

Date: 23/01/19

Dear [REDACTED]

**Application No: 18/03929/PAPL**

**Location: Stone Court Farm, Pembury**

**Proposal: Pre Application Advice (Letter) - Advice on refused permission under ref 18/00446/PNR**

Thank you for your pre-app advice submission, I have discussed the proposal with the Development Manager and have the following comments to make in relation to the grounds in your covering letter:

**Ground 1- The existing condition of the building**

With regards to ground 1 as the residential prior notification was submitted after works had commenced the proposal could not be determined under a prior notification application. The council still consider this to be the case.

**Ground 2 – Commencement of the approved office use under class R**

While physical works have started the use of the building as an office has not, and therefore it would not be classed as Previously Developed Land. However if the client wants to implement the use of the permission then it would be considered as PDL.

**Ground 3 - Conversion/redevelopment of Building A through full planning application procedure**

It is considered in planning terms the proposal to convert building A into residential would likely be acceptable. The proposal would be assessed under policy H13 of the Local Plan. Policy H13 states that the conversion of rural buildings whose form, bulk, design, materials and scale are in keeping with its surrounding is normally acceptable. The existing building is a relatively modern and while it is not considered to have any architectural merit, it is considered to be in keeping with this rural location. The relevant criteria of Policy H13 are set out below:

1. The building would be capable of conversion without extensive alteration or rebuilding and/or extension;
2. The conversion can be achieved without detrimental effect on the building's fabric or character;
3. The creation of a residential curtilage, access and car parking facilities could be achieved without harm to the character of the countryside;
4. The Local Planning Authority is satisfied that, in the case of a recently constructed building, there was a genuine agricultural justification for the erection of the building originally;
5. Re-use of the building for economic development purposes would be inappropriate by reason of its location or its scale or design; and

6. The conversion would meet an identified local need for housing which does not conflict with a need to retain local employment opportunities, and is in a location that has good accessibility to a range of services in a nearby settlement

When looking at these six points you will need to ensure that the building is structurally sound and would be capable of converting. Therefore we would require you to submit a structural report, which details how the building would be able to cope with the additional weight from the conversion without extensive rebuilding. In order for the conversion to be considered acceptable you should assess what is there now and how it can be converted by keeping as much of the existing as possible. The conversion of the buildings should retain the simple character of the buildings, and its conversion should not result in domesticated buildings but retain this simple and functional appearance. Using materials that are typical of a rural setting would have less impact on the character of area. Any extensions to the buildings should be minimal and not significantly increase the footprint or bulk of the property. The proposed curtilage of the dwellings would need to be modest in relation to the new residential dwelling and ensure that it does not spread a domestic garden into the open countryside. The same would go for parking. It is recognised that a driveway and some form of parking would be required, but this would need to be low key and again not have an urban appearance.

It is apparent from the age of the buildings that there is genuine justification for the buildings originally, and therefore they would meet with criterion 4.

With regard to criterion 5 it is considered that the site was acceptable for economic purposes as it was going to be used for offices. Therefore I would recommend including in your supporting statement why the office use is no longer an option for the applicant, whether it was due to its scale or that it was not going to be viable for example.

Criterion 6 (local need for housing which does not conflict with a need to retain employment) is no longer applicable as it is not considered to be compliant with the NPPF.

In addition to the above the other fundamental issue is whether the proposal is compliant with policies related to the Green Belt. Only certain types of new development are permitted in the Metropolitan Green Belt, as detailed in MGB1 of the adopted Local Plan and Core Policy 2. This includes the re-use of a building provided any proposal is in accordance with policy H13 and does not include any associated uses of land around the building which might conflict with the openness of the Metropolitan Green Belt or the purposes of including land in it.

Paragraph 146 of the National Planning Policy Framework 2018 states that certain forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. This includes the re-use of buildings provided that the buildings are of permanent and substantial construction.

It is considered that the proposal would meet with this part of the NPPF. In addition certain weight would also be given to the fact that if works had not been undertaken before hand the proposal would have met with the criteria of Class Q of the GPDO.

### Summary

It is considered that the proposal to convert building A into residential can no longer be considered under a prior notification as works have commenced. It is also considered that it is only the physical works that have commenced and not the use of the building and therefore is not classed as PDL. However it would be a possibility to convert the building into

new residential units under policy H13 of the Local plan, and still meet with the Green Belt policies under Core Policy 2 and paragraph 146 of the NPPF.

The opinions expressed in this email are informal and are not binding on the Officers and Members of Tunbridge Wells Borough Council in their determination of any future applications or enforcement matter. Any formal application would undergo full consultation with neighbouring properties, the Parish Council, other officers and any appropriate bodies. In addition, the case officer would carry out a site visit to make a comprehensive assessment of the proposals in its context.

Yours Sincerely

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Planning Officer

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