

Planning Statement

Foxwold, Pipers Lane, Brasted Chart, Westerham, Kent, TN16 1NE

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1.0 Introduction

- 1.1 This Planning Statement has been prepared on behalf of Mrs Conway and accompanies an application for planning permission and listed building consent on land at Foxwold, Pipers Lane, Brasted Chart, Kent, TN16 1NE. The proposed description of development is:

'Erection of a steel mesh fence (approx. 240m long) with timber posts and arris rails to the western boundary of the Foxwold Estate, TN16 1NE, and construction of brick walls with piers at rear entrance to the Estate on Pipers Lane (southern entrance) together with new steel entrance gates'.

- 1.2 The proposed new fence, walls and gate follows the erection of a close boarded timber fence and gates at the site which were refused retrospective planning and listed building consent in 2021 and 2022.
- 1.3 It should also be noted that prior to the erection of the close boarded fence at the site, there was previously a timber picket fence running along the length of this boundary.
- 1.4 This Statement should be read in conjunction with the following supporting statements and drawings:
- Design and Access Statement, prepared by ReForm Architects;
 - Heritage Statement, prepared by ReForm Architects; and
 - Application Drawings.
- 1.5 This Planning Statement provides a brief description of the site in Chapter 2.0, which is followed by the identification of relevant site designations and a review of planning history in Chapter 3.0. Chapter 4.0 provides an outline of the pre-application discussions that have been held. Chapter 5.0 provides an overview of the proposals, and Chapter 6.0 provides an assessment of the scheme in terms of planning policy and other material considerations. A planning summary is then provided in Chapter 7.0.

2.0 Site Details

- 2.1 The application site relates to the western boundary of the Foxwold Estate and the rear entrance to the estate (the southern entrance) which is accessed via Pipers Lane.
- 2.2 Foxwold Estate comprises the main Foxwold House, the Coach House and Stables, and Foxwold Lodge, which are all in the ownership of the Conway Family. Foxwold House, The Coach House and Stables are all grade II listed and are located at the southern end of the estate close to the rear entrance on Pipers Lane. Foxwold Lodge is not listed and is located at the northern end of the estate, next to the main entrance to the estate on Pipers Lane. Further details relating to the listed buildings and heritage context of the site are provided in the accompanying Heritage Statement.
- 2.3 The wider estate grounds extend to approximately 18.8 hectares and comprise lawns and woodlands as well as a pond/lake towards the eastern side of the site.
- 2.4 A public byway follows the western boundary of the site (outside of the site) beginning just after the rear entrance to the estate, and then connecting back to Pipers Lane about 1km to the north close to Foxwold Lodge. This western boundary is largely characterised by the woodland and mature vegetation within the estate grounds, largely mirrored on the west side of the public byway which is characterised by woodland at the boundary to Westerham Golf Club.

3.0 Planning Designations and Planning History

Planning Designations

- 3.1 The following planning designations apply to the site as shown on the Sevenoaks District Council policies map:
- Metropolitan Green Belt;
 - Area of Outstanding Natural Beauty (AONB); and
 - Ancient Woodland.
- 3.2 It is also understood that the site falls within an Area of Archaeological Potential and a Biodiversity Opportunity Area.
- 3.3 In addition, as stated previously, the site is within the setting of two listed buildings. Foxwold is a grade II listed house (List Entry Number 1455408). To the south of the main house are the former stables and coach house, which are separately listed as grade II (List Entry Number 1389465). These buildings are set within a landscaped garden which is surrounded by woodland and the wider countryside.
- 3.4 A public byway (reference: SR305) runs alongside the western edge of the site in a north-south direction.

Planning History

- 3.5 Two retrospective planning and listed building consent applications have been submitted at the site in 2021 and 2022. The 2021 applications (Refs. 21/02738 and 21/02739/LBCALT) were refused on 3rd November 2021. The 2022 applications (Refs. 22/01105/HOUSE and 22/01106/LBCALT) were refused on 21st June 2022.
- 3.6 It should be noted that the 2021 applications were for identical fencing proposals, so the 2022 applications are the most relevant to this proposal. Therefore details relating to the more recent (2022) applications are provided below.

Application Refs: 22/01105/HOUSE and 22/01106/LBCALT

- 3.7 Retrospective planning permission (householder planning application with associated listed building consent) for the erection of a new timber boundary fence (approximately 290m long) to the western boundary of the Foxwold Estate. The reason for refusal for the planning application was:

'The proposal would represent inappropriate development in the Green Belt and would be harmful to openness of the Green Belt. It would fail to conserve and enhance the character of the Area of Outstanding Natural Beauty and would have a detrimental impact on the character of the surrounding area, including the public right of way. The proposal would also harm the significance and setting of the listed buildings. As a result, the proposal would fail to comply with Policy EN1, EN4 and EN5 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. No case for very special circumstances would outweigh the harms identified'.

3.8 It should also be noted that the listed building consent application was refused on the basis that the proposed development would harm the significance of the heritage assets and would therefore fail to comply with **Policy EN4**.

3.9 The Officer's Report (OR) in connection with these applications raised a number points as detailed in the paragraphs below.

Design and Appearance

3.10 The OR stated that height, length and form of the proposed fencing would:

- erode the rural and verdant character of the street scene and would fail to build sympathetically upon the architecture of the surrounding area.
- appear visually intrusive and overbearing in the street scene and from the public right of way.
- appear as an incongruous suburbanising feature.
- rise above the adjacent footpath and therefore would appear overbearing and unduly dominant.
- not provide a traditional means of enclosure (due to its modern character and appearance, which is not appropriate for the setting of the listed buildings).

3.11 It was therefore considered that the proposed fencing would appear overbearing and would be detrimental to the rural character of the surrounding area. It was however noted that the materials, in themselves, would not be out of character with other boundary treatments within the locality.

Green Belt

3.12 The OR stated that the use of posts, fencing and gates introduced a physical structure with visible 'solidity', which has an adverse visual impact on the openness of the Green Belt. It was therefore considered that the proposal would be inappropriate development in the Green Belt and contrary to the NPPF.

3.13 With regard to possible 'very special circumstances' to justify the fence within the Green Belt, circumstances were identified relating to the need for increased security at the estate. The OR went on to state that the Kent Downs AONB Design Handbook notes that where security fencing is required the use of wooden posts and galvanised wire and screen with thorny hedges of native plants are recommended. Only limited weight was given to the need for security in terms of very special circumstances in the determination of the application.

Heritage

3.14 The OR considered that the proposed fencing was visually imposing when viewed on the approach to the Coach House and Foxwold Lodge from Pipers Lane. The close boarded fence, due to its 'modern and harsh appearance', was also considered to enclose the estate and thereby change the rural character of the site as well as harm the setting of the listed buildings. The proposal was therefore considered to have a negative impact on the significance of the heritage assets identified and there were considered to be no public benefits to outweigh such harm.

Ancient Woodland and Ecology

- 3.15 KCC Ecology was consulted on the proposal and advised that (if approved) a condition should be imposed requiring the insertion of a series of 'hedgehog' gaps along the entire length of the fencing. In addition, it was also recommended that a condition requiring further details of external lighting was attached to any planning permission.

- 3.16 Lastly, the OR did not indicate that the proposal would have an adverse impact on the Ancient Woodland.

4.0 Pre-Application Discussions

- 4.1 A pre-application meeting with Sevenoaks District Council was held on 5th September 2023 with Re:Form Architects (Ref: PA/23/00196) and a written response was received dated 7th September 2023.
- 4.2 The main issue for any subsequent proposal would likely be whether the proposal adequately addresses and overcomes the reasons for the refusal of the earlier applications Refs. 22/01105/HOUSE and 22/01106/LBCALT (as outlined above in Chapter 3.0).
- 4.3 Given the retrospective nature of the proposals, discussions focused on potential alterations and amendments to the existing fencing including:
- amending the existing close boarded fence by lowering its overall height and removing the feather edge boards to retain the vertical and horizontal posts only;
 - planting native, prickly hedging along the fencing and fixing discreet metal mesh to the rear (garden side of the fence), which would be concealed by the hedging but would provide a physical barrier;
 - the erection of a returning brick wall either side of the entrance gate which transitions to hedging/fencing to the north;
 - amendments to the existing close boarded timber gates; and
 - a reduction in the overall length of the fencing.
- 4.4 It was considered that the above alterations and amendments had the potential to overcome the concerns raised in the 2022 application with regard to the impact on the listed building, AONB, street scene and public rights of way.

Green Belt

- 4.5 With specific regard to the Green Belt, the Council indicated that the retention of the vertical and horizontal posts of the fencing only, and installing metal wire on the rear side, was likely to result in the fencing having a more permeable appearance. The introduction of hedging was also likely to soften the visual impact of the fencing and help blend it into its surroundings. Furthermore, a proposed reduction in the length of the fencing was welcomed and likely to reduce the impact on openness.
- 4.6 It was also requested that applicant's circumstances and the need for the fence for security purposes would need to be clearly set out as part of a case for 'very special circumstances'. It was also requested that it was clearly demonstrated that there is no satisfactory alternative to the fencing proposed.

5.0 The Proposed Development

The Proposed Development

- 5.1 This Chapter provides a brief summary of the proposed development. The accompanying Design and Access Statement and submitted planning drawings should be referred to for detail associated with the design and layout of the proposal and its appearance.

Fence

- 5.2 The proposal is for an approximately 290m long and 2m high galvanised steel mesh fence along part of the western boundary of the site, extending from the rear entrance to the estate on Pipers Lane and along the boundary towards the north-east.
- 5.3 As noted in the Introduction Chapter of this Statement, prior to the erection of the close boarded fence at the site (for which planning permission and listed building were retrospectively refused), there was a timber picket fence running along this boundary (see photo 2 on page 5 of the accompany Design and Access Statement).
- 5.4 The proposed new fence would retain the timber posts associated with the currently existing close boarded fence (the posts sit approximately 2.5m apart), and three timber arris rails (horizontal rails) which support the posts. Hedgehog gaps are proposed along the entire fence (one every four fence panels). One side gate is proposed, in galvanised steel mesh, to allow direct access from Pipers Lane to the fuel tanks within the site.
- 5.5 Native hedging would be planted along the entire length of the mesh fence, and in time is expected to grow through the gaps in the mesh fencing and largely obscure the fencing structure from view on either side of the fence. Two rows of planting are proposed 45cm apart in order to ensure healthy growth, with the plants themselves placed at 60cm intervals. The resulting visual appearance would be a boundary treatment which appears primarily as a hedge, and would be far less visually intrusive (and more in keeping with the landscape context) than the previous timber picket fence along this boundary. Further details of planting are provided in the accompanying Design and Access Statement.
- 5.6 It should be noted that this is the only design option that is considered feasible at the site in order to ensure a strong boundary structure which would be durable in the long-term, whilst also proposing sufficient height (2m) and appropriate thorny planting to effectively deter entry by trespassers. It should further be noted that the hedging would be planted on the garden side of the existing fence on land within the ownership of the applicant, rather than on the outside of the fence which is not within the applicant's ownership. It is not considered that this would have a material impact on the visual appearance of the fence and hedge in the medium to long term, as it is intended that the hedge will grow through and obscure the fence.

Brick Walls

- 5.7 A new brick wall is proposed either side of the rear entrance to the estate from Pipers Lane, including entrance piers. The brick wall will comprise imperial red brick with Flemish bond and special brick coping, to match the existing boundary wall along Pipers Lane to the south of the Coach House and reflect the

materials of the listed buildings themselves. The brick wall will be 2.4m high with brick piers at regular intervals to reflect the rhythm of the existing wall, and will respect the slightly higher existing brick wall to the south of the Coach House which rises to 2.8m high.

- 5.8 The brick wall is also designed to sensitively transition to the slightly lower, proposed fence mesh and timber fence to the north (2m high), as shown in the Design and Access Statement.

Gate

- 5.9 A steel entrance gate (2.25m high) is proposed to the rear entrance, between the new brick walls. The gate provides a simple gate design consisting of a steel frame with vertical rods and corrugated steel to the rear.

6.0 Planning Assessment

6.1 The following chapter provides a planning assessment of the proposals with particular reference made to policies and guidance contained within the following documents:

- National Planning Policy Framework (NPPF) 2023;
- Sevenoaks Allocations and Development Management Plan, 2015;
- Sevenoaks Core Strategy Development Plan, 2011; and
- Kent Downs AONB Landscape Design Handbook.

Design, Appearance and Landscape Setting

6.2 The design of the proposed fence has been significantly altered in comparison to the existing close boarded fencing at the site in order to provide a permeable fence which can be sensitively integrated into the landscape by using a mesh design together with carefully selected boundary planting. As such the choice of materials and the planting have been chosen to be sympathetic to the character of the immediate surroundings and the wider estate. As stated previously, the intention is that the new planting will grow through the gaps in the mesh fencing and largely obscure the fencing structure from view on either side of the fence. As such the resulting visual appearance would be a boundary treatment which appears primarily as a hedge, which would be more in keeping with its surroundings, and far less visually intrusive than the previous timber picket fence along this boundary.

6.3 Indeed, the fence has been designed to meet the detailed guidance on page 69 of the **Kent Downs AONB Landscape Design Handbook** which states:

Where security fencing is required wooden fence posts and galvanized steel wire should be used. The fencing should be screened with thorny hedges of native plants. This will help reduce the visual impact of the fencing on the landscape and provide additional deterrent to intruders.

6.4 In line with guidance in the Handbook, it is considered that the proposed boundary planting will soften the visual impact of the boundary fencing and allow it to blend into its surroundings and respect the verdant character of public byway and Pipers Lane. This accords with the requirements of **Policy EN1(b)**.

6.5 At the same time, the height and scale of the proposed fencing is considered to be appropriate to the surrounding woodland context. It is considered that at a height of 2m (lower than the existing close boarded fence which is 2.4m high), in combination with the thorny hedging planting, the fencing will provide appropriate security to the estate in a way that will not be intrusive or overbearing when viewed from the public byway or Pipers Lane, against the backdrop of the mature trees in the surrounding woodland.

6.6 For the reasons set out above it is considered that the form, scale, materials and design of the proposed fencing would conserve and enhance the local landscape character and the scenic beauty of the AONB and its distinctive character, in accordance with **Policy EN5** and Core Strategy **Policy LO8**.

6.7 With regard to the proposed brick walls and rear entrance gate, these have been carefully designed to be in keeping with the existing brick wall to the south, and also the estate's main entrance gate at the northern

end of the estate (as shown on page 3 of the Heritage Statement). The proposed rear gate provides a simple design in comparison with the main entrance gate, to reflect the hierarchy and function of this secondary entrance.

- 6.8 In summary the proposal is for a ‘permeable’ fence which can be sensitively integrated into the landscape using sympathetic boundary planting and materials to suit the character of the area. The resulting fencing and hedge will be far less visually intrusive than the previous timber picket fence whilst providing appropriate security to the estate, but not appearing intrusive or overbearing in this woodland setting. Overall, it is considered that the form, scale, materials and design of the proposed fencing would conserve and enhance the local landscape character and the scenic beauty of the AONB and its distinctive character, in accordance with **Policy EN1(b)**, **Policy EN5** and Core Strategy **Policy LO8**. The proposed brick walls and rear entrance gates provide a high-quality, sensitive design which is in keeping with the existing materials and listed buildings at the site.

Green Belt

- 6.9 It is recognised that the site is located within the Green Belt and that the fundamental aim of Green Belt policy is to keep land permanently open.
- 6.10 The reason for refusal of the previous planning application for fencing at the site (Ref. 22/01105/HOUSE) is set out at section 3.7 above, and states that the development represents inappropriate development in Green Belt and would be harmful to the openness of Green Belt. It further states that no case for very special circumstances would outweigh the harms identified. This section considers each of these points in turn with reference to the current proposals.

Inappropriate Development in Green Belt

- 6.11 As a proposal for fencing and a brick wall and gate, the proposal is considered to fall within the category of an ‘engineering operation’ as referred to in **NPPF paragraph 150**. Paragraph 150 states that engineering operations are not inappropriate development in Green Belt if they:

1. ‘preserve the openness’ of the Green Belt
2. do not conflict with the purposes of including land within the Green Belt (as defined at NPPF paragraph 138).

1. Preserve the openness

- 6.12 In assessing point 1. above, it is considered that the proposal does ‘preserve the openness’ of the Green Belt, and does not conflict with this objective, for a number of reasons. The proposed fencing and brick walls follow the line of previous boundary treatments along this part of the estate boundary, including the timber picket fencing that ran along this boundary prior to the more recent erection of close boarded fencing at the site. Therefore this proposal is for a replacement boundary treatment, along what is clearly an established boundary to the Foxwold Estate, and in this context it is considered that the proposal will not have a materially greater impact in terms of preserving the openness of the Green Belt than the fence it replaces. This is an important consideration in assessing the impact of the proposal on the openness of the Green Belt.

- 6.13 It is well established that Green Belt policy allows for replacement buildings as well as limited extensions to buildings in Green Belt provided these are not ‘materially larger’ and are not ‘disproportionate additions’ (under **NPPF paragraph 149 (c) and (d)**) and Local Plan **Policies GB2, GB3 and GB4**. Therefore, it is acceptable in principle in both national and local Green Belt Policy, to replace a building in the Green Belt, subject to the certain criteria. The current proposal is for a replacement boundary treatment should be considered in a similar way.
- 6.14 In the case of the current application, the proposal does not introduce any new built floorspace or volume at the site. The proposed structures are effectively vertical and modest in scale, and with a maximum fence height of 2m, and brick wall height of 2.4m.
- 6.15 The specific design of the fencing is also relevant in considering any impacts with regard to preserving the openness of the Green Belt. As noted under the ‘Design and Appearance’ subheading above, the new fencing will be permeable in design to allow the new planting to grow through the mesh fence. In this way the proposal provides an appropriate response to the Green Belt context and removes any sense of ‘solidity’ to this boundary treatment (as referred to in the OR for the refused application).
- 6.16 The proposed design, including the choice of planting and materials, takes full account of the landscape context of the site and preserves the openness and visual amenity of the Green Belt in this location by integrating the fencing into its landscape surroundings, in accordance with guidance in section 11 of the Council’s **Green Belt Supplementary Planning Document (SPD)**.
- 6.17 For all of the reasons given above, it is considered that the proposal will preserve the openness of the Green Belt and complies with **NPPF paragraph 150** in this regard.

2. Purposes of Green Belt

- 6.18 It is also necessary to consider the second point in **NPPF paragraph 150**, whether or not the proposed development conflicts with the five purposes for including land in Green Belt. The five purposes of Green Belt listed at **NPPF paragraph 138** are:
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment;*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

- 6.19 With reference to the five purposes listed above, it is clear that the proposal for new fencing, brick walls and a rear entrance gate does not conflict with any of these five purposes and therefore accords with **NPPF 150(b)** in this regard. Indeed, the pre-application response letter from officers made no suggestion that the proposal conflicts with any of these purposes.

Very Special Circumstances

- 6.20 As demonstrated above, it is considered that the proposal is not inappropriate development in Green Belt and therefore there is no requirement to provide ‘very special circumstances’ to justify this proposal.

- 6.21 Notwithstanding this, it is noted that during pre-application discussions the applicant has put forward evidence relating to a need for tighter security at the site to deter trespassers. Further details are included in the Design and Access Statement. The applicant has encountered trespassers at the site, and it is considered that the site is vulnerable to trespassing due to the presence of the public byway along the site boundary. The owner of the site reported a theft to police in 2021 - details of which are set out in the letter from Kent Police dated 24th September 2021 attached at **Appendix A** to this Planning Statement.
- 6.22 It is also a relevant consideration that it is natural for the owners of this private estate wish to create secure boundaries around its grounds in order to protect the property from unauthorised entry. It is therefore requested that these issues are treated as important material considerations in the assessment of this planning application.
- 6.23 Alternatively, if the Council disagrees with our assessment regarding whether or not the proposal preserves the openness of the Green Belt (in paragraphs 6.12 to 6.16 above), it is requested that the following issues are considered to constitute very special circumstances which would cumulatively carry significant weight in the planning balance and clearly outweigh any perceived harm:
- There is a need to provide a secure boundary to this private residential estate;
 - The fencing will follow an established historic boundary to the estate;
 - The proposal replaces previous timber picket fencing along this boundary; and
 - It is considered that there is no other satisfactory alternative design which would 'blend' with the landscape and also providing suitable security.

Summary

- 6.24 In summary, in considering Green Belt policy it is relevant that the proposal is for a permeable fence with no built volume and of modest scale which will be provided in combination with significant boundary planting to replace a previous picket fence along the historic boundary of a residential estate. Similarly, the proposal includes a sensitively designed brick wall and gate to the rear entrance, again to replace a picket fence along part of the estate's historic boundary. In this context it is considered that the proposed development preserves the openness of the Green Belt. It is also clear that the proposed development does not conflict with any of the five purposes of including land in the Green Belt as defined at **NPPF paragraph 138**. Therefore, in accordance with **NPPF paragraph 150** it is concluded that the proposal is not inappropriate development in Green Belt.
- 6.25 With regard to 'any other harm' arising from the proposal, as referred to in **NPPF paragraph 148**, no other harm has been identified as discussed under the other sub-headings in this Chapter.

Heritage

- 6.26 As stated above, the site is within the setting of the grade II listed buildings of Foxwold House and the Coach House and Stables. The proposal is accompanied by a Heritage Statement which provides further assessment of these heritage assets.
- 6.27 As indicated in the accompanying Heritage Statement, the proposed fencing will not be widely visible from the listed buildings themselves, although it will form part of the setting. The special interest of Foxwold House and the Coach House and Stables is understood to be primarily in the building fabric and the high-

quality design of the buildings and their interiors, as suggested by the list descriptions and indicated in the comments from the conservation officer in the pre-application advice letter.

6.28 Whilst it is recognised that the proposed fencing and brick walls and entrance gate fall within the setting of these listed buildings, it is considered that any impacts associated with the proposed fencing would be negligible bearing in mind that the proposed fencing:

1. will not affect the fabric or character of the listed building itself and its architectural significance;
2. will be distant from these buildings;
3. will not be largely visible from these buildings or within views towards the listed buildings;
4. will not harm the visual relationship between the listed building and its setting; and
5. the fencing and hedging suggests a more traditional means of enclosure which is in keeping with the surrounding landscape.

6.29 With regard to the proposed brick walls and rear entrance gate, these have been designed to be in keeping with the character of the estate (in terms of both design and materials), particularly taking account of detailed comments from the conservation officer provided on pages 6-7 of the pre-application advice letter dated 7th September 2023. As such the brick walls reflect the red brick and Flemish bond found at the grade II listed Foxwold House and Coach House, and the height of the wall (2.4m high) is designed to be subservient to the existing historic wall to the south (2.8m high), whilst creating an attractive boundary treatment at the rear entrance of this private estate. The proposed gate provides a simple design, to contrast with the grander main entrance gate to the north (see photo in the Heritage Statement page 3), and is in keeping with the character of the wider estate.

6.30 In summary it is considered that the proposal conserves the character, appearance and setting of the grade II listed buildings within the Foxwold Estate in accordance with **Policy EN4**, through sensitive fencing design, new planting, and the provision of carefully designed brick walls and a new rear entrance gate that are in keeping with the existing brick walls and character of the wider site.

Ancient Woodland and Ecology

6.31 The proposed fencing falls within land occupied by ancient woodland as stated previously in this Statement. The proposals are not considered to affect any existing trees within this ancient woodland.

6.32 It is noted that Core Strategy **Policy SP1** requires that new development proposals 'maintain and enhance biodiversity'. The proposal, by providing significant new hedge planting, will clearly incorporate opportunities for increasing biodiversity potential without affecting the site's existing biodiversity or Green Infrastructure, thereby also strongly supporting **Policy EN1(e)**.

6.33 In summary the proposal will conserve and potentially enhance the surrounding ancient woodland and habitat, through significant new native planting along this boundary, and the proposal is not expected to cause any harm in this regard.

7.0 Summary and Conclusions

- 7.1 This Planning Statement has been prepared on behalf of Mrs Conway and accompanies an application for planning permission and listed building consent on land at Foxwold, Pipers Lane, Brasted Chart, Kent, TN16 1NE. The proposed description of development is at paragraph 1.1. of this Statement.
- 7.2 The proposed new fence, walls and gate follows the erection of a close boarded timber fence and gates at the site which were refused retrospective planning and listed building consent in 2021 and 2022.
- 7.3 It should also be noted that prior to the erection of the close boarded fence at the site there was previously a timber picket fence running along this boundary.
- 7.4 The application site relates to the western boundary of the Foxwold Estate and the rear entrance to the estate (the southern entrance) which is accessed via Pipers Lane. Foxwold Estate comprises the main Foxwold House, the Coach House and Stables, and Foxwold Lodge, which are all in the ownership of the Conway Family. Foxwold House, The Coach House and Stables are all grade II listed and are located at the southern end of the estate close to the rear entrance on Pipers Lane. A public byway follows the western boundary of the site (outside of the site).
- 7.5 The following planning designations apply to the site as shown on the Sevenoaks District Council policies map: Metropolitan Green Belt; Area of Outstanding Natural Beauty (AONB); and Ancient Woodland. It is also understood that the site falls within an Area of Archaeological Potential and a Biodiversity Opportunity Area.
- 7.6 The most relevant planning history at the site relates to two retrospective applications which were submitted in 2022 (Refs. 22/01105/HOUSE and 22/01106/LBCALT) in relation to the erected close boarded fencing at the site. Both applications were refused on 21st June 2022. The reason for refusal of the planning application was:
- ‘The proposal would represent inappropriate development in the Green Belt and would be harmful to openness of the Green Belt. It would fail to conserve and enhance the character of the Area of Outstanding Natural Beauty and would have a detrimental impact on the character of the surrounding area, including the public right of way. The proposal would also harm the significance and setting of the listed buildings. As a result, the proposal would fail to comply with Policy EN1, EN4 and EN5 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. No case for very special circumstances would outweigh the harms identified’.*
- 7.7 A pre-application meeting with Sevenoaks District Council was held on 5th September 2023 with Re:Form Architects (Ref: PA/23/00196) to discuss proposal for a galvanised steel mesh fence at the site and retaining the timber posts and arris rails associated with the existing close boarded fence. A written response was received on 7th September 2023. At the meeting the planning officers concluded that the above alterations and amendments had the potential to overcome the concerns raised in the 2022 application with regard to the impact on the listed building, AONB, street scene and public rights of way. The pre-application advice letter commented that if, at the application stage, the proposed fencing is not considered to preserve openness of the Green Belt, the proposal would be considered as inappropriate

development in the Green Belt, and therefore very special circumstances would be required to justify the development and would need to clearly outweigh the harm to the Green Belt (and any other potential harm).

7.8 The planning assessment in Section 6.0 of this Planning Statement concludes in summary that:

Design, Appearance and Landscape Setting

- The proposal is for a 'permeable' fence which can be sensitively integrated into the landscape using sympathetic boundary planting and materials.
- The resulting fencing and hedge will be far less visually intrusive than the previous timber picket fence whilst providing appropriate security to the estate, but not appearing intrusive or overbearing.
- The form, scale, materials and design of the proposed fencing would conserve and enhance the local landscape character and the scenic beauty of the AONB and its distinctive character, in accordance with **Policy EN1(b)**, **Policy EN5** and Core Strategy **Policy LO8**.
- The proposed brick walls and rear entrance gates have been carefully designed to be in keeping with the existing materials and listed buildings at the site.

Green Belt

- It is relevant that the proposal is for a permeable fence with no built volume and of modest scale which will be provided in combination with significant boundary planting to replace a previous picket fence along the historic boundary of a residential estate.
- The proposal includes a sensitively designed brick wall and gate to the rear entrance, again to replace a picket fence along part of the estate's historic boundary.
- In this context it is considered that the proposed development preserves the openness of the Green Belt.
- The proposed development does not conflict with any of the five purposes of including land in the Green Belt as defined at **NPPF paragraph 138**.
- Therefore, in accordance with **NPPF paragraph 150** it is concluded that the proposal is not inappropriate development in Green Belt.
- With regard to 'any other harm' arising from the proposal, as referred to in **NPPF paragraph 148**, no other harm has been identified as discussed under the other sub-headings.

Heritage

- The proposal conserves the character, appearance and setting of the grade II listed buildings within the Foxwold Estate in accordance with **Policy EN4**, through sensitive fencing design, new planting, and the provision of carefully designed brick walls and a new rear entrance gate that are in keeping with the existing brick walls and character of the wider site.

Ancient Woodland and Ecology

- The proposal will conserve and potentially enhance the surrounding ancient woodland and habitat, through significant new native planting along this boundary, in accordance with Core Strategy **Policy SP1**.
- By providing significant new hedge planting, the proposal will increase biodiversity potential, strongly supporting **Policy EN1(e)**.

- 7.9 To conclude, given the information set out in this Planning Statement, it is considered that the proposed development complies with all relevant policies and should be supported.