

29 August 2023

Dear Cllr ,

HOME FARM, KEMNAL ROAD, CHISLEHURST.

I am writing to you regarding the application proposal that is due to be considered by the Plans Sub Committee on Thursday 31st August.

I know that, by the time of the Committee, most members will have visited the site and I need not provide any detailed explanation of the application proposal in this letter. Rather, I would like to take the opportunity of highlighting a number of serious concerns that I have regarded the officer report.

The site is in the Green Belt and the most important point to make first of all, therefore, is that the application proposal would actually result in **less** built development in the Green Belt than currently exists and for which there is an extant planning permission. (19/05625) The officer report only makes passing reference to this extant permission (paragraph 6.1.22 and 6.2.33) and seeks to suggest that this extant permission has no material bearing. This is wrong in relation to both the Green Belt and as I will explain later, heritage issues.

Two tables are inserted in the report purporting to show that there would be conflict with Green Belt policy. However, the accurate position is as set out in a schedule in the Design and Access Statement (copy attached) which the report fails to include, which confirms that the current application proposal would result in 8sqm less of built area than existing and consented. Moreover, there is a 30% reduction in the amount of hardstanding on the site. The extant permission has been commenced and can be built out as an alternative to the current scheme. It is highly material, therefore.

The report is also incorrect in stating that the proposal would result in an additional dwelling in the Green Belt. The actual position is that, currently, there are 7 dwellings on the site whilst the current scheme would result in a total of 6 dwellings on the site.

Perhaps the best summation of the impact of the proposal in relation to Green Belt policy is set out in the assessment by the GLA (which curiously has not been uploaded up to the website) which states that, ***“given the small projection of the subterranean home into the Green Belt with a well considered design approach, GLA officers do not consider this to be a strategic concern.”***

Most unusually also, the GLA has directed that the application complies with the London Plan and the Borough does not need to refer the application back. It is free to grant permission without further approval.

In relation to heritage issues, the report fails to make any reference to the fact that a detailed independent heritage assessment was submitted with the application by one of the country’s leading heritage experts. His conclusions are that the Locally Listed buildings have been mostly altered and rebuilt, there would be no harm to the significance to the setting of Foxbury and there would actually be a net enhancement to the character and appearance of the Chislehurst Conservation Area.

The officer report states at paragraph 6.2.29 that Polo Mews was originally built as stable blocks to serve Foxbury Mansion. In fact, 3 and 4 Polo Mews are new having been built in 2000 by the applicant. The only original part of the building that is left is the back wall. 1 and 2 Polo Mews were also largely rebuilt in 2000 and the only part that remains original is the clock tower. In the circumstances, it is difficult to see how the comments at paragraphs 6.2.31 and 6.2.32, that the demolition of numbers 3 and 4 Polo Mews would significantly impact on the setting of this Listed building group can be justified.

Given that most of the buildings date from 2000 the Local Listing would seem erroneous.

In relation to The Bothy, this also has been substantially altered and extended. It is again difficult to reconcile the comment at paragraph 6.2.24 that the application proposal would significantly remove the character of the original building when most of the building is not original. The extant consent involves sizeable extensions to Polo Mews and the Bothy.

Turning to the energy and sustainability aspect, the report simply fails to grasp the significance of this pioneering project. Vine House will be the first hydrogen powered, off grid house in London.

The officers report at paragraph 6.1.16 seems to be saying, *“Well this is nothing special because the Council has built a scheme in Brindley Way which is net carbon zero.”* But there is simply no comparison between a PV panel/ air source heat pump arrangement and this revolutionary new green hydrogen system. The hydrogen system stores energy throughout the winter when solar power is simply not available.

The officer report says at paragraph 6.1.15 that no specific additional weight can be given to this proposal and at paragraph 6.1.16 that renewable energy of this kind is not regarded as a very special circumstance. This is wrong. Paragraph 151 of National Planning Policy as set out in the NPPF states that ***“the wider environmental benefit associated with increased production of energy from renewable sources”*** is a Green Belt Very Special Circumstance.

In relation to other matters, the refusal recommendation accuses the scheme of providing excessive parking. In fact, the application proposal would result in less parking than currently exists.

The refusal recommendation also criticises the biodiversity net gain score. Paragraph 6.8.4 of the report seems to me to indicate that the officers have misinterpreted the calculation by assuming that we have put the Vineyard in the calculation as traditional orchard. We have not. What the report seemingly fails to understand is that the scheme does actually involve the planting of a new orchard together with the provision of a new picnic area adjacent to the public footpath.

Vine House would be a self-build home. Setting aside whether the officers or the ICENI report, which also was not uploaded, are correct on whether or not the Council has met its self-build obligation, The Self-Build and Custom House Building Act 2015 places a ***“duty to grant planning permission”*** on a Local Planning Authority in respect of self-build plots.

Paragraph 80 of the NPPF seeks to promote ‘exception quality’ homes with ‘outstanding’ design quality in Green Belt land. Whilst the application does not seek to justify Vine House under this paragraph, the same design methodology has been applied. It is therefore disappointing that there is no mention in the report of the fact that the application proposal was the subject of a full independent design review panel assessment by DRP South East. The report again appears not to have been uploaded on to the website. The DRP concluded ***“We welcome the applicant team’s attempts to renew this 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.”***

Finally, the committee report under paragraph 6.1.12 describes Vine House as being visible from the public footpath. The siting of the house uses the topography of the land to ensure the house is not visible from any public footpath during any season.

Extensive public consultation has been undertaken and there appears to be widespread support for the project. Local residents are in favour, the Chislehurst Society is in favour and has indeed published 2 articles on the project with many hundreds of online likes, Kemnal Road Residents Association supports the scheme, local members support the scheme and the GLA raises no objection.

This application is truly unique in the Borough. There is no prospect of it setting any sort of precedent other than in a positive way in pointing to ways to achieve more sustainable development with the highest standard of architecture and design and without harm to the Green Belt.

Yours Sincerely



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