



Alison Salter
Area Planning Manager
Sevenoaks District Council
Argyle Road
Sevenoaks
TN13 1HG

Our ref SEV/20/21
Your ref
15.12.20

Dear Mrs. Salter,

Court House, London Road, Westerham, TN16 2DH

I have been instructed to submit a Householder planning application and Listed Building Consent (LBC) for development of the above site involving the erection of an outbuilding within the rear garden at the above property.

Please accept this letter as the Design and Access Statement and Heritage Statement for the proposal.

The application is formed of this covering letter, drawings numbered A01, A02, A03, A04, A05, block plan, site location plan, and planning application and CIL forms.

Site and surrounding area

Court House is accessed off a private lane from the western side of London Road to the north of Westerham. The property is part of a group of buildings which are related to Court Lodge, which is a Grade II* listed building. The application property is attached to Court Lodge, and further to the north is Court Lodge Oast, and to the east, Court Lodge Barn.

The list description for Court Lodge is set out below;

1. 5280 WESTERHAM WESTERHAM London Road (West Side)

Court Lodge TQ 4454 35/1422 10.9.54.

*II**

2. C15 or earlier hall house with C17, C18 and modern alterations and additions. Front in 3 sections: late C19 or early C20 gabled wing at left; original centre section of 1 storey and attic, 3 irregular windows; modern 2-storey, 2-window right part. High pitched tiled roofs with modern square dormers. Red brick walls with replaced or modern



leaded casements. Picturesque shallow U-shaped rear elevation. Main roof sweeping to ground floor eaves, gabled wings and 2 gabled sections in middle. Much visible timber framing with brick filling, mostly modern. Loggia with wood posts supporting overhanging reproduction gable in centre. Inside hall exposed to roof (C16 floor removed and gallery inserted during alterations by Baillie Scott). Very heavy bowed tie beam with solid arch braces and crown post. On lower level square framing with very heavy diagonal braces; closer studding above. Large chimney stack with inglenook fireplace inserted late C16 or early C17. Parlour with C16 wainscoting and stone Tudor fireplace. Solar above has arched tie beam with crown post. C16 staircase with old, fluted wainscoting. Courts Leet for manor of Westerham were held here.

Court House is a two storey dwelling with accommodation in the roofspace. There is a long rear garden which is oriented to the west of the property.

Proposed development

The proposed development is the erection of a modest outbuilding within the rear garden area of the property. The outbuilding is proposed to be 2.4m x 3.6m in plan, and 2.5m maximum height.

It is proposed to site the outbuilding in the south western corner of the property, at the furthest distance from the house. The outbuilding will be finished with vertical red cedar cladding, and a flat roof with a rubber finish to ensure that it is watertight. There will be large glazed doors in the front elevation allowing access to the outbuilding.

It is proposed to use the outbuilding as a structure incidental to the use of the main dwelling.

Planning history

There have been a number of applications in the past for the development of the site, as set out below;

- 19/01930/FUL- Erection of carport. REFUSED 28.08.19;
- 19/01931/LBCALT- Erection of carport. REFUSED 28.08.19;
- 01/00189/LBCALT- Internal and external alterations to existing building and erection of porch. GRANTED 11.07.2001;
- 01/00190/FUL- Internal and external alterations to existing building and erection of porch. GRANTED 13.06.2001;
- 99/02211/FUL- Conversion of main house into two units and the existing oast and cottage into one. GRANTED 28.01.2000;



- 99/02212/LBCALT- Conversion of main house to two units and existing oast house and cottage into one. GRANTED 26.01.2000.

Policy context

The development plan for the area consists of the Core Strategy, adopted in 2011, and the Allocations and Development Management Plan, adopted in 2015.

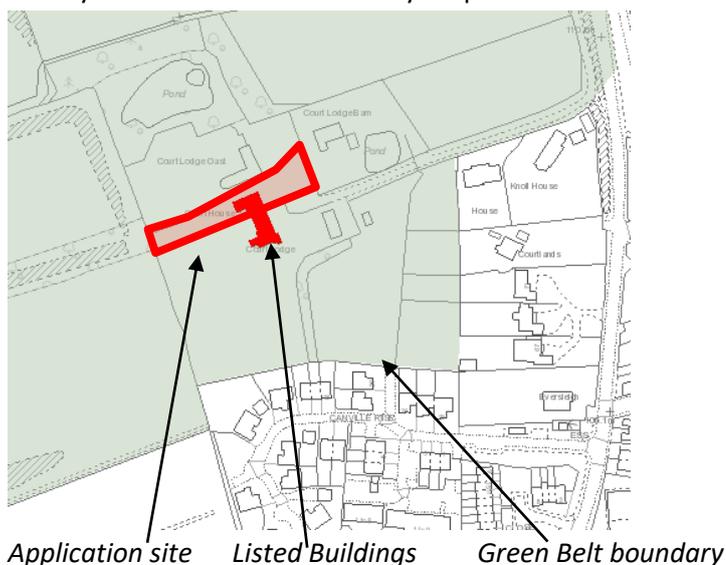
The relevant policy of the Core Strategy is;

- SP1 Design of New Development and Conservation

The relevant policies of the Allocations and Development Management Plan are;

- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- EN5 Landscape
- GB3 Residential Outbuildings in the Green Belt

Having regard to the Council's Policy Map, the site is within the Green Belt and Area of Outstanding Natural Beauty. An extract from the Policy Map shows the site and the policy constraints;





Other material policy considerations include the National Planning Policy Framework (NPPF), in particular paragraph 145, and the Development in the Green Belt SPD.

Main issues

Having regard to the policy context, the main issues to consider are as follows;

- Impact on the Green Belt;
- Impact on the character of the area, including the AONB;
- Impact on neighbouring amenity.
- Impact on heritage assets (the Listed Buildings).

Green Belt

Policy GB3 deals with outbuildings within residential curtilages. Outbuildings that are more than 5m from the dwelling will be permitted where the building, including the cumulative impact of other outbuildings and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.

The proposed outbuilding would therefore be considered against policy GB3. The floorspace of the proposed outbuilding is less than the 40 sqm set out in the Green Belt SPD guidance document, and the height of the proposed outbuilding is limited. The outbuilding will be incidental to the use of the main dwelling house and is located at the furthest point from the dwelling house. The rear garden area backs onto Churchill Primary School, and therefore there will be no general public views of the outbuilding. The external materials to the walls will be cedar cladding, to reflect the semi rural character of the surrounding area.

As a result of the above, it is clear that the outbuilding will comply with policy GB3 and will not result in harm to the openness of the Green Belt.

Impact on the character of the area, including the AONB

The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan. Policy SP1 sets out that *“all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.”* Policy EN1 is a criteria based policy. Due to the nature of the proposal, a number of the criteria are not relevant. The most



relevant criterion is that the form of the proposed development would respond to the scale, height, materials and site coverage of the area.

Due to the scale and size of the proposed outbuilding, and the location at the rear of the garden, there will be virtually no views of the structure from outside of the site. As a result, the impact on the character of the area will be minimal, and there will be no harm caused.

Notwithstanding the above, the use of materials is such that even if the outbuilding were visible from outside of the site, there would not be a harmful impact.

Policy EN5 states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape.

The erection of the proposed outbuilding would conserve and enhance the AONB. The modest size and scale of the proposed development, and the use of materials, and the limited views of the structure from the wider landscape, would maintain the visual appearance of its landscape setting. The use of natural materials would enhance the character of the building and the surrounding area. As a result, there is considered to be no conflict with policy EN5.

Impact on the amenities of adjoining properties.

Policy EN2 of the development plan sets out that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that they would not be subject to overlooking or visual intrusion and where the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.

The use of the outbuilding will be incidental to the main use of the site as a dwelling house, and will help to enhance the amenities of the occupiers of the property.

Due to the distance of the proposed outbuilding from the adjoining properties, the orientation of the proposed building and the limited size and scale, it is submitted that there will be no impact on the amenities of the adjoining properties by way of overlooking, loss of light or privacy, or visual intrusion.



As a result of the above, there is no conflict with policy EN2 of the development plan.

Impact on heritage assets (the Listed Buildings)- Heritage Statement.

Policy EN4 of the development plan states that proposals that affect a heritage asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.

Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

As identified above, the property is a Listed Building. Originally, Court Lodge and Court House were a single building but were subdivided with the benefit of planning permission and Listed Building Consent granted in 1999 and 2001. Court House has a deep rear garden of approximately 50m from the rear wall of the dwelling. It is proposed to site the outbuilding in the furthest south west corner of the site. As a result, there will be no direct impact on the design or fabric of the Listed Building. In addition, given the distance between the siting of the outbuilding and the Listed Buildings themselves, it is submitted that there will be no adverse impact on the setting of the Listed Buildings. The Listed Buildings will still retain a semi rural setting, with landscaping predominating over the built form, particularly to the west of the buildings.

As a result, despite the grade II* status of the Listed Buildings, it is submitted that the impact on the significance of the heritage asset is limited, and no harm will result to the character, appearance and setting of the asset. Having regard to the list description set out above, it appears that the significance of the asset is in relation to the architectural detailing of the building, both internally and externally. The wider setting of the building is of less significance. In any event, the use of natural materials will help to conserve and enhance the character, appearance and setting of the asset. The development will therefore comply with the policy requirements of the NPPF and will not conflict with policy EN4.

Conclusion

The above demonstrates that there is no harm to the Green Belt, the character of the area, including the AONB, or the amenities of the adjoining properties. There will also be no harm to the setting or significance of the Listed Building (as heritage assets).

As there is no conflict with the policies of the development plan, the proposed development falls within the



definition of sustainable development, as set out in paragraphs 10 and 11 of the NPPF. As such, it is submitted that the proposed development should be granted permission without delay.

Should any issues arise in the consideration of the application, I would be grateful if you would contact me at the earliest opportunity to discuss them. I would be grateful if you would contact me at the earliest opportunity to arrange a site visit to the property.

Yours sincerely,