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- 1.2 These resubmissions still propose to change the use of the old farmyard at Mote Farm from a predominantly agricultural use to a mixed use of gardeners' compound and agricultural. The physical characteristics of the farmyard are described in detail below. Approx 80sqm (861 sq ft) of the building will be retained for use by the tenant of Mote Farm but none of the courtyard. The gardeners' compound will be to serve Ightham Mote, being a relocation from its current site near to the Mote's restaurant. It is understood that it is to facilitate a revised Phase 2 scheme for improved visitor facilities at the Mote. There is no planning application for that scheme under determination at this date but there is a previous extant consent for Phase 2 visitor facilities on the current site of the gardeners' compound. In that scheme, the gardeners were shown to be relocated to the builders' compound next to South Lake.
 - 1.3 The change of use will involve external and internal changes to the old farmyard building which require listed building consent as the farmyard is curtilage listed. All new doors will be match boarded ledged and braced, painted white; new partitions will be timber studwork; new floors will be suspended timber; new external walls will be dark stained weatherboarded blockwork.
 - 1.4 The application no longer includes the creation of an oiled cedar framed glasshouse on a brick plinth or brick forcing pits. The applicant has not detailed how the function of that facility will be replaced elsewhere on the estate.
 - 1.5 Replacement like-for-like timber five bar gates will be inserted to the main vehicular access on the western side and to the gateway to Mote Farmhouse.
 - 1.6 Internally, the most significant change is the creation of staff rooms which require roof insulation - the underside of the rafters will be lined in plasterboard, so the rafters will be hidden from view. Insulation will be installed behind the plasterboard lining between the rafters with an air gap for ventilation. In the proposed mess room, the plasterboard lining will butt up against the feature hammer beam trusses, which will be left exposed. In addition, some tile repairs will be carried out on the roof slopes over the mess room and the tiles on the roof slopes over the proposed toilets will be completely removed and re-laid to allow for the installation of felt.
 - 1.7 The eastern corner of the 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.
 - 1.8 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.

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- 1.9 The northern part of eastern range will have a suspended timber floor and timber stud partition with rafters to be covered by insulation and plasterboard to be skim plastered for decoration.
- 1.10 Tiles are to be replaced/repaired where necessary.
- 1.11 The applicant would prefer details such as external lighting to be submitted subsequently and advise that it is NT policy to minimise external lighting.
- 1.12 The plans show a new foul drain from new toilet facilities going under Mote Road to link to the existing reedbed wetland system at Ightham Mote.
- 1.13 The applicant has submitted supporting statements, summarised as follows:
- *The NT has fully reviewed these proposal following the refusals in October 2008. It has deleted the greenhouse and forcing pits. Options for plant propagation are being reconsidered.*
 - *The Old Farmyard has not been fully utilised for a number of years and 85sqm will be available for the use by the farmer.*
 - *The buildings will be returned to a positive practical and suitable use in character with the Conservation Area. The future preservation of the farmyard will be ensured.*
 - *The relocation of the gardeners' compound from its present location will enhance the setting of the grade I Manor House, the SAM and the Conservation Area.*
 - *The conversion is appropriate development in the Green Belt and consistent with Green Belt policy. The removal of the Greenhouse element significantly reduces the visual impact of the proposal.*
 - *There will be no impact on the AONB or use of the Greensand Way.*
 - *The southern part of the eastern range will be retained by the farmer for use as garaging and garden storage. He will have access from the southern end of the block but no access to the central courtyard unless by arrangement.*
 - *The remaining buildings within the farmyard will be used for the storage of garden machinery, tools and equipment, for bagged compost and fertilizers, for the potting of plants, and for storage of fencing materials. The north-east corner of the building will be used as a mess room with toilet / washing facilities. There will be no composting in the Old Farmyard.*
 - *There are 3 gardeners at Ightham Mote plus some part time labour and volunteers. The gardeners normally work 8am til 4pm Monday to Friday.*

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- *The conversion can be achieved with minimal works to the buildings, all historic features will be retained, including the hammer beam roof trusses. The proposals have been scrutinised by the National Trust Architectural Panel. There were no objections from the Council's conservation officer to the previous schemes.*
 - *Rewiring and improved drainage will be carried out , unlikely to need consent but applications will be submitted if necessary.*
 - *The planning application was accompanied by a bat survey undertaken by professional ecologist and a licence will be obtained from English Nature if planning permission is granted.*
 - *The impact of the proposals on the amenity of Mote Farmhouse will be minimal in terms of noise, odours, privacy or traffic.*
 - *Traffic generation will be minimal, not impinging on the access to the farmhouse in any way. There will typically be approximately 4 vehicle movements between the compound and the garden during a normal working day. There is adequate space for 2-3 vehicles to park immediately adjacent to the western range. Parking for gardeners' vehicles will be within Ightham Mote grounds. Delivery vehicle use will be negligible.*
 - *The activities carried on are not inherently noisy. For the majority of the day the gardeners will be working within the garden of Ightham Mote itself. Lighting within the courtyard will be kept to a minimum, will be low key and will not cause light pollution.*
 - *The National Trust has considered a range of alternative sites for the gardeners' compound based upon a comprehensive Garden Conservation Plan and archaeological assessment but has concluded that the Old Farmyard provides the only suitable location bearing in mind planning policies protecting the Green Belt and the protection and enhancement of the garden.*
 - *The site is on the periphery of the historic garden but within easy reach of all parts of the garden and has good access off Mote Road. All other options suggested (except for the coach house) require the construction of new buildings which would be visually intrusive and would be contrary to green belt policy, the AONB and policies for the protection and enhancement of the historic garden. The application will use existing, underutilised buildings.*
 - *The builders' compound is in an important part of the garden from a historical perspective, lying close to the South Lake and is due to be a main component of the garden which the Trust wishes to extend access.*

- *The walled orchard is an integral part of the historic garden. It falls within a Scheduled Ancient Monument. This area is to be properly restored as a kitchen garden with enhanced visitor access.*
- *Wrights Farm is extremely low lying and suffers from poor drainage. It is not a practical option for a gardeners' compound. It has poor access from Mote Road and would also necessitate the removal of a number of trees.*
- *The coach house is currently used as the shop. It is a Grade II listed building, a two storey structure unsuited to the requirements of the gardeners with insufficient space. Its location adjacent to the Manor in a key part of the garden would conflict with visitor flows and visitor enjoyment. The Trust's long term plan for this building is for interpretation and education facilities.*
- *The 'hopper huts' were dismissed due to their inappropriate location, small size, lack of any services and the potential impact on the structures themselves, which are listed.*
- *The previous comments of the Council's agricultural consultant would lead to many vacant and underused farm buildings contrary to Government Policy.*
- *The applicant believes 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 that could be erected without harm to the rural area and AONB.*
- *The NT has approached the farmer with proposals to mitigate loss of most of the old farmyard but the tenant has not been minded to progress that proposal.*
- *The NT would review the rent to take account of the reduction in related earning capacity.*

2. Reason for reporting to Committee:

- 2.1 These are resubmissions following previous Area 2 committee refusals and remain locally controversial.

3. The Site (A) & (B):

- 3.1 The site includes farm buildings which are curtilage listed by virtue of a relationship to the listed Mote Farmhouse. The site lies in a Conservation Area, MGB, AONB and is an Area of Archaeological Potential (AAP). To the south is the Grade II listed farmhouse of Mote Farm. To the north-east is the main visitor attraction of Ightham Mote, grade I listed with a designation of Historic Park and

Garden and which is also a Scheduled Ancient Monument. A PROW (the Greensand Way) runs alongside the track on the north-west boundary of the site and continues along Mote Road itself to the north-east of the application site.

- 3.2 The application site is farmyard of a U-shaped traditional single-storey range comprised of 3 ranges with a central grass and concrete courtyard 35m x 30m. The site measures 0.27 ha. The ranges span a distance of approx 40m (130 ft) by 40m (130 ft) with a gross floor area of approx. 575 sq m (6190 sq ft).
- 3.3 The 3 ranges (all about 5-6 m deep) have tiled roofs over mainly brick or stone walls with various white-painted timber doors (some stable doors) and windows. The northern side is mainly open-fronted with five bays used for farm implement and trailer storage, plus a stable. The eastern side, use of which included 4 turkeys reared for last Christmas with adjoining loose box now houses a new gilt (maiden) pig, and an open-fronted store (about 5m wide) used for storing a plough. South of this central store, there are 3 stores and a garage, which are used for Mote Farm's domestic/garden storage and this would remain the case under the current proposals, although access to the 3 stores would be closed off from the yard side and rearranged so as to be gained only from the east side, via the grassy bank that runs down to Mote Road. The western side is split into 2 sections by the vehicular access to the yard: there are 4 stores of which one is already used as Ightham Mote's head gardener's store.
- 3.4 Access to the farmyard is gained from a track to the west (PROW MR429) and from the main farmhouse driveway of Mote Farm. There are also external openings to garage doors on the east and west facades.
- 3.5 The old farmyard is to the east of PROW MR429 and to the south of Mote Road and to the north-east of Mote Farmhouse with which it shares its southern boundary.
- 3.6 Mote Farm also includes a selection of listed and modern farm buildings in the "modern farmyard" to the south-west of the application site, also accessed from Mote Road via the PROW.

4. Planning History:

TM/48/10353/OLD	Grant with conditions	25 June 1948
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Installation of a petrol pump.

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

TM/08/00700/FL Refuse 10 October 2008

Change of use of part of old farmyard to a gardeners compound including minor alterations, erection of greenhouse, forcing pits, replacement gates/fences plus foul sewer connection.

TM/08/00701/LB Refuse 10 October 2008

Listed Building Application: Minor alterations to existing building including replacement "like for like" gates/fence.

5. Consultees (A & B):

- 5.1 Ightham PC: No objection on planning grounds but there continues to be strong emotional views against the change of use.
- 5.2 Shipbourne PC: Object: the farm and the yard are inextricably linked, as one of the only remaining farmyards in the vicinity; it has a highly distinctive character. Local walkers enjoy seeing the unspoilt farmyard. It will also have an adverse effect on the wider landscape and on residential amenity. The compound should be sited elsewhere, we cannot see the need for the gardeners to be relocated as there is ample room on the main site - the area designated for disabled parking is large and distant from the house - the compound could be located there. The NT should be looking after and retaining buildings and heritage, not for commercial reasons.
- 5.3 Sevenoaks DC: No objections.
- 5.4 EA: This application has a low environmental risk.
- 5.5 Natural England: No comments but LPA expected to take account of AONB, local wildlife sites, protected species and biodiversity enhancements.
- 5.6 English Heritage: No response.
- 5.7 Kent Downs AONB (summarised) Objection: The proposal challenges future income streams to the farm; makes the farmyard unusable of livestock; would lead to replacement buildings being required in the AONB and Green Belt; challenges the landscape character and the historic landscape character of this part of the Kent Downs; this is driven by the phase 2 proposals on the main site and should not be considered in isolation; does not conform with TMBC's own policies or those of the Kent Downs AONB Management Plan; brings the activities of the house and garden into the farmed landscape of this part of the AONB; does not address the 2 reasons for refusal.

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- 5.8 SWS: The proposal involves foul sewage discharge to an existing private treatment plant. The EA will need to be consulted.
- 5.9 PROW: Public Bridleway MR429 runs over the access track to the site and may be affected by the proposed development. 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. 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.
- 5.9.1 KHS: No objections - the previous applications were not refused on highway grounds.
- 5.10 Ramblers Association: Object - Walkers and riders on the Greensand Way would have an enjoyable view and more educational if farm animals remain. This will increase traffic on the MR429 (Greensand Way) and MR430 (The London Country Way) and Mote Road, affecting safety of walkers, cyclists, horse riders and car drivers. There are adequate provisions for locating the compound on the main house side of Mote Road.
- 5.11 CRPE: this is an unspoilt traditional farmstead, surprised that the National Trust should seek to destroy the ambiance of this unique farm. The needs to the NT should be accommodated on the other side of the lane. This will increase traffic on a quiet country lane and there would be security lights, fencing and gates next to a PROW onto a narrow lane.
- 5.12 Tenant Farmers' Association: The farmer in fact occupies the whole of the space subject to the application under the terms of his tenancy. He uses the yard for the storage of agricultural machinery, equipment and other items. The farm has insufficient storage for this elsewhere and whilst the traditional buildings in the farm yard are not ideal for modern farming purposes, they are all he has. To lose a significant amount of this storage space would have a negative impact on the farm business. The NT would serve notice to quit to the tenant - the impact on the personal circumstances of the farmer is a material planning consideration based upon case law.
- 5.13 KCC Heritage: No response.
- 5.14 DHH: If to be used for residential purposes, would need a desktop study and walkover survey to assess the need for any intrusive investigation.

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- 5.15 Agricultural Consultant advising the Borough Council (summarised): The main difference regarding the current application is that it excludes the 18.24m x 4.27m greenhouse and the block of 5 adjoining forcing pits that would have been located in the centre of the courtyard.
- 5.15.1 The exclusion of these growing facilities rather begs the question as to why the Trust requires occupation of the whole of the courtyard area (which is about 30m square) and to exclude the agricultural tenant from any access.
- 5.15.2 Options for plant propagation at Ightham Mote are being reconsidered so there is an unclear functional relationship between any alternative proposed growing area and impact in terms of movement of vehicles, staff etc.,
- 5.15.3 It appears that the overall management of the farm continues largely as described last year, 111 ha in an arable rotation plus about 22 ha of grassland managed under a Countryside Stewardship Scheme, which includes agistment of sheep from another holding (currently 37 ewes), and the tenant's own beef cattle rearing enterprise. The aim is to try and build up direct sales of beef to local customers. Hay and straw are grown both as a cash crop and for the cattle.
- 5.15.4 Within the old farmyard range, the various storage uses broadly remain.
- 5.15.5 Turkeys were fattened for last Christmas and the number this year is likely to increase. There are currently some 10 hens and 4 cockerels. In early June, piglets are proposed for sale as weaners, apart from 1 to be kept for fattening: if successful, the numbers reared for fattening subsequently from other litters may increase. 2 of the current grazier's sheep with foot-rot problems are currently being kept in the open yard.
- 5.15.6 The traditional farm buildings and yard, though of secondary importance to the main range, still have quite a valuable existing and/or potential role, given the size and nature of the farm, for the following purposes: Further storage of individual farm implements, in open-fronted bays, that can be tractor-attached/detached without having to move other equipment around to gain access or leaving implements unprotected outside, bearing in mind this is effectively a one-man farm where ease of management is assisted by convenient access to a relatively broad range of farm machinery for diverse tasks: alternative farm income from calf and/or pig rearing, and poultry keeping, where the proximity of the yard to the farmhouse can provide an important benefit particularly for the care and security for care of younger livestock which can have quite a high net value when sold to local direct outlets: convenience for lambing/shearing agisted (or self-owned) sheep; diversification income from livery stabling for at least one horse, or other future farm diversifications (subject to planning consent) that might benefit the farm business; the advantage of keeping smaller, easily moveable items of value in lock-up storage close to the farm dwelling.

5.15.7 My view remains, therefore, that the loss of the buildings/yard concerned to another use would adversely impact on the future viability of Mote Farm, and may be expected to generate a requirement for replacement building space.

5.15.8 The Trust states that taking potential (farming use) into account would result in many vacant and under-utilised farm buildings contrary to planning policy but many older buildings are dilapidated or otherwise functionally obsolete, which is not the case here, and in most cases the farmer himself gains the direct diversification benefits from the change of use. In this case the farmer would lose the buildings and their facilities and income potential, but the National Trust would receive the benefit of the proposed new use.

5.15.9 The Trust refers to possible mitigation through: a suggestion that the tenant could license or sub-let the farmyard back to the Trust as a gardeners' compound for an annual fee; addressing viability through a review of the rent; considering positively any request from the farmer for new (building) accommodation, including livestock housing, subject to a substantiated business case. However, none of these ideas have progressed, individually or together, to proposals that are sufficiently firm or detailed to assess, either in physical or financial terms. Consequently there is no guarantee, as matters stand, that once planning consent were granted for the proposal, suitable alternative arrangements would materialise that would obviate the Council's previous concerns with TM/08/00700/FL as to farm fragmentation, loss of viability, and impact of replacement buildings.

5.16 Private Reps: (A) (193/104R/0X/10S) + CA/LB/PROW press and site notices; (B) (193/57R/0X/8S) + CA/LB press and site notices.

5.16.1 A petition of objection with 352 signatures has been received plus a total of 161 letters objecting to the 2 applications.

5.16.2 Objections are summarised as follows:

- The previous refusals have not been overcome, sorry to see the NT did not accept the previous decisions.
- The personal circumstances of the farmer are a material planning consideration.
- Will fragment, hinder diversification and therefore harm the viability of the farm, the tenant farmer could be evicted from the majority of the farmyard.
- The storage left to the farmer is greatly reduced and will not be practical to access or use.
- The NT imply a rent reduction for the farmer but all previous reviews have always resulted in a rent increase.

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- The NT have rejected diversification plans of the farmer.
 - It is not right to detach a farmyard from a farm unless the farmer agrees - the reduction in future farming options would be wrong.
 - There is a need for flexibility if there is to be a proper future in a viable farm.
 - Mote Farm has good facilities for sheep rearing and shearing.
 - The NT is ignorant of what is needed to be stored on a working farm. It is arrogant of the NT to criticise the farmer for not cooperating with the NT's suggested mitigation.
 - The Whole Farm Plan is out of date and was unsigned by the tenant farmer.
 - NT is taking most of the buildings and all of the yard.
 - This will not leave sufficient room to accommodate essential equipment. This could, therefore, result in further farm buildings being erected, contrary to policies.
 - Consumers can benefit from close contact with the food they eat, and the knowledge that it has been humanely and locally reared.
 - The National Trust ought to be in favour of preserving our heritage. The use they are seeking could easily be accommodated elsewhere on Ightham Mote land where general visitors to the house can see it as an integral part of how the house and garden function and are maintained.
 - The farm yard is linked to the Farm - it and the Manor House have historically always been separate entities.
 - The Old Farmyard has traditional and rare character of educational benefit for children. It is a delight for local people and walkers and visitors from further afield to visit, with its mixture of farmyard animals, working machinery and age-worn buildings.
 - This is a farmyard of historic architectural character. This is one of the very few agricultural farmyards still existing in Kent and as such should be preserved. Raises questions about the integrity of the NT which is obliged to preserve its listed buildings and to nurture traditional farmyards for future generations.
 - A small scale working farmyard is something that the wider public are unlikely to encounter so close to home elsewhere. It brings history to life and connects people with the land: again, a very highly esteemed benefit in the urban-based, factory-farming society of today.

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- The Trust does not appear to appreciate the significance of these buildings. Model farms of this type were built in many parts of the country during the nineteenth century, as part of the keen interest in farm design that followed the widespread enclosure movement of the late eighteenth and early nineteenth centuries. However, Kent had been enclosed far earlier, during the middle ages, and so the prevalent type of farmstead is one of order and less planned.
 - The proposed change in use to the farmyard flies in the face of conservation of historical buildings for public viewing. They will destroy this most attractive feature of a beautiful unspoiled Victorian working farmyard and farmhouse as a group which has been readily visible from the Greensand Way for many generations.
 - This change of use is not showing care and preservation of historical, beautiful sites and buildings. 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.
 - Concern at the effect the proposal would have on the setting of the grade I listed Ightham Mote Manor House, the character of Mote Farm and the character and appearance of the surrounding Conservation Area.
 - Harm to the open Green Belt and rural character of the Area of Outstanding Natural Beauty, a typical example of a Kentish scene.
 - Harmful to a listed building.
 - Yard could become a dumping ground for surplus materials/detritus from the main site or even have polytunnels etc erected that would not need planning permission.
 - Replacement gates will remove character.
 - The applicant grossly underestimates the resultant level of traffic.
 - This development will create additional traffic and there could also be difficulties between this traffic and current users of the bridleway.
 - Commercial activity should be restricted to the main site this is creeping over-development.
 - This proposal is linked to the Phase 2 development for Ightham Mote but is piecemeal.

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- The alternative sites assessment by the NT is not thorough - no plans or proper comparison.
 - If the greenhouse is no longer essential to be next to the compound then there are lots of other sites more suitable.
 - The site of the builders' yard is earmarked for other development but would make a good site for the gardeners.
 - The coach house should be used for the gardeners' mess room - conveniently sited and accessible to drainage.
 - Wrights Farm is a suitable option as it has footings of demolished buildings. The NT has planning permission to erect other buildings in the Green Belt – these would be similarly justified.
 - They should consider siting the compound in the back garden of "The Mount".
 - There are secluded sites elsewhere suitable for gardeners' compound buildings – the site of the compost boxes in the woods.
 - Government planning policy guidance is that the best use for the building is the one for which it was originally built.
 - Gardening is integral to the upkeep of the Manor House so should not need to be hidden away as the NT wants - compare with Hever Castle.
 - Will be noisier.
 - The NT is pushing ahead with these plans but not saying where the greenhouse and forcing pits will be.
 - The site is not convenient for the gardeners who work and park at the main house.
 - Phase 2 will mean a breach of numbers limited by TM/85/1010/FL, further inconvenience to Ivy Hatch now that the Mote is open at weekends.
 - Harm to the living conditions of the occupants of Mote Farmhouse by reason of loss of privacy and visual amenity, noise disturbance, light pollution and visual intrusion.
 - Harm to the Greensand Way and Mote Road by reason of increased motorised traffic.
 - This scheme is linked to the intended bridleway diversion.

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- The mess room will affect the roof void architecture and character of the listed building. Part of the roof trusses will be obscured by the need for insulation.
 - The parking of the gardeners' cars will inevitably be at the application site.
 - Light pollution from security lights, giving a suburban feel.
 - Site will be risk of burglary so security measures eg high fencing and lights will have to be introduced.
 - The use does not demand a rural location and it is not essential tourism development.
 - No evidence that the existing gardeners' compound affects the setting of the Mote and thus harms tourism.
 - The development will need a soil stack and a change in the vent to a window.
 - Unnecessary interference on bat habitat and harm from pesticide storage. There is no guarantee that NE will grant a bat licence as there are clearly satisfactory alternative locations for the development.
 - 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.
 - 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.
 - 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 Gravesend Way.

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- That the farmyard was seen as an appropriate location for the gardeners' compound was not communicated to the tenant until 2 years later.
 - 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.
 - The head gardener's 'store' is in fact his personal garage, the only part of the yard used by the Trust.
 - The nature of farming means that levels of livestock change according to market demands.
 - The privacy of residents of the farmhouse is affected when they are in the house, not the garden. Many people using machines make more noise than a few animals and one farmer.

5.16.3 Letters of support (18) are summarised as follows:

- Concerns about the greenhouse have been addressed.
- The farmyard has been underused for many years.
- The National Trust created a new, more practical yard for the tenant farmer which is adequate so no new replacement buildings will be necessary.
- The minor adaptation put forward is wholly appropriate and sympathetic usage for these buildings and will be carried out extremely well and in total sympathy to the surroundings.
- The Trust has done an excellent job of saving Ightham Mote by means of the major conservation work to the house.
- The National Trust policy is to make adaptive uses of historic farm buildings.

- This yard was derelict until the first application - weeds, rusty equipment but then animals magically appeared.
- The NT has a greater need and will restore the buildings for posterity.
- I have regularly walked past the farmyard and it appears under utilised.
- Unlikely to affect farm viability.
- Staff facilities are much needed.
- This most appropriate location in the whole estate.
- The current location of gardeners' compound next to the restaurant is inadequately sited.
- Works will have minimal effect and would receive the support of English heritage, the CPRE and the Council's own inspector.

6. Determining Issues:

6.1 There are a range of national, strategic and local planning policies relevant to these applications. The KMSP is saved until 6 July 2009. The Regional Spatial Strategy "The South East Plan" (SEP) came into force on 6 May 2009.

- The appropriateness of the development proposals in Green Belt terms is covered by PPG2 (Green Belts) and Policies SS2 of the KMSP and CP3 of the Tonbridge and Malling Borough Core Strategy 2007.
- General policies on conversions are QL1 of the KMSP and policies CP1, CP14, CP24 of the TMBCS and saved policies P6/14 and P6/16 of the TMBLP and Policies CC6, BE6 of the SEP.
- The main issue with the application for the listed building consent is the effect on the historic and architectural interest of the listed building. PPG15 (Planning and the Historic Environment) and Policies QL8 of the KMSP and BE6 of the SEP provide the relevant policy background.
- Consideration of the application for planning permission also raises wider issues including the overall effect of the proposed built development and the change of use application on the character and appearance of the Conservation Area (PPG15 "Planning and the Historic Environment" and Policies QL6 of the KMSP and BE6 of the SEP).
- The impact on the AONB and rural area in particular (PPS7 "Sustainable Development In Rural Areas" and policies EN3 and EN4 of the KMSP and CP7 of the Tonbridge and Malling Borough Core Strategy 2007 and Policies C3 and C4 of the SEP).

- The impact on archaeological resources (Policy QL7 of the KMSP and PPG16 “Archaeology and Planning” and Policy BE6 of the SEP).
- The impact on nature conservation (PPS9 “Biodiversity and Geological Conservation” and Policies EN8 of the KMSP and NRM5 of the SEP).
- The impact on the farm unit - Policy P6/14 and P6/16 of the TMBLP.

6.1.2 In Green Belt terms, the change of use is considered to be appropriate as it does not have a materially greater impact on the openness and does not conflict with the purposes of the Green Belt. I therefore consider that they are acceptable in principle under the terms of PPG2, KMSP policy SS2 and Tonbridge and Malling Borough Core Strategy 2007 Policy CP3.

6.2 The external changes to the old farm buildings required by the conversion will be acceptable in listed building terms in my view. Internally, whilst the need for thermal insulation will mean some currently exposed rafters having to be covered, the main feature trusses are to remain exposed and I consider this to be an acceptable design solution. English Heritage did not object to the principle of the development when it commented on the 2008 applications.

6.3 The change of use will introduce activity, unrelated to the farm, to be brought into a site adjoining Mote Farm House. The overall relationship is acceptable in residential amenity terms in my view given the hours of use as proposed. There is nothing to indicate that the activity will be any noisier to the residents of the Farmhouse than farming activity provided that a prohibition is placed preventing any sales taking place at the application site. Similarly, the overall impact on privacy is considered to be minimal as a large area, well away from the current application site, will remain as a private garden area for the occupants of Mote Farmhouse.

6.4 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. Subject to there being no visits to the site by the general public, there are no objections from KHS in terms of traffic, bearing in mind the existing legal use rights of the track as a farm track based on typical, not actual, movements from a farm. The applicant has confirmed that the gardeners will continue to park their private cars at the Mote, the traffic to and from the application site being occasional movement of ride-on mowers etc along the track (that also accommodates a PROW) and also for a distance of 50m along Mote Road. Whilst I note the objectors’ concerns with Mote Road being used by fast moving traffic and concern at the bends in the road, in the absence of a highway safety objection from KHS, refusal on those grounds cannot be justified. Similarly, the PROW office at KCC does not object to the principle of the development in relation to the continuing use of the PROW by walkers, cyclists and horse riders.

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- 6.5 The introduction of a new foul sewer will potentially impact on archaeological interests but this can be dealt with appropriately by a condition requiring a watching brief. This element of the work where it affects the Manor House site will in any event require separate Scheduled Ancient Monument consent which is a separate requirement which is entirely in the control of the Department of Culture Media and Sport.
- 6.6 The change of use will not materially harm the landscape character of the AONB in my opinion.
- 6.7 In terms of the acceptability of the conversion works, the development proposal largely complies with Policy P6/14 of the TMBLP as the alterations are in character with the buildings. 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.
- 6.8 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.
- 6.9 Members will note a strong disagreement between the objectors and the supporters on the merits of the applications and particularly the weight to be given to the retention of all of the buildings and the courtyard for farming use by the tenant farmer. Whilst the objectors refer to the farm buildings as having a long standing use for active livestock farming, that is an important part of the rural scene in a popular area for recreation, the applicant and its supporters cast doubt on the importance of the livestock use of the site. It is certainly the case that not all of the old farmyard buildings are used for farming; some are used for domestic storage. However, on the basis of the agricultural consultant's report, the key issue for Members is that, notwithstanding the actual past degree of use of the old farmyard for livestock, the opportunities the buildings and yard currently offer for appropriate farm diversification are relevant and should be taken into account in the consideration of the development proposed. The individual personal circumstances of the tenant farmer and the potential impact on his livelihood from the planning application are material planning considerations.
- 6.10 Members will also note that some objectors wish for this application to be considered in conjunction with the revised proposal for Phase 2 visitor facilities of Ightham Mote which are expected to include a request for an alternative bridleway alignment which has been the subject to its own controversy. That application was withdrawn. It is relevant to note that the approved (more modest) scheme for phase 2 (TM/01/01170/FL) already shows the existing gardeners' compound to be the site of the improved visitor facilities in principle. Accordingly, I advise Members that the current applications should be considered on their own merits.

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- 6.11 With regard to the dispute between the objectors and the applicant on the adequacy of alternative sites, it is the case that in Green Belt and rural policy terms, the conversion of existing buildings is normally to be favoured over the erection of new structures in such a sensitive location. Clearly, any “debate” between the objectors and supporters is complicated as the Trust has long term strategies for the visitor facilities which may not be in the public domain but which will inevitably influence their view as to the practicality of implementing the alternatives suggested by the objectors. The Trust is aware of the level of local opposition but remains of the view that the current applications represent the best option. I do not consider that alternative sites are **required** to be appraised in the determination of these applications but Members will note that the Trust has responded to suggestions made by objectors, outlined in para 1.7 above. It will be for the National Trust to decide to pursue alternatives if it wishes to do so, which would be considered on their individual merits. It is the role of the Borough Council to determine applications as they are submitted, and on their own merits.
- 6.12 The element of Policy P6/14 which is potentially contravened in my view is the requirement that the proposed use should not result in a fragmentation or severance of an agricultural land holding creating a non-viable agricultural unit. It is clear that part of the existing farm buildings is already used solely by the NT, and a proportion of floor-space is for domestic storage rather than farm based. The NT has also proposed that the tenant retains use of some of the building closest to the Farmhouse. Nevertheless, the Council’s retained agricultural consultant advises that he does consider that the reduction in opportunity for flexibility for the farmer plus the loss of convenience of using farm buildings and a farmyard close to the related farmhouse, will have some potential for impact on the viability of the farm.
- 6.13 Whilst the conclusion of the agricultural consultant is not agreed by the applicant, it is understood that the National Trust would be willing to agree to replacement buildings at the modern farm complex to mitigate to a degree the loss to the farmer unit of the old farmyard buildings and the open courtyard. Members were not previously satisfied that could be done without undue harm to the rural area and AONB. Members will be aware that agricultural buildings are considered in policy terms to be appropriate in the MGB by definition if they are genuinely required for an agricultural business. In this case, the need for new agricultural buildings would be generated by the loss of the majority of the farmyard to the farm unit.
- 6.14 Saved Policy P6/16 of the TMBLP states that where the conversion of an agricultural building could lead to a requirement for a replacement building, permitted development rights for such buildings will be removed. The Prior Notification procedures for new farm buildings allow the Council to exercise control over their appearance and siting. However, Members are reminded that the principle of replacement agricultural building in this sensitive location was of

concern in the determination of the 2008 applications. This view was taken notwithstanding that agricultural buildings are generally appropriate in the Green Belt because the Committee was concerned with the likely impact of a modern agricultural building on the amenities of the Green Belt and the landscape of the AONB.

- 6.15 In the light of the previous decision on this site, I believe that the resubmitted applications are not worthy of support as on balance, supported by the views of the Council's retained agricultural consultant, I consider that the detrimental impact on the farm he previously noted is essentially unchanged and thus the second reason for refusal of TM/08/0700/FL has not been satisfactorily overcome in his opinion.
- 6.16 Members will already be aware of the wide extent of local concerns of objectors on other impacts of the proposals and will need to form a view on what are essentially subjective matters related to the effect on the rural character of the area due to the loss of the working farm and its replacement by a gardeners' compound to serve a nearby heritage site. In the light of the previous decisions by this Committee on the planning application last year, Members will need to weigh up all considerations and judge whether the removal of the greenhouse and forcing pits can overcome the previous reason for refusal 1. Members may consider that the character of this sensitive rural area is materially changed and harmed by the loss of the working farm and the severance of the farmyard from its functional association with the listed farmhouse, sufficient to warrant refusal on planning policy grounds.
- 6.17 On balance, both in terms of my assessment of the character of the farmyard and its setting and having regard to the widespread and common local views of this factor, I am inclined to the view that the essential and traditional rural character would be eroded by the changes proposed. The resulting use would form an unexpected activity materially different to the traditional farming use to the detriment of the character of the local rural scene.

7. Recommendation:

(A) TM/09/00587/FL:

- 7.1 **Refuse Planning Permission** as detailed by Letter dated 27.05.2009, Letter dated 13.03.2009, Design and Access Statement dated 13.03.2009, Structural Survey dated 13.03.2009, Survey BAT SURVEY dated 13.03.2009, Location Plan dated 13.03.2009, Site Plan dated 13.03.2009, Existing Plans IMOC 2533-60 dated 13.03.2009, Elevations IMOC 2533-61 dated 13.03.2009, Elevations IMOC 2533-62 dated 13.03.2009, Elevations IMOC 2533-63 dated

13.03.2009, Elevations IMOC 2533-64 dated 13.03.2009, Elevations IMOC 2533-65 dated 13.03.2009, Proposed Plans IMOC 2533-66 A dated 13.03.2009,

Elevations IMOC 2533-67 dated 13.03.2009, Elevations IMOC 2533-68 dated 13.03.2009, Proposed Plans IMOC 2533-69 A dated 13.03.2009, Letter dated 27.05.2009, Proposed Plans IMOC 2533-66 A dated 30.03.2009 for the following reasons:

- 1 The proposed change of use from a working farm will harm the character of a Conservation Area and rural locality which is an Area of Outstanding Natural Beauty. It will also sever the association of an historic farmyard from its host farmhouse, detrimental to its essential character and heritage importance. The proposal would therefore be contrary to PPG15 (Planning and the Historic Environment); Policies QL1, QL6 and QL8 of the Kent and Medway Structure Plan 2006; Policies CP7 and CP24 of the Tonbridge and Malling Borough Core Strategy 1998, saved Policy 6/14 of the Tonbridge and Malling Borough Local Plan 1998 and policies CC6 and BE6 of the South East Plan.
- 2 The Local Planning Authority is not satisfied that the development will not result in a fragmentation of an agricultural land holding in such a way as to damage its future viability. Similarly, the Local Planning Authority is not satisfied that the development will not create a need for replacement agricultural building(s) that could harm the openness and visual amenities of the Green Belt and the landscape character of the Area of Outstanding Natural Beauty. The proposal would therefore be contrary to PPG2 (Green Belts); PPS7 (Sustainable Development in Rural Areas); Policies SS2, SS8 and EN4 of the Kent and Medway Structure Plan 2006; Policies CP3, CP7, CP14 and CP24 of the Tonbridge and Malling Borough Core Strategy 1998, saved Policies 6/14 and 6/16 of the Tonbridge and Malling Borough Local Plan 1998 and policies BE6, C3 and C4 of the South East Plan.

(B) TM/09/00588/LB:

- 7.2 **Refuse Listed Building Consent** as detailed by Letter dated 13.03.2009, Planning Statement dated 13.03.2009, Survey dated 13.03.2009, Survey dated 13.03.2009, Location Plan dated 13.03.2009, Existing Plans IMOC 2533-60 dated 13.03.2009, Existing Plans IMOC 2533-61 dated 13.03.2009, Existing Plans IMOC 2533-62 dated 13.03.2009, Existing Plans IMOC 2533-63 dated 13.03.2009, Existing Plans IMOC 2533-64 dated 13.03.2009, Existing Plans IMOC 2533-65 dated 13.03.2009, Proposed Plans IMOC 2533-66 A dated

13.03.2009, Proposed Plans IMOC 2533-67 dated 13.03.2009, Proposed Plans IMOC 2533-68 dated 13.03.2009, Proposed Plans IMOC 2533-69 A dated 13.03.2009, Proposed Plans IMOC 2533-66 A dated 30.03.2009,, for the following reason:

- 1 There is no justification for the proposed alterations in the absence of a planning permission for change of use and PPG15 (Planning and the Historic Environment) states that it is generally preferable if related applications for planning permission and for listed building are considered concurrently.

Contact: Marion Geary

SUPPLEMENTARY REPORTS

AREA 2 PLANNING COMMITTEE

DATED 24 June 2009

Ightham (A) TM/09/00587/FL
Ightham (B) TM/09/00588/LB

**(A) Change of use of part of old farmyard to gardeners' compound and minor alterations to buildings plus foul sewer connection; (B) Listed Building
Application: Change of use of part of old farmyard to gardeners' compound and minor alterations to buildings at Mote Farm Mote Road Ivy Hatch Sevenoaks Kent TN15 0NT for The National Trust**

Applicant: It is understood that the applicant has written directly to Members of the Area 2 Planning Committee making the following points:

- The recommendation for refusal shows inconsistency by the officers.
- Efforts by the NT to agree a solution with the tenant have been given no credence in the officers report and have not been reciprocated by the tenant
- Generally, vernacular farm buildings are no longer suitable for agricultural purposes, the proposed use is allied to its agricultural past but the least intrusive or damaging of any alternative diversification use.
- If this change of use is too damaging to the historic environment then any future applications by the tenant would have to be refused on the same grounds.
- The Trust can speak with authority of agricultural matters; it employs 100 land agents etc in the SE region alone.
- Farming by the tenants is carried out in the modern farm buildings provided by the Trust in the 1970's and 1980's.
- The agricultural consultant report should be dismissed as it is not based on empirical evidence so it is subjective opinion by a single person.
- Notwithstanding the unsubstantiated conclusion, the Trust has offered a leaseback arrangement to the tenant which has been declined.
- The rent for the holding and farmhouse would be extremely low as it is offset by a sub let cottage and could be offset by the leaseback arrangement suggested above.

Private Reps: Two extra letters of support has been received making the following summarised points:

- The new application has again been the subject of a fairly small but articulate local lobby. The NT has not thought it appropriate to organise a counter lobby but I think that the large size of its membership and the public support that it receives should not be overlooked.
- This is a sensible plan to allow the substantial improvement of the presentation of the Mote to its visitors- improvement of public access and its facilities for welcoming visitors, to provide proper interpretation of this unique property and for the maintenance and restoration of its fine garden. All are badly needed and will certainly be welcomed by the thousands of National Trust members and other visitors including many local people who come to the Mote.
- Regarding the continuing viability of the Mote Farm, the NT have shown themselves to have a responsible attitude to their tenant, having provided a modern working hub for the farm behind the farmhouse. Public access and parking have been arranged so that they do not impede farm operation.
- The old yard could be seen by all who visit the Mote and use the public footpath to be standing empty, overgrown and unused until recently.
- The National Trust has to balance the interest of the public and the individuals affected by their plans. I think the new Trust proposal does this well and I hope that it will be approved next week.
- I am nephew of the original donor of the Mote to the NT and it does good work at the property with professional high standards.
- The Old Yard is the only suitable base for the gardeners

Another 22 signature petition and 4 more letters object largely for reasons outlined in the main report but also:

- The working farmyard is a tranquil and interesting place to visit, provides enjoyment of the countryside and its farm animals
- The garden of the "Mount" or the adjacent nut platt is an alternative location for the gardeners compound
- Introduces commercial vehicles, men, fumes and noise into a rustic setting.
- PPG15 states that the best use of historic buildings is the use they were built for.

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- The farm was donated to the NT by Mr Goodwin after the tenant was installed on a 3 generational tenancy. It is **not** the family of Mr Goodwin who support the NT in this scheme.
 - This is not farm diversification as it is not in the interests of the whole farm
 - The AONB unit object to this scheme and their concerns have not been addressed by the NT
 - The farming activities in the old farmyard are conducive to its size. DEFRA records show the long term use of the yard for chickens since 1984.
 - The NT are dismissing the expertise of the Council's agricultural consultant.
 - Sheep grazing is necessary for pasture management
 - The NT has only been interested in discussing matters with the tenant since the last refusal. They are not specific in how the rent will be reviewed and has not said it will provide replacement facilities only that it will "consider positively".
 - This could lead to commercialised use of the yard, similar to what has happened at other NT properties. That will be easier to achieve once the change of use has occurred.
 - The NT has not made planning applications to use other sites for the gardeners so cannot argue they are unsuitable.
 - The new policies of the SEP mentioned by the NT are not supportive of the scheme.

DPTL: Members are reminded that in listed building terms, I raise no objections to the internal or external alterations to the built fabric.

In response to the points made by the applicant, the previous decision of the Council as Local Planning Authority is now a material consideration in the determination of this current application. Whatever the circumstances leading to the previous determination the decision of the Authority is a clear and distinct matter that should properly be taken into account by officers in framing subsequent advice.

The greenhouse was not cited in the previous refusal as the only concern. Rather, it was the overall effect of the proposal both on the viability of the remaining holding and the general character of the area that was at issue. Members are advised that in the 2008 proposal, the NT said that it was "essential that the

greenhouse is located in the immediate vicinity of the gardeners" but it is noteworthy that the greenhouse has been withdrawn with no explanation as to the location of its replacement,

The previous officer recommendation for approval was subject to a condition that required the submission of a farm plan and business case to demonstrate a strategy to ensure viability of the remaining farm. In the time gap between the two applications, there has not been evidence advanced by NT to address these matters, against the background of continuing concerns raised by our agricultural consultant. It appears that the NT has also met difficulties with gaining agreement with the tenant in formulating such a practical strategy. Suggestions put forward including replacement buildings are subject to considerable risk of being acceptable or deliverable in themselves. Consequently it was judged that we could not place satisfactory confidence on their ability to meet that test as originally conceived.

The report by the Council's retained agricultural consultant is judged to be satisfactorily reasoned guidance. He has now visited the farm twice and is fully appraised of the range of current and proposed farm activities/diversifications and is aware of the rent charged by the NT and the income to the tenant from subletting of a cottage. He has had several discussions with the NT's agricultural agents. It is true that he has not been able to factor in any of the "mitigation" offers by the NT both because they were not specified until 18 June (and the mooted change in rent is still not specified) and unless they have been agreed by the tenant, they will not come to fruition in any event.

Other issues raised by local objectors/supporters have been addressed in my main report.
