

**East Peckham**                      **566433 151704**                      **10.02.2004**                      **(A) TM/04/00481/FL**  
East Peckham And                      **(B) TM/04/00485/LB**  
Golden Green

Proposal:                      (A) Retrospective application for extensions and alterations to existing garage blocks; erection of 2 no timber storage sheds; replacement oil storage tanks; new tennis court with enclosure and storage shed; 3 no 5m high pole mounted CCTV cameras; new 1.8m fencing; Change of use of agricultural land to parkland garden including feature lakes, bridges, perimeter bunding and boathouse and pumphouse  
(B) Retrospective application for Listed Building Consent for internal alterations to dwelling, creation of arch and connecting bridge to garden wall and alterations to garage block including existing garden wall

Location:                      The Dower House Roydon Hall Road East Peckham  
Tonbridge Kent TN12 5NH

Applicant:                      Mr K Stanford

---

**1. Description:**

(A) TM/05/00481/FL:

- 1.1 The application proposes the change of use of an agricultural field (grazing land) into parkland and also a number of new building works within the grounds of a Grade II\* Listed Building and within the newly created parkland. The application has been submitted on a retrospective basis. (Some of the works were completed prior to the submission of the application the remainder have been constructed during the life of the application).
- 1.2 The 'parkland' element of the application involves the extensive reshaping/re-grading and landscaping of the former field, including the creation of three cascading lakes with ancillary weir, the creation of bunding along the boundary with the A228, the improvement of an existing stable block, the construction of ragstone bridges and new stone walling and the erection of a timber boathouse, pumphouse and duckhouse.

The works within the grounds of The Dower House comprise:

- The extension, alteration and re-roofing of an existing garage block.
- The creation of a sunken tennis court with a small timber equipment room.
- The provision of new oil tanks and surrounding.
- Two sectional garden sheds.

- A section of new 1.8m close boarded boundary fencing.
- A small timber summerhouse.
- A stable and enclosure to house Shetland ponies.
- The provision of CCTV cameras mounted on poles in various locations within the grounds

(B) TM/05/00485/LB:

- 1.3 This application seeks Listed Building Consent for various internal alterations to the Dower House and for alterations to curtilage Listed structures within its grounds. The works principally involve the provision of a new fitted kitchen to the house and the creation of an en suite to serve the main bedroom. In both rooms, the original brick walls and fireplaces within those rooms have been revealed, cleaned and re-pointed through the removal of 1960's plaster boarding. Various other elements of 1960's refurbishment works have been removed including the removal of stud partitions and non-original cupboards.
- 1.4 Additionally, within the curtilage of the Dower House, a new arched opening has been created within a historic wall to provide access through to the newly created Parkland area referred to in application TM/04/00485/FL and a garage block has been altered and extended again as referred to above.

## **2. The Site:**

- 2.1 The Dower House is an impressive country house that is a Grade II\* Listed Building standing within the Roydon Hall CA and a Historic Park and Garden. It lies within open countryside designated as MGB and SLA.

## **3. Planning History:**

- 3.1 TM/05/03015/FL      Undetermined  
Construct underground pool linked to basement, landscaping and ancillary works.
- 3.2 TM/05/03117/LB      Undetermined  
Listed Building Application: Construct underground pool linked to basement.
- 3.3 TM04/00943/FL      Refused 10.05.2004  
Swimming pool house extension.
- 3.4 TM/04/00950/LB      Refused 10.05.2004  
Listed Building Application: Swimming pool.

**4. Consultees:**

(A) TM/05/00481/FL:

- 4.1 PC: Objection to these proposals. Considers the change of use of the agricultural land to parkland and the associated built development to be contrary to MGB, SLA and countryside policies. Objects to the tennis courts, CCTV poles and various sheds on Green Belt grounds and detriment to the CA.
- 4.2 DHH: No objections.
- 4.3 KCC (Highways): No objections.
- 4.4 Listed Building Societies: No response.
- 4.5 Private Reps: Site & Press Notices +17/2R/1X/OS. No objections have been raised to the principle of these proposals but concern has been raised about the perimeter bunding that has been erected with Leylandii trees on top of it as it is feared that this could potentially give rise to loss of light/overshadowing to neighbouring property. Concern is also expressed about lighting that has been installed, potential flooding problems and the size and impact of the new buildings – particularly the new boathouse. (Two further letters of objection were received on noise grounds regarding the siting of a peacock enclosure but this element has now been deleted from the proposals).

(B) TM/05/00485/LB:

- 4.6 PC: The PC has the following views on these works:

Master Bedroom – Concern is raised in that no detail of the cornices, ceiling and replaced woodwork had been provided. It was noted that the floorboards appeared to be new. The PC is disappointed that it appears that heritage has been lost from the building.

Kitchen – No description/photo of proposed or existing finish to floors and ceilings (including cornices) have been provided. The PC objects to the loss of architectural features.

- 4.7 Listed Building Societies: No response.
- 4.8 Private Reps: Site & Press Notices +17/0R/1X/OS.

**5. Determining Issues:**

(A) TM/05/00481/FL:

- 5.1 Dealing firstly with the change of use of the agricultural land and its subsequent alteration in character to Parkland through the provision of landscaping, water features, tree planting and the provision of the boathouse and bridges, I consider that the fundamental issue that needs to be considered is that of MGB policy and principle.
- 5.2 The applicant's planning consultant has submitted that this change of use and its related works are not "*inappropriate*" development. However, I do not share this view. Whilst I agree that 'Parkland' is a use of land that is entirely open in character and a conforming use within the Green Belt and appropriate to a rural location, the topography of the land has been altered significantly, earth bunding has been introduced along part of the perimeter and these works are engineering operations that are technically "*inappropriate*". There is also the issue of new build development such as the pump house and boathouse – these also represent "*inappropriate*" development in my view
- 5.3 Notwithstanding the above, I would accept that the principal Parkland use is predominantly open in its nature. Moreover, I find the parkland setting that has been created to be attractive and complementary to the setting of this important Listed Building. Not only do I consider that this is an attractive form of landscape, I consider that this is precisely the form of landscape that one would expect to see around a country house of this stature and that it is a landscape that broadly accords with the aims of Green Belt and countryside policy. It is rare to see new parkland such as this – which is a key historic feature of the English countryside – being created. I therefore consider that a case of very special circumstances exists in this instance that warrants setting aside the normal policy presumption against permitting engineering operations and new structures within this Green Belt countryside location. Additionally, because of the quality and appropriateness of this type of landscape here I am satisfied that the developments do not breach the SLA policies and the integrity of the Historic Park and Garden is maintained.
- 5.4 My only concern with the parkland proposal relates to the use of Leylandii hedge planting along an earth bund on the perimeter. This planting is needed to help to shield the property from the noise and visual intrusion of the nearby A228. An indigenous species would have been much more desirable and in keeping with historic Parkland tradition. However, on balance, I do not feel that this issue is of such weight that the parkland proposals as a whole should be resisted. I note the concerns raised regarding light issues in relation to the earth bunding and conifer trees but in my view there is sufficient distance to neighbouring properties such that this is not a sustainable reason for refusal.

- 5.5 Turning now to the developments within the grounds of the house, these are capable of being acceptable in principle because they essentially comprise domestic outbuildings and extensions to existing outbuildings within the curtilage of a dwellinghouse. The relevant issues are therefore whether or not those structures are proportionate to the host property and are acceptable in terms of visual amenity and impact upon the Conservation Area, the setting of this important Listed Building and the residential amenities of neighbouring properties.
- 5.6 The Dower House is a substantial house in terms of its size and has extensive grounds that accommodate parkland, formal gardens, walled gardens, an outdoor swimming pool, a large garage outbuilding and various smaller structures. These current proposals seek to enlarge and alter the existing garage block, to provide a tennis court and various other ancillary domestic structures such as a summerhouse, a play area, garden storage sheds, fuel oil tanks and CCTV cameras mounted on poles.
- 5.7 The size and bulk of the host property is such that I consider the sheds, tennis court, oil tanks and extension to the garage block are still of scale that can be considered proportionate and can be considered acceptable in Green Belt policy terms. Furthermore, these works have been sensitively sited and designed and would not in my opinion give rise to harm to the setting of this Listed Building or the character of the wider CA.
- 5.8 I am also satisfied that the various structures/developments are sufficiently distanced from any neighbouring property to ensure that there would be no loss of light, outlook or other harm to their amenities.
- 5.9 Concerns have been expressed about the illumination of the grounds. This principally takes place through the floodlighting of major trees and this is not something that falls within the Council's control since individual floodlights set on the ground neither require Listed Building Consent nor a specific planning permission in my view.
- 5.10 The illumination of the tennis court is however a matter that falls under the Council's control since it involves lighting mounted on posts. Although the siting and design of the court is such that its illumination will not duly impact upon the setting of the Listed Building, I am concerned at what impact the illuminated courts may have upon the character of the wider CA and the rural, MGB landscape in general, since illumination for tennis courts invariably needs to be a relatively powerful intensity. Moreover, this court is for private, individual use rather than there being a wider public benefit that would exist with a club or publicly owned court.
- 5.11 However, I feel that the harm could be limited to an acceptable degree if it were conditioned that the illumination is only to be in operation whilst the courts are in use since – unlike a public court facility - there will only be a relatively occasional demand for the courts use. The applicant has confirmed that the lighting can be

operated on this basis and, accordingly, I would propose that an appropriate condition be attached to control the use of the floodlights.

- 5.12 Turning finally to the CCTV pole mounted cameras, these do appear as alien structures but they have been quite sensitively sited and are very slight structures. Accordingly, I do not judge that they are so objectionable as to warrant refusal.
- 5.13 In summary, I consider that these proposals would not cause undue demonstrable harm and, indeed, find the additional parkland that has been created actually has a positive impact upon the setting of the Listed Building and the Conservation Area.

(B) TM/05/00485/LB:

- 5.14 The sole issues to be determined in this case are whether or not the alterations to this Grade II\* Listed Building are acceptable in terms of their impact upon the fabric, integrity and character of the historic property.
- 5.15 Although I note the concerns raised by the Parish Council, I disagree with their conclusions. In my view, the works that have been carried out have been beneficial to the Listed Building. Much unsympathetic work has been carried out to the principal building in the past and these works have sought to remove the vast majority of those previous alterations. As a result, rooms have been restored to their original proportions and previously concealed features like fireplaces and alcoves have been opened up.
- 5.16 With respect to the works to the historic garden walling and garage outbuilding, I also find those alterations to be acceptable. The works to the walling have been executed sympathetically and expertly and the extension and alteration to the garage block outbuilding have been carried out in the same vein.

## **6. Recommendation:**

(A) TM/05/00481/FL:

### **6.1 Grant Planning Permission** subject to the following conditions:

- 1 All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

- 2 The existing trees and shrubs shown on the approved plan, other than any specifically shown to be removed, shall not be lopped, topped, felled, uprooted or wilfully destroyed without the prior written consent of the Local Planning Authority, and any planting removed with out without such consent shall be replaced within

12 months with suitable stock, adequately staked and tied and shall thereafter be maintained for a period of ten years.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

- 3 The workshop shall be used only for purposes incidental to the enjoyment of the related dwellinghouse and no trade or business shall be carried out therefrom.

Reason: To safeguard the amenities and interests of the occupants of other property in this residential area.

- 4 The tennis court shall only be illuminated while in use and at no time between the hours of 22-00 hrs and 07-00 hrs on the following day.

Reason: In the interests of safeguarding the openness and amenity of this Green Belt locality, which is also a designated Conservation Area and grounds of a Listed Building, and in the interests of protecting the amenities of nearby residential property.

(B) TM/05/00485/LB:

- 6.2 **Grant Listed Building Consent**, subject to reference to the application to the Secretary of State.

Contact: Kevin Wise