



4.4. **SE/14/01897/HOUSE - 3 Colinette Cottages, Chart Lane, Brasted** (Pages 33 - 42)  
**TN16 1LP**

Remove existing garden shed & erect new wooden outbuilding

**EXEMPT ITEMS**

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

**If you wish to speak in support or against a planning application on this agenda, please call the Council's Contact Centre on 01732 227000**

For any other queries concerning this agenda or the meeting please contact:  
The Democratic Services Team (01732 227247)

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk) or speak to a member of the Democratic Services Team on 01732 227247 by 5pm on Monday, 3 November 2014.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

4.1 – SE/14/02439/HOUSE Date expired 30 September 2014

PROPOSAL: The raising of the roof to incorporate a new first floor over existing bungalow, new porch, demolition of existing garage and erection of a new garage and alteration to fenestration.

LOCATION: 9 Knole Road, Sevenoaks TN13 3XH

WARD(S): Sevenoaks Eastern

**ITEM FOR DECISION**

This application has been referred to Development Control Committee by Councillor Purves on the grounds:

- 1 the development would be detrimental to the street scene;
- 2 the proposed development would result in overlooking and a consequent loss of privacy to the residents at 5 Quaker Close; and
- 3 the impact from the flat grass area in the Hollybush Recreation Ground.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

- 2) The materials to be used in the construction of the development shall be those indicated on the approved plan as detailed on the application form.

To ensure that the appearance of the development is in harmony with the existing character of the locality as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Block Plan, Drawing No's M14-4012:01, M14-4012:02, M14-4012:10H, M14-4012:11J, M14-4012:12H, M14-4012:13B, M14-4012:14C, received 28.07.14 and 05.08.14.

For the avoidance of doubt and in the interests of proper planning.

**Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may

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arise in the processing of their application,

- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was provided with pre-application advice.

### Description of Proposal

- 1 The raising of the roof to incorporate a new first floor over existing bungalow, new porch, demolition of existing garage and erection of a new garage and alteration to fenestration.

### Description of Site

- 2 The site consists of 9 Knole Road which is located within the built urban confines of Sevenoaks. The street scene is characterised by detached and semi-detached properties which are set within plots of varying size and shape.

### Constraints

- 3 Agricultural Land Value
- 4 Area of Archaeological Potential

### Policies

#### *Sevenoaks District Local Plan*

- 5 Policies - EN1, EN25A, EN25B, H6B, VP1

#### *Sevenoaks District Core Strategy*

- 6 Policies - SP1

The NPPF places the emphasis on weight which should be given to emerging plans under paragraph 216. In addition the Council's Allocations and Development Management

Plan is in the final stages of preparation and therefore its policies should be given due weight. In terms of policies SC1, EN1 and EN2 to which this application relates, significant weight should be attributed.

### *Allocations and Development Management Document (emerging)*

7 Policies - SC1, EN1, EN2

### *Other*

8 Residential Extensions Supplementary Planning Document

9 Sevenoaks Residential Character Area Assessment

10 National Planning Policy Framework

### Relevant Planning History

11 14/O1001/HOUSE - The raising of the roof to incorporate a new first floor over existing bungalow, new porch, demolition of existing garage and erection of a new garage and alteration to fenestration (refused 29.05.14)

### Consultations

#### *Sevenoaks Town Council*

12 Sevenoaks Town Council recommended refusal on the following grounds:

- I) the proposal would have a detrimental impact on the street scene;
- II) the proposal represents overdevelopment of the site;
- III) there would be insufficient amenity space for future occupants of the property;
- IV) the proposal conflicts with advice set out in the Residential Character Area Assessment SPD.

### Representations

13 5 letters of representation received in total

3 letters of representation have been received in support of the proposed development.

2 letters of representation have been received objecting to the proposed development. Objections cited include that:

- overlooking/loss of privacy to the residents at 5 Quaker Close to both the rear garden area/patio and rear windows;
- overshadowing and loss of light to the residents at 5 Quaker Close;
- the ridge height is too high and should be reduced in scale;
- the front mini-gable window is incompatible with the overall design;

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- additional screening should be proposed and
- construction traffic should be regulated by placing conditions on a decision notice in the event of planning permission being granted.

### **Chief Planning Officer's Appraisal**

#### *Application assessment*

- 14 In terms of the assessment of this application, whilst the proposal seeks various extensions, there are no parameters outlined within the Residential Extensions Supplementary Planning Document (SPD) for developments which seek to increase the ridge heights of properties (i.e. conversions of bungalows to two storey dwellings).
- 15 Appeal APP/G2245/D/12/2178124 (120 Chipstead Lane, Sevenoaks) deals with this matter. The development assessed under the Appeal reference above was for *'[t]he erection of two storey side extension, two storey rear extension, new first floor over existing house and bay windows, rooflights, rear dormer, porch canopies to front and side doors, changes to fenestration, new chimney'*. In the instance of this application, the Appeal Inspector concluded that as the proposal involved substantial reconstruction, that the development should, in their view, be assessed as *'...a remodelling of the property rather than [that] of an extension'*.
- 16 On this basis, as the development proposed under this application would involve substantial reconstruction of the existing dwelling, it is considered that the same principle be applied.

#### *Design, scale and bulk and impact upon the street scene*

- 17 Policy EN1 of the Sevenoaks District Local Plan states that proposals for all forms of development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. Additionally, policy EN1 states that the design of proposals should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 18 Policy SP1 of the Sevenoaks District Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is to be located.
- 19 Paragraph 56 of the NPPF states that the Government attached great importance to the design of the built environment and that good design is a key aspect of achieving sustainable development and that such is indivisible from good planning and should contribute positively to making places better for people to live in. The NPPF follows in to state that planning permission should be refused for development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way in which it functions.
- 20 The emerging Allocations and Development Management Plan states that proposals for residential extensions within the urban confines should comply within the guidance set out in the Residential Extensions SPD.
- 21 The application site is located within the built urban confines where development is considered to be acceptable in principle. The application site is flanked by two storey properties immediately to the north which exhibit attic rooms and the

remaining properties to the south within Knole Road are of single storey construction originally (some of which have been extended). Given this character, the existing dwelling itself is of different scale and form when assessed against the closest neighbouring property. In terms of the proposed development, the raising of the ridge height of properties within Knole Road has previously been considered as acceptable within the street scene (for example, 10 Knole Road under planning applications SE/14/00719/HOUSE and SE/12/00218/EXTLMT). On these grounds, the very principle of raising the ridge height of the property is considered to be acceptable within the character area.

- 22 The increase in ridge height proposed of 1.9 metres (from a height of 5.9 metres to 7.8 metres) is not considered to be substantial given surrounding patterns of development within the locality. Whilst the level of bulk will undoubtedly increase at first floor level by the very nature of the proposed development, given the three storey properties which flank the application site to the north and the grant of planning permission for a similar form of development immediately south of the application site at 10 Knole Road, I consider that the increase in ridge height would not be objectionable and that the proposed development would be viewed in the context of these existing dwellings.
- 23 In terms of the building lines, the existing dwelling is located 5.4 metres from the Knole Road street scene (at the closest point) and this is at single storey level. The proposed development would be located 5.1 metres from the Knole Road street scene, again at single storey level. Whilst the front building line will be located 0.3 metres forward of the existing front building line, given that the development will be at single storey level, this minimal increase in built form towards the street scene is considered to be acceptable.
- 24 The previous planning application SE/14/01001/HOUSE was refused on the ground that:
- 'The proposed development by virtue of its design, scale and relationship with the street scene, would fail to result in a form of development which would be visually acceptable within the locality, resulting in an incongruous form of development. This would be contrary to policy EN1 of the Sevenoaks District Local Plan and the guidance outlined within the Sevenoaks Residential Character Area Assessment and the National Planning Policy Framework'.*
- 25 At the time of consideration of this previous application, the Case Officer had stated that:
- 'In terms of the design of the proposed extension, it can only be considered as confused. The proposed development would exhibit a frontage which would appear largely neo-Georgian in appearance with regards to the sash window detailing but would then exhibit a modern two storey gable projection with pillars. The southern elevation would be largely glazed with numerous window openings, again, being very modern in appearance. The proposed development would not be considered to constitute 'good' design given the various design inspirations which are attributed. All in all, the resultant dwelling exhibits design elements which work in conflict with one another, rather than being in harmony. This is not a form of development which the Council would be able to support'.*
- 26 In terms of the application currently submitted, the fenestration and detailing to the front (east) and southern flank elevations have been amended to reflect a

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form of development which is modern in appearance. The level of glazing to the southern flank elevation has been significantly reduced and the door and window openings are considered to be in harmony with each other. The scale of the development has been reduced insofar that the two storey front gable projection has been reduced and replaced with a single storey porch to the front elevation which reduces the impact of the proposed development upon the street scene. On this basis, the amendments which have been made to the scheme in terms of fenestration and design are considered to overcome the previous reasons for refusal of SE/14/01001/HOUSE. Therefore, in terms of the design of the proposed extension, such is considered to remain in scale and character with surrounding patterns of development within the locality and is considered to result in a form of development which would be acceptable within the street scene.

### *Sevenoaks Residential Character Area Assessment (SRCAA)*

- 27 The site is located within the Knole Road character area to the northern point of this defined area. Immediately north of the application site is the Bayham Road character area which exhibits a mixture of residential properties of two storeys with some exhibiting basements and attic rooms. In terms of the dwellings which are located immediately adjacent to the north of the application site, such are large dwellings of two storeys with attic rooms and the pattern continues to the junction with Bayham Road. To the east of the application site is the Quaker Close character area which exhibits detached residential properties of two storey construction. The SRCAA states that with regards to the Knole Road character area itself, such exhibits early 1960s detached residential dwellings of one and two storeys. Prominent building materials are of red/brown brick with brown hung tiles and brown plain tiles roofs. Predominant boundary treatments are of brick walls and hedging.
- 28 Design guidance for the Knole Road character area states that regular building lines and the space between buildings should be respected; that development should not significantly detract from views eastwards across the area from the adjoining recreation ground; that the harmonious palette of red/brown brick, pastel painted render. Brown hung tiles and brown plain tiles roofs should be respected; and, that mature trees and hedged boundaries which contribute to the character of the road should be retained.
- 29 As discussed previously within this report, the existing dwelling is located 5.4 metres from the Knole Road street scene (at the closest point) at single storey level and the proposed development would be located 5.1 metres from the Knole Road street scene, again at single storey level. Whilst the front building line will be located 0.3 metres forward of the existing front building line, given that the porch (which accounts for this increase towards the street scene) will be located at single storey level, the minimal increase in built form towards the street scene is considered to be acceptable.
- 30 With regards to building materials, the property would be constructed of render with slate roof tiles. Whilst slate roofing tiles are not specifically characteristic within the street scene, there are numerous other examples of properties with slate roofs within the locality of the site. On this basis, it is considered that the slate tiles would be acceptable within the character area.



- 31 Whilst the ridge height of the property will increase by 1.9 metres in height, this is not considered to be of such a substantial height to the point where views of the Hollybush recreation ground (which is located to the west of the application site) would be significantly affected.
- 32 Thus, the proposed development is considered to accord with the guidance outlined within the SRCAA as the development would continue to respect the regular building lines exhibited within the street scene.

### *Impact upon residential amenity*

- 33 Policy EN1 of Sevenoaks District Local Plan details that proposals should not have an adverse impact upon the privacy or amenities of a locality by reason of form, scale or height.
- 34 Policy EN2 of the emerging Allocations and Development Management Plan states that proposals will only be permitted where they would safeguard the amenities of occupiers of nearby properties by ensuring that the development would not result in excessive noise, odour, activity or vehicle movements, overlooking or visual intrusion and that the built form would not significantly adversely prejudice outlook, privacy, or light enjoyed by the occupiers of nearby properties.
- 35 Comments have been received regarding a loss of privacy and daylight provision 5 Quaker Close. However, the property of 5 Quaker Close is located to the east of Knole Road and the rear garden of this property borders Knole Road. 5 Quaker Close is located at a lower land level than that of the application site and its rear garden abuts the site boundary with Knole Road to the west. Trees which are covered by Tree Preservation Order are located to the western boundary of 5 Quaker Close (Tree Preservation Order reference 68/001B/TPO-G1).
- 36 With regards to privacy, 5 Quaker Close is located 21.7 metres from the building line of the property at the application site at ground floor level and 23.4 metres from 5 Quaker Close at first floor level. A distance of 21 metres is the distance which is generally accepted within the planning system to be acceptable with regards to the relationship between windows at neighbouring properties. Thus, by virtue of this distance, it is not considered that the first floor windows which are proposed within the front elevation of the development would result in a detrimental loss of privacy to the residents within this property and it would be difficult to argue that a significant loss of amenity would occur given the fact that the site is located within the built urban confines within a significantly built-up area.
- 37 In terms of daylight provision to 5 Quaker Close, again, by virtue of the fact that this property is located 23.4 metres from the application site at first floor level (and across a road to the east of the application site), combined with the fact that there is a modest increase in ridge height of 1.9 metres, it is not considered that the proposed development would result in a loss of daylight provision to either windows, or the private amenity area of this property. Similarly, in terms of the comments which have been received regarding overshadowing, given the distance of the proposed development from 5 Quaker Close, the proposed development will not result in any level of overshadowing to this property.

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- 38 The adjacent property of 8 Knole Road (which is located to the north of the application site at a similar land level to that of the application site) exhibits a first floor window which faces due south towards the application site. Given that the existing building line at the application site will be maintained, the proposed development will not result in a loss of daylight provision to this window (the 45 degree angles which are used within planning and referred to within the Council's Residential Extensions SPD have been applied to the proposals). In terms of outlook, whilst the outlook will change to this window, the existing outlook is onto the roof profile of the existing dwelling at the application site. This will not change dramatically by means of the proposal and thus the proposed development is not considered to have a detrimental impact upon the level of outlook which is currently enjoyed from this window at the neighbouring property.
- 39 First floor windows are proposed within the first floor element of the front gable extension; however, these will overlook the front garden area of the application site and that of the front amenity area at the adjacent 8 Knole Road. As such, there are no objections on these grounds.

### *Area of Archaeological Potential*

- 40 The application site is located within a designated Area of Archaeological Potential. However, given that the works are largely relate to development above ground level, it is not considered that the imposition of an archaeology condition would be necessary in the instance of this application.

### *Town Council comments*

- 41 The Town Council has raised a comment stating that there would be insufficient amenity space for future occupants of the property by means of the proposed development. In terms of the proposed development, such will be located largely at first floor level and the footprint will remain almost identical to that of the existing building. As such, there will be no little change in the level of amenity space provided at the application site by means of the proposal.
- 42 In terms of the representation which has been received regarding overdevelopment of the site, for the reasons stated previously within this report, the development is considered to result in an acceptable form of development in terms of its scale and bulk within the plot.

### *Letter of representation regarding construction traffic*

- 43 Construction traffic is a matter which is dealt with outside of planning legislation and is a highways matter. It would be unreasonable to therefore impose a condition regarding this matter on a planning decision notice.

### *Ward Member representation*

- 44 One of the grounds that the application has been reported to Committee relates to the impact of the proposed development from the flat grass area at the Hollybush Recreation Ground which is adjacent to the site to the west. For the reasons stated previously within this report, the proposed development would not be considered to harm the character or appearance the locality (and with that, that of the Hollybush Recreation Ground). On this ground, the development is considered to be acceptable.

**Conclusion**

45 For the reasons stated previously within this report, the proposed development is considered to be acceptable. It is therefore considered that planning permission be granted.

**Background Papers**

Site and Block plans

Contact Officer(s): Helen Broughton Extension: 7136

**Richard Morris**  
**Chief Planning Officer**

Link to application details

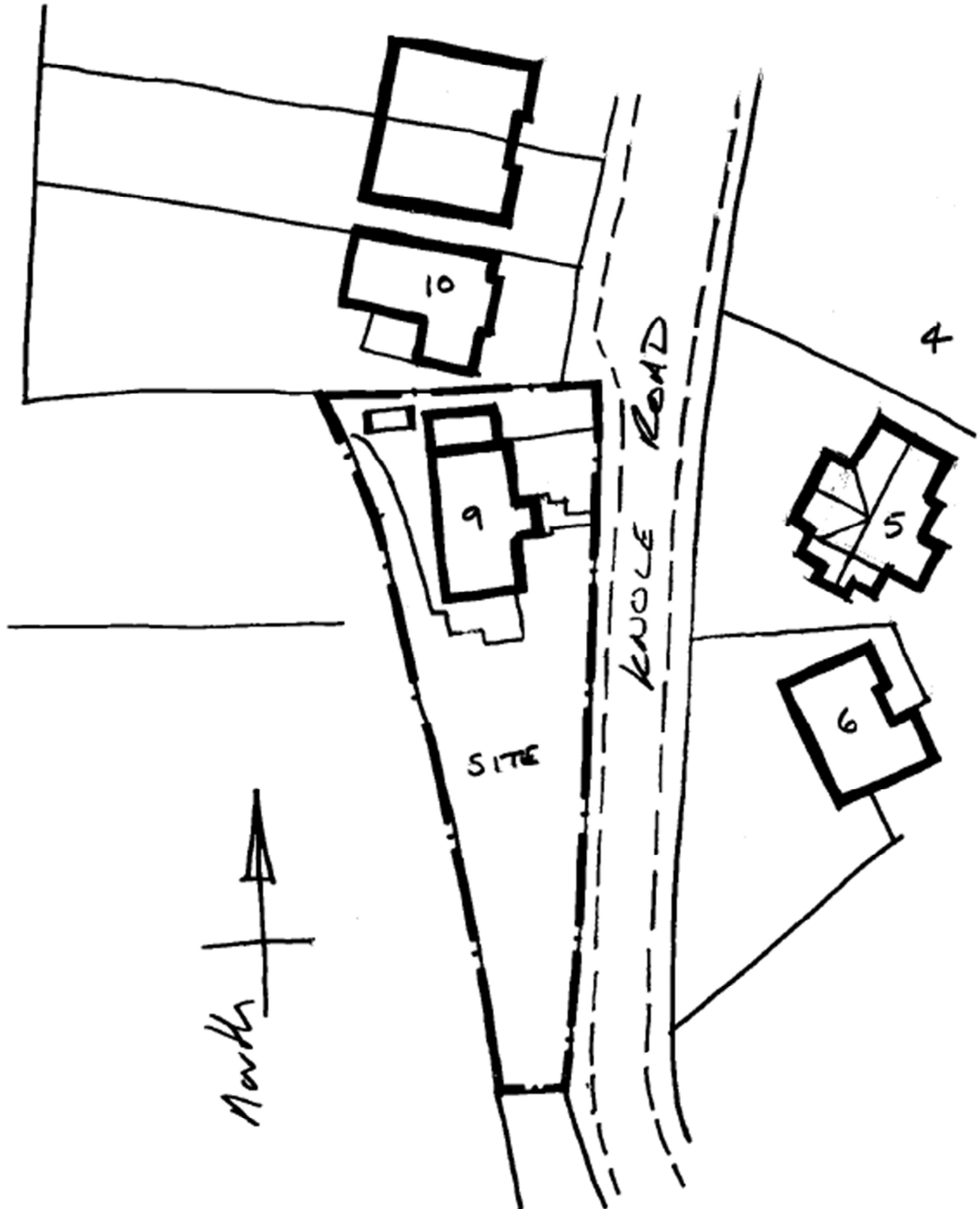
<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N9EUD0BKGO100>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N9EUD0BKGO100>



Block Plan



Block Plan  
9 KNOLE ROAD  
SEVEN OAKS

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4.2 – SE/14/00804/FUL Date expired 1 September 2014

PROPOSAL: Introduction of sand school adjacent to existing stables including the erection of a 1.1 metre timber post and rail fence (amended design to overcome refusal grounds for application SE/13/00028/FUL).

LOCATION: Stables On Land North Of The Farmhouse, Mussenden Farm, Mussenden Lane, Horton Kirby DA4 9JW

WARD(S): Farningham, Horton Kirby & South Darent

**ITEM FOR DECISION**

Councillor McGarvey has referred this application to Development Control Committee to consider the following matters:

- Acceptability of the access to site;
- Adequacy of parking;
- Impact on neighbours;
- Waste issues;
- Impact on the setting of the Listed Building

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the sand school hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No external lighting shall be installed on the land.

To protect the amenity of the area and the residential amenities of nearby dwellings as supported by policy EN1 of the Sevenoaks District Local Plan.

4) No jumps (other than when in use), mobile or temporary structures, buildings or chattels shall be placed on the sand school without the prior approval in writing of the Council.

To protect the amenity of the area as supported by policy EN1 of the Sevenoaks District

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Local Plan.

5) The sand school hereby permitted shall only be used as an ancillary facility in conjunction with the stables and shall not be used for any commercial purposes, including providing riding lessons, equestrian shows, gymkhana events or hunter trials/cross country events.

So that any other proposal is the subject of separate planning application, to be determined on its merits, having regard to the impact on the Green Belt, landscape and any highway implications in accordance with policies EN1 and VP1 of the Sevenoaks District Local Plan, policies SP1 and LO8 of the Sevenoaks Core Strategy and the advice and guidance contained in the National Planning Policy Framework.

6) No development shall be carried out on the land until details of the means of distributing and/or disposing of any excess earth have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To protect the amenity of the area as supported by policy EN1 of the Sevenoaks District Local Plan and policies SP1 and LO8 of Sevenoaks Core Strategy.

7) No development shall take place until full details of soft landscaping have been submitted to and approved by the Local Planning Authority. These details shall cover as appropriate: Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities, and Implementation timetables.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

8) Soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

9) No development shall take place until a scheme for the storage and disposal of manure from the land has been submitted to and approved in writing by the Council. The approved scheme shall be implemented in full when the sand school is first brought into use and shall be maintained thereafter.

To protect the amenity of the area as supported by EN1 of the Sevenoaks District Local Plan.

10) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg No. 1701-12-PL001 Rev. P4



For the avoidance of doubt and in the interests of proper planning.

**Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was updated on the progress of the planning application.

Description of Proposal

- 1 The application seeks full planning permission to create a sand school adjacent to an existing stable block. The school will measure 20m by 14m topped with a sand surface. The sand school would be enclosed by a 1.1m high 3 bar timber fence.

Description of Site

- 2 The application site is located outside of the rural settlement confines of Horton Kirby within open countryside.
- 3 Within the site currently consists of a stable block surrounded by land that is used for the grazing and keeping of horses. To the south, on the opposite side of the Lane are a group of buildings that are Grade II listed that once form part of a farmstead but have been converted to residential dwellings.

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- 4 The site can be seen from the roadside and it is clear that the immediate surrounding land is used for equestrian purposes.
- 5 Access into the site is available from Mussenden Lane.

### Constraints

- 6 Green Belt
- 7 Area of Archaeological Potential

### Policies

#### *Sevenoaks District Local Plan:*

- 8 Policies - EN1, SR9

#### *Sevenoaks Core Strategy:*

- 9 Policies - SP1, SP11, LO8

#### *Allocations and Development Management Plan (ADMP):*

- 10 Policies - EN1, EN2, LT2

#### *Other:*

- 11 National Planning Policy Framework (NPPF)

### Planning History

- 12 13/00028 - Introduction of sand school around existing stables, including the erection of a 1.1 metre timber post and rail fence - REFUSED

The grounds for refusal were:

*"The proposed sand school development, by virtue of location and design would have a harmful effect upon the character and appearance of the open countryside. To permit would be contrary to policy EN1 of the Local Plan and policies SP1, LO8 of the Core Strategy.*

*In the absence of an ecological scoping survey and a biodiversity enhancement and mitigation plan it cannot be demonstrated that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity. This conflicts with Policy SP11 of the Core Strategy and paragraph 118 of the National Planning Policy Framework 2012."*

### Consultations

#### *Horton Kirby and South Darenth Parish Council*

- 13 Objection raised relating to concerns on increased traffic and access.

### Representations

- 14 3 letters of concern received. Concerns relating to:

- Insufficient parking;
- Lack of waste disposal;
- New development within the Green Belt;
- Impact upon the setting of the listed building;
- Loss of privacy;
- Increase in traffic.

### **Chief Planning Officer's Appraisal**

15 The main considerations of this application are:

- Impact upon the Green Belt
- Impact upon the visual character and appearance of the area
- Impact on the amenity of adjacent properties
- Impact upon Ecology

#### Impact upon the Green Belt

##### *Appropriate development in the Green Belt?*

- 16 Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, paragraph 89 does provide for appropriate facilities for outdoor sport / recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 17 There is a general presumption against inappropriate development within the Green Belt, and such development should not be approved except in very special circumstances. However, the NPPF lists a number of appropriate uses in the Green Belt, for which there is no presumption against development or a need to provide very special circumstances. One of the appropriate uses listed is 'appropriate facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it' (para. 89).
- 18 Local Plan Policy SR9 and Appendix 3 discusses horses and stabling development in general. Appendix 3 of the Local Plan states that new buildings for commercial riding and stabling facilities is not likely to be appropriate development within the Green Belt but a judgement can be made having regard to the scale and impact of the new development.
- 19 The Council are also now, in line with paragraph 216 of the NPPF, giving significant weight to the following emerging development plan policy:

##### *"Policy LT2 - Equestrian Development"*

This policy expects proposals for equestrian facilities and activities which would meet the following relevant criteria will be permitted:

- For proposals that involve new facilities for the keeping of horses, sufficient grazing land and off road riding area would be available and would not harm the amenities of surrounding residents;

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- The proposal would not have an unacceptable impact on the water environment and sewage disposal;
  - The development would not result in harm to the character of the landscape or the ecological value of the area in which it is situated.
- 20 Proposals for equestrian development in the Green Belt will be permitted where the scale of the development is appropriate to a Green Belt setting, and where the cumulative impact of other buildings, does not harm the openness of the Green Belt.”
- 21 In addition to the above, the NPPF allows for ‘appropriate’ facilities for outdoor sport and recreation. Therefore in the context of the Local Plan and National Guidance the development proposed is acceptable in principle as it is can be ‘appropriate’ development.

### *Impact upon Openness of the Green Belt*

- 22 The site is relatively isolated and does not lie close to any village centre; nearby buildings are largely isolated residential properties. It is recognised that the development would intensify the use of the land for equestrian purposes, however, as grazing of horses does not require permission or the sub-division of field by fencing, the character and appearance has already changed from agricultural to equestrian purposes.
- 23 Current planning policy allows for appropriate outdoor recreational development. It is considered that the amended size of the proposal and its re-siting, would not have a significant impact upon the openness of the green belt as less intervention is required to change the existing levels of the site and the scale of the sand school has been reduced by approx. 50% to 20m x 40m.
- 24 The sand school is low key in nature and does not require any significant changes to the existing ground levels. Its very existence would be little different to a horse being kept on the land. Its intrusion into the openness of the Green Belt is considered to be limited whereas the previous application was for a much larger sand school and required removal of a hedgerow. It is now considered that this proposal overcomes the reason of refusal as mentioned previously.
- 25 The post and rail fencing that surrounds part of the site, also has a minimal impact upon the visual amenity of the area, by virtue of its height, design and would preserve the sense of openness and character of the area.
- 26 The proposed scheme accords with Policy SR9 of the Local Plan and the scale of the development is acceptable, what is proposed can be considered as being ‘appropriate’ recreational facility as prescribed by para.89 of the NPPF.

### Impact on character and appearance of area

- 27 Policy EN1 of the Sevenoaks District Local Plan requires that development respects and takes opportunities to enhance the character and distinctiveness of the locality. The form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard so that the distinctive character of villages is not damaged.

- 28 Policy LO8 of the Core Strategy requires that development to respect the countryside by having no detrimental impact to the quality of the landscape character.
- 29 Whilst the site is located in open countryside, it is considered that the impact of the development upon the wider landscape is limited as a result of its siting. The sand school is not inconsistent with the types of development found in rural locations. Given the low key nature of the development and its siting nearby the existing stables, it is not considered that the proposed sand school will detract from the openness of the Green Belt nor detract from the character of the landscape.
- 30 Some levelling of the land will be necessary to allow for an appropriate finished level however limited information has been submitted in regards to this, so it is considered reasonable to attach a condition to clarify the works required.
- 31 The proposed fencing around the sand school is a standard 3 bar timber construction which will match the existing fencing elsewhere in the site.
- 32 Further landscaping can be introduced to soften the impact of the development upon the landscape and would also increase the ecological value of the site.
- 33 It is therefore considered that the creation of the sand school will protect the character and appearance of the area and complies with policy EN1 of the Local Plan and policies SP1, LO8 of the Core Strategy and EN1, LT2 of the ADMP.

### Impact upon existing residential amenity

- 34 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy EN1 of the Local Plan requires that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 35 It is noted that the sand school is situated approximately 55 metres to the north of the closest neighbour being Mussenden Farm. Notwithstanding the historic use of the site, the importation and deposit of materials to create the school would have the potential to intensify the use of the area as a riding area by making it more durable in inclement weather.
- 36 The sand school would not be floodlit, which means that its hours of use would be restricted to those of daylight.
- 37 On balance, whilst it is accepted that there is likely to be a degree of disturbance from the operations of the sand school, it is not considered that this is so intensive that the impact upon neighbouring amenity is unacceptable, particularly given the separation distance of the nearest dwellings from the sand school itself.
- 38 The nearest properties that front on to Mussenden Lane would be separated by a minimum 55m gap. It is considered that the level of activity is such that this would not be modest and not constant and a condition can be imposed so that the sand school would not be used for commercial purposes. Whilst it is not considered necessary to impose a condition relating to hours of operation, it is

## Agenda Item 4.2

reasonable to prevent lighting from being installed or brought onto the site, to ensure that activities do not take place at more unreasonable hours.

- 39 Some of the representations received also refer to the lack of waste disposal on site and no public convenience facilities are being provided. Whilst it appears that no manure waste facilities are provided on site, this could be dealt with by the imposition of a condition requiring a facility for manure disposal to be provided to improve the management of the site. Concern has been raised in terms of the lack of toilet facilities on site however there is no requirement for toilets to be provided in planning policy terms. Therefore limited weight can be given to this issue.
- 40 Whilst the representations from neighbouring residents and Parish Council expressing their concerns regarding their amenity are legitimate, it is considered that the sand school, in the position it has been proposed, is compatible with adjoining uses and that activities can take place from it without having an unacceptable impact upon neighbouring residential amenity.
- 41 For all of these reasons, it is concluded that this proposal would not have a materially harmful effect on the living conditions of the occupiers of nearby dwellings. It would not, therefore, conflict with policies EN1 of the Local Plan and policy EN2 of the Allocation and Development Management Plan.

### Highways

- 42 The proposal seeks to utilise the existing access into the site, together with a road planings hardstanding area to the side of the existing stable block. This access is established and the site could easily accommodate parking in excess of four cars. The development would still cater for 4 parking spaces and would use an existing access. It is considered that the proposed use would be unlikely to generate additional trips compared to the existing use. If the sand school was restricted to ensure it was not used for commercial purposes, a highways ground of refusal could not be justified.
- 43 The creation of the sand school would not result in a significant increase of vehicle movements to and from the site to the detriment of highway safety. Overall, there is no justified reason to object on highway matters.

### Ecology

- 44 In the previous application, there was a reason for refusal as the previous scheme would have an impact upon an existing hedgerow to the eastern boundary of the site. To overcome this, a Phase 1 Habitat survey has been commissioned and submitted as part of this amended scheme. This survey concludes that there are no protected species within the site but recommends that further native planting can be used to assist in screening the development and improve the ecological value of the site. This measure can be secured by condition.
- 45 Considering the above, it is considered that this amended scheme overcomes the previous reason for refusal, as such complies with Policy SP11 of the Core Strategy.

Other Issues

- 46 The Parish Council objects to this application on highway matters however as noted in previous paragraphs, an highway objection cannot be sustained
- 47 In accordance with Section 66 of the Listed Building and Conservation Areas Act, this seeks that Council must have due regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Taking this into consideration, the sand school will be located outside the curtilage of the listed buildings, to the southern side of Mussenden Lane. The development will be approximately 55 metres to the north of the group of the listed buildings although the development is set at a slightly higher level, due to this distance and existence of intervening built form it is not considered that the development will have a detrimental impact on the setting of these listed buildings.
- 48 The site is within an area of archaeological potential however, the development would require minimal ground works. As such it is not considered in this instance, that further archaeological investigations would be necessary.

Access issues

- 49 There are no adverse access issues with this application

**Conclusion**

- 50 The principle of the development is considered to be acceptable and in accordance with the objectives of the NPPF. This amended proposal is acceptable in terms of its impact upon the character and appearance of the countryside and neighbouring residential amenity likely. This proposal now, overcomes the previous reasons of refusal. Therefore, on considering the above, it is recommended that this application should be granted, as it conforms to the relevant Development Plan policies and that there are no other overriding material considerations to indicate otherwise.

**Background Papers**

Site and Block plans

Sean Mitchell Extension: 7349

Contact Officer(s):

**Richard Morris**  
**Chief Planning Officer**

## Agenda Item 4.2

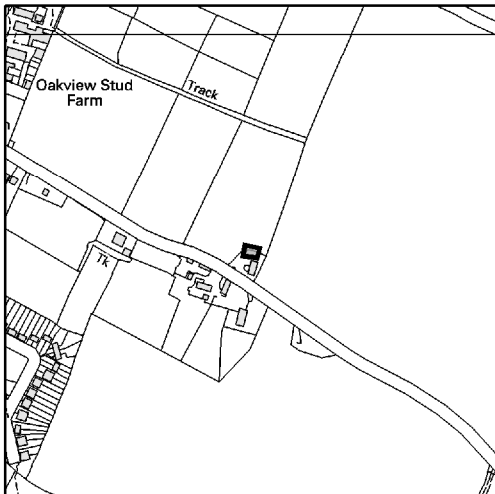
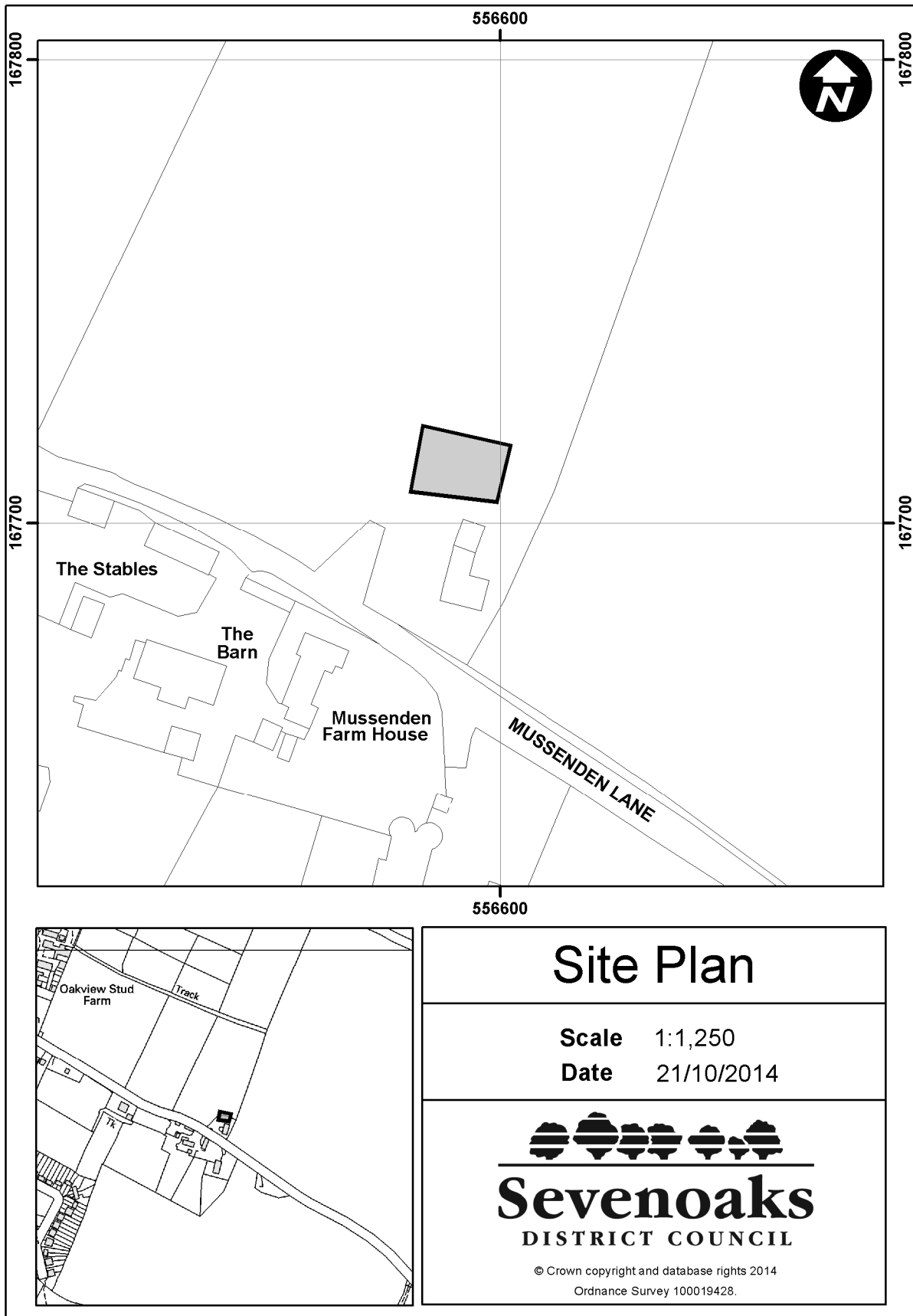
Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N20BPMBK8V000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N20BPMBK8V000>



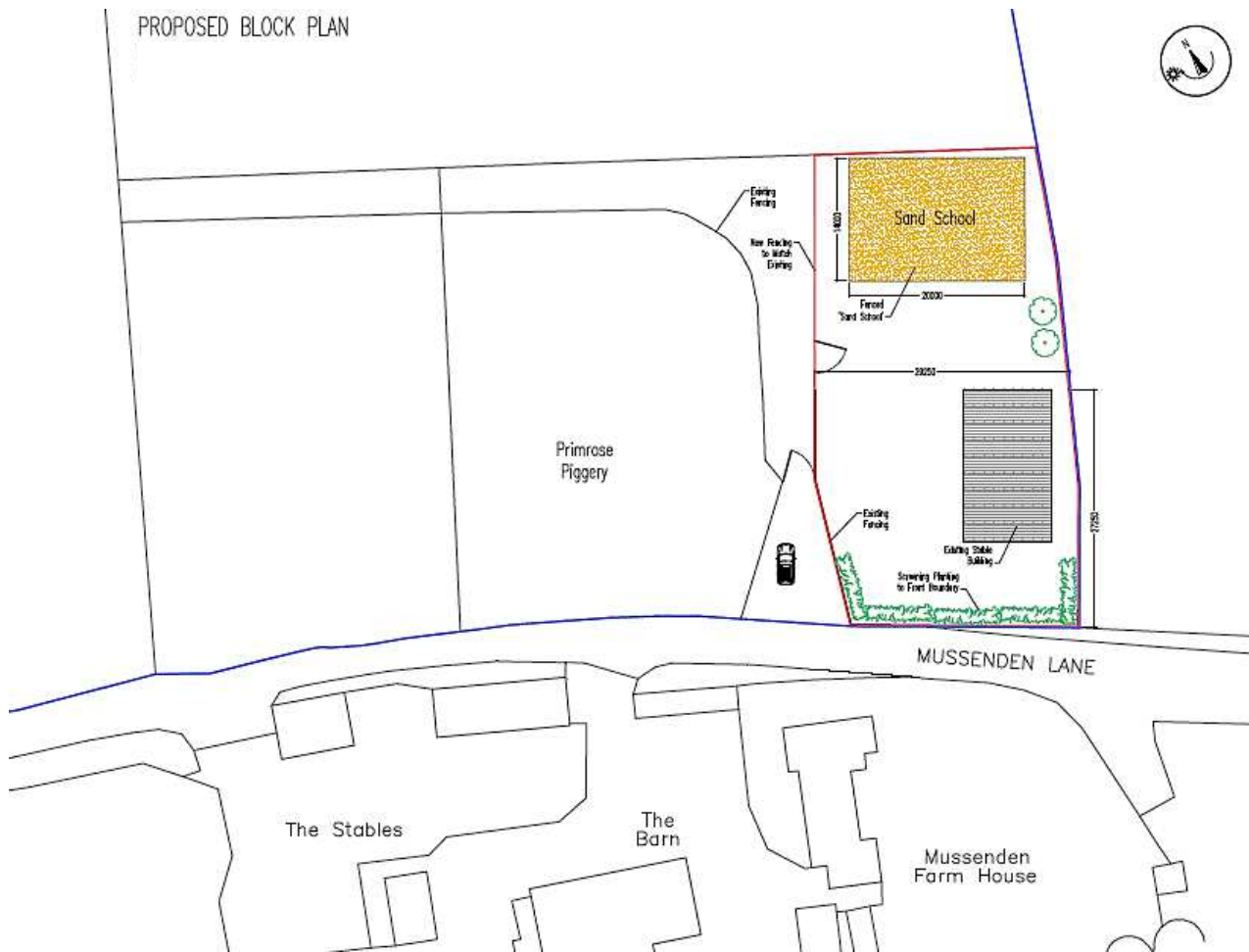


# Site Plan

Scale 1:1,250  
Date 21/10/2014



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Ordnance Survey 100019428.



4.3 – SE/14/02195/HOUSE Date expired 13 October 2014

PROPOSAL: Demolition of existing utility room. Erection of a two storey side extension, single storey rear extension, new porch, conservatory and loft conversion.

LOCATION: 37 Southdene, Halstead, Kent TN14 7HB

WARD(S): Halstead, Knockholt & Badgers Mount

**ITEM FOR DECISION**

The application has been referred to Committee by Councillor Williamson to consider whether the proposals represent an overdevelopment of the site which would be detrimental to the street scene and residential amenity.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

To ensure that the appearance of the development is in harmony with the existing character of the house as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No development shall take place until details of the layout and construction of areas for the parking of three cars including garage spaces and means of access have been submitted to and approved in writing by the Council. The parking areas approved shall be provided and kept available for parking in connection with the use hereby permitted at all times.

To ensure a permanent retention of vehicle parking for the property as supported by policies EN1 and VP1 of the Sevenoaks District Local Plan.

4) No window(s) or other opening(s) shall be inserted at any time in the north-west side elevation(s) of the extension hereby approved, despite the provisions of any Development Order.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) The development hereby permitted shall be carried out in accordance with the following approved plans: no.03, 04A, 5 and 06.

For the avoidance of doubt and in the interests of proper planning.

## Agenda Item 4.3

### **Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Did not require any further assistance as the application was acceptable as submitted.

### Description of Site

- 1 The application site accommodates a modestly scaled, 2 storey dwelling, set towards the end of a cul-de-sac loop accessed via Knockholt Road.

### Description of Proposal

- 2 Demolition of existing single storey side extension and erection of 3.5m wide 2 storey side extension. This element would be the full depth of the 2 storey flank of the house, with eaves and ridge levels to match existing. The roof above would incorporate a gable end, as existing.
- 3 It is also proposed to erect a 2.5m deep single storey extension with sloping roof above – the part to the rear of the 2 storey element to be solid tiled, the rest to be glazed. It is also proposed to add a small porch extension to the front with would have a pitched roof approximately 3.4m high.
- 4 It is also proposed to convert the existing loft space to habitable accommodation and insert 3 roof-lights, though this element of the works would appear to comprise permitted development.
- 5 Materials are to match existing.

Constraints

6 Urban confines of Halstead.

Policies

*Sevenoaks District Local Plan:*

7 Policies - EN1 and VP1

*Sevenoaks Core Strategy:*

8 Policies - SP1 and L08

*Allocations and Development Management Plan (ADMP)*

9 Policies - EN1 and EN2

*Other*

10 National Planning Policy Framework

Relevant Planning History

11 SE/06/00047/FUL: Two storey side extension. Approved 17.2.06. (Not implemented).

Consultations

*Halstead Parish Council:*

12 Objection and reasons:

13 The Parish Council objects to this planning application.

14 Council agrees that many of the properties in the road have been extended but none to the degree of this application. The property is to be turned from a two bedroom dwelling into a four bedroom house. The original footprint was 78sq m and the footprint of the proposed development is 170sq.m.

15 Council believes this development could have an adverse effect on the street scene.

Representations

16 None received.

**Chief Planning Officer's Appraisal**

Size, bulk, design and impact on street scene:

17 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criterion 1 states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings

## Agenda Item 4.3

and incorporate materials and landscaping of a high standard. Policy H6B of the SDLP states that residential extensions shall be subject to the principles in Appendix 4. Amongst other things, Appendix 4 states that the extension itself should not be of such a size or proportion that it harms the integrity of the design of the original dwelling or adversely affect the street scene.

- 18 Policy EN1 of the emerging Allocations and Development Management Plan, which can now be afforded significant weight takes a similar design approach to that above.
- 19 Paragraph 4.7 of the Council's Residential Extensions SPD states that the scale and form of an extension should fit unobtrusively with the building and its setting and be compatible with the surrounding properties. This is particularly important where buildings in a street follow a regular form or are regularly spaced. An extension should not have a detrimental visual impact or overbearing effect on the original building or the street scene. Paragraph 4.9 states that a range of devices is available to reduce the visual impact of an extension such as setting the extension back from the original building.
- 20 Paragraph 4.18 of the SPD states that when the proposal is for a two-storey extension, the loss of space will be more apparent. In a street of traditional detached and semi-detached houses, the infilling of the spaces between with two-storey extensions could create a terraced and cramped appearance at odds with the regular pattern of development when viewed from the street when the gaps, often with associated landscaping or allowing longer views, are important elements. Paragraph 4.19 states that where there is a pattern of gaps between properties within a street, as a guide, a minimum of 1m between the side wall of a two storey side extension and the boundary for the full height of the extension is normally desirable. This will allow a continuation of the pattern of gaps when viewed from the street. The gap may need to be wider depending on the context.
- 21 The Halstead Village Design Statement notes that Southdene is built around a large green open space. With regard to extensions in general, the guidance states that higher standards of design will be required on properties in or adjacent to Conservation areas and on prominent sites. Extensions should be in matching materials and be in proportion to the house.
- 22 I have no objection to the porch or the single storey rear elements of the proposals, both of which would be of a relatively modest scale and acceptable design in my view. I consider the key issue to be that of the 2 storey side extension, which incorporates conversion of the loft space to both the existing house and the extension.
- 23 Whilst the 2 storey extension would be a fairly sizable addition, I do not consider it would appear at odds with the existing form of the house and do not consider it would appear as an overbearing or unduly dominant addition. It would reflect the height and design of the existing house. It would be set a minimum 1m off the boundary with the neighbouring property to the west, no.36. The 2 storey flank to no.36 in turn is set approximately 4.5m off the boundary. I would note that a single storey extension projects closer, but this is set well back into the site and consequently has a limited visual impact on the street scene. Hence the proposed extension would retain a visual gap between the 2 storey flanks of these houses in the order of 5.5m. I am not convinced that recessing the side extension behind the front face of the house would materially alter the relationship with the

neighbouring property, or the consequent appearance to the street scene. In this regard I consider the key factor in maintaining the characteristic spaciousness is the clear gap between the houses. In this instance, I consider the gap which would be retained to be sufficient to preserve the visual amenities of the street scene.

- 24 In forming the view above, I am mindful of 3 other properties in the immediate vicinity which have extended in a similar manner. No.31 was extended following a grant of permission in 1986 (SE/86/00573/FUL refers), no.35 following a grant of permission in 2004 (SE/04/02484/FUL refers) and no.34 following a grant of permission in 2012 (SE/12/01341/HOUSE refers). Whilst I do not consider these examples create a precedent, they provide examples which support my view that 2 storey extension presently proposed would have an acceptable impact on the street scene, including the open green in front which provides a clear public view of the site.
- 25 Whilst it is also proposed to convert the entire loft space that would be created by the proposals, this would be contained wholly within the roof and served only by 3 rear dormers. I do not consider this aspect of the proposals would have a detrimental impact on the street scene or in design terms.

### Impact on residential amenity:

- 26 Paragraph 17 of the NPPF identifies a set of core land use planning principles that should underpin decision making. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy EN1 of the Local Plan requires that any development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants. Appendix 4 to H6B also states that proposals should not result in material loss of privacy, outlook, daylight or sunlight to habitable rooms or private amenity space of neighbouring properties, or have a detrimental visual impact or overbearing effect on neighbouring properties. Policy EN2 of the emerging ADMP can now be afforded significant weight. This seeks to safeguard the amenities of the occupiers of nearby properties.
- 27 To the rear of the site is open amenity space forming part of the grounds to Halstead Village Hall. To the east is the adjoining house, no.38 Southdene. This property is likely only to be directly affected by the single storey rear extension. However, because of the modest depth and height of this element – 2.5m deep and 3.4m at the highest point of the roof which adjoins the house and slopes downwards to the rear – I do not consider it would appear overbearing or unneighbourly.
- 28 The property most affected by the proposals would be no.36 to the west. This property would be adjacent to the 2 storey extension. However, windows in the flank of no.36 facing the application site are limited. There is a small ground floor window serving the entrance hall and what appears to be a landing window at first floor level. These windows are set well away from the party boundary. Set back from the front of the property is a single storey utility projection. This also has a size window and door, but this appears to serve a toilet and access into the utility area. Thus none of the windows would be considered to serve habitable rooms. None provide a main outlook from the house, as these are orientated facing front and rear. In the circumstances, bearing in mind the extension would be set well

## Agenda Item 4.3

away from the flank of this property and would project no further to the rear than the existing house at 2 storey level, I do not consider it would appear as an unduly overbearing or unneighbourly addition, or to result in any significant loss of light.

### Parking implications:

- 29 Criteria 6) of policy EN1 states that the proposed development must ensure satisfactory means of access for vehicles and pedestrians and provides parking facilities in accordance with the Council's approved standards. This approach is echoed by policy VP1.
- 30 The proposals would add 2 further bedrooms to the house (potentially 3 if playroom included). Whilst there is forecourt parking at present, this would not accommodate the required 3 parking spaces. However, there is sufficient space in front of the house to accommodate the required spaces without necessitating the loss of the entire front garden. The provision of sufficient parking could be subject to condition in the event permission were to be granted.

### Community Infrastructure Levy:

- 31 The proposals relates to a residential extension. The relevant Community Infrastructure Levy requirement form (determining whether a development may be CIL liable) has been completed. The new build floor-space does not exceed the 100m<sup>2</sup> threshold and thus the extension is not CIL liable.

### **Conclusion**

- 32 I do not consider the extensions would represent a disproportionately large or incongruous form of development and consider they would preserve the character of the house. In my view, the proposals would preserve both the visual amenities of the street scene and the amenities of the occupiers of the neighbouring properties. I would recommend a condition relating to the submission of adequate on site parking.

### **Background Papers**

Site and Block plans

Contact Officer(s): Mr J Sperry Extension: 7179

**Richard Morris**  
**Chief Planning Officer**

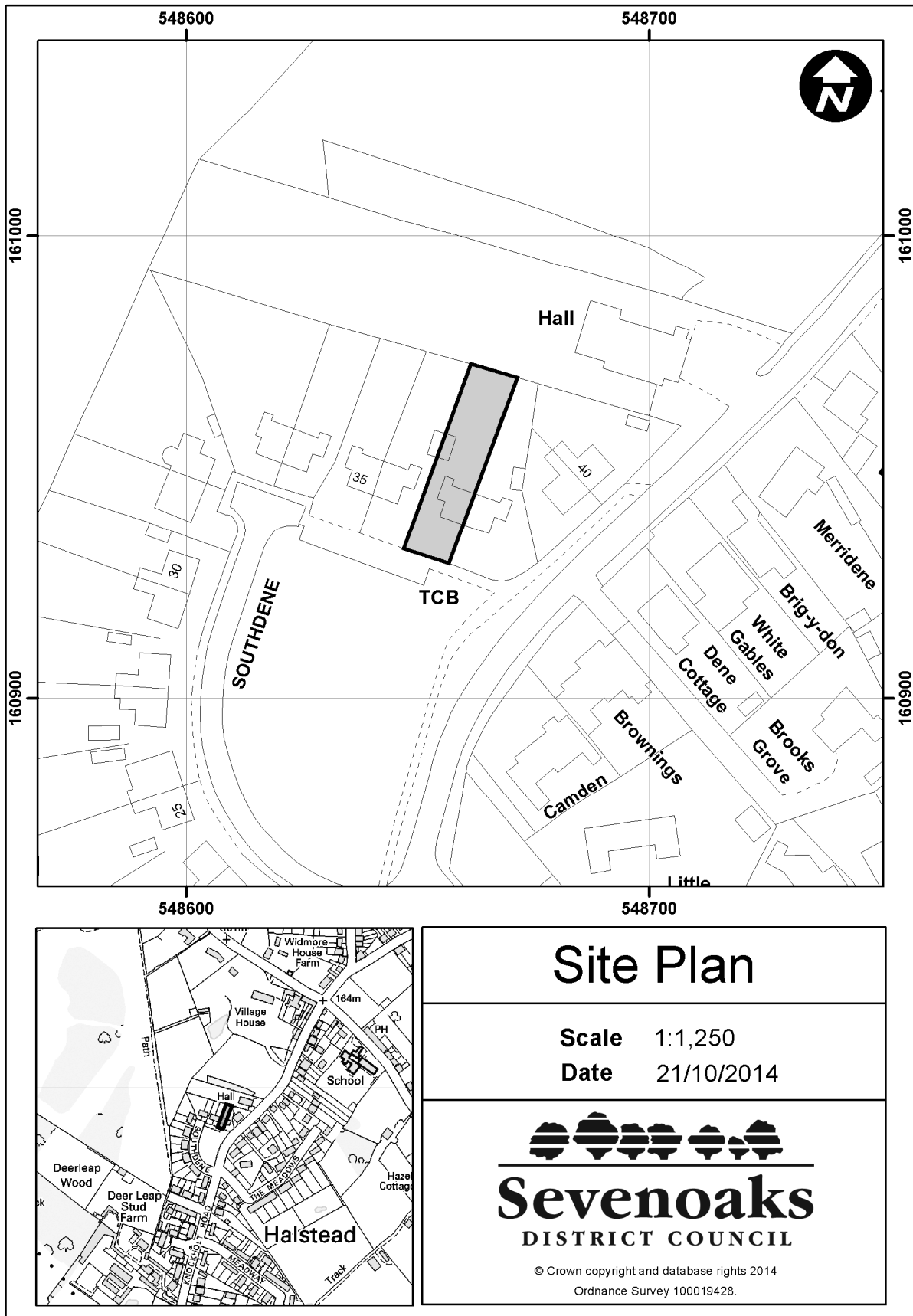
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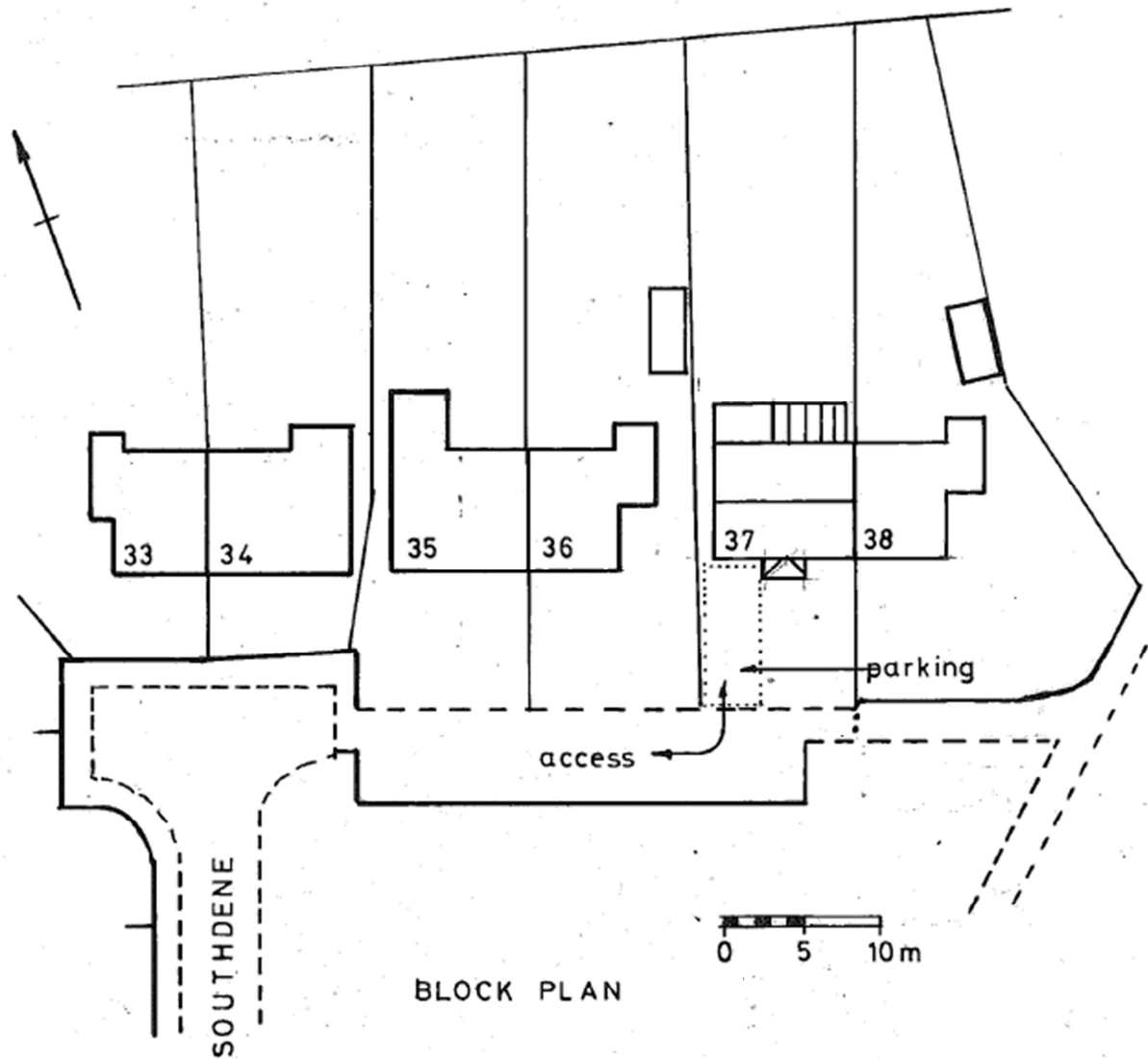
Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N8CMS9BK0L000>





**BLOCK PLAN**



4.4 – SE/14/01897/HOUSE Date expired 24 September 2014

PROPOSAL: Remove existing garden shed & erect new wooden outbuilding.

LOCATION: 3 Colinette Cottages, Chart Lane, Brasted TN16 1LP

WARD(S): Brasted, Chevening and Sundridge

**ITEM FOR DECISION**

This application has been referred to Development Control Committee by Councillor Firth to consider whether the proposal would be proportionate and not harmful the openness of the Greenbelt at this particular location.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The cumulative impact of the proposal and the existing extensions to the property would result in disproportionate additions over and above the size of the original dwelling and would therefore be inappropriate development in the Green Belt in accordance with the National Planning Policy Framework and policies H14A and B of the Sevenoaks District Local Plan and Policy GB1 and GB3 of the Allocation and Development Management Plan. No case for very special circumstances has been put forward to clearly outweigh this harm.

**Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

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In this instance the applicant/agent:

- 1) Working in line with the NPPF, the application was refused as the proposal failed to improve the economic, social or environmental conditions of the area.

### Description of Proposal

- 1 Removal of existing garden shed and erect new wooden outbuilding.
- 2 The existing wooden shed measures 2.42m by 3.6m rising to a height of 2.7m with a ridged roof.
- 3 The proposed outbuilding would measure 3.0m by 5.4m rising to a height of 3.06m with a ridged roof. The materials would comprise of an oak frame with pine cladding sides with reclaimed clay tile roof to match the house.

### Description of Site

- 4 The property is a semi-detached property located 0.7km south of Brasted village within a rural locality. The garden to the northwest and rear of the proposed outbuilding rises up from the level of the proposal.

### Constraints

- 5 Area of Archaeological Potential
- 6 Area of Outstanding Natural Beauty
- 7 Adjacent Public Right of Way
- 8 Metropolitan Green Belt

### Policies

*Sevenoaks District Local Plan:*

- 9 Policies – EN1, H6B, H14A,

*SDC Core Strategy*

- 10 Policy - SP1

*SDC Allocations and Development Management Plan (Submission draft)*

Following the examination of the ADMP policies within the ADMP are in the final stages of preparation and the policies are now attributed weight in decision making.

- 11 Policies – EN1, EN2, EN4, GB1, GB3

*Other*

- 9 National Planning Policy Framework
- 10 National Planning Policy Guidance

Planning History

- 11 77/00491/HIST Attached domestic garage/workshop at side of dwelling and construction of vehicular access. Grant 28/03/1978.
- 12 78/01082/HIST Two storey extension to side of dwelling incorporating a garage and construction of vehicular access. Grant 26/09/1979.
- 13 14/00673/HOUSE Removal of existing garden shed and replace with new shed. Refuse 13/05/2014.

Consultations

*Brasted Parish Council*

- 14 Brasted Parish Council supports this application.

Representations

- 15 None received

**Chief Planning Officer's Appraisal**

Impact upon the Green Belt

- 16 The National Planning Policy Framework (NPPF) states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 17 Paragraph 89 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt.
- 18 Exceptions to this are:
  - buildings for agriculture and forestry;
  - provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserved the openness of the Green Belt and does not conflict with the purposes of including land within it;
  - extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
  - limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a great impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

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- 19 Policy H14A provides a local interpretation on what is an appropriate extension to dwellings within the Green Belt. It lists a number of criteria with which extensions to dwellings within the Green Belt must comply. This includes the criteria that the “gross floor area” of the existing dwelling plus the “gross floor area” of the extension must not exceed the “gross floor area” of the “original” dwelling by more than 50%. The design of the extension should also be sympathetic and well articulated.
- 20 In respect to local policy H14B which relates to proposals for the erection of buildings and enclosures within the residential curtilages of dwellings within Areas of Outstanding Natural Beauty and within the Green Belt only criterion 4 requiring that the outbuilding should be well designed in relation to the dwelling comparable with the area and designed and sited to minimise visual intrusion is compatible with the NPPF.
- 21 The emerging ADMP has been to examination and is in its final stages of preparation and accordingly its policies carry weight. Policy GB3 which relates to residential outbuildings within the Green Belt carries significant weight.
- 22 This policy states that proposals for residential outbuildings, within the curtilage of an existing dwelling in the Green Belt, will be treated as an extension under Policy GB1 if the proposed outbuilding would be located within 5m of the existing dwelling.
- 23 Outbuildings located more than 5m from the existing dwelling will be permitted where the building, including the cumulative impact of other outbuildings and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.
- 24 The proposed outbuilding would be within 5m of the dwelling and is therefore treated as an extension under Policy GB1. Policy GB1 states that proposals to extend an existing dwelling within the Green Belt which would meet the following criteria will be permitted:
  - a) the existing dwelling is lawful and permanent in nature; and
  - b) the design is proportional and subservient to the 'original' dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and
- 25 If the proposal is considered acceptable when considered against criteria a) and b), the following criterion will then be assessed and must also be met for the proposal to be considered appropriate:
  - c) that the total floor-space of the proposal, together with any previous extensions, alterations and outbuildings would not result in an increase of more than 50% above the floor-space of the "original" dwelling (measured externally) including outbuildings within 5m of the existing dwelling.
- 26 Having reviewed the history for the property I have come to the following calculations:

Total of original house = 121.76 m<sup>2</sup>

(includes single storey and two projections and porch)

This gives an allowance of 60.88m<sup>2</sup> for the property to be extended in accordance with criteria c) of Policy GB1.

In 1978 planning permission was granted for a two storey side extension which has been implemented. The floor area for this extension is as follows:

Total of two storey extension =53.08m<sup>2</sup>

A shed currently exists 1.8m from the original house which is within 5m of the dwelling and accordingly will be included as an extension of the dwelling.

Existing shed on site = 8.64m<sup>2</sup>

Total of extensions to the dwelling (including existing shed) 61.72m<sup>2</sup> / original house 121.76m<sup>2</sup> = 51% increase on the floor area of the original house. As the existing shed is being demolished, this is not being considered in the calculations for the proposed shed.

Proposed replacement shed =16.2m<sup>2</sup>

Total extensions two storey side extension and proposed shed = 69.28m<sup>2</sup>

(this excludes the shed to be demolished).

Total extensions (two storey side and proposed new shed) 69.28m<sup>2</sup> / original house 121.76m<sup>2</sup> = 56.89% increase on the floor area of the original house

As well as assessing the increase in floor area the impact of the cumulative three dimensional bulk being added to the property needs to be considered.

- 27 The NPPF clearly states that proposals should not result in disproportionate additions over and above the size of the original dwelling. Therefore the cumulative impact of the replacement shed and the two storey extensions have to be taken into consideration.
- 28 The combination of the existing two storey extension and the proposed shed already add a significant amount of bulk to the original dwelling. The increase in the size of the shed will therefore exacerbate this. The proposal will therefore result in harm to the openness of the Green Belt contrary to policies H14A and H14B of the Sevenoaks District Councils Local Plan and policies GB1 and GB3 of Sevenoaks District Councils Allocations and Development Management Plan.
- 29 Therefore the proposal would represent inappropriate development within the Green Belt. Consideration of Very Special Circumstances will be considered later within this report.

### Impact upon the street scene and Area of Outstanding Natural Beauty

- 30 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criteria 1 states that the form of the proposed development, including any buildings or extensions should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. Policy H6B of the

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SDLP states that residential extensions shall be subject to the principles of Appendix 4. Amongst other things, Appendix 4 states that the extension should not be of such a size or proportion that it harms the integrity of the design of the original dwelling or adversely affects the street scene. The extension itself should not be of such a size or proportion that it harms the integrity of the design of the original dwelling. In addition Appendix 4 also states that a minimal distance of 1m is normally necessary for two storey extensions where extensions which extend to the side boundary of the property could lead to visual terracing.

- 31 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 32 The NPPF paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.
- 33 Policy L08 states that the countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible. The distinctive character of the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings, will be conserved and enhanced.
- 34 The front elevation of the proposed shed would be set forward of the current shed by 1.6m, with a width of 3.0m rising to a height of 3.06m compared to a width of 2.42m with a height of 2.7m. The proposal would comprise of wooden walls and roof with a tiled roof. The proposed shed would be set back from the house at a distance of 1.3m and would be clearly visible from the road. To the north west and south west the land rises above the level of the land upon the shed would be located to a hedge rising to a height of approximately 2m and a hedge to a height of approximately 3m to the northwest of the proposed shed. The impact of the proposal would be minimised by the siting and adjacent foliage and would not be out of character within the setting of the property. In consequence the proposal would not have a detrimental impact upon the street scene.
- 35 The proposed garage would be set adjacent to the western elevation of the property with a bank with bushes rising to the west of the site. The garden behind the proposed outbuilding rises up above the level of the outbuilding with a field beyond screened by a mature hedge. In consequence the proposed outbuildings would be partially screened by land rising to the south and west and would be read against the context of the house which would minimise its impact within the wider landscape and so conserve the character of the Area of Outstanding Natural Beauty.
- 36 In consequence the proposal would incorporate an appropriate design which would not have a detrimental impact upon the street scene and would conserve the character of the Area of Outstanding Natural Beauty.



### Impact upon local amenities

- 37 Policy EN1 of the SDLP lists a number of criteria to be applied in the consideration of planning applications. In particular, Criteria 3) of policy EN1 of the SDLP states that the proposed development must not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements. Criteria 6) states that the proposed development must ensure satisfactory means of access for vehicles and pedestrians and provides parking facilities in accordance with the Council's approved standards. Criteria 10) states that the proposed development does not create unacceptable traffic conditions on the surrounding road network and is located to reduce where possible the need to travel. Policy H6B of the SDLP states that residential extensions shall be subject to the principles in Appendix 4. This is further supported by SDC's Residential Extensions Supplementary Planning Document. Amongst other things, Appendix 4 and the Residential Extensions SPD states that proposals should not result in material loss of privacy, outlook, daylight or sunlight to habitable rooms or private amenity space of neighbouring properties, or have a detrimental visual impact or overbearing effect on neighbouring properties or the street scene. The Residential Extensions SPD states that an extension should maintain an acceptable outlook from a neighbouring property.
- 38 3 Colinette Cottages is a semi-detached property with the bulk of the house obscuring views of the proposed development from the adjoining property. The proposed shed would as viewed from the south and west be largely screened by the land behind and to the side of the shed and the vegetation screening the site.
- 39 Whilst 1 and 2 Colinette Cottages lie to the northwest these properties are at least 20m distant and would be partially screened by the existing hedge running down the lane between the two properties.
- 40 The proposal would not accordingly affect any neighbouring properties in respect to a loss of light, outlook or privacy.
- 41 KCC Highways were previously informally consulted on this application however whilst the address is Chart Lane the track upon which this property lies is beyond the classified road and accordingly KCC Highways stated that they did not have a concern in respect to the proposal. Parking currently exists on hardstanding in front of the house. Accordingly there is no objection to the proposal in respect to its potential impact upon highway safety.
- 42 In consequence the proposal would not have a detrimental impact upon local amenities.

### Impact upon Public Right of Way

- 43 3 Colinette Cottages lies adjacent to a junction with a public right of way passing directly in front of the adjoining property no. 4 Colinette Cottages. The shed does not lie on the right of way which accordingly would not be affected by the proposed development.

### Impact upon the Area of Archaeological Potential

- 44 Section 12 of the NPPF relates to conserving and enhancing the historic environment and identifies that heritage assets are a 'irreplaceable resource'. As

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such, paragraphs 131-132 seek to ensure that development makes a positive contribution to local character and distinctiveness and that great weight is given to asset's conservation including 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Emerging policy EN4 (Heritage Assets) of the ADMP seeks to relate to proposals which affect a heritage asset or its setting it supports proposals where the character, appearance and setting of the asset is conserved or enhanced. Assessment will relate to the significance of the asset, prominence and any elements to be lost or replaced.

- 45 The proposal relates to a wooden garage which is partially located on the site of the existing wooden garden shed. Due to the limited scale of the works the impact upon potential archaeology would be minimal.

### Assessment of any Very Special Circumstances

- 46 No very special circumstances have been advocated to support this application. No Lawful Development Certificate has been granted for an outbuilding on this site. In reviewing Class E of the General Permitted Development Order 1995 (amended) due to the property lying within an Area of Outstanding Natural Beauty no development would be permitted to the side of the dwelling-house and the area to the rear would be insufficient to accommodate an outbuilding of the size being proposed.

### **Conclusion**

- 47 The proposal would represent inappropriate development which would harm the openness of the Green Belt. There are no very special circumstances which would outweigh the harm to the Green Belt or its openness.

### **Background Papers**

Site and Block plans

Contact Officer(s): Guy Martin Extension: 7351

**Richard Morris**  
**Chief Planning Officer**

Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N7928IBKG7100>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N7928IBKG7100>

