



Appeal Decision

Site visit made on 12 September 2023

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2023

Appeal Ref: APP/G2245/W/23/3315506

The Woodman, 2 High Street, Otford TN14 5PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Kennedy against the decision of Sevenoaks District Council.
 - The application Ref 22/02486/FUL, dated 6 September 2022, was refused by notice dated 6 January 2023.
 - The development proposed is partial demolition, refurbishment and extensions at The Woodman Public House with retention of existing commercial unit and two existing flats with provision of 2 no. new flats with associated hard and soft landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for partial demolition, refurbishment and extensions at The Woodman Public House with retention of existing commercial unit and two existing flats with provision of 2 no. new flats with associated hard and soft landscaping at The Woodman, 2 High Street, Otford TN14 5PQ in accordance with the terms of the application, Ref 22/02486/FUL, dated 6 September 2022, subject to the conditions set out in the schedule at the end of this decision.

Applications for costs

2. An application for costs was made by Mr Kennedy against Sevenoaks District Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the Otford Conservation Area (CA) and the Kent Downs Area of Outstanding Natural Beauty (AONB).

Reasons

Character and Appearance

Heritage

4. Otford Conservation Area (CA) derives its significance as a whole from being the historic nucleus of this settlement with a mix of historic commercial, residential and public buildings a number of which are listed. It is focused around the pond and surrounding green. The Woodman Pub is a landmark feature which faces towards the important open space of the pond and green. Its use as well as its detailing and appearance, reflective of this use, is characteristic of the traditional commercial uses in this village centre. The building makes a positive contribution to the CA in this regard. Furthermore, it

is highly visible due to its location in a prominent position on the corner of the High Street and Leonard Avenue overlooking the focal point of the pond.

5. The proposed development would introduce additions including a substantial two storey extension to the rear of the pub. The application also proposes landscaping to the grounds with planting around the perimeter of the building. Along with refurbishment of the building comprising, reintroduction of the former chimney features, the removal of the paint and render from the ground floor front and side elevations to reveal the original brickwork, the removal of tile hanging from the first-floor front elevation to expose the original brickwork, and the refurbishment of the dormer windows.
6. The proposed two storey extension would have a lower roof height than the main building and would be located to the rear of the plot, and would appear secondary to the host property. The proposed design including the tiled pitched roofs would complement the existing building. Also, the proposed restoration of the historic external features would enhance this building's traditional character. Whilst there would be increased built form to the rear, the proposed landscaping and separation from the boundaries would not result in an overly cramped appearance. Consequently, the proposed development would be appropriate to the character and appearance of the building, the important traditional pub appearance to the frontage would be retained and would remain dominant and the historic features to these elevations would be enhanced.
7. Given that the proposed alterations would be acceptable in terms of their character and appearance, the fact that they would be highly visible from Leonard Avenue and seen in limited views from the front and across the pond would not result in harm to the surrounding CA. As such, overall, the proposed development would preserve the character and appearance of the CA.
8. My attention is also drawn to the Grade II listed pond, its features of significance being that it is an historically important feature in the village centre. The Woodman Pub faces towards the pond and is highly visible in views towards it and therefore forms part of its setting. However, the extensions and alterations would retain the character and appearance, particularly to the frontage, of the pub. As such the proposed development would not be harmful to the setting of the listed pond.
9. There are other listed buildings in the vicinity including 4 High Street, Colets Well, and the wall surrounding Colets Well. However there is no substantive evidence before me that the proposed development would have a harmful effect on their settings and I have no reason to conclude otherwise.

AONB

10. The site is located within the AONB. The National Planning Policy Framework (the Framework) requires that I give great weight to conserving and enhancing landscape and scenic beauty in this area and it has the highest status of protection in relation to these issues. Policy EN5 of the Allocations and Development Management Plan (2015) (ADMP) echoes these requirements and requires that the form, scale, materials and design of any proposal within the AONB would conserve and enhance the character of the landscape.
11. The village of Otford is within a wider countryside setting characterised by its natural beauty. The Woodman pub is part of the development that comprises

the village, and its plot sits within the buildings along the High Street with Leonard Avenue properties to the rear. Whilst the proposed development would increase the amount of built form on this site, for the reasons set out above this would be seen as a subservient addition to an existing building within a plot which is currently mainly hardstanding and within the village.

12. Views towards the countryside land to the rear of the Woodman are currently seen in the context of the existing roofscape of Leonard Avenue and High Street. As such the introduction of the proposed development to the rear would not significantly alter these views of the countryside. Therefore the proposed development would not be harmful to landscape or scenic beauty in this area.

Summary

13. Therefore the proposed development would preserve the character and appearance of the CA and would have an acceptable effect on the AONB. As such it would be in accordance with Policies EN1, EN4 and EN5 of the ADMP. Together these set criteria to achieve high quality design, require that development must conserve or enhance the character, appearance and setting of any affected heritage asset, as well as the aims set out above.

Other Matters

14. I am provided with a detailed parking survey which demonstrates that sufficient parking for customers of the Woodman would be available within a short walk. As such any overspill parking would be unlikely to lead to parking in unsuitable and unsafe locations which would have a harmful effect on pedestrian safety. Comings and goings from the proposed car parking spaces for the flats would be relatively limited and would not result in unacceptably increased congestion at the junction with Leonards Avenue and the High Street. The delivery and servicing is proposed in a similar location to the existing, and I have no detail that leads me to think that this does not function satisfactorily. Consequently, the proposed development would not result in an unacceptable effect on highway safety.
15. There are ground and first floor windows adjoining the site at 4 High Street. However, the two storey extension is set back from the boundary in this location. Furthermore, there is a large evergreen hedge along this boundary which would be retained as part of this development and would suitably screen any views between the properties and from the first floor terrace. Consequently no harmful overlooking would occur. Furthermore the evidence before me states that these windows do not serve habitable rooms. As such there would be no unacceptable loss of light to the dwelling. The proposed rear building line would be similar to no 4 and consequently there would not be a significant effect on light to the garden area. The bin store would also be located in the landscaped area. However, given the scale of the development the intensity of the use is such that unacceptable effects on neighbouring amenity would be unlikely.
16. The evidence before me sets out that the development is proposed to ensure the long term viability of the pub, and I have no similarly substantive contradictory evidence to demonstrate that this would not be the case.

Conditions

17. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents, including ensuring that the conditions would not unnecessarily delay the delivery of development.
18. I am attaching the standard implementation condition, and in the interests of certainty a condition to define the plans with which the scheme should accord. Drawing 7592-PD-06 'Street Scenes' includes a list of dated revisions. The version on which the Council made their decision is Rev C, dated 06.09.22. Although the revision is not part of the drawing number, for clarity this description is included within the list of approved plans.
19. Conditions relating to the detail of the external materials including joinery details and railings are required in the interests of the character and appearance of the area. However, such details would not be implemented prior to above ground works and therefore these conditions have been amended so they are not pre commencement. Furthermore, a scheme detailing the methodology for the removal of render and a requirement that the chimney stack must match the existing and dormer restoration shall be carried out on a like for like basis are also required in the interests of character and appearance.
20. Separate commercial and residential bike storage should be provided, and the Council have requested separate cycle parking for each unit. However, it is not necessary to specify this level of detail in the condition and it would be for the Council to determine the appropriateness of this detail at the time of any submission. This condition has therefore been altered accordingly. This, along with the provision of electric vehicle charging points, is required in the interests of sustainable transport. Car parking and suitable visibility splays are required in order to ensure an acceptable effect on highway safety. A Construction Transport Management Plan is also required in the interests of highway safety and neighbouring amenity. However, the requirements for details of reducing waste have been removed as this does not meet these objectives, and of vehicles routing as this would seek to control matters outside the appeal site boundary. This condition is required to be pre commencement as the measures are required for the full duration of the development and this has been agreed by the appellant.
21. The site has potential for Roman and later archaeological remains to survive beneath the ground surface. As such conditions requiring a phased programme of archaeological investigation and monitoring and recording are required by condition. This is required in order to ensure that features of archaeological interest are properly recorded and examined. It has been agreed with the appellant that this condition is required to be pre commencement as this relates to work that must occur prior to any building works.
22. Details of acoustic barriers and/or screens to external amenity areas would be required in the interests of the living conditions of future occupiers. Furthermore, for the same reason, all other recommendations in the noise report should be complied with and therefore this is also secured by condition. The proposed development would be required to be carried out in accordance

with the submitted tree report in the interests of the character and appearance and biodiversity of the area.

Conclusion

23. For the reasons given above I conclude that the appeal should be allowed.

H Miles

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: TW/TSP/1924-01, TW/TPP/1924-03, 7592-PD-01A, 7592-PD-04B, 7592-PD-05C, 7592-PD-06 (Rev C dated 06.09.22).
- 3) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:
 - i) Parking and turning areas for construction and delivery vehicles and site personnel
 - ii) Timing of deliveries
 - iii) Provision of wheel washing facilities
 - iv) Programme of works (including measures for traffic management/signage)
 - v) Loading and unloading of plant and materials
 - vi) Storage of plant and materials used in constructing the development
 - vii) Measures to control the emissions of dust and dirt during construction
 - viii) Hours of operation.
- 4) No development shall take place until
 - i) a specification and written timetable for archaeological field evaluation works has been submitted to and approved in writing by the Local Planning Authority. The field evaluation works shall be carried out in accordance with the approved details prior to the commencement of development.
 - ii) following on from the evaluation, details of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording including a specification and timetable shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5) No development shall take place until a written specification and timetable detailing a programme of archaeological building recording has been submitted to and approved in writing by the Local Planning Authority. The proposed development shall be carried out in accordance with the approved details.
- 6) No above ground development shall take place until specification and materials samples for external materials, including the roof tiles and brick (including information on bond) for the extension, bin store and boundary walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 7) No above ground development shall take place until joinery details for windows, doors, and details of the new glass balustrade at a scale of 1:10 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8) No removal of the render from the brick facades shall take place until a methodology for the removal of the render from the brick facades, including testing and results of the proposed method on a small area on the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9) The development hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plan number 7592-PD-01A for vehicles to park. That area shall be permanently retained exclusively for the parking of vehicles.
- 10) The development hereby approved shall not be occupied until details of an electrical vehicle charging point and bicycle stores have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved electrical vehicle charging point and bicycle stores have been implemented and these shall be retained as approved at all times.
- 11) The development hereby approved shall not be occupied until pedestrian visibility splays measuring two metres x two metres behind the footway on both sides of the vehicular access, with no obstructions over 0.6m above the footway, have been provided on the site. The visibility splays shall thereafter be maintained as first implemented.
- 12) The development hereby approved shall not be occupied until details of an acoustic barrier and/or screen on all proposed terraces has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented and barriers and/or screens shall be retained as approved at all times.
- 13) The development hereby approved shall not be occupied until a written specification and timetable detailing a programme of archaeological post excavation and publication work has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved programme of archaeological post excavation and publication work has been carried out.
- 14) Within 3 months of commencement of development, full specifications including drawings of the railings to the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the proposed development has been carried out in accordance with the approved details.
- 15) The materials, brick coursing, pointing and design of the brickwork and the over sailing courses of the two chimney stacks that are to be reinstated shall match that of the one surviving chimney stack.
- 16) The restoration of the dormers on the building shall be carried out on a like for like basis.

- 17) The development shall be implemented and operate in accordance with the Noise Assessment ref R13-NOI-02.1_4053 revision 2.1.
- 18) The development shall be implemented and operate in accordance with the Arboricultural Report ref SA/1924/22 dated 26 January 2022.