

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 19/01099/FULL6

**Ward:**  
**Bromley Common And  
Keston**

**Address :** Holwood House, Westerham Road,  
Keston BR2 6HB

**Objections: No**

**OS Grid Ref: E: 542272 N: 163569**

**Applicant :** Mr P Waddell

### **Description of Development:**

The construction of a garden/parkland maintenance building, with associated access works at Holwood House, Keston

Key designations:

Areas of Archeological Significance  
Ancient Monuments Ancient Monument - LO101  
Biggin Hill Noise Contours  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Sites of Interest for Nat. Conservation  
Smoke Control SCA 14

### **Proposal**

Planning permission is sought for the construction of a garden/parkland maintenance building, with associated access works at Holwood House, Keston.

The new outbuilding would be 12m wide, 18m deep with a pitched roof to a maximum height of 5.058m (eaves 4m). The outbuilding would be covered in 40mm olive green composite panels. The outbuilding would be accessed via a new access leading from the garage entrance and would be a gravel driveway with timber edging.

### **Location and Key Constraints**

The site is located to the south of Keston Village and Westerham Road and set within approximately 50 acres of parkland and gardens and within the Green Belt. Holwood Mansion is a grade I listed dwelling and the site is also a Grade II registered historic park.

The list description for Holwood Manson is as follows:

"William Pitt the younger had a house here on this site. This was demolished and rebuilt by Decimus Burton for John Ward in 1825. Lord Cranworth, who was Lord Chancellor from 1852-8 and from 1865-6 also lived here. 2 storeys. 13 windows. White brick on a stone base with stone stringcourse cornice and parapet. The north-west or entrance front has a central projecting portion of 3 windows with a recessed porch in this having 2 fluted stone Greek Doric columns, a window on each side of the porch flanked by pilasters and a stone entablature with pediment over. At each end is a one-storey pavilion of 3 round-headed windows with a pediment over. At the north- east end is a service wing of 9 windows. The south-east or garden front has a central bow with 4 free-standing fluted Ionic columns and 2 Doric pilasters standing on a plinth of 6 semi-circular steps and rising the whole height of the house with a stone entablature above. The 3 window bays at each end are recessed. Their ground floor has 2 fluted Doric columns and 2 pilasters. To the south-east of the house is a very fine cedar tree at least as old as Pitt's time.

### **Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and representation were received which supported the application

- Fully support the erection of this building as it will have no adverse effect on the community. The building is essential for the storage of equipment needed to manage such a large site and it has been sensitively positioned out of sight.
- Wholly reasonable improvement to the property which will have no adverse effect on neighbours or, on the property itself.

### **Comments from Consultees**

Conservation Officer - I note that Historic England do not raise any objections to the proposal on the basis that it is sufficiently subservient and not harmful to the listed building or its setting. I raise no additional heritage objections to this and agree that the development would cause less than substantial harm and therefore on balance the proposal accords with Policy 38.

Historic England - Conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The Garden Trust – No comments have been received.

### **Policy Context**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application;
- (b) any local finance considerations, so far as material to the application; and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

The London Plan (2016):

Policy 7.4 Local Character  
Policy 7.6 Architecture  
Policy 7.8 Heritage Assets  
Policy 7.16 Green Belt

Bromley Local Plan (2019):

Policy 6 Residential Extensions  
Policy 37 General Design of Development  
Policy 38 Statutory Listed Buildings  
Policy 45 Historic Parks and Gardens  
Policy 49 The Green Belt  
Policy 51 Dwellings in the Green Belt or on Metropolitan Open Land  
Policy 73 Development and Trees

Other Guidance:

Supplementary Planning Guidance 1 - General Design Principles  
Supplementary Planning Guidance 2 – Residential Design Guidance

**Planning History**

There is a long planning history for this site however only the following are considered relevant:

99/00928/FULL2 - Change of use of mansion and part of grounds from offices (Class B1) to dwelling with domestic curtilage – Approved - 15.06.2001

99/01478/LBC - Demolition of Perry Block stable yard building and the stable yard/garden wall and structures adjacent to the north-eastern corner of Holwood House (Renewal of LISTED BUILDING CONSENT 93.0279) - 03.08.1999

99/03174/FULL1 - Partial demolition, elevational alterations and hard landscaping – Permission - 12.02.2001

99/03175/LBC - Partial demolition and elevational and internal alterations to facilitate conversion to dwelling with hard landscaping LISTED BUILDING CONSENT - 01.02.2001

05/00172/FULL6 - Single storey extension comprising swimming pool and garages – Permission - 10.03.2005

05/00260/LBC - Single storey extension comprising swimming pool and garages and internal alterations LISTED BUILDING CONSENT - 10.03.2005

05/01951/FULL1 - 2 entrance wall features at access to Westerham Road (1m high) – Approved -18.08.2005

17/05118/FULL6 - Regularisation of works to renovated and restored Holwood House and part of the swimming pool/garage extension works together with repairs/rebuilding of roof structure – Permission - 21.05.2018

18/00920/LBC - Regularisation of works to renovated and restored Holwood House and part of the swimming pool/garage extension works together with repairs/rebuilding of roof structure LISTED BUILDING CONSENT - 21.05.2018

18/03151/FULL6 - Application for the construction of deer proof fencing, security fencing, railings and new gates – Approved

18/05371/FULL1 - Erection of a fountain in the grounds of Holwood House, Keston – Approved

18/05372/LBC - Erection of a fountain in the grounds of Holwood House, Keston – Approved

18/05386/FULL1 - Extension of the existing garage to provide further garaging of vehicles and associated external works – Approved

18/05383/LBC - Extension of the existing garage to provide further garaging of vehicles and associated external works - Approved

Please note that a full list of the planning history can be found on the Council's website.

## Considerations

It is considered the planning issues and considerations relate to:

- Design and Impact on the Statutory Listed Building
- Impact on the Green Belt
- Neighbouring amenity
- Mayoral CIL

### Impact on the Statutory Listed Building:

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.

The host building is Grade I Listed, Policy 38 of the BLP states that applications for development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting. These policies are supported by London Plan Policy 7.8.

The site is also a Grade II registered historic park and as such Policy 45 of the BLP needs to be considered. This policy states that applications within or adjoining a registered historic park or garden will be expected to protect the special features, historic interest and setting of the park or garden. The Council will seek to ensure that the park or garden is appropriately managed or maintained in a manner which reflects its status and designation.

The Register does not provide statutory protection, nor does it imply any additional powers to control development. However, the historic interest of a park or garden has been established as a material planning consideration, and in considering applications on the sites in the London Borough of Bromley, the Council will consult

Historic England. The Council will review from time to time other historic parks and gardens within the Borough with a view to identifying their special interest. Historic England, London Historic Parks & Gardens Trust and others will be consulted as part of the review process.

National policy on design is set out in the National Planning Policy Framework, this states that the appearance of proposed development and its relationship to its surroundings are material planning considerations. Therefore development plans should provide clear indications of a planning authority's design expectation and concentrate on broad matters of scale, density, height, layout, landscape and access.

New development should contribute towards a better quality of environment as part of a coherent urban design framework, which looks at how the urban form is used and how that form has an impact on the way development is planned. The Unitary Development Plan contains policies designed to promote very high standards of design, to preserve and enhance the existing character of areas to promote environmental importance, and to ensure that the natural environment is not adversely affected.

Policy 37 of the BLP requires all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout, this is supported by London Plan Policies 7.4 and 7.6.

The proposed structure is substantial, which may be perceivable to some degree from views looking east towards the application site from the rear of Holwood House. This may be particularly true in winter months when tree screening is reduced. Nevertheless the applicant has sought to minimise the potential impact through careful analysis of the building's positioning, reducing its proposed height, and embarking on an appropriate landscape strategy to reduce its visual prominence. Its construction will also follow a no dig method. Historic England therefore considered that the potential impact would be minimal.

Historic England acknowledges that the provision of a dedicated storage facility would have associated heritage benefits. In addition to enabling better management and restoration of the Repton inspired landscape, the existing storage containers that abut the walled garden, and currently adversely impact the setting of the registered garden and grade I listed property would be made redundant and removed. And as such the garden wall will be repaired as part of these works which would enhance the setting of those nearby heritage assets.

With regards to the Scheduled Monument, the route of the access road avoids the Scheduled Monument entirely, and as such is not considered to have any impact on this.

It is considered that the proposed development would not visually interrupt the architectural composition in a harmful manner. And it is therefore considered that the proposed works would not detract from the character and appearance of this listed building.

The new structure would be similar in appearance to an agricultural building and not an uncommon feature on large estates where there is a need for garden/maintenance buildings. Whilst the design is functional and for the reasons set out above, it is therefore considered that the proposed works would not detract from the character and appearance of this listed building, the park or ancient monument.

#### Impact on the Green Belt:

Paragraphs 133 - 147 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The Green Belt is intended to serve five purposes:

- 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.

Paragraphs 143 - 147 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Policy 7.16 of the London Plan similarly indicates Green Belts should be protected from inappropriate development. Policy 49 of the BLP is in accordance with the Framework, confirming a presumption against inappropriate development unless very special circumstances exist. Policy 50 states that other development within the curtilage is inappropriate by definition and would only be permitted where very special circumstances have been demonstrated.

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The Council wishes to ensure that there is no incremental harm to the Green Belt that collectively may jeopardise the open nature of the countryside, or other open land. Development which falls outside the appropriate uses is, by definition, harmful to the Green Belt. The openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the

Green Belt which might be visually detrimental by reasons of scale, siting, materials or design.

Where development is permitted, it will be subject to other policies addressing the design and landscaping of proposals in the countryside.

The new outbuilding would be located to the south-eastern corner of the host building, the outbuilding would measure 12m wide, 18m deep with a pitched roof to a maximum height of 5.058m (eaves 4m). The outbuilding is for a garden maintenance building to serve the 50 acre site. The outbuilding would need to accommodate a large amount of equipment including (but not exclusively) the following:

- Tractor;
- Gang mower;
- Topper for cutting wildflower meadows;
- Elevated platforms for maintaining trees and listed building;
- Road sweeper;
- Log cutting equipment (including hand saws, chainsaws, woodchipper);
- Space for storing of logs;
- Hedge trimmers and strimmer's;
- Power washers;
- Long reach pruners;
- Garden rollers;
- Wheelbarrows;
- Space for replacement deer fencing;
- Leaf blowers and garden vacuums;
- Hand-held garden tools;
- Space for material used for repairs;
- Storage of soil, compost, grass seeds, bulbs, bark, mulch and fertilisers.

The applicant wishes to restore the gardens in line with the original designs by Humphry Repton, therefore the restoration work and ongoing maintenance will require a structure for the storage of the garden tools and machinery needed to achieve this.

There are also well justified reasons for requiring the development proposed given that there is currently a shipping container located next to the Listed Walls within the Walled Garden to the rear of the house which are used to store the garden equipment, this is to be removed if planning permission is forthcoming and the area restored as part of the ongoing maintenance/masterplan for the estate. As such, all of the factors set out above are considered to be very special circumstances which outweigh the harm caused by the inappropriateness of the development, and the proposed is thus considered acceptable in Green Belt policy terms.

Consideration must also be given to the impact on the openness of the Green Belt. Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence



of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.

The area of land where the outbuilding would be sited is adjacent to an area previously used for the disposal of rubbish. As part of the landscape masterplan this area will be restored and will result in the rationalising of the storage across the site into one place. The location of the outbuilding has been sensitively located as to not interrupt the important views of the open and historic landscape, listed building and ancient monument.

The outbuilding proposed would constitute inappropriate development in the Green Belt as it does not fall into any of the exceptions set out in current policy. As set out above the building itself is considered acceptable in relation to the historic importance of the site and as concluded below, there is considered to be no conflict with any other established policy. The new building in part would replace the existing storage container (albeit in a different and more discrete location) whilst the size is large it would be replacing the existing refuse area and allowing the historic park and gardens to be restored and as such is not considered to cause any substantive harm to the openness of the Green Belt or the character of the area by reason of its design and siting.

#### Neighbouring Amenity:

Policy 37 of the Bromley Local Plan state that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

Due to the location of the proposed outbuilding the proposed works would not impact on any of the neighbouring occupiers in terms of creating a sense of enclosure loss of sunlight / daylight and loss of outlook.

For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

#### CIL:

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

#### **Conclusion**

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not visually interrupt the architectural composition of the Grade I Listed Building in a harmful manner, nor result in a significant loss of amenity to local residents or impact detrimentally on the character of the area and Green Belt.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

**as amended by documents received on 03.06.2019, 05.08.2019 and 11.10.2019**

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: To comply with Section 91 of the Town and Country Planning Act 1990**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**

- 3 Within 3 months from substantial completion of the outbuilding hereby approved the shipping container and the compost bins which site adjacent to the listed wall garden as shown on drawing No. PLAN JAC 1 shall be removed and the ground restored.**

**Reason: In order to comply with Policies 37 and 38 of the Bromley Local Plan and in the interest of the appearance of the Statutory Listed Building and the visual amenities of the area.**

- 4 Prior to installation details of the proposed trellis fencing, including colour, materials and height shall be submitted to and approved in writing by the Local Planning Authority. The trellis fencing shall be installed fully in accordance with these approved details.**

**Reason: In order to comply with Policies 37 and 38 of the Bromley Local Plan and in the interest of the appearance of the Statutory Listed Building and the visual amenities of the area.**

- 5 The outbuilding hereby permitted shall be construed fully in accordance with the details set out on drawing No. DHA/13134/14 in terms of colour and use of materials.**

**Reason: In order to comply with Policies 37 and 38 of the Bromley Local Plan and in the interest of the appearance of the Statutory Listed Building and the visual amenities of the area.**

**You are further informed that:**

- 1 The applicant is advised that they should contact Historic England prior to construction.**