

FH TH 0821

Dear Ms. Hemmings ,

I was surprised at the grant of listed building consent for the proposed conservatory at the Northern end of East Northdown House , given that two planning appeals regarding the changes to the window at the southern gable end had been refused.

I understand that this application may now be considered a permitted development , now that LBC has been granted.

If you are minded to permit this application then I would ask for two conditions to be considered, to safeguard the established principle that East Northdown House as a whole should be maintained, as it has always hitherto has been, as a single private dwelling only. You will be aware that the roadway at East Northdown belongs to me, and to my father and grandfather before me. Planning policies dictate that a single track road , unable to be brought up to adoptable highway standards as a two lane road , with footpaths, should only serve 5 dwellings – this road already serves 7 large detached properties, including my farmhouse, all with garages and outbuildings , plus the Farm itself. The highway authority do not comment on applications if the access road is outside their control. East Northdown House, annex, paddock and other grounds form just one of these 7 properties. Each of the 6 other properties (except my house and farm) enjoys an easement granted by my father or myself for just a single private dwelling only each – any extra use would amount to an overburden of the easement granted to each. Although this principle has been subject to unsuccessful legal challenges these have been dismissed as ‘utterly without merit’ and the original terms of the sales contract, a 2013 court order a deed of grant, each state that the easements granted to East Northdown House garden and paddock are for the use of the property for as a single private dwelling only and are entered as such on the land register.

No planning permission for more than one dwelling/household, has hitherto ever been granted at the property, or such uses ever established, the building known by the applicant as ‘Mockett Cottage ’ has only ever been used by him as a small family/staff annex as part of the applicant’s single domestic household.

You will recall that a planning condition on the triple garage appeal decision stipulates that the garage building can only be used ancillary to the use of East Northdown House, and not therefore for any separate independent use or other use that domestic.

I ask that this same principle is reiterated again , with a condition attached to any conservatory permission, if granted – to state that the house with all outbuildings , garages and grounds at East Northdown House , edged in blue on the plans, are maintained in uses ancillary to their existing long established use as a single private dwelling only and may not be used to serve any secondary dwellings or secondary uses at the property in the future. The appeal inspector at the first window appeal observed that there would be no justification in changing the use of the building away from this long established use as a family home .

The second condition I would ask for is that if implemented /started , is that the works should be completed within 3 years . This is because the triple garage has been started , and left as an unsightly ‘hole in the ground’ , within the curtilage of the adjoining 4 listed buildings. The danger is that the conservatory will suffer the same fate, spoiling the façade of this important listed building – the focal point of the group of 6 . 2 Appeal decisions stress the importance of maintaining the façade in general , and the building and character of the environs in general.

TDC is not able to grant easements over my private property for additional dwellings . The scope of the existing easement is clear and registered. The LPA should work with and assist those responsible for maintaining this private road and its character, for the benefit of all other road and right of way users, This lane forms a key part of the conservation area and is the focal point of a cluster of 6 important listed buildings with 2 other associated unlisted period properties, the period estate walls , areas of TPO protected trees , together with other heritage and landscape assets.

Regards

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