

DEVELOPMENT CONTROL COMMITTEE

20 August 2015 at 7.00 pm
Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Williamson

Vice-Chairman Cllr. Thornton

Cllrs. Ball, Barnes, Bosley, Brown, Clark, Cooke, Edwards-Winsor, Gaywood, Hogg, Horwood,
Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Raikes and Miss. Stack

Pages

Apologies for Absence

1. **Minutes** (Pages 1 - 6)
To approve the minutes of the meeting of the Committee held on 30 July 2015, as a correct record.
2. **Declarations of Interest or Predetermination**
Including any interests not already registered
3. **Declarations of Lobbying**
4. **Planning Applications - Chief Planning Officer's Report**
- 4.1. **SE/15/01535/HOUSE - The Spinney, Manor Lane, Fawkham DA3 8NB** (Pages 7 - 16)
Erection of a single storey extension.
- 4.2. **SE/15/02019/FUL - Dunbrik Depot, 2 Main Road, Sundridge TN14 6EP** (Pages 17 - 28)
Proposed workshop roof alterations and store extension.

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 or speak to a member of the Democratic Services Team on 01732 227247 by 5pm on Monday, 17 August 2015.

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.

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 30 July 2015 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Bosley, Brown, Cooke, Edwards-Winsler, Gaywood, Hogg,
Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Miss. Stack and Thornton

Apologies for absence were received from Cllrs. Barnes, Clark and Raikes

Cllrs. Clack and Piper were also present.

26. Minutes

Resolved: That the minutes of the Development Control Committee held on 9 July 2015 be approved and signed by the Chairman as a correct record.

27. Declarations of Interest or Predetermination

Councillor Hogg declared that he was a member of the management committee of the Labour Party Headquarters in Swanley within close proximity to the site at Minute 30, SE/14/03874/CONVAR - Holly Mobile Home Park, Hockenden Lane, Swanley BR87QH, and would remain in the Chamber but take no part in the debate or voting thereon. He also declared that he was a Member of Swanley Town Council for Minute 32, SE/15/01200/HOUSE - Karapara, London Road, Swanley BR8 7AQ, and had been party to decisions of Swanley Town Council requesting this item be referred to Committee, but would remain open minded.

Councillor Ball declared that he was a Member of Swanley Town Council for Minute 32 SE/15/01200/HOUSE - Karapara, London Road, Swanley BR8 7AQ, and had been party to decisions of Swanley Town Council but would remain open minded.

28. Declarations of Lobbying

Councillors Bosley, Brown, Cooke, Edwards-Winsler, Gaywood, Mrs. Hunter, Layland, Parkin, Purves, Miss. Stack, Thornton and Williamson declared that they had been lobbied in respect of Minute 31, SE/15/00236/HOUSE - 55 Bradbourne Road, Sevenoaks TN13 3PZ.

29. SE/15/00722/FUL - 49A College Road, Hextable BR8 7LN

This item was withdrawn from consideration due to land ownership issues.

Agenda Item 1

Development Control Committee - 30 July 2015

Reserved Planning Applications

The Committee considered the following planning applications:

30. SE/14/03874/CONVAR - Holly Mobile Home Park, Hockenden Lane, Swanley BR87QH

The proposal was for retention of change of use to caravan site for stationing of 5 caravans (3 mobile homes and 2 touring caravans) for Travellers, with retention of associated hardstanding, septic tank, sheds and fencing (retrospective). Two utility blocks were proposed on the site approved under reference SE/11/2120/CONVAR; amendment to vary condition 1 (temporary period for permission), condition 2 (occupation of site) and condition 3 (number of caravans to be kept on site); to allow permanent permission or extension of temporary permission; to amend the occupants of the site; and to increase to 4 static/mobile homes and 4 touring caravans.

It had been referred to Committee by former Councillor Fittock as any changes in the development would affect provision of local amenities such as school places and health services, that the site was already overcrowded and concerns for highway safety matters.

Members' attention was brought to the main agenda papers and the late observation sheet which amended the reasons given for the first two conditions on the report before the Committee but did not change the recommendation.

Members asked questions of clarification from the officers. There was concern that the Gypsy and Traveller Liaison Officers had not commented on the report. The Case Officer directed Members to the very special circumstances detailed within the report which included the families' gypsy traveller status, the unmet need for pitches in the district, lack of alternative sites, the need to prepare/adopt a site allocation DPD, and matters of human rights and race equality. The particular personal circumstances of the occupants should also be considered including the children's best interest (such as a settled home, school and access to health care) which was a primary consideration. The site had already been subject to two temporary permissions in the hope that the site would be allocated to meet the need for travellers' sites, the Council had put the Gypsy and Traveller consultation on hold pending the outcome of the Government's consultation on the Gypsy and Traveller definition, but sites would still be required. The conditions recommended took this into account. National Planning Practice Guidance stated it would rarely be justifiable to grant a second temporary permission and that further permissions should normally be granted permanently or refused if there was clear justification for doing so. The continued/permanent occupation of the site would allow the families to continue their daily lives without fear of the possibility of planning enforcement action to displace them from the site. It was confirmed that 'dependant' did have a wide meaning but was the usual terminology employed in planning.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to grant planning permission be agreed.

Members had regard to the confidential appendix. Members discussed the meaning of dependant and whether the circumstances outweighed the impact on the Greenbelt. Members also discussed the unmet need for Gypsy and Traveller sites and whether there

should be another temporary permission until the outcome of the Gypsy and Traveller consultation.

In summing up the Chairman moved, seconded and the Committee agreed to add an informative to advise that whilst the Committee was prepared to accept four units there should be no further proliferation of the site as this would harm the openness of the Greenbelt.

The substantive motion was put to the vote and it was

Resolved: That planning permission be granted subject to the following conditions

- 1) The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites (2012).

The site lies within the Metropolitan Green Belt and the use of the land represents inappropriate development in the Green Belt under the National Planning Policy Framework. Permission is only granted for the development on the basis of the very special circumstances considered as part of this application, including the existing undersupply of Gypsy and Traveller sites within the District.

- 2) The occupation of the site hereby permitted shall be carried on only by Mrs T B Nolan and her dependants, Mrs J Casey and her dependants, Katerina Casey and her dependants and Pamela O'Driscoll and her dependants. When the land ceases to be used by the residents and their dependants, the use hereby permitted shall cease to all caravans, utility building, structures, hardstanding, materials and equipment brought on to the land in connection with the use hereby approved, shall be removed and the site shall be restored to its previous condition, or restored in accordance with a scheme that has been submitted to and approved in writing by the Council.

Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm, in accordance with Policy EN1 of the Allocations and Development Management Plan and Policy SP1 and LO8 of the Core Strategy and the NPPF.

- 3) No more than 8 caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 4 shall be a static caravan or mobile home) shall be stationed on the site at any time.

Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm, in accordance with Policy EN1 of the Allocations and Development Management Plan and Policy SP1 and LO8 of the Core Strategy.

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- 4) No commercial activities shall take place on the land, including the storage of materials for the duration of this permission.

To preserve the visual appearance of the area as supported by EN1 of the Allocations and Development Management Plan and Policy SP1 and LO8 of the Core Strategy.

- 5) No building, enclosure or temporary structures other than those on approved block plan Rev. A received on 15th December 2014 shall be erected or placed on the site.

To preserve the visual appearance of the area as supported by EN1 of the Allocations and Development Management Plan and Policy SP1 and LO8 of the Core Strategy.

Informative

1. The applicants are advised that whilst four pitches are acceptable on this site, the Council is unlikely to allow any further sub division or creation of the creation of additional plots, nor the stationing or erection of further mobile homes, utility buildings or touring caravans on this site. Such further proliferation would harm the openness of the Green Belt.

(Cllr. Clack remained present in the Chamber but did not take part in the debate or voting thereon.)

31. SE/15/00236/HOUSE - 55 Bradbourne Road, Sevenoaks TN13 3PZ

The proposal was for an extension and internal alterations and alterations to fenestration. It had been referred to Committee by Councillor Clack for the following reasons: The design of the scheme was acceptable; with the rear extension not visible from the street scene; other examples of glazing in the area; high quality design; unobtrusive on property, not overbearing or detrimental visually; difference in pitch non-material; and examples of non-matching eaves in the locality.

Members' attention was brought to the main agenda papers and the late observation sheet which did not amend the report or change the recommendation.

The Committee was addressed by the following speakers:

Against the Application:	Mr Legon
For the Application:	-
Parish Representative:	-
Local Member:	Cllr. Clack

Members asked questions of clarification from the officers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to refuse planning be agreed. Members discussed the detrimental effect of the rear gable end projections and in particular the use of glazing.

Resolved: That planning permission be refused for the following reason

- 1) The proposed two rear gable end projections create a harmful addition to this building of interest through the introduction of a higher eaves level, a different pitch to the host property, and an excessive level of glazing used which is out of character with the character and appearance of the host property. This would not provide for a form of development which would be acceptable in terms of the character and appearance of the host property. As such the proposal is contrary to the NPPF, policy SP1 of the Sevenoaks Core Strategy, EN1 of the Sevenoaks Allocations and Development Management Plan, the Sevenoaks Residential Character Area Assessment SPD, and the Residential Extensions SPD.

Informative

- 1) In order for clarity it has been noted that the existing front (north-east) elevation titled 'Elevation Bradbourne Road - North - Existing' SO/01/02 does not measure correctly. With the proposed front (north-east) elevation measuring to scale, it has still been possible to undertake a full assessment.

(Cllr. Mrs. Hunter was absent from the Chamber for a brief period at the commencement of this item and therefore took no part in the debate or voting thereon.)

32. SE/15/01200/HOUSE - Karapara, London Road, Swanley BR8 7AQ

The proposal was for raising of the roof to accommodate full height first floor. Erection of a part one/part two storey front, side and rear extension, and proposed parking to the front of the property. It had been referred to Committee by Councillors Dyball and Hogg as they were concerned that this scheme was out of character of the area and overdevelopment of the site and would cause congestion.

Members' attention was brought to the main agenda papers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to refuse planning be agreed. Councillor Hogg advised that the Town Council had been concerned with over intensification.

Resolved: 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.

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- 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 extensions 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 Allocations and Development Management Plan.

- 3) The area shown on the approved plan as car parking space shall be provided and shall be kept available for such use at all times, and no permanent development shall be carried out in such a position as to preclude vehicular access to these parking spaces.

In the interests of highway safety.

- 4) No development shall take place until full details of both hard and soft landscaping have been submitted to and approved by the Local Planning Authority. These details shall cover as appropriate: Proposed finished levels or contours; Hard surfacing materials; 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.

- 5) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg nos. BEX/15012/P 1 of 2 and BEX/15012/P 2 of 2

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

THE MEETING WAS CONCLUDED AT 8.40 PM

CHAIRMAN

4.1 – SE/15/01535/HOUSE Date expired 27 July 2015

PROPOSAL: Erection of a single storey extension.

LOCATION: The Spinney, Manor Lane, Fawkham DA3 8NB

WARD(S): Fawkham & West Kingsdown

ITEM FOR DECISION

Councillor Parkin has referred the application to Development Control Committee so the impact on the Green Belt can be fully discussed.

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

The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposed extension would result in a disproportionate addition to the original house and would constitute inappropriate development, harmful to the maintenance of the character of the Green Belt and to its openness. It is considered that the very special circumstances put forward do not outweigh the harm to the Green Belt thus the proposal would be contrary to the National Planning Policy Framework, Policy GB1 of the Sevenoaks Allocations and Development Management Plan (2015) and the Development in the Green Belt SPD (2015).

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),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that 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) 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.

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Description of Proposal

- 1 The application proposes a single storey rear extension, which would have a depth of 5 metres and would measure 2.4 metres to the eaves and 5.4 metres to the ridge.
- 2 The materials have been proposed to match the existing facing brickwork and roof tiles.
- 3 The application also proposes the replacement of the two rooflights in the existing extension with a dormer window which was approved under the extant permission SE/03/02986/FUL.

Description of Site

- 4 The site comprises a detached bungalow, situated on the western side of Manor Lane, within the Fawkham and West Kingsdown Ward. The dwelling sits on a fairly large plot, with detached garage and two accesses onto the private road.
- 5 The site shares a boundary with a dwelling to the north, the private road to Fawkham Manor Hospital on the east, Fawkham Manor Farm to the south and open countryside to the west.

Constraints

- 6 Area of Special Control of Advertisements
- 7 Metropolitan Green Belt

Policies

Sevenoaks District Core Strategy

- 8 Policies – SP1

Sevenoaks District Allocations and Development Management Plan (ADMP)

- 9 Policies – EN1, EN2, GB1

Other

- 10 Development in the Green Belt Supplementary Planning Document (SPD)
- 11 Residential Extensions Supplementary Planning Document (SPD)

Material Considerations

- 12 National Planning Policy Framework (NPPF)

Relevant Planning History

- 13 TH/5/59/430 – Erection of bungalow – Granted
88/01255/HIST – Extension to bungalow – Granted
89/00869/HIST – Erection of conservatory – Granted

98/02407/HIST - Alterations and extensions to dwelling (roof conversion and extension at ground floor) – Granted

03/02986/FUL - Renewal of planning permission SE/98/2407 alterations and extensions to dwelling (roof conversion and extension at ground floor) – Granted

04/02827/LDCPR - Erection of detached garage and garden room (permitted development) – Granted

05/02668/DETAIL - Details pursuant to condition 2 (materials) of SE/03/02986/FUL – Granted

15/00651/LDCPR - Erection of a garden room and garage outbuilding – Granted

Consultations

- 14 Fawkham Parish Council – Support - The extension and forfeiting of the extant permission is a material benefit to the green belt, because it results in a reduction in the overall proposed floor area.

Representations

- 15 Two letters of support were received from neighbours – stating that the extension would be a modest proposal, would not harm the Green Belt and would enhance the property.

Chief Planning Officer's Appraisal

- 16 The main issues for consideration of this planning application are:

- Green Belt and Very Special Circumstances
- Design and appearance
- Impact on neighbouring amenity

Green Belt

- 17 Section 9, 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.
- 18 Paragraph 89 of the NPPF however, does permit some development, such as an extension or alteration to a building, providing it is limited in nature and does not result in disproportionate additions over and above the size of the original building.
- 19 Policy GB1 of the ADMP and the Development in the Green Belt SPD states that proposals to extend existing dwellings within the Green Belt would be permitted if:
- a) the development is lawful and permanent in nature and;
 - b) the design is in keeping with the original form and appearance of the building and the proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the 'original' dwelling and

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does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and

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) the applicant provides clear evidence that the total floorspace of the proposal, together with any previous extensions, alterations and outbuildings would not result in an increase of more than 50% above the floorspace of the 'original' dwelling (measured externally) including outbuildings within 5m of the existing building.

- 20 The proposed extension would be lawful and permanent in nature. The proposed extension, while matching the eaves of the existing dwelling, would have a relatively tall ridge height. It is acknowledged that it would be set below the existing extension and would represent a subservient addition in relation to the existing dwelling onsite, however part b) above relates to the *original* dwelling. It is therefore considered that in relation to the original dwelling, the proposal would not be a subservient addition when taken in consideration alongside the previous extensions to the rear, front and side elevations. It is acknowledged that the proposed extension would be slightly screened from the front elevation by the existing garage, yet the drawings indicate that it would sit above the roofline of this garage, thus it would not be entirely obscured from view.
- 21 The table below indicates that in relation to part c), the existing dwelling already exceeds the 50% limit and if combined with the proposed extension, would unacceptably represent a 95.8% increase on the floorspace of the original dwelling. It is considered that this would harm the openness of the Green Belt and would be contrary to the NPPF, Policy GB1 of the ADMP and the Development in the Green Belt SPD.

Original floor space	126.04m ²
50%	63.02m ²
Previous extensions/additional floorspace	Rear extension – 48m ² Side extension – 11.16m ² Conservatory – 24.12m ² Totals – 83.28m ² (66%)
Proposed rear extension	37.5m ²
Total additional floorspace (previous and proposed)	120.78m ²
Total percentage increase from original	95.8%
Volumes	
Extant loft conversion permission	168.65m ³
Proposed rear extension	202.5m ³

Green Belt Calculations (Table 1)

- 22 The applicant has made a case of very special circumstances and this will be discussed towards the end of this report.

Design and Appearance

- 23 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the character of the area in which it is situated. Policy EN1 of the ADMP also states that the development should respond to the scale, height, materials and site coverage of the area and should respect the character of the site and surrounding area.
- 24 The Residential Extensions SPD echoes this and states that the scale, proportion and height of an extension should respect the character of the existing building. The Residential Extensions SPD also suggests that the materials of new windows and doors should match those of the original house and that windows should line up with those existing to give balance and proportion.
- 25 These policies are consistent with Paragraph 17 of the NPPF, which states that planning should take into account the varying roles and character of different areas and should always seek high quality design.
- 26 The proposed single storey rear extension would have a high ridge height which, as aforementioned, would not be a subservient addition in relation to the original dwelling. In relation to the dwelling as it currently exists, it is acknowledged that the extension would reflect the character of the host dwelling well through the matching eaves height, stepped down ridge to reflect the slope of the site and the use of matching materials. The proposed fenestration would also be appropriate and proportionate and it is considered that the large rear windows would create a balanced rear elevation, with the front window reflecting the character of the dormer at first floor. It is considered that through the use of matching materials, the extension would not look out of place against the existing dwelling when viewed from the streetscene and wider area. It is therefore deemed that although the proposed extension would be rather tall, it would on balance not harm the character of the existing dwelling and as such would comply with Policy EN1 of the ADMP and the Residential Extensions SPD.

Amenity impact

- 27 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development, while ensuring it would not result in excessive overlooking or visual intrusion and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.
- 28 The Residential Extensions SPD expands upon this and states that any extension should not cause a significant loss of light to neighbouring properties and to protect against overlooking, a side wall facing a neighbour should not normally contain windows unless privacy can be retained.
- 29 These policies are consistent with Paragraph 17 of the NPPF, which states that planning should always seek to secure a good standard of amenity for all existing and future occupants.
- 30 Due to the siting of the proposed extension, at approximately 25 metres to the northern boundary and the dense screening at this boundary, it is considered that it would not impact on the amenity of the only neighbouring property, The Grange.

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Very Special Circumstances

- 31 The applicant proposes a trade off in floorspace of the proposed single storey rear extension with the extant, but not yet completed, loft conversion. The forfeiting of permitted development rights and the loft conversion permission through the use of a legal agreement, or similar is also proposed.
- 32 It is suggested that the Council would be in a position to prevent further development on the site through the use of a condition or legal agreement to prevent the loft conversion taking place. In this respect, it is considered that the Council cannot prevent this building work as this permission has already been partially implemented under application SE/03/02986/FUL. This application proposed a ground floor side extension and loft conversion and was approved in February 2004. The ground floor extension has already been built, thus rights cannot be removed at this stage. Even if this extension were to be demolished, the permission is still deemed as implemented.
- 33 For completeness, the works to the loft have been compared and assessed against the proposed rear extension. The single storey rear extension has a floorspace of 37.5m² and the loft conversion has a floorspace of approximately 56.6m², as calculated from the plans submitted. It is acknowledged that the proposed extension would have less floorspace in comparison to the loft conversion. However, upon calculating the volumes of the two additions, the proposed extension would have a far higher volume at 202.5m³, as highlighted in table 1, compared to the volume of the loft conversion at approximately 168.65m³. It is considered that this proposed volume of the extension, combined with the previous extensions to the property, would have greater harm on the openness of the Green Belt than the loft conversion. The loft conversion would only produce bulk through the introduction of three dormer windows, one in the southern, eastern and western elevation. It is considered that the single storey rear extension on the other hand, due to its tall height and 5 metre depth would produce more bulk in the Green Belt, particularly as it would be visible above the existing garage on the front elevation, as discussed in the section above. It is therefore considered that the proposed rear extension would be more harmful to the openness and permanence of the Green Belt than the extant loft conversion permission.
- 34 The applicant has also proposed the removal of permitted development rights.
- 35 The property's permitted development rights remain intact and the loft space could be utilised through the introduction of roof-lights instead of dormer windows. This alteration would not create any additional bulk to the existing dwelling so there would be no harm to the openness of the Green Belt. We have considered an alternative legal agreement which would remove the ability for any permitted development rights to be exercised on the site. There could be benefits to this, however due to the previous extensions there is limited scope on the site to undertake works under permitted development. It is therefore felt that this proposal would not give sufficient weight to clearly outweigh the harm to the Green Belt.
- 36 It is considered there is no legitimate method within the current application that would prevent the implementation of the loft conversion under the extant permission or works to a loft conversion under permitted development, before then carrying out works to the proposed rear extension.

- 37 Thus, it is deemed that due to the reasons above, the very special circumstances claimed would not individually or cumulatively hold sufficient weight to clearly outweigh the harm to the Green Belt.

Community Infrastructure Levy

- 38 The Council adopted the Community Infrastructure Levy on 18 February 2014 and began charging on applications approved from the 4th August.
- 39 The proposal has been assessed against CIL legislation. The proposal is under 100m² and is therefore not CIL liable.

Conclusion

- 40 It is considered that the proposed extension would reflect the character of the existing dwelling well and would not harm the character of the streetscene.
- 41 However, it would result in an increase of 95.8% on the original floorspace of the dwelling, including the 66% already permitted and as a result, would be a disproportionate addition to the original dwelling-house. The proposal would harm the openness and permanence of the Green Belt and would be contrary to the NPPF, Policy GB1 of the ADMP and the Development in the Green Belt SPD.
- 42 The very special circumstances proposed are not considered to clearly outweigh this harm to the Green Belt as the proposed single storey rear extension would have a more harmful impact on the openness of the Green Belt than the construction of the loft conversion. In addition, it is considered that there is no legitimate method within the current application that would prevent the implementation of the loft conversion under the extant permission and no benefit from the removal of permitted development rights to clearly outweigh the harm to the Green Belt in principle and to its openness.
- 43 It is recommended that permission is refused.

Background Papers

Site and Block plans

Contact Officer(s): Sarah Cottingham Extension: 7481

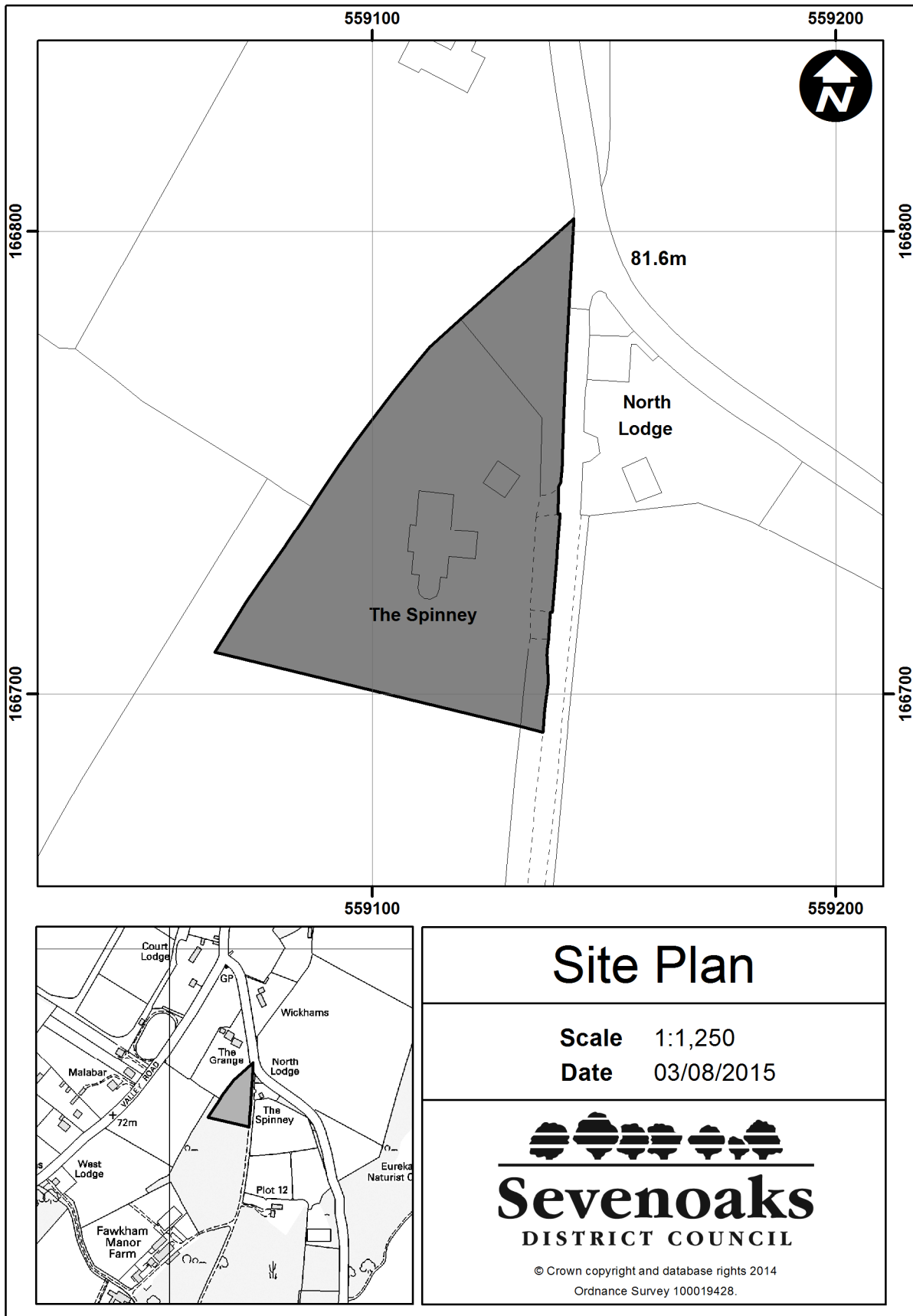
Richard Morris
Chief Planning Officer

Link to application details:

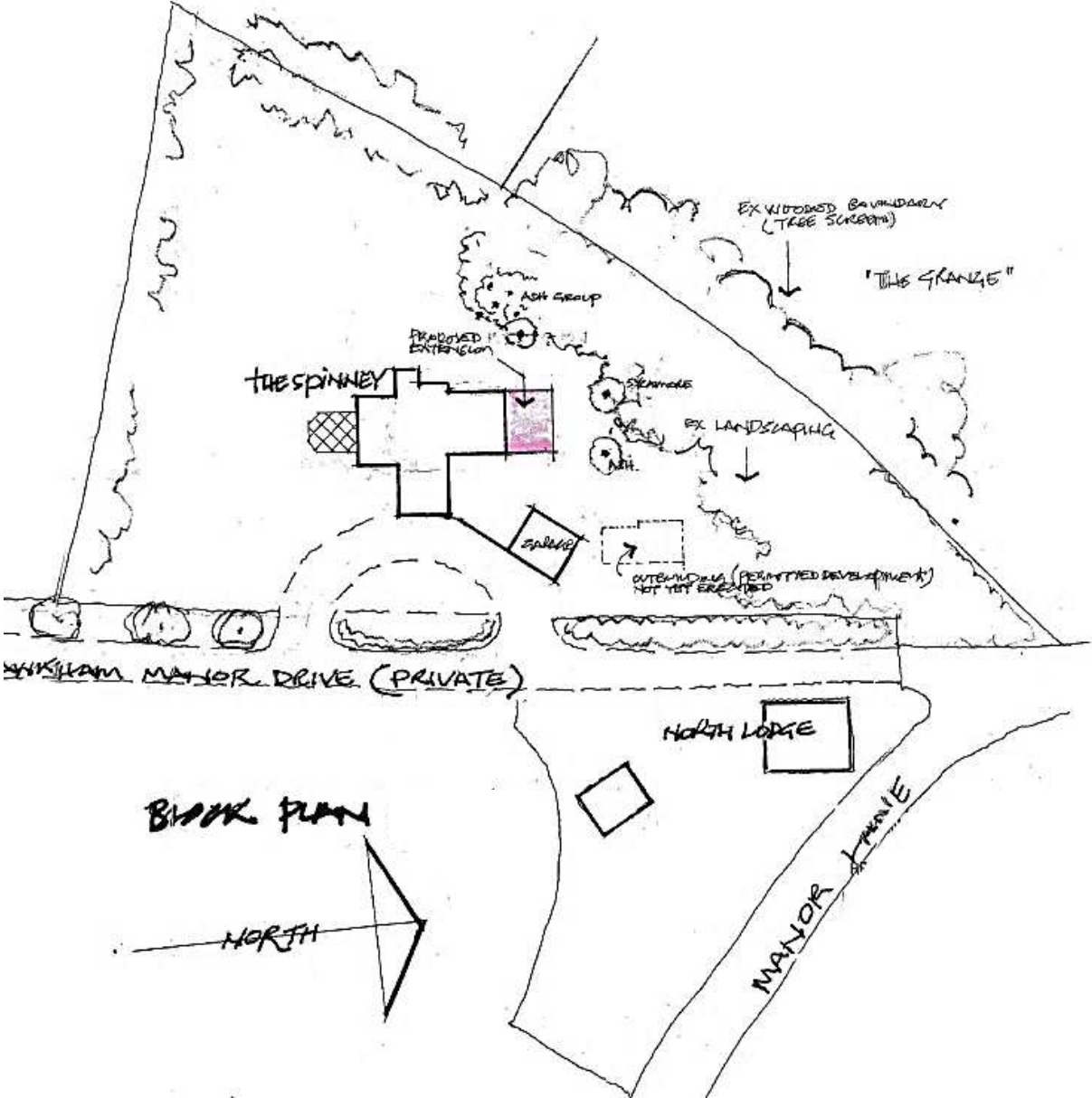
<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NONKG1BK0L200>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NONKG1BK0L200>



Block Plan



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4.2- SE/15/02019/FUL Date expired 26 August 2015

PROPOSAL: Proposed workshop roof alterations and store extension.

LOCATION: Dunbrik Depot, 2 Main Road, Sundridge TN14 6EP

WARD(S): Brasted, Chevening and Sundridge

ITEM FOR DECISION

This application is referred to Development Control Committee as it is an internal application relating to a site under the ownership of Sevenoaks District Council.

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 development hereby permitted shall be carried out in accordance with the following approved plans: amended plan 1039-004-03 date stamped received 30.7.15 and 1039-004-04.

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

3) 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 in accordance with amended drawing number 1039-004-03 date stamped received 30.07.15.

To ensure that the appearance of the development is in harmony with the existing character of the building as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan..

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

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(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.
- 2) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Description of Proposal

- 1 The application seeks planning permission for:
 - Alterations and extensions to the main roof of the existing workshop,
 - Demolition and replacement of the store to the south west elevation with an extended store; and
 - The replacement of the flat roof to the single storey addition to the south west with a lean to roof.

Description of Site

- 2 The site is the depot to the present Waste Transfer facility, located on the north side of the A25 just west of the built up area of Sevenoaks. The site is within the Green Belt and Area of Outstanding Natural Beauty.
- 3 The building the subject of the application is a workshop used for servicing vehicles associated with the waste transfer facility. The workshop is located adjacent to the southern most boundary. This boundary adjoins the rear boundary of residential properties fronting Main Road, Sundridge. There is an access walkway to the rear of the building. Adjoining the access and separating the site from the residential properties beyond is a galvanised steel fence. Between this fence and the rear fences of neighbouring dwellings is a landscaping strip comprising evergreen trees which at present far exceed the height of the building.

Constraints

- 4 Green Belt
- 5 Area of Outstanding Natural Beauty (AONB)

Policies

Allocations and Development Management Plan (ADMP) policies:

- 6 Policies - EN1, EN2, EN5, GB8, T1 and T2

Sevenoaks Core Strategy policies:

7 Policies - SP1 and LO8

National Planning Policy Framework (NPPF)

Planning History

8 There is a lengthy planning history relating to the site, the following are relevant to this application:

SW/5/65/78 Garage with staff rest room, wc and offices. GRANT 12/07/1965

85/01660/HIST Demolition of existing compressor housing and oil tank. Extension to workshop building to house compressors oil tank and provide store. GRANT 10/01/1986

86/01969/HIST Erection of a single storey extension to provide office accommodation. GRANT 07/01/1987

93/00030/HIST Single storey pitched roof extension and improvements to the mess room. GRANT 11/06/1993

Consultations

Parish Council

9 Sundridge with Ide Hill Parish Council *supports the application, but believes in consideration of the neighbouring residential properties, conditions should be imposed maintaining current operating levels in respect of working hours, working and vehicle numbers and movements. (Officer Note: refer to 'Other Matters')*

Representations

10 No representations have been received.

Chief Planning Officer's Appraisal

Principal Issues

11 The principal issues to consider in the determination of this application concern:

- The principle of the development in the Green Belt, including whether the proposal would be appropriate development in the Green Belt and the effect of the proposal on the openness of the Green Belt;
- If it is inappropriate development, whether the harm by reason of inappropriateness, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development;
- Impact on the character and appearance of the area and the AONB;
- Impact on residential amenity; and
- Highways.

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Green Belt

- 12 At a National level, the NPPF sets out the criteria against which applications for development in the Green Belt shall be assessed. The NPPF states that inappropriate development, by definition, is development that is harmful to the Green Belt. Paragraph 79 of the document states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 13 Openness is not reliant upon degree of visibility but upon an absence of built development. Openness can be diminished by the cumulative “footprint” of discreetly sited incremental additions to existing individual buildings as much as it can by conspicuous swathes of new development.
- 14 The advice in the NPPF states that there is a general presumption against inappropriate development within the Green Belt and that such development should not be approved except in very special circumstances.
- 15 The NPPF indicates that it is for applicants to demonstrate why permission should be granted and that very special circumstances to justify inappropriate development 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.
- 16 Paragraph 89 of the NPPF, states that a local planning authority should regard the construction of new buildings in the Green Belt as inappropriate. Exceptions to this include *‘the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building’*.
- 17 At a local level policy GB8 of the ADMP sets out the criteria against which applications to extend non residential buildings will be assessed. The policy states *‘that proposals to extend an existing non-residential building within the Green Belt which would meet the following criteria will be permitted: a) the existing building is lawful and permanent in nature; and b) the design and volume of the proposed extension, taking into consideration the cumulative impact of any previous extensions, would be proportional and subservient to the ‘original’ building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion’*.
- 18 The building currently has a double pitched roof which runs horizontally from east to west. Each pitch is angled at 20 degrees. The overall height of the building to ridge is approximately 5.5 metre.
- 19 Firstly, with regards to the main roof of the building, the application proposes to alter the central valley by raising it approximately 0.8 metres. By doing so the proposal introduces an expanse of flat roof running the width of the building. The application also proposes to alter the angle of northern most roof slope to the front elevation so that the pitch of the roof would be altered to 5 degrees and the height to the eaves of the front of the building would increase from approximately 3.6 metres to 4.5 metres. Despite the increased heights the alterations remain the same as the overall maximum ridge height.

- 20 It is also proposed to demolish the existing store room (which adjoins the garage and plant room) and replace it with a store room measuring 6.1 x 3.2 metres. The flat roof which currently exists above these facilities will be replaced with a lean to roof. Consequently, the height of the roof to this area will increase from approximately 2.6 metres to 3.5 metres remaining single storey.
- 21 In conclusion the alterations to the roofs of the building and the new extension to provide an enlarged store room would not increase the height of the building overall nor would they increase its overall width and depth.
- 22 The existing building was originally granted planning permission in 1965 and is therefore lawful. The building is permanent in nature.
- 23 In determining whether the alterations detailed above are appropriate, it is necessary to also consider the increase in the volume of the building to demonstrate whether the proposal complies with local plan policy GB8.
- 24 The information available suggests that the ‘original’ volume is approximately 3513 cubic metres. The building has been previously extended by approximately 342.07 cubic metres in volume representing a 9.74 % increase over and above the original building.
- 25 The proposed extensions and alterations increase the volume by a further 154.32 cubic metres approximately. Together with existing extensions and alterations this represents a 14.13 % increase in the original volume.
- 26 Figure 1 below, is provided in order to clarify, the current position in terms of the volume of the building in its current form, and in its proposed form.
- 27 Although not required by policy GB8, figure 2 provides the same details in respect of floor area as a useful tool for further assessment.

Fig 1: Volume

	Volume of Extension (m³)	Total Extended Volume (m³)	Cumulative % Increase above original building
Original building	3513		
Extensions granted under 85/01660/HIST	105.8	3618.8	3.01%
Extensions granted under 86/01969/HIST	89.97	3708.77	5.57%
Extensions granted under 93/00030/HIST	146.3	3855.07	9.74%

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Fig 2: Floor area

	Floor area (m²)	Total Floor area (m²)	Cumulative % Increase above original building
Original building	657		
Extensions granted under 85/01660/HIST	43.86	700.86	6.68%
Extensions granted under 86/01969/HIST	30.5	731.36	11.32%
Extensions granted under 93/00030/HIST	53.2	784.56	19.55%

- 28 Overall, although there will be some increase in the volume and the footprint of the building as a result of the proposal this increase would be modest and proportionate as demonstrated in the tables above.

Effect on the openness of the Green Belt

- 29 Policy L08 of the Council's Core Strategy applies and states that the extent of the Green Belt will be maintained. The policy also 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. Development should cause no adverse impact on the character of the countryside or the openness of the Green Belt.
- 30 The proposed alterations would not extend beyond the current width, depth and height of the building. As such, the building would not encroach any further into the site. Although cumulatively the extensions to the building would, by reason of creating additional built form, cause a further reduction in the openness of the Green Belt; their relatively modest size and form in comparison to the original building are such that the cumulative impact on openness is acceptable. In my view the extensions and alterations would not be excessive in terms of scale, bulk or visual intrusion; they are relatively modest, proportional to the building and remain subservient.
- 31 I therefore consider that there would be no material harm to the openness and purposes of the Green Belt and that the development is appropriate in compliance with the aforementioned National and Local Plan policies.

Very Special Circumstances

- 32 In my view and for the reasons set out in the preceding paragraphs, I consider that the application represents appropriate development in the Green Belt and therefore no very special circumstances are required.

Effect on the character and appearance of the area and AONB:

- 33 The NPPF states that the Government 'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is

indivisible from good planning, and should contribute positively to making places better for people.' (para. 56)

- 34 Policy SP1 of the 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 situated. Policy EN1 of the ADMP states that the form of proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. Policy L08 of the Council's Core Strategy also applies and states that the extent of the Green Belt will be maintained. The policy also 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. Development should cause no adverse impact on the character of the countryside.
- 35 The site is located within the Kent Downs Area of Outstanding Natural Beauty. The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Policy EN5 of the ADMP is relevant and states that proposals will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape.
- 36 The extensions are of a modest form and scale in comparison to the existing building. The building is adjacent to other utilitarian buildings within the same complex. The proposed extension to the building would not extend beyond the buildings existing parameters, the alterations to roofs would not exceed the overall height of the building and the materials to be used to extend and alter the building would match the existing. The replacement of the existing flat roof to the south west with a lean to roof offers an opportunity to enhance the appearance of this section of the building and therefore the AONB. The building does not lie in an open or isolated position and the proposals comprise acceptable development within the context of Dunbrik Depot and are appropriate for this environment. Furthermore, the development is screened from outside of the site by other existing buildings and by evergreen landscaping to the boundaries which currently exceeds the height of the existing building. The proposal would allow for the indoors servicing of vehicles, reducing the impact of this element on the area, enabling the conservation and enhancement of the AONB.
- 37 Consequently the proposals are considered to conserve and enhance the character and appearance of the AONB and would be in compliance with relevant policy and guidance.

Impact on Amenities

- 38 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 EN2 of the ADMP requires that any development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 39 The development is taking place within the confines of the site, and as already stated on numerous occasions the footprint of the building would not extend beyond its existing parameters neither would the alterations to roofs exceed the overall height of the building. In fact, in my view it would not be possible to view

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the alterations to the main roof of the building from neighbouring properties as the valley and front facing roof slope would be obscured by the southern most pitched roof which remains unchanged. At single storey, the alterations to the south west side would also be obscured from view by the neighbours own fencing and landscaping to the boundaries.

- 40 According to the site location plan, a distance of in excess of 70 metres would remain between the building and the rear elevations of neighbouring properties.
- 41 For the reasons set out above, I do not consider that the proposal would have any adverse overbearing impact on neighbouring amenities by reason of form, scale, loss of light or outlook and neither do I consider it would affect neighbours privacy.
- 42 With regards to noise and disturbance, the proposed development would improve the facility and its functions but is not perceived to intensify its use. If anything, the proposed development may be of benefit to local residents as if granted, the alterations would enable all vehicles to be serviced indoors potentially preventing any resulting noise which may occur from servicing vehicles outside and therefore reducing the impact on the amenity of residents.
- 43 In conclusion, I find the application acceptable with regards to impact on neighbouring amenities in accordance with the relevant policies.

Access and Parking Issues

- 44 Policy EN1 of the ADMP requires that proposed development should ensure the satisfactory means of access for vehicles and provides parking facilities in accordance with the relevant standards. Policy T1 of the ADMP requires new developments to mitigate any adverse travel impacts. Policy T2 relates to vehicle parking, including cycle parking and requires provision in accordance with advice from the Highway Authority.
- 45 The application does not seek any alterations to the existing access or parking. The proposed development is unlikely to result in any intensification of the use of the site. For these reasons in my view the proposals would not generate any adverse parking or travel impacts that would be harmful to neighbour amenity or to highway safety.

Other Matters

- 46 In response to the Parish Councils comments, this application relates solely to alterations to this building. It does not propose any alterations to the use that already has planning permission and the way in which the site operates will not change, apart from the ability to service vehicles indoors, if it is approved. As such, it is not considered necessary or reasonable in accordance with National Planning Practice Guidance to apply conditions to maintain current operating levels in respect of working hours, working and vehicle numbers and movements to any grant of this planning permission. Any conditions in this respect will remain applicable in accordance with previous grants of planning permission.

Conclusion

- 47 The application seeks planning permission for alterations and extensions to the main roof of the existing workshop, demolition and replacement of the store to the south west elevation; and the replacement of the flat roof to the single storey addition to the south west with a lean to roof.
- 48 It is my view that the proposal represents appropriate development in the Green Belt.
- 49 The overall design, scale, form and choice of materials are considered to be acceptable in the context of Dunbrik Depot and for the surrounding environment. At present views of the development are unobtainable from outside of the application site. As such I do not consider the proposals would harm the character and appearance of the area or the AONB and would conserve and enhance it.
- 50 The development is taking place within the confines of the site, the footprint of the building would not extend beyond its existing parameters neither would the alterations to roofs exceed the overall height of the building. The distance from neighbouring properties to the building would remain the same and the use of the site is not proposed to intensify as a result of the proposal but would, by allowing for indoor servicing, have a positive impact on the amenity of residents. I therefore find the application to be acceptable in respect of its impact on amenities.
- 51 The proposals would not generate any adverse parking or travel impacts that would be harmful to neighbour amenity or to highway safety.
- 52 It is recommended that this application should be approved as it conforms to the relevant Development Plan policies and there are no other overriding material considerations to suggest otherwise.

Background Papers

Site and Block Plan

Contact Officer(s): Claire Marchant Extension: 7367

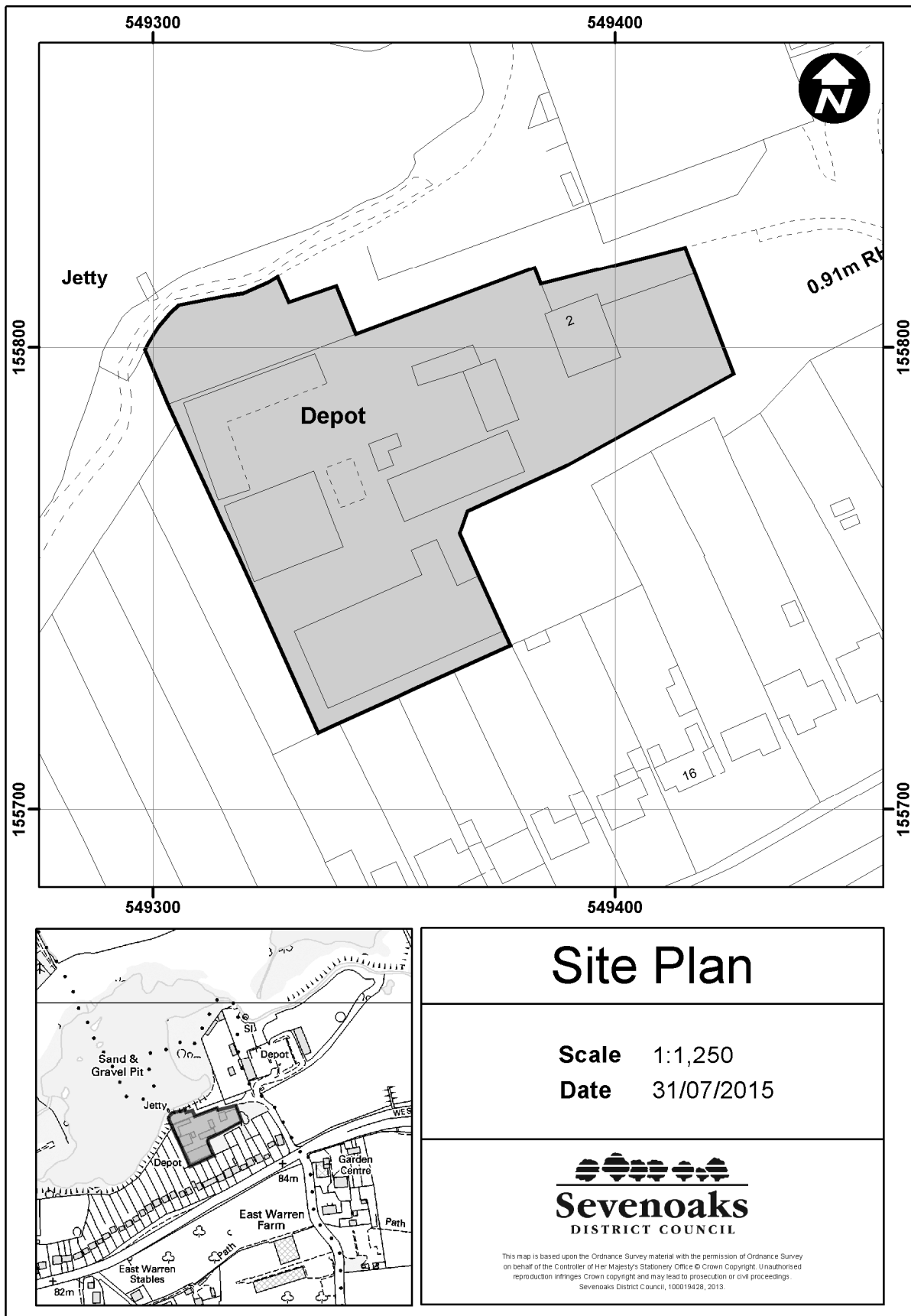
Richard Morris
Chief Planning Officer

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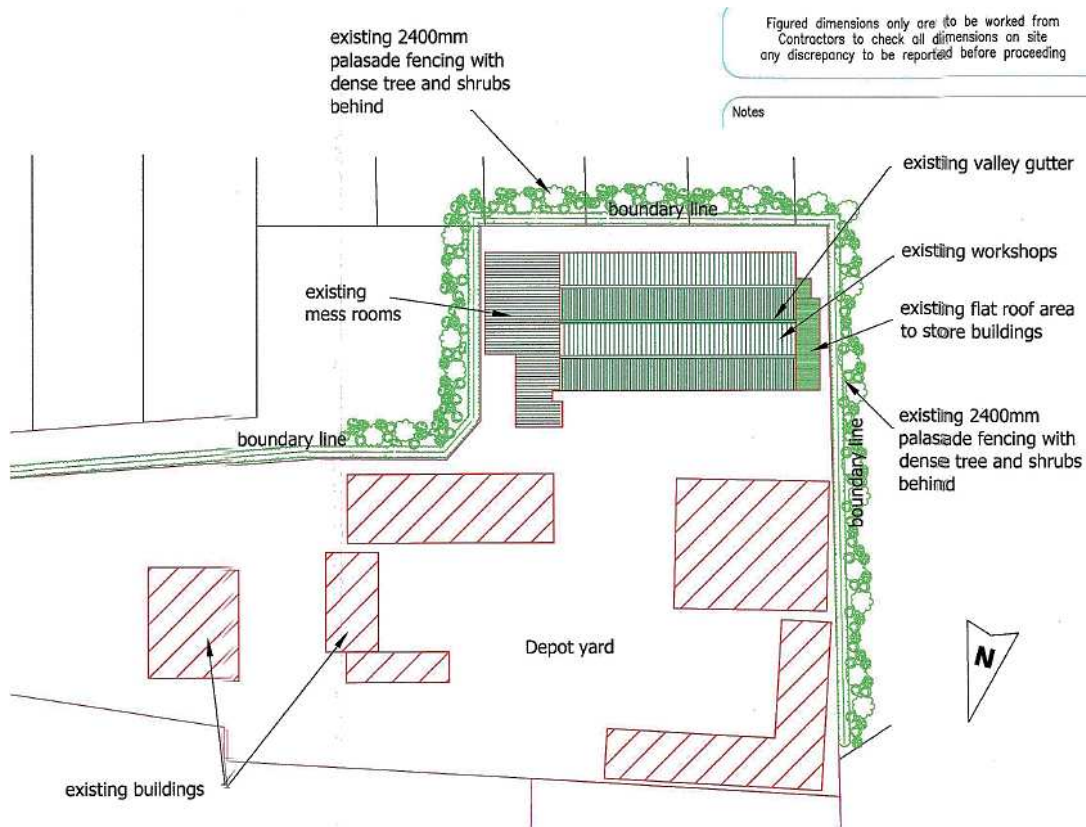
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Link to associated documents:

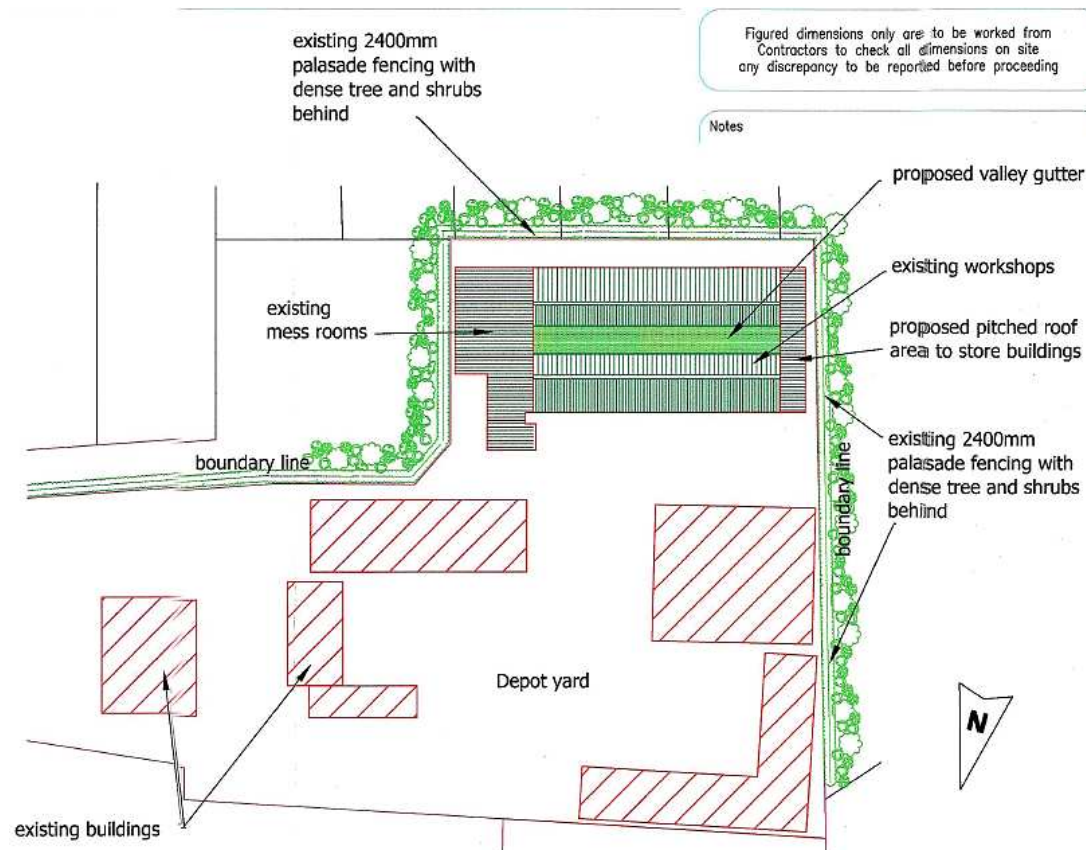
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