

Planning Statement



Demolition of part of Greenacres ,
demolition of Polo Mews North,
demolition of part of Polo Mews South
and demolition of part of The
Bothy. Erection of linking extension
between Polo Mews North and Polo
Mews South. Erection of two storey
extension to The Bothy. Establishment
of new vineyard. Provision of new
solar panel array. Erection of
hydrogen energy plant and
equipment. Erection of new single
storey dwelling. Rearrangement of
the internal access roads.

At
Home Farm
Kemnal Road
Chislehurst
BR7 6LY



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JOHN ESCOTT

London University 1974 – BA (Hons) Geography & Social Anthropology

Polytechnic of the Southbank – 1978 – Post Graduate Diploma in Town & Country Planning

Royal Town Planning Institute – Chartered Member of the Institute since 1979

Experience

Has over 40 years' experience in Town & Country Planning and have held senior positions in both the public and private sectors including Associate Director with responsibility for planning and development consultancy at a major national firm of Chartered Surveyors.

Formally principal of AJP Planning, the planning consultancy practice of AJP Frankham Ltd, a sizeable multi-disciplinary firm of Architects, Planners, Surveyors and Project Managers. I remain a consultant to this firm.

Consultant to Michael Rogers & Co, Chartered Surveyors with offices in central London and south east England.

Senior Partner of Robinson Escott Planning, Chartered Town Planning & Development Consultants.

Wide ranging experience in all aspects of planning, including cases relating to;

- Residential proposals both large and small.
- Commercial – office and small business unit schemes.
- Leisure uses including sporting facilities.
- Green Belt cases.
- Educational proposals

Represented many large house building and corporate clients as well as a wide range of other bodies and individuals. I have acted for a number of Local Planning Authorities as well as other public bodies such as NHS Trusts.

I am familiar with the site having obtained the original planning permission for Greenacres in 1995.

My practice has been advising Mr and Mrs Selby ever since.

1. INTRODUCTION

- 1.1. This planning statement has been prepared on behalf of Mr and Mrs A Selby to support an application for planning permission for the partial demolition and replacement extensions of existing locally Listed Buildings, a new viticultural enterprise, new solar and hydrogen energy plant, a new single storey dwelling & landscape enhancement to a small-scale family farm on Green Belt land at Home Farm, Kemnal Road, Chislehurst BR7 6LY.
- 1.2. In addition to this planning statement, the application is supported by the following documents;
- Design & Access Statement- Hollaway Architects
 - Landscape Design & Access Statement & Masterplan – EDLA Landscape Architects
 - Landscape and Visual Impact Assessment- EDLA Landscape Architects
 - Heritage Impact Assessment – The Heritage Collective
 - Preliminary Ecological Appraisal – Ecology Partnership
 - Tree Survey & Root Protection Plan – Quaife Woodlands
 - Sustainability & Energy Statement – Bluesky Ltd
 - Flood Risk Assessment and Surface Water Drainage Strategy – Herrington Consulting
- 1.3. In preparing this planning statement, regard has been had to the assessments and conclusions of these reports.
- 1.4. Regard has also had been had to the extensive planning history relating to Home Farm and, in particular, the extant permission, DC/19/05265, for extensive works of reconfiguration, extensions and demolitions to the existing seven residential properties at Home Farm. The permission remains extant until the 23rd September 2023.
- 1.5. The planning statement has been prepared following a full review of relevant national planning policy as set out in the National Planning Policy Framework 2021, the National Planning Practice Guidance and the National Design Guide. Assessment of the application proposals has also been undertaken in the light of Development Plan policy as set out in the London Plan 2021 and the Bromley Local Plan 2019.

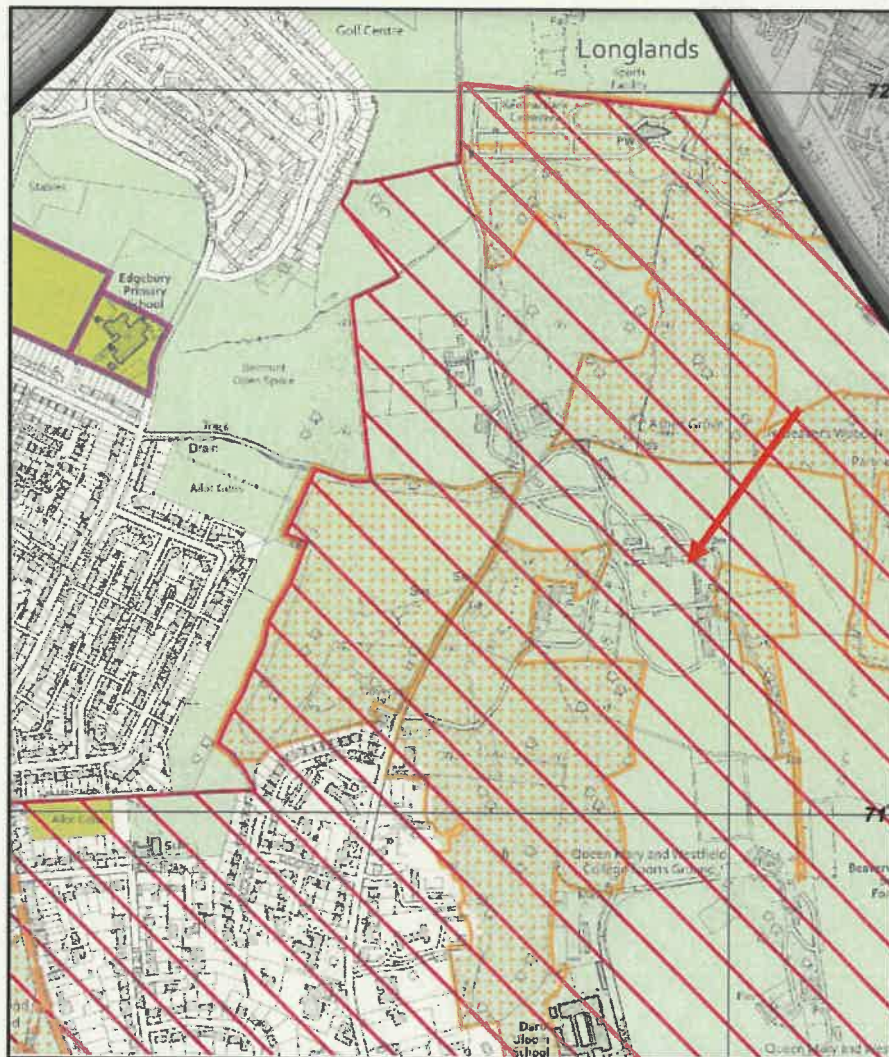
1.6. In summary, the conclusions of the planning statement are;

- The application proposal comprises development that is partly appropriate development within the Green Belt and partly inappropriate development within the Green Belt.
- The application proposals include the first hydrogen powered, net carbon zero house in the Borough.
- The application proposals include a house of exemplary and outstanding design quality.
- The application proposals comprise the first commercial vineyard in the Borough which would deliver a secure and viable future for Home Farm.
- The application proposals will include a range of landscaping and biodiversity enhancements.
- Taken overall, the application proposals would involve a net reduction in the amount built development in the Green Belt and also a net reduction in the amount and extent of hardstanding.
- The application proposals would not cause any actual harm to the openness of the Green Belt.
- A range of planning benefits would accrue from the application scheme, namely
 - A Borough-first in relation to sustainable and energy that would contribute towards achieving net carbon zero targets.
 - An enhancement to the standard of architecture and design in the Conservation Area and in the Borough more widely.
 - Improvements to the landscape character and visual quality of the area.
 - Enhancements to biodiversity through a 18% BNG.
 - Securing the future-viable agricultural use of the farm.
 - Enhancement to the character and appearance of the Conservation Area and enhancement to Locally Listed buildings.
 - Provision of a public picnic area, community orchard and visitor information.
- Taken cumulatively, the weight to be attached to these various benefits clearly outweighs the harm to the Green Belt such that very special circumstances exist.
- The application proposal complies with the policies of the Development Plan when read as a whole and comprises sustainable development.



2. THE APPLICATION SITE & SURROUNDING AREA

- 2.1. The application site is located on the eastern side of Kemnal Road, Chislehurst. Kemnal Road is a private road leading in a northerly direction from Ashfield Lane, Chislehurst. The first section of Kemnal Road extending as far as the entrance to Foxbury Manor is a largely residential road with a range of mainly detached houses but with some apartment buildings.
- 2.2. The northern section of Kemnal Road, from the entrance to Foxbury Manor northwards, is semi-rural in character with large areas of open land interspersed with a number of sizeable, detached houses.
- 2.3. Kemnal Road is situated within the Chislehurst Conservation Area which is described in more detail in the Heritage Assessment prepared by Dr Edis.
- 2.4. The northern section of Kemnal Road, including the application site, is located within the Metropolitan Green Belt.
- 2.5. An extract of the proposals map from the Bromley Local Plan showing these designations is set out below.



London Borough of Bromley Proposals Map Extract

- 2.6. Home Farm is located to the north of Foxbury, a Grade II Listed Building built in 1877 Home Farm originally comprised the residential, stable and agricultural buildings of the Foxbury Estate, but this connection has long since ceased. Currently, Home Farm comprises a small working family farm, a substantial detached house known as Greenacres together with a number of cottages, some of which have been converted from the original stable and agricultural buildings.

- 2.7. There is an agricultural barn that is situated in the north eastern corner of the Farm which currently accommodates the agricultural machinery that is used in connection with the Farm.
- 2.8. The applicants, Mr & Mrs Selby, operate the Farm and currently reside in Greenacres.
- 2.9. Mr and Mrs Selby are now at an age where they are both retired and wishing to downsize from Greenacres. However, they wish to remain living at Home Farm. Home Farm, for the first time, is now fully in the ownership of Mr and Mrs Selby and members of their family already reside in one of the dwellings.
- 2.10. In addition to wishing to remain at Home Farm, they want to oversee the future operation of the farm and the new viticultural enterprise.

3. RELEVANT PLANNING HISTORY

- 3.1. There is an extensive planning history relating to Home Farm.
- 3.2. In summary, planning permission was granted in July 1995 under Council reference 94/02666 for the demolition of Foxbury Cottage and of various stable, commercial and agricultural buildings, that had previously been used by the West Kent Turf Company for commercial purposes, and the erection of a new detached five bedroom dwelling and stable block together with attached vehicle and equipment store, first floor farm offices and the renovation of an existing stable block and the existing Cherry Tree Cottage.
- 3.3. A number of further permissions were granted through the late 1990s for the conversion of the stable yard into residential use and also the conversion of The Bothy, which previously had been used for workshop and storage purposes, also into residential use.
- 3.4. Subsequently, a detached garage outbuilding was erected as permitted development to the north west of The Bothy. A Certificate of Lawfulness was granted by the Council under reference DC/18/03868 for a single storey extension to the rear of Polo Mews South together with the erection of two detached garages within the rear garden.
- 3.5. Of direct relevance to the current application is a planning permission granted on the 23rd September 2020 under Council reference DC/19/05265 for the reconfiguration of the existing seven residential properties at Polo Mews, Bothy Cottage and Bothy House to enable four family homes to be provided together with part single storey and part two storey side and rear extensions to Bothy Cottage and a first floor rear extension to Bothy House. The permission also enabled a ground and lower ground floor extension to Polo Mews incorporating excavation works and two garages.
- 3.6. The Officer's Report and assessment that accompanied the application makes it plain that a decisive consideration in relation to the proposal was the fact that the proposed floor area of the application scheme would be less, as a consequence of the proposed demolition work, than the existing floor area and the permitted development extensions. The report concluded, therefore, that whilst the proposal would otherwise amount to inappropriate development in the Green Belt, the reduction in floor area and the lack of any harmful visual impact on the openness

of the Green Belt would amount to very special circumstances such as to justify permission being granted.

- 3.7. It was also judged that the application proposal would complement the locally Listed host properties and would not cause harm to the character and appearance of the Chislehurst Conservation Area.
- 3.8. Planning history that is also relevant to the proposal to create a vineyard at Home Farm, the details of which are explained in the Design and Access Statement, is an appeal decision in April 2021 relating to the agricultural barn in the north eastern corner of the site. The Council had sought to take enforcement action in respect of the barn on the basis that the building was not being used for the purposes of agriculture.
- 3.9. In allowing the appeal, the Inspector concluded that use of the land for agriculture had not permanently ceased and that there has been substantial planning for establishing a new vine - based enterprise on the Farm as a trade or business.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. A pre-application submission was made to the London Borough of Bromley on 7th July 2021. A subsequent site meeting took place with the case officer, Ms Jessica Lai, on 10th September. The site visit and meeting included a tour of the entire site including walking the length of footpath FPO42, viewing the proposed site of Vine House from the footpath and the surrounding land and viewing the existing complex of buildings, roads and hardstanding.
- 4.2. The site meeting was productive in establishing that the sloping and undulating nature of the proposed siting for Vine House would enable it largely to be integrated into the existing landscape.
- 4.3. A subsequent site meeting was undertaken on 27th September with the Council's urban design officer, Mr B Terry. This meeting was also productive in highlighting the further work that needed to be done in relation to design matters.
- 4.4. There was particular concern from both the planning and urban design officers regarding a new dwelling that was proposed to be sited to the north-west of The Bothy, a building that was designed to function as a Gatehouse.
- 4.5. Although there has been no formal pre-app response letter following the meetings, the points to be addressed in any submission were clearly articulated and the application proposal takes account of the advice and guidance provided. The proposed Gatehouse dwelling has been deleted from the application scheme.
- 4.6. Further discussions continued with the Council relating to the possible submission of the application proposal to an independent Design Review Panel. It was agreed with Council officers that this would be a worthwhile and beneficial exercise. Accordingly, a formal submission was made to Design South-East.

Design Review Panel

- 4.7. A site visit and design review meeting was held at Home Farm on 28th March 2022, attended by Council officers, Ms Lai and Mr Terry.

- 4.8. The report of the Design South-East panel was subsequently issued on 13th April 2022 and a copy is attached at **APPENDIX 1**.
- 4.9. The Design Review Panel welcomed the attempts to renew this once historic farmstead and introduce a new viticultural business powered by hydrogen. It was stated that this could become a landscape that, whilst maintaining openness within the Green Belt, celebrates a pioneering, sustainable viticultural business and offers opportunities for learning and delight.
- 4.10. It was noted that because of the location of the site in the Green Belt and in the Conservation Area, very special circumstances would need to be demonstrated.
- 4.11. A number of key recommendations were made and the applicants' consultant team have been working since this time to address these recommendation and to undertake the various pieces of work necessary to support the finalised proposal.
- 4.12. Of particular note are the following comments and recommendations;
- ***This scheme offers public benefit and social value. The picnic area is a welcomed gesture, but more generous educational and social benefit could be provided. This may also aid the 'special circumstances criteria', and set a positive precedent for development in the Green Belt.***
 - ***We welcome the consideration of operational carbon and are excited by the prospect of this site pioneering hydrogen production and being self-sufficient in energy terms.***
 - ***The site has limited biodiversity at present and therefore presents an opportunity for significant biodiversity net gain.***
 - ***We welcome the desire to improve the landscape by reducing impermeable hardstanding and simplifying the extensive vehicle routes. We endorse the landscape approach described, a transition from a naturalistic setting to a more formal immediate setting for the buildings.***
 - ***Relationship between homes and building volumes and how one would access them should be more evident and legible in the site plan.***
 - ***We are not convinced the sunken house is in the best place. It is not facing due south, so will not maximise the performance of the solar array and we are not convinced that views from the house are optimised.***

- ***It is noted that, being largely subterranean, this is a particularly appropriate architectural typology that complements rather than detracts from the Green Belt setting, as part of an existing estate setting with a range of aggregated dwelling forms. We welcome the passive principles incorporated into the home and these should be safeguarded even if it is not labelled as a passive dwelling.***

5. THE APPLICATION PROPOSAL

5.1. The application proposal is described in detail in the Design and Access Statement that has been prepared by Hollaway, the applicants' architects. Given the extensive level of detail and depth of analysis that are set out in the Design and Access Statement, it is not proposed to undertake any extensive repetition in this Planning Statement.

5.2. In summary, however, the key components of the application proposal are;

- Demolition of various extensions to Greenacres, Bothy Cottage and Polo Mews as well as other outbuildings on the estate including buildings to the rear of Cherry Tree Cottage.
- Remodelling of the existing dwellings to form four family homes, namely,
 - Bothy Cottage
 - Bothy House
 - Polo Mews
 - Green Acres
- Construction of new subterranean dwelling – Vine House – integrated into the existing rolling landscape.
- The scheme provides a total of six dwellings, therefore, on the estate in total (Cherry Tree Cottage remains undisturbed) as compared to the existing seven dwellings, i.e., no net increase in residential units on the estate and in the Green Belt.
- An overall reduction in floor area as compared to planning consent 19/05265.
- A net reduction in hardstanding and access roads of 1,134 m².
- A hydrogen plant and solar panel array for the first hydrogen powered house in London and to enable the house to be taken 'off the Grid' and be self-sufficient in energy. In addition, a solar panel array is proposed large enough to run the hydrogen system and produce a surplus to reduce the grid dependency of the farm in general.
- A new house of exemplary and exceptional quality reflecting the highest standards in architecture.
- A house that has been specifically designed to be single storey to meet the changing needs of the occupants but which also is appropriate to accommodate multi-generational living.

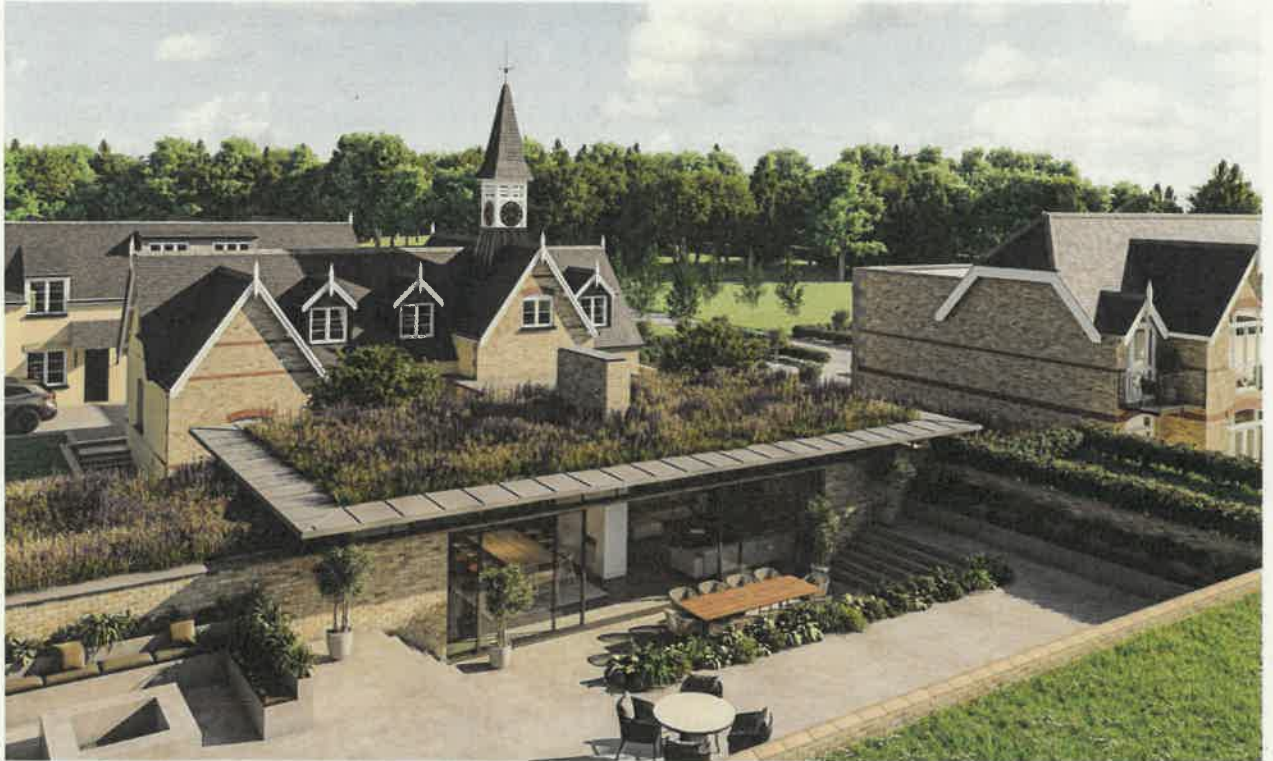
- The approach to design has been landscape led and includes significant planting across the site, the establishment of a new woodland corridor and where possible above-ground SUDS features to enhance ecology
- A substantial increase in biodiversity to achieve a BNG of 18%
- Establishment of a new vineyard, the first commercially run vineyard in the Borough.
- Formation of a new picnic area with visitor information.

5.3. All of the above scheme proposals have been designed to be achieved without harm to the openness of the Green Belt whilst, at the same time, creating a unique development proposal in the Borough and perhaps in the wider Metropolis.

Illustrative Masterplan



Illustrative Views of the Proposal





6. **PLANNING POLICY CONSIDERATIONS**

National Planning Policy Framework 2021

6.1. The main purpose of the NPPF (The Framework) is to help achieve sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are inter-dependent and need to be pursued in mutually supportive ways;

- **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support the growth, innovation and improved productivity; and by identifying and co-ordinating the provision of infrastructure;
- **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and culture well-being;
- **An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.2. Paragraph 11 of the Framework sets out the presumption in favour of sustainable development. For decision taking this means;

(d) where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, granting permission unless;

- (i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

- 6.3. As Bromley is currently unable to demonstrate a five year housing land supply, the policies most important for determining the application are out of date by reference to Footnote 8 of the Framework.
- 6.4. However, the site is located within the Green Belt and also within a Conservation Area and Footnote 7 of the Framework states that the Green Belt and designated heritage assets are areas to be protected provided that Green Belt and heritage policy provides a clear reason for refusing the development proposed.
- 6.5. Paragraph 12 advises that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where an application conflicts with an up to date Development Plan (including any Neighbourhood Plans that form part of the Development Plan) permission should not usually be granted.

Decision-making

- 6.6. Paragraph 38 advises that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 6.7. Paragraph 39 advises that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.
- 6.8. Paragraph 40 states that Local Planning Authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. The more issues that can be resolved at pre-application stage, the greater the benefits. This assists Local Planning Authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.

Delivering a Sufficient Supply of Homes

- 6.9. Paragraph 60 sets out the Government's objective of significantly boosting the supply of housing.

- 6.10. Paragraph 80 advises that planning decisions should avoid the development of isolated homes in the countryside unless;

The design is of exceptional quality, in that it:

- Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Building a Strong, Competitive Economy

- 6.11. Paragraph 84 relates to supporting a prosperous rural economy. It states that planning decisions should enable

- The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.
- The development and diversification of agricultural and other land-based rural businesses.

Achieving Well-Designed Places

- 6.12. Paragraph 126 is clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps makes development acceptable to communities.

6.13. Paragraph 130 advises that planning policies and decisions should ensure that developments;

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- Are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities)
- Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.
- Create places that are safe, inclusive and accessible and promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.14. Paragraph 132 advises that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the Local Planning Authority and the local community about the design and style of the emerging schemes is important for clarifying expectations and reconciling local and commercial interests.

Protecting Green Belt Land

6.15. Paragraph 137 confirms 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.

6.16. Paragraph 138 sets out the five purposes of the Green Belt which are;

- To check the unrestricted sprawl of large, built-up areas.
- To prevent neighbouring towns merging into one another.

- To assist in safeguarding the countryside from encroachment.
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.17. Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

6.18. Paragraph 148 advises that 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.

6.19. Paragraph 149 confirms that the construction of new buildings in the Green Belt is inappropriate unless it falls within one or more of the exceptions set out at paragraph 149. These exceptions include;

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would:

- not have a greater impact on the openness of the Green Belt than the existing development

6.20. Paragraph 151 advises that, when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

Beating the Challenge of Climate Change, Flooding and Coastal Change

6.21. Paragraph 152 of the Framework states that the planning system should support the transition to a low carbon future in a changing climate. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions and support renewable and low-carbon energy and associated infrastructure.

- 6.22. Paragraph 158 advises that, when determining planning applications for renewable and low carbon development, Local Planning Authorities should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and approve the application if its impacts are acceptable.

Conserving and Enhancing the Natural Environment

- 6.23. Paragraph 174 confirms that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 6.24. Paragraph 180 advises Local Planning Authorities that, in determining planning applications, development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhanced public access to nature where this is appropriate.

Conserving and Enhancing the Historic Environment

- 6.25. Paragraph 199 of the Framework states that great weight should be given to the conservation of a designated heritage asset.
- 6.26. Paragraph 202 advises that where a development proposal would 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.
- 6.27. Paragraph 203 advises that the effect on application on the significance of a non-designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Annex 2: Glossary

- 6.28. Annex 2 of the Framework sets out the definition of previously developed land. It is land which is or was occupied by a permanent structure, including the curtilage of the developed land. PDL excludes land that is or was last occupied by agricultural buildings.
- 6.29. The existing complex of dwellings in the south-western part of the site are not buildings that are or have been associated with agriculture and this part of the estate comprises previously developed land, therefore.

THE DEVELOPMENT PLAN

- 6.30. The Development Plan comprises the London Plan 2021 and the Bromley Local Plan 2019.

The London Plan 2021

- 6.31. **Policy D3** relates to the design-led approach. The policy encourages development to make the best use of land by following a design-led approach that optimises the capacity of sites. Development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. Development should be of a high quality with architectural that pays attention to detail. Schemes should aim for high sustainability standards.
- 6.32. **Policy D4** seeks to deliver good design. Design and Access Statements should demonstrate that the proposal meets the design requirements of the London Plan. Development proposals referable to the Mayor must have undergone at least one Design Review early on in their preparation before a planning application is made.
- 6.33. **Policy G2** relates to the Green Belt. The policy requires the Green Belt to be protected from inappropriate development and should be refused except where very special circumstances exist. Subject to national planning policy tests, the enhancement of the Green Belt to provide beneficial uses for Londoners should be supported.

- 6.34. **Policy G5** relates to urban greening. Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design. Measures such as high quality landscaping, green roofs and nature-based sustainable drainage should be incorporated.
- 6.35. **Policy G6** concerns biodiversity and access to nature. Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- 6.36. **Policy G7** relates to trees and woodlands. Development proposals should ensure that existing trees of value are retained. The planting of additional trees should generally be included in new developments.
- 6.37. **Policy HC 1** relates to heritage matters. The policy largely restates national policy in seeking to ensure that development proposals cause no harm to the significance of designated heritage assets.
- 6.38. **Policy SI 2** concerns minimising greenhouse gas emissions. Major development should be net zero carbon and should include a detailed energy strategy to demonstrate how a zero carbon target will be met. Development proposals referable to the Mayor should calculate whole life cycle carbon emissions and demonstrate actions taken to reduce life cycle carbon emissions.
- 6.39. **Policy SI 5** relates to water infrastructure and requires the use of water to be minimised and conserved in a sustainable manner.

Bromley Local Plan 2019

- 6.40. **Policy 4** relates to housing design. The policy requires all new housing developments to achieve a high standard of design and layout whilst enhancing the quality of local places.
- 6.41. **Policy 37** relates to the general design of development. In addition to requiring all development to be of a high standard of design and layout, the policy specifically expects space about buildings to provide opportunities to create attractive settings with hard or soft landscaping including enhancing biodiversity. It also expects development to address sustainable design and construction and include where appropriate onsite energy generation.

- 6.42. **Policy 39** in relation to Locally Listed buildings indicates that proposals to alter locally Listed buildings will be permitted provided that it is sympathetic to the character, appearance and special local interest of the building and it respects its setting.
- 6.43. **Policy 41** concerns Conservation Areas. The policy repeats national policy in that development proposals will need to preserve and enhance the character and appearance of the Conservation Area.
- 6.44. **Policy 49** sets out Green Belt policy. In essence, the policy repeats national policy and permits the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
- 6.45. **Policy 57** relates to outdoor recreation and leisure and indicates that proposals for outdoor recreation in the Green Belt will be permitted provided that the proposal maximises opportunities to provide better access to the countryside, is small-scale and does not adversely affect either the character or function of the designated area.
- 6.46. **Policy 63** concerns development that is related to farm diversification. The policy indicates that such schemes will be permitted where there is evidence that the wider benefits of farm diversification contribute to the very special circumstances required by Policy 50 and the scheme preserves the openness of the Green Belt and does not conflict with the purposes of including land in it.
- 6.47. **Policy 73** regarding trees, requires proposals for new development to take particular account of existing trees on the site which are considered desirable to be retained.
- 6.48. **Policy 116** requires all developments to seek to incorporate sustainable urban drainage systems.
- 6.49. **Policy 123** requires all applications for development to demonstrate how the principles of sustainable design and construction have been taken into account.

- 6.50. **Policy 124** relates to reducing carbon emissions. Major developments should reduce carbon dioxide emissions in accordance with the levels set out in the London Plan and a potential for renewable energy should be assessed as part of the design of the development to ensure successful integration.

The National Design Guide 2021

- 6.51. The National Design Guide sets out 10 characteristics of good design. In relation to context, characteristic C1 seeks well-designed, new development that responds positively to the features of the site itself and the surrounding context. It enhances positive qualities and improves negative ones. Well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it.
- 6.52. Characteristic C2 advises that well-designed buildings are influenced positively by the history and heritage of the site, its surroundings and the wider area.
- 6.53. In relation to the Identity Characteristic, the identity of a place comes from the way that buildings, landscape and infrastructure combine. Well-designed buildings are visually attractive and all design approaches and architectural styles are appropriate when designed well.
- 6.54. So far as the built form characteristic is concerned, good design means a building relates well to its context, to the lifestyles of its occupants and to resource efficiency, climate change and adaptation.
- 6.55. The Nature Characteristic states that nature contributes to the quality of a place and to people's quality of life. It is a critical component of well-designed places. Good design responds to the wider landscape, improves and enhances water management and supports rich and varied biodiversity.
- 6.56. The creation of well-designed public spaces is an ingredient of good design.

7. PLANNING ASSESSMENT

7.1. Given the unique circumstances of the application proposal, there are a wide range of policy considerations that are relevant to take into account as part of the application assessment. The structure of the assessment and the topic areas covered are set out below;

1. Green Belt policy; whether appropriate or inappropriate development.
2. If inappropriate development, then the extent of actual harm including harm to Green Belt openness.
3. Other material considerations – factors relevant to whether there are very special circumstances.
 - i. – Amount of development.
 - ii. – Sustainability/energy.
 - iii. – Design/architecture.
 - iv. – Landscape.
 - v. – Biodiversity.
 - vi. – Rural agricultural business.
 - vii. – Heritage.
 - viii. – Public benefits.

1 - Green Belt Policy – Appropriate or Inappropriate Development

7.2. The application proposals fall broadly into three component parts. Firstly, are the various alterations, extensions and reconfigurations within the existing complex of dwellings in the south-western part of the site; secondly, is the construction of Vine House and, thirdly, is the establishment of the vineyard and the ancillary facilities.

7.3. The complex of dwellings and related ancillary buildings in the south-western part of the site, namely, Green Acres, Polo Mews, The Bothy and Cherry Tree Cottage comprises previously developed land within the definition set out in Annex 2 of the Framework. The residential complex is separate and quite distinct from the agricultural land situated to the north and east. Whilst Mr and Mrs Selby live in Green Acres, there is no agricultural restriction condition and Greenacres does not function as an agricultural dwelling.

- 7.4. Paragraph 149 (g) of the Framework and Policy 49 of the Bromley Local Plan confirm that the partial or complete redevelopment of previously developed land would not constitute inappropriate development in the Green Belt provided that there would be no greater impact on the openness of the Green Belt than the existing development.
- 7.5. The application proposal for this part of the site involves alterations and partial redevelopment of the existing dwellings. The proposals, in essence, are a revision to the extant consent granted by the Council under reference 19/05265.
- 7.6. The alterations, demolitions and extensions to the existing dwellings would not result in any spread or sprawl of development beyond the existing developed areas. The alterations would actually result in a significant reduction in overall built form within this part of the site, would permit views through and between the buildings and would involve a significant reduction in hardstanding and parking areas.
- 7.7. Thus, the proposals would not have any greater impact on the openness of the Green Belt than the existing development. Indeed, the Council accepted in relation to 19/05265 that there would be no overall impact on the openness of the Green Belt and the current scheme is undoubtedly an improvement and enhancement as compared to this extant consent.
- 7.8. Accordingly, this part of the application proposal can reasonably be concluded to constitute appropriate development in the Green Belt in compliance with paragraph 149 (g) of the Framework and Policy 49 of the Bromley Local Plan.
- 7.9. The second component element of the overall application proposals is the erection of a new subterranean house integrated into the sloping land that currently comprises part of one of the fields on the farm, a field which is proposed, along with the other remaining agricultural land, to form part of the new vineyard.
- 7.10. Paragraph 149 of the Framework and Policy 49 of the Bromley Local Plan state that the construction of new buildings is inappropriate in the Green Belt unless the building falls within one of the exceptions.

- 7.11. Vine House is proposed to be occupied by the applicants, Mr and Mrs Selby and, whilst they are intending to play an active role in the family operation of the new viticultural business, both are now retired and the house is not sought to be justified on the grounds that it is a dwelling that is necessary for the purposes of agriculture. It is not argued, therefore, that the new dwelling would fall within the exception set out at paragraph 149 (a) of the Framework, namely, that it is a building for agriculture.
- 7.12. None of the other exceptions to Green Belt policy would apply and it is accepted, therefore, that Vine House constitutes inappropriate development and should only be approved if there are very special circumstances that would clearly outweigh any potential harm to the Green Belt and any other harm resulting from the proposal.
- 7.13. The third element of the overall proposals is the establishment of the new vineyard together with the related picnic area and visitor information adjacent to the public footpath in the south-eastern corner of the site.
- 7.14. The existing lawful use of the farmland is for agricultural purposes and the viticultural business that is proposed would fall within the definition of agriculture set out in Section 336 of the Act and thus not involve a material change of use requiring planning permission. In any event, it is a use of land which preserves the openness of the Green Belt and does not conflict with the purposes of including land within it and, therefore, would not be inappropriate by virtue of paragraph 150 of the Framework.
- 7.15. In summary, the application proposal when viewed holistically partly comprises appropriate development in the Green Belt but also partly comprises, in the form of the proposed new Vine House, inappropriate development which requires very special circumstances to be demonstrated in order for planning permission to be granted for this element of the scheme.

2 - If Inappropriate Development, Then The Extent of Actual Harm Including Harm To Green Belt Openness

- 7.16. Paragraph 148 of the Framework confirms that substantial weight should be given to any harm to the Green Belt and such harm arises, by definition, from development that is inappropriate development. However, any assessment needs also to consider whether a development proposal, as opposed to simply involving harm by reason of inappropriateness, causes any actual harm so that a judgement can be made as to the weight to be applied in the overall planning balance.
- 7.17. Green Belt openness as a concept was considered by the Supreme Court in **Samuel Smith Old Brewery & Others v North Yorkshire County Council [2020] UK SC3**. The judgement held that the assessment of openness was essentially a matter of planning judgement. Reference was made to the decision of the Court of Appeal **Turner v SOS for Communities and Local Government [2016] EWCA Civ 466** and, in particular, paragraph 14 of the judgement in Turner. The Supreme Court held that there was no challenge to the correctness to the statement of approach in paragraph 14 of Turner.
- 7.18. **Lord Justice Sales** said in paragraph 14 that in relation to assessing openness;

'The concept of openness of the Green Belt is not narrowly limited to the volumetric approach suggested by Counsel. The word 'openness' is open textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors as to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which volumetric matters may be a material concern but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt represents.'

7.19. Lord Justice Sales continued in paragraph 15;

'The question of visual impact is implicitly part of the concept of openness of the Green Belt as a matter of the natural meaning of the language used in para 89 of the NPPF (now paragraph 149)..... Greenness is a visual quality: part of the idea of the Green Belt is that the eye and the spirit should be relieved from the prospect of unrelenting urban sprawl. Openness of aspect is a characteristic quality of the countryside.'

- 7.20. Applying this approach to the application proposal, it is clear that that part of the proposal that relates to alterations and extensions within the existing complex of dwellings would not result the Green Belt appearing any more built up as a result of the development taking place as compared to how built up it is now.
- 7.21. In relation to Vine House, it is accepted that this would involve, in a spatial sense, the spread of development onto land where currently none such exists. However, openness is not just about the spatial dimension.
- 7.22. In this particular case, the visual aspect is equally, if not more important to the perception of openness, particularly if the design of the proposal provides relief from the prospect of urban sprawl through the absence of any harmful visual impact.
- 7.23. Vine House is proposed to be integrated into an area of sloping land with the landscape which, in effect, folds into and around the building. However, in order to test the extent of any visual impact arising out of the location and design of Vine House, a full and detailed Landscape and Visual Impact Assessment (LVIA) has been undertaken as part of the application submission.
- 7.24. It is important to note as part of any consideration of the visual impact of Vine House on the openness of the Green Belt that the only public views of the proposal that may or may not be possible are from the public footpaths along the northern boundary of the site (FPO34) and along the eastern side of the site where FP042 passes through the existing fields. All other views looking towards Vine House from the west and the south are private views.
- 7.25. The public viewpoints are set out in the LVIA. The relevant viewpoints so far as views towards Vine House are considered are at viewpoints 1, 2, 3 and 6. The LVIA makes the point that these views are representative of recreational users of the footpaths.

- 7.26. What is clear from these viewpoints, and indeed was seen by Council officers and Members of the DRP on site, is that the sloping nature of the land, and the design typology that has been adopted for Vine House would mean either no or very limited visual impact would arise. The LVIA confirms that Vine House and the alterations to the landform to the south of the building would not be visible due to its lower-lying position between the intervening undulating landform and hedgerows.
- 7.27. The evidence from the LVIA, therefore, is that the application proposal would not result in an adverse visual impact and would not cause harm to the perception of the openness of the Green Belt.
- 7.28. So far as the purposes of Green Belt policy are concerned, this is a matter further assessed in the LVIA which concludes that there would only be a limited impact, and this arises from the spatial consideration, on Green Belt openness from Vine House.
- 7.29. The establishment of the vineyard and the laying out of a picnic area with visitor information would not have any adverse consequences so far as Green Belt openness is concerned.
- 7.30. In the circumstances, it can reasonably be concluded that there is, at most, a very limited degree of actual harm to the Green Belt that will arise as a consequence of the application proposal.
- 7.31. As will be explained later in the statement in relation to the planning balance, the limited extent of actual harm to the Green Belt means that the countervailing benefits of the scheme need only to be of commensurately greater weight in order to establish very special circumstances. (See *Tesco Stores Ltd v Secretary of State for the Environment* [1992] JPL268).

3 - Other Material Considerations - Factors Relevant To Whether There Are Very Special circumstances

3 (i) - Amount of Development

- 7.32. The application proposal would not result in any increase in the overall floor area of built development on the site.

- 7.33. A full measured survey has been undertaken of all buildings on the site and this, together with the floor areas of the extant consented scheme approved under reference 19/05265 are set out in the table contained within the Design and Access Statement.
- 7.34. The table highlights the extent of demolitions that would take place as part of the application proposal and these are both scheduled out in the Design and Access Statement and shown on the application plans.
- 7.35. The demolitions drawing demonstrates that, in fact, the removal of buildings to the south of Cherry Tree Cottage and the substantial detached garage building to the north of The Bothy would reduce the spread of the PDL area of the existing residential complex. The demolition plan also shows how key views will be opened up through the site particularly between Greenacres and Polo Mews, providing a greater sense of significance to the Locally Listed buildings and the Clock Tower.
- 7.36. The fact that the application proposal would not result in any net increase of built development in the Green Belt as compared to the extant consented scheme is not only a factor relevant to the assessment of openness (as per paragraph 14 of the '**Turner**') but is also a material consideration capable of constituting a very special circumstance to which weight should be given. Also relevant is the fact that the scheme would result in a significant reduction in hardstanding.

3 (ii). – Sustainability/energy

- 7.37. There is no doubt that the climate crisis and the need to reduce greenhouse gas emissions are at the top of the sustainability agenda. Indeed, the current desperate energy situation has brought this issue into even sharper focus.
- 7.38. Accordingly, sustainability and the need for the proposal to respond positively to the climate crisis, is at the heart of the application. This was welcomed by the Design Review Panel which was excited by the prospect of the site pioneering hydrogen production and being self-sufficient in energy terms. The hydrogen solution that is proposed for Vine House involves pioneering technology which needs projects such as this to demonstrate its capability, attract investment and reduce the cost of such systems if they are to become a widely adopted solution.

- 7.39. The application proposal and the building of Vine House with zero grid dependency was not only a key part of the design brief but was a conscious decision by the applicant to seek to contribute to achieving Bromley's 2029 net zero target.
- 7.40. Whilst there are several hydrogen-powered houses we believe in the UK, it is our understanding that, if approved, Vine House would represent both Bromley's and London's first use of this technology.
- 7.41. The manner in which the application brief has evolved with sustainability as a key consideration is set out in the Design and Access Statement.
- 7.42. In addition, the energy strategy and the embodied carbon and circular economy analysis are explained in detail in the submitted Sustainability and Energy Statement.
- 7.43. In planning policy terms, paragraph 151 of the NPPF confirms that the environmental benefits associated with increased production of energy from renewable sources is capable of constituting a very special circumstance. The proposal also accords with National Policy in paragraphs 152 and 158 of the NPPF which advise that support should be given to the transition to a low carbon future and that Local Planning Authorities should approve even small-scale projects that provide a valuable contribution to cutting greenhouse gas emissions if the impacts are acceptable.
- 7.44. The application proposal also complies with Policies SI 2 of the London Plan and Policies 123 and 124 of the Bromley Local Plan.

3 (iii) – Design And Architecture

- 7.45. National policy advises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
- 7.46. Policies D3 and D4 of the London Plan seek to deliver good design as do Policies 4 and 37 of the Bromley Local Plan.

- 7.47. The proposals for the alteration and extensions of existing dwellings in the south-western part of the site are an enhancement to the extant consent approved under reference 19/05265 for the reasons that are set out in the Design and Access Statement. The proposals will enable views to be opened up through the estate, will provide for a more coherent and rational form of development in relation to the Locally Listed buildings allowing existing features and historical character to be re-established.
- 7.48. In relation to Vine House, paragraph 80 of the NPPF is permissive of new homes in the countryside if the design is of exceptional quality in that it reflects the highest standards in architecture and would help to raise standards of design more generally in rural areas.
- 7.49. The proposed design of Vine House is exemplary and of the highest quality. It has been designed by award-winning architects who have previously been granted approvals for houses on the basis of paragraph 80.
- 7.50. The design of the scheme has evolved through discussion with the Council's urban design officer and also reflects comments received from the Design Review Panel. The design of Vine House, as now finalised, embodies these valuable inputs. The way in which the scheme responds to comments received is again explained in the Design and Access Statement.
- 7.51. The house, as the scheme drawings demonstrate, would be largely subterranean and would fold into the landscape with green roofs sweeping over the house. Yet the slope of the land also creates the opportunity for south-facing living space with views and natural light. The manner in which this is achieved is perhaps best illustrated in the CGIs that have been produced. The house will be unique in the Borough, not only in terms of its sustainability, but also in relation to the quality of the architecture and the nature and form of the building.
- 7.52. Compliance with paragraph 80 of the NPPF, the principles of good design set out in both the NPPF and the National Design Guide and with Policies D3 and D4 of the London Plan and 4 and 37 of the Bromley Local Plan is a material consideration capable of constituting a very special circumstance.

3 (iv) – Landscape

- 7.53. Home Farm at the moment is a relatively enclosed landscape with different character areas. However, as the photographs from various viewpoints in the LVIA previously referred to demonstrate, much of the landscape is featureless grassland interspersed with groups of trees and roads.
- 7.54. The application proposal is to embark upon a landscape redesign of Home Farm, the objective of which is to improve significantly the scenic and landscape quality and visual character of the site.
- 7.55. The application proposal is accompanied by a Landscape Master Plan and Landscape DAS which explains the proposals in more detail. The scheme would include new areas of meadow, woodland links, water, wildlife and SuDs features with permeable surfacing throughout. In addition, the landscape proposals illustrate how the proposed picnic area, to which reference is made later in this statement, would be planted out as a community orchard and the significant enhancement to the landscape that would result as compared to the current situation.
- 7.56. Section 12 of the NPPF seeks developments that are visually attractive as a result of effective landscaping and are sympathetic to the landscape setting. The National Design Guide also emphasises that natural and designed landscapes contribute to the quality of a place and are a critical component of well-designed places.
- 7.57. The landscape proposals contained within the application would enhance the landscape character of the site and, more widely, the character and appearance of the Chislehurst Conservation Area. This enhancement is a benefit of the scheme and is a material consideration that is capable of constituting a very special circumstance.

3 (v) – Biodiversity

- 7.58. The application proposal is accompanied by a Preliminary Ecological Appraisal together with a Biodiversity Net Gain (BNG) calculation. A key element of the application proposal has been to improve significantly the biodiversity at Home Farm.

- 7.59. Paragraph 180 of the NPPF advises that opportunities to improve biodiversity in and around development should be integrated as part of their design especially where this can secure measurable net gains for biodiversity or enhanced public access to nature where this is appropriate.
- 7.60. Relevant policies in both the London Plan and the Bromley Local Plan seek much the same.
- 7.61. The National Design Guide also emphasises nature as a key contributor to the quality of a place and states that natural and designed landscapes should prioritise nature so that diverse ecosystems can flourish to ensure a healthy natural environment that supports and enhances biodiversity.
- 7.62. The ecological information submitted as part of the application demonstrates that there is a significant increase in bio diversity net gain in relation to habitats as well as a 49% increase in BNG relating to hedgerows.
- 7.63. The application proposal would result in a BNG of 18% , which demonstrates the significant biodiversity enhancement that would result from the application scheme. This is a benefit of the scheme that is a material consideration and capable of constituting a very special circumstance.

3 (vi) – Rural Agricultural Business

- 7.64. The application proposal involves establishing a new commercial vineyard at Home Farm. Substantial work has already been undertaken to progress the proposal in terms of initial assessment of topography, soil analysis, drainage analysis and business plan formulation and projection. The proposals were referenced by the Inspector in the relatively recent appeal decision concerning the existing agricultural barn at Home Farm.
- 7.65. In recent years, the farm has been used largely for hay production but this would not provide a secure and viable future for the farm. Hence the need to look for other agricultural, horticultural or viticultural uses.

- 7.66. The positive results from the various analyses referred to above indicate that a secure and viable commercial future can be achieved for Home Farm with Bromley's first commercial vineyard.
- 7.67. The Design and Access Statement explains that in excess of 10,000 vines can be planted on the two fields on the eastern part of the site and that the land is suitable for five different grape varieties. One of the most experienced and highly regarded viticulturists in the UK is advising on the vineyard. The current business plan is that the grape harvest would not be put into production on site and no winery facilities are presently envisaged. Turning the grape harvest into wine would be undertaken at other established wineries.
- 7.68. Paragraph 84 of the NPPF states that planning decisions should support the sustainable growth and expansion of all types of business in rural areas and should also enable the development and diversification of agricultural businesses.
- 7.69. Whilst the use for viticultural purposes does not, of itself, require planning permission, it is an integral element of the overall proposals for Home Farm and, whilst the day to day running of the vineyard would be undertaken by other members of the family, it is the wish of the applicants, Mr and Mrs Selby, to remain at the site and be involved in the overall management of the enterprise.
- 7.70. This element of the overall application package plainly is supported by planning policy and the benefit of securing a long-term viable future for the farm is a material planning consideration that is capable of being regarded as a very special circumstance.

3 (vii) - Heritage

- 7.71. The application site is located within the Chislehurst Conservation Area. Additionally, The Bothy and Polo Mews are Locally Listed.
- 7.72. The application proposal is accompanied by a detailed Heritage Impact Assessment, which has been prepared by an acknowledged leading expert in heritage matters who has provided heritage advice at Home Farm over a number of years.

- 7.73. The assessment concludes that the net impact of the reduction of built form at the site will enhance the character and appearance of the Chislehurst Conservation Area. There would be no harm to the significance of the nearby Listed Foxbury Manor. The Locally Listed buildings on the site will be adapted and preserved.
- 7.74. In heritage terms, the application proposals would not engage paragraphs 202 and 203 of the NPPF and would result in a net enhancement of the character and appearance of Chislehurst Conservation Area.
- 7.75. Policy HC1 of the London Plan requires development proposals to conserve the significance of heritage assets by being sympathetic to the asset's significance and appreciation within their surroundings. Policy 41 of the Bromley Local Plan similarly seeks the preservation of the character and appearance of Conservation Areas whilst Policy 39 explains that proposals to extend or alter Locally Listed buildings will be permitted provided that they are sympathetic to the character, appearance and special interest of the building.
- 7.76. It is plain that the application proposal complies with both National and Development Plan policy in respect of heritage matters. But more than that, it actually results in an enhancement to the character and appearance of Chislehurst Conservation Area. Moreover, the nature of the alterations and extensions to the Locally Listed building would enable the significance of these buildings to be appreciated to a greater degree than the extant consent (19/05265). Both of these are benefits of the application proposal and these benefits are material considerations capable of being regarded as a very special circumstance.

3 (viii) – Public Benefits

- 7.77. Footpath FP042 presently bisects two of the fields at Home Farm. It is a footpath that is well-used by the public. The applicants are also aware that the easternmost field is often used for informal picnicking and this can occasionally cause difficulties in terms of litter and harm to the grassland.
- 7.78. The application proposals involve the planting of vines in the easternmost field and the scheme would include the widening of the footpath and appropriate fencing alongside it in order to define the proper route of the footpath for footpath users as well as securing the planted vineyard area. At present, some footpath users depart from the approved route and stray across the field.

- 7.79. As part of the overall footpath proposals, the scheme includes the laying out of a dedicated picnic area for the public in the southern part of the field adjacent to where the footpath turns to the south-east. This area is unsuitable for planting for vines. The landscaped picnic area would include some community orchard planting and would also provide visitor information regarding the Borough's first commercial vineyard. This was a matter which the Design Review Panel felt was an important public benefit.
- 7.80. Paragraph 180 of the NPPF seeks to enhance public access to nature where this is appropriate and this is a policy that is further developed in the National Design Guide which similarly seeks to encourage development that enables and enhances people's ability to enjoy the countryside.
- 7.81. Policy G6 of the London Plan is in a similar vein as is policy 57 of the Bromley Local Plan.
- 7.82. The provision of the new landscaped picnic area is undoubtedly a significant benefit of the application proposals and is a material consideration that is capable of being regarded as a very special circumstance.

8. THE OVERALL PLANNING BALANCING EXERCISE

- 8.1. The application proposals are for a development that partly comprises appropriate development in the Green Belt and partly inappropriate development. That part that is appropriate development, namely, the alterations and extensions to The Bothy, Polo Mews and Greenacres represents a significant improvement to the already consented scheme and such improvements are achieved without any harm occurring to the openness of the Green Belt.
- 8.2. This element of the proposals, in addition to compliance with Green Belt policy, does not give rise to conflict with any other Development Plan policies relating to design or heritage matters.
- 8.3. Accordingly, it can be concluded that this element of the scheme does not cause '*any other harm*' in the terms set out in paragraph 148 of the NPPF.
- 8.4. The erection of a new dwelling at Vine House constitutes inappropriate development in the Green Belt. Substantial weight is to be given to the harm arising from inappropriate development in the Green Belt.
- 8.5. However, for the reasons that are explained in this statement, there would be limited or no harm to the openness of the Green Belt from this element of the scheme because of the design, form, nature and landscaping of the proposal.
- 8.6. Thus, this is a case where the harm to the Green Belt is largely definitional harm in nature, albeit that substantial weight is to be given to this definitional harm.
- 8.7. On the other side of the planning balance, there are a number of identifiable benefits that would accrue from the scheme, all of which are material considerations that are capable of being regarded as very special circumstances.
- 8.8. **Firstly**, the application proposal would result in an overall net reduction in the amount of built development in the Green Belt. There would also be an overall net reduction in the amount of hard surfacing and hardstanding at Home Farm. This is a benefit of the scheme to which substantial weight should be given.

- 8.9. **Secondly**, the application proposal includes the first hydrogen powered, zero carbon house in the Borough and, as far as is known, anywhere in London. A solar panel array will provide the renewable energy necessary to produce the hydrogen. The net result of the proposed system is that the new house will be entirely energy self-sufficient and will not need to be connected to or buy energy from the grid.
- 8.10. The hydrogen solution provides pioneering technology which will demonstrate the ability of such zero carbon systems to become a more widely adopted solution in tackling the climate crisis. The proposal would make a significant contribution towards Bromley's net zero target.
- 8.11. The energy strategy also highlights the sustainability measures that are proposed in the scheme as a whole including all heating to the existing dwellings being provided by renewable technologies, provision of impermeable areas throughout, water efficiency measures and sustainable construction.
- 8.12. The sustainability of the application proposals and the contribution that would be made to tackling the climate crisis is a benefit of the scheme to which substantial weight should be given.
- 8.13. **Thirdly**, the proposed design of Vine House is of exemplary architectural quality displaying the highest standards of design. The scheme proposals for the other dwellings on the estate are also of an equally high standard of architecture. The benefits that arise in helping to raise the standards of design, enhancing the setting of the development and contributing to a better appreciation of existing heritage assets are material considerations to which substantial weight should be given.
- 8.14. **Fourthly**, the application proposals involve significant landscape enhancements to Home Farm including new meadows, woodland and water and wildlife features. These are benefits of moderate weight.
- 8.15. **Fifthly**, the application proposals involve a 18% increase in biodiversity net gain. Proposals incorporated into the application scheme include various further ecological enhancements.
- 8.16. As a result, there is no doubt that the application proposal would result in a benefit to which significant weight should be given.

- 8.17. **Sixthly**, the establishment of a new vineyard, the first in Bromley, would secure a viable long-term future for a modest family-run farm. All of the benefits that would arise from this element of the proposal including farm diversification, sustaining a rural business, as well as protecting the land for the future, are factors to which significant weight should be given.
- 8.18. **Seventhly**, the application proposals would result in a net enhancement to the character and appearance of the Chislehurst Conservation Area. They would also result in a better appreciation of the significance of existing Locally Listed buildings. The NPPF is clear that great weight should be given to the desirability of sustaining and enhancing the significance of heritage assets. In the circumstances, these are benefits of the scheme to which substantial weight should be given in the planning balance.
- 8.19. **Eighthly**, given the popularity and usage of the existing footpaths through Home Farm and the fact that they will now traverse a commercial vineyard, the provision of a landscaped public picnic area together with visitor information regarding the vineyard would set, as the DRP remarked, a positive precedent for the Green Belt and would constitute a public benefit to which substantial weight should be given.
- 8.20. On one side of the planning balance is the substantial weight to be given to the definition of harm that would arise by virtue of inappropriate development in the Green Belt. However, this is tempered to a degree by the fact that there would be little or no actual harm that would occur to the openness of the Green Belt.
- 8.21. The benefits of the scheme, on the other side of the balance, are numerous and the weight to be attached to these benefits cumulatively, clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm.
- 8.22. Thus, the application proposal would accord with the policies of the Development Plan when read as a whole and constitutes sustainable development.
- 8.23. Planning permission should, therefore, be granted.

LIST OF APPENDICES

APPENDIX 1 - Design South-East panel report - 13th April 2022

APPENDIX 1

Report of the Design South East Panel

Home Farm, Chislehurst

13th April 2022

The design review meeting

Reference number	1804/220328
Date	28th March 2022
Meeting location	Home Farm, Kemnal Road, Chislehurst, Kent, BR7 6LY
Panel/forum members attending	Joanna van Heyningen (chair), architecture and public realm David Ogunmuyiwa, architecture and regeneration Laetitia Pancrazi, sustainability and community engagement Phillip Cave, landscape architecture and public realm Steven Bee, historic environment and urban design
Panel manager	Lizzie Atherton, Design South East
Presenting team	Lisa Donkin, Hollaway Studio Alex Richards, Hollaway Studio
Other attendees	Joe Selby, Selby Capital Alan Selby, Selby Capital John Escott, Robinson Escott Planning Eleanor Trenfield, ETLA Richard Hammond, ETLA James Dodson, Hydrogenesis Ben Sayers, Hydrogenesis Stephen Skelton, Viticultural Consultant Jessica Lai, London Borough of Bromley Ben Terry, London Borough of Bromley
Site visit	A site visit was carried out to understand the existing conditions and context ahead of the design review meeting.
Scope of the review	As an independent design review panel the scope of this review was not restricted.
Panel interests	Steven Bee is working with Hollaway Studio on a separate project. This was not deemed to constitute a conflict of interest.
Confidentiality	This report is confidential as the scheme is not yet the subject of a detailed planning application. Full details of our confidentiality policy can be found at the end of this report.

The proposal

Name	Home Farm
Site location	Home Farm, Kemnal Road, Chislehurst, Kent, BR7 6LY
Site details	8.5ha site, accessed via Kemnal Road. Current agricultural and residential use with one agricultural unit and nine existing residential buildings on site. There are four trees on site with tree preservation orders (TPO)s. 'Home Farm' was originally a working farm and home to the workers of Foxbury Estate until the 1960s. A public right of way (PRoW) runs from the southeast corner to the northwest corner of the easternmost field. Locally listed buildings are on the site.
Proposal	Proposal to reduce the overall built footprint on site. Proposals consist of building a new Gatehouse, reconfiguring the Bothy and Bothy Cottage, extending the Polo Mews and introducing a connection with the rear building and reconfiguring Greenacre. A new build single dwelling and viticultural business are also proposed. The site will be powered by hydrogen.
Planning stage	Pre-application with intention to submit a full application in due course.
Local planning authority	London Borough of Bromley
Planning context	The site is within the Metropolitan Green Belt and Chislehurst Conservation Area. Locally listed buildings are on site, and the site forms part of Grade II listed Foxbury Manor's Curtilage and setting. The site is subject to the London Plan 2021 and Bromley Local Plan 2019.
Planning history	<p>An existing planning permission subject to legal agreement, granted in September 2020, exists on the site, (planning reference: 19/05265/FULL1). These proposals are for the:</p> <p>"reconfiguration of existing 7 residential properties at Polo Mews, Bothy Cottage and Bothy House incorporating removal of the link to Green Acres and other demolition works to enable 4 family homes to be provided along with the provision of part single-storey part two-storey side and first floor rear extensions to Bothy Cottage and first floor rear extension to Bothy House,</p>

proposed works also include provision of ground and lower ground rear extension to Polo Mews incorporating excavation works and two garages and elevational alterations and alterations to the site curtilages and landscaping.”

**Planning authority
perspective**

The Local Planning Authority (LPA) are supportive of the introduction of a vineyard in this setting. However, the gatehouse, new sub-terrain dwelling and further additions or changes to the listed buildings within the site are contrary to Green Belt and heritage policies and require demonstration of very special circumstances.

**Community
engagement**

None to date.

Summary

We welcome the applicant team's attempts to renew this once historic farmstead in the setting of Foxbury Manor and introduce a new viticultural business powered by hydrogen. This could become a landscape that, whilst maintaining openness within the Green Belt, celebrates a pioneering sustainable viticultural business and offers opportunities for learning and delight.

However, development in the Green Belt, and in a local conservation area, must be justified by demonstrating very special circumstances and that any harm is outweighed by public benefit, in the form of an improved environment and a credible public offer. This has not yet been adequately demonstrated and the public's experience of this scheme requires further improvement.

Although operational carbon has been considered, the team must also now focus on embodied carbon and the impact of demolishing so much on-site. This work must be done in parallel with developing the architectural approach so that sustainability principles underpin the scheme's design.

We would welcome this scheme returning to design review once the brief has been clarified and the architectural approach developed.

Key recommendations

1. Clarify how the design references, and resonates with, the site's history and historic farmstead layout.
2. Consider how a feeling of openness within the green belt can be improved and safeguarded in the planning process, in the event of different residences being sold.
3. Improve the public offer and social benefit of this site and consider how the site's architecture and programme can support learning and enhance the public's experience of this scheme.
4. Work with the client to clarify the brief and define how each building will be used and lived in.
5. Ensure that the site entrance sequence is clear and contributes towards a new more farm-like, less suburban, feel to the site.
6. Measure the embodied carbon impact of demolishing and rebuilding. Reduce embodied carbon as much as possible, for example, by reusing demolition material.
7. Reconsider the siting of the new home to enable a more coherent relationship with the existing built form.

8. Describe the architectural treatment and materiality.
9. Demonstrate in further detail how biodiversity net gain will be achieved; we expect this scheme to achieve well above the minimum 10%.

Detailed comments and recommendations

1. Strategic Context

- 1.1. The historic nature of the original farmstead should play an instrumental role in shaping the proposals. An approach is needed whereby the design is sympathetic to the spirit of the conservation area and the site's heritage rather than being overly constrained by the locally listed buildings. These are less important than the site's historic relationship with the surrounding farmland and with the listed manor house.
- 1.2. If there is an intention to subdivide land or sell residences in the future, the owners should clarify how this would be managed to protect these historic relationships. The introduction of additional private boundaries would affect the communal and open character. The local authority should consider how this openness can be maintained in the Green Belt, should parts of the property be sold.
- 1.3. Given this site will be visible and partly accessible from the public right of way, this scheme offers public benefit and social value. The picnic area is a welcomed gesture, but more generous educational and social benefit could be provided. We are confident that professionals and the public will have an interest in the viticulture business and the masterplan's sustainability credentials. This may also aid the 'special circumstances' criteria, and set a positive precedent, for development in the Green Belt.
- 1.4. A decision by the owners and the wider family as to how they will live here for the foreseeable future should inform a refined brief for what buildings will be used, and by whom. Until this has been decided we cannot have confidence in the layout and configurations of the homes. The brief should demonstrate that demolition and new build reflect a reasonable balance between the family's business and domestic aspirations.
- 1.5. As part of a clarified brief, the re-use of the existing Greenacres should be carefully considered, it might lend itself to a non-domestic function.

2. Sustainability

- 2.1. We welcome the consideration of operational carbon and are excited by the prospect of this site pioneering hydrogen production and being self-sufficient in energy terms. The buildings must still be as energy efficient as possible to avoid energy wastage. As the design develops passive elements should be retained, such as natural ventilation, passive cooling, and optimised orientation.

2.2. Embodied carbon must be measured and analysed as part of a comprehensive sustainability strategy. Although the team have emphasised that the built footprint will be reduced here, minimising visual impact, nevertheless there is a substantial carbon and environmental impact from this amount of demolition and introduction of wholly new buildings on this site. This analysis should be done now and underpin the design approach. This is the best time to think about how to reuse the material already on-site or how to recirculate it within the economy. For example, the Greater London Authority Circular Primer could offer some best practices. This would include having a Construction Demolition and Excavation Strategy and setting targets for how much is being recycled and reused. Structures should be retained where possible.

2.3. The team should mitigate further against the risk of drought and ensure climate resilience. Reuse of water and greywater recycling on-site should be incorporated if possible. A water source heat pump could also be installed in the pond.

3. Landscape and site layout

3.1. The site has limited biodiversity at present and therefore presents an opportunity for significant biodiversity net gain (beyond minimum requirements). The pond could be maximised as an environmental resource and habitat. We encourage the incorporation of wildflowers in the vineyards to increase the biodiversity interest in this part of the site. Nectar rich biodiversity should also be included in the planting hierarchy.

3.2. The Landscape and Visual Impact Assessment (LVIA) should guide the design more robustly, with further consideration given to public views from the public right of way. Photomontages should be included within the LVIA. The inclusion of a picnic area, on the public right of way for community use, is welcomed.

3.3. We welcome the desire to improve the landscape by reducing impermeable hardstanding and simplifying the extensive vehicle routes. We endorse the landscape approach described: a transition from a naturalistic setting to a more formal immediate setting for the buildings. This transition must be carefully managed, and consideration given to how the new and existing accommodation will be framed by planting.

3.4. The parking strategy should clarify exactly where parking is located and how spaces will serve the buildings. While keeping car parking to a minimum, sufficient spaces should be provided to avoid hardscape spreading in the future. The repurposing of the existing tennis court could be explored, it might be a sensible and acceptable place for car-parking.

- 3.5. The proposed woodland is a good idea, but we understand it might overshadow the vineyards. The design team should clarify the conditions and ensure the viability of the viticulture enterprise is not compromised, as this could impact the subdivision of the site.
- 3.6. The northern boundary bordering the public footpath and woodland burial site deserves a better treatment than the existing industrial fencing and conifers. We would encourage their replacement with more sympathetic enclosure and planting.
- 3.7. The treatment and locations of existing and future private gardens and how they relate to the generally open setting should be clarified in the masterplan.

4. Architecture

- 4.1. The visualisations depict the buildings as white smooth volumes, giving no sense of materials other than glazing. The panel's ability to comment on the aesthetic qualities of the proposed new buildings was therefore limited. Where substantial excavation is proposed, the choice of materials could perhaps be driven by the embodied carbon analysis and incorporate the reuse of demolition material, sustainably sourced materials, or innovative new materials such as, rammed earth and bricks that encourage pollinators.
- 4.2. The 'gatehouse' does not present as one. The role of a gatehouse is to control entry to an area and offer some surveillance, whilst reinforcing the importance of the primary buildings on site. As proposed, this is a small residential dwelling, which may occasionally be used by guests and visitors, or sold. Its role on the site should be reconsidered and defined. It would be more sustainable to repurpose existing buildings to provide equivalent accommodation
- 4.3. If the gatehouse is built, it could perhaps operate periodically as a semi-public, educational building and its role reinforced through signage and more purposeful architecture.
- 4.4. The relationship between homes, and building volumes, and how one would access them should be more evident and legible in the site plan. Vehicular and pedestrian routes and building entrances are not clear. For example, the glazed link between 34 and 1-2 Polo Mews, is only accessible from the Greenacres side. It should perhaps be accessed from the west instead, creating a legible grand entrance in the tradition of a manor house.

- 4.5. We are not convinced the sunken house is in the best place. It is not facing due south, so will not maximise the performance of the solar array and we are not convinced that views from the house are optimised. In section the spaces work well, clarifying the idea of a volume beneath the edge of the new viticulture planting. However, the plan is less successful. A bisecting entranceway feels incongruent with the concept of outward views. The home's main entrance facing Cherry Tree Cottage also lacks 'specialness' facing only the side door of the cottage. This dwelling would benefit from further refinement, including clarity about its amenity and framed views which could be better orientated by south light or, if not, carefully chosen framed views.
- 4.6. It is noted that being largely subterranean, this is a particularly appropriate architectural typology that compliments rather than detracts from the green belt setting, as part of an existing estate setting with a range of aggregated dwelling forms. We welcome the passive principles incorporated into the home and these should be safeguarded even if it is not labelled as a passive dwelling.
- 4.7. Without resorting to pastiche, the site's historic relationship with Foxbury Manor could be acknowledged in the materials used and the rhythm of the volumes and external features. The existing pitched roof forms already perform this function, and the design team should consider more closely where Foxbury Manor will be viewed from on site and how the proposals could respond. The proposal to connect some of the existing pitched roofs with subservient flat roof forms could serve to accentuate and frame the existing forms. This does not affect the picturesque character of the broader Foxbury Manor setting. The principle of serial individual volumes being added has already been established, albeit not always successfully.
- 5. Materials and detailing**
- 5.1. The approach to materials and detailing was not discussed in great detail at this review. Paragraph 135 of the National Planning Policy Framework (2021) states: *'Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*
- 5.2. In order to be consistent with this national policy, the applicant team and local authority should note Design South East's general guidance on material quality and detail. At planning application stage, the quality of the detailing should be demonstrated through large scale drawings at 1:20 and 1:5 of key elements of the building/landscape and should be accompanied by actual material samples which should be secured by condition as part of any planning approval.

6. Energy strategy (DELETE OR AMEND IF NOT RELEVANT)

- 6.1. The approach to energy efficiency was not discussed in great detail at this review. Our guidance is that at the planning application stage the proposal must produce a clear energy strategy which details how the development will optimise thermal performance, minimise the demand for energy, supply the remaining energy requirements efficiently and optimise the use of renewables in order to align with the Government's emerging zero carbon policy. This strategy should be informed by detailed modelling work informed by respected calculation methods.

Confidentiality

If the scheme was not the subject of a planning application when it came to the panel, this report is offered in confidence to those who attended the review meeting. There is no objection to the report being shared within the recipients' organisations provided that the content of the report is treated in the strictest confidence. Neither the content of the report, nor the report itself can be shared with anyone outside the recipients' organisations. Design South East reserves the right to make the content of this report known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed, pre-application reports will be made publicly available if the scheme becomes the subject of a planning application or public inquiry. Design South East also reserves the right to make this report available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please inform us.

If the scheme is the subject of a planning application the report will be made publicly available and we expect the local authority to include it in the case documents.

Role of design review

This is the report of a design review panel, forum or workshop. Design review is endorsed by the National Planning Policy Framework and the opinions and recommendations of properly conducted, independent design review panels should be given weight in planning decisions including appeals. The panel does not take planning decisions. Its role is advisory. The panel's advice is only one of a number of considerations that local planning authorities have to take into account in making their decisions.

The role of design review is to provide independent expert advice to both the applicant and the local planning authority. We will try to make sure that the panel are informed about the views of local residents and businesses to inform their understanding of the context of the proposal. However, design review is a separate process to community engagement and consultation.

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