

- Triple glazed windows along part of the west elevation.
- Triple glazed windows and doors on the south elevation.
- Demolition of agricultural buildings and replacement with a Class B1(a) office building of 967sqm in total, stated to be for 'Blends for Friends' comprising 622sqm of office space, 177sqm for a tea tasting room and 168sqm for staffroom areas.
- Alterations to access, removal of hardstanding and silos, formation of internal roadways and parking areas.

Outline Planning Permission:

- Demolition of agricultural buildings and replacement with 5 dwellings. Garaging, with associated parking and turning. Details of access and layout have been included at this time and details of appearance, landscaping and scale have been reserved. The layout proposed includes a terrace of three cottages fronting on to Kemsing Road and two detached dwellings, one being a 'granary' style building and one being a 'manor house' style in terms of the indicative drawings provided.
- 1.3 The erection of a side extension to Building F (grain store) and the installation of a biomass boiler were initially proposed but have been removed from this application and may form part of a later submission.
 - 1.4 Access is proposed to be via the existing farm access which would be widened with gates set back to allow vehicles to wait off the road. The internal access road is then proposed to split between the B1(c)/B8 building and agricultural building and the B1(a) offices and the residential dwellings. The existing St Clere Estate access road to the north-western corner of the site is also proposed to be maintained, to serve the wider Estate. PROW MR227 would not be affected by the proposals.
 - 1.5 The proposal represents an approximately 61% reduction in volume over the site compared to the existing farm buildings.
 - 1.6 Members will recall that the previous scheme (TM/14/03431/FL) was reported to A2PC on 21 January 2015, being a short report to recommend a Members' Site Inspection (MSI). The recommendation was agreed and a MSI took place on 12 February 2015. Following various points/questions raised at the MSI it was felt that a substantial amount of further information was required. As such the application was not reported back to A2PC and was subsequently formally withdrawn by the applicants in advance of the submission of this current scheme.
 - 1.7 This scheme differs significantly from the previous scheme in that 5 dwellings are proposed compared to 13 previously. In addition, the current scheme for the office

building and residential dwellings proposes replacement buildings and not a partial conversion which was the case in the last application. The layout of the scheme is no longer dictated by the existing position of buildings on the site (other than for buildings A and F which are to remain).

- 1.8 A Unilateral Undertaking is due to be submitted to cover the 40% affordable housing element of the scheme which would be provided on site. The 2 affordable units would be provided on a privately operated basis and would form 'Intermediate' housing.
- 1.9 Intermediate housing is defined in the NPPF as "homes for sale and rent provided at a cost above social rent but below market levels..." The intent is for the applicant to retain ownership of the land to secure long term regeneration of the Estate and to provide homes for employees where possible. The cascade of eligibility for the intermediate housing is as follows:

Category 1

- Workers on the estate
- Retired workers on the estate
- Former workers of the estate

Category 2

- Residents of Wrotham and Ightham

Category 3

- Residents of other parishes covered by the estate (which are outside TMBC)

- 1.10 It is proposed that 3 months is allowed for each level of the cascade before the next level of the cascade is considered. The rent charged shall equate to a maximum of 80% of market rent following market appraisals from 3 estate agents.
- 1.11 Eligibility with regards to incomes is proposed to be established by assessing the individual's ability to meet their needs through the market as per the definition in the NPPF. A household's ability will be assessed by establishing 33% of their joint household income and comparing it to local rental values. If this percentage of the household's income is not sufficient to meet their needs through the market then they can be considered eligible for the affordable units.

2. Reason for reporting to Committee:

2.1 Called in by Cllr Martin Coffin, as the proposal is a Departure from the development plan.

3. The Site:

3.1 The site lies on the south side of Kemsing Road close to the edge of the borough boundary with Sevenoaks (some 360m to the west). To the northeast of the site lies the residential dwelling West Yaldham Farmhouse. Opposite are 3 dwellings on the Kemsing Road.

3.2 The site extends to the south and includes agricultural buildings which form part of the St Clere estate including hardstanding areas between the buildings and to the north of the site. The existing buildings are substantial and readily visible within the landscape from Kemsing Road, the higher ground of the North Kent Downs to the north and from the M20 motorway to the south.

3.3 The site is exposed to the agricultural land to the south of the site which drops away in level to the south thus increasing the visual impact of the site from views from the south.

3.4 The site lies within the Metropolitan Green Belt and an Area of Outstanding Natural Beauty.

4. Planning History (relevant):

TM/49/10454/OLD grant with conditions 25 August 1949

Implements Shed and Manure Store.

TM/65/10785/OLD grant with conditions 18 March 1965

A covered yard and grain store.

TM/68/10872/OLD grant with conditions 16 April 1968

Grain drying and storage building.

TM/70/10889/OLD grant with conditions 6 January 1970

The erection of a dairy unit comprising four buildings and two silos.

TM/70/10932/OLD grant with conditions 27 May 1970

Extension of existing grain store and new lean to implement shed.

TM/74/12232/OLD grant with conditions 27 August 1974

Erection of lean to grain store and a machinery / general purpose store.

TM/01/00689/FL Refuse 10 October 2001
 Appeal Allowed 13 May 2002

Change of use from Agricultural to B1 and B8

TM/14/03431/FL Application Withdrawn 27 August 2015

Conversion of agricultural barns, including partial demolition and re-building new sections, to form 13 dwellings (8 market housing, 5 intermediate housing), 1844 sqm agricultural building (full replacement), 775sqm B1(a) offices and 1000sqm B1(c) light industrial, including removal of silos

TM/15/01260/AGN Prior Approval Not Required 15 May 2015

Prior Agricultural Notification: Extension to agricultural store (Building F)

TM/15/01277/PDVAF Prior Approval Approve 27 July 2015

Prior Notification: Conversion of Building A (b) from grain store to a flexible use [initially storage and distribution) (Class R)

TM/15/01852/DEN Prior Approval Not Required 2 July 2015

Prior Demolition Notification of building A(a) Agricultural Building at West Yaldham Farm

5. Consultees:

5.1 Wrotham PC: WPC is in principle supportive of this improved application. Much of the current infrastructure is to be removed and in particular the two pronounced steel silos leading to a more aesthetically pleasing development within the AONB. The overall volume of the built development will decrease leading to a positive benefit to the openness of the MGB.

5.1.1 In the event that the Officer deems that special circumstances are required then the rerouting of HGVs and in particular the grain lorries away from village centres is a significant bonus for our community and that combined with the overall

improvement to the built development will in our opinion far outweigh any consequential harm.

5.1.2 The mixing of residential, business and agricultural uses on one site leads to our two areas of concern.

1) It is essential that noise from the agricultural and business uses are not allowed to impact on the residential amenity of existing and new residents. We would therefore ask that rigorous noise conditioning is imposed and enforced.

2) The complex three-way access in one location is of concern from a safety viewpoint and WPC will appoint a review of the safety aspects of the junction, including the swept analysis, by a qualified Highways Engineer and the outcome of that review will be passed on to the LPA to assist them with their decision.

5.2 Ightham PC: We support this application. No objection.

5.3 Sevenoaks DC (adjoining LPA): No objection. Main comments set out below:

5.3.1 The agricultural justification statement states that replacement of the existing grain store is required to support the Estate's grain production (which averages 4,500 – 5,000 tonnes). The statement also refers to off-site crop storage facilities at Weald Granary (capacity of 2,500 tonnes) and contractor's storage facilities (presumably off-site). Although the statement concludes that the proposed replacement building (with capacity of 2,500 – 2,750 tonnes) would be suitable for all the farm's needs, including any expansion in its operations for the foreseeable future, it is queried whether additional on-site provision should be made to support all existing and future crop production on the Estate and to reduce movement between sites. It is considered that this should be clarified to prevent further proposals for agricultural buildings, including in Sevenoaks District, in the future.

5.3.2 The development would result in a 61% reduction in built volume on the site. The proposals, including parking provision and residential amenity space, would be mostly contained within the footprints of existing buildings which, combined with a substantial reduction in bulk, would improve the openness of the Green Belt. The development would also provide rural employment opportunities and high quality residential accommodation. It is recommended that the determining Authority give careful consideration to whether or not they consider the VSCs advanced would clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm.

5.3.3 The site is located within the Kent Downs Area of Outstanding Natural Beauty. The existing farm buildings, and particularly the silos, are visually intrusive and prominent in short, medium and long distance views. The Landscape and Visual Impact Assessment submitted with the application concludes that the proposals would have either a beneficial moderate or beneficial substantial impact on the landscape in the immediate area and the wider setting.

- 5.3.4 Subject to the recommendations of the Highways Officer, it is not considered that the development would have a material impact on highways in the locality. It is also not considered that the development would have any impact on the residential amenities of surrounding occupiers.
- 5.4 KCC Highways: It is not expected that the proposals will lead to a significant increase in traffic accessing the site when compared to the fall back use of a dairy farm. Further, it is likely that the proposals will see a reduction in HGV movements to the site.
- 5.4.1 The proposals include modifications to the access, through widening and setting back the gate. Tracking diagrams have been provided to show that the largest anticipated vehicles can safely enter and exit the site, and can safely turn within the site.
- 5.4.2 Adequate parking facilities are provided for both the employment and residential uses, and there is sufficient space for vehicles to turn on site and leave in a forward gear.
- 5.4.3 The local highway authority also welcomes the proposals of a transport management plan to ensure HGVs are not routed through either Wrotham or Kemsing village centres. I do not wish to raise objection on behalf of the local highway authority.
- 5.5 KCC PROW: Public Right of Way MR227 footpath runs along the western boundary of the site and should not affect the application.
- 5.6 Environment Agency: (In summary) No objections if planning conditions are included in relation to Contaminated Land, Drainage and Piling.
- 5.7 Kent Downs AONB Unit: Objection raised on the following grounds:
- 5.7.1 The application site is located in the Kent Downs AONB. The application should therefore be tested against the purpose of the designation, to conserve and enhance the natural beauty of the Kent Downs AONB and the way that this purpose is represented in local and national policy.
- 5.7.2 West Yaldham Farm is a group of farm buildings in a relatively isolated position in open countryside outside the boundary of any settlement. It is understood that the farm forms part of the wider St Clere Estate. Farmland predominates here, below the steep escarpment of the North Downs and the North Downs Way.
- 5.7.3 The site is accessed from Kemsing Road, a narrow rural lane which is single track for the majority of its length, with no footpaths or lighting. The free flow of traffic along it relies on a number of informal passing places.
- 5.7.4 The site lies within the Kemsing Vale Landscape Character Area of the Kent Downs AONB. The key characteristics identified for this area include the visual

impact of motorways, magnificent views southwards from scarp, large intensively cultivated scarp foot hills and a strong pattern of trimmed hedges and individual mature trees. Design guidelines for this area include conserving the open, large scale of the landscape and views and integrating transport corridors by additional hedgerow, woodland and shaw planting.

5.7.5 It is recognised that a Prior Notification has been granted for the conversion of building A to a flexible use thus establishing the use of this building for commercial purposes. However, the AONB Unit is concerned that the proposed new office building and erection of five new dwellings would significantly and harmfully increase the impact of the site on the environment and landscape of the AONB. It would result in the site being more actively used, with a consequent impact on tranquility, an increase in traffic levels along Kemsing Road and increased levels of light pollution.

5.7.6 It is contended by the applicant that the existing barns and silos have a serious harmful effect on the visual quality and character of the AONB. While the farm buildings existing on the site are currently in a state of some disuse, given that they are farm buildings, in a farmed landscape, we do not agree that the existing buildings negatively impact on the area. Furthermore, the existing buildings could be removed without the proposed development proceeding.

5.7.7 Notwithstanding the proposed farmstead vernacular design, it is considered that the impact of the massing, layout, density and land uses of the proposed development would weaken the fundamental components of natural beauty and landscape character and result in a detrimental impact on the visual identity of the Kemsing Vale Landscape Character Area.

5.7.8 As such the application is considered to be contrary to policies SD1, SD3 and LLC1 of the Kent Downs AONB Management Plan. The Management Plan has been formally adopted by all local authorities in Kent in which the AONB occurs, including Tonbridge and Malling Borough Council. Management Plans are a material consideration in determining planning applications/appeals as set out in para 15 of the decision in respect of Appeal Ref: APP/P1615/A/13/2204158 Land off Reddings Lane, Staunton, (Coleford), Gloucestershire where the Inspector noted that "The Management Plan is a material consideration to which I attach considerable weight."

5.7.9 The application is also felt to be contrary to Policy CP7 of TMBC's Core Strategy, which advises that development will not be permitted where it would be detrimental to the natural beauty of the AONB except in specified exceptional circumstances, which are not met by the application proposals.

5.7.10 Furthermore the site lies well outside of the boundaries of the nearest settlements of Wrotham and Kemsing and with lack of local facilities nearby, the nature of the local roads not make walking an attractive option and lack of options other than private car to access site result in the site being clearly unsustainably

located. As the Kent Downs AONB Management Plan makes clear, the principles of sustainable development are at the heart of the management of the protected landscape of the Kent Downs.

- 5.8 KCC Heritage: The site of the application is part of a post medieval farm complex. There are indications of a courtyard on the 1st Ed OS map with small, linear barn fronting the road. Other buildings are identifiable including a roundel building which may have served as an oast house or some other horticultural function. Most of the historic farm buildings have been demolished, except for the current farmhouse itself. However, remains of the post medieval farm buildings may survive below the current large barns or ground surface. This farm may be of medieval origins and clarifying the establishment of this farm is of heritage interest. This farm is identified with the Historic England Farmstead Survey (2009 and 2012).
- 5.8.1 The site of the application also lies within an area of Anglo-Saxon activity, with several burials recorded along the Pilgrims Way to the north and within Wrotham village. Wrotham is known to have been a focus of Anglo-Saxon activity and similar remains may survive on the application site. An ancient trackway is considered to run through the farm, although this may refer to routeways either side. Conditions recommended to safeguard below ground archaeology.
- 5.9 KCC SUDS (Sustainable Drainage Systems): The principles of the use of infiltration drainage are acceptable subject to confirmation of the permeability of the ground in the location of the proposed devices as recommended by BRE digest 365. Any works affecting the ditch (as an ordinary watercourse) may require land drainage consent from KCC as the Lead Local Flood Authority. Conditions suggested.
- 5.10 Private Reps 16/2S/0R/1X + departure Press and Site Notices. Three letters have been received from the closest residential neighbours to the site. Two letters are broadly supportive but raise queries/concerns and one letter neither supports nor objects but, again, raises concerns/queries. The comments received are summarised below:
- The housing development looks to be in keeping with the locality in style and is of a sensible density.
 - Safety concerns raised over the indicative pedestrian gate forward of the cottages, directly on to Kemsing Road.
 - Concerns raised over the biomass boiler [DPHEH: this no longer forms part of the application] in terms of noise and the siting of fuel (chippings/logs).
 - Location of the delivery doors on the west elevation of Building A requires delivery vehicles to travel along the north of the building and thereby closer

to cottages to the north. Can the layout be changed to have delivery to the east and negate the need for movement along the north of the building.

- The noise report submitted refers to storage and distribution and not manufacturing.
- Swept path: The banks of the lane are already broken where, this year, even larger grain lorries accessed the site. Although there is mention of changing the entrance in the application the swept path analysis included in the application shows how the edges of the lane will be broken by the size of transport. This analysis shows a verge, by the flint wall, that does not exist. This wall is to remain according to the application therefore the lane is even narrower than depicted.
- Office building: The size of this building appears to increase with each application for this site. The last application stated 35 employees for the whole site. This building is far larger. This means an increase in traffic on the lane and parking issues on the site.
- Query concerning the ambient noise readings. On the day these readings were made a person walked around the area with a leaf blower. This was such an unusual noise for the area and was for such a prolonged period that it drew my attention. This was briefly noted at the end of the noise report. These are therefore not true ambient noise readings.
- On the site plan to the west of buildings A and F there is a large apron that has been concreted over the existing field. This area seems to expand with each amendment and a specific size of this area needs to be agreed. This is in addition to the area to the north of Building A being concreted.
- The site lies within an AONB and the future proofing of this location needs to be taken into account. The applicant should be restricted on expanding the site further i.e. the office space.
- The application seems much more appropriate for the location and in general we are supportive.
- The extent of concrete on the working side of the site extending beyond the existing area to the west of the buildings and north to the area immediately south of Kemsing Road. [DPHEH: This extent of hard standing has been reduced through a recent amendment.]
- The concreting of the area immediately south of the hedge was refused in the Historical Appeal document submitted by the Applicant for reasons that it was detrimental to the open area of the site and that the grassed area separates the buildings from the road. We feel very strongly that these reasons still apply and would suggest that the concrete road access should

remain as exists between building A and building F, also that any extension of concrete to the west is minimised.

- Deliveries are proposed to be to the West aspect of building A; this is contrary to the proposed delivery point to the south of building A described by Mrs Ecclestone when she contacted us prior to submitting the application. Deliveries to the doors on the western aspect of the building will impact on our home both visually and in terms of noise. We are appreciative of the efforts to screen building A, but there is no screening of the deliveries, perhaps a further tree could be added to those proposed?
- A previously submitted noise report (15/1277, noise air ref 6449) suggested measures that should be taken to minimise noise at the loading bay but this has not been submitted with this application and no mention is made of these measures. We feel that the noise impact report previously submitted requires reviewing and reducing the impact should be a condition of the build.
- Comments in the noise report regarding the loud noise in the “fuso room” and from the use of the airgun. These have the potential to seriously impact on this quiet rural area as this is not an industrial estate. Clear suggestions are made regarding reducing this noise and we trust that these will be a condition of this development.
- It is completely unacceptable to us (and is supported by the ruling in the historic appeal document) to have traffic routed immediately south of the hedge. In particular the proposed tracking shows reversing for deliveries with the attendant “beeping” noise occurring on this northern boundary of the site directly in front of our home in such an open rural area. Keeping all traffic to the south of the buildings would make the development less intrusive than it already will be on our lives and on the area.
- Mention is made in the planning statement of the hopes of Blends for Friends to expand but no commitment is given to ensure that any increasing parking requirements are also kept away from the north and west side of the site. Parking to the south was suggested in the Historical Appeal document and we feel that this is vital to this application. As we stated with the previous application this development is not just for one company but rather as a generic light industrial development in the Kent Downs area of outstanding natural beauty and a long term view is required to maintain this area. Conditions regarding this would make this plan much more acceptable.
- The permitted development application (15/01277/PDVAF) allowed hours of work from 07.00-18.30 Monday to Friday and 07.00-13.00 on Saturdays. This application whilst slightly reducing the finish time Monday to Friday requests working times of 09.00-17.00 on Saturday. We feel that keeping

the hours to a finish time of 13.00 and ideally a start time of no earlier than 08.00 on Saturdays is much more reasonable.

- We note the proposed access routes to the site are from the east for deliveries but employees may well arrive from the west and we have already reported to the Council our problems with the erosion of our verge and its impact on our fence. The fence was originally sited 1m in from the edge of the road but this has been eroded significantly and even our attempt to plant a hedge to protect the fence has not worked so we would like some consideration given to the problems of the increased traffic on this issue, possibly by changes to signs or some form of verge protection.
- Bin stores are mentioned on the application form but not shown on any plans. As the largest producer of waste is likely to be building A and the offices we are concerned about their positioning. Ideally these would not have further impact on the open environment in front of our home and could be kept more centrally on the site.
- The site is south facing and use could surely be made of solar panels to increase its self-sufficiency.
- The future of this site is a concern as we hope to continue to live here peacefully for many more years. We have already mentioned the future parking concerns and the applicant says that future needs of the farm have been considered but in the Historical Appeal document a condition is made that no direct selling should take place on the site and we feel that this is still important to apply to this application.
- The above application has changed substantially from the earlier plans and seems much less intense and appropriate for this rural location. We are in general supportive of the application.
- It is hoped that the proposals for noise reduction will be required. Noise tests were carried out, however this does not take into consideration the fact that the current farming activities are noisy for a few weeks during the harvest but it is very quiet for the rest of the year. The new proposal will produce noise 52 weeks per year.
- Despite reports stating that traffic is not a problem, for those of us who live on the Kemsing Road the reality is very different. Large vehicles are not able to pass each other in many stretches and we regularly have cars reversing into our drive to allow for passing large vehicles. White posts have recently been put up along our fence to stop the undermining of our fence as cars squeeze by each other. The road is also hazardous in the winter as it is not gritted and is in poor condition generally. It is the only route into Sevenoaks when travelling from the east on the M20 which generates considerable volume of traffic at key times.

- The Arboricultural Report highlights several trees on our property which may be affected by the building works. See paragraph 5.2 relating to T17 and T18 which are mature Beech trees on our land. Trees T10-T16 were planted by us 20 years ago to provide a screen from the farm. We hope that all necessary measures will be taken to protect these trees.

6. Determining Issues:

- 6.1 Before considering the merits of the proposal in terms of policy, I consider it relevant to set out the recent prior notifications/approvals for West Yaldham Farm. These inform the current planning position for assessing the proposed development compared to the scheme which was before Members earlier this year.
- TM/15/01852/DEN certified the partial demolition of part of Building A.
 - TM/15/01277/PDVAF granted Prior Approval for the partial conversion of Building A(b) (380sqm) to a flexible use within Class R (i.e. can be used flexibly for A1, A2, A3, B1, B8, C1 or D2 of the Use Class Order). However the intention was to initially use the converted space as storage and distribution. Conditions were attached to this approval.
 - TM/15/01260/AGN agreed that Prior Approval was not required for an extension to existing agricultural building (Building F) to provide a grain store to serve the St Clere Estate.
- 6.2 As such, there is an established set of permissions granted by the Town and Country Planning (General Permitted Development) Order 2015 for some of the works proposed within this Hybrid application.
- 6.3 The site lies within the Metropolitan Green Belt where the principle of development must be assessed against the NPPF and policy CP3 of the TMBCS which defers to national MGB policy. Paragraph 89 of the NPPF sets out what the exceptions to inappropriate development are, relevant ones being buildings for agriculture and forestry, limited extensions to existing buildings, replacement buildings within the same use (not-materially larger) or the complete redevelopment of a previously developed site (brownfield land).
- 6.4 Paragraph 90 of the NPPF allows for, inter alia, the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 6.5 The current proposal seeks to re-use Building A to mixed use light industrial and storage and distribution uses which therefore conforms to the principles of paragraph 90 of the NPPF. The building would be partially demolished (previously consented) thereby reducing the bulk and mass of the building. As such, I consider the works to Building A would not constitute inappropriate development by definition.

- 6.6 The remainder of the development, being the office building and the outline application for five residential units, does not fall within the exceptions set out in paragraphs 89 or 90 of the NPPF and therefore is inappropriate development. Whilst the proposals in place of buildings to be demolished would represent the redevelopment of a site which would not have a greater impact on the openness of the Green Belt compared to the existing development, the site is agricultural so it is excluded as 'previously developed land' as defined within the NPPF. As such, the proposal constitutes inappropriate development. Accordingly, to comply with the NPPF and Policy CP3, a sufficient case of very special circumstances must exist to ensure that the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations as set out at paragraph 88 of the NPPF.
- 6.7 The site is also in the countryside and policy CP14 of the TMBCS states that in the countryside, development will be restricted to certain categories, none of which relate to the proposal except development that secures the viability of a farm, provided it forms part of a comprehensive farm diversification scheme supported by a business case.
- 6.8 It is my view that the significant reduction in bulk and volume over the site is a material consideration which should be afforded significant weight, not just in terms of impact on the openness of the Green Belt and the rural amenities, but also in light of the impact of the site on the AONB. The loss of significant built form on the site, the reduction in bulk and mass and the loss of the two large silos would demonstrably improve the appearance of the site from both immediate and long distance views from within the AONB.
- 6.9 In addition to the improvements to openness and landscape character, the removal of a large pole barn building from such close proximity to the neighbour at West Yaldham Farmhouse would result in a significant improvement to the overall amenities of that dwelling in terms of outlook, light and overbearing impact. The movement of commercial activity away from West Yaldham Farmhouse and the introduction of domestic buildings on the eastern side of the site would also improve amenity for this neighbour in terms of agriculturally related noise, smells and general disturbance. Similarly, the existing cottages opposite the site, on the north side of Kemsing Road, would benefit from the cessation of large scale farming on the site in terms of smells. Issues such as noise and disturbance from the proposed commercial uses could be controlled by condition thus giving scope for improving their amenities.
- 6.10 The applicant has accepted the principle of the removal of agricultural permitted development rights for new buildings or works to existing buildings within the Borough boundary of the St Clere Estate to ensure that no further agricultural buildings are erected without the need for a planning application. This is due to the existing buildings having been argued to no longer be suitable or necessary for the type of agriculture the Estate carries out. As such, buildings B, C, D and E are

being 'offered up' to form part of the case of VSC for the proposed development. I consider it reasonable to restrict the permitted development of the Estate in this way in order to safeguard the rural Green Belt and AONB within the Borough from further agricultural development. I afford weight to the ability to restrict future development in this manner in terms of overcoming the issues of principle previously identified.

- 6.11 I am therefore of the view that the improvement to openness and landscape character afforded by the significant reduction in volume over the site, combined with the improvements in amenity to three nearby neighbours and the ability to have control to safeguard the openness of the rural Green Belt and AONB within the Borough from further permitted agricultural development cumulatively amount to a sufficient case of VSC sufficient to override the principle harm to the Green Belt and other harm. The proposal would therefore meet paragraph 88 of the NPPF and, by implication, Policy CP3 of the TMBCS
- 6.12 The existing agricultural buildings and silos (other than Building F) on the site would be either removed or re-used including, for the purposes of Building A, new external cladding and roof covering. As such, the proposal would result in the removal of four very large grey asbestos metal clad farm buildings and two dark blue silos. It is my view that the appearance of the site would improve significantly especially from views from Kemsing Road and from longer distance views from within the AONB. The site would have a more appropriate scale and massing for its rural location and through the introduction of improved layout, siting, massing and materials significantly improve the site and its surroundings. In this respect, I consider that the proposal would accord with Policy CP24 of the TMBCS and paragraphs 57 and 58 of the NPPF.
- 6.13 Furthermore, Policy CP1 of the TMBCS requires that the "quality of the natural...environment, the countryside, residential amenity... will be preserved and, wherever possible enhanced". As the proposal would remove such a substantial amount of volume from the site which also includes the removal of unattractive farm buildings so close to residential dwellings, I consider the proposal would comply with Policy CP1 in terms of enhancing rural amenity, the environment and residential amenity.
- 6.14 The detailed works to Building A would result in a large blank expanse of wall on the north elevation; however this situation would occur as a result of the permitted partial demolition of the northern wing of the building. The works to the east, west and south elevations to add roller shutter doors, conventional doors and windows are the minimum necessary to meet the needs of the end user and would not be prominent within the streetscene. The new office building has been designed to appear as a large complex of Kent Barns with cat-slide roofs. The office building would be sited between the proposed converted commercial B1(c)/B8 building and the area indicated for residential dwellings (in outline). As such, the office building would act as a visual screen and a functional division between the more sensitive

residential buildings and the commercial and agricultural activities which would be carried out within buildings A and F. Plain clay tiles, featheredge weatherboarding and cast iron rain water goods are proposed for the external materials. Compared to the existing buildings in this location, the new materials would greatly improve rural visual amenity and would respect this AONB's landscape value. Although the residential dwellings have been applied for in outline, the means of access has been provided, as have details of layout. Whilst details of scale and appearance are not currently submitted for approval, the applicant has provided indicative images for these dwellings, being a terrace of three cottages on the road frontage, a detached 'Granary' building and a 'Manor House.' The indicative details show a design concept and materials which are entirely in keeping with this rural setting and would represent a significant improvement to the existing buildings on the eastern side of the site.

- 6.15 I note the objections raised by the Kent Downs AONB Unit in relation to landscape character. However I do not fully agree with their conclusions. As stated previously, the proposal would represent a significant reduction in bulk/volume and would improve the appearance of the site from Kemsing Road and from wider views from within the AONB. At present, views from the higher land above show large buildings (including two silos), close together with dark agricultural materials and large expanses of hardstanding. The proposal would reduce volume, improve separation between buildings (ie openness), reduce hardstanding and improve the materials and landscape within the site. In addition, the site lies in close proximity to existing dwellings and, accordingly, once developed would not appear incongruous in the landscape in my opinion. I therefore consider the proposal would enhance the natural landscape character of the AONB and meet the requirements of Paragraphs 115 and 116 of the NPPF as this is not simply a major development within the AONB: it is a sensitive redevelopment of an existing farm site which has an element of fall-back position as stated previously.
- 6.16 In light of the above considerations, I am satisfied that the detail of the scheme is of a high quality and would represent an improvement to the character and appearance of the locality in terms of visual and rural amenity and landscape character. I therefore consider the proposal accords with Policies CP1, CP7 and CP24 of the TMBCS, and Paragraphs 57, 58, 115 and 116 of the NPPF.
- 6.17 Vehicular access is proposed to be via the existing access which would be modified and improved to allow for 6.0m radii and a wider entrance (to allow for the swept path analysis). The existing visibility splays at the access are considered to be reasonable for the nature of Kemsing Road. The existing gates at the access will be relocated to allow for safe entrance to the site with no stopping on the public highway.
- 6.18 A Traffic Management Plan is proposed to be provided which would undertake to prevent HGVs routing through the centre of Wrotham or Kemsing. It is stated that all HGVs will be routed via Exedown Road and Old Terry's Road to the A20 or via

Fen Pond Road to the A25. The Exedown Road route would involve some vehicles travelling via the 'hair-pin' bend to the west. However the land surrounding this is owned by St Clere Estate and it is understood that inter-visibility across the bend will be improved as required.

- 6.19 The proposal must be assessed on the basis of the lawful use of the site as a fully operational dairy farm (with regard also paid to the recent prior approval application for change of use for Building A). It has been calculated in the Transport Review that the existing farm, if brought back in to commercial use, would generate 64 vehicle trips per day. However this number could increase in peak times and reduce in the winter months.
- 6.20 The proposal has been assessed using industry standards and trip rates have been predicted to be 97 per day which does not include a reduction for the likelihood of some workers living on site who may not need to travel for work. As such, compared to the potential commercial use of the site as a dairy farm, the proposal could add 33 trips per day, which can be broken down to 17 trips to the site and 17 away from the site, being around 1 additional vehicle movement per hour in any direction.
- 6.21 Parking is proposed for the houses (indicatively) at two spaces plus garaging for the Granary and Cottages 1-3, and three spaces plus garaging for the Manor. Parking for the remainder of the site, i.e. B1(c)/B8 (Building A) and the B1(a) Office building) have been proposed at 18 spaces for Building A and 25 spaces for the office building.
- 6.22 KCC Highways has assessed the proposed modifications to the means of access, the swept path analysis and the location and number of parking spaces for the site as a whole. Subject to conditions, KCC Highways has raised no objection to the proposal. It is noted that the submitted Transport Review offers a Traffic Management Plan to route HGV traffic away from Kemsing and Wrotham villages as set out above. Whilst that is welcomed, its enforcement from a planning point of view is not practicable. Therefore, it is considered that a condition to require the submission and implementation of a travel plan which can include this Traffic Management Plan commitment is necessary in this instance.
- 6.23 As stated previously, the removal of agricultural farm buildings away from West Yaldham Farmhouse, which lies directly adjacent to the existing Building C, would be a significant improvement to the amenity of the occupants. The layout of the scheme is such that all the commercial and farm activity would be on the western side of the site, well away from West Yaldham Farmhouse. In this respect, I consider the amenities of this dwelling, in terms of outlook, daylight, noise and smells would be significantly improved thereby complying with Policies CP1 and CP24 of the TMBCS. In addition, a Noise Report has been provided to support this and, subject to mitigation measures required by conditions, will ensure a suitable aural climate is acknowledged for all dwellings, existing and proposed.

- 6.24 Nos. 1 and 2 Yaldham Cottages which lie to the north of Kemsing Road, directly north of the application site, currently overlook a disused farm complex which could be used, without planning permission, for an intensive dairy farm or other agricultural activity. Such a use would be unfettered in terms of operational activity, hours of use, noise and smells. This application, if approved, would bring a mixed B1(c)/B8 use to Building A and a new office building which would restrict commercial activity to half of the site. Moreover, any permission would have to be acceptable in terms of hours of use, noise/smell impacts, deliveries etc. which could be controlled and enforced by condition. As such, a comprehensive scheme for redevelopment would result in an improvement in amenity terms compared to the fall-back position of the potentially reinstated farm activity. Notwithstanding that the farm is currently predominantly disused and the proposal would result in an increase in general activity on the site, it is the genuine prospect of a fall-back position for the existing site which needs to be the bench mark for assessing the impact on amenity in this instance.
- 6.25 The scheme has been submitted with three noise reports. In relation to the proposed cottages, the noise report suggests a range of mitigation, together with minimum Rw specifications to ensure an adequate internal noise climate. It is recommended that suitable internal noise levels will be achieved to comply with BS8233:2014.
- 6.26 Based on the submitted noise report, I would comment on the specification for any acoustically screened mechanical ventilators, specifically that these should ensure that the levels specified in BS8233:2014 are not exceeded within any room as a consequence of the operation of the unit itself. The report also details that the respective noise levels need to be achieved with windows at least partially open. If this cannot be achieved, then acoustically screened mechanical ventilation may need to be considered.
- 6.27 Turning to the noise in relation to the proposed offices, calculations within the noise report indicate that the recommended levels within BS8233:2014 would be exceeded in the proposed offices whilst the blower was in use. A range of mitigation measures have been suggested, together with minimum Rw specifications, to ensure an adequate internal noise climate.
- 6.28 With regards to ambient noise levels, the report has assessed the current noise climate at the site and that predicted to come from the 'Blends for Friends' operation. This latter element has been assessed from the current 'Blends for Friends' operation at a different location. The report has concluded that there is a possibility that the 'Blends for Friends' operation could adversely impact upon existing residents close to the site. A range of mitigation measures have been suggested, together with minimum Rw specifications, to ensure an adequate internal noise climate.

- 6.29 In light of the above noise considerations, the scheme has demonstrated that, subject to detailed conditions, the proposed commercial activities on the site, being B1(c)/B8 and B1(a) would not give rise to a detrimental noise climate for the existing or proposed nearest noise sensitive dwellings. A condition can also reasonably be imposed to require the submission of details for any mechanical extraction systems to ensure no undue odour would arise from the proposed manufacturing process, nor give rise to noise concerns from the extraction system itself. I am therefore satisfied that, on the basis of the fall-back position for the full use of the site as agricultural, and the fact that some of the uses have been permitted under a recent Prior Approval application, the proposed uses on the site, subject to conditions would not give rise to an undue impact to residential amenity.
- 6.30 A Contaminated Land Assessment has been submitted as part of the application which has been found to be fit for purpose and, subject to conditions, will ensure that the site is suitable for its intended end use. The EA has supported this approach.
- 6.31 The site lies within Flood Zone 1 and is not therefore at risk from flooding. However, as the site is a major development a Sustainable Drainage System has been submitted as part of the application to set out how surface water will be managed on the site. Again, subject to conditions, this scheme is acceptable for the site and would provide a betterment in terms of infiltration compared to the existing mass of buildings and extent of hard standing, much of which would be removed to facilitate the proposal. The EA has supported this approach and welcomes conditions on drainage.
- 6.32 The site does not lie within an Area of Archaeological Potential but as a result of the site being identified within the Historic England Farmstead Survey (2009 and 2012) along with the proximity of the site to Wrotham village and the Pilgrims Way, a condition to recommend field works resulting from a written specification and timetable is proposed to be attached to any permission.
- 6.33 The site meets the threshold for Affordable Housing set by Policy CP17 of the TMBCS. As set out in section 1 of this report, the applicant has offered 40% of the dwellings (2 units) to be given over to a locally/privately managed scheme. As a Registered Provider would not be required to taken on the units (ownership would remain with the St Clere Estate), and no commuted sum would need to be received and spent by the Council, a Unilateral Undertaking (UU) to provide the two affordable rent units is being put forward by the applicant rather than a Section 106 Obligation to which the Council must also be a signatory. Whilst this private arrangement for providing the affordable housing is unorthodox it has happened elsewhere in the Borough, again in a similar agricultural environment/context.
- 6.34 It is my view that the provision of 40% on this site, which will have significant costs to remove the existing buildings, silos and hardstanding, along with decontamination works, is a good outcome and will provide good quality rural

housing for workers on the Estate, retired workers on the Estate or local people in a cascading scale (see Section 1 above). The provision of a UU to secure this provision will result in the scheme fully complying with Policy CP17 of the TMBCS.

- 6.35 As a revised Noise Report, surface water drainage scheme, and method of foul drainage have been submitted the final conditions relating to these matters will be reported fully within the Supplementary report.
- 6.36 In summary, the case for the redevelopment of the farm as part of a wider strategy for the St Clere Estate is accepted and, in this regard, I consider that Policy CP14 is complied with and that, in the present climate, there is an overall strong case for the principle of the redevelopment in the MGB.
- 6.37 I am satisfied that this scheme has been refined from the earlier TM/14/03431/FL application such that the concerns expressed at the Members' Site Inspection for that application have been overcome as far as is practicable. The site's redevelopment is no longer limited in terms of the siting of the existing buildings being "converted" and the flexibility which a more comprehensive replacement of the redundant/underused farm buildings can provide allows many of the concerns (and the neighbour concerns in particular) to be addressed satisfactorily in my view.
- 6.38 Members may agree that the very special circumstances detailed in my report are in their own right sufficient to outweigh the inappropriateness of the development. Moreover, I consider, that viewed in the light of the relaxation of planning control in new permitted development regimes and the thrust of the Government policy towards rural development on agricultural farmsteads in particular, the scheme should be supported.
- 6.39 However, should Members resolve to grant full and outline permission as recommended, the application would require referral to the National Planning Casework Unit prior to determination. This is in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 because the application represents development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, and includes both the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more and is development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

7. Recommendation:

7.1 Grant Full and Outline Planning Permission subject to:

- **Submission of a satisfactory Unilateral Undertaking to secure two affordable intermediate housing units;**
- **Referral of the application to the National Planning Casework Unit;**
- **The following conditions:**

- 1 The development hereby permitted in respect of Area 1 shaded purple on plan number 024 as attached to this Decision Notice shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Sections 91 and 92(2) of the Town and Country Planning Act 1990.

- 2 Application for approval of the reserved matters for Area 2 as shaded green on plan number 024 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

- 3 The development hereby permitted in outline shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

- 4 Approval of details of the appearance of the development, the landscaping of the site, and the scale of the development shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

Suggested Conditions on the following matters to follow, the detailed wording to be agreed with the Director of Central Services:

- Provision and retention of access and parking matters
- Details of materials to be used externally
- Hard and soft landscaping and boundary treatment and protection of trees

- Details of finished floor levels
- Requirement that there be no sub-division or amalgamation of any units, or insertion of additional floors,
- Control of plant, machinery and equipment (including ventilation, refrigeration and air conditioning systems)
- Control of waste materials and refuse
- Contaminated land
- Control of opening Hours - B1(a)
- Control of opening Hours – B1(c)/B8
- Use restricted to that applied for
- Flooding/Drainage (package treatment)
- Details of SUDS
- Noise protection measures
- Removal of Permitted Development rights
- No sale of goods to the public
- Archaeology
- Control of external lighting
- Requirement for a travel plan
- Underground ducts

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