

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmbc.gov.uk

18 May 2020

To: MEMBERS OF THE AREA 2 PLANNING COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 2 Planning Committee to be held Online via Microsoft Teams on Wednesday, 27th May, 2020 commencing at 7.30 pm. Information on how to observe the meeting will be published on the Council's website. Deposited plans will be available for Members' inspection for half an hour before the start of the meeting.

Yours faithfully

JULIE BEILBY

Chief Executive

AGENDA

PART 1 - PUBLIC

1. Apologies for Absence
2. Declarations of Interest

3. Minutes 5 - 8

To confirm as a correct record the Minutes of the meeting of Area 2 Planning Committee held on 22 January 2020.

Decisions to be taken by the Committee

4. Development Control 9 - 12

Introduction and Glossary

5. (A) TM/19/02842/FL and (B) TM/19/02843/LB - Ightham Mote, 13 - 74
Mote Road, Ivy Hatch, Sevenoaks

(A) Construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing car parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works, and

(B) Listed Building Application: construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing car parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works

6. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

Matters for consideration in Private

7. Exclusion of Press and Public 75 - 76

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

8. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr H S Rogers (Chairman)
Cllr B J Luker (Vice-Chairman)

Cllr Mrs J A Anderson
Cllr R P Betts
Cllr C Brown
Cllr M A Coffin
Cllr S A Hudson
Cllr Mrs F A Kemp
Cllr Mrs C B Langridge
Cllr P J Montague

Cllr L J O'Toole
Cllr W E Palmer
Cllr J L Sergison
Cllr T B Shaw
Cllr N G Stapleton
Cllr K B Tanner
Cllr M Taylor

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TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 22nd January, 2020

Present: Cllr H S Rogers (Chairman), Cllr B J Luker (Vice-Chairman), Cllr Mrs J A Anderson, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr P J Montague, Cllr W E Palmer, Cllr J L Sergison, Cllr N G Stapleton, Cllr K B Tanner and Cllr M Taylor

Councillors N J Heslop and D Lettington were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors R P Betts, C Brown, M A Coffin, L J O'Toole and T B Shaw

PART 1 - PUBLIC

AP2 20/1 DECLARATIONS OF INTEREST

Councillor Luker declared an Other Significant Interest in application TM/19/01573/FL (Kentfield Farm, Tower Hill, Offham) on the grounds that a close family member used the site to stable their pony. He remained in the meeting to hear the debate but did not participate in the discussion or vote on the application.

For reasons of transparency and with regard to TM/19/02275/FL (172 Maidstone Road, Borough Green), Councillor Wendy Palmer advised that she was the Chairman of Platt Parish Council who were a consultee to this application.

AP2 20/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 6 November 2019 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP2 20/3 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice

had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP2 20/4 TM/19/01573/FL - KENTFIELD FARM, TOWER HILL, OFFHAM

Variation of conditions 3 (archaeology), 8 (hours of events) and 17 (cease of development) of planning permission TM/18/01930/FL (Erection of a temporary marquee on the site to be used in conjunction with the existing lapa for weddings/events; the erection of 3 holiday let units (timber pods); and utilisation of existing access from Teston Road) at Kentfield Farm, Tower Hill, Offham.

RESOLVED: That **temporary** planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health; subject to

(1) Amended Conditions:

2. No built development or any other associated engineering or other operations shall take place to construct the holiday lets 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.

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

7. The events/functions shall not be operational outside of the hours 11am to 11pm and all persons, other than the persons using the holiday lets, shall vacate the site by 11pm.

Reason: To adequately protect the amenities of residents in the local area.

[Speakers: Mr S Rickett – Chairman, Offham Parish Council; Mrs C Innes, Mrs S Young, Mr S Mahoney; Miss O March, Mr P Lloyd-Williams – members of the public and Mr S Thomas on behalf of the applicant]

AP2 20/5 TM/19/02275/FL - 172 MAIDSTONE ROAD, BOROUGH GREEN

Extending existing access drive to two six bedroom detached houses and two detached double garages, repair of existing boundary wall along

west boundary, landscaping and ancillary works at 172 Maidstone Road, Borough Green.

RESOLVED: That planning permission be REFUSED for the following reason:

The proposed development by virtue of its overall height, scale, bulk and massing combined with its siting and given the ground levels of the site and surrounding land, would result in an overbearing and dominant form of development which would cause significant harm to neighbouring amenity, contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007, policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD 2010 and the requirements of paragraph 127 of the National Planning Policy Framework 2019.

[Speaker: Mr J Chapman – on behalf of the applicant]

AP2 20/6 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.40 pm

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TONBRIDGE & MALLING BOROUGH COUNCIL

AREA PLANNING COMMITTEES

Report of the Director of Planning, Housing & Environmental Health

Part I – Public

Section A – For Decision

DEVELOPMENT CONTROL

In accordance with the Local Government Access to Information Act 1985 and the Local Government Act 1972 (as amended), copies of background papers, including representations in respect of applications to be determined at the meeting, are available for inspection at Planning Services, Gibson Building, Gibson Drive, Kings Hill from 08.30 hrs until 17.00 hrs on the five working days which precede the date of this meeting.

Members are invited to inspect the full text of representations received prior to the commencement of the meeting.

Local residents' consultations and responses are set out in an abbreviated format meaning: *(number of letters despatched/number raising no objection (X)/raising objection (R)/in support (S))*.

All applications may be determined by this Committee unless (a) the decision would be in fundamental conflict with the plans and strategies which together comprise the Development Plan; or (b) in order to comply with Rule 15.24 of the Council and Committee Procedure Rules.

GLOSSARY of Abbreviations and Application types

used in reports to Area Planning Committees as at 23 September 2015

AAP	Area of Archaeological Potential
AODN	Above Ordnance Datum, Newlyn
AONB	Area of Outstanding Natural Beauty
APC1	Area 1 Planning Committee
APC2	Area 2 Planning Committee
APC3	Area 3 Planning Committee
ASC	Area of Special Character
BPN	Building Preservation Notice
BRE	Building Research Establishment
CA	Conservation Area
CPRE	Council for the Protection of Rural England
DEFRA	Department for the Environment, Food and Rural Affairs

DETR	Department of the Environment, Transport & the Regions
DCLG	Department for Communities and Local Government
DCMS	Department for Culture, the Media and Sport
DLADPD	Development Land Allocations Development Plan Document
DMPO	Development Management Procedure Order
DPD	Development Plan Document
DPHEH	Director of Planning, Housing & Environmental Health
DSSL	Director of Street Scene & Leisure
EA	Environment Agency
EH	English Heritage
EMCG	East Malling Conservation Group
FRA	Flood Risk Assessment
GDPO	Town & Country Planning (General Development Procedure) Order 2015
GPDO	Town & Country Planning (General Permitted Development) Order 2015
HA	Highways Agency
HSE	Health and Safety Executive
HMU	Highways Management Unit
KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards
KDD	Kent Design (KCC) (a document dealing with housing/road design)
KWT	Kent Wildlife Trust
LB	Listed Building (Grade I, II* or II)
LDF	Local Development Framework
LLFA	Lead Local Flood Authority
LMIDB	Lower Medway Internal Drainage Board
LPA	Local Planning Authority
LWS	Local Wildlife Site
MAFF	Ministry of Agriculture, Fisheries and Food
MBC	Maidstone Borough Council
MC	Medway Council (Medway Towns Unitary Authority)
MCA	Mineral Consultation Area
MDEDPD	Managing Development and the Environment Development Plan Document
MGB	Metropolitan Green Belt
MKWC	Mid Kent Water Company
MWLP	Minerals & Waste Local Plan
NE	Natural England
NPPF	National Planning Policy Framework
PC	Parish Council
PD	Permitted Development
POS	Public Open Space
PPG	Planning Policy Guidance
PROW	Public Right Of Way

SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (prepared as background to the LDF)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document (a statutory policy document supplementary to the LDF)
SPN	Form of Statutory Public Notice
SSSI	Site of Special Scientific Interest
SWS	Southern Water Services
TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan
TCS	Tonbridge Civic Society
TMBC	Tonbridge & Malling Borough Council
TMBCS	Tonbridge & Malling Borough Core Strategy (part of the Local Development Framework)
TMBLP	Tonbridge & Malling Borough Local Plan
TWBC	Tunbridge Wells Borough Council
UCO	Town and Country Planning Use Classes Order 1987 (as amended)
UMIDB	Upper Medway Internal Drainage Board
WLP	Waste Local Plan (KCC)
AGPN/AGN	Prior Notification: Agriculture
AT	Advertisement
CA	Conservation Area Consent (determined by Secretary of State if made by KCC or TMBC)
CAX	Conservation Area Consent: Extension of Time
CNA	Consultation by Neighbouring Authority
CR3	County Regulation 3 (KCC determined)
CR4	County Regulation 4
DEPN	Prior Notification: Demolition
DR3	District Regulation 3
DR4	District Regulation 4
EL	Electricity
ELB	Ecclesiastical Exemption Consultation (Listed Building)
ELEX	Overhead Lines (Exemptions)
FC	Felling Licence
FL	Full Application
FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Assessment
FOPN	Prior Notification: Forestry
GOV	Consultation on Government Development
HN	Hedgerow Removal Notice
HSC	Hazardous Substances Consent

LB	Listed Building Consent (determined by Secretary of State if made by KCC or TMBC)
LBX	Listed Building Consent: Extension of Time
LCA	Land Compensation Act - Certificate of Appropriate Alternative Development
LDE	Lawful Development Certificate: Existing Use or Development
LDP	Lawful Development Certificate: Proposed Use or Development
LRD	Listed Building Consent Reserved Details
MIN	Mineral Planning Application (KCC determined)
NMA	Non Material Amendment
OA	Outline Application
OAEA	Outline Application with Environment Assessment
OAX	Outline Application: Extension of Time
RD	Reserved Details
RM	Reserved Matters (redefined by Regulation from August 2006)
TEPN56/TEN	Prior Notification: Telecoms
TNCA	Notification: Trees in Conservation Areas
TPOC	Trees subject to TPO
TRD	Tree Consent Reserved Details
TWA	Transport & Works Act 1992 (determined by Secretary of State)
WAS	Waste Disposal Planning Application (KCC determined)
WG	Woodland Grant Scheme Application

Ightham
Wrotham, Ightham And
Stansted

3 December 2019

(A) TM/19/02842/FL
(B) TM/19/02843/LB

Proposal:

(A) Construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works

(B) Listed Building Application: construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works

Location: Ightham Mote Mote Road Ivy Hatch Sevenoaks Kent TN15
ONT

Go to: [Recommendation](#)

1. Description:

- 1.1 These applications seek both planning permission and listed building consent for works which at their core propose the rearrangement of the car parking facilities for Ightham Mote. The existing car park is proposed be relocated into a field (known as Mount Field) to the immediate east of its current location.
- 1.2 The new car park would provide for a total of 311 surfaced visitor parking spaces (including 17 disabled, and 4 electric point charging bays). It also proposes a 120 space overflow car park, and 40 spaces for staff parking both of which are to be provided on a grass surface. A total of 3 dedicated coach parking spaces are also proposed.
- 1.3 Once the relocation of the car park has taken place, the land on which the existing car park is situated is proposed to be landscaped and brought back into use as part of the formal grounds of Ightham Mote, including formation of an orchard and the north access drive will be realigned in association with this.

1.4 In addition, and to summarise, the planning application also proposes as follows:

- Removal of existing visitors centre / reception building;
- Erection of glasshouse;
- Erection of bothy;
- Erection of new visitors reception and shop within the southern section of the re-instated Walled Garden;
- Creation of dog walkers path to east of the North Drive to provide access to Scathes Wood;
- Cut and fill strategy;
- Formation of attenuation basin with drainage strategy

1.5 In addition, Listed Building Consent is sought for:

- Re-instatement of Walled garden to formal garden area;
- Attachment of glasshouse to listed walled garden;
- Attachment of bothy to listed walled garden;
- Attachment of Visitors Reception to listed walled garden

1.6 The report that follows assesses and makes recommendations on both the development requiring planning permission and the works requiring listed building consent given the interrelationship between the different aspects.

1.7 For the avoidance of any doubt, the removal of the gardeners' compound, formation of a picnic lawn in its place and erection of greenhouses to the west of Mote Cottages are shown on the submitted drawings for completeness but do not form part of this planning application.

1.8 Members will note that Section 3 of the submitted Planning Statement sets out the background to this project and the vision of the National Trust in bringing this forward. The National Trust recognises that the current location of the car park, within the walled garden and along the north drive, detracts from the significance and the setting of the Mansion and states that the proposed relocation is intended to remove this harm and additionally create capacity to accommodate the natural and projected growth. It sets out that the popularity of Ightham Mote has grown over the years with visitor numbers rising from 100,000 in 2008 to 178,000 in 2018/2019 year. It suggests that based on natural growth, visitor numbers may rise to around 225,000 over the next decade.

1.9 The vision of the National Trust, as set out within their submission, is to reintegrate the Mansion within its historic setting by means of a holistic approach which is intended to:

- *“Improve the quality of presentation and interpretation of all aspects of the site to reflect the standards achieved by the conservation project which saved the Mansion from ruin”;*
- *“Maximise the opportunity to further expand and share the history of the whole site across almost 700 years (the Ightham Mote 700-year celebration is in 2020)”;*
- *“Enhance the wider understanding of and engagement with, diverse aspects of the site including all elements relating to the Mansion, the occupants and the wider estate, both invisible and tangible.”*

1.10 Members will be aware that a Members Site Inspection was held on 17 March 2020 in order to allow them to better appreciate existing and proposed layouts and key relationships.

2. Reason for reporting to Committee:

2.1 Given the balance to be struck between diverging policies and significant material planning considerations.

3. The Site:

3.1 The wider site of Ightham Mote consists of a 533 acre (216 hectare) holding which comprises the Mansion, historic cottages and outbuilding, lakes, farmhouse and associated Coach House, farm buildings, agricultural fields and woodland. The land was acquired by the National Trust in 1985.

3.2 The application site which falls within the red line of these applications falls centrally within the wider site. It includes the North Drive, the Walled Garden, the existing Visitor Reception area, and the field adjacent to the existing car park known as Mount Field.

3.3 The application site lies within the Metropolitan Green Belt and within the North Downs Area of Outstanding Natural Beauty. The site is also wholly within an Area of Archaeological Potential. The walled garden, visitor’s reception and the main formal gardens of Ightham Mote fall within the Ightham Mote Conservation Area. Public Right of Way MR430 runs around the southern extent of the site and Mote Road runs through the middle of the estate. Mount Field is designated as Grade II agricultural land.

3.4 The mansion of Ightham Mote is a Grade I Listed Building, with adjacent Grade II* listed cottages and standing structures. The mansion, mote, adjacent gardens to

the north and gardens to the west including the land occupied by the cottages area designated as a Scheduled Monument (Ightham Mote Medieval Moated Site). All these including the grade II listed dwelling of East Mote Oast lie outside the red line of the application site but form part of the wider setting of Ightham Mote.

4. Planning History (relevant):

TM/85/11472/FUL grant with conditions 21 November 1985

Alterations to vehicular access; provision of car and coach parks and associated works.

TM/85/11476/FUL grant with conditions 28 October 1985

Conversion of coach house to shop and toilets in association with and on land adjoining Ightham Mote.

TM/85/11478/LBC grant with conditions 18 November 1985

Alterations to coach house.

TM/86/11263/FUL grant with conditions 27 February 1986

Erection of gardeners equipment store for temporary period.

TM/93/00720/FL grant with conditions 4 March 1993

Extend existing tea pavilion and temporary consent for the whole structure

TM/94/00756/FL grant with conditions 30 November 1994

Erection of temporary prefabricated ticket office and exhibition building

TM/95/51422/FL Grant With Conditions 9 May 1996

modification of existing car park , including new entrance, realignment of roadway, new entrance to walled car park and associated landscaping

TM/95/51423/LB Grant With Conditions 19 April 1996

create opening in listed wall to create a new entrance into existing car park

TM/96/01510/LB Grant With Conditions 11 December 1996

Listed Building Application: creation of opening in Listed wall to create a new entrance into an existing car park (revised application to that approved under ref: TM/95/51423/LB)

TM/98/00206/FL Section 73 Approved 24 March 1998

S.73 application seeking to vary condition 01 of planning approval ref:
TM/93/0016 to allow temporary siting of tea pavilion for a further 5 years

TM/99/02686/FL Section 73A Approved 24 March 2000

retention of temporary prefabricated ticket office and exhibition building

TM/04/03847/FL Section 73A Approved 28 February 2005

Renewal of temporary permission for Exhibition and Entrance Building

TM/06/01931/FL Grant With Conditions 9 August 2006

External covered seating area to rear of restaurant

TM/07/04351/FL Approved 25 January 2008

Renewal of temporary permission for exhibition and entrance building

TM/11/01111/FL Approved 26 July 2011

Application to retain existing entrance and exhibition building for a period of 5
years

TM/12/00135/FL Approved 8 March 2012

Three parking meters in car park

TM/12/00136/AT Approved 12 March 2012

3 No. signs in car park related to parking meters

TM/20/00076/FL Pending Consideration

Full planning permission for the construction of glasshouses, hardstanding area and vehicular access drive on the paddock area to the west of the Mansion and to the south of the Mote Cottages car park for use as replacement facilities following the removal of the Gardeners' Compound. Full planning permission and listed building consent for the use of the existing Gardeners' Compound as a picnic lawn (incorporating repairs to the boundary wall of the existing Gardeners' Compound)

5. Consultees:

[DPHEH: for completeness, the representations of Historic England are reproduced in full at Annexe 1 to this report. All other representations received are summarised below]

(A) TM/19/02842/FL

5.1 Shipborne Parish Council: Parish Council are raising objection on the grounds of;

- Impact on road network- visitors/construction traffic
- Incursion into the AONB and Green Belt
- Harm to enjoyment of extremely well used local footpaths
- No demonstrable need or sufficient public benefits which outweigh harm- no very special circumstances
- Impact on biodiversity/ loss of mature trees

5.2 Ightham Parish Council: Ightham Parish Council voted 5 votes to 4 *in favour* of the application

The following comments were raised:

- Ightham Parish Council appreciate that Ightham Mote is a great asset in the village.
- The majority of Councillors are in favour of opening up the walled garden and restoration of the drive.
- At least one councillor was encouraged by the addition of wetlands and increased bio-diversity that the additional planting will bring in to the area.
- The whole of the Ightham Mote estate is in Metropolitan Greenbelt /AONB and that the proposal is broadly net neutral in terms of land regained against that lost for the car park and visitor centre/shop.
- The proposal recognises the need to better manage the current level of visitors and their vehicles.

Some Councillors raised the following concerns about:

- The loss of some Metropolitan Greenbelt and the impact on AONB
- In the short term the intrusion to and views from some of the footpaths
- Highways concerns- traffic/ visitor numbers

- Climate change; encouragement should be given to sustainable means of travel to reinforce the NT's stated aim of becoming carbon neutral.

5.3 Conservation Officer: While it is clear that the relocation of the car park will itself cause harm within the wider landscape setting of the primary heritage asset, the restoration of the current car parking areas to more appropriate uses will result in a better interpretation and representation of the historic setting and the site as a whole, improve the visitor experience of the history of the site, provide better access and a more varied visitor penetration onto the site which will relieve pressure on the current access points. The car park itself is moved further out of the primary setting of the main heritage asset and will be less visible to visitors as they arrive. On this basis I raise no objection to the proposal, as although some harm is caused, a greater level of improvement is achieved and the balance is an improvement to the heritage values and significance of the site.

5.3.1 In relation to the other parts of the proposal; the new Visitor Centre within the walled garden. This does not benefit from relocation from a less desirable location in heritage terms. It will impact on the openness of the walled garden, even though the walled garden is currently a carpark. None the less the rejuvenation of the walled garden and the benefits of enhanced visitor experience that the visitor centres proposed location will provide may well outweigh the impact on the openness of the walled garden. Operational benefits may also provide justification to offset potential for harm. The quality of design may also be a significant factor in determining acceptability. The harm caused by its location within the walled garden is low when compared to the current use as carpark and when this low level of harm is assessed against the proposed benefits outlined above I believe the proposal is justified

5.3.2 Condition suggested in relation to the new structures including the visitor centre, walled garden glass house

5.4 KCC (Heritage): Original comments: I welcome the Heritage Statement but in view of the significance and complexity of the heritage assets and the proposed scheme, further heritage assessment is needed. This further assessment needs to include further plans and fieldwork, in agreement with the County Archaeologist. As such I recommend that further heritage assessment is needed prior to determination of this application. I recommend the following are provided:

- a larger scale plan clearly indicating the known and potential extent of archaeological remains;
- a plan of the extent of archaeological remains with an overlay reflecting proposed groundworks and depth of groundworks. The aim of this is to ensure there is suitable discussion on how best to avoid potentially sensitive archaeological remains, to change some details to ensure preservation in situ

and to guide the need for advanced, possibly pre determination evaluation fieldworks.

5.4.2 I also recommend the need for further assessment of the impact on non-designated buried archaeology and archaeological landscape features. An initial more detailed analysis of the HER can be done as a desk based exercise but I also recommend fieldwork. I understand a geophysical survey has been done of the field for the new car park and I would welcome a copy of this. The results should be fed in to the further assessment process.

5.4.3 Following an initial stage of analysis of the HER data and geophysical survey data, I recommend the need to consider evaluation through trial trenching and/or test pitting.

Further representations following the receipt of updated heritage statement and geophysical survey:

5.4.4 I am happy with the revisions. Archaeological issues are addressed now and conditions are requested.

5.5 Kent Downs AONB Unit: Object on the following grounds:

- High landscape sensitivity
- Moderate to major adverse effect on landscape character, although level of harm would reduce through mitigation planting.
- Largely agree with finding of LVIA- very limited viability of the site from PROW's
- Agree there are benefits from enhancing the immediate landscaper setting of Ightham Mote.
- Design generally follows best practise as advocated in the Kent Downs AONB Landscape Handbook
- If minded to accept the principle would suggest advance planting of proposed mitigation planting.

5.6 EA: Due to the scale, nature and setting of this proposal and the supporting information submitted, we do not object to the proposal in principle providing the following conditions are placed on any permitted development. Conditions suggested regarding contamination and infiltration of surface water.

5.7 NE: No comments to make

5.8 KCC (H+T): The applicant has demonstrated to this authority's satisfaction that the proposals are to meet *existing demand* by people already visiting Ightham Mote

itself. In addition, no new facilities, over and above those already in situ, are proposed as part of this application. It is therefore not considered that the proposals in themselves will lead to any *new trips* on the local highway network; accordingly, this authority would not be able to sustain an objection on traffic impact grounds. I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority subject to conditions.

5.9 KCC (LLFA): Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk and Drainage Strategy report prepared by Price and Myers and have no objections to the scheme proposed. We welcome those proposed limiting of runoff rates in line with existing greenfield conditions.

5.9.1 As part of the detailed design stage, we would expect to see the final design of the attenuation pond with relevant cross-sectional drawings and to provide the final outfall location of the pond. We would be satisfied for the applicant to provide this information at this stage to remove the requirement for detailed design pre-commencement condition

5.9.2 So should your Local Planning Authority be minded to grant planning permission, we would recommended conditions are attached to this planning application

5.10 Landscape Officer: The plans have been very well thought though to provide a practical and sustainable solution to accommodate NT visitors.

5.10.1 Although a number of trees are proposed to be removed, predominantly where the existing parking area is, these would have largely been planted when the original parking arrangements were constructed. Part restoration of the area as an orchard walk, leading the eye down to the walled garden will be a positive enhancement along with opening improved views over the grounds.

5.10.2 A landscape and visual appraisal of the proposed car parking and visitor reception/shop building has been prepared by Colvin & Moggerige. This shows that the impact of the new parking area will be moderate. However, despite the fact that the area encroaches into open countryside on arable land, it is sited on lower land in a shallow dip, and will be terraced to minimise its impact. Substantial native, indigenous planting will be carried out including a substantial number of Cobnut trees which area very much in character with the area. In a relatively short time this will grow up to improve screening. Existing hedgerows will be reinforced and allowed to grow up to increase cover.

5.11 Environmental Protection: I have some concerns regarding the walled garden, which has been used as a car park for a significant amount of time, being converted back to a garden. Assuming fruit and vegetables designed for human consumption are not going to be grown here, I would recommend a watching brief. However, if this is not the case the soils will need to be sampled to ensure they are suitable.

5.12 Private Reps + Site + Press notice 2X/153R/12S:

Objections summarised as follows:

- Harmful to Area of Outstanding Natural Beauty
- Car Park will result in loss of good farming land
- Increase in traffic through Ivy Hatch- lack of other transport measures considered
- Inappropriate in the Green Belt
- Possible impact on archaeology (loss of roman road)
- Highway safety concerns- worsened by increase in visitor numbers
- Adverse impact on Wildlife/ Biodiversity/ Ecology- loss of trees
- Alternative suggestions would be preferable- Access of A227, shuttle bus
- Will encourage more vehicle movement- impact on climate change/ air pollution
- No established need for new car park- regularly free spaces
- Tourism should not be more important than the environment/conservation
- Can Ightham Mote cope with suggested visitor numbers enabled through development/ limit reached
- No suitable case of very special circumstances
- Harmful to setting of scheduled ancient monument
- Interrupt/ harm views from public footpaths
- Harmful to significance of heritage asset, impact on its seclusion
- Harmful to East Mote Oast- views/ setting / privacy / amenity. No consideration given to harm of this heritage asset.
- Impact of attenuation pond in Mill Field
- Cut and fill strategy may result in additional flooding impact to adjacent property
- Impact on protected species

- No historic evidence of formal garden / orchard

Support summarised as follows:

- Existing car park facilities poor
- Difficulties for access- pushchairs / wheelchairs
- 'tired' existing visitors reception building
- Proposal will make a real change / benefit to visitors
- Benefit to walled garden
- Allow management of rainwater/ reduce risk of flooding
- Electric charging points added benefit.
- Enhancement to existing car park area-more in keeping
- Land lost of offset by land being regained/reinstated
- Ecology / biodiversity benefits
- Archaeology on site had already been explored
- Benefit to heritage asset through additional funding from visitors

Neutral comments raising following points;

- Layout does not seem to accommodate public transport/ bus service
- Limited lighting will allow safer access
- Can road network accommodate suggested 50,000 visitors?

5.13 The representations include 2 separate petitions against the proposed development. A petition on change.org has gained 708 online signatures at the time of writing this report. A hand complete petition was submitted with 217 signatures.

(B) TM/19/02843/LB

5.14 Private Reps +Site + Press notice 0X/29R/5S:

Objections summarised as follows:

- Harmful to significance of heritage asset, impact on its seclusion

- Need for car part of scale proposed
- Harmful to Area of Outstanding Natural Beauty
- Loss of productive agricultural field
- Harm to Green Belt
- Impact on Archaeology- Romano-British heritage- Roman Road
- Increase in traffic through Ivy Hatch- pollution
- Impact on Climate Change- encouraging more vehicles
- No very special circumstances
- Adverse impact on Wildlife/ Biodiversity/ Ecology
- Cut and fill strategy may result in additional flooding impact to adjacent property

Support summarised as follows:

- Inefficient existing parking/ access arrangements
- Minimal disruption to local area and wildlife
- Would ease traffic movements
- Opportunity (benefit) to bring walled garden back to its former glory including glasshouse
- Large plot of land will be regained and reinstated
- Planting of native trees, wetland run-off pond will support significantly more wildlife.

5.15 The representations for both (A) TM/19/02842/FL and (B) TM/19/02843/LB include 2 separate petitions against the proposed development. A petition on change.org has gained 708 online signatures at the time of writing this report. A hand complete petition was submitted with 217 signatures.

6. Determining Issues:

Introductory matters:

6.1 It is recognised that these applications form part of wider plans the National Trust have for the site going forward. However, any wider plans envisaged should not

have a bearing on the assessment and determination of these applications before Members.

6.2 In support of these proposals, the National Trust have undertaken their own exercise to assess the constraints for the wider estate of Ightham Mote. This exercise was undertaken in order to consider the various potential options for car parking within the site with a view to proposing the most suitable option, in their view, before proceeding with an application. The findings of this are included within Section 3 of their Design and Access Statement and considers factors such as heritage sensitivity, ecology, landscape character, routes, highways, viewpoints and visual sensitivity (under headings A-G). Notwithstanding this exercise, it is the role of the decision maker is to assess the merits of the proposals now under consideration.

Development in the Green Belt

6.3 The entire site lies within the Metropolitan Green Belt and as such restrictive policies apply. Policy CP3 of the TMBCS is the adopted development plan policy pertaining to the Green Belt and sets out that national Green Belt policy will be applied generally within the Borough. National policy is contained at Section 13 of the NPPF.

6.4 Paragraph 133 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

6.5 Paragraph 134 goes on to outline the five purposes of the Green Belt which are;

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.6 Paragraph 143 then sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

6.7 It continues at paragraph 144 that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the

potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.8 Paragraph 145 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. It then goes on to set out a number of exceptions to this, as follows:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority

6.9 Paragraph 146 sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Relevant to this application these exceptions includes:

- engineering operations
- material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds);

- 6.10 The development proposed by this application involves several distinct elements each of which require assessment against the Green Belt policy set out above.
- 6.11 Firstly, the creation of the new car park amounts to a material change of use of land with associated engineering operations to facilitate its creation, including the formation of terraces. The key test in establishing whether this amounts to inappropriate development being whether these aspects preserve the openness of the Green Belt and do not conflict with the five purposes of including land within it.
- 6.12 The car park would undoubtedly result in a spread in development onto a currently undeveloped piece of land, resulting in encroachment into the countryside. The associated engineering operations to create the terraced car parking spaces across this part of the site, accounting for the land levels, would have an impact on openness too. Although transient in nature, the car park in operation would also serve to reduce openness by virtue of a volume of cars being parked on the land. Whilst it is appreciated that to some extent these impacts would be mitigated by the landscaping strategy, this aspect of the development is considered for these reasons to be inappropriate development within the Green Belt, which is harmful by definition. Further, there would be some material harm to openness. Very special circumstances that clearly outweigh this (and any other) identified harm will therefore be required to be demonstrated.
- 6.13 Equally, the works to form the access, including the removal of the bank to the east and the formation of the dog walking paths are engineering operations. In this respect, the ground levels for the existing parking area are to be raised to create a consistent land level across the north drive. This degree of land level change, along with the removal of the eastern bank would result in a noticeable visual change but it is my judgement that this alone would preserve openness and not conflict with the purposes of including land within the Green Belt and is therefore not inappropriate development requiring very special circumstances.
- 6.14 I now turn to the various aspects of built development proposed (the visitor centre, bothy and greenhouse). Firstly, the new visitors centre is intended to replace an existing reception building. There are a number of relevant tests that need to be considered in this respect. Firstly, whether the replacement building is in the same use and is materially larger than the one it replaces (the exception provided for at paragraph 145d of the NPPF). In these respects, the existing building is a modest timber structure whereas the proposed visitors reception and shop is of a larger more permanent construction. I consider that whilst remaining in the same use, it would be materially larger than what it seeks to replace and as such I do not consider the exception provided at paragraph 145(d) can reasonably be said to apply in this instance.
- 6.15 However, it is necessary to establish whether any of the other exceptions set out in paragraph 145 could be reasonably said to apply. Paragraph 145 (g) provides an exception for new buildings that would amount to limited infilling or the partial or

complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt. This part of the site clearly amounts to previously developed land given the presence of the existing reception building. Notwithstanding the fact that it is accepted the replacement building would, on a straightforward comparison, be materially larger (and as such the exception at paragraph 145d cannot apply), I do not consider that the replacement building would have a greater impact on openness. This is because the building would be sited within a cluster of significant existing development and be seen clearly against the backdrop of that. For the same reasons, it is my view that the new glasshouse and bothy (which fall within the curtilage of developed land which is outside of a built up area meaning they also would be situated on previously developed land within the context of the definition contained within Annexe 2 of the NPPF) would not have a greater impact on openness when seen against the backdrop of the established cluster of development, including the large Mansion house itself. I am therefore satisfied that the proposed new buildings meet the exception set out at paragraph 145(g) and are not considered to be inappropriate development and do not require very special circumstances to be demonstrated.

- 6.16 The proposal also includes other engineering operations being the undertaking of a cut and fill strategy and surface water drainage for the site including the formation of the attenuation basin. Excluding the engineering operations already considered above, the remainder of these works would be modest in scale, would not result in a greater impact on openness, would preserve the reasons for including land in the Green Belt and are not considered to be inappropriate development.

Countryside designation:

- 6.17 In addition to the Green Belt policies considered above, it must also be recognised that the site lies within the designated countryside more generally. In this respect, policy CP14 of the TMBCS outlines that development within the countryside will be restricted to the following:

- (a) extensions to existing settlements in accordance with Policies CP11 or CP12 ;
or,
- (b) the one-for-one replacement, or appropriate extension, of an existing dwelling, or conversion of an existing building for residential use; or
- (c) development that is necessary for the purposes of agriculture or forestry, including essential housing for farm or forestry workers; or
- (d) development required for the limited expansion of an existing authorised employment use;

- (e) development that secures the viability of a farm provided it forms part of a comprehensive farm diversification scheme supported by a business case; or
- (f) redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability, or
- (g) affordable housing which is justified as an exception under Policy CP19; or
- (h) predominantly open recreation uses together with associated essential built infrastructure; or
- (i) any other development for which a rural location is essential.**

[my emphasis added]

6.18 Ightham Mote lies within a rural location and would require a certain level of infrastructure and associated facilities to support visitors and the longevity of the asset. Given its location, there is plainly nowhere else that such facilities can be reasonably located meaning that the rural location is essential for the development proposed. As such, the proposal meets the requirements of policy CP14.

Listed Buildings:

- 6.19 There is a statutory duty on decision-makers to have special regard to the desirability of preserving listed buildings and their settings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.20 Similarly, Section 72 of the Act requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of these areas, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 6.21 Paragraph 189 of the NPPF requires LPAs, in determining applications to require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

6.22 Paragraph 190 of the NPPF requires LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

6.23 Paragraph 192 of the NPPF states that in determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

6.24 Paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

6.25 Paragraph 194 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

6.26 Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

6.27 Paragraph 196 requires that when a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

6.28 The associated planning practice guidance makes it clear that the significance of a heritage asset derives not only from its physical presence but also from its setting. The guidance requires potential harm to designated heritage assets to be categorised as either substantial (which includes total loss) or less than substantial harm, in order to determine which of the policy tests should be applied. However, within the category of “less than substantial harm” it is accepted in case law that a decision maker must take a view as a matter of planning judgement as to the level of harm within that category.

6.29 It is vital therefore to identify the relevant heritage assets; identify the settings of the relevant heritage assets; and determine whether the proposal will result in substantial harm or less than substantial harm, and if less than substantial harm the level of that less than substantial harm. Further guidance on such matters can be found in the NPPF and Historic England’s The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) 2017.

6.30 In these respects, I will firstly address the physical works to the listed buildings and then move on to matters pertaining to setting.

6.31 To clarify, not all works subject to this application require listed building consent. The only works which specifically require listed building consent would be those that would have a material impact on a listed or curtilage listed structure. These are the re-instatement works to the walled garden including any ground works necessary to remove the current hard surface adjacent to the wall, the erection of the bothy and glasshouse which have a physical attachment to the listed wall and the erection of the visitor’s reception.

6.32 Turning firstly to the reinstatement of the walled garden, key elements to its restoration have been described within the submitted Design and Access Statement and include the following aspects:

- Removal of the hard car parking surface;

- Rainwater capture and distribution;
- Creation of pathways- crushed stone and timber edging;
- Conservation and repair of the walls;
- Installation of new gates to close the wall openings;
- Attachment of a new working glasshouse, bothy, dipping pond and a shelter for visitors.

6.33 It is proposed to restore the walled garden to a classical quarters design. The application outlines that submitted designs for the walled garden are illustrative to the design approach and that a more detailed design would be forthcoming once archaeological excavation is completed, which in these circumstances is expected. The principle of these elements is considered to be acceptable, subject to the detailed work, which could be reasonably and suitably secured by conditions.

6.34 The bothy itself is proposed to be a simple timber clad structure with a brick plinth, allowing the building to be set into the ground to match the existing contours, under a green roof. A traditional style glasshouse is also proposed which is intended to assist in the cultivation of plants for the walled garden itself. Although the two structures are to both be lean-to, the level of physical attachment to the fabric of the listed wall are minor in their nature and would not cause any harmful interference. Similarly, their scale and nature would not give rise to any harmful impacts to setting.

6.35 Turning to the new visitors reception, I note that the Design and Access Statement outlines the various options that were considered before the final scheme was decided upon. The submission indicates that the scheme as submitted was chosen because it was considered to be of a form and appearance that would minimise the impact on the wall's structure. The building is proposed to measure 22m (length) x 13.5m (width), at an overall height of 5.2m, which varies dependant on the surrounding ground level. The flat roof design seeks to keep the eaves height below that of the garden walls to minimise its visual impact with only the clerestory (providing necessary light and ventilation) proposed to be above that level. The building is proposed with an exposed timber frame with a lime render finish and a sedum roof. Whilst modern in design, the building suitably seeks to replicate the use of traditional materials. This approach is considered to be acceptable in listed building terms, subject to full details of materials and joinery being secured by condition. The building is not proposed to be physically attached to the listed wall but rather directly adjacent with sections of cladding/fencing between it and the listed wall. This would result in a very minor physical attachment that would not cause any harm to the listed fabric.

6.36 In light of the above, I am satisfied that the physical works are modest in nature and are not considered to alter or harm the significance of these heritage asset in

accordance with Paragraph 192 of the NPPF. They would also adequately preserve the heritage asset as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

6.37 I will now turn to the impacts on setting arising from the proposed development. In this respect, the application is accompanied by an Ightham Mote Heritage Settings Assessment produced by Jeremy Lake dated April 2019. This document identifies the heritage assets effected by the proposal, considers their significance and how their setting would be impacted by the proposal, an exercise required by the NPPF in such circumstances and the contents of which are discussed as follows.

6.38 The assessment firstly considers the heritage value of the site which includes an assessment of evidential value, historic value, aesthetic value and communal value. In all cases the assessment ranks the site as either “Outstanding Value” (being of national or international value as an example of its type and date) or “High Value” (being of more than local significance as an example of its type and date, illustrating regional and national developments). It then goes on to assess the heritage value of the character areas. The core designated area (medieval house, SAM, North Lawn, Stable courtyard etc.) is considered to be of “Outstanding Value” with the remainder of the character areas assessed being considered to be of “High Value”. The assessment then goes on to consider the wider estate and defines areas which make a greater contribution to significance, depending on to what extent the historic landscape character survives. Views from the woodland to the north of the Mansion, which survive as intact medieval landscape features and contribute to the knowledge and appreciation of the historic landscape setting are considered to have a high important contribution to the significance of the designated heritage assets. It however considers that viewpoints to the east and the west, including the proposed site of the car park, is considered to have a “Moderate Value” due to the heavily modified field boundaries. Both Historic England and the Borough Council’s Conservation Officer generally agree with the assessment of significance outlined within this report and it can be relied upon for the basis of the assessment that must take place.

6.39 The submitted Design and Access Statement has outlined the various options that were consider for the location of the proposed car park as well as for the proposed visitors centre. The Heritage Settings Assessment also considers those potential options albeit focusing on the heritage perspective. Both documents note that each location would pose risks in terms of their potential harm to the heritage significance of Ightham Mote and the setting of any other designated or non-designated heritage assets, however following from the analysis they have undertaken it suggests that this option is the least damaging in terms of its potential effects on the intrinsic significance of each site and the setting to the core designated area of Ightham Mote.

6.40 Historic England have been engaging with the applicant through the preparation of this submission and their representations confirm that they are satisfied that the

proposed location represents the least harmful option to deliver the public benefits proposed. They therefore state that the key objectives within paragraph 190 of the NPPF in avoiding/minimising conflict between the conservation of the heritage assets and the proposal has been met. Crucially, as a result of the detailed assessment of the significance of the heritage assets in and around the site, combined with a review of the constraints, the proposal seeks to relocate the car park away from the primary heritage assets of Ightham Mote and its Scheduled Ancient Monument which can facilitate the restoration of the more immediate setting. As such, I agree with the conclusions of Historic England, that the requirements of paragraph 190 have been met; that the applicant has identified and assessed the particular significance of the heritage assets in terms of both the listed buildings, SAM and Conservation Area and sought through their assessment of the options to avoid conflict between the heritage assets and the proposal (to the degree a proposal of this nature is able to).

- 6.41 The submission states that the main heritage value is considered to be within the designated core on the lower ground containing the Mansion building, its Mote and landscaped gardens. The walled garden also contributes to its significance. As above there is a general agreement between heritage professionals that this is a correct reflection of the significance of the heritage assets effected by the proposal. The works which require listed building consent would be for the proposed buildings (glasshouse and bothy) which has an attachment to the listed walled garden wall as well as the minor works to the Walled garden to accommodate the visitor's reception. The main impact is therefore on the setting of the primary heritage asset with little impact on any historic fabric itself. The harms identified would arise from the change in the historic landscape and setting of the heritage asset by virtue of the formation of the car park. There would also be the reduction in openness of the walled garden by the introduction of the proposed visitors centre. I also note that there would be harm to East Most Oast and Mote Cottages by virtue of the alteration to the landscape which forms their immediate setting. The principle heritage interest of East Mote Oasts would lie in its form as an example of an oast building of that time rather than the use or function of the building within the area.
- 6.42 The PPG advises on how to assess harm to heritage assets. It requires potential harm to designated heritage assets to be categorised as either substantial (which includes total loss) or less than substantial harm, in order to determine which of the policy tests contained within the NPPF should be applied. However, within the category of "less than substantial harm" it is accepted in case law that a decision maker must take a view as a matter of planning judgement as to the level of harm within that category.
- 6.43 As outlined above, there are a number of important heritage assets located within the site although the proposed development is set away from the principle heritage assets of most importance. The level of works to the fabric of these heritage assets is minimal and limited to the walled garden. Whilst within the wider setting

of the heritage asset the level of direct views between the proposed car park and the principal heritage assets is limited given the proposed location and the landscape mitigation. The visitors' reception, bothy and glasshouse would have a more direct link between the principle heritage assets, being located on higher ground and closer in proximity than the car park however would in my view only have a limited impact on its setting.

6.44 Having given due regard to the submitted information in these respects and having given consideration to the representations of Historic England and the Council's Conservation Officer, I consider that the harm to setting would be less than substantial and, when taking into account the range of mitigation measures particularly the landscaping of the site, I consider that the harm would be less than substantial on the lower end of the scale in heritage terms. In accordance with the NPPF tests, this must be weighed against the public benefits of the proposal.

6.45 The applicant has sought to put forward the various public benefits they are seeking to achieve from the proposed development, as follows:

1. The improved financial viability of the site will fund ongoing conservation works securing the future sustainability of the heritage asset.
2. Parking moved away from the Grade 1 listed Mansion, removing the current negative impact on the setting of the Mansion.
3. The Walled Garden returned to productive use and its role as a key feature in the structural layout of the garden and in providing views across the garden revived. It will also expand the offer to visitors throughout the year, in particular those with restricted mobility.
4. Gardeners' Compound moved further away from the Grade 1 listed Mansion. Gardener's relocated to redundant Farm Yard alongside the Rangers, enabling the current Gardener's Compound area to be re landscaped as an informal area for picnics and visitor enjoyment. The historic garden wall to be reinstated. New Glasshouses are proposed in the enclosed area south of the car park serving the cottages at Ightham Mote. (Brought forward in a separate planning application)
5. Enhanced access to the South Lake, continuing to disperse visitors across the site and future development of the South West Gardens for visitor enjoyment.
6. The restoration of the visual relationship between the Mansion, South Lake and Mote Farm through the removal and on-going management of vegetation for the benefit of visitors including those using the public bridleway that crosses the moat dam.
7. The North Drive restored to recreate the 17th Century North Approach to the mansion as closely as possible to enhance the visitor experience of the setting and sense of history as they arrive.

8. The 20th Century planting installed in order to screen the Car Park can be removed and views from the North Drive and the Walled Garden can be restored to enhance the legibility of the heritage asset and the visual connection to, from and across, the gardens.

6.46 Members should be aware that whilst the works to the gardeners' compound and those to the south lake (points 4, 5 & 6) are part of the wider improvements the National Trust is seeking to undertake to the site these works are not included within the scope of these applications. These therefore cannot be taken into account as public benefit relevant to this scheme under consideration.

6.47 Historic England have also made representations on the heritage benefits provided by the scheme. They have explained that they consider a number of substantive gains put forward by the proposal could not be achieved unless the car park is relocated. These include:

- the reinstatement of an ornamental garden
- Reinstating the line of the North Drive
- Rationalising the way in which the site is accessed which provides wider benefits in the form of enhanced visitor movement
- Removing hedges from the south and north edge of the bridal way will also assist in interpreting the relationship between the moated house and south mill pond, a water feature with medieval origins'

6.48 In weighing the public benefits of the scheme against the harms identified, while the relocation of the car park will itself cause harm within the wider landscape setting of the primary heritage asset and to the setting of East Mote Oast this will be on the lower end of the less than substantial scale. There are also clear heritage gains to be made by the proposal by moving the existing parking away from the more immediate setting of the primary heritage assets and the restoration of the walled garden. In addition, benefits arise from improving access to the site through improve facilities assisting in the financial viability of the site and its continued restoration. With these in mind, it is considered that not only would be the public benefits of the proposal outweigh the less than substantial harm identified, as is the relevant test within Paragraph 196 of the NPPF, it would go beyond the policy requirement and clearly outweigh these harms resulting in an overall gain in heritage terms arising from the development taking place.

Archaeology

6.49 In addition to the consideration of above ground heritage assets, an assessment also needs to be undertaken into the impact on potential buried archaeology. Paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great

weight should be given to the asset's conservation. This includes non-designated heritage assets such as below ground archaeological remains.

- 6.50 To support the submission, the applicant has provided a Heritage Impact Assessment produced by Archaeology South-East. KCC Heritage initially made representations requesting a further heritage assessment in relation to buried archaeology. This included additional plans in relation to the archaeology remains and the proposed development, further assessment of the impact on non-designated buried archaeology and archaeological landscape features in the form of a more detailed Historic Environmental Record and details of the geophysical survey report.
- 6.51 Accordingly, a revised version of the Heritage Impact Assessment was submitted dated February 2020 which sought to provide a more detailed assessment of heritage issues as requested and is to be read in relation to the geophysical survey report provided. For the purpose of this report I will consider the information provided in the most recent report.
- 6.52 The report includes details of all the previous finds within the wider site of Ightham Mote and sets out the parameters and results of previous archaeological investigations which were undertaken. Of particular note are the records of a watching brief undertaken in July 2019 of three trial holes within the garden walls (ref ASA 2019a). In addition, it assesses cartography evidence and the results of a walk-over survey to establish the potential for buried archaeology within the site. The report suggests that the site would have a Moderate to High potential for as yet unknown non-designated heritage assets (below ground archaeological remains), particularly those dating to the Romano-British, medieval and post-medieval periods to be present. It suggests that there is low potential for archaeological remains to be found within the walled garden and existing car park due to the previous disturbance to the ground. The same is suggested for the field to the east due to the previous disturbance by the working of the land. However, it does identify the excavation for the northern extent of the car park has potential for an impact on buried archaeology. No anomalies were identified on the geophysical survey corresponding to the line of the roman road. It notes the scheduled ancient monument as a heritage asset however this lies outside the application site boundary. It will therefore not be impacted by the ground works. The report therefore concludes that whilst no identified archaeology would be impacted where remains are present they may be impacted on by groundwork, particularly in areas where new foundations, services, surfacing and landscape is proposed.
- 6.53 The content of the above report highlights that due to the history of the site there is the potential for unforeseen archaeology from various time periods, as has previously been recorded within the wider site. There are however no known archaeological features which would be effected by the proposed works. This includes no evidence on the geophysical survey of the Roman Road to the east of Mount Field. Both the land currently used as the car park and that within the

walled garden have been previously disturbed and therefore there are unlikely to be any archaeological items within the surface. The same can be said for the surface soil of Mount Field which would have been regularly cultivated.

6.54 KCC Heritage have provided further representations (summarised in Section 5 of this report) and consider the archaeological issues raised have been suitably addressed through the revised Heritage Impact Assessment Report. They have however suggested conditions relating to a phased programme of archaeological works and details of foundation design to be submitted for formal consideration and approval in the event that planning permission is granted. I agree that subject to the imposition of suitable conditions there would be no harm to significance in terms of non-designated buried archaeology in accordance with paragraph 193 of the NPPF.

Conservation Area

6.55 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

6.56 Chapter 16 of the NPPF addresses conserving and enhancing the historic environment which would include development within Conservation Areas. Paragraph 200 of the NPPF sets out that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

6.57 The Ightham Mote Conservation Area covers the central area of Ightham Mote including the Mansion, its formal gardens, walled garden, café, gardener's compound, south lake and Mote Farm to the south west. The works to the walled garden and the staff parking area are therefore directing impacting on the Conservation Area whereas the remainder of the works would be considered against impact on its setting.

6.58 The Heritage Impact Assessment produced by Archaeology South-East provides an assessment on behalf of the applicant of the impacts Conservation Area arising from the development. It identifies the walled garden, western wall to the staff car park and a wall of the gardeners' compound (outside the application site) as being curtilage listed structures. The proposal has the potential to impact on these structures. The analysis highlights that the current parking situation substantially detracts from both the illustrative and aesthetic value of the walled garden itself and the character and appearance of the Conservation Area, and diminishes the contribution it makes to the Ightham Mote site. The relocation of the parking and the restoration of the walled garden is considered in the report of have considerable heritage gains. This includes the removal of the beech hedge to

restore the visual link between the walled garden and the remainder of the site. It also considers that whilst the proposed visitor's reception would inevitably have a visual impact on the Conservation Area it would sit comfortably behind the garden walls and would be relatively unobtrusive in terms of scale, design and use of materials.

6.59 I agree with the analysis that the current parking arrangement and use of the walled garden are currently detrimental to the character of the Conservation Area. The restoration of the walled garden, and the removal of the car parking would therefore be a clear enhancement and would comply with the NPPF objective to better reveal its significance. Although not expressly addressed within the Heritage Impact Assessment, I also consider that it is important to take into account the impact of the proposed car park on the wider setting of the Conservation Area as part of this assessment. The change from open field to partially surfaced car park would result in some harm to the setting of the Conservation Area, albeit mitigated by planting and use of the topography of the land. Whilst this would result in harm to the setting of the Conservation Area as a heritage asset, taking the proposal as a whole it is my view that the benefits to the Conservation Area by virtue of the removal of parking and restoration of the walled garden would outweigh the harm to its setting and modest impact of the visitors reception. There would therefore be an overall improvement. On balance the proposal is consider to enhance the character and appearance of the Ightham Mote Conservation Area.

Area of Outstanding Natural Beauty

6.60 Section 85 of the Countryside and Rights of Way Act 2000 requires that in exercising or performing any functions in relation to, or public bodies etc. as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

6.61 Policy CP7 of the TMBCS sets out that development will not be proposed in the LDF, or otherwise permitted, which would be detrimental to the natural beauty and quiet enjoyment of the Areas of Outstanding Natural Beauty, including their landscape, wildlife and geological interest, other than in the exceptional circumstances of:

(a) major development that is demonstrably in the national interest and where there are no alternative sites available or the need cannot be met in any other way; or

(b) any other development that is essential to meet local social or economic needs. Any such development must have regard to local distinctiveness and landscape character, and use sympathetic materials and appropriate design.

6.62 Similarly, Paragraph 172 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the

Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. It continues that the scale and extent of development within these designated areas should be limited. It continues that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Footnote 55 provides clarification on what would be considered major development and sets out that it is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. It will therefore first be necessary to consider whether the development would be considered major for the purpose of an assessment within the AONB. Given the nature of the proposed development, and consistent with the rationale of the Planning Inspectorate in dealing with a variety of development proposals in the AONB, and for the purposes of applying the policies set out above, I do not consider that the development proposed by this application is major development in the AONB.

6.63 The Kent Downs Areas of Outstanding Natural Beauty Management Plan 2014-2019 is also a material planning consideration for decision making purposes. The following policies from the management plan are considered to be relevant:

- **MPP2** Individual local authorities will give high priority to the AONB Management plan vision, policies and actions in Local Plans, development management decisions, planning enforcement cases and in carrying out other relevant functions.
- **SD1** The need to conserve and enhance the natural beauty of the Kent Downs AONB is recognised as the primary purpose of the designation and given the highest level of protection within statutory and other appropriate planning and development strategies and development control decisions.
- **SD2** The local character, qualities and distinctiveness of the Kent Downs AONB will be conserved and enhanced in the design, scale, setting and materials of new development, redevelopment and infrastructure and will be pursued through the application of appropriate design guidance and position statements which are adopted as components of the AONB Management Plan.
- **SD3** New development or changes to land use will be opposed where they disregard or run counter to the primary purpose of the Kent Downs AONB.
- **LLC1** The protection, conservation and enhancement of special characteristics and qualities, natural beauty and landscape character of the Kent Downs AONB will be supported and pursued.

- **HCH1** The protection, conservation and enhancement of the historic character and features of the Kent Downs landscape will be pursued and heritage-led economic activity encouraged.
- **FL1** The AONB will retain the principally farmed character for which it is valued.
- **FL7** Conversion from agricultural to leisure use and the creation of non-agricultural structures will only be supported where there is not a cumulative loss to the principally farmed landscape of the AONB.

6.64 The submitted Landscape and Visual Impact Assessment (LVIA) includes an appraisal which sets out the landscape character and the landscape effects. It is noted that the landscape character incorrectly identifies the site within the High Weald National Character Area (122). The site actually lies within the Wealden Greens National Character Area (120). The remainder of the assessment is however understood to be correct. The LVIA then goes on to describe the landscaping effects, considering the sensitivity of the landscape and the magnitude of the change. The proposal to create the car park within Mount Field is considered to have a moderate combined effect. This takes into account the landscape benefits of removing the existing parking from the closer setting Ightham Mote, the landscape mitigation measures proposed and the topography of the land. The visitor's reception and shop is considered to have a minor effect due to its enclosed position within the walled garden and building design.

6.65 Kent Downs AONB Unit does not agree with this assessment and considers that there has been an underestimation of both the sensitivity and magnitude of change which has led to a reduced residual impact. They consider that the landscape to be entirely in keeping with the recognised characteristics of the local character area and as such consider the site should be assigned a High sensitivity. They comment that both the change in land use from agricultural to a hard-surfaced car park, along with the proposed change in landform as a result of the terracing would substantially alter the local landscape character. They therefore reach the view that the proposal represents a permanent change which would result in an initial moderate to major adverse effect on landscape character. However, the Unit does note that the level of harm would reduce as the mitigation planting matures. In these respects, it is my view that the scale of the proposed change will have an impact on the character of the landscape however this could be reduced by the implementation of a suitable scheme of mitigation which can be secured by condition.

6.66 The LVIA then goes on to undertake a visual appraisal of the proposed development. It has chosen 12 views points both from public vantage points from footpaths and of private properties which would have views of the proposal (Mount Cottages [8] & East Moat Oasts [7]). The more distant views of the proposed development are considered to have a combined minor or moderate impact. The

LVIA attributes this to the topography of the land and the proposed screening which will reduce the impact from the wider views. The views from the west are more likely to offer views of the new visitor's reception. It sets out that the most significant impacts are to be gained from closer viewpoints including the closest private properties, Bridleway MR430 which runs to the south of the car park and views from Scathes wood. The terraced nature of the car park and the way in which the car park is proposed to be screened would mitigate views of the car park from views to the north (Scathes wood and Mount Cottages) however would still result in an impact from these viewpoints. The two major combined impacts would be on the bridleway MR430 and from East Mote Oasts. It is suggested that the hedgerow to the south side of bridleway MR430 would be reduced to encourage views to the south over the south lake. This would encourage views away from the proposed car park however does not mitigate the impact the proposed car park would have on this view point. East Mote Oast would have an uninterrupted view of the proposed car park and its landscaping. Whilst efforts have been made to encourage all year round screening for this view there would be a major impact from this viewpoint. I would however generally agree with the assessment of the viewpoints submitted within the LVIA.

- 6.67 The proposed location of the car park would allow it to sit within natural topography, utilising an existing dip in land levels to the southern end of the field. This along with the proposed landscaping scheme will help mitigate the impact of the car park from wider views. The car park has also been designed in a way to reflect the existing field pattern of the landscape with the field sub-divided on a straight line with sub sections for the staff and overflow car park. It also includes a comprehensive landscaping scheme which follows the guidance suggested for the Wealden Greens National Character Area. The development as a whole also offers opportunities for improvement to other parts of the AONB through the re-landscaping of the existing car park and additional landscaping proposed to the north of Mount Field. The proposal would result in some harm to the landscape by virtue of the formation of the car park however mitigation measures in the form of landscaping are proposed to be put in place to minimise the harm which could be caused. Any harm which is not to be substantially mitigated is likely to be on the local level from local viewpoints however the proposal would not result in a significant degree of harm for the wider AONB, specifically from distant views.
- 6.68 Kent Downs AONB unit have suggested that if the LPA is minded to grant planning permission, an advanced planting proposal should be required before the formation of the car park to immediately mitigate the impact. Whilst it would not be practical to require the implementation of the landscaping scheme prior to or during the works, the landscaping scheme can be secured through a submitted phasing plan. This can outline when the subsequent landscaping for each element of works will be implemented in a phased manner to mitigate the short term harm while the project is progressing and to ensure that the landscaping is put in place in a timely manner and in accordance with a schedule to be agreed with the applicant. It is also suggested that a long term management plan and tree

replacement plan should be requested to ensure the mitigation screening will last beyond the initial planting period.

- 6.69 Furthermore, the site lies in what could be considered to be an intrinsically dark landscape and therefore the effects of external lighting and light spill will need to be considered. The car park is proposed to be predominately unlit. It is proposed to install a series of bollard lights to the western extent of the car park and on the edge of each of the rows. Lighting is to be provided adjacent to the walled garden and café ensuring sufficient lightings along the access routes. This low level of lighting would appear appropriate. Again, I would suggest a condition is imposed to request details of the lighting to be installed to ensure adequate shielding is installed if required to minimise any harm which could occur to the AONB.
- 6.70 Overall, I consider that on balance the proposed development would not result in harm to the quiet enjoyment or scenic beauty of the AONB, subject to the imposition of robust and detailed planning conditions and therefore it accords with Policy CP7 of the NPPF, Paragraph 172 of the NPPF and accord with the policies contained within the Kent Downs Areas of Outstanding Natural Beauty Management Plan.

Highway safety and parking provision

- 6.71 Policy CP2 of the TMBCS is the most relevant local policy and outlines a number of measures that should be demonstrated where new development is proposed that is likely to generate a significant number of trips, including:
- (a) be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres;
 - (b) minimise the need to travel through the implementation of Travel Plans and the provision or retention of local services and facilities;
 - (c) either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking;
 - (d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated;
 - (e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and,
 - (f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility.
- 6.72 Policy SQ8 of the MDE DPD sets out a number of criteria in terms of road safety and parking. It requires that:

1. Before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure, the need for which arises wholly or substantially from the development is in place or is certain to be provided.
2. Development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network.
3. Development will not be permitted which involves either the construction of a new access or the increased use of an existing access onto the primary or secondary road network (as defined by the Highway Authority) where a significantly increased risk of crashes or traffic delays would result. No new accesses onto the motorway or trunk road network will be permitted.
4. Development proposals should comply with parking standards which will be set out in a Supplementary Planning Document.
5. Where significant traffic effects on the highway network and/or the environment are identified, the development shall only be allowed with appropriate mitigation measures and these must be provided before the development is used or occupied.

6.73 Paragraph 108 of the NPPF outlines that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

6.74 Paragraph 109 is also particularly relevant and outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.75 Paragraph 110 of the NPPF outlines that within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and

6.76 Paragraph 111 also outlines that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

6.77 The submission sets out that the proposed scheme is sought to assist in accommodating the existing parking demand for the site as well as ensuring it would meet the predicted future demand. In support of the application a Transport Statement produced by GTA Civils dated August 2019 has been prepared which assesses the current demand on the site through a visitor and car parking survey undertaken in August 2019 and then goes on to consider the highways impacts of the proposed development. For the purpose of this report I will go through each of these in turn.

6.78 The Transport Statement sets out that there are estimated to be around 47 members of staff on site during the weekdays and around 32 at the weekends. These are estimate numbers with the report clarifying that not all the staff members/volunteers would necessarily be on site at the same time and may depend on the time of year, day of the week etc. The Statement also includes a parking demand survey undertaken over the month of August 2019. This recorded the visitor numbers and vehicle movements to the site over that period. Its analysis found that on Monday 27 August (Bank Holiday) the demand for parking exceeded the current capacity. This data has then been used to calculate the total parking demand across the year based on the total of 165,736 visitors recoded in 2017/2018. With this brought forward it would suggest that the parking demand would exceed the current capacity on 31 days per year. I understand this then requires the use of the overflow car park capacity which is only available part of the year due to ground conditions.

6.79 The Transport Statement then goes on to assess the proposed development and its highways impact. The proposed car park arrangement would provide 311 parking spaces (59 more than existing) with a soft surface overflow car park with a capacity of around 120 vehicles. The proposal also includes 3 coach bays which are currently not formally provided and increases the disabled bay numbers from 8 currently to 16 (5% of total visitor parking spaces). The Statement suggests that

with the car park in place it would reduce the days in which the demand exceeds to capacity to 9 days a year in which the overflow car park would be used. Based on the existing demand this is deemed to represent a 97.5th percentile of demand. The Statement then goes on to apply this to the estimated future demand for the 225,000 visitor number scenario. It is estimated that on the existing car park capacity the overflow would need to be in use on around 77 operational days (79th percentile) however with the proposed development capacity this would be reduced to around 27 days (92.5th percentile) if the predicted visitor numbers are reached.

6.80 KCC (H+T) have made detailed representations on the basis of the information provided. In first considering the traffic impact they note that the current proposal has come about as a result of existing visitor demand which is due to increase over time. They also note that the current proposal does not include an expansion to the Mansion itself or additional facilities over and above those already in situ, other than the modest increase in the expansion of the existing visitor reception/shop. They also reference the applicants' assertions that the trip attractor is Lghtham Mote and associated facilities rather than the enlarged car park, meaning that the traffic movements are already on the highway network and agree with those conclusions. In terms of the existing demand they note that the survey was undertaken in August which is suggested to be the peak period for visitors due to the school and other holiday periods. They therefore accept the result and consequential forecast represent a worst case scenario. They note from the result of the survey and forecast that on several occasions the car park would exceed its capacity and whilst no photographic or other evidence has been provided they accept that the identified capacity shortfall could adversely impact on the effective circulation through the car park at peak times leading to backing up on the approaches to the estate. They therefore conclude that the applicant has demonstrated to their satisfaction that the proposals are to meet *existing demand* by people already visiting Lghtham Mote itself and that no new facilities, over and above those already in situ, are proposed as part of this application which would lead to any *new trips* on the local highway network. Accordingly, KCC (H+T) consider they would not be able to sustain an objection on traffic impact grounds.

6.81 The site is by its very nature remote, and therefore private vehicle is likely to remain the predominate mode of transport to the site. The National Trust have set out within their supporting information that visitors numbers have been increasing over recent years and are predicted to increase further to around 225,000 over the next decade. This will therefore put further pressure on the existing parking arrangements.

6.82 It is firstly important to recognise that the proposals for determination do not seek to provide additional facilities over those that which are already provided. The larger visitor reception and associated shop would in my view not likely result in any additional individual trips and therefore those users would likely have visited Lghtham Mote or the café in any case. The improved facilities may result in some

increased traffic/visitors to the site due to ease of access however this would not be as a direct result of what is proposed (as their main purpose would be to visit the Mansion or grounds) and is likely to be negligible. Whilst I note the concerns raised through the public consultation regarding the increase of numbers of visitors and their associated noise and pollution the information available would suggest that this increase is predicted to happen regardless of the development proposed by this application. The proposed development should therefore not be considered to be trip generating in own right. The requirements of Policy CP2, Policy SQ8 (2) and those of Paragraph 111 of the NPPF would therefore not be relevant in this case. I would agree with the view reached by KCC (H+T) that the proposal would not result in an adverse impact on highway safety by virtue of traffic impact and generation. The proposal would therefore be considered against the remainder of Policy SQ8 and Paragraph 108 – 110 of the NPPF.

- 6.83 With the above considerations in mind the proposal has the intention to better facilitate existing demand for the car parking on the site and the predicted future demand. The existing demand has already been suggested to exceed the current capacity on several days of the year requiring the need for the overflow parking. The parking demand survey produced by GTA Civils was undertaken in August 2019. I would suggest this would be one of the peak periods for the use of the site by virtue of the school and bank holidays during that period of monitoring and the typical warmer weather within the summer months. The result of this survey would therefore not be typical all year round and as outlined by KCC H+T could be considered as 'worst case scenario'. During that period of monitoring the demand only exceeded the capacity of the car park on one occasion, during a bank holiday Monday and therefore at present the evidence suggests that the car parking facilities only reach capacity during several particularly busy times during the year. When the predicted increase in visitor numbers is taken into account it suggest that this will become more frequent with the current parking arrangements, although it is unclear but likely that existing facilities may be able to accommodate the increased visitor numbers on a typical day. By its very nature a public visitor's attraction such as Ightham Mote will have peaks in demand, particularly on weekends and public and school holidays. Although the car park would not reach its capacity on a regular basis it has been adequately demonstrated that there is a need to improve the existing parking arrangements to accommodate and improve access to the heritage assets on the peak days when most would want to visit.
- 6.84 I therefore conclude that there is justification for the need to improve the current facilities to be taken into account in the overall planning balance. The car park facilities and those rearrangements to the north drive have been designed in a way to accommodate the predicted traffic generation. The works do not required any direct works to the public highway and are not considered to have an adverse on the surrounding highway network. I therefore consider that the proposals suitably comply with the requirements of adopted local and national policies.

Flooding and Drainage

- 6.85 Paragraph 155 of the NPPF outlines that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 6.86 The application site falls entirely within Flood Zone 1 according to the Environment Agency Flood maps. It is therefore not considered to have a low probability of fluvial flooding. There is however the potential for pluvial flooding from adverse weather events.
- 6.87 The application is accompanied by a Flood Risk and Drainage Strategy report produced by Price and Mayers dated November 2019. This report is separated into three main assessments addressing flood risk, surface water run-off and SUDS. The report outlines as above that the site lies within Flood Zone 1 and is considered not to be at risk of flooding or ground water. The report sets out that a very small section of the site is at low risk of surface water flooding from the remainder of the arable field to the north. Mitigation is proposed in the form of an interceptor swale. This swale will connect to an existing drainage ditch to the south. I agree with these elements of the assessment which would suggest that based on its designation the site is at a low risk of surface water flooding.
- 6.88 Notwithstanding the above, there is still a requirement to ensure that the impact of surface water drainage is adequately considered and mitigation measures are put in place through a suitable sustainable urban drainage strategy (SUDS).
- 6.89 The drainage strategy seeks to provide drainage to the car park and the proposed visitor reception along with the installation of a perforated pipe to direct water from the re-aligned north drive. It therefore seeks to provide drainage to mitigate the impact on the proposed additional hard surfacing as well as provide some improvement to the existing drainage within the current car park proposed to be re-landscaped.
- 6.90 The report calculates the current existing run off rate and that of the proposed development, setting out that the proposed run-off rate will be restricted to Qbar Greenfield rate which is the recommended run-off rate for this form of development as set out in Kent County Council Flood Risk Management Strategy Guidance. The submission starts by assessing the various methods of surface water management and evaluates its suitability for the proposed scheme. Infiltration testing undertaken indicates that soakaways are not a viable option due to the nature of the soil. It is therefore proposed for the use of permeable paving which will direct run off to a detention basin to the south of the car park. The detention basin is proposed to provide approximately 1170m³ of attenuation storage which will restrict the discharge flow to the recommended Greenfield run-off rates before discharging into the existing ditch.

6.91 KCC as the LLFA raise no objections subject to further details being provided at the design stage and have requested that conditions be imposed to secure that.

Appearance and Landscaping

6.92 It is necessary to read this section in conjunction with the preceding discussion surrounding heritage impacts and the AONB. Policies CP24 of the TMBCS and SQ1 of the MDE DPD and the most relevant design policies and require development to be well designed and through its scale, density, layout, siting, character and appearance respect the site and its surroundings. Development should also protect, conserve and where possible enhance the character and local distinctiveness of the area, including its setting in relation to the pattern of the settlement, roads and surrounding landscape.

6.93 Paragraph 127 of the NPPF sets out that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.94 Paragraph 130 of the NPPF is also relevant and sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local

planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

- 6.95 It is proposed to re-align a section of the north drive between the south of Scathes wood and the north of the walled garden, to the east where it would meet the existing position of the driveway to the east of the walled garden. The existing chicane arrangement and existing screen planting associated with the car park and the bund and planting to the east are to be removed. This includes the removal of the now semi-mature trees planted at the time the car park was formed. These trees which include a mature pine trees would have some amenity value due to their size however are not important native species and not considered worthy of individual protection. The lower western section of the existing car park is to be removed. Ground levels will be restored to remove the current terracing created to accommodate the existing parking. In this location it is proposed to recreate an apple orchard shown on the 1692 Abraham Walters map of the Ightham Mote estate. Lines of apple trees will be planted alongside a pathway which is to provide access to the northern extent of the gardens. These works are considered to provide a significant enhancement in visual amenity terms, recreating an historic landscape feature, compared to the current parking arrangement.
- 6.96 The proposed car park is to sit in Mount Field to the east of the existing staff parking, café and walled garden. The layout of the car park in a rectangular form is indicated to replicate the pattern of transient subdivision of the fields for rotational crops. The overflow car park is to sit to the east with the staff car parking to the south. The planting proposed for the car park would be a 5m wide coppiced hedgerow suggested to provide both screening in the summer (leaves) and winter (thicket of branches). Between each row of parking is a 4m wide strip/bank. This contains a footpaths and a 2.5m wide planting bank. It is suggested these rows will be planted of hazelnut trees. The banks run west-east across the site and reflect the general contours of the site. A section though the proposed car park shows the minor terracing effect which is to be proposed. The surface materials for the car park has been indicated to reflect the hierarchy of the intensity of the use. The main roadway will be tarmac with gravel chip bonded surface, the visitor spaces will be laid out in gravel. The staff car park and overflow car park will be laid in reinforced grass.
- 6.97 A proposed planting strategy produced by Colvin and Moggridge has been submitted in support of the submission and is intended to be read in conjunction with the LVIA mitigation strategy. This planting strategy provides some suggested species for the low woodland canopy areas as well as the taller trees within the low woodland and hedgerows and for the mixed native hedge planting. A higher proportion of evergreen species are to be planted to the north-east corner of the car park to help boost the screening from East Mote Oast within winter months.

The Councils Landscape Officer has provided her advice that the suggested planting would be wholly appropriate for the area.

- 6.98 I consider that overall the design, appearance and landscaping for the proposed development would be acceptable for the character of the area and meet the policy requirement of Policy CP24 of the TMBCS, SQ1 of the MDE DPD and Paragraph 127 of the NPPF, subject to the imposition of conditions.

Residential amenity

- 6.99 The nature of the site is such that there are few dwellings which have potential to be directly impacted by the proposal. The dwellings at Mount Cottages and East Mote Oast however lie to the north and north-east of the proposed car park and therefore have the potential to be impacted. As set out earlier in the report the proposal will impact on the views from these properties. The right to a view itself is not a material planning consideration and the outlook from the viewpoints as part of the Area of Outstanding Natural Beauty has been discussed above. This assessment therefore focuses on whether there would be any material harm arising to residential amenity as a result, for example, from increased noise and activity.

6.100

At present, Mount Field is used for low key agricultural purposes and whilst there may be disturbance from these activities it is not likely to be anything more than what would be expected within this rural setting. The introduction of vehicles and more pedestrians into this field as a result of the proposed development would result in an increase activity.

6.101

In terms of those dwellings at Mount Cottages, the current parking arrangement would lie closer to the position of those dwellings than what is proposed. The proposed car park is to sit some 150m to the south of these dwellings. The closest point of the driveway to Mount Cottage would not be altered and although the removal of some screening may make the driveway more prominent it is not considered to result in any significant additional impact on their amenity from noise and disturbance. The proposed dog walking path would introduce activity travelling north towards the dwelling where it is not previously however it is not likely to offer any views which would impact on their privacy.

6.102

The dwelling known as East Mote Oast sits of the edge of the field. Mount Field is not publically accessible and therefore at present any public activity is kept away from the dwelling within the existing car park or along the public rights of way to the east and south of the dwelling along the boundaries of the field. The introduction of the proposed car park into Mount Field would undoubtedly increase the level of noise and disturbance experienced by East Mote Oast. This however has to be seen in the context of the 'sheltered' nature of the dwelling. The closest

part of the proposed scheme (landscape buffer) is to sit approximately 70m from the edge of East Mote Oast with the closest car parking space some 86m away. East Mote Oast (like Mount Cottages) sits at a higher ground level than the car park and therefore there are elevated views towards the proposed development. Any public views towards the dwelling would therefore be at some distance looking upwards and to some degree obscured by the proposed landscaping. Therefore, whilst given the secluded nature of the dwelling at the moment there would be a perceived alteration on privacy the impact would not be considered significantly harmful to justify refusal on such grounds.

6.103

In terms of noise and disturbance, records indicate that there are presently no restrictions on hours of operation of Ightham Mote however typical opening hours are between 10am and 5pm, dependant on the time of year. The wider site outside the pay barrier however remains unrestricted to walkers. The application does not indicate any proposed changes to the typical hours and therefore any noise and disturbance would be habitually accepted times. Although it may not be reasonable to control the hours of use of the proposed car park given the prevailing historic situation, I am mindful that any associated lighting into darker hours especially in winter months may cause harm to residential amenity, in addition to the potential impacts on the AONB as discussed earlier. I would therefore suggest that in addition to a technical lighting scheme it would be appropriate to require a car park management strategy that sets out how the car park, including any lights serving it, would be operated and managed throughout the year.

Ecology and Biodiversity

6.104

Policy N2 of the MDE DPD requires that;

1. The biodiversity of the Borough and in particular priority habitats, species and features, will be protected, conserved and enhanced and;
2. The restoration and creation of new habitats will be pursued where these promote permeability and contribute to the UK and Kent Biodiversity Action Plan targets having regard to the areas of biodiversity opportunity identified

6.105 Policy N3 of the MDE DPD requires that:

1. Development that would adversely affect biodiversity or the value of wildlife habitats across the Borough will only be permitted if appropriate mitigation and/or compensation measures are provided which would result in overall enhancement. Proposals for development must make provision for the retention of the habitat and protection of its wildlife links. Opportunities to maximise the creation of new corridors and improve permeability.

6.106

Paragraph 170 of the NPPF sets out that planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

6.107

Paragraph 175 of the NPPF is also relevant and sets out that when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

6.108

The applications are accompanied by a series of reports in relation to ecology and protected species. This includes a Preliminary Ecological Appraisal report dated November 2018, a Protected Species report dated February 2019 and a Bat and Great Crested New Survey Report and Mitigation Strategy dated October 2019. Each of these reports were produced by Corylus Ecology.

6.109 The Preliminary Ecological Appraisal identifies the proximity of ancient woodland and suggests measures to protect the woodland during works. It also provides an assessment for dormice, reptiles, Great Crested Newts, Bats and Birds as to the whether they are likely to be present on site and impacted by the proposal. It recommends further surveys in relation to Dormice, Reptiles, Great Crested Newts, and Bats with precautions being suggested with regards to birds. The next report into Bats and Great Crested Newts was undertaken the following year. For bats it did not note roosts in the two trees that have been surveyed. However, as bats move between tree roosts on a frequent basis and there were early passes by bats during the surveys and a maternity roost of soprano pipistrelle bats is known to be present in the house it is recommended that the trees are felled using a 'soft-felling' approach and under ecological supervision of a licenced bat ecologist. With regards to Great Crested Newt it notes a low non-breeding population of GCN has been confirmed present in one pond within 50m of the proposed development location. It therefore includes an outline mitigation strategy.

6.110 The most recent report undertaken in October 2019 undertook a wider assessment as to protected species on site. Both harvest mice and grass snakes have been identified on site and the report makes recommendations to mitigate the impact on these. In term of dormice these have been confirmed present in the habitats within the proposed development location and in habitats within the wider site. The proposals will result in temporary and permanent loss of dormouse habitat and potentially fragmentation. It sets out that an EPS Licence from Natural England will be required to legally permit the works and a detailed dormouse mitigation strategy will be required at the final planning stage. This will set out the times of year that the woodland belt can be removed and the method of vegetation removal under ecological supervision once a licence has been granted. It also outlines that a mitigation strategy will also include the details of the compensatory planting within the development area.

6.111

A further assessment had also been undertaken in connection with Great Crested Newts. As before, their presence has been confirmed in one pond within 50m of the proposed development location. An EPS licence may be required for the project and a detailed mitigation strategy will be required at the final planning stage. This will set out the times of year that suitable habitat can be removed and the method of vegetation removal under ecological supervision once a licence has been granted. The mitigation strategy will also include details of any habitat compensation, receptor area and relocation exercise that may be required. Due to the proximity of the pond to the Site and the amount of suitable terrestrial habitat to be lost to the development, a size class assessment of the population in P1 will be required if an EPS licence is required. Population surveys of P1 have been recommended, which will include six surveys undertaken between March and July. There are four other ponds (P3, P4, P5 and P6) within 50m of the proposed development location. Presence/likely absence of Great Crested Newts in these ponds needs to be determined and will be required for the EPS licence application. In the first instance, it is recommended that P3 – P6 are assessed for their suitability to support Great Crested Newts and, if suitable, further surveys will be required. An outline mitigation strategy has been provided within the report. This mitigation strategy has identified a suitable receptor site within the development site, if found to be required.

6.112

In terms of biodiversity unsurprisingly, the new car park is considered likely to have the biggest impact on biodiversity. Whilst the submitted reports do outline suggested measures to maintain and enhance biodiversity as one of the objectives little content is provided on how this will be achieved. The submitted planning statement outlines the potential gains in terms of the re-landscapes Orchard Walk, the re-instated walled garden and with the proposed woodland shaw to the north of Mount field. Whilst this may go some way to offsetting the loss of biodiversity within Mount field without sufficient detailed information it cannot be established whether this will fully offset the losses. The National Trust have a significant amount of land under their control at Ightham Mote. It would therefore not be unreasonable to suggest that sufficient biodiversity gains could be made within the wider site, including within Mill Field which will no longer be required for the purpose of an overflow car park. It is therefore suggested that if minded to approve a condition could be imposed to request details of the biodiversity within the site sufficient to achieve a neutral impact or biodiversity net gain.

6.113 With the mitigation measures in place, the proposals are not considered to significantly harm protected species. Moreover, it is considered that a biodiversity net gain could be achieved across the site. With these considerations in mind, and when taking into account the imposition of appropriate conditions, on balance, I consider the scheme broadly complies with the requirements of policies N2 and N3 of the MDE DPD and paragraphs 170 and 175 of the NPPF.

Cut and Fill Strategy

6.114

The works proposed as part of this application seek to undertake numerous engineering operations to create the proposed car park as well as to re-landscape the existing car parking area and restore to an orchard. It is the applicant's intention to minimise the need to remove spoil from the site by seeking to re-use materials within the development where possible. The initial details of this have been provided in the form of a cut and fill strategy which identifies area where soil would need to be excavated (cut) and suggested areas where this spoil can be re-used (fill). This shows approximately 5300m³ of area for excavating which includes the position of the proposed car park on Mount Field, parts of the dividing bank up to the north of the access drive and for the attenuation basin. An area of approximately 3635m³ has also been identified as area for fill which includes levelling of the existing car parking area to match that of the height of the proposed north drive, the land sought to of the attenuation basin and surrounding the car park as well as the existing gardeners compound (outside the site).

6.115

The strategy provided is understood to be a working document and therefore volume of spoil/soil are estimates. It does however outline the intention of the applicant to seek to keep the spoil removed from the proposed car park within the site and re-use where possible. The layout plan shows suggested areas where the spoil can be relocated however exact details relating to land levels will need to be obtained. The intention to re-use the spoil within the site will reduce the number of vehicle movements to and from the site during the construction phase and I consider it should be supported. If minded to approve a condition will be required to be imposed to request further details of the cut and fill strategy which are likely to become more clear during the detailed design phase. The exact location and volume, along with the impacts of the relative land levels can be considered and controlled by the condition.

6.116

I am mindful that the public consultation has raised some concerns regards the impact that this strategy would have on the surrounding residential properties particularly East Mote Oasts in terms of flood risk. The submitted plan for the cut and fill strategy has outlined an area of potential fill to be located to the north-west of East Mote Oast. East Mote Oast has suffered from flooding in recent years and concerns are raised that this fill will exacerbate the situation.

6.117

However, and as outlined above, the plan showing the cut and fill strategy is an initial indicative document outlining potential locations for the fill which will evolve as the development takes place in a phased manner. Having viewed the location of the proposed fill to the north-west of East Mote Oast the existing topography of the land and the cut-in for the existing access road has created a swale which

could form a barrier for surface water run off to pass into Mount Field. There is therefore potential for improvement to this existing situation by allowing improve passage of water into Mount Field. Carefully formed conditions will ensure that the strategy comes forward in an acceptable manner and has due regard to potential impacts which will be subject to full assessment, including further consultation.

Very Special Circumstances

6.118

Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.119

As outlined earlier in the report, the proposal (in part) is considered to be inappropriate development within the Green Belt and therefore should not be approved unless there are very special circumstances. For the purposes of the exercise expressly required by paragraph 144, it must also be noted that there is also some material harm caused to the Green Belt as a result of the location and nature of the new car park and associated engineering works. It is also accepted that harm would arise to the setting of designated heritage assets and harm at the local level has also been established to arise to the AONB.

6.120

The applicant has sought to provide what they consider to be the case for very special circumstances. I will firstly summarise this case and then move on to whether any of those circumstances should be discounted, and why, and then address what I consider to be the very special circumstances at play and lastly whether those circumstances clearly outweigh the identified harms (Green Belt and other planning harms).

6.121

Dealing firstly with the applicant's purported very special circumstances, summarised as follows:

- Heritage benefits including the restoration of the walled garden, restoration of the north drive and relocation of the car parking away from the principle heritage assets;
- Economic benefits including the ability to secure a sustainable financial model for the future conservation of Ightham Mote, support for viable uses of the heritage assets and their conservation;

- Social benefits including the creation of increased opportunities for the community to use the facilities including the walled garden and improved welfare facilities within the site;
- Improved visitor experiences and associated functional benefits such as improved traffic management and requirement not to use a 'not fit for purpose' overflow car park and the social benefits through improved welfare facilities;
- Environmental benefits such as surface water management, biodiversity and landscaping. It also outlines the wholly negative impacts of a 'do nothing' scenario in the context of current and anticipated growth which is likely to exacerbate the above issues.

6.122

The functional and commercial benefits put forward by the applicant are not considered to be material planning considerations and simply cannot be taken into account as very special circumstances in this case. Similarly, there are aspects set out which merely amount to ensuring the scheme is policy compliant in other respects and these, as confirmed by case law are not capable of amounting to very special circumstances even when taken in combination. It is therefore necessary to focus this exercise on what circumstances arise that would be over and above those policy requirements that might clearly outweigh the identified harms.

6.123

It is clear from the preceding analysis that the proposed development would give rise to significant heritage and public (social and economic) benefits over and above the policy requirements. The benefits arising from the development taking place, and as discussed in detail throughout this report, are considered to clearly outweigh the harms identified in totality in accordance with paragraph 144 of the NPPF.

Conclusions

6.124

The development (in part) amounts to inappropriate development and causes some material harm to the openness of the Green Belt. Similarly, aspects of the development cause less than substantial harm on the lower end of the scale to designated heritage assets but those harms when weighed against the public benefits of the scheme are addressed. Any harm the AONB are contained at the local level and are capable of mitigation to accord with relevant policies. These harms when taken cumulatively are however clearly outweighed by very special circumstances as identified and when taken in totality. In all other respects, the development accords with adopted and national policy subject to appropriate mitigation and imposition of planning conditions.

6.125

In light of the above assessment, I recommend that planning permission and listed building consent be granted subject to the imposition of conditions set out below:

7. Recommendation:

(A) TM/19/02842/FL

7.1 Grant planning permission in accordance with the following submitted details:

Email KCC flood risk dated 31.01.2020, Existing Elevations 1803(0)030 dated 03.12.2019, Existing Elevations 1803(0)031 dated 03.12.2019, Proposed Layout 1803(0)090 dated 03.12.2019, Proposed Floor Plans 1803(0)100 dated 03.12.2019, Proposed Elevations 1803(0)101 dated 03.12.2019, Proposed Plans 1803(0)200 dated 03.12.2019, Proposed Plans 1803(0)201 dated 03.12.2019, Proposed Elevations 1803(0)300 dated 03.12.2019, Proposed Elevations 1803(0)301 dated 03.12.2019, Location Plan P.1433.020 dated 03.12.2019, Existing Plans and Elevations P.1433.101 dated 03.12.2019, Proposed Plans P.1433.102E dated 03.12.2019, Drawing P.1433.110A dated 03.12.2019, Drawing P.1433.120 dated 03.12.2019, Drawing P.1433.121 dated 03.12.2019, Drawing P.1433.122 dated 03.12.2019, Proposed Plans P.1433.2.400B dated 03.12.2019, Proposed Plans P.1433.2.401A dated 03.12.2019, Drawing P.1433.2.403A dated 03.12.2019, Proposed Plans P.1433.202A dated 03.12.2019, Proposed Plans P.1433.204 dated 03.12.2019, Proposed Plans P.1433.301A dated 03.12.2019, Existing Plans 1803(0)005 dated 03.12.2019, Existing Plans 1803(0)010 dated 03.12.2019, Site Plan P.1433.010 dated 03.12.2019, Design and Access Statement 191115 (1) dated 03.12.2019, Design and Access Statement 191115 (2) dated 03.12.2019, Design and Access Statement 191115 (3) dated 03.12.2019, Design and Access Statement 191115 (4) dated 03.12.2019, Design and Access Statement 191115 (5) dated 03.12.2019, Design and Access Statement 191115 (6.1) dated 03.12.2019, Design and Access Statement 191115 (7) dated 03.12.2019, Design and Access Statement 191115 (8) dated 03.12.2019, Statement 201119 dated 03.12.2019, Report Constraints dated 03.12.2019, Report Settings Summary dated 03.12.2019, Report Infrastructure (1) dated 03.12.2019, Report Infrastructure (2) dated 03.12.2019, Statement Community Involvement dated 03.12.2019, Report Heritage Impact dated 03.12.2019, Statement Transport dated 03.12.2019, Proposed Plans P.1433.201C dated 03.02.2020, Email dated 03.02.2020, Report Car park options appraisal dated 03.12.2019, Other very special circumstances document dated 03.12.2019, Ecological Assessment dated 03.12.2019, Report protected species dated 03.12.2019, Report bat and newt survey dated 03.12.2019, Report FRA and Drainage strategy dated 03.12.2019, Letter dated 03.12.2019, subject to the following conditions;

Conditions

- 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 Prior to the commencement of the development hereby approved, a plan and associated schedule showing how any phasing of the development of the site will proceed, in terms of those parts of the development that will be constructed in an individual phase, have been submitted to and approved by the Local Planning Authority. The plan and schedule should include, but not necessarily be limited to, details of the implementation of all physical and below ground works and the implementation of the landscaping and planting scheme across the site. The work shall thereafter be undertaken in strict accordance with the approved plan and schedule.

Reason: To ensure that the appropriate consideration is given to the factors to be assessed in the compliance with the conditions and in the interests of minimising the impact to designated heritage assets, the Area of Outstanding Natural Beauty and appearance of the locality.

- 3 No development of any phase in accordance with Condition 2 shall take place until a detailed scheme of hard and soft landscaping for that phase, including a timetable for the implementation of the said landscaping scheme, have been submitted to and approved by the Local Planning Authority. This should include details of the size and species of all planting proposed. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented in accordance with these approved details. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species.

Reason: In the interests of visual amenity.

- 4 Prior to the commencement of the development hereby approved, a construction management plan shall be submitted to and approved by the Local Planning Authority. The plan should include, but not necessarily be limited to, the following:

(a) Routing of construction and delivery vehicles to / from site

(b) Parking and turning areas for construction and delivery vehicles and site personnel

(c) Timing of deliveries

(d) Provision of wheel washing facilities

(e) Temporary traffic management / signage

The development shall be undertaken in strict accordance with the approved details.

Reason: In the interests of highway safety and amenity during construction

- 4 No development of any phase in accordance with Condition 2 shall take place until a detailed sustainable surface water drainage scheme for that phase has been submitted to and approved by the Local Planning Authority. The detailed drainage scheme shall be based upon the principles contained within the Flood Risk and Drainage Strategy Report by Price and Myers (November 2019) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 6 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied (first use) until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 7 No development of any phase in accordance with Condition 2 shall take place until the applicants or their agents or successors in title, have secured the implementation of a phased programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority. The works undertaken within the relevant phase shall thereafter take place in accordance with the approved details.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with the National Planning Policy Framework.

- 8 No development of any phase in accordance with Condition 2 shall take place until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved by the Local Planning Authority. Development within that relevant phase shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is had to the preservation in situ of important archaeological remains.

- 9 Prior to the commencement of the use of the car park hereby approved, a scheme for the long term management plan and replacement plan (circa 25 years) for the proposed landscaping and tree planting shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be managed in strict accordance with those approved details.

Reason: In the interests of mitigating any impact to the landscape of the Area of Outstanding Natural Beauty.

- 10 No external lighting shall be installed in connection with any phase in accordance with Condition 2 until full details of a lighting scheme to serve that phase have been submitted to and approved by the Local Planning Authority. The scheme should include a full specification of the lighting and any screening or mitigation proposed. Work shall be carried out in strict accordance with those details and maintained and retained at all times thereafter.

Reason: In the interests of visual, rural and residential amenity.

- 11 Prior to the commencement of the use of the car park hereby approved, a scheme for its management shall be submitted to and approved by the Local Planning Authority. The car park shall at all times thereafter be operated in accordance with the approved details.

Reason: In the interests of visual, rural and residential amenity.

- 12 Prior to the commencement of the use of the visitors reception hereby approved, full details of measures to prevent light spill from the clerestory of the building shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented and subsequently managed and maintained in accordance with those approved details at all times.

Reason: In the interest of preventing light spill within the Area of Outstanding Natural Beauty.

- 13 The development hereby approved shall be undertaken in strict accordance with the recommendations and mitigation strategies set out within the Preliminary Ecological Appraisal report dated November 2018, Protected Species report dated February 2019 and the Bat and Great Crested New Survey Report and Mitigation Strategy dated October 2019.

Reason: In the interest of protecting ecology and wildlife with the site.

- 14 No development of any phase in accordance with Condition 2 shall take place until full details of any cut and fill strategy to take place within the relevant phase have been submitted to and approved by the Local Planning Authority. The details shall include, as necessary, relevant surface water drainage assessments and any identified mitigation measures within the relevant phase. The works shall thereafter be undertaken in strict accordance with the approved details.

Reason: In the interests of the visual amenity and to ensure the development does not cause flood risk.

- 15 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

- 16 No infiltration of surface water drainage into the ground is permitted within any phase of the development hereby approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

- 17 Prior to the commencement of any works to reinstate the walled garden, a detailed strategy of hard and soft landscaping along with full details of all physical works to the walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual and rural amenity.

- 18 No development of any phase in accordance with Condition 2 shall take place until full details of a scheme for biodiversity gain within that relevant phase have been submitted to and approved by the Local Planning Authority.

Reason: to ensure the development would contribute to and enhance the natural and local environment

(B) TM/19/02843/LB

- 7.2 **Approve listed building consent** in accordance with the following submitted details: Existing Elevations 1803(0)030 dated 03.12.2019, Existing Elevations 1803(0)031 dated 03.12.2019, Proposed Layout 1803(0)090 dated 03.12.2019, Proposed Floor Plans 1803(0)100 dated 03.12.2019, Proposed Elevations 1803(0)101 dated 03.12.2019, Proposed Plans 1803(0)200 dated 03.12.2019, Proposed Plans 1803(0)201 dated 03.12.2019, Proposed Elevations 1803(0)300 dated 03.12.2019, Proposed Elevations 1803(0)301 dated 03.12.2019, Location Plan P.1433.020 dated 03.12.2019, Existing Plans and Elevations P.1433.101 dated 03.12.2019, Proposed Plans P.1433.102E dated 03.12.2019, Drawing P.1433.110A dated 03.12.2019, Drawing P.1433.120 dated 03.12.2019, Drawing P.1433.121 dated 03.12.2019, Drawing P.1433.122 dated 03.12.2019, Proposed Plans P.1433.2.400B dated 03.12.2019, Proposed Plans P.1433.2.401A dated 03.12.2019, Drawing P.1433.2.403A dated 03.12.2019, Proposed Plans P.1433.201B dated 03.12.2019, Proposed Plans P.1433.202A dated 03.12.2019, Proposed Plans P.1433.203 dated 03.12.2019, Drawing P.1433.204 dated 03.12.2019, Proposed Plans P.1433.301A dated 03.12.2019, Existing Plans 1803(0)005 dated 03.12.2019, Existing Plans 1803(0)010 dated 03.12.2019, Site Plan P.1433.010 dated 03.12.2019, Design and Access Statement 191115 (1) dated 03.12.2019, Design and Access Statement 191115 (2) dated 03.12.2019, Design and Access Statement 191115 (3) dated 03.12.2019, Design and Access Statement 191115 (4) dated 03.12.2019, Design and Access Statement 191115 (5) dated 03.12.2019, Design and Access Statement 191115 (6.1) dated 03.12.2019, Design and Access Statement 191115 (7) dated 03.12.2019, Design and Access Statement 191115 (8) dated 03.12.2019, Statement 201119 dated 03.12.2019, Report Constraints dated 03.12.2019, Report Settings Summary dated 03.12.2019, Report Infrastructure (1) dated 03.12.2019, Report Infrastructure (2) dated 03.12.2019, Statement Community Involvement dated 03.12.2019, Report Heritage Impact Assessment

dated 03.12.2019, Statement Transport dated 03.12.2019, subject to the following conditions

Conditions

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. Prior to the commencement of the works to construct the glasshouse, bothy and visitors reception, full details of the junctions between the walled garden and these buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development does not harm the fabric of the heritage asset.

3. Prior to the commencement of the works to construct the glasshouse, bothy and visitors reception, full details of all external materials to be used in their construction shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the visual amenity of the locality.

Contact: Paul Batchelor

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Mr Paul Batchelor
Tonbridge & Malling Borough Council
Development Control Department
Gibson Building, Gibson Drive, Kings Hill
West Malling
Kent
ME19 4LZ

Direct Dial: 0207 973 3655

Our ref: L01142612

23 January 2020

Dear Mr Batchelor

**Arrangements for Handling Heritage Applications Direction 2015
& T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**IGHTHAM MOTE MOTE ROAD IVY HATCH SEVENOAKS KENT TN15 0NT
Application Nos 19/02843/LB & 19/02842/FL**

Thank you for your letters of 10 December 2019 regarding the above applications for listed building consent and planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the applications.

Summary

Historic England engaged in constructive pre-application discussions with the National Trust and Local Authority on this proposal for rationalised car parking and landscape enhancements at Ightham Mote. We consider the proposal causes some harm to heritage significance, but that this is less than substantial. The application also provides a significant number of heritage benefits which are capable of revealing parts of the ornamental garden lost due to their current use as a car park. Wider benefits also include enhanced visitor movement throughout the site which assists in management of visitor flow to the grade I house and the reinstatement of the line of the North Drive to once again illustrate one of two key visitor approaches to the medieval estate.

In reaching a decision on this proposal your Council will need to consider whether the harm has been avoided or minimised and that any remaining harm has clear and convincing justification before weighing the harm against the public benefits (NPPF paras 190, 194 and 196). Our assessment is that this application is capable of meeting NPPF objectives to avoid or minimise and justify any remaining harm and it proposes a number of significant heritage benefits to take account of in the weighing exercise, many of which are not possible unless the car park is relocated.



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk





We acknowledge this application proposes major change within the setting of highly graded heritage assets and we would be pleased to answer any questions about this advice as you consider this application.

Historic England Advice

Ightham Mote is famed as one of the finest small medieval moated houses in Kent. Built over several centuries, beginning in the 14th century, the resulting part-stone, part-timber courtyard house with clusters of ornate chimneys is highly picturesque, much admired and rightly listed grade I. Medieval water features including a moat and in-filled fish pond, are a scheduled monument and noted as one of the most informative examples of a manorial medieval moated site in the country, while ancillary buildings including the remains of a courtyard stable block and farm buildings to the south-west are listed grade II* and II. Collectively the group is of exceptional significance for the way in which it illustrates the magnificence of an important medieval estate and how such an estate functioned with a major house as the focal point of a working landscape. The core of Ightham mote including its ornamental garden is also designated as the Ightham Mote conservation area.

Part of the drama of Ightham is its landscaped setting. A comprehensive assessment of the contribution of setting to the significance of designated heritage accompanies the application. This concludes that the ornamental landscape was always confined to the valley bottom and sides while the wider landscape was part of a working estate. Within the ornamental garden, the assessment concludes that the area of the current car park detracts from significance because the presence of cars and subsequent landscape changes to accommodate parking compromise an ability to appreciate that these areas were historically ornamental gardens and a component of the arrival experience along the North drive.

The assessment also considers the wider estate and defines areas which make a greater or lesser contribution to significance depending on the extent to which the historic landscape character survives. We agree that woodland and assarts to the north of the house, which survive as intact medieval landscape features and contribute to our knowledge and appreciation of Ightham's historic landscape setting, make an important contribution to the significance of designated heritage. On the other hand, fields to the east and west of Ightham (identified as Greensand arable and including the proposed site of the car park) have been heavily modified with field boundary's lost or moved, though they do contribute to aesthetic values as an attractive green backdrop in long views of Ightham Mote and as working agricultural fields they help explain the story of Ightham Mote as a house at the centre of a working estate. Overall, we agree these fields make a lower contribution to the significance of designated heritage.



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The proposal and impacts and enhancements to heritage significance

This application proposes the construction of a new car park (307 spaces laid out in gravel, 121 overflow spaces, 40 staff spaces and 3 coach bays) on land east of the north drive, a new visitor centre and landscape enhancements including in areas currently used for car parking at Ightham Mote. Historic England engaged in detailed pre-application discussions with the Trust and Local Authority as these proposals were refined and we hope the following is helpful as your Council considers this application.

Relocating the car park to the southern end of a field east of the North Drive does cause some harm to heritage significance because it represents development on land which historically functioned as part of a working estate and thus has remained undeveloped throughout the history of the site. To an extent that harm is minimised through sensitive landscaping proposals for the car park including naturalistic finishes, but overall we conclude some harm remains. We are not concerned about the visibility of cars in key long views from the north-east and west of the site, and thus its effect on the aesthetic values of Ightham Mote because the applicant proposes effective screening as part of a comprehensive landscape strategy and this is well illustrated in verified views. In terms of the impact to the conservation area, removing the car park from within its boundary represents an enhancement, though relocating this to its immediate setting also causes a low level of harm to its significance as an understanding of its immediate landscape setting, which helps tell the story of Ightham as a house for the gentry and the core of a working estate, would be compromised to a low degree.

We also acknowledge our statutory duty to have regard to the purpose of enhancing and conserving the natural beauty of the Kent Downs AONB. The Kent Downs AONB is noted for its historic and cultural heritage which has created an “outstanding heritage and time depth to the Kent Downs”. In assessing this application we conclude the proposal would not impact significantly on elements of the historic environment which contribute to the Kent Downs AONB because of the way in which the visual impact of the proposal is significantly mitigated through a comprehensive landscape strategy. We note the proposal also includes a number of enhancements to the Kent Downs AONB as noted below.

We consider the wider proposal offers significant enhancements in heritage terms which meet NPPF aspirations to reveal or enhance significance (NPPF, Para 192 (a)). These enhancements include the reinstatement of ornamental gardens in the current car park, the removal of trees on the eastern boundary of the North Drive to reveal and



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reinforce the visual relationship between the drive and wider agricultural setting, the reinstatement of the line of the North Drive to enhance an appreciation of the historic approach to the house, and the use of the walled garden as a productive garden space. The removal of a temporary visitor building is also an enhancement within the wall garden, while its replacement with a larger visitor reception would not, in our view, add to the overall level of harm as it represents a sensitive piece of design which responds well to its historic context. We also encouraged the removal of a hedge between the south mill pond and moated house and are pleased this is included within the application as this reinforces the relationship between the core of the moated site and the mill pond, a surviving, albeit altered feature from Ightham's medieval landscape. We note the hedge on the north edge of the bridal way falls just within the boundary of the scheduled monument and depending on how this is removed scheduled monument consent may be required. We would be pleased to advise the applicant on this matter in due course.

Policy context and Historic England's position

The NPPF governs decision making for applications affecting the historic environment and notes that heritage assets "are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations" (Para 184).

In your Council's consideration of this application, Paragraph 190 which requires that harm is avoided or minimised to avoid conflict between the conservation of an asset and any aspect of a proposal and paragraph 194 which requires that harm should have clear and convincing justification, both apply.

Historic England engaged in detailed discussions about the least harmful location for rationalised car parking on the Ightham estate including the production of an options appraisal underpinned by a comprehensive assessment of setting and its contribution to significance. We are therefore satisfied that the proposed location represents the least harmful option to deliver the public benefits proposed, is possible within the constraints of the site and beyond as a whole and is workable for the trust within the brief they outlined. Pre-application discussions also focussed on how harm to heritage significance, arising from the visibility of the preferred location in key long views, might be mitigated to minimise the harm and Historic England is also satisfied that the proposed landscaping measures, once mature, will effectively screen the car park such that it will have little presence within the landscape. We therefore consider that the key objectives of paragraph 190 have been met.

In deciding whether the remaining level of harm, which Historic England considers is



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less than substantial, has clear and convincing justification, your Council will need to decide whether the public benefits of enhanced visitor parking justify the harm to heritage significance. Your Council will then need to weigh the harm against the public benefits (including heritage benefits) in the manner described in paragraph 196.

Specifically with respect to heritage benefits relevant to the weighing exercise, we think there are a number of substantive ones that are not possible unless the car park is relocated. Chief among these is the reinstatement of an ornamental garden in the current car park as this will once again reveal the extent and form of Ightham's ornamental landscaped setting and help interpret some of its productive elements and their role in the daily life of the estate. Reinstating the line of the North Drive enhances the arrival experience to the estate by revealing lost views between the drive and fields to its east and by fully illustrating once again one of two key medieval routeways to the house. This is also a significant heritage benefit in our view. Rationalising the way in which the site is accessed also provides wider benefits in the form of enhanced visitor movement throughout the paid area as the proposed changes help the Trust disperse visitors more widely across the paid area thus improving management of visitor movement through the house. Removing hedges from the south and north edge of the bridal way will also assist in interpreting the relationship between the moated house and south mill pond, a water feature with medieval origins.

In reaching a decision on this proposal your Council should also consider "the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation" (para 192, a), the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality (para 192, b) and the desirability of new development making a positive contribution to local character and distinctiveness (para 192, c). You will also need to consider the impact of the proposed development on the significance of designated heritage here, noting that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) (para 193).

Recommendation

Historic England has no objection to the applications on heritage grounds. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 85(1) of the Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural



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beauty of AONBs.

Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decisions in due course.

Yours sincerely

Alice Brockway

Inspector of Historic Buildings and Areas

E-mail: alice.brockway@HistoricEngland.org.uk



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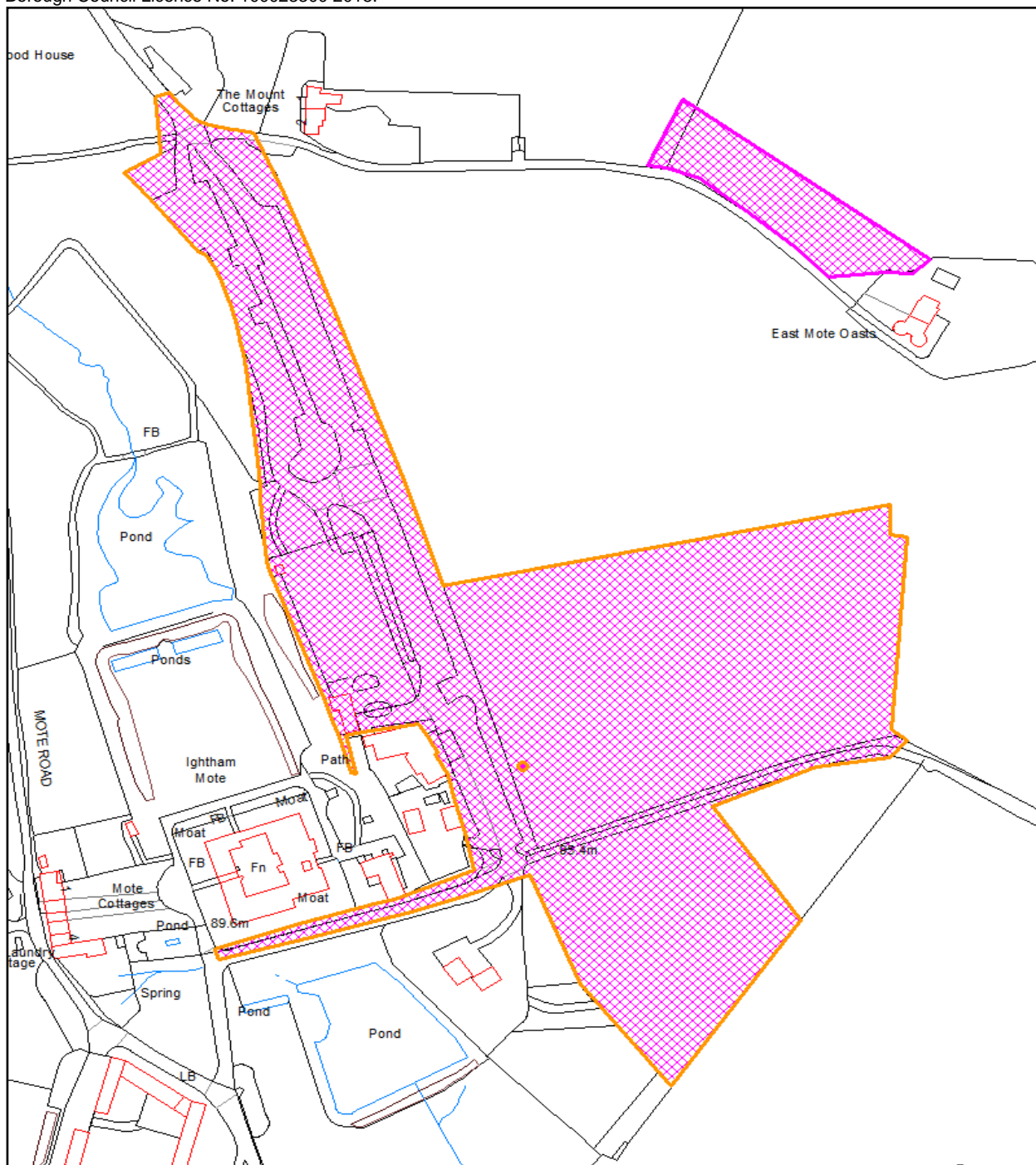
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TM/19/02842/FL & TM/19/02843/LB

Ightham Mote Mote Road Ivy Hatch Sevenoaks Kent TN15 0NT

Construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works

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Agenda Item 7

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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