
Report from 26 September 2018

Shipbourne
Borough Green And
Long Mill

19 December 2017

(A) TM/17/03471/ FL
(B) TM/17/03472/LB

Proposal:

- (A) Sub-division of existing site containing one Grade II-listed dwelling, one Grade II-listed barn and one oast house into three self-contained plots with Grade II- listed barn and oast house converted into dwelling
- (B) Listed Building Application: Sub-division of existing site containing one Grade II-listed dwelling, one Grade II-listed barn and one oast house into three self-contained plots with Grade II- listed barn and oast house converted into dwellings

Location:

Great Budds House Mote Road Shipbourne Tonbridge Kent
TN11 9QD

Go to:

[Recommendation](#)

1. Description:

1.1 Planning and Listed Building Consent is required to split the existing Great Budds House site into three separate residential curtilages, each comprising one principal building within a substantial plot. The barn would be converted to a dwelling and the former oast house would also become a conventional dwellinghouse. The existing property, Great Budds House, would remain as a single dwellinghouse. The proposal would not involve the demolition or partial demolition of any existing buildings and does not involve the construction of any additional buildings. A new access would be formed onto Mote Road, serving two new drives, one leading to Great Budds House and the other to the former Oast. In detail the proposal is as follows:-

1.2 Great Budds House:

- There are no plans to make any significant changes to the house itself.
- Externally, a drive would be formed from a new access onto Mote Road.

1.3 Oast house:

- Curtilage listed building to be converted to a single dwelling would involve no major external works but some windows would be repositioned to reduce opportunities for overlooking of the garden of the main house.
- A new drive would be formed, sharing the new access onto Mote Road, leading to an existing triple garage that will be divided with Great Budds House to allow cars to enter from the south side.

1.4 Barn:

- Conversion to a single dwelling is proposed. The barn is a grade II listed 18th century barn, which is listed under the name 'barn 30 yds to the north west of Great Budds'.
- The conversion does involve some new openings in the walls and roof to accommodate windows and doors and internal additions/alterations.
- The more recent stable block attached to the barn is to be adapted to accommodate car parking spaces.
- Vehicular access would be from the existing drive which runs just inside the northern site boundary.

1.5 The applications have been accompanied by a Design and Access, Planning and Heritage Statements, Conservation Species Inventory, Bat Survey and Structural Report.

2. Reason for reporting to Committee:

2.1 At the request of Cllr Taylor in order to consider the impact on the Green Belt and historic environment.

3. The Site:

3.1 The site is a roughly rectangular parcel of land, about 2.6ha in area, in open countryside off the west side of Mote Road, some 1.5km west of the A227 Gravesend Road. The site lies within designated Metropolitan Green Belt and within the Kent Downs Area of Outstanding Natural Beauty. Most of the site lies within Budds Green Shipbourne Conservation Area. The site accommodates two buildings listed within Grade II of the Statutory List of Buildings of Historic or Architectural Importance: These are Great Budds House and the barn. The Listing details are as follows:-

Farmhouse. C18. Red brick ground floor, tile-hung first floor with some evidence of timber-framing. Moulded eaves cornice to half-hipped tiled roof. Three hipped dormers. Two storeys and attic; 3 window front. Three-light casement windows in outer bays, 2-light in centre of first floor. Central entrance with panelled door, overlight and flat hood. Catslide to rear with modern additions. Interior. Possible evidence of earlier work in dining room. Rubble stone wall, recently revealed with base-rib moulding and 2 stone reliefs of religious subjects. Most probably re-used stone, retrieved after demolition of medieval chapel at Shipbourne to make way for Gibbs's Church.

Barn. C18. Weather-boarded on stone-plinth with plain tiled roof. Hipped-roofed south wagon entrance, now closed, with smaller door below. Catslide to west,

lean-to addition to east, and gable cross-wing to north. Six bays. Chamfered hoods to uprights inside.

- 3.2 The applicant also owns an area of approximately 3ha to the south of the main Great Budds site which is arranged as two paddocks. A Public Right of Way exists along the access track on the northern side.

4. Planning History (relevant):

TM/74/11629/OLD grant with conditions 31 January 1974

The conversion of oasthouse to form staff flat at ground floor level with guest accommodation and children's play room at first floor level, including the erection of a covered way to link the oasthouse and existing dwellinghouse.

TM/79/10938/FUL grant with conditions 22 March 1979

Renewal of MK/4/73/729 viz, conversion of oasthouse to form staff flat, at ground floor level, with guest accommodation and children's playroom at first floor level, including the erection of a covered way to link the oasthouse and existing

TM/80/11326/FUL grant with conditions 13 November 1980

Conversion of existing oast building to provide games area, indoor swimming pool and hydro-spa with associated changing rooms, and erection of wall around swimming pool

TM/88/11031/LBC grant with conditions 19 September 1988

Alterations to stables.

TM/90/10646/LBC grant with conditions 14 January 1990

Listed Building Application: Repointing chimney stacks, new external brick walls, tile hanging to single storey extension, replacing greenhouse and underpinning.

TM/91/10490/FUL grant with conditions 14 January 1991

2.75m high tennis court surround fence.

TM/91/11173/LBC grant with conditions 18 July 1991

Listed Building Application: Satellite Dish.

TM/98/01910/LB Grant With Conditions 31 December 1998

Listed Building Application: remove rear part pitched and flat roof. Construction of pitched roof in lieu. Remove rear stack serving aga and rebuild to larger size. Demolition of the eastern (rear) stack and rebuild to increased height.

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| TM/98/01917/FL | Grant With Conditions | 4 January 1999 |
| Removal of rear part pitched roof and construction of pitched roof to form 2 rooms within roof space. Rebuilding of rear stack to larger size and increase height of existing rear stack | | |
| TM/01/00381/FL | Grant With Conditions | |
| Construction of rear conservatory | Approved | 18 June 2007 |
| | Grant With Conditions | |
| TM/01/00383/LB | | |
| Conservatory | Approved | 28 June 2010 |
| Erect freestanding triple garage | | |
| TM/12/00722/FL | Approved | 2 May 2012 |
| Erection of 3 brick piers to match existing with 3 new field gates across access drive | | |

5. Consultees:

- 5.1 PC: Object: A lengthy letter has been submitted which has been summarised in this report – the full representation is available for inspection through our planning register. In summary the comments are as follows:-

The applications involve two Grade II Listed Buildings within the Conservation Area of Budds Green which is within the Kent Downs AONB and designated Metropolitan Green Belt. The buildings at Great Budds are grouped closely together as most historic agricultural buildings were. They form a 'group' with a particular and special character and relationship with one another. This attractive group of buildings at Great Budds add greatly to the historic character of the parish and has important landscape value. Strong objection to:

- the creation of a new access onto Mote Road around the frontage of Great Budds farm house – represents an incursion into the Green Belt, and AONB;
- the provision of new internal accesses and the division of the curtilage with fences, planting and walls which break up the historic farmstead group. They ascertain that the revised access replaces an historic access to the front of the house which does not justify a new access at this point in time – when the house was listed in 1954 the setting was as it is today the historic access to the farm and farmhouse was from the rear and a new access is unnecessary,
- the design solution for and the change of use of the barn – the proposals would make it difficult to understand the original function of the barn and the way the farmstead worked;

- Other uses for the barn should be explored which have fewer changes and windows and lets the barn remain ancillary to Great Budds House suggest workspace, pottery, craft area, play area, gym;

5.2 The Georgian Group: Object – proposed changes to the barn would result in an excessively domestic character harming the original form. Excessive fenestration and internal subdivision. Would result in the reduction in openness of the Great Budds farmstead and the proposed fences and access physically separate the buildings harming the physical functional and historical relationship between the principle elements of the site.

5.3 Historic England: Has concerns on heritage grounds that need addressing. These concerns include:-

- Design and Access statement explains why alternative uses not considered acceptable but does not explain why domestic uses such as garden storage or gym have not been considered;
- The amount of glazing has been reduced as a result of revised plans but it could still be reduced further on either side of the threshing door to minimise harm caused and the overall domestic character of the building;
- The historic maps showed direct access to Great Budds house – this proposal includes a driveway to Buds Oast which would bisect the garden – suggested that the driveways follow the perimeter of the plots.

(These issues have been addressed within the Determining Issues (Section 6) of this report)

5.4 Natural England: No comments

5.5 KCC PROW: The Public Right of Way which runs alongside the property is a Restricted Byway, this means the path should be open and available to use by pedestrians, cyclists, horse riders and horse drawn vehicles. No gates should be on a Restricted Byway and no vehicles should be parked in a way to obstruct these legitimate users. It should be made clear to the applicant that any unauthorised furniture or any obstruction will be removed from the Public Right of Way.

5.6 Kent Downs AONB: Object:

- The application site lies in the Low Weald landscape character area (LCA) as identified in the Landscape Character Assessment of the Kent Downs. The application site is located towards the bottom of the escarpment of the Greensand Ridge, the dramatic and impressive south facing slope of greensand that is identified as one of the key special characteristics of the Kent Downs natural beauty.

- The farmstead group of buildings is typical of the landscape character area within which it lies, comprising a courtyard plan farmstead. Historic maps indicate that the farmstead layout has remained virtually unaltered and it is considered to be of historical importance that contributes to the local distinctiveness of the Kent Downs. The works proposed to facilitate the conversion of the listed barn still involve the introduction of extensive new openings on both the south west and north east elevations. They consider that these proposed alterations would fail to conserve and enhance the historic character and features of this historic barn, resulting in an overly domestic appearance. Introduction of extensive openings could also negatively impact on the tranquillity of the Kent Downs by introducing new light pollution in this rural area.
- The proposal involves the subdivision of the site to provide three separate residential curtilages. This would also have an adverse impact on the AONB, both in terms of severance of the historic farmstead and also in visual terms. The boundary treatments are considered to be unacceptable – should be either a 3 rail cleft chestnut post and rail fencing or an indigenous hedge
- The proposed access is most likely to have been a pedestrian path however and the new driveways would cut across the existing undeveloped grassland to the front of the farmhouse which forms the setting of the farmstead and would further emphasise the breaking up of the farmstead - consider it would be preferable to utilise the existing historic driveway to the rear of the house to serve all three properties.

5.7 Private Reps + Site and Press Notice (2/0X/7R/0S) raising the following objections:

- Will result in extensive suburbanisation of a group of Grade 2 Listed Buildings which are in a Conservation Area, AONB and Green Belt;
- Will result in the sub division of an historic farmstead courtyard into three freeholds;
- Form of historic setting for farm courtyard will be turned 'inside out' i.e. from an arrival place to private gardens, necessitating new access ways;
- Barn conversion looks like an oversized suburban house;
- The new access ways will result in the loss of openness in the Green Belt and will turn meadow land into private gardens, inappropriate development;
- Barn conversion is of poor design and shows disregard for the setting of the AONB by proposing 12 windows and 4 roof lights on the north east side where there are currently none – this façade is seen across the fields in the AONB

and the adjoining public footpath, the openings fail to acknowledge the original timber framing, and the proposed development will result in light pollution;

- The proposal impacts on the landscape with existing oak trees being affected by the proposed driveways;
- As site adjoins land owned by the National Trust and the farmstead is an important landscape element of the Great Budds area would expect application to include a full landscape assessment and a historic assessment of the farmstead;
- Historic access to Great Budds house was a footway not a carriageway – main entrance to the house has always been to the side;
- No need for three separate entrances to the properties – can utilise the existing situation;
- There is a registered track (MR309A) that runs alongside the barn and the proposal is to remove this and replace it with a driveway for cars.

6. Determining Issues:

Principle of Development:

- 6.1 In terms of the principle of development of this nature, it should be noted that the Council can no longer demonstrate an up to date five year supply of housing when measured against its objectively assessed need (OAN). Whilst this will be addressed through the local plan, it has clear implications for decision making in the immediate term. In this respect, a new version of the NPPF has been published (24 July 2018) and this now forms a material planning consideration. Overall, in respect of this development the general thrust of government guidance has not altered and the presumption in favour of sustainable development still falls to be applied in the absence of a five year supply of housing, which it is accepted the Council cannot currently demonstrate. The precise wording which sets out the “presumption” is now contained at paragraph 11(d) of the NPPF and states that in effect because the Council cannot demonstrate an up to date five year supply, much of the development plan is considered to be out of date for the purposes of determining applications which propose new housing development such as this.
- 6.2 The development plan must remain the starting point for determining any planning application (as statutorily required by s38 (6) of the Planning and Compulsory Purchase Act 2006) which is overtly reiterated at paragraph 12 of the NPPF, the consequence of this must be an exercise to establish conformity between the development plan and the policies contained within the Framework as a whole and thus ultimately the acceptability of the scheme for determination.

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- 6.3 However, paragraph 11(d) of the NPPF sets out that planning permission should be granted unless the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development. Footnote 6 then sets out what those policies are and includes policies for land designated as Green Belt. It is therefore necessary to establish firstly whether the scheme accords with restrictive Green Belt, Heritage and Natural Environment policies before establishing whether the presumption applies.
- 6.4 In applying national Green Belt policy, inappropriate development in the Green Belt is harmful by definition and “should not be approved except in very special circumstances”. The weight to be given to the harm (both by definition and any other harm) is “substantial” (paragraph 88).
- 6.5 Paragraph 143 of the NPPF sets out that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Certain forms of development are not considered to be inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Of relevance to this case are paragraphs (b) engineering operations and (d) the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 6.6 With this in mind, I am of the view that the re-use of the barn and its conversion to a single dwelling house, with no external extensions, the reuse of a converted oast, and new access roads would not result in any greater impact on openness. As such, I consider that this proposal is not inappropriate development in the Green Belt and thus does not require very special circumstances to be demonstrated.
- 6.7 With regard to proposals affecting heritage assets Paragraph 192 of the NPPF states:-
- “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”.
- 6.8 Of relevance to this case is the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. It is proposed to use the Listed barn for a viable use consistent with its conservation so the proposal complies with this guidance.

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- 6.9 Paragraphs 170 to 172 of the NPPF are applicable with regard to the AONB where the site is located. Of relevance is paragraph 172 which states that planning applications should include an assessment of
- “a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated”
- 6.10 In this case it is not considered that the proposal detrimentally impacts on the environment and landscape of the AONB and is thus acceptable in principle.
- 6.11 With this in mind, the presumption in favour of sustainable development re-emerges to be applied, when considering the tests for its application as set out above.

Countryside issues and AONB:

- 6.12 Policy CP14 indicates that development in the countryside will be restricted to certain specified categories. Category (b) includes ‘conversion of an existing building for residential use’. The conversion of these two buildings to dwelling houses would also have regard to MDE DPD Policy DC1; this policy refers specifically to the conversion of rural buildings and requires that proposals for the reuse of existing rural buildings are of permanent and sound construction and capable of conversion without major or complete reconstruction, subject to several criteria being met. This includes the building and any alterations being in keeping with the character of the area, the proposed use being acceptable in terms of residential and rural amenity and highways impacts and provided that the use does not result in a negative impact upon protected species.
- 6.13 A structural survey has been submitted in support of the proposals and concludes that the building is sound and not in need of major reconstruction.
- 6.14 Policy CP7 of the adopted TMBCS requires that new development should not harm the natural beauty and quiet enjoyment of the AONB, including the landscape, biodiversity and wildlife. The Kent Downs Management Plan is a material consideration that should be taken into account when preparing Development Plans as well as determining planning applications: The Plan numbers farmed landscape as one of its special characteristics, as well as a ‘rich legacy of historic and cultural heritage’ which includes farmsteads. Historic settlements are one of the components of natural beauty in the AONB.

- 6.15 Kent Downs AONB Farmsteads Guidance published by the AONB Partnership is an advice note on how development should be managed in the AONB in relation to the historic farmsteads that form part of its natural beauty. The historic development of farmsteads, including the route ways and spaces within and around them, can be important to significance and is also relevant to the designation of this area as a conservation area.
- 6.16 The NPPF comments at paragraph 172 with regard to AONBs that consideration should be given to any detrimental effect on the environment, and the landscape of a proposal and the impact should be moderated.
- 6.17 Within the application the new access to Great Budds and the oast has been shown to follow an historic route and the existing farmstead layout will be retained. As such it is considered that the AONB is not adversely affected as a result of the proposed development.
- 6.18 Comments have been submitted regarding the possible light pollution from the converted barn but the addition of the additional windows and roof lights are not considered to significantly affect the character of the AONB and Green Belt.

Listed Buildings – designated heritage assets:

- 6.19 The works to the Listed Buildings will be subject to the proviso in section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that, in considering whether to grant listed building consent for any works, the local planning authority should 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 Advice on the application has been obtained from the Council's retained Conservation Officers; they summarise the proposal as follows:-

"These applications propose the subdivision of the former Budd's farm, an historic farmstead in a loose courtyard arrangement with few alterations to the original form. The farm is located within the small Budds Green Conservation Area, which incorporates the former Budd's farm, and Little Budd's, a regular courtyard plan historic farm at the same crossroads. It is also located within the Kent Downs Area of Outstanding Natural Beauty. As an historic farmstead, all of these designations will have an impact on the management of change to the buildings and their setting.

The development would include conversion to residential of the grade II listed 18th century barn, which is listed under the name 'barn 30 yds to the north west of Great Budds'. Also proposed is the conversion of the 19th century, curtilage listed oast from ancillary accommodation to separate residential accommodation, and new access roads and landscaping. The listed building consent application refers only to the alterations to the oast and barn (s. 16 of the Planning (Listed Buildings

and Conservation Areas) Act 1990), and the planning application refers to the change of use and landscaping. For the latter, s. 66 of the Act applies, in relation to impact on listed buildings, and s.72, in relation to impact on the conservation area.

In general, I support this application to find a viable economic use for the listed barn in particular, which will ensure its future conservation. The Historic England best practice guidelines on 'Adapting Traditional Farm Buildings', updated this year, states that: 'without a regular stream of income to support their upkeep, most traditional farm buildings will not survive... In the majority of cases adaptation, or an appropriate use within a sympathetic development scheme, will be the only means of funding maintenance and repair.' Preference, having regard to the amount of alteration involved, is usually first to adapt to new agricultural or non-agricultural business accommodation. In this particular case, the barn is located very close to the main house and it is unlikely that the more intensive office use would be appropriate in terms of amenity. The conversion scheme is sensitively designed, after a full assessment of the significance of this building and its historic structure, and allows an appreciation of its original form with alterations kept to a minimum. The changes to the oast house also have little impact on its significance as an historic structure, particularly given that much of the internal layout is of modern construction."

6.21 Paragraphs 184 to 202 of the NPPF are of relevance with regard to heritage considerations and they will be addressed in detail with regard to this particular proposal.

Great Budds House:

6.22 No changes are proposed to the listed Great Budds House.

Oast barn:

6.23 The advice given from the Conservation Officer is:

"The oast barn and kilns date from the 19th century and have already been converted to ancillary domestic use. The proposed works mainly involve reconfiguration of the late 20th century changes, which were significant. Again, the proposed new windows will have less of a domestic appearance than the existing, and this is supported"

6.24 Therefore as only minor changes are proposed to the exterior of the former oast house, it is not considered that this part of the proposal would adversely affect either of the two listed buildings or their settings.

The barn:

6.25 The most significant listed buildings impact will be the works to the barn.

6.26 The advice given from the Conservation Officer is as follows:-

“The barn has had some alterations in the past and later extensions – much of the cladding is modern and the front (southwest) elevation has a somewhat domestic appearance from the additions. However, most of the historic frame is intact and in good condition. Externally, there is a significant amount of glazing proposed to the southwest elevation. However, because this is set back, faces the courtyard, replaces small scale domestic features and later infill, and in some ways better respects the scale of the midstrey cart opening than the existing, my view is that it is not harmful to the special character of the building.

A structural report has been submitted confirming that the barn is capable of conversion as proposed, which is with a separate internal frame to support the upper structure. The DAS demonstrates that the existing structure has been adequately surveyed and that the historic frame will, for the most part, not be altered. About four or five posts are to be removed, but I am satisfied that this is justified as part of the conversion and that the detailed work can be controlled by condition. Following a meeting on site, amended plans have been submitted to better express the northeastern midstrey elevation and to remove the pop out window, which may have been too domestic in appearance. A section of the sole plate which remains between midstrey and second bay is also now to be retained.

There is an area of brick flooring to be removed where the kitchen is proposed, but this is a later date and of lower significance. Internalised, former external weatherboarding in the proposed study/playroom area and sun lounge/library area is to be removed from under the mid rail, but kept above the mid rail. This allows retention of the historic weatherboarding, as the rest is modern.

In order to use the Victorian stables as a garage, it is proposed to remove the cladding in sections to create a car port, and add a simple canopy of contemporary appearance. Neither the frame or the cladding here is historic and therefore this is acceptable to me.

Finally, fenestration is kept simple with proposed dark stained frames to match the weatherboarding; this reduces the impact of the domestic conversion. Roof lights are kept to a minimum and are to be conservation roof lights. I would prefer the window and roof light arrangement to be less regular, in accordance with best practice for conversion of agricultural buildings in the AONB, but the proposal could not be considered harmful for this reason.

The details required in order to fully assess the impact of the repairs and conversion are not provided in completeness in the application documents, but I am satisfied by what has been submitted in terms of the assessment of significance and approach to respect this and therefore conditions are suggested below for the additional details, prior to works commencing”.

- 6.27 Paragraph 185 of the NPPF comments that LPAs should have a positive strategy for the conservation and enjoyment of the historic environment including heritage assets most at risk through neglect, decay and other threats. This particular barn is large, the cost of the upkeep is high, and the proposed development will provide the funds to enable the building's ongoing maintenance and repair to occur. The barn has been redundant for many years and, due to its proximity to Great Budds house, an alternative commercial use would be problematic in terms of residential amenity. It has been suggested by the PC and Historic England that the barn be continued to be used as an ancillary space for the occupants of Great Budds House – a gym, pottery or storage space has been suggested; however the Agents have clearly stated in their design and access statement that this is not a viable option due to the size and cost of the upkeep of the building. Finally, the buildings are not to be extended so the basis of the historic farmstead will remain.
- 6.28 Paragraph 192 (a) of the NPPF comments that the LA should take account of the desirability to sustain and enhance the significance of the heritage asset and out them to viable uses consistent with their conservation. It should also be made clear that there is not a duty on the LPA to come up with alternative uses for buildings. However, due to the position of the barn so close to the house and the fact that any commercial use would require car parking, I am of the view that the only sustainable conversion would be to a residential use.
- 6.29 Paragraph 195 of the NPPF comments that LPAs should ensure that the development will not lead to the loss of the heritage asset. In this case the proposals to the barn and the land are all reversible. No primary timbers are to be removed and the current feather edge weather boarding is all of the 20th century; the proposals ensure that the barn structure is preserved via a scheme that ensures the future maintenance and repair of the barn.
- 6.30 The barn has had some alterations in the past and later extensions; I have been advised by our Conservation Officer that much of the cladding is modern and the front (southwest) elevation has a somewhat domestic appearance from the additions, additionally most of the historic frame is intact and in good condition. Externally, it is not disputed that there is a significant amount of glazing proposed to the southwest elevation, but I have been advised that because this is set back, faces the courtyard, replaces small scale domestic features and later infill, and in some ways better respects the scale of the midstrey cart opening than the existing, it is considered that this is not harmful to the special character of the building.
- 6.31 The structural report that has been submitted confirms that the barn is capable of conversion as proposed, which is with a separate internal frame to support the upper structure. I have no reason to dispute the findings of this report. I have been advised by the Conservation Officer that the design and access statement demonstrates that the existing structure has been adequately surveyed and that the historic frame will, for the most part, not be altered. About four or five posts

are to be removed, but the Conservation Officer has advised that these are justified as part of the conversion and that the detailed work can be controlled by condition.

6.32 I have been advised that other works to enable the conversion such as the removal of the brick flooring, the internalised, former external weatherboarding in the proposed study/playroom area and sun lounge/library area, the cladding in sections to create a car port, and add a simple canopy of contemporary appearance are acceptable as they are not historic.

6.33 Comments have been made by Historic England to reduce the amount of fenestration either side of the threshing door. But I have been advised by the Conservation Officer that, as the fenestration is kept simple with proposed dark stained frames to match the weatherboarding, this reduces the impact of the domestic conversion and as such I do not consider that this alteration to the design is necessary.

Conservation Area/Landscape Character:

6.34 As the site lies within a Conservation area, the planning application is subject to the requirement in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that, in the exercise of planning functions, special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

6.35 Paragraph 200 of the NPPF states with regard to Conservation Areas LPAs should look for opportunities for new development within Conservation Areas 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.

6.36 Paragraph 193 of the NPPF seeks to address the impact of the proposal on the heritage asset. The landscape character of the site is no longer agricultural with the courtyard clearly domestic in nature and the site has recreational installations such as a swimming pool and tennis court.

6.37 The advice given by the Conservation Officer on this aspect is as follows:-

“The Conservation Area boundary surrounds the two farmsteads, and, in my view, its designation confirms the importance of this set piece as part of the components of natural beauty of the AONB (paragraph 172 of the NPPF), essentially as a secondary designation. It also confirms the importance of the listed buildings as a group, and the settings relationship. Policy CP7 of the adopted Core Strategy requires that new development should not harm the natural beauty and quiet enjoyment of the AONB, including the landscape, biodiversity and wildlife. The Kent Downs Management Plan numbers farmed landscape as one of its special

characteristics, as well as a 'rich legacy of historic and cultural heritage' which includes farmsteads. Historic settlements are one of the components of natural beauty in the AONB.

Kent Downs AONB Farmsteads Guidance published by the AONB Partnership is also a helpful advice note on how development should be managed in the AONB in relation to the historic farmsteads that form part of its natural beauty. It would have been helpful to refer to this guidance in the application, particularly given the changes to access and the proposed landscaping, as it provides a framework for site assessment and understanding the farmstead character and its significance. The historic development of farmsteads, including the routeways and spaces within and around them, can be important to significance. This is also relevant to the designation of this area as a conservation area.

This is a loose courtyard plan form, which is the predominant plan type in the south east, and it survives almost intact – the Kent County Historic Environment Record records that it has retained more than 50% of its historic form.

Notwithstanding my comments regarding the lack of assessment of the significance of the farmstead, I have the following comments to make initially:

The landscape character of the immediate courtyard is clearly now as a domestic, more formal curtilage, with the historic farm buildings long out of agricultural use and forming a closer relationship with the main house as ancillary to the house and again being in close proximity within the domestic curtilage. In my view, therefore, the fairly subtle and natural, rural landscaping proposed for the boundary features is likely to sustain the significance of the conservation area and the listed buildings

There are some exceptions to this, and this includes the proposed close boarded fence, particularly that running between oast and Great Budds which would sever the historic curtilage of Great Budds. I would be concerned about the ability of the planting to mask it and the introduction of a hard, suburban boundary feature which would be alien to the rural location. The photomontage on page 16 of the DAS illustrates, in my view, how this would be harmful. I cannot therefore support this part of the application and suggest that alternatives (substantial planting with wire and/or post and rail fence between, for instance).

As with my comments above, in my view the separate access drives do not respect either the historic route to the house or the layout of the farm and could be very harmful to all heritage assets; the AONB, CA and the listed buildings. The intensification of vehicular movement would make itself present in different harmful ways, including the hard landscaping, the traffic movement in separate drives, the gates, the serpentine layout of the drives which is more appropriate to a grand country house than what is principally recognised as an historic farmstead. Whilst outside of my area of expertise, I would question whether the routes could also be disruptive to habitats, given the extent – it is not a sustainable footprint and not

fully justified. Therefore, for several reasons (historic farmstead layout, historic curtilage and appreciation of the main house, and natural landscape and how it is appreciated as a rural group of buildings) I cannot support this part of the application”

- 6.38 Following receipt of this advice further information was received concerning the farmstead, altering the boundary treatments and the access way route to address initial concerns from Conservation Officer. The officer then advised that the applications could be fully supported.
- 6.39 The detailed applications clearly demonstrate that the proposal preserves and enhances the character and appearance of the Budds Green Shipbourne Conservation Area. As the Great Budds site is such a key component of the conservation area, the changes do respect the two listed buildings and their setting and do not harm its overall character and appearance.
- 6.40 The comments raised by the impact of the proposal on any existing trees is addressed with conditions regarding landscaping, protection and retention of trees on the site.
- 6.41 With regard to the comments raised with regard to the subdivision of the site by fencing land outside of the residential curtilage of the Listed Building could be subdivided without the need for planning permission under Part 2 of the GDPO. Moreover Historic England has commented that the subdivision of the farmstead into three separate plots will cause a moderate level of harm to the Conservation Area but the use of more sympathetic boundary treatments would assist in minimising this harm. Kent Downs AONB unit has suggested that the boundary treatment should be either a 3 rail cleft chestnut post and rail fencing or an indigenous hedge. On this basis I consider that suitable boundary treatments can address this issue and thus I am adding a condition to this effect.

Access ways:

- 6.42 Paragraph 187 of the NPPF comments that the LPA should require the applicants to describe the significance of the heritage asset affected including any contributions made by their environment. In this case a detailed assessment of the access to the site has been submitted: This includes historic maps that show how the farmstead has evolved over a 124 year period. The maps showed that originally Mote House had a two entrances: one formal entrance from Mote Road and a secondary entrance to the courtyard. It is only the secondary entrance that remains today. It is intended to reinstate a vehicular access off Mote Road in the current proposal. The historic maps also show that that the site has been enclosed in different forms throughout the years. Historic England has commented that access to the oast should follow the perimeter of the site which, in my view, would be more damaging to the historic/character setting of the area, than that proposed.

Residential amenity:

6.43 As there are no neighbouring residential properties in close proximity and as the proposal is for the site to be entirely used for residential purposes, no adverse impact is anticipated in terms of residential amenity. The positioning of the newly created dwellings within the site is also such that amenities of future residents are protected.

Other matters:

6.44 The proposal would increase the intensity of use of the site and increase the numbers of associated vehicle movements. However, any increase is unlikely to be significant as only two additional dwellings would be formed: there are no objections to this proposal in terms of the safe and efficient operation of the local highway network.

6.45 Given the historic use of the site, it will be necessary to seek further information concerning contaminated land and whether any remediation is required by way of a planning condition.

6.46 A bat survey has been submitted to support this application by a Consultancy who have used The Kent Bat Group. The survey concludes that bats are present in the barn. The site is not located within a nationally or locally designated area, such as an SSI or SNCI. Due to the nature of the building and its setting, it is not unusual that bats use it. Bats are protected and a licence will be required from English Nature before works commence to ensure that their habitat is protected. Additionally a condition is attached to ensure that the mitigation works outlined in the report are undertaken.

6.47 With regard to the comments made concerning the Registered Byway that runs alongside the barn, KCC PROW has commented that the applicant should be made aware that no gates should be on a Restricted Byway and no vehicles should be parked in a way to obstruct legitimate users. An informative is suggested to address this issue.

6.48 Historic England has stated that if it can be shown that the harm caused by the proposal has been minimised and that the remaining harm is justified by securing the buildings optimum viable use and the requirements of the NPPF and the relevant legislation are met then the proposal can be considered acceptable subject to suitable conditions.

Conclusion:

6.49 Returning to the need to apply the presumption in favour of sustainable development, the scheme proposes new housing development within an existing site in accordance with the policies contained within the NPPF (and policy CP14 in

terms of the broad principles rather than the specific requirements for net gains) and therefore planning permission should be granted (paragraph 11d).

6.50 It is considered that this is a well thought out and sympathetic proposal that seeks to address the historic buildings and their setting. On this basis it is recommended that both the Planning and Listed Building application be approved subject to a number of safeguarding conditions.

Recommendation:

(A) TM/17/03471/FL

Grant planning permission in accordance with the following submitted details: Other Supplementary info dated 10.05.2018, Site Plan 003 P1 dated 10.05.2018, Proposed Floor Plans 020 P3 dated 10.05.2018, Proposed Floor Plans 021 P3 dated 10.05.2018, Proposed Floor Plans 022 P3 dated 10.05.2018, Proposed Roof Plan 023 P3 dated 10.05.2018, Proposed Elevations 024 P3 dated 10.05.2018, Proposed Elevations 025 P3 dated 10.05.2018, Proposed Elevations 026 P2 dated 10.05.2018, Sections 027 P3 dated 10.05.2018, Proposed Elevations 028 P3 dated 10.05.2018, Location Plan 16014-001 dated 19.12.2017, Existing Site Plan 16014-002 Rev P1 dated 19.12.2017, Existing Floor Plans 16014-010 REV P1 dated 19.12.2017, Existing Roof Plan 16014-011 Rev P1 dated 19.12.2017, Existing Elevations 16014-012 Rev P1 dated 19.12.2017, Existing Elevations 16014-013 Rev P1 dated 19.12.2017, Sections 16014-014 Rev P1 dated 19.12.2017, Existing Floor Plans 16014-016 Rev1 dated 19.12.2017, Existing Roof Plan 16014-017 Rev P1 dated 19.12.2017, Existing Elevations 16014-018 Rev P1 dated 19.12.2017, Existing Elevations 16014-019 Rev P1 dated 19.12.2017, Proposed Roof Plan 16014-029 Rev P1 dated 19.12.2017, Proposed Elevations 16014-030 Rev P1 dated 19.12.2017, Proposed Elevations 16014-031 Rev P1 dated 19.12.2017, Statement DAS Planning Heritage dated 19.12.2017, Report Structural dated 19.12.2017, Bat Survey KBG RECORDS dated 19.12.2017, Bat Survey EBS dated 19.12.2017, Drawing KBG ROOST MAP dated 19.12.2017, Other CCSI dated 19.12.2017, Other Title Page dated 19.12.2017, Email additional information dated 09.02.2018, in accordance with 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. Before any of the converted buildings are first occupied a scheme of landscaping and boundary treatment shall be submitted to and approved by the Local Planning Authority. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. 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, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

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

3. The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:
 - (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - (b) No fires shall be lit within the spread of the branches of the trees.
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
 - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.
 - (e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.
 - (f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

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

- 4 (a) If during development work, significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease until an investigation/ remediation strategy has been agreed with the Local Planning Authority and it shall thereafter be implemented by the developer.
- (b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use.
- (c) A closure report shall be submitted by the developer relating to (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

- 5 The Bat Mitigation Strategy as outlined in the Bat Survey report received 19.12.2017, shall be implemented in strict accordance with the measures outlined with this report.

Reason: In accordance with the requirements of the National Planning Policy Framework and the Managing Development and the Environment DPD 2010.

Informatives:

1. The applicant should be made aware that no gates should be on a Restricted Byway next to the Listed Barn and no vehicles should be parked in a way to obstruct legitimate users.
2. The applicant is reminded that a European Protection Species Mitigation Licence is required before work commences on site.

Recommendation:

(B): TM/17/03472/LB:

Grant listed building consent in accordance with the following submitted details: Other Supplementary info dated 10.05.2018, Site Plan 003 P1 dated 10.05.2018, Proposed Floor Plans 020 P3 dated 10.05.2018, Proposed Floor Plans 021 P3 dated 10.05.2018, Proposed Floor Plans 022 P3 dated 10.05.2018, Proposed Roof Plan 023 P3 dated 10.05.2018, Proposed Elevations 024 P3 dated 10.05.2018, Proposed Elevations 025 P3 dated 10.05.2018, Proposed Elevations 026 P2 dated 10.05.2018, Sections 027 P3 dated 10.05.2018, Proposed Elevations 028 P3 dated 10.05.2018, Location Plan 16014-001 REV P1 dated 19.12.2017, Existing Site Plan 16014-002 REV P1 dated 19.12.2017, Existing Floor Plans 16014-010 REV P1 dated 19.12.2017, Roof Plan 16014-011 REV P1 dated 19.12.2017, Existing Elevations 16014-012 REV P1 dated 19.12.2017, Existing Elevations 16014-013 REV P1 dated 19.12.2017, Sections 16014-014 REV P1 dated 19.12.2017, Existing Floor Plans 16014-016 REV P1 dated 19.12.2017, Roof Plan 16014-017 REV P1 dated 19.12.2017, Existing Elevations 16014-018 REV P1 dated 19.12.2017, Existing Elevations 16014-019 REV P1 dated 19.12.2017, Proposed Roof Plan 16014-029 REV P1 dated 19.12.0207, Proposed Elevations 16014-030 REV P1 dated 19.12.0207, Proposed Elevations 16014-031 REV P1 dated 19.12.0207, Report CCSI - GREAT BUDDS HOUSE dated 19.12.0207, Report EBS (BARN AT GREAT BUDDS HOUSE TN119QD) dated 19.12.0207, Report KBG RECORDS - GREAT BUDDS HOUSE dated 19.12.0207, Drawing KBG ROOST MAP dated 19.12.2017, Design and Access Statement dated 19.12.2017, Structural Survey dated 19.12.2017, Other TITLE PAGE dated 19.12.2017, Email additional information dated 09.02.2018, 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. New stainless steel flue(s) as shown on Plan 026 Rev P2 (rec 10/03/2018) and Plan 025 Rev P3 (rec 10/03/2018) shall be coloured matt black prior to the completion or first occupation, whichever is sooner, of the barn and thereafter retained.

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

3. Prior to the commencement of the development hereby approved, a scheme of external decoration including window, door and weatherboarding finishes shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be completed within one month of the work being otherwise substantially completed and shall thereafter be so retained

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

4. Prior to the installation of any new windows and doors, full detail section and elevation drawings at 1:5 or 1:10 scale of all new joinery shall be submitted to and approved in writing by the local planning authority.

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

5. Notwithstanding the submitted drawings and all supporting documentation no development to the barn shall commence in respect of those matters referred to below until written schedules of work have been submitted to and approved in writing by the Local Planning Authority. Work schedules, which shall refer to the submitted Structural Report on Suitability of Barn for Conversion report dated May 2017, shall be produced for and include the following:

- a) Roofs: a full specification of works to roof coverings and timbers.
- b) Timber framing/floor construction: a full specification of all proposed works to existing timbers.
- c) Rear elevation of main barn: a full specification for the temporary support and repair.
- d) Brick and stone plinth: a full specification for repairs including details of any replacement bricks or stone, and lime mortar mix.
- e) Foundations: a full specification for any under pinning together with justification.

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

6. Notwithstanding the submitted drawings and all supporting documentation, prior to commencement of those areas of work to the barn referred to below, the following details shall be submitted to and approved in writing by the Local Planning Authority.
 - a) Full detail sections at a scale of 1:5 or 1:10 showing proposed eaves, roof plane and ridge details indicating the provision of eaves, roof plan and/or ridge level ventilation and provision of insulation.
 - b) Full detail sections and elevation drawing showing existing timber construction as affected by roof light installation, at a scale of 1:10 showing the installation of roof lights to be inserted, shown in situ with roof timbers. Roof light to be flush with the roof plane.
 - c) Full detail sections at a scale of 1:10 through all external walls which are proposed to be altered to better achieve insulation, weatherproofing or for other purposes.

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

7. No development to the barn shall commence until a sample section of weatherboarding has been made available on site and details of the weatherboarding, to include source/manufacturer, type of wood, profile, size, fixing method, colour and texture, have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in accordance with the approved details.

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

8. No development shall commence until samples of the proposed tiles have been made available on site and details of the tiles, to include source/manufacturer, fixing method, colour, tone, texture and size, have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in accordance with the approved details.

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

Contact: Rebecca Jarman