

**REPORT SUMMARY**

<b>REFERENCE NO:</b> 23/501008/LBC		
<b>APPLICATION PROPOSAL:</b> Listed Building Consent for erection of a third floor to create additional business space.		
<b>ADDRESS:</b> Chord Electronics Ltd, The Old Pump House Farleigh Bridge East Farleigh Maidstone Kent ME16 9NB		
<b>RECOMMENDATION: GRANT LISTED BUILDING CONSENT-</b> subject to the planning conditions set out in Section 8.0 of the report.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> There is no significant harm to the appearance and setting of the curtilage listed building, or the setting of the adjoining designated heritage assets. The proposal complies with local and national planning policies and is recommended approval.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Call in from Cllr Gooch to allow committee discussion on sunlight and daylight car parking and residential amenity.		
<b>WARD:</b> Barming And Teston	<b>PARISH/TOWN COUNCIL:</b> Barming	<b>APPLICANT:</b> Chord Electronics. <b>AGENT:</b> DHA Planning
<b>CASE OFFICER:</b> Chloe Berkhauer-Smith	<b>VALIDATION DATE:</b> 23/03/23	<b>DECISION DUE DATE:</b> 30/06/23
<b>ADVERTISED AS A DEPARTURE:</b> No		

**Relevant Planning History**

89/2153 : Alterations renovation and refurbishment of existing building plus demolition of some existing buildings Approved 06.06.1990

89/2159 : Demolition of single storey to 'The Egyptian Building' and subsequent renovation alteration and refurbishment Approved 17.07.1990

90/1292 : The carrying out of the development permitted by planning permission MA/89/2153W without complying with condition (xiii) (hours of work).Approved 02.11.1990

90/1345 : Amendment to fenestration of west elevation of building formerly known as Egyptian Building. Approved 15.10.1990

90/1362 : Listed Building Consent for amendment to fenestration of west elevation of building formerly known as Egyptian Building. Approved 15.10.1990

96/0788 : Change of use and conversion of existing buildings to provide three no. dwellings with associated parking and amenity areas Approved 03.12.1996

96/1087 : Conversion of existing buildings to form 3 no. dwellings with associated parking areas Approved 02.10.1996

96/1517 : Listed Building Consent application for alterations internally and externally including new fenestration staircases garage doorway and velux rooflights Approved 31.01.1997

96/1559 : Alterations and insertion of additional first floor to existing workshop including insertion of garaging doorway Approved 31.01.1997

97/0655 : Listed Building Consent for the insertion of 3 rooflights Approved 31.07.1997

97/1135 : Advertisement consent application to install a wall mounted sign to east elevation Approved 24.09.1997

## **MAIN REPORT**

### **1. DESCRIPTION OF SITE**

- 1.01 The site is in the countryside as defined in the Local plan. The site is in an area of built development between the River Medway in the south, and the railway line and East Farleigh Railway Station in the north. The applicant reports "*The whole complex was converted in the 1990s to provide office accommodation and new housing to the west following a period of dereliction*".
- 1.02 The single track vehicle access from Farleigh Lane is shared with Empress Riverside Park. Empress Riverside Park located to the west consists of a gated residential estate of 36 park homes. Empress Riverside Park plots 34 and 35 are closest to the application site. The single storey timber clad building called The Malthouse to the south of the application site provides 5 dwellings.
- 1.03 The former waterworks building (known as The Works) built in stock brick is to the south east of the application site (east of The Malthouse) and is Grade II Listed. Permission was granted in 2019 for the conversion of first floor office space into a single self-contained flat (19/500694/FULL), with self-contained office space at ground floor. Permission was granted in August 2021 for alterations to fenestration and doors, creation of rear steps to balconies and erection of second floor roof extension to provide additional office space (20/505875/FULL).
- 1.04 The Works is at the northern end of the East Farleigh Station Road bridge which is Grade I Listed. To the north of The Works and east of the application site is a terrace of two storey brick houses fronting Farleigh Lane (No's 1 and 2 River Lodge)
- 1.05 Immediately to the north of the application site is a railway embankment with the railway track at a higher level. There is a general rise in ground level when travelling north away from the site on Farleigh Lane and a slight fall in ground level from the east to the west across the site.
- 1.06 The building on the application site is constructed in yellow brick with red brick detailing including curved brick window lintels and piers. The application building is curtilage listed due to its relationship with Grade II The Works building with a separate application for listed building consent on this committee agenda. The application building is provided with 8 off street car parking spaces, with two spaces to the east side of the building and the remainder on the west side.
- 1.07 The application building is currently used as a business space for Chord Electronics who are a designer and manufacturer of high-end HiFi electronics.

### **2. PROPOSAL**

- 2.01 This Listed Building Consent application seeks consent for erection of a third floor to create additional business space.
- 2.02 The proposed extension would have the same width and depth of the main building which is approximately a width of 7m and depth of 14.7m. The proposed extension

would raise the height of the building resulting in an eaves height of approximately 13m and a ridge height of 15.7m.

### **3. POLICY AND OTHER CONSIDERATIONS**

Maidstone Borough Local Plan (2011-2031):

SP18 - Historic Environment

DM1 - Principles of good design

DM4 - Development affecting designated and non-designated heritage assets

DM30 - Design principles in countryside

Maidstone Borough Council – Local Plan Review

The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (Stage 1 hearings concluded and stage 2 hearings due to start on the 15 May 2023).

LPRSP14(B) - Historic environment

LPRSP15 – Principles of good design

LPRENV1 - Historic environment

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

### **4. LOCAL REPRESENTATIONS**

4.01 **Local residents:** 5 representations received from local residents raising the following (summarised) issues:

- Overshadowing
- Traffic and parking
- Loss of privacy
- Drainage concerns

The nuisance resulting from construction works is not a material planning consideration and therefore cannot be considered in the determination of this application. The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

#### **Councillor Gooch**

4.02 A decision on this application should be made by the Planning Committee and not through the delegated procedures to balance benefits against harm and for the following reasons:

- I urge officers to revisit the Daylight and Sunlight assessment on 1-2 River Lodge, which will be dwarfed by this proposal. The degree of separation between the two buildings (The Old Pump House and River Lodge) is not sufficiently reasonable, consequently the impact on River lodge will be inescapable all year round, particularly during winter months when the sun is at its lowest in the sky and daylight hours are shortest.
- Just as for the yet-to-be-completed conversion of The Works, parking is still totally inadequate with no turning space on this narrow site. No additional parking is provided, I would suggest because there isn't any more to be had on site. The private car parking spaces to 1-2 River Lodge are frequently used as turning spaces causing angst and disturbing the quality of life and environmental amenity of the residents.
- Local residents' local amenity, enjoyment of the locality and quality of life - particularly that of 1-2 River Lodge - is already impeded by the ongoing noise and disturbance, mess and dust of ongoing conversion works to The Works. If planning permission were to be granted, I request that a condition be imposed to preclude commencement of this proposal until completion of The Works conversion 20/505875.

- This proposal may well generate more visits and in time maybe more jobs, yet no travel plan has been submitted to discourage parking on site or to encourage use of sustainable transport. This requirement was conditioned to planning permission 20/505875 to convert The Works and has yet to be met, so I would have thought it would have accompanied this proposal.

**Barming Parish Council**

4.03 Support this application, but have the following concerns:

- There is no transport policy to encourage the use of bicycles/trains to get to the site (bicycle station etc),
- Not enough environmental improvements have been considered (rain water catchers and highest BREEAM standards) and
- Concern about future parking pressures.

**5. CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

**MBC Conservation Officer**

5.01 No objection and recommend approval for reasons set out in the assessment later in this report.

**6. APPRAISAL**

The key issues are:

- Heritage and design

**Heritage and design (policies SP18, DM1, DM4 and DM30)**

6.01 Policy SP18 of the Local Plan relates to the historic environment and requires that, inter-alia, the characteristics of heritage assets are protected, and design is sensitive to heritage assets and their settings. Policy DM4 of the Local Plan also relates to development affecting designated heritage assets and requires applicants to ensure that new development affecting heritage assets conserve, and where possible enhance, the significance of the heritage asset.

6.02 The NPPF (paragraphs 201 and 202) requires the impact on the significance of a designated heritage asset to be assessed as either "substantial harm" or "less than substantial harm" with NPPG guidance setting out that "substantial harm" has a high threshold "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

6.03 NPPF guidance (paragraphs 199 and 200) states that when assessing the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm to significance amounts to substantial harm, total loss or less than substantial harm.

6.04 Decision making on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. This obligation, found in found in sections 16(LBC) and 66(FULL) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1).

- 6.05 The south east corner of the application building is 12 metres away from the north east corner of the grade II listed former East Farleigh Waterworks. In terms of existing character and appearance the Historic England official listing description of the building is as follows:

*"...Former East Farleigh Waterworks GV II Waterworks, now coachworks and joinery. 1860, by James Pilbrow, in an Egyptian style. Gault brick in English bond. Rectangular. 2 storeys. Coursed stone plinth towards river to south. Battered clasping buttress to each corner, and 2 set close together towards centre of each long side, all running into deep brick plat band under eaves. Rendered covered cornice with deep roll to base and chamfer to top. Low rendered parapet. Truncated projecting brick stack, formerly tall and tapering, filling most of east gable end, with cornice carried round it and bearing the initial "P". Irregular fenestration to south of one small first-floor casement almost filling the narrow central bay and one broad 10- pane window with thin glazing bars to each outer bay of ground floor, all with rendered architraves and deep rendered covered and splayed cornices. 2 inserted 3-light wooden casements. Similar first-floor window to north. First-floor door to left gable end. Single-storey section in a similar style adjoining north-west corner. 2 doorways with rendered covered and splayed ridge cornices flanking base of stack to east. Interior not inspected. (J.S. Curl, The Egyptian Revival, 1982)".*

- 6.06 The conservation officer has highlighted historic photographs which show that the application building previously had an additional storey in place of the existing "strange roof structure. The conservation officer also makes the following points:
- The proposed scheme looks to form a similar scale and form of the lost upper floor and roof structure, but in a contemporary design. This will allow the changes to be clearly visible but reinstate the wider appearance of the building.
  - While many industrial buildings are often considered as ugly, or harmful to the more rural setting, they form an important part of our history and development, often forming key buildings within the landscape.
  - Solar panels are usually discouraged on listed buildings, but the use of modern technology on a former industrial building continues the ethos of the original building and in this case, the use of solar panels on the curtilage listed building is supported.
  - The proposed design is not considered to cause harm to the significance of the curtilage listed building, or the setting of the adjoining designated heritage assets.
  - The interior of the building was formed when converted to an office, and has limited significance to the building, and the proposed internal works are considered to cause no harm to the curtilage listed building.
- 6.07 The complex was formed of different architectural styles, and the host building has a strong Neo-Romanesque style. Whilst allowing for larger amounts of glazing than the original form, the extension design and materials proposed are in keeping with the character of the building reflecting the existing architecture and original scale and form of the building.
- 6.08 The proposed materials respond to the main building on the application site but also introduce modern materials which connect to the new extension to main adjacent listed building The Works. This approach ensures that the connection between the buildings remains.
- 6.09 The proposal would incorporate solar panels to the west elevation. Solar panels on listed buildings are usually discouraged, however the conservation officer does not object to this given the general appearance of the application building.

- 6.10 The scale and design of the proposal is subservient and in keeping with the original building. The proposed scheme would reinstate a similar scale and form of the original upper floor and roof structure and would reflect the historic form of the original building. The proposed design and materials would reflect the architectural style of the host building.
- 6.11 The building extension in terms its scale, height, materials, detailing and articulation is in keeping with the character and appearance of the existing building and responds positively to local character. The extension will have no significant adverse impact on the form, appearance or setting of the building, and will respect the architectural and historic integrity of adjoining buildings. The design and appearance of the extension is in keeping with policies DM1 and DM30.
- 6.12 It is concluded that the extension will lead to 'less than substantial harm' to the significance of the grade II listed The Works building. In these circumstances the NPPF (paragraph 202) advises that *"...this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"*.
- 6.13 The purpose of the extension is to provide additional commercial floorspace for the existing business that occupies the application building. The business employs 17 full time staff and 6 part time staff. Whilst the current application is not intended to increase staff numbers, the applicant has stated *"With this additional space, Chord's operation on the site (and the job opportunities available in the company) are safeguarded in the medium and long-term"*. Enabling the continued commercial occupation of the building and the employment is a public benefit and overall, the proposal will result in a positive impact.
- 6.14 Farleigh Lane road bridge over the River Medway is Grade I listed. The road bridge is separated from the application site by The Works building. In this context, it is considered that the current proposal will not harm the significance of the Grade I listed bridge.
- 6.15 The representations received from neighbouring properties have been discussed within the accompanying FULL application regarding neighbouring residential amenity.

## **7. CONCLUSION**

- 7.01 For the reasons outlined above, I do not consider there to be significant harm to the appearance and setting of the curtilage listed building, or the setting of the adjoining designated heritage assets. The proposal is therefore considered to comply with local and national planning policies and is recommended approval.

## **8. RECOMMENDATION GRANT LISTED BUILDING CONSENT subject to the following conditions with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.**

- 1) The works to which this consent relates must be begun before the expiration of three years from the date of this consent.  
Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
Proposed Second Floor Plan – Drawing No. 348(P)033 Rev 1 – Received 27/02/2023

Proposed Third Floor Plan – Drawing No. 348(P)034 Rev 2 – Received 27/02/2023  
Proposed Roof Plan – Drawing No. 348(P)035 Rev 1 – Received 27/02/2023  
Proposed South Elevation – Drawing No. 348(P)040 Rev 4 – Received 27/02/2023  
Proposed East Elevation – Drawing No. 348(P)041 Rev 3 – Received 27/02/2023  
Proposed North Elevation – Drawing No. 348(P)042 Rev 4 – Received 27/02/2023  
Proposed West Elevation – Drawing No. 348(P)043 Rev 4 – Received 27/02/2023  
Proposed Section AA – Drawing No. 348(P)045 Rev 1 – Received 27/02/2023  
Proposed Site Plan – Drawing No. 348(P)003 Rev 1 – Received 08/03/2023  
Reason: To clarify which plans have been approved.

- 3) No external work shall take place on the building until details (manufacturer name, product name, and photographs) of the external facing materials to be used for the extension hereby permitted have been submitted to and approved in writing by the local planning authority and the development shall be constructed using the approved materials and maintained as such thereafter.  
Reason: To ensure a satisfactory appearance to the development.
  
- 4) No works shall take place until detailed drawings at a suggested scale of 1:5 of all new external and internal joinery work and fittings together with sections through glazing bars, frames and mouldings have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: In the interest of the special architectural or historic interest of the listed building.