

Ightham	558435 153324	(A) 15 April 2008	(A) TM/08/00700/FL
Ightham		(B) 16 April 2008	(B) TM/08/00701/LB

Proposal: (A) Change of use of part of old farmyard to a gardeners' compound including minor alterations, erection of glass house, forcing pits, replacement gates/fences plus foul sewer connection
(B) Listed Building Application: Minor alterations to existing building including replacement "like for like" gates/fence

Location: Mote Farm Mote Road Ivy Hatch Sevenoaks Kent TN15 0NT
Applicant: The National Trust

1. Description:

1.1 These applications were deferred from the Area 2 Planning Committee meeting of 6 August 2008 for a Members Site Inspection which took place on 20 August 2008. The previous report and supplementary report are attached as an Annex.

1.2 A number of queries were raised by Members to officers and to the applicants at the Site Inspection and are answered as follows:

1.2.1 Whole Farm Plan 2005

- The plan produced by the NT in 2005 (but not signed as having been agreed by the tenant farmer) has now been treated as a formal document providing background to the application and consultation has been carried out on it.
- With regard to the old farmyard it states that it is an objective of that Plan to secure a long term future for the vernacular farm buildings.
- At that time, the Plan stated that the tenant farmer did not have any livestock of his own but did house sheep and bullocks belonging to 3rd parties.
- It said the old courtyard was not suitable for modern farming and was little utilised.
- One of the recommended actions was for the tenant farmer to look at having his own livestock if all the land were to be put to pasture.
- Another recommended action was to consider diversification of the vernacular buildings by applying for Government grant assistance.

1.2.2 Need for a new Whole Farm Plan as in suggested condition 2

- Policy EP8 of the KMSP 2006 refers to the need for a farm diversification proposal aimed at supporting, agriculture, horticulture and forestry to be accompanied by a business case or farm plan. Members will note that this planning application is not farm diversification as it is normally understood as it is to support a tourist/heritage function independent of the running of the farm enterprise.
- Policy CP14 of the TMBCS refers to the need for the submission of a business case to support a comprehensive diversification scheme for development that seeks to be justified by securing the viability of a farm.
- I am of the view that there is no policy stance for requiring a revised Whole Farm Plan to be submitted **before** determination of this planning application. In this case, the above Structure Plan and LDF policies do not apply as the application is **not** for development that purports to be essential for farm diversification, that is, it is not being promoted by the farmer to financially underpin the viability of the farm.
- The likely impact of the change of use on the viability of the farm and its accommodation needs has already been independently assessed by the Council's agricultural consultant.

1.2.3 Brief Schedule of Works

- The eastern corner of northern range will have concrete blockwork partitions with softwood timber suspended floor. Walls to the mess room and amenity facilities will be insulated and dry lined. Internal doors will be plain timber. There will be insulation below the timber suspended floors.
- Blockwork will be finished externally with dark timber stained weatherboarding (to match existing). Doors to be solid boarded timber decorated white to match existing courtyard timber doors. Rafters to be covered by insulation and plasterboard. Tiles removed and relaid to allow for the installation of sarking felt insulation.
- Northern part of eastern range - suspended timber floor and timber stud partition. Rafters to be covered by insulation and plaster board to be skim plastered for decoration.
- Tiles to be replaced/repared where necessary.

1.2.4 Lighting/Heating of the Greenhouse

- Greenhouse - no lighting is proposed. The NT is in discussion with the greenhouse supplier regarding options for heating

- No information at present regarding external lighting. The applicants are happy with condition 8 for details to be submitted subsequently and advise that it is NT policy to minimise external lighting.

1.2.5 Shading Of Greenhouse

- The applicant advises that the garden team, Head Gardener and NT Gardens Adviser are satisfied that the siting and orientation are satisfactory.

1.2.6 Bats

- NE normally requires planning permission to be granted before discussing licences. A bat survey has been undertaken and submitted with application. NE has no objection to the application. The NT advises that it has extensive experience in mitigation of the impact of conservation and restoration work on bats.

1.2.7 Vehicle access

- The applicants have stated that they did not expressly propose vehicle access on the east side of the eastern block. They say that vehicle access to the garage is provided at the southern end adjacent to the farmhouse, as at present.
- Officers suggested condition 10 (details of new access driveways) as it was understood that would be the only means of accessing one of the stores to be retained by the tenant farmer as it is separated by an internal wall from the tenant farmer's domestic garage. However, the Trust has reconsidered these arrangements and has now agreed, if requested, to provide either an internal opening through to the adjacent bay and/or to allow any vehicle access requirements by the tenant farmer to the remainder of this block to be as per the existing arrangement, that is, via the main courtyard. That may eliminate the need for new vehicular driveways on the eastern side of the eastern range. Recommended condition 10 will need to be amended accordingly.

1.2.8 Use of the part of the building retained by the farmer.

- This section of the building is currently used for domestic storage. The applicants believe there is sufficient space in the existing modern farm buildings to accommodate the farmer's needs. However they are willing to consider positively any request for new accommodation, including livestock housing requirements as part of discussions with the farmer to update the Whole Farm Plan.

1.2.9 Sewer

- The proposal is to link to the existing Ightham Mote reedbed wetland system.

1.2.10 Delivery vehicles.

- The applicant advises that the number of deliveries will be negligible as they intend to propagate plants on site to reduce transportation requirements.
- As the access could lawfully already be used by large farm delivery vehicles, the type and tonnage of delivery vehicles for the use as gardeners' compound is not an issue which would result in a highways ground of refusal.

1.2.11 Policy P6/16 of TMBCS

- Clarification was sought on this Policy which states that where the conversion of an agricultural building could lead it to being replaced elsewhere by a new agricultural building, and where this is likely to be harmful to the openness of the Green Belt or conflict with environmental protection policies, permitted development rights for such buildings will be removed.
- This aspect was discussed in para 6.11 of the August Committee report which explained that the requested Whole Farm Plan would need to establish a justification for any replacement agricultural building and that, if a replacement building were justified that there are prior notification procedures regulating siting and appearance. In these circumstances, my view was that a condition taking away permitted development rights may not be "necessary", which is one of the legal tests for validity of a planning condition.
- For clarification, Policy 6/16 does **not** expressly say that an application for re-use of a farm building will be refused if it may necessitate a replacement building. Similarly, that policy does **not** expressly say that any application for a replacement building submitted as a result of the removal of permitted development rights would be refused, just that it will require to be controlled by the LPA. Accordingly, I do not consider that the application significantly breaches Policy 6/16 to justify a refusal.

1.2.12 The Hours Of Use

- A point was made with regard to KHS having made their response to a consultation based on the working hours of 0800 to 1600 as applied for compared to 0730 to 1800 as suggested in condition 4. The longer working hours suggested by condition 4 are a result of applying the legal tests for the imposition of conditions. I consider that these are reasonable times for this type of use as conditions on hours of use do not need to be identical to those applied for but need to be pragmatic and have some flexibility in order to be "reasonable and necessary". Obviously if the NT were to keep to the shorter

hours as they applied for, that is their prerogative. KHS does not consider that the difference in working hours between those applied for and those suggested to be conditioned will result in an objection on highway safety grounds.

2. Reason for reporting to Committee:

2.1 To report back following the Site Inspection.

3. The Site:

3.1 This is as previously reported.

4. Planning History:

TM/48/10353/OLD Grant with conditions 25 June 1948

Installation of a petrol pump.

TM/79/11249/FUL Grant with conditions 4 June 1979

Erection of pre-cast concrete lean-to extension for use as covered yard.

TM/84/10246/LBC Grant with conditions 27 July 1984

Demolition of a farm building & (ii) the roof of another farm building

5. Consultees:

5.1 These are as previously reported plus additional representations as follows:

5.2 Kent Downs AONB (summarised): The highway forms a natural break between the quiet agricultural environment associated with Mote Farm, and the leisure activities associated with Ightham Mote. The proposal brings the activities of the house and garden into the farmed landscape of this part of the AONB.

5.2.1 The farm courtyard falls under the policy guidance of PPG15 due to its Grade 2 status and because it is within a Conservation Area. It is also important to the setting of the Grade 1 Listed farmhouse. The relationship and importance of these buildings with one another, and to the views into the courtyard and beyond to the farm house, from the wider AONB and the Greensand Way, was apparent at the site visit. The relationship of the Grade 1 farmhouse and the farmyard is close, and the importance of the enclosed farm courtyard and its farm related activities intrinsic to its character.

- 5.2.2 There is no justification on grounds of failing maintenance and dereliction 'The best option for retaining the overall historic and landscape integrity of traditional farming landscapes is, wherever possible, to keep buildings in active agricultural use or related low-key usage.' This is also reflected in TMBC's own policies.
- 5.2.3 English Heritage guidance states 'Wherever possible policy makers should move towards aligning and integrating policy in these areas by adopting common values in decision making which: Protect the features, settings, cultural significance and wildlife interest of traditional farm buildings; Retain the contribution that traditional farm buildings make to local distinctiveness and to countryside character; and Conserve the environmental capital embodied in traditional farm building stock by promoting their sustainable long – term use.'
- 5.2.4 English Heritage's 'Farming the historic landscape an introduction for Farm Advisers' States 'Wherever practicable, in the face of major changes to agriculture, the most appropriate use for traditional farm buildings in terms of their historic and landscape significance is to keep them in active agricultural use.'
- 5.2.5 The priority use for listed buildings is as near to their original as possible. The proposal put forward is not therefore justified as necessary in order to maintain the listed buildings.
- 5.2.6 The AONB Management Plan's 20 year vision makes reference to the importance of the retention of mixed farming in the AONB and supports original farming uses for these types of farm buildings where possible, as it is here at Mote Farm. The change of use and loss of farm related activities will impact on the character of the traditional farmyard in the AONB, at present it is our understanding that the activities in the farm courtyard make a positive contribution to the character and appearance of the AONB.
- 5.2.7 The views into the courtyard form an intrinsic part of the character and appearance of the AONB. The loss of the farming activity and the introduction of the greenhouse and gardeners' compound would physically detract from the architectural and vernacular character of the farm group within a sensitive part of the AONB which is also visible from the Greensand Way.
- 5.2.8 The introduction of this type of activity into the farmed landscape is cause for concern particularly as the length of the winter work day is very short and is likely to lead to pressure for internal and external lighting. We do not believe that external lighting should be considered as a reserved matter but there should be a condition ensuring that no external lighting is provided and there should be a condition imposed ensuring that no internal lighting is introduced. The Trust state that no lighting is proposed in the green houses.
- 5.2.9 It is understood the Whole Farm Plan which is now part of the planning application supporting documents is in dispute and has not been signed by the tenant. Furthermore the Borough Council's independent agricultural advisor has

expressed concerns about the validity and relevance of the Plan. No review has taken place; there is a lack of clarity over the use of assets and diversification opportunities, i.e. assets for the farm business or as wider estate assets. The Whole Farm Plan is not seen as helpful in justifying or determining the current planning application.

5.2.10 As this is a planning application that bears no relation to the farm business there is no requirement for a 'whole farm plan' to support the application. The grant of this application could have the effect of taking the courtyard out of the farming unit, and hence challenge the farm viability.

5.2.11 The Kent Downs AONB Unit considers that the relocation of the gardeners' compound should be part of an integrated whole estate plan which is addressing the future needs of Ightham Mote Estate. A whole farm plan which properly addresses the needs and future of the farm should be part of the overall integrated whole Estate Plan. Without this there can be no justification in introducing a new activity into a farmyard that could challenge the viability of the farm and require the relocation of activities and new buildings in the AONB. These new agricultural buildings would only require prior notification and consultation on siting and design.

5.2.12 Placing a condition on a planning permission to require a revised whole farm plan cannot ensure the viability of the farm and will not address the need for new buildings or the problem of reduced viability of the farm.

5.3 Ightham PC: The PC has written to clarify that it does not object to the applications but had concerns on the planning application: the full text of their previous representation is given below:

5.3.1 *"We feel that we do not have sufficient clarity on the 'change of use' aspect of the application: Is planning permission actually required in this case; Whether in fact you can have a change of use to a listed building on a partial basis, i.e. the end result appears to be half agricultural and half horticultural. We have serious concerns about the size and location of the greenhouse and with regard to the greenhouse we require clarity as to whether the original building in the farmyard, but now demolished, is relevant to the permission being granted for a greenhouse"*

5.3.2 The PC met in August and considered that its queries and concerns on the material planning issues were answered in the August Committee report (paras 6.1.2 and 6.2) and that in consequence Ightham PC can have no objections to the applications on planning grounds. No comment on the 2005 Whole Farm Plan.

5.4 Private Reps: Several objectors have written in making the following summarised points:

- The tenant farmer has requested details of the flooring and wall coverings and for precise details as to the lighting proposed and details of delivery vehicles (frequency, type of vehicle and tonnage) and referred at length to PPG15 (Planning and the Historic Environment) and reproduced much of its content. The comments are summarised as follows: the yard must be considered as part of the listed farmhouse so that the same restrictions and policies are applicable to it. The exact nature and extent of the alterations need to be known of to judge if it will be negative. That the farmyard is in a Conservation Area makes details of the materials used and their situation within the buildings even more relevant to consideration of the Listed Building application. Putting these details as conditions means that the Members can not use this information to inform their decision. Also relevant is the desirability of preserving the setting of the building. The economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest and of the contribution they make to the countryside, if they become isolated from their surroundings (*eg split from the farmhouse*). The aim should be to identify the optimum viable use that is compatible with the fabric, interior, and setting of the historic building. This may not necessarily be the most profitable use. It is important to balance the effect of any changes from a new use on the special interest of the listed building against the viability of any proposed use and of alternative, and possibly less damaging, uses. In judging the effect of any alteration or extension it is essential to have assessed the elements that make up the special interest of the building in question. They may comprise not only obvious visual features but the spaces and layout of the building and the archaeological or technological interest of the surviving structure and surfaces. These elements are often just as important in simple vernacular and functional buildings as in grander architecture. Efforts should be made to retain the building in use. Consent should not be granted for alteration unless the authority is satisfied that real efforts have been made to continue the present use. Original doorways and any surviving original doors should be retained. Replacement doors should copy the original in the materials, the detail of the design, and the paint finish. Unpainted hardwood or stained or varnished softwood doors are rarely suitable (*toilet doors??*). Interior plans and individual features of interest should be respected and left unaltered as far as possible. Internal spaces, staircases, paneling, window shutters, doors and doorcases, mouldings, decorated ceilings, stucco-work, and wall-decorations are part of the special interest of a building and may be its most valuable feature including early concrete floors. Security and other floodlighting, will affect the character of a listed building. The poorly thought out introduction of services, such as mains electricity, telephone or gas, can be detrimental to the structure, appearance and character of a building. Long runs of surface wiring and any external gas piping should be avoided unless

chasing-in would destroy historic fabric. The introduction of new services to historic interiors must also be handled with care, and any false floors or ceilings for concealing services, computer trunking, fibre optics, central heating etc, should be reversible.

- The Whole Farm Plan 2005 states that the old farmyard should not be separated from the farmhouse as an integrated unit preserves a significant historic feature and provides a viable unit for future use that ties in the Trusts priorities for farming and the current challenges for agriculture. The outlook for farming has changed since 2005, the holding needs to maintain its flexibility. Any new tenant in the future may wish to have more livestock than the current tenant. Cereal farming is now much less attractive for viability, the future could lie in producing local food for local people and Mote Farm is ideally placed for such farming. The need to diversify was accepted by the Council's agricultural consultant. The Trust is looking to take up a potentially very useful farmyard and providing alternative agricultural facilities in the AONB which cannot be right. The walled garden at the Mote is the obvious site for the greenhouse. The National Trust has got this matter seriously wrong.
- Changes in agricultural subsidies make it vital for the farmer to retain the whole of the yard. The calf sheds would be vital if more land is to be used for raising beef. Moving all the tractors to the new farmyard will require a bunded fuel tank in the centre of the new farmyard, this needs to be included in this application.
- The application should be refused unless a phase 2 Whole Farm Plan is submitted.
- The Whole Farm Plan 2005 confirms that livestock was at the farm, contrary to the current claims of the NT.
- Many objectors are members of the NT.
- The Whole Farm Plan 2005 has little value for the purposes of the planning application as it should not be in the public domain, it is unsigned by the tenant farmer, no subsequent reviews or meetings have taken place. Not only does the Trust not have an agreed plan for the farm but it does not have any overall plan for Ightham Mote which has resulted in a number of uncoordinated schemes. The objector noted that at site meeting, the Trust agreed to supply additional information on outside lighting, detail of access tracks and other matters.
- It is essential that this Application reflects the current Farm Plan. However, this 2005 Plan is not signed and it is three and a half years since it was drafted. Any serious organisation that is making a significant decision would ensure that it is based on an up to date plan. Therefore, we are still objecting to this Application.

- Shock that the National Trust is planning to transform the essential traditional character of a working place with farm animals. This space, with its unassertive and modest buildings and air of tranquillity gives pleasure to the many people using the Greensand Way. Many will not be aware of the proposed transformation before it is too late to object.
- I understand that the farmer was not consulted on the Whole Farm Plan 2005 even though it will detrimentally affect his livelihood if forced on him. If suggested condition for a new farm plan will not carry the required signatories, how can the committee judge whether the viability of the farm is guaranteed?
- The application does not meet the aims of the 2005 plan to maintain treasured landscapes and protect historic features. The application is contrary to all planning policies and guidelines at every level and to the protection of listed buildings, conservation areas and AONBs.
- The tenant (Andrew Patmore) was not given the opportunity to preview the Whole Farm Plan 2005, before publication. It was never signed, nor were priorities for action ever discussed. It has never been reviewed or updated.
- Deliberate inaccuracies persuade that areas of the farm should be repossessed by the National Trust and developed, and that it was for this purpose that the plan was initiated, it mentions that a feasibility programme was underway for development of site buildings eg hoppers/farm outbuildings.
- That the farmyard was seen as an appropriate location for the gardeners' compound was not communicated to the tenant until 2 years later.
- The farmer cannot afford to 'wind down', nor would this be of long term benefit to the farm for which he is custodian. His daughter may take over the tenancy. He has never considered grassing the whole farm and that this subject never arose, he uses all his machinery on a regular basis and has nothing that is surplus to requirements.
- A grant was given by Tonbridge and Malling in 1984 to adapt the open sided barn in the old farmyard so that machinery could be stored there as there was not enough room in the new farmyard.
- The author did not go into the old farmyard and so could not have any idea as to whether the buildings were used or not, she did not itemise machinery there. The oast house is used as a locked pesticide store and for the storage of machinery. The hopper huts are not part of the farm holding.
- Income estimates are extremely inaccurate and misleading.

- A proposal to utilise some of the buildings for a livery in 2006 was rejected by the Trust with no justification. It is in the National Trust's interest to portray it as redundant.
- Subletting of some buildings for storage and equine use would not impinge on their character or the farm's own use of the old farmyard for storage and livestock, but would add revenue to the farm. Their plans for the farmyard explain why the National Trust will not let him sublet, inconsistent with their agricultural policies as stated in Agriculture - 2000 and Beyond.
- The tenant wishes to continue to farm in an environmentally sustainable way, to retain all the farm assets to ensure that the farm is able to remain responsive to changing markets and adapt accordingly to use the old farmyard as situations demand so that the farm's future viability is ensured, to maintain the farm as one managed unit that reflects the growing public appreciation of mixed farming methods.

6. Determining Issues:

- 6.1 These are as set out in my previous report plus the matters outlined in section 1 above.
- 6.2 The additional representations of the objectors are noted. The matters regarding PPG15 were discussed at paras 6.1 and 6.3 of the August report. For clarification, there is no objection to the application from English Heritage. I remain of the view that the applications comply with PPG15 and policy QL8 of the KMSP. The level of detail being provided is typical for a conversion of a curtilage listed building which is not a building listed in its own right due to any special historic and architectural interest of its own.
- 6.3 Works to the proposed mess room will safeguard the feature trusses. The objector has not specified any particular flooring or internal wall features etc of special historic and architectural interest in the old farmyard that would be irreversibly harmed by the proposed internal treatments.
- 6.4 As outlined in para 1.2.10 above, the issue of delivery vehicles is not considered to warrant refusal as there is an established lawful use of the access for farm traffic and farm related deliveries.
- 6.5 The request made at the Members' Site Inspection for the 2005 Whole Farm Plan to be included in the formal application and consulted on has been criticised by some objectors. Both parties (the Trust and the Tenant farmers) were at the Site Inspection and aware of the request made by Members and did not object to the document being put in the public domain. Officers have always been aware that the 2005 Whole Farm Plan was not signed by the tenant and is now disowned by him although the NT states it was carried out with his cooperation.

- 6.6 For clarification, the recommended condition 2 is not intended to replace the ongoing commitment of the National Trust to draw up and review Whole Farm Plans with their tenant. It is intended that the farm plan required by condition 2 would be submitted by the applicants and its adequacy will be assessed by the LPA in consultation with an agricultural consultant. From a planning point of view, the farm plan required by that condition will need to limit itself to considering any impact from the alternative accommodation facilities arising from the change of use that requires planning permission. The planning process could not justify the Council seeking to intervene in the wide process of creation of a Whole Farm Plan.
- 6.7 In terms of the point raised by an objector regarding current poor viability of cereals, it is understood that cereals are now more viable than they were in 2005 as prices are much higher, albeit fuel/fertiliser costs have risen steeply too. However, it is accepted that the outlook is uncertain as world grain prices are volatile at present.
- 6.8 Members will already be aware of the wide extent of local concerns of objectors and will need to form their own view on what are essentially subjective matters.
- 6.9 I remain of the view that the applications are worthy of support in principle subject to conditions as recommended previously except for a revision to condition 10 as outlined in para 1.2.7 above.

7. Recommendation:

- 7.1 **Grant Planning Permission** as detailed by Letter dated 15.04.2008, Design and Access Statement dated 29.02.2008, Survey dated 29.02.2008, Site Plan dated 29.02.2008, Location Plan dated 29.02.2008, Site Plan dated 29.02.2008, Existing Plans IMOC 20 dated 29.02.2008, Existing Plans IMOC 21 dated 29.02.2008, Existing Plans IMOC 22 dated 29.02.2008, Existing Plans IMOC 23 dated 29.02.2008, Existing Plans IMOC 24 dated 29.02.2008, Existing Plans IMOC 25 dated 29.02.2008, Proposed Plans IMOC 26 dated 29.02.2008, Proposed Plans IMOC 27 dated 29.02.2008, Proposed Plans IMOC 28 dated 29.02.2008, Proposed Plans IMOC 29 dated 29.02.2008, Proposed Plans IMOC 30 dated 29.02.2008, Proposed Plans IMOC 31 dated 29.02.2008, Proposed Plans IMOC 26 A dated 15.04.2008, Proposed Plans IMOC 27 A dated 15.04.2008, Proposed Plans IMOC 28 A dated 15.04.2008, Proposed Plans IMOC 29 A dated 15.04.2008, Proposed Plans IMOC 30 A dated 15.04.2008, Proposed Plans IMOC 33 A dated 15.04.2008, Drawing IMOC 170218 dated 29.02.2008, Drawing IMOC 170219 dated 29.02.2008, Email additional details dated 10.09.2008, Report Whole Farm Plan 2005 dated 13.06.2008, subject to:

Conditions / Reasons

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 No development shall take place until details of a 5 year Farm Plan with a strategy and timescale to ensure the viability of Mote Farm has been submitted to and approved by the Local Planning Authority, and the approved strategy shall be carried out within the approved timescale.

Reason: To ensure the proposal does not adversely impact on the viability of an agricultural holding pursuant to saved Policy P6/14 of the Tonbridge and Malling Borough Local Plan 1998.

- 3 Provision shall be made on the site, at all times for vehicles loading, off-loading and turning. (H016)

Reason: To ensure that vehicles can be parked or manoeuvred off the highway in order to maintain the safe and free flow of traffic.

- 4 With the exception of essential watering of plants, the use shall not be carried on outside the hours of 0730 to 1800 Mondays to Saturdays with no working on Sundays or Public and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority. No vehicles shall arrive, depart, be loaded or unloaded within the application site outside these working hours. (I003*)

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

- 5 No materials, plant or other equipment of any description shall be kept or stored in the open other than in areas and to such heights as may be approved in writing beforehand by the Local Planning Authority.

Reason: To ensure the character and appearance of the locality is not significantly harmed.

- 6 There shall be no parking of private employee vehicles on the application site.

Reason: To accord with the terms of the application and in the interests of highway safety.

- 7 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority. (C005)

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- 8 No development shall take place until details of the number, design, method of cowling and hours of operation of external illumination have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

- 9 No development shall take place until details of a scheme for the handling, storage and disposal of all waste materials and refuse have been submitted to and approved in writing by the Local Planning Authority. The approved scheme, which shall show provision for the covered storage of such materials, shall be fully implemented before the use of the premises is commenced, and shall be retained and utilised at all times thereafter. (S002)

Reason: In the interests of pollution control in general and residential amenities in particular.

- 10 No development shall take place until details of one the following alternatives have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details:

- new driveway(s) to serve the garages/stores for continued use by Mote Farm
- internal openings between all the accommodation for continued use by Mote Farm
- retention of use of external access doors to the courtyard for continued use by Mote Farm

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

- 11 The use of the building as a gardeners' compound hereby permitted shall remain ancillary and subservient to the upkeep and maintenance of the gardens of Ightham Mote and shall not become a separate use at any time.

Reason: To accord with the terms of the application and to allow the Local Planning Authority to assess the merits of an independent use.

- 12 The buildings shall not be open to the general public and no sales shall be transacted within the application site at any time.

Reason: In the interests of highway safety and residential amenities.

- 13 No development shall take place until details of a bat mitigation strategy have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the nature conservation interest of the building.

Informatives

- 1 The County Council has a controlling interest in ensuring that the bridleway is maintained to a level suitable for pedestrians and equestrians only. Any maintenance to the higher level required for vehicular access would be the responsibility of the landowner. Should the surface of the bridleway deteriorate as a result of this vehicle use, the landowner and any other person with a private right to drive along the track would be asked to contribute towards the cost of repairs.
- 2 A Public Right of Way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width of the path at any time. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.
- 3 You are advised to contact English Heritage with regard to the foul sewer connection to Ightham Mote as that site is a Scheduled Ancient Monument.
- 4 You are advised to contact Southern Water Services and the Environment Agency with regard to the foul sewer connection.
- 5 You are advised that a licence will be required from Natural England for any development that impacts on any European Protected Species.

(B) TM/08/00701/LB:

- 7.2 **Grant Consent** as detailed by: Certificate B dated 29.02.2008, Notice dated 29.02.2008, Design and Access Statement dated 29.02.2008, Survey dated 29.02.2008, Location Plan dated 29.02.2008, Site Plan dated 29.02.2008, Existing Plans IMOC 20 dated 29.02.2008, Existing Plans IMOC 21 dated 29.02.2008, Existing Plans IMOC 22 dated 29.02.2008, Existing Plans IMOC 23 dated 29.02.2008, Existing Plans IMOC 24 dated 29.02.2008, Existing Plans IMOC 25 dated 29.02.2008, Proposed Plans IMOC 26 dated 29.02.2008, Proposed Plans IMOC 27 dated 29.02.2008, Proposed Plans IMOC 28 dated 29.02.2008, Proposed Plans IMOC 29 dated 29.02.2008, Proposed Plans IMOC 30 dated 29.02.2008, Proposed Plans IMOC 31 dated 29.02.2008, Proposed Plans IMOC 32 dated 29.02.2008, Proposed Plans IMOC 33 dated 29.02.2008, Proposed Plans IMOC 34 dated 29.02.2008, Proposed Plans IMOC 35 dated 29.02.2008, Proposed Plans IMOC 36 dated 29.02.2008, Proposed Plans IMOC

37 dated 29.02.2008, Proposed Plans IMOC 38 dated 29.02.2008, Proposed Plans IMOC 39 dated 29.02.2008, Proposed Plans IMOC 40 dated 29.02.2008, Email additional details dated 10.09.2008, subject to:

Conditions / Reasons

- 1 The development and works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

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

- 2 All materials and joinery 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.

- 3 The standard of workmanship achieved in the carrying out of the development shall conform with the best building practice in accordance with the appropriate British Standard Code of Practice (or EU equivalent). (D009)

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

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