

**Ightham TM/18/01240/FL
Wrotham, Ightham And Stansted**

Section 73 application for the variation of conditions 1 (time limited and personal condition), 2 (restore site when temporary consent expires) and 4 (number of caravans) pursuant to planning permission TM/11/01444/FL (Variation of conditions 1 and 2 on TM/07/01238/FL: Change of use for stationing of two caravans for residential use, fencing and sheds for occupation by a single gypsy family) at Woodford Old Lane Ightham

DPHEH: For the avoidance of any doubt, this application seeks a variation on the number of caravans to be stationed on the site from 2 to 3 (1no. static; 2no. tourers). Condition 3 erroneously cites a total of 4 caravans and should be amended accordingly.

Furthermore, Condition 2 as recommended is intended to ensure that in the event the applicants permanently cease occupation of the site, it is restored to its former condition. This does not include during periods where the applicants might be away travelling but rather if they cease to occupy permanently to ensure occupation is not taken up by another family. It is, therefore, intrinsically linked to Condition 1.

Members should be aware that this application relates to a material change of use of land, not building operations. The use in question does not benefit from any permitted development rights in the same way that dwellinghouses do. An Informative to that effect can be added to any grant of permission.

AMENDED RECOMMENDATION

Amend Condition 3:

3. No more than three caravans (of which no more than 1 shall be a static caravan) as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any one time and no further caravans shall be placed at any time anywhere within the site.

Reason: In order to preserve the open function and nature of the Green Belt and in the interests of amenity.

Additional Informative 1:

1. The applicant is reminded that the use hereby approved does not afford any permitted development rights and that any built development or engineering operations in connection with the use would require planning permission from the Local Planning Authority.

**Platt TM/19/00326/FL
Borough Green And Long Mill**

Demolish existing dwelling and erection of replacement dwelling and detached studio at Bonhill Cottage Basted Lane Crouch

DPHEH: I am aware that there is some concern that the proposed annexe may be occupied as a separate dwellinghouse in the future. There is no indication that this is likely to be the case and in any event this would amount to a material change of use requiring planning permission in its own right meaning that it would not be necessary to impose a condition restricting occupation of the annexe (paragraph 6.21 of the main report refers). However, a condition can be added to make clear no trade or business should be carried out from the building along with an Informative explaining that independent residential occupation would require planning permission.

Furthermore, it is noted that a first floor side window in the Annex is proposed to be obscure glazed in order to remove any potential overlooking into the neighbouring garden. A condition should be imposed to ensure this is implemented.

Finally, updated advice has been obtained from the Council's Conservation Officer concerning the status of the building has a local/undesigned heritage asset (following the decision of DCMS not to list the building). This advice is based on Tunbridge Wells Borough Council's Local Heritage Asset Supplementary Planning Document (SPD) in order to consider its importance against a published set of criteria. Whilst it is recognised that this document is not part of Tonbridge and Malling's Development Plan, the SPD is based on a selection criteria commonly used that also forms part of Historic England's guidance note on Local Listing and as such it can be used as a tool to assist assessment in considering the heritage value of a non-Listed building. Having considered the building against the criteria below, it is the view of the Conservation Officer that it does **not** meaningfully meet any of the criteria necessary to be considered a non-designated heritage asset:

1. Age – comparatively, it's a fairly late example of an estate cottage. It uses local building traditions, which is a positive factor, but this in isolation I believe isn't a strong enough case.
2. Rarity – as set out in the HE report, it's not a rare building typology.

3. Group value – it is isolated and the HE report also notes the lack of proximity to the main house or other estate buildings.
4. Archaeological interest – it's been altered extensively and there is not much of building archaeology interest apart from the local detailing and materials as noted in the report.
5. Historical association – the HE report makes it clear that there is no particular historic association with a local figure of note.
6. Landmark status – it clearly does not meet this criterion.
7. Social and communal value – this is more of an intangible value and there is no particular evidence of the house having a role in local distinctiveness or social events.

In conclusion, the building does not warrant consideration as a non-designated heritage asset.

In light of this, and the decision by DCMS, there are no reasonable grounds upon which to resist the proposed development on basis that the existing building is to be demolished.

AMENDED RECOMMENDATION

Additional Conditions 11 and 12:

11. The annexe hereby approved shall be used only for purposes incidental to the enjoyment of the related dwellinghouse and no trade or business shall be carried out therefrom.

Reason: To safeguard the residential amenity of the nearby dwellings and preserve the character of the locality.

12. The window on the first floor west elevation of the annex shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the room is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

Additional Informative 1:

1. The applicant is advised that the annexe building hereby approved cannot be occupied as a separate unit of residential accommodation and this would amount to

a material change of use requiring planning permission in its own right.
