APPLICANTS’ NAME - AGENTS’ OR APPLICANTS’ ADDRESS  
T.P REF.  
DATE VALID  
LOCATION  
NAT. GRID REF.  
BRIEF PARTICULARS  
DATE OF APPLICATION

TW/00/02092  
23/10/00  
The Coach House  
The Vine Hotel  
High Street  
GOUDHURST  
GO  
722200/377700  
Relaxation of Condition 6 of TW/99/00574 (that the building should be used ancillary to the Vine Hotel)  
11/10/00

Category - Planning D Highways D

DESCRIPTION

The Coach House sits on the North Road frontage of the Vine Hotel. It is a two storey brick building with a floor area of some 200 square metres. Planning consent was granted in 1999 for the change of use of the Coach House to an Antiques Shop. Condition 6 of the planning consent stated that:-

“The A1 use of the coach house be ancillary only to and run in conjunction with the Vine Hotel use and it shall not be occupied separately.”

The reason for imposing that condition was the concern that the proposal did not have adequate parking or manoeuvring space and would harm the character and setting of the Listed Building. This application seeks to address the reasons for imposing Condition 6.

RELEVANT HISTORY

TW/94/1331 - Listed Building Consent. Conversion of Coach House to dwelling - Approved 29/06/95 not implemented.

TW/94/1332 - Conversion of Coach House to dwelling - Approved 29/06/95 not implemented.

TW/99/00560 - Renewal (TW/94/1332) - Approved 10/06/99.


TW/99/00574 - Change of use to Antiques shop - Approved 10/06/99.

TW/00/02091 - Listed Building Consent. Conversion of Coach House to Kitchen Showroom - For decision on this agenda.

POLICY

1. Kent Structure Plan 1996

- Policy RS1 - Development in rural Kent
- Policy ENV17 - Conservation Areas
- Policy ENV19 - Listed Buildings

2. Tunbridge Wells Borough Local Plan Adopted 1996

- Policy EN1 - General Development Control Criteria
- Policy EN3 - Proposals affecting a Listed Building or its setting
- Policy EN23 - Landscape Protection
- Policy SP6 - Site within defined Goudhurst Village shopping area
- Policy VP1 - Vehicle Parking
CONSULTATIONS AND BACKGROUND PAPERS

1. Highway Manager

22/11/00 - I would recommend refusal of this proposal. The reasons given for imposing the condition in question were quite sound and an independent use would have an adverse impact on highway safety at this busy crossroads, because it will exacerbate an already problematical parking situation.

16/02/01 - Regarding drawing VINE/52 rev. A. I would recommend that a condition be attached to any permission which requires the hatched area to be kept clear at all times for access and turning only.

2. Parish Council

07/11/00 - This condition was imposed for very sound reasons and the request for its removal raises several questions:

1. Will the proposed new use entail more traffic movements than either of the two approved schemes?

2. The established practice has been for the occupiers of Vine Cottages to park in the yard adjacent to this building. What is now proposed?

3. During the late summer/autumn the Vine Car Park was principally occupied by chairs and tables and customers were parking in Chequers Garage premises. This cannot be regarded as a long term arrangement.

A statement of intent regarding all of these properties should be sought from the applicant in order that a proper judgement can be made as to parking requirements for the various properties. There is a serious lack of off street parking for many existing residences in this area.

4. Private - 1 letter of objection

14/11/00 - The conversion would be detrimental to our property by reason of overlooking and loss of privacy. The proposed development would result in additional hazards to vehicular and pedestrian traffic.

APPRAISAL

This application gives rise to two issues.

(1) Is it in the interests of highway safety to relax the condition.

(2) Will the relaxation of the condition have an adverse effect on the setting or the fabric of the Listed Building.

Highway Safety.

In the form that the application was originally submitted, there were clear highway safety objections. The condition, as it stands, prevents the Coach House from being operated separately from the Hotel. The applicants now wish to sell off the Coach House rather than let it.

In order that the Condition could reasonably set aside, the applicants were invited to seek a solution to the conflict that would occur with two premises in separate ownership, having a common vehicular access and parking and turning facilities.

They have now submitted an amended plan showing the forecourt of the Vine Hotel used for parking, with a common access and turning area to serve both premises. Parking for the Coach House would be to the rear of that property. In addition, they have confirmed their willingness to secure these arrangements by way of a Section 106 Agreement, thereby securing a long term solution to these issues. This solution will overcome some of the concerns raised by the Parish Council.

It is not, however, open to the Local Planning Authority to secure a private arrangement between the owners of adjacent properties and the applicants in respect of car parking.
The opportunity also now exists, through this application, to prevent the use of the forecourt for tables and benches and return it to a parking use.

The impact on the fabric and setting of the Listed Building.

The provision of car parking spaces on the forecourt, rather than tables and benches would not in my view, harm the setting of the Listed Building.

The resolution of conflicts at the access and the provision of suitable turning arrangements would also improve highway safety.

Other matters.

The objector raised concerns about the use of the building. However, the application is not about the use. It relates to the lifting of a condition that controls the operation of the premises. Thus the objectors concern cannot be taken into account in this instance.

Conclusions.

The applicants revised proposals, to be secured by a Section 106 Agreement, would in my view enable this application to be approved.

RECOMMENDATION - THE APPLICANT BE INFORMED THAT THE COMMITTEE WOULD BE MINDED (I) TO REFUSE PERMISSION FOR THE REASONS SET OUT IN PARAGRAPH (III) UNLESS WITHIN SIX MONTHS OF BEING INVITED TO DO SO THE FREEHOLD OWNER ENTERS INTO A BINDING AGREEMENT TO COVER THE MATTERS SET OUT BELOW UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991, IN A FORM TO BE PREPARED BY THE BOROUGH SECRETARY AND SOLICITOR IN WHICH CASE HE SHALL BE AUTHORISED TO CONCLUDE SUCH AN AGREEMENT:-

(1) To mark out on the ground the shared access and turning area shown hatched on drawing no. VINE/52/A attached to application TW/00/02092 before the property known as the Coach House at the Vine Hotel, Goudhurst is brought into use in accordance with the planning permission granted under reference TW/99/00574; without complying with Condition 6 thereof and thereafter to keep the access and turning area available for that purpose for the benefit of both the Coach House and the Vine Hotel, whether or not they are in the same ownership.

(2) To use the forecourt of the Vine Hotel for parking, as shown on the drawing no. VINE/52/A and not to use the forecourt for any purpose that would preclude access to those parking spaces at any time when the Vine Hotel is open to members of the public or has paying guests in residence.

(3) To pay the Council’s reasonable legal costs for the preparation and completion of this Agreement.

(II) IN THE EVENT OF SUCH AN AGREEMENT BEING MADE, THE HEAD OF PLANNING AND BUILDING CONTROL SERVICES SHALL BE AUTHORISED TO GRANT PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS:-

(1) Standard Detailed YZ01.

(III) IF THE APPLICANT SHALL FAIL TO ENTER INTO SUCH AN AGREEMENT, THE HEAD OF PLANNING AND BUILDING CONTROL SERVICES SHALL BE AUTHORISED TO REFUSE PERMISSION FOR THE FOLLOWING REASONS:-

The development would otherwise result in an over-intensive use of the site, without adequate parking or manoeuvring space to the detriment of highway safety and would be likely to result in harm to the character and setting of the Listed Buildings.
PLANS

The following plans are the subject of the recommendation above: Drawing No. VINE/52/A

Reference: PJT/JCS
**APPLICANTS’ NAME**
PIERMONT HOMES (C/o Fountain Flanagan Briscoe Associates Royal Victoria House The Pantiles Royal Tunbridge Wells Kent TN2 5TE)

**AGENTS’ NAME - AGENTS’ OR APPLICANTS’ ADDRESS**

**T.P REF.**
TW/00/02091

**DATE VALID**
23/10/00

**LOCATION**
The Coach House High Street
Goudhurst GO

**NAT. GRID REF.**
722200/377700

**BRIEF PARTICULARS**
LISTED BUILDING CONSENT Conversion of coach House to Kitchen Showroom.

**DATE OF APPLICATION**
11/10/00

---

**DESCRIPTION**

The Coach House is a two storey brick building that sits on the North Road frontage of the Vine Hotel. Planning consent was granted in 1999 for the change of use of the Coach House to an Antiques Shop. This application seeks Listed Building Consent associated with the conversion of the building to a Kitchen showroom. The works involve the insertion of two internal partitions, the formation of an internal doorway, the insertion of a rooflight in to the roof on the rear elevation and the blocking up of one garage door and the insertion of a door and sidelight.

**RELEVANT HISTORY**

See report on application TW/00/02091 on this agenda.

**POLICY**

1. Kent Structure Plan 1996
   - Policy ENV17 - Conservation Areas
   - Policy ENV19 - Listed Buildings

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy EN1 - General Development Control Criteria.
   - Policy EN3 - Proposals affecting a Listed Building or its setting.
   - Policy EN5 - Development in Conservation Area.

**CONSULTATIONS AND BACKGROUND PAPERS**

1. Goudhurst Parish Council
   
   07/11/00 - The Parish Council must recommend refusal until the issues raised by TW/00/02092 are investigated and satisfactorily resolved.

**APPRAISAL**

This application must be considered on its individual merits, that is:-

Will the proposed alterations have an adverse effect on the setting or the fabric of the Listed Building?

The Coach House is a Grade II Listed Building in its own right. It is clearly in need of investment and a use to ensure that it is adequately maintained. In my view the proposal will satisfy that need and bring the building up to a good state of repair. The works proposed are limited and the character of the building will be maintained. Subject to the submission of details of any services or equipment to be fitted to the building the proposals are acceptable.
The views of the Parish Council are noted but the matters the Parish Council raise are more properly dealt with through the planning application reported elsewhere on this agenda.

**RECOMMENDATION - APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:-**

(1) Standard Listed Building Consent YZ02.

(2) Details of any new external joinery and any alterations to existing joinery shall be submitted to and approved by the Local Planning Authority before any works are commenced on site.
   
   **Reason:** In order to ensure that the works do not have any adverse effect on the character or the fabric of the Listed Building.

(3) Details of any extractor equipment or trunking, to provide mechanical ventilation to the interior of the building and details of any ventilation to the soil drainage system, together with details of any weathering, where such provision involves penetrating the external fabric of the building, shall be submitted to and approved by the Local Planning Authority before any such works are carried out.
   
   **Reason:** In order to ensure that the works do not have any adverse effect on the character or the fabric of the Listed Building.

**PLANS**

The following plans are the subject of the recommendation above: Drawing Nos. 2206/00 and 2206/100

Reference: PJT/JCS
**APPLICANTS’ NAME**  
W WICKSTEAD ESQ.  
3 Fynche Cottages  
Bodiam Road  
Sandhurst  
Kent  
TN18 5LG

**AGENTS’ NAME - AGENTS’ OR APPLICANTS’ ADDRESS**

**T.P REF.**  
TW/00/02251

**DATE VALID**  
06/11/00

**LOCATION**  
Ordnance Parcel  5335  
Field Green  
Queen Street  
SANDHURST  
SA

**NAT. GRID REF.**  
785200/295150

**BRIEF PARTICULARS**

**DATE OF APPLICATION**  
02/11/00

**Part A:** New vehicular access  
**Part B:** Erection of livestock shelter

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**DESCRIPTION**

This application seeks consent for the formation of a new vehicular access and the erection of a livestock building on land at Field Green. The site contains a partially completed building, that was the subject of an agricultural notification procedure. The applicant has stated he intends to keep cattle on this area of grazing land. The land will also be used for producing silage and hay. The building is for winter shelter for cattle and the existing part completed building will be used for hay and machinery storage.

The land already has two accesses to the public highway.

**RELEVANT HISTORY**

TW/95/8005 - Article 3 Submission - 3 bay hay barn. Prior approval not required 29/02/95.

**POLICY**

1. **Kent Structure Plan 1996**
   - Policy ENV1 - Protection of the countryside
   - Policy ENV3 - Protection of High Weald Area of Outstanding Natural Beauty
   - Policy ENV4 - Kent Special Landscape Area
   - Policy ED5 - Development to support Kent’s agricultural industry
   - Policy RS5 - Development in rural Kent
   - Policy T19 - New Access on to Primary or Secondary Routes

2. **Tunbridge Wells Borough Local Plan Adopted 1996**
   - Policy EN1 - General Control Criteria
   - Policy EN23 - Landscape Protection in High Weald Area of Outstanding Natural Beauty and Special Landscape Area
   - Policy LBD1 - Development outside the Limits to Built Development
   - Policy TP1 - Vehicle Access

**CONSULTATIONS AND BACKGROUND PAPERS**

1. **Highway Manager**

02/01/01 - Visibility splays need to be shown as per my letter (to the applicant) dated 01/12/99. With reference to the revised drawings submitted in respect of the above. I would recommend that if approval is granted the splays shown be provided and maintained. Any gates should be set back at least 5.5 m. from the edge of the carriageway and preferably more if larger vehicles are to use the access on a regular basis. The vehicular access should be constructed of a bound material outside of the gates.
2. Sandhurst Parish Council

07/12/00 - Recommend refusal for this application. In addition it is requested that KCC report on the agricultural justification for a second building and suggest that the existing access be utilised.

3. Private

1 letter. Supports the application in respect of the new access on the grounds of highway safety. It questions the need for the second building on the holding.

APPRAISAL

This application gives rise to two primary issues.

1) Highway safety; and
2) The justification for a new building in a sensitive landscape area in the Area of Outstanding Natural Beauty.

Highway Safety.

This site currently has two accesses on to the A268. However, neither of these have good visibility for emerging drivers. There is, therefore a case for a new access that does provide improved ease of use and visibility.

The proposed new access will provide a safer means of access and egress than either of the existing accesses. The application also provides an opportunity to seek to have those less acceptable accesses closed. The benefits of this will more than outweigh the disadvantages of a new access on to a secondary route. This will be especially true if the safeguards required by the Highway Manager are put into effect.

Notwithstanding the objections of the Sandhurst Parish Council to a new access, it is considered that, on balance the new access can be justified.

Justification for the building.

The applicant has recently acquired this holding, and has exercised the right to erect a building under the “Permitted Development” rights in Part 6 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995. This work was commenced within the time limit imposed under that legislation, although the building is not yet completed.

The current holding is smaller than the holding was when the notification under Article 3 was given to the Local Planning Authority. There is little evidence of any agricultural activity currently taking place. The holding certainly does not warrant a second building at present. Other than work on the building, nothing appears to have happened on the land since the application was submitted.

The applicant is not entitled to use the building under construction, for the housing of livestock, without seeking a planning consent. (It is specifically excluded by the conditions attached to Part 6 of Schedule 2). In view of the limited nature of the agricultural operation, the use of part of the building as a livestock animal shelter would be preferable to the erection of a new building.

My conclusion is that the site is in a fairly exposed position when viewed from Queen Street. A second building would add to the visual intrusion and cannot be justified in this sensitive rural landscape.
RECOMMENDATION -

PART A: The formation of a new vehicular access APPROVE, subject to the following conditions: -

(1) Standard Detailed - YZ01.

(2) Any gates to be provided at the access shall be set back a minimum of 5.5 metres from the metalled portion of the carriageway.
Reason: In the interests of Highway Safety.

(3) All existing access on to the holding from the A268 shall be closed up and the hedgerow reinstated by new planting, within one month of the new access being brought into use.
Reason: In the interests of highway safety and of visual amenity.

(4) The vision splays shown on the approved plans shall be provided on site, free of all obstruction more than 900 millimetres above the level of the adjacent carriageway, before the access is brought into use. Thereafter they shall be permanently maintained free of all such obstructions.
Reason: In the interests of highway safety.

(5) That part of the new access that falls within the limits of the highway shall be surfaced with a bound material.
Reason: In the interests of highway safety.

PART B: The erection of a livestock shelter be REFUSED on the following grounds: -

(1) The proposal is outside any are where new development would normally be permitted. There is no agricultural justification for a second building on this small unit and thus the proposal, by virtue of it location, would be contrary to the objectives of Policy ENV1, ED5 and RS5 of the Kent Structure Plan 1996 and Policies LBD1, and EN1 of the Tunbridge Wells Borough Local Plan Adopted 1996 which collectively seek to ensure that rural Kent is protected from new development unless there is an agricultural or other acceptable need which justifies permitting it.

(2) The proposal by virtue of its location, size and design would be an intrusive element in the landscape and would thus be contrary to the objectives of Policies ENV3 and ENV4 of the Kent Structure Plan 1996 and Policies EN1 and EN23 of the Tunbridge Wells Borough Local Plan Adopted 1996 which seek to protect and enhance the landscape of the High Weald Area of Outstanding Natural Beauty.

PLANS
The following plans are the subject of the recommendation above: PART A Drawing No. 001 deposited 14 February 2001 and unnumbered plan detailing vision splays deposited the same date. PART B Drawing No. 001 deposited 14 February 2001.

Reference: PJT/JCS
APPLICANTS' NAME
A JESSEL ESQ.
(c/o The Gale and Dunn Partnership
Stocks Farm
Wittersham
Tenterden
Kent
TN30 7ET)

AGENTS' NAME - AGENTS'
OR APPLICANTS' ADDRESS

T.P REF.
TW/01/00221

DATE VALID
22/03/01

LOCATION
Ladham House
Ladham Road
GOUDHURST
GO

NAT. GRID REF.
731250/386650

BRIEF PARTICULARS
Change of use of former agricultural building to form two residential units, including the provision of a new roof and two small extensions.

DATE OF APPLICATION
06/02/01

Category - Planning D Highways X

DESCRIPTION
This application relates to a small agricultural building attached to the former stable block and coach house at Ladham House. The stable block has already been converted to residential units. The layout of the site is such that this building is within the garden area associated with Ladham House and the Stable Block. This area has a clearly defined boundary and all agricultural activity now takes place outside this area. The building has a brick plinth wall with boarding above. The roof of the main part of the building is covered in corrugated sheeting. The smaller portion is brick with a tiled roof to match the rest of the stable block.

The proposal is to reconstruct the boarded section of the wall so that it can support a new tiled roof consistent with the adjoining stable block and the erection of two small extensions to provide protection to the entrance doors.

RELEVANT HISTORY
TW/82/1410 - Toilet extension - Approved 31/01/83.

TW/96/01992 - Article 3 Submission - Replacement tractor, implement & agricultural storage building. Prior Approval Not Required 20/12/96.

POLICY
1. Kent Structure Plan 1996
   - Policy ENV1 - Protection of the Countryside.
   - Policy ENV3 - Protection of High Weald Area of Outstanding Natural Beauty Landscape
   - Policy ENV4 - Protection of Kent High Weald Special Landscape Area
   - Policy RS1 Development in Countryside
   - Policy RS5 - Development in rural Kent

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy LBD1 - Development outside the Limits to Built Development
   - Policy EN1 - General Development Control Criteria
   - Policy EN12 - Protection of Historic Parks and Gardens
   - Policy EN23 - Landscape Protection in Area of Outstanding Natural Beauty and Special Landscape Area
   - Policy H15 - Conversion of Buildings to residential use
CONSULTATIONS AND BACKGROUND PAPERS

1. Goudhurst Parish Council
   07/03/01 - Recommend Approval.

APPRaisal

This application gives rise to two issues.

(1) Is the principle of the conversion of the building acceptable having regard to the level of reconstruction proposed?

(2) Is the proposal acceptable having regard to Policy EN12 and the site’s location in a garden of local historic interest and the High Weald Area of Outstanding Natural Beauty.

To some extent these two areas of Development Plan Policy conflict in respect of this proposal. Policies RS5 and H15 seek to ensure that only buildings in keeping with their surroundings in the countryside should be converted, if conversion can be carried out without substantial rebuilding. Conversely, the fact that the site is within a designated Historic Garden of local interest and the Area of Outstanding Natural Beauty supports any proposal to improve the contribution of the building to the special qualities of the locality.

In this instance the building is in good condition and apart from the roof is in keeping with its surroundings. The proposal is thus to replace the roof materials with a material more in keeping with its surroundings. The new roof would create a space in which additional accommodation would be provided. This degree of reconstruction does go beyond what would normally be acceptable in terms of Policy H15. However, the existing roof detracts from the rest of the group. The materials and pitch of the new roof would match other roofs in the group and would significantly enhance the appearance of the group as a whole. I consider this to be a benefit that can be given considerable weight.

An existing building will be improved visually. Two additional units of accommodation will be provided, closely related to existing residential properties, without the need to construct a new building in the countryside. The circumstances of this case are such that granting permission should be granted.

RECOMMENDATION - APPROVE, AS CLARIFIED BY DRAWING NO. 0001/AJ/200 DEPOSITED 8 MARCH 2001, SUBJECT TO THE FOLLOWING CONDITION: -

(1) Standard Detailed YZ01.

(2) Samples of Materials D001.

(3) Restriction on Permitted Development R001 <A-E>.

Pplans

The following plans are the subject of the recommendation above: Drawing No. 0001/AJ/200 deposited 8 March 2001.

Reference: PJT/JCS
APPLICANTS' NAME
AGENTS' NAME - AGENTS' OR APPLICANTS' ADDRESS

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<th>T.P. REF.</th>
<th>LOCATION</th>
<th>BRIEF PARTICULARS</th>
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<td>TW/00/02161</td>
<td>Ridge Farm House</td>
<td>Ground floor extensions and extensions to detached garage. Detached ancillary office building</td>
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<th>DATE VALID</th>
<th>NAT. GRID REF.</th>
<th>DATE OF APPLICATION</th>
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<tr>
<td>19/10/00</td>
<td>762300/356400</td>
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**DESCRIPTION**

This is a Grade II listed timber framed part tile hung/part white weatherboard house dating from the 16th century but with a 17th century extension added to the part fronting the road. This is now the principal elevation. The property was then altered in the 19th century and further extensions added in the 20th century. It is located at the north-west edge of Lamberhurst Down within the designated Conservation Area, with the Lamberhurst Vineyard complex to the west. It stands in extensive gardens and there is a detached double garage sited 10 metres to the north of the main house.

The proposal is threefold:

1. A single storey garden room extension is proposed on the rear of the house extending to some 6.1 metres constructed in second hand facing bricks, stained timber window frames. It is shown with a pitched plain tile roof.

2. At the northern end of the house an existing lean-to addition is to be removed and an enlarged extension built 3.6 metres x 4.5 metres, finished in weatherboarding and plain tile hanging and roofing. The enlarged roof space is utilised to form an en-suite shower room at first floor level.

3. The detached garage would be extended out by 5.5 metres at the rear to form an office and by 2 metres at the side to form an oil store. In a covering explanatory letter the applicant points out that his occupation as a consultant sees him working from home 2 or 3 days per week occasionally seeing clients at home. This currently takes place within the main house. Mobility of visitors is sometimes limited and a ground floor office would be more suitable if he employs a secretary. This office was originally shown sited in a detached building but there was concern expressed by officers that this would intrude into the open garden area to the north of the house. The garage was also originally shown with a rear extension but the plans as amended incorporate this office space into the existing garage building.

A timber building has been approved as part of the recently extended curtilage to cater for garden storage. Finally, it should be noted a new garden wall to the north of the garage and linking the garage to the house is also proposed, to improve the privacy of the rear garden areas.

This application would have been approved as a delegated matter were it not for the recommendation of the Parish Council

**RELEVANT HISTORY**

TW/84/0294 - Detached double garage and vehicular access - Refused 01/05/84. Appeal allowed 23/01/85.

TW/95/11049 - Listed Building Consent - Alterations to ground floor and formation of bathrooms on first and second floors - Approved 08/10/96.
POLICY

1. Kent Structure Plan 1996
   - Policy ENV3 and ENV4 - Areas of Outstanding Natural Beauty and Special Landscape Areas
   - Policy ENV17 - Conservation Areas
   - Policy ENV19 - Buildings of Architectural and Historic Importance
   - Policy RS1 - Rural settlement - General
   - Policy RS5 - Development at Hamlets and in the countryside

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy EN1 - Design and other control criteria
   - Policy EN3 - Listed Buildings of Architectural and Historic Importance
   - Policy EN5 - Conservation Areas
   - Policy EN23 - Landscape and Setting in High Weald Area of Outstanding Natural Beauty and Special Landscape Area
   - Policy H13 - Extensions to dwellings outside the Limits to Built Development

CONSULTATIONS AND BACKGROUND PAPERS

1. Lamberhurst Parish Council
   26/02/015 - (Comments on latest amendment). Confirms its earlier objection to office accommodation and again rejects this new submission for an office to adjoin the garage. Also wish to object to the proposed roof line in this Conservation Area and would object to any future proposal to site office facilities within the roof of the proposed garage. (In its earlier representation the Parish had raised no objections to the two extensions to the house).

2. The Lamberhurst Society
   19/11/00 - This is development in a green field site in the Conservation Area and Area of Outstanding Natural Beauty. It contravenes Local Plan policy in every respect and the Society strongly objects.

APPRAISAL

The main considerations are the impact of the proposals on the character and appearance of the conservation Area and on the character, appearance and setting of the Grade II Listed Building. In respect of the extensions to the house these are on a much more modest scale then was put forward in various pre application discussions. I agree with the Parish Council that they do not compromise the character or appearance of the Listed Building. The garden room takes the form of an orangery and the side extension enlarges on what already exists. Both are well designed with materials in keeping with the house.

The area of concern to the Parish Council is the extension on the garage for a home office. The main office extension to the garage is located so that it has minimal impact in views from outside the site and in my view does not have an adverse impact on the setting of the listed building or High Weald Area of Outstanding Natural Beauty Landscape. The addition on the rear is a preferable solution to having a detached building as was originally proposed. The scale of the office is consistent with an individual working from home and does not suggest a material change of use of the property as a whole. The use of the addition is acceptable and an appropriate condition can be added so that it remains ancillary to the main house. I understand that is a use which already takes place in the main house.

Finally, in the context of this building and site I do not object to the garden walling.
RECOMMENDATION - APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:-

(1) Standard Detailed YZ01.

(2) Samples of Materials D001.

(3) Submission of joinery details D017.

(4) Rainwater goods used in the exterior of the building shall be made from cast iron and shall be retained as such to the satisfaction of the Local Planning Authority.
   Reason: To ensure a satisfactory appearance upon completion of the development.

(5) All details of ventilation including any mechanical ventilation shall be submitted to the Local Planning Authority for written approval before any development commenced and shall be implemented and retained to the satisfaction of the Local Planning Authority.
   Reason: To ensure a satisfactory appearance upon completion of the development.

(6) The use of the rear extension to the garage hereby permitted shall be ancillary only to that of the main dwelling and it shall not be occupied or used separately.
   Reason: To enable the Local Planning Authority to regulate and control any further development in the interests of protecting the character and amenities of the locality.

PLANS

The following plans are the subject of the recommendation above: 557/01; 557/02; 557/04; 557/10B; 557/11B; 557/12A; 557/13A; 557/14A; 557/15A.

Reference: TA/JCS
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<th>APPLICANTS’ NAME</th>
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<tr>
<td>DR AND MRS N LENG (James and Coombs Associates)</td>
<td>LISTED BUILDING CONSENT</td>
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<tr>
<td>Merlins Studio</td>
<td>Demolition of rear extension,</td>
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<tr>
<td>Mill Drive</td>
<td>internal alterations and new</td>
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<tr>
<td>Crowborough</td>
<td>ground floor extensions</td>
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**T.P. REF. DATE VALID LOCATION NAT. GRID REF. DATE OF APPLICATION**

| TW/00/02162 | 19/10/00 | Ridge Farm House | 672300/356400 |
| 19/10/00 |

**DESCRIPTION**

This application for Listed Building Consent includes the two extensions to the dwellinghouse described in the previous applications and the new garden walling. The extensions to the detached garage do not need Listed Building Consent.

**RELEVANT HISTORY**

See previous report in application TW/00/02161 above.

**POLICY**

See previous report on application TW/00/02161 above.

**CONSULTATIONS AND BACKGROUND PAPERS**

See previous report on application TW/00/02161 above.

**APPRAISAL**

I have no objection as to the effect on the appearance and character of the Listed Buildings of the two extensions proposed. I have no objection to the sections of new garden wall, one end of which is attached to the side extension of the house, not to any part of the original listed building itself.

**RECOMMENDATION - APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:-**


**PLANS**

The following plans are the subject of the recommendation above: 557/01; 557/02; 557/04; 557/05; 557/10B; 557/11B; 557/12A; 557/13A; 557/15A.

**Reference: TA/JCS**
**DESCRIPTION**

This former chicken house building was converted to a workshop making purpose made joinery and furniture in 1995. I reported to the 23 January 1995 Committee that the business was formed in 1983 and occupied premises at Goudhurst but now wished to move into freehold premises in the Cranbrook area. It employed 8 people and had strong local connections. It had worked with a young enterprise company made up of nine 15 year old pupils from Angley school who were runners-up in the south east regional finals for the Young Enterprise Company. It was also noted that the business generated a maximum of 4 visits per month by 6 wheel, 7 tonne rigid vehicles delivering timber and a maximum of 9 cars and lights vans on an average working day.

The report to committee concluded that the use was fully in accord with Local Plan Policies and PPG7 but in view of the proposed use of the narrow local access road it was considered essential to restrict the use by conditions.

Condition (2) of the planning permission stated:

This consent shall inure only for the benefit of Mr Chiles trading as Mounts Hill Woodcraft and it shall not inure for the benefit of the land or of any other person or persons for the time being having an interest therein.

Reason: The Local Planning Authority are only prepared to grant permission because of the personal circumstances of the applicant which outweigh other material considerations in this instance.

Other conditions restricted the use to a timber workshop, controlled hours of operation and limited noise emissions.

The applicant now states:

"Mountshill Woodcraft & Design is now a limited company with more than one shareholder and we would therefore prefer that the permission reflect this and be applicable to the site (i.e. Oakhurst Farm) rather than just myself trading as Mountshill Woodcraft & Design.

At present the implication is that if I, as an individual, cease to trade for any reason (injury, death or other business interests, for example) the firm would be in breach of planning, which is a scenario we would prefer to avoid for obvious reasons. This is why we are taking the necessary steps to rectify this situation."

The applicant has confirmed that traffic levels remain as was predicted in 1995.

This application would have been approved as a delegated decision but for the recommendation of the Parish Council.
RELEVANT HISTORY

TW/94/01148 - Change of use of farm building to B1 (C) industrial and access alterations - Approved 28/04/95
Section 106 Agreement signed to not use the existing vehicular access (also shared with a neighbour).

TW/00/02318 - Change of use of workshop spray room into kitchen showroom - Approved 14/12/00.

POLICY

1. Kent Structure Plan 1996
   - Policy RS1 - Development in rural Kent
   - Policy RS4 - Employment in rural Kent by small businesses

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy EN1 - General Development Control Criteria
   - Policy E6 - Economic Development Outside the Limits to Built Development

CONSULTATIONS AND BACKGROUND PAPERS

1. Highways Manager
   05/03/01 - As I commented in 1994, I remain concerned about an unfettered use. If it is to remain in the present use - which was acceptable because of its claimed low volume of traffic movements, would it be appropriate to require the use to solely be for that applied for - or does condition 3 of original permission cover that already?

2. Cranbrook Parish Council
   16/02/01 - Condition should not be lifted because there is no material difference to the circumstances which led to the original limitation.

3. Private
   05/02/01 - Notes that original permission only granted because of personal circumstances or applicant. Condition was correctly imposed to safeguard the site from development other than that of Mr Chiles workshop under his personal control. Concerned if condition now to be lifted.

APPRAISAL

D.of.E Circular 11/95: The use of conditions in planning permissions contains the following advice.

Paragraph 92: “Since planning controls are concerned with the use of land rather than the identity of the user, the question of who is to occupy premises for which permission is to be granted will normally be irrelevant.

Paragraph 93: “Unless the permission otherwise provides, planning permission runs with the land and it is seldom desirable to provide otherwise. There are occasions, however, where it is proposed exceptionally to grant permission for the use of a building or land for some purpose which would not normally be allowed at the site, simply because there are strong compassionate or other personal grounds for doing so. A permission personal to a company is inappropriate because its shares can be transferred to other persons without affecting the legal personality of the company.

Condition (3) of the original planning permission restricts the use of the building to a timber workshop and other conditions restrict outside storage, hours of work and noise levels. The issue therefore is whether the Local Planning Authority can justify maintaining condition (2). There is clear advice in D.o.E Circular 11/95 that it is seldom desirable to use a personal condition and a condition personal to a company is inappropriate.
If Mr Chiles’ business were to cease occupying the building some time in the future, I do not consider that there would be any planning grounds to argue that planning permission should not be granted to another timber workshop business to operate from the building in accordance with Condition 3. While I accept the concerns of the Parish Council and Highways Manager, it is considered that the small scale floor area of the building together with condition (3) will restrict the number of traffic movements along the narrow access road. In the circumstances, I do not consider there are grounds to refuse this application.

RECOMMENDATION - APPROVE

Informative:

(1) Your attention is drawn to all the other conditions imposed on the grant of planning permission TW/94/01148 in 1995, all of which need to continue to be adhered to.

PLANS

The following plans are the subject of the recommendation above: Site plan received 24 January 2001.

Reference: AJB/JCS
DEPARTURE APPLICATION

This application proposes four substantial new dwellings in the countryside, outside the defined Limits to Built Development and within the High Weald Area of Outstanding Natural Beauty and Special Landscape Area. The application has been advertised as a departure. However, in view of the appeal decision in respect of the previous application (TW/99/2004) this is not an application that needs to be referred to the Operational services Board if Members are minded to Approve the application.

DESCRIPTION

The site comprises the currently vacant petrol filling station and vehicle repair workshop at Four Throws together with an adjoining detached house and gardens. The garage site comprises a petrol pump forecourt and canopy, and a steel clad vehicle repair workshop measuring 27 metres by 12 metres. The dwelling stands centrally on the frontage with gardens to the rear and at the site. The site has an area of 0.27ha and a road frontage of 55 metres.

The proposal is to remove all existing buildings from the site, and to redevelop with four dwellings laid out and designed in a manner to give the impression of a converted range of rural buildings around small courtyard. Three of the units have a converted barn appearance with linked garages and the fourth is designed in the style of a farmhouse with detached garage. Materials would be traditional in appearance. The existing garage forecourt access would be closed with access for all four houses being via an existing access point at the north-western end of the frontage.

The application site is in a hamlet described by an Inspector in September 2000 as “not in open countryside” but in an area “including a number of residential properties, a small shop/post office and the Hawkhurst Bowls club”. There is also sporadic ribbon development to the west along the A268, including the detached dwelling “Petersgate” 26 metres from the house on proposed plot 2.

The site adjoins the rear gardens of properties in Longhurst Lane. These properties have rear gardens of some 25 metres. To the south of the site a former agricultural building is now used for commercial purposes.

RELEVANT HISTORY


TW/99/02004 - Demolition of buildings and erection of four detached dwellings - Refused 21/03/00 - Appeal dismissed.
POLICY

1. Kent Structure Plan 1996
   - Policy S6 - Housing
   - Policy ENV1 - Countryside
   - Policy ENV3 - Areas of Outstanding Natural Beauty
   - Policy ENV4 - Special Landscape Areas
   - Policy RS1 - Rural settlement - General Policy
   - Policy RS5 - Development at Hamlets and in the countryside
   - Policy T18 - Traffic and Development

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy LBD1 - Limits to Built Development
   - Policy EN1 - Design and Other Control Criteria
   - Policy EN23 - High Weald Area of Outstanding Natural Beauty
   - Policy TP1 - Vehicle Access
   - Policy E5 - Loss of Employment Sites

CONSULTATIONS AND BACKGROUND PAPERS

1. Highways Manager

   16/03/01 - No objection subject to the permanent stopping of the south-eastern access point, provision
   and maintenance of on-site turning facilities as shown the maintenance of three parking space per
dwelling, no gates within 5.5 metres of the edge of the highway and retention of the existing footway
   across the front of the site.

   Notes that latest design does not include a refuse collection point and footway link to the post office. The
   driveway should be retained in a bound material - does not want loose gravel.

2. Environmental Services Manager

   24/11/99 - No objection to residential development of the site subject to the imposition of conditions
   requiring a proper investigation of the site to ascertain the level of any contaminants arising from its
   previous use, and measures for its treatment. There will undoubtedly be contaminants on or under the
   surface, some of which pose a significant risk if not identified and removed.

   Service is not aware of any complaints arising from the existing commercial premises to the rear, but
   residential development of this site may give rise to complaints in the future, especially if the occupation
   of the business use changes or becomes more intensive.

3. Hawkhurst Parish Council

   09/01/01 - Approved.

4. Environment Agency

   05/02/01 - Any redevelopment must note site will possibly have contaminates in the ground. Therefore a
   site investigation should be carried out, which should include monitoring for soil gases that may arise from
   deposits of fill material on site.

   The Agency can assist in assessing the adequacy and accuracy of any reports submitted by applicant with
   respects to hazards associated with landfill gas and contamination.

5. Private

   1 letter received points out their corner shop and post office closed last Autumn due to an armed robbery.
   Are concerned that the shop may now be incorporated in any redevelopment proposed - can a condition
   be imposed requiring shop to remain and be marketed as a commercial enterprise? Have no immediate
   objection to plan for redeveloping garage site.
The principal issues were identified by the Inspector in his September 2000 decision on the previous (TW/94/2004) proposal, namely:

- The impact on the character and appearance of the area, having regard to the fact it was outside the defined Limits to Built Development.
- The impact on the living conditions of the proposed occupiers and the occupiers of adjacent dwellings, particularly as regards privacy.

Impact on the character of the Area of Outstanding Natural Beauty

The Inspector noted that any housing redevelopment proposal would be contrary to Kent Structure Plan Policy RS5 and Local Plan Policy LBD1, which applies to sporadic development in the countryside. However, he concluded that there were advantages that “would outweigh the conflict with policy and the complementary rural area policies of the Local Plan”. He made the point that this appeal was very different to a recent appeal housing redevelopment appeal decision at Heartenoak scrap yard in Hawkhurst.

In this Four Throws case the site was in a hamlet on a main road which the Inspector found to be a “relatively concentrated” group of buildings. He also considered that the proposal would significantly improve the appearance of the site. He concluded that, in design terms, the scheme incorporates features that are part of the local architectural vocabulary and the scheme will have a visual cohesiveness and interest that relates well to the nature of the rich local architectural tradition. The scheme would thus not conflict with the aims of the policies that seek to protect and enhance the character and appearance of the High Weald Area of Outstanding Natural beauty and Special Landscape Area. It would also, meet the government requirement of maximising the use of previously developed land.

In conclusion, although the Inspector found the scheme to be a departure, there were other considerations which outweighed the conflict with Policy.

Impact on amenities of proposed occupiers and adjoining dwellings

The previous appeal was dismissed because of two aspects of unacceptable overlooking. First, was the fact that the garden of unit 3 was overlooked by a large study window at second floor level in unit 4. The plan has thus been amended to reduce the size of this window, although it is still only 5 metres from the boundary of the rear garden of unit 3.

Secondly, there was previously unacceptable overlooking of rear garden of existing properties in Longhurst Lane, only 8 metres from the south east elevation of unit 4. The scheme dismissed on appeal included on this elevation a gallery window at first floor level and a large landing window on the second floor. The plan has now been amended to delete all second floor windows and at first floor there is just a small high level window to a dressing room, off of the master bedroom.

CONCLUSION

The appeal decision did not identify any objection to the principle of this development.

I consider the scheme as amended will not harm amenities of adjoining residential property. Consequently the Inspector’s concerns have been overcome and approval is recommended.
(1) Standard detailed YZ01.

(2) Samples of Materials D001.

(3) Provision of parking space V003.

(4) Limitation on access H008 <the access shown on the approved drawing 11500C/01>.

(5) A footway shall be constructed along the frontage of the site in accordance with the approved drawing 11500C/01.
   Reason: In the interests of highway safety.

(6) Restriction on permitted development R001 <A, B, C, D>.

(7) No windows to be inserted in elevation D016 <north east and south east elevation of unit 4> and south east elevation of unit 3>.

(8) Landscaping scheme to be approved L006.

(9) Landscaping scheme to be implemented L001.

(10) A refuse collection point for the storage of bins shall be provided within 25 metres of the public highway.
    Reason: To facilitate the collection of refuse.

(11) No construction work shall commence until a detailed scheme for the investigation, recording, removal, containment or otherwise of any contamination of the site resulting from its former use has been carried out by a suitably qualified and accredited consultant/contractor, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
    Reason: To ensure a satisfactory development of the site.

(12) Works to prevent deposit of mud G033.

PLANS

The following plans are the subject of the recommendation above: 11500C/01, 02, 03, 04, 05, 06, 07, 08, 09 and 10.

Reference: AJB/JCS
MR J PEMBLE  
(c/o Alan Bishop Consultancy  
Grove barn  
Grove Lane  
Hunton  
Maidstone  
Kent  
ME15 0SE)  

17/10/00  
665600/415500  
17/10/00  

Proposed conversion of oasthouse, barn and stables to 3. No dwellings

Category - Planning D   Highways D

DESCRIPTION

This proposal involves the conversion to dwellings of a group of three farm buildings comprising.

A   A traditional oast constructed in 1850.
B   A small stable/cartlodge building, built 1880.
C   An apple barn constructed in 1950 as a fruit processing and canning building.

The farm at which the group stand lies some 250 metres from Brenchley Road, in an attractive part of the High Weald Area of Outstanding Natural Beauty. Access is along a metalled track which also acts as a footpath, and apart from the subject buildings comprises a pair of cottages and an extensive range of cold stores, a small part of which is removed as part of this proposal.

In detail, the buildings can be described as follows:

Building A

The oasthouse has two roundels, one of which has lost its roof. It stands on a sloping part of the site and the main barn area is thus accessible on two levels. At the lower level it faces across the front of the cannery and is open fronted. There is an adjacent building clad in corrugated sheeting, which also has an open undercroft. The proposed conversion involves the removal of this structure and the use of the space to provide garaging with a terrace above. The second roundel roof is reinstated. The structural appraisal submitted with the application indicates that areas of new timber construction are required above ground floor level where a sole plate and eaves plate have deteriorated leading to the collapse of part of the stowage area roof. The existing roundel roof is also in need of extensive repair.

Building B

The stable is a simple brick and plain tile building currently in use as a workshop assembling double glazing (application TW/96/2064 refers). It stands on the opposite side of the farm access road from the other two buildings. The proposal envisages the creation of a two bed unit with open parking to the front.

Externally, each proposed dwelling is shown with an area of residential curtilage fenced or hedged off from adjoining orchards. The farm access track between the buildings is realigned further away by just a few metres in order to ease it away from the oast and barn.
Building C

The barn is a later building put up in 1950 for canning/processing operations, which apparently ceased soon afterward. It is a large two-storey building with an open-fronted undercroft on its northern side, and double sliding doors opening onto the forecourt in front of the oasthouse. It is of brick construction around a steel frame with a corrugated covered roof. The proposal puts forward the conversion of this building into a single unit with living areas on the top floor, with the lowest level used partly as garaging. The existing roof material would be removed and replaced with a lightweight slate which would necessitate rebuilding the roof structure. Other repairs are mainly confined to repairing cracks in the masonry caused by the thermal expansion in the steel frame acting upon the brickwork.

This scheme has been arrived at following pre and post application meetings between officers and the applicant, which have involved detailed discussion over the design of the proposals and the question of whether the proposed complies with all policies of the Development Plan.

RELEVANT HISTORY


TW/96/02064 - Retrospective, Change of use of redundant agricultural building to storage and assembly of window frames - Approved 16/04/97.

TW/97/00260 - Change of use of agricultural land for storage of scaffolding - Refused 29/04/97. Enforcement Notice served 31/07/97.

POLICY

1. Kent Structure Plan 1996
   - Policy ENV1 - The Countryside
   - Policy RS1 - Rural Settlement General Policy
   - Policy RS5 - Development at Hamlets and in the Countryside
   - Policy ENV3 & ENV4 - Areas of Outstanding Natural Beauty and Special Landscape Areas

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy LBD1 - Limits to Built Development
   - Policy EN1 - Design and Other Control Criteria
   - Policy EN23 - Landscape and Setting
   - Policy H15 - Conversion of Redundant Agricultural Buildings to Residential Use Outside the Limits to Built Development
   - Policy TP1 - Vehicle Access

3. Supplementary Planning Guidance

CONSULTATIONS AND BACKGROUND PAPERS

1. Brenchley Parish Council
   07/11/00 - In principle we recommend approval for the oasthouse and stable block. However, we are concerned at the proposed division of the apple store. Could it be sub-divided for smaller units in keeping with parish needs? We do question if it is worth preservation. We recommend refusal on the whole scheme as the curtailage of close board fencing, 1.8m high on a brick wall is contrary to the Design Principles of the Re-Use of rural buildings guidelines.

   05/02/01 - (Comments on amended details) - We continue to recommend refusal of the plans as drawn. In principle we have no objections to the oasthouse and stable, but continue to believe that the apple store would be better divided into two smaller units being more suitable to local housing needs.
2. Kent County Council Public Rights of Way Officer

Footpaths WT288 and WT288A abut the site and crosses the site area edged red. This office should be contacted before any fencing work is carried out which could impinge on the Right of Way

APPRAISAL

The major policy consideration here is the acceptability of the conversion of these buildings in the light of the criteria set out in Local Plan policy H15 and the fact the site is in the Area of Outstanding Natural Beauty.

I am satisfied that, although it requires quite extensive repairs to its fabric, the oasthouse satisfies the requirements of the policy. It is in keeping with its surroundings, and its loss would be detrimental to the character of the countryside. Although criteria 1 of H15 requires buildings to be converted without extensive alterations or rebuilding, I nonetheless consider that the rebuilding of the second roundel roof is acceptable when seen in the context of the scheme as a whole. It can be viewed, in addition, as the re-establishment of an important and characteristic feature of the building, important to its original function as a kiln, and a representative part of the Kentish landscape.

The barn building is an obviously later addition to the farm, but is nevertheless an established part of the farm group, and I would say that it is in keeping with its surroundings. It has some historic interest in that it formed an element of the farms’ evolution as a self contained fruit processing facility. All matters considered, I am of the opinion that this building also satisfies the criteria of policy H15.

Finally, the stable building, while modest, is a traditional building in keeping with its surroundings and it too satisfies policy.

Access into the site is considered satisfactory with the driveway leaving Brenchley Road on the outside of a bend with good visibility in both directions.

The Parish Council have raised a point as to the suitability of the 1950s barn for conversion which I have addressed above. They also make the point that it could be used for local housing needs. However, the criteria for conversion set out in policy H15 do not differentiate between housing types. I consider that this building is unsuitable for such a use in any event. Subdivision into two would create units of in excess of 190sq.m., which can hardly be described as “small”. The creation of a higher number of even smaller units would begin to have implications for the density of development on the site, and the impact of the alterations on the appearance of the building, as well as on the appearance of the surrounding landscape. The location of the site away from the main road and well outside either Matfield or Brenchley is not considered suitable for local housing needs.

RECOMMENDATION - APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:-

(1) Standard Detailed YZ01.

(2) Samples of Materials D001.

(3) Restriction on Permitted Development R001 <A, B, C, D, E, G and H>. Add after “Part 1”, “or Class A of Part 2”.

(4) Submission of Joinery Details D017.

(5) Restriction on Curtilage R013 <oasthouse, barn and stable>.

(6) Provision of Parking Space V004.

(7) Landscaping Scheme to be Implemented L001.

(8) All buildings shown to be removed on the approved plans shall be removed prior to the occupation of the first of the buildings to be converted.

Reason: To ensure a satisfactory development and to protect the character and appearance of the countryside.
PLANS

The following plans are the subject of the above recommendation: 418/1A; 1047/2; 1047/3A; 1047/4A; 1047/5A; 1047/6 and Structural Surveys dated 15/09/2000.

Reference: TA/JCS
**DESCRIPTION**

This application seeks consent for the renovation and conversion of a timber framed barn originally dating from the seventeenth century. The Grade II listed building has a simple four bay configuration, with a single storey outshot and is clad in weatherboarding with a corrugated iron roof covering. The application would see the removal of the modern single storey ‘wrap-around’ and lean-to extensions, with the historic core of the barn converted to a three bedroom dwelling with central full-height void area.

The application would also see the re-use of one of the existing smaller agricultural buildings on the site, re-clad in weatherboarding, for use as garaging.

The barn is on the ‘Buildings at risk’ register, and the application should be considered in the context of the recent permission to convert the adjacent oast and remove various post-war structures from the site.

**RELEVANT HISTORY**

There is no relevant planing history to the building.

**POLICY**

1. Kent Structure Plan 1996
   - Policy ENV19 - Preservation of the Character of Listed Buildings

2. Tunbridge Wells Borough Local Plan Adopted 1996
   - Policy EN1 - General Development Control criteria.
   - Policy EN2 - Removal/obscuring of features of architectural and historic interest.
   - Policy EN3 - Alterations to buildings of architectural and historic interest
   - Policy H15 - Conversion of redundant buildings outside the defined limits

**CONSULTATIONS AND BACKGROUND PAPERS**

1. Hawkhurst Parish Council
   
   05/09/00 - Approved.
   
   06/03/01 - Approved.

2. English Nature
   
   07/09/00 - Advise that the applicant should check whether bats are present. If bats are found it is necessary to consult DETR about licensing implications before any work can proceed.
APPRAISAL

The building can be considered as being suitable for conversion as it is in keeping in terms of scale, design and materials with the other historic farm buildings at the site.

The proposed conversion would require some degree of remedial intervention into the fabric of the barn, primarily the installation of two new central posts and four braces, and the replacing of the existing corrugated iron roof with a more traditional plain clay tile finish, although it is not considered that these remedial works are sufficient to constitute ‘extensive alterations’ as per Policy H15.

Internally the simple, agricultural character of the barn would be retained to a certain extent by the proposed pattern of subdivision and the retention of a central void and gallery, open from ground to vaulted ceiling, and covering a significant proportion of the original seventeenth century structure. The subdivision of internal spaces along the lines of the original bays and the inclusion of a full height open area is in-line with not only the Borough’s Supplementary guidance but also that offered by English Heritage. The removal of the modern single storey additions to the barn, which would otherwise require a substantial degree of re-building, would allow for the reversion to the building’s historic form.

The pattern and positioning of the proposed new openings for windows is considered acceptable, with windows generally fitted between the studwork of the building’s fabric to minimise intrusion. The existing roof structure would need to be strengthened and supplemented by additional timbers to allow for the extra loading of a tiled roof.

The proposal, which can be considered to be in-line with the supplementary guidance, should also be considered in terms of overall visual impact and prominence. The removal of the various twentieth century structures would undoubtedly benefit the appearance of the setting of the listed farm group.

A full and detailed structural survey of the timber frame highlighted some members and joints that require remedial attention, although no attempt to ‘straighten’ the distortions of the timber frame are proposed.

The scheme will result in an overall improvement in the appearance of the area whilst allowing for the retention of the simple agricultural nature of the barn.

RECOMMENDATION - APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:-

(1) Standard Detailed YZ01 <delete “five” and insert “one”>.
   Reason: To ensure the early implementation of the scheme in the interests of the preservation of the listed building.

(2) The structures shown on the approved plans as to be demolished shall be removed from the site before the occupation of the dwelling commences.
   Reason: to ensure that the demolition is carried out as a continuous operation with the redevelopment of the site.

(3) Sample of Materials D001.

(4) Restriction of Permitted Development Rights R001 <A to H of Part 1 and A and B of Part 2>.

(5) Joinery Details D017.

(6) Garaging of Vehicles V009.

(7) Vehicle Parking and Turning Space V013.

(8) Disposal of Waste F007.

(9) Landscaping Scheme L006.

(10) Landscaping to be Implemented L001.
(11) The site shall be fenced adequately in accordance with details to be submitted to, and approved by the local planning authority before any occupation of the dwelling commences.
Reason: In the interests of visual amenity.

PLANS

The following plans are subject of the recommendation above: 0509/01, /05 and /06 and letter received 24 August 2000, and H3401/01, /02, and /03 received 12 February 2001, and 0509/2A and 0509/4A received 7 March 2001 and letter received 19 March 2001.

Reference: JCS/SAR
<table>
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<tr>
<th>APPLICANTS’ NAME</th>
<th>AGENTS’ NAME - AGENTS’ OR APPLICANTS’ ADDRESS</th>
<th>T.P. REF.</th>
<th>LOCATION</th>
<th>BRIEF PARTICULARS</th>
</tr>
</thead>
</table>
| MR AND MRS P SANTER | (Judith Norris Bsc FRICS
Well House Farm Office
Potters Lane
Gills Green
Cranbrook
Kent
TN18 5BB) | TW/00/01772 | Barn 30m NW of Gills Green Farmhouse
Gills Green
HAWKHURST
HA | LISTED BUILDING CONSENT - Conversion to a single dwelling |

**Category** - Planning D   Highways

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**DESCRIPTION**

This application seeks Listed Building Consent for the works the subject of application TW/00/01770 reported on this agenda.

**RELEVANT HISTORY**

See report for application TW/00/01770 on this agenda.

**POLICY**

See report for application TW/00/01770 on this agenda.

**CONSULTATIONS AND BACKGROUND PAPERS**

See report for application TW/00/01770 on this agenda.

**APPRAISAL**

See report for application TW/00/01770 on this agenda. The proposals would enable the preservation of the listed building.

**RECOMMENDATION - APPROVE, SUBJECT TO THE FOLLOWING CONDITION:-**

1. Standard detailed YZ02 <delete “five” and insert “one”>.  
   Reason: To ensure the early implementation of the permission in the interests of the preservation of the listed building.

**PLANS**

The following plans are the subject of the recommendation above: 0509/01, 05 and 06 and letter received 24 August 2000, and H3401/01, 02 and 03 received 12 February 2001, 0509/2A and 0509/4A received 7 March 2001 and letter received 19 March 2001.

Reference: SAR/JCS