

29 June 2017 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks  
Despatched: 21.06.17



# Development Control Committee

## 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, Reay and Raikes

## Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	<b>Pages</b>
Apologies for Absence	
1. <b>Minutes</b>	(Pages 1 - 6)
To approve the minutes of the meeting of the Committee held on 1 June 2017, as a correct record.	
2. <b>Declarations of Interest or Predetermination</b>	
Including any interests not already registered.	
3. <b>Declarations of Lobbying</b>	
4. <b>Planning Applications - Chief Planning Officer's Report</b>	
4.1 <b>SE/17/00796/FUL - Merry Lees, Billet Hill, Ash, Kent TN15 7HG</b>	(Pages 7 - 20)
Change of use of land to residential use, for one gypsy traveller family. Site to contain one static caravan, one touring caravan and parking for two associated vehicles.	
4.2 <b>SE/16/03875/HOUSE - Colgates, Shoreham Lane, Halstead, Kent TN14 7BY</b>	(Pages 21 - 32)
Proposed Single Storey Orangery with minor internal alterations and external alterations including refurbishment of casement windows and one velux window, thermal insulation of attic space and re-positioning of downstairs toilet to Listed Building.	

**4.3 SE/16/03876/LBCALT - Colgates, Shoreham Lane, Halstead Kent TN14 7BY** (Pages 33 - 42)

Proposed Single Storey Orangery with minor internal alterations and external alterations including refurbishment of casement windows and one velux window, thermal insulation of attic space and re-positioning of downstairs toilet to Listed Building.

**EXEMPT INFORMATION**

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.

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 227000 by 5pm on Monday, 26 June 2017.

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 1 June 2017 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Clark, Edwards-Winsor, Gaywood, Hogg, Mrs. Hunter, Kitchener, Purves, Thornton and Raikes

Apologies for absence were received from Cllrs. Brown, Layland, Parkin and Reay

Cllr. Piper was also present.

8. Minutes

Resolved: That the minutes of the Development Control Committee held on 18 May 2017, be approved and signed by the Chairman as a correct record.

9. Declarations of Interest or Predetermination

Councillor Kitchener declared for Minute 11 - SE/17/00283/FUL - 23 College Road, Hextable, Kent BR8 7RH that he was a Member of Parish Council and had been involved with discussions about the application and was involved as the local Member but remained open minded.

10. Declarations of Lobbying

All Members of the Committee declared that they had been lobbied in respect of Minute 11 - SE/17/00283/FUL - 23 College Road, Hextable, Kent BR8 7RH.

Reserved Planning Applications

The Committee considered the following planning applications:

11. SE/17/00283/FUL - 23 College Road, Hextable, Kent BR8 7RH

The proposal sought permission for a new 3 bedroom end of terrace house and minor works and alterations to rear extension to existing house. The application was referred to Committee by Councillor Kitchener on the grounds of the impact on the street scene.

Members' attention was brought to the main agenda Papers. The Committee was addressed by the following speakers:

Against the Application: Lynda Noble

## Agenda Item 1

### Development Control Committee - 1 June 2017

For the Application: Peter Stanway  
Parish Representative: -  
Local Member: -

Members asked questions of clarification from the Officers and Speakers.

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

Members discussed whether the proposal would result in over development and intensification of the site. The available amenity space to the properties was also discussed. The Committee discussed the location of the proposed property and the surrounding roads.

The motion was put to the vote and it was

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.

- 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 extension and new dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

To ensure that the appearance of the development matches the existing dwellings as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 3) The access and parking spaces so shown on block plan BP1R date stamped 15 March 2017 shall be provided prior to the first occupation of the new dwelling hereby permitted and shall be retained as such at all times.

To ensure highways safety in accordance with Policy EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

- 4) The visibility splays of 2.0 metres x 2.0 metres, as shown on block plan BP1R date stamped 15 March 2017, with no obstructions over 0.6 metres above the footway level shall be provided before the first occupation of the new dwelling hereby permitted and shall be maintained as such at all times.

To ensure highways safety in accordance with Policy EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, C, D or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the local planning authority.

To ensure any future development on the site maintains the character of the area and protects neighbouring amenity in accordance with Policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 6) No development shall take place until details of all boundary treatment, including any hedges, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 7) No development, including any works of demolition or preparation works prior to building operations, shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include details of:(a) parking for vehicles of site personnel, operatives and visitors(b) loading and unloading of plant and materials(c) storage of plant and materials used in constructing the development(d) programme of works (including measures for traffic management)(e) provision of boundary security hoarding behind any visibility zones(f) wheel washing facilities(g) measures to control the emissions of dust and dirt during construction(h) a scheme for the recycling/disposing of waste resulting from demolition and construction works(i) hours of operation.

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 8) The development hereby permitted shall be carried out in accordance with the following approved plans: LP1 date stamped 31 January 2017, COL23/1C date stamped 10 February 2017 and BP1R date stamped 15 March 2017.

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

12. SE/16/03363/HOUSE - Little Oakwood, Ide Hill Road, Ide Hill, Kent TN14 6JY

The proposal sought permission for the demolition of existing garage, workshop and wood store, replacement with detached summerhouse/games room with associated hard landscaping. The application had been referred to Committee by Councillor Piper as he considered that the proposal would incorporate a disproportionate sized building which would represent inappropriate development harmful to the openness of the Green Belt which would fail to conserve and enhance the Area of Outstanding Natural Beauty.

Members' attention was brought to the main agenda papers. The committee was addressed by the following speakers:

Against the Application: -  
For the Application: -  
Parish Representative: Trevor Jones  
Local Member: Councillor Piper

Members asked questions of clarification from the Officers. In response to questions the Officers advised that the proposed summerhouse/games room had to be of ancillary use to the main house. Officers also advised that it was proposed to remove permitted development rights to prevent the construction of further outbuildings without planning permission.

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

Members discussed whether the application was appropriate in an Area Of Outstanding Natural Beauty (ANOB) and green belt and whether one large building was preferable to three smaller buildings and impact on the green belt and whether it would enhance the area. Members noted the proposed conditions.

The motion to grant planning permission was put to the vote and it was lost.

It was moved by Councillor Thornton and duly seconded that the application should be refused under policies EN1 and GB3 as the design was not in-keeping with the area and would not preserve or enhance the ANOB. The design and overall impact would harm the green belt and the very special circumstances had not been proved.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons:

1. The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. The Council does not consider that the very special circumstances put forward in this case are sufficient to justify overriding policies L01 and L08 of the Sevenoaks Core Strategy, policy GB3 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.
2. The proposal because of its large size, bulky design, dominant appearance and prominent siting would harm the character and appearance of the area and would fail to conserve and enhance the character of the Area of Outstanding Natural Beauty. This conflicts with the National Planning Policy Framework, policy EN1 and EN5 of Sevenoaks Allocation and Development Management Plan and Sevenoaks Residential Extensions Supplementary Planning Document.

THE MEETING WAS CONCLUDED AT 8.10 PM

CHAIRMAN





4.1 - SE/17/00796/FUL Revised expiry date 21 July 2017

**PROPOSAL:** Change of use of land to residential use, for one gypsy traveller family. Site to contain one static caravan, one touring caravan and parking for two associated vehicles.

**LOCATION:** Merry Lees, Billet Hill, Ash, Kent TN15 7HG

**WARD(S):** Ash And New Ash Green

#### ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillor Clark as it is not felt that sufficient Very Special Circumstances have been demonstrated to outweigh the harm to the Green Belt.

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

1) The pitch on the site shall only be occupied by gypsies or travellers as defined by Annex 1, paragraph 1 of "Planning policy for travellers sites" produced by the Department for Communities and Local Government (August 2015).

Reason: Planning permission has been granted on the basis of a demonstrated need for accommodation for Gypsies and Travellers and it is therefore necessary to keep the site available to meet that need in accordance with Policy SP6 of the Sevenoaks Core Strategy.

2) The occupation of the site hereby permitted shall be carried out only by the following and their residential dependents. Mr and Mrs J Maloney. When the land ceases to be occupied by those named above the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to or erected on the land, or works undertaken to it in connection with the use, shall be removed and the land shall be restored to its former condition before the development took place or another state as agreed with the local planning authority, and the time period within which the restoration works must be undertaken.

Reason: In granting this permission the local planning authority has had regard to the special circumstances of the case and the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) The use hereby permitted shall be for a limited period of three years from the date of this decision. At the end of this temporary permission or when the land ceases to be occupied by those named in Condition 2, the use hereby permitted shall cease, all caravans, structures, materials and equipment brought on to the land in connection with the use, including the amenity block, shall be removed.

Reason: In the interests of visual amenity in accordance with Policy EN1 of the

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### Sevenoaks Allocations and Development Management Plan.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Block/Site Plan

Reason: 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 Change of use of land to residential use for one Gypsy Traveller family. Site to contain one static caravan, one touring caravan and parking for two associated vehicles.

#### **Description of site**

- 2 The application site is located to the west of the village of Ash.
- 3 The site sits on a lane characterised by its heavily enclosing features, including man-made features such as walls and other hard boundaries, and wooded enclosures.
- 4 There are a number of dwellings on the lane on both sides.

## Constraints

- 5 Green Belt

## Policies

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

- 6 Policies - EN1, EN2, EN5

### *Core Strategy (CS):*

- 7 Policies - LO1, LO8, SP1, SP2, SP3, SP6, SP11

## Planning history

- 8 07/01988/FUL Change of use to residential, stationing of one mobile home and one touring caravan for a Gypsy family WDN 14/11/2007

05/01665/LDCEX - Certificate of Lawfulness in respect of mobile home.  
REFUSE 07/09/2005

03/01644/LDCPR - Provision of a replacement mobile home. WDN  
28/08/2003

Enforcement Notice served on 16/09/2005 to remove mobile home.

## Consultations

### *Ash Parish Council*

- 9 The Parish Council strongly objects to this application on Green Belt grounds; that it impacts on the openness of the countryside and that the Green Belt is particularly valued in this area. A recent application to increase the number of caravans from one to two on a pitch at Barnfield Park was recently turned down on Green Belt grounds. (SE/16/03244 refers).

### *Sustainability Statement:*

Bus service - the site is remote from local facilities and there is no public bus service to or from the site. There are no footpaths from the site and any pedestrian use of Billet Hill would be extremely hazardous.

Access - the proposed means of access to the site is inadequate due to safety and convenience as it necessitates using part of the neighbouring drive way. Visibility to access Billet Hill from the site is poor. Despite being designated as a less than 6' 6" road, this is frequently ignored and is used as an outlet from New Ash Green and the surrounding areas to the A20/M25.

### *Google Earth Images*

It is to be noted that these images refer to a static caravan that was in situ prior to the sub-division of Conningdale and was only in use during the

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construction of Conningdale. A request for a Certificate of Lawfulness in respect of the mobile home was refused in July 2005 (SE/05/01665) as it had not been demonstrated that the mobile home had been in continuous use as a single self-contained unit.

### *Conclusion*

In the immediate vicinity, relative to the hamlet of Ash, there is ample provision for the Gypsy and Traveller community at Barnfield Park which has provision for 35 pitches and 45 caravans. The Travelling population outnumber the core number of inhabitants of the hamlet.

We do not feel that very special circumstances exist in this case that would outweigh the significant harm to the Green Belt and the already existing provision of Gypsy and Traveller sites in the vicinity.

*Officer Note: The Parish Council also referred to the Gypsy Status Questionnaire in their response, which has been redacted.*

### **Representations**

10 Ten objections to the application which can be summarised as:

- Does not comply with Green Belt policy;
- Noise;
- Traffic;
- Anti-social behaviour;
- Loss of property value;
- That the applicants are not travellers.

### **Key Issues**

11 The main issues for consideration are:

- The status of the applicant in relation to the NPPF and Planning Policy for Traveller Sites (August 2015).
- Appropriateness of the development in the Green Belt and impact on openness.
- Impact on the living conditions of the applicant.
- Impact on the amenities of nearby properties.
- Impact on highways.

12 Of particular relevance to this application is the following guidance:

#### *Presumption in favour of sustainable development:*

13 Para 14 of the NPPF confirms that the NPPF has a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11, 12, 13 of NPPF.)

14 Para 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF

that indicate that development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

*Green Belt considerations:*

- 15 Having established that the site is within the Green Belt we must consider both our own Development Plan Policy and edicts of the NPPF.
- 16 As set out in para 87 of the NPPF, where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.
- 17 Para 88 of the NPPF advises that LPAs should give substantial weight 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.

Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development.

- 18 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.

*Gypsy and Traveller Sites*

- 19 'Planning Policy for Traveller Sites' (PPTS) 2015 contains guidance in respect of the treatment of planning applications for Traveller and Gypsy sites. Paragraph 24 states that local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for Traveller sites:
  - a) The existing level of local provision and need for sites
  - b) The availability (or lack) of alternative accommodation for the applicants
  - c) Other personal circumstances of the applicant
  - d) That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/ plots should be used to assess applications that may come forward on unallocated sites
  - e) That they should determine applications for sites from any Travellers and not just those with local connections.

**Chief Planning Officer's Appraisal**

**Status of the applicant**

- 20 The application is made by J Maloney, who is currently residing on the site and is claiming Gypsy status.

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- 21 Planning Policy for Traveller Sites (PPTS) has been revised since the previous applications for mobile homes on the site. The latest guidance was issued August 2015. Annex 1 defines “gypsies and Travellers” as:
- ‘Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling show people or circus people travelling together as such.’*
- 22 It states that consideration should be given to a) whether they previously led a nomadic habit of life, b) reasons for ceasing their nomadic habit of life and c) whether there is an intention of living a nomadic habit of life in the future and if so how soon and in what circumstances.
- 23 The information submitted in support of the application gives details of the circumstances of the application. In particular it states the following:
- *Mr Maloney has lives a nomadic habit of life;*
  - *The family travel for work in construction, landscaping and ‘general trading’ and attends Horse Fairs, Fairs and Events other culturally specific and family events.*
- 24 The family consist on Mr and Mrs Maloney, and two children.
- 25 It is clear that the applicant has pursued a nomadic lifestyle and will continue to do so. The applicant meets the definition of “gypsies and Travellers” given in the PPTS.

### Green Belt

- 26 The site is located in the Metropolitan Green Belt. Paragraph 89 of the NPPF states that we should regard the construction of new buildings as in appropriate in the Green Belt, subject to exceptions listed. Paragraph 90 specifies further forms of development that are not inappropriate in the Green Belt. The proposed development does not lie within any of the exceptions of paragraph 89 or the types of development described in paragraph 90. For this reason the development is inappropriate in the Green Belt by definition. This is reinforced by paragraph 16 of the PPTS 2015.
- 27 Paragraph 16 of the PPTS and the NPPF acknowledge that the development should therefore not be approved unless in very special circumstances. The PPTS states *‘subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm to as to establish very special circumstances’*
- 28 As well as being inappropriate development, the development would cause some harm to the openness of the Green Belt.
- 29 The mobile home is modestly sized structure which is located to minimise the wider visual impact, it would nevertheless result in the introduction of

an additional three dimensional form on the site, which in turn would be harmful to the openness of the Green Belt and result in encroachment into the countryside. This adds to the harm in principle identified above.

- 30 Whilst there is principle harm, the site has a very low degree of visibility and is well screened. The lane is bound by a large wall mounted upon a natural rise in land levels, as well as being screened by trees and other natural shelter. To the east and west, the site is well sheltered. To the north, there is a steep rise in land levels which quickly tapers off, leaving the site in an effective visual ditch. The site is therefore comparatively well sheltered.
- 31 Policy SP6 of the Core Strategy relates to provision for Gypsies and Travellers. It explains that sites will be provided by means of allocations in the Allocations and Development Management DPD for Gypsies and Travellers. The policy sets a number of criteria relating to such sites which relate, in summary, to the location of the site, provision of safe and convenient access and acceptable living conditions for occupants of the site, the site should not be subject to flooding, there should be no significant adverse landscape impact and consideration of alternative sites. The site is not an allocated site within the current development plan.
- 32 The site is not particularly well located, with the nearest bus routes being in New Ash Green and West Kingsdown, where other local shopping facilities can be found, both of which are practically inaccessible by foot. There are no nearby rail facilities. Realistically, private vehicle use is the only form of transportation to and from the site.

**Impact on character and appearance of the area:**

- 33 Core strategy L08 states that the extent of the Green Belt will be maintained. 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 will be conserved and enhanced, which in this instance does not apply as the site is not within the AONB.
- 34 The hardstanding was in situ prior to occupation of the site by the applicant; the same is said of the large boundary treatments on all elevations and the driveway.
- 35 The site is well screened, with significant assistance from local topography; there is thus a low degree of increasing visual impact.
- 36 The application would not have any detrimental impact on local character and would likely go unnoticed to any user of the surrounding area.

**Impact on the living conditions of the applicant:**

- 37 The application site is well screened, in a quiet location (with minor background motorway noise at times) and not in an Air Quality Management Zone. The site would provide a suitable living standard quality.

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### Impact on the amenities of nearby properties:

- 38 Policy EN2 of the ADMP relates to “Amenity Protection”. The policy states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring the development does not result in, amongst other things, overlooking, loss of privacy, loss of light or visual intrusion.
- 39 By reason of its scale and relatively isolated location, the development would not cause harm to the amenities of any nearby residential properties. In the event permission were to be recommended, it would be appropriate to attach conditions to ensure permission is personal to the applicant and that no commercial activities operate from the site, limiting the risk of noise generation from the site. This would further protect residential amenity.

### Impact on highways

- 40 The site is of an adequate size to accommodate vehicles associated with the use, therefore the proposals would not increase pressure for local on street parking. This is compliant with policy T2.
- 41 The existing access drive is well established and finished in tarmac. The access mouth/junction with the main road is wide with acceptable visibility onto the lane. Traffic associated with the site is likely to be limited and very low key.
- 42 Satisfactory parking can be provided on site.

### Human Rights and Equalities Act

- 43 Regard has also been given to the rights of the applicant and his family under Article 8 of the European Convention on Human Rights. However, in considering their right to home and family life, it is noted that any interference with these must be balanced against the wider public interest, in particular the protection of the rights and freedoms of others.
- 44 The Council also have a public sector equality duty (PSED) under the Equalities Act 2010. The duty is to have due regard to the need (in discharging its functions) to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s);



- Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
  - The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 45 The PSED must be considered as a relevant factor when considering its decision but does not impose a duty to achieve the outcomes in s.149. The level of consideration required (i.e. due regard) will vary with the decision including such factors as:
- The importance of the decision and the severity of the impact on the Council's ability to meet its PSED;
  - The likelihood of discriminatory effect or that it could eliminate existing discrimination.
- 46 The Council should give greater consideration to decisions that have a disproportionately adverse impact on a protected characteristic and this impact may be unintentional. In appropriate cases, this may involve an understanding of the practical impact on individuals so affected by the decision. Regard should be had to the effect of mitigation taken to reduce any adverse impact. Further, the PSED is only one factor that needs to be considered when making a decision and may be balanced against other relevant factors. The Council is also entitled to take into account other relevant factors in respect of the decision, including financial resources and policy considerations. In appropriate cases, such countervailing factors may justify decisions which have an adverse impact on protected groups.
- 47 In this case the applicant does have educational and health needs arising from his children which are given significant weight as part of the consideration of this application and the claim for very special circumstances.

**Assessment of any very special circumstances:**

- 48 Para 88 of the NPPF states that when considering any planning application, LPAs 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 any other considerations.
- 49 The harm arising from this development has been identified in the assessment above as:
- The harm in principle from inappropriate development in the Green Belt, which must be given significant weight and harm to openness through the introduction of the mobile home.
- 50 The proposals would not result in material harm to highway conditions or the amenities of neighbouring occupiers.

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- 51 The very special circumstances in this case can be summarised briefly as follows:
- a recognised unmet need for Gypsy sites in the District,
  - lack of an up to date 5 year supply of deliverable sites,
  - recognition that Traveller and Gypsy sites are likely to be required in the Green Belt
  - personal circumstances of the applicant and Gypsy status, including the best interests of the children.
- 52 There are a number of recent applications and appeal decisions which have concluded that the very special circumstances advanced may all contribute to a case of very special circumstances.
- 53 I consider these material considerations to be applicable to the current application. The PPTS paragraph 27 acknowledges that if a local planning authority cannot demonstrate an up-to date 5 year supply of deliverable sites, this should be a significant material consideration when considering applications for the grant of temporary permissions. The existing development plan does not identify any land suitable for Traveller sites, other than the need identified by the Council's Gypsy, Traveller and Travelling Showperson Accommodation Assessment in April 2017.
- 54 There is a very recent 'allowed' appeal decision within the District which I consider particularly relevant to this application as it clearly sets out the weight which may be attached to the above factors. The appeal related to land at Station Court in Halstead, where permission was granted for a permanent Gypsy site (October 2016 - Council reference 14/02899/CONVAR). I summarise this decision in more detail below.
- 55 Of particular relevance was the fact that the Inspector gave significant weight to the fact that the Council did not have an adopted Gypsy and Traveller Development Plan Document and thus did not have any allocated sites. The Inspector noted that the Council did not have a 5 year supply of sites and that there was a level of unmet need within the District. The Inspector also identified an important consideration in the allocation of sites was the likely location of other Gypsy and Traveller sites and that the entire District outside the urban areas was covered by green belt. The Inspector accepted that urban land within the District had potential value for housing or commercial uses that makes it unviable as a Gypsy site. Consequently, at paragraph 17 the Inspector stated that "I have no doubt therefore that when the Council do come to allocating Gypsy sites they will have to be located in the green belt. I consider this to be a significant material consideration."
- 56 In conclusion, at paragraph 23, the Inspector gave significant weight to the unmet need for Gypsy sites and lack of 5 year supply of sites in the District, delays of the Council in adopting a Gypsy and Traveller DPD and formally adopting sites and the applicant's Gypsy status. He gave considerable weight to the fact that any future Gypsy sites will almost certainly have to be in the green belt.

- 57 On 20<sup>th</sup> April 2017 the Council adopted an updated evidence base for the need for sites in the District. This will be taken forward for the new development plan, but it does not at this stage alter the weight to be given to the issues set out in this report.
- 58 It remains the case that alternative sites are difficult to find in the District due to high land values and Green Belt designations. As such some harm to the Green Belt will arise from requirements to provide Gypsy and Traveller pitches.
- 59 In light of the above, I consider considerable weight can be attached to the very special circumstances set out above.
- 60 I am mindful that this application seeks a permanent permission, but within their supporting documentation would 'accept' a 5 year temporary permission. In my view a permanent permission would be premature prior to the formal consideration process of allocating Gypsy and Traveller sites within the new local plan. However, a temporary permission would fulfil a recognised need for a Gypsy family where no other suitable sites have been identified and provide the Council an opportunity to adopt the Local Plan. It is recommended that, in line with historic cases and the proposed timescale for the adoption of the new Local Plan, temporary permission be granted for 3 years.
- 61 It is also that the case that applicant has educational and health needs arising from his children and when this is taken into account together with his Gypsy status and other relevant considerations outlined above.
- 62 It is therefore concluded that very special circumstances do exist in this case which would clearly outweigh the harm to the Green Belt and which provide justification for the temporary grant of a personal permission in this case.
- 63 I would recommend the use of conditions to ensure the site is used only as a pitch for a single mobile home with single touring caravan and a single static caravan, and that the permission is only valid insofar as the applicant meets the definition of Gypsies and Travellers contained in the PPTS 2015.

### Conclusion

- 64 The development is inappropriate in the Green Belt and also harmful to the openness of the Green Belt.
- 65 There are very special circumstances which exist in this case which would clearly outweigh the harm identified. In light of all the material considerations it is considered acceptable that a temporary planning permission is justified, subject to conditions.
- 66 I consider it reasonable to make the permission temporary for a period of three years, by which time we aim to have an adopted Local Plan with supporting Gypsy Traveller DPD. Permission can also reasonably be made personal.

## Agenda Item 4.1

Contact Officer(s): Matthew Besant Extension: 7136

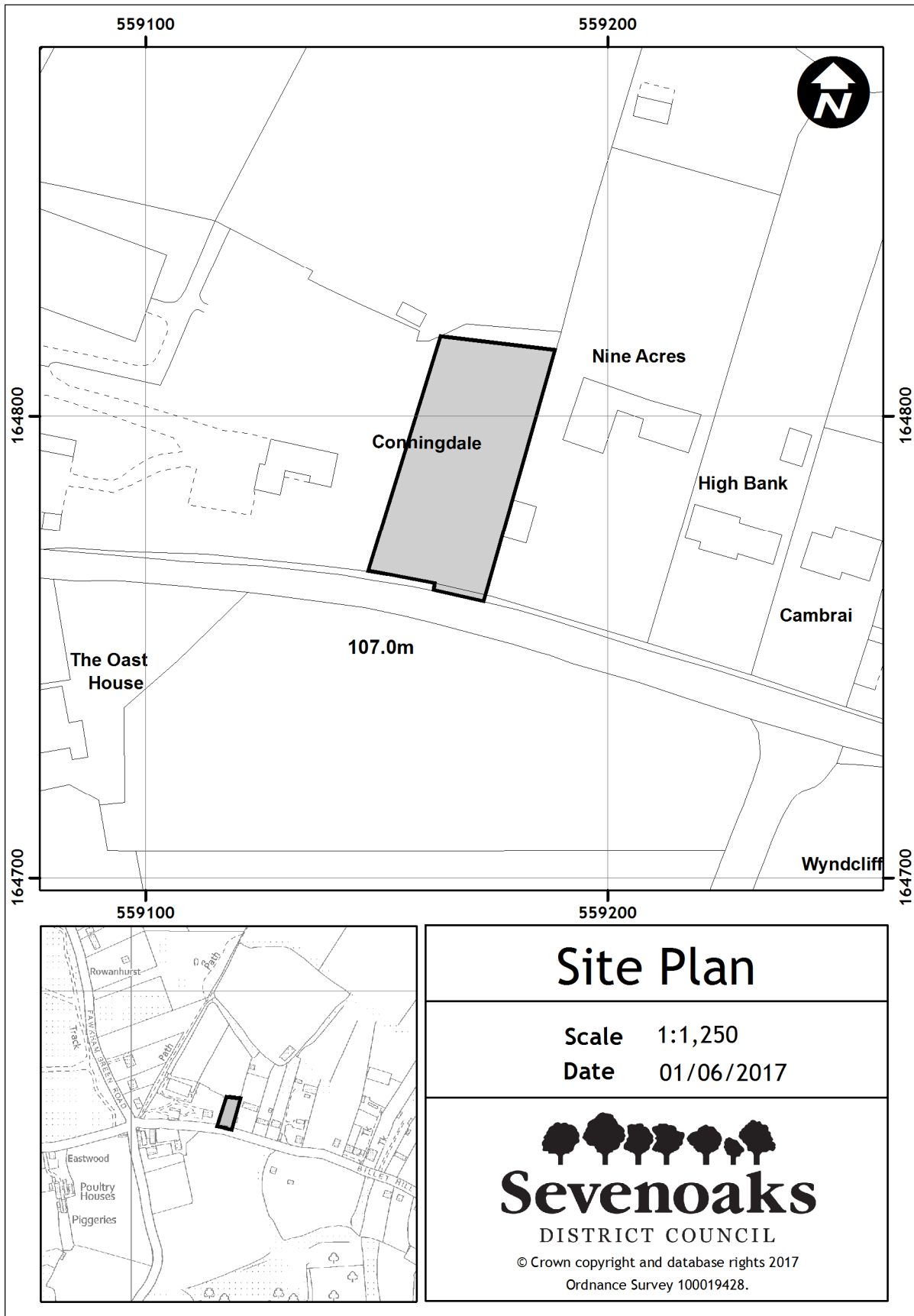
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OMLZBGBKGGD00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMLZBGBKGGD00>



Block Plan



4.2 - SE/16/03875/HOUSE Revised expiry date 3 July 2017

**PROPOSAL:** Proposed Single Storey Orangery with minor internal alterations and external alterations including refurbishment of casement windows and one velux window, thermal insulation of attic space and re-positioning of downstairs toilet to Listed Building

**LOCATION:** Colgates, Shoreham Lane, Halstead, Kent TN14 7BY

**WARD(S):** Halstead, Knockholt & Badgers Mount

**ITEM FOR DECISION**

This application is referred to Development Control Committee as the application is being made by Councillor Firth.

**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 5865-2 Rev E; 3 Rev A.

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

3) No development shall take place until a scheme to promote biological diversity has been submitted and approved in writing by the Local Authority with a scheme of implementation. The development shall be carried out in accordance with the approved details and shall be maintained thereafter.

To promote biodiversity as supported by Policy EN1 of the ADMP and SP11 of Sevenoaks District Councils Core Strategy. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

4) Notwithstanding the details shown on Drawing No. 5865-2 Rev E and 5865-3 Rev A an elevation drawing and horizontal and vertical section drawings of the dormer windows hereby approved shall be submitted to a scale of no less than 1:10 and joinery details 1:5 and glazing bar 1:2.

To maintain the integrity and character of the Listed Building as supported by the National Planning Policy Framework.

5) An elevation of a scale of no less than 1:10 and horizontal and vertical

## Agenda Item 4.2

section drawings of a scale no less than 1:50 'as existing' and 'as proposed' shall be provided for the dormers showing the method of installation of insulation, specification of materials and any changes that may occur as a result of insulating the dormers.

To maintain the integrity and character of the Listed Building as supported by the National Planning Policy Framework.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: 5865-1 Rev C; 2 Rev E; 3 Rev A (excluding the Dormer window joinery details)

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 Proposed Single Storey Orangery with minor internal alterations and external alterations.



**Description of site**

- 2 Colgates is a Grade II listed detached dwelling located within a rural location approximately 0.75km to the east of Halstead village.

**Constraints**

- 3 Grade II Listed
- 4 Biodiversity Opportunity Area
- 5 Metropolitan Green Belt

**Policies**

*SDC Core Strategy*

- 6 Policies - SP1, SP11

*SDC Allocations and Development Management Plan (ADMP)*

- 7 Policies EN1, EN2, EN4, GB1

*Other*

- 8 National Planning Policy Framework (NPPF)
- 9 National Planning Policy Guidance (NPPG)
- 10 Halstead Village Design Statement
- 11 Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SPD)

**Relevant planning history**

12	74/00028/HIST	The erection of a lounge utility Room and hall extension	GRANT	30/08/1974
	84/00781/HIST	Reconstruction of barn/coach house to provide garage, workshop, general and garden storage	GRANT	19/07/1984
	88/01477/HIST	Pool and Enclosure	GRANT	15/11/1988
	89/00853/HIST	Single storey building tiled roof for workshop and showroom display area. Outline	REFUSE	18/07/1989

**Consultation**

*Halstead Parish Council:*

- 13 No response received.

## Agenda Item 4.2

### *Sevenoaks District Council Conservation Officer:*

- 14 It is considered that the proposal will cause no harm but preserve the special interest of this building and I have no objections to Listed Building Consent being granted subject to conditions.

### *Suggested conditions:*

- 15 Notwithstanding the details shown on Drawing No. 5865-2 Rev E and 5865-3 Rev A an elevation drawing and horizontal and vertical section drawings of the dormer windows hereby approved shall be submitted to a scale no less than 1:10 and joinery detail 1:5 and glazing bars 1:2.
- 16 The following informative should be added: The slim double-glazing should be of traditional detailing with true glazing bars and the glazing panels puttied into the frame.
- 17 An elevation of a scale no less than 1:10 and horizontal and vertical section drawings of a scale no less than 1:5 'as existing' and 'as proposed' should be provided for the dormers showing method of installation of insulation, specification of materials and any changes that may occur as a result of insulating them”.

### **Representations**

- 18 No response received.

### **Appraisal**

#### *Impact upon the Green Belt*

- 19 The NPPF states that the Government attaches great importance to Green Belts. 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.
- 20 As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 21 When considering any planning application, we 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.
- 22 We should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this includes:  
  
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;

- 23 Policy GB1, limited extensions to dwellings in the Green Belt 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 responds to 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 does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and

24 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 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 dwelling.

25 The existing dwelling is lawful and permanent in nature. The application proposes the addition of an Orangery to infill between the existing study and drawing room with the demolition of an existing ground floor W.C. The proposal would extend the existing single storey infill forward by an additional 2.3m and would result in the addition of a roof lantern above a flat roof with timber double doors. These changes would represent a proportionate increase to the existing property with appropriate materials in keeping with the dwelling. The internal works would not impact upon the property's bulk within the Green Belt.

26 In reviewing the history of the property,

	m <sup>2</sup>	% increase
Original dwelling	441.28	-
Extensions to date	195.70	44.34
Proposed	9.28	2.10
TOTAL	204.98	46.44

27 The proposal would represent appropriate development and would not have a detrimental impact upon the openness of the Green Belt. In consequence the proposal would meet the requirements of the NPPF and policy GB1 of the ADMP.

*Design and impact upon the street scene*

28 Policy EN1 of the ADMP amongst other issues states that proposals which would create high quality design and meet the following criteria will be permitted:

## Agenda Item 4.2

- The form of the proposed development would respond to the scale, height, materials and site coverage of the area;
  - The layout of the proposed development would respect the topography and character of the site and the surrounding area and sensitively incorporate natural features such as trees, hedges and ponds within the site.
- 29 The new extension/orangery would replace a modern extension located between an existing two-storey 18<sup>th</sup> century extension and a modern 20<sup>th</sup> century single storey extension. This infill would incorporate an appropriate design subservient to the two wings of the building between which it is located. The proposed materials are appropriate to the listed building.
- 30 The proposal would relocate an existing window to the southern elevation to the house and re-locate a toilet window from the eastern elevation to the northern elevation of the modern pool building. Through incorporating existing windows the windows would be in keeping with the house and would not impact detrimentally upon the properties design.
- 31 A larger bulky rooflight would be replaced with a smaller conservation rooflight which would enhance the southern roofscape. The dormer windows on the north facing elevation would be replaced with new windows which would incorporate an acceptable design. The internal changes to the property would not impact adversely upon the character of the property.
- 32 The property is located within a large plot set back from the road. The proposed works located within two existing wings of the building with the addition of a small window would not impact upon the wider street scene.
- 33 In consequence the proposal would incorporate an appropriate design which would ensure that it would meet the requirements of the NPPF and policy EN1 of the ADMP.

### *Impact upon local amenities*

- 34 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that development does not result in:
- excessive noise,
  - vibration,
  - odour,
  - air pollution,
  - activity or vehicle movements,
  - overlooking or visual intrusion and
  - where the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.
- 35 The proposed infill would be located on the western elevation of the house with a line of mature trees extending along the properties western boundary

with fields beyond ensuring that the extension would not impact upon neighbouring properties amenities.

- 36 The proposal would re-locate two windows, one to the southern elevation of the house and one to the northern elevation. The only property potentially impacted upon by the southern facing window is Skyppys Cottage located approximately 30m to the south of Colgates. However the proposed window would have no greater impact than other windows within this elevation of the house. The northern facing elevation would provide an outlook into a walled enclosure with trees to the north. This will ensure that this window will provide no additional views beyond the site.
- 37 In consequence the proposal would not impact detrimentally upon neighbouring properties amenities ensuring that the proposal meets the requirements of the NPPF and policy EN2 of the ADMP.

#### *Impact upon the Listed Building*

- 38 The Listed Buildings and Conservation Area Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 39 The National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 40 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 41 Applications will be assessed with reference to the following:
- a) the historic and / or architectural significance of the asset;
  - b) the prominence of its location and setting; and
  - c) the historic and/or architectural significance of any elements to be lost or replaced.
- 42 The proposal would result in the demolition of a modern existing single storey flat roofed infill between the properties existing study and drawing room measuring 4.2m by 3.3m rising to a height of 2.8m.
- 43 The proposed Orangery would incorporate a flat roofed extension with a lantern above measuring 6.5m by 3.3m rising to a height of 3.5m. The materials would comprise of brick walls to match the existing house, with timber doors and windows and lead grey Sarnafil membrane to the flat roof. The membrane would not be visible and will protect the character of the building.

## Agenda Item 4.2

- 44 A south facing bulky rooflight would be replaced with a smaller conservation rooflight which would enhance the building. Two windows would be relocated to the southern and northern elevations of the house within 20<sup>th</sup> century extensions. This would ensure that the historic fabric of the building would be unaffected. The two north facing dormer windows would be replaced which would incorporate an appropriate design and a condition could be imposed to ensure that an acceptable level of detailing occurs.
- 45 The proposal would incorporate insulation of the attic space which in principle would be acceptable subject to a condition requiring further details in respect to ensuring that the insulation material can be accommodated without changing the proportions of the dormer frame and the windows within.
- 46 Our Conservation Officer was consulted on this application and supports the proposals. The proposal would meet the requirements of the NPPF and policy EN4 of the ADMP.

### *Biodiversity Opportunity Area*

- 47 The site lies within a Biodiversity Opportunity Area. It is recommended that a condition be imposed to seek ecological enhancement within the site.

### **Community Infrastructure Levy**

- 48 With regard to Community Infrastructure Levy (CIL) liability, as set out in the CIL Regulations, this development is not creating floor area of more than 100m<sup>2</sup>. Accordingly, this residential development qualifies as being not liable for CIL payment.

### **Conclusion**

- 49 The proposal would represent appropriate development which would not harm the openness of the Green Belt, would conserve the character, appearance and setting of the listed building with an appropriate design and would not impact detrimentally upon local amenities.

Recommendation - Grant subject to conditions

### **Background papers**

Site and block plans

Contact Officer(s): Guy Martin Extension: 7351

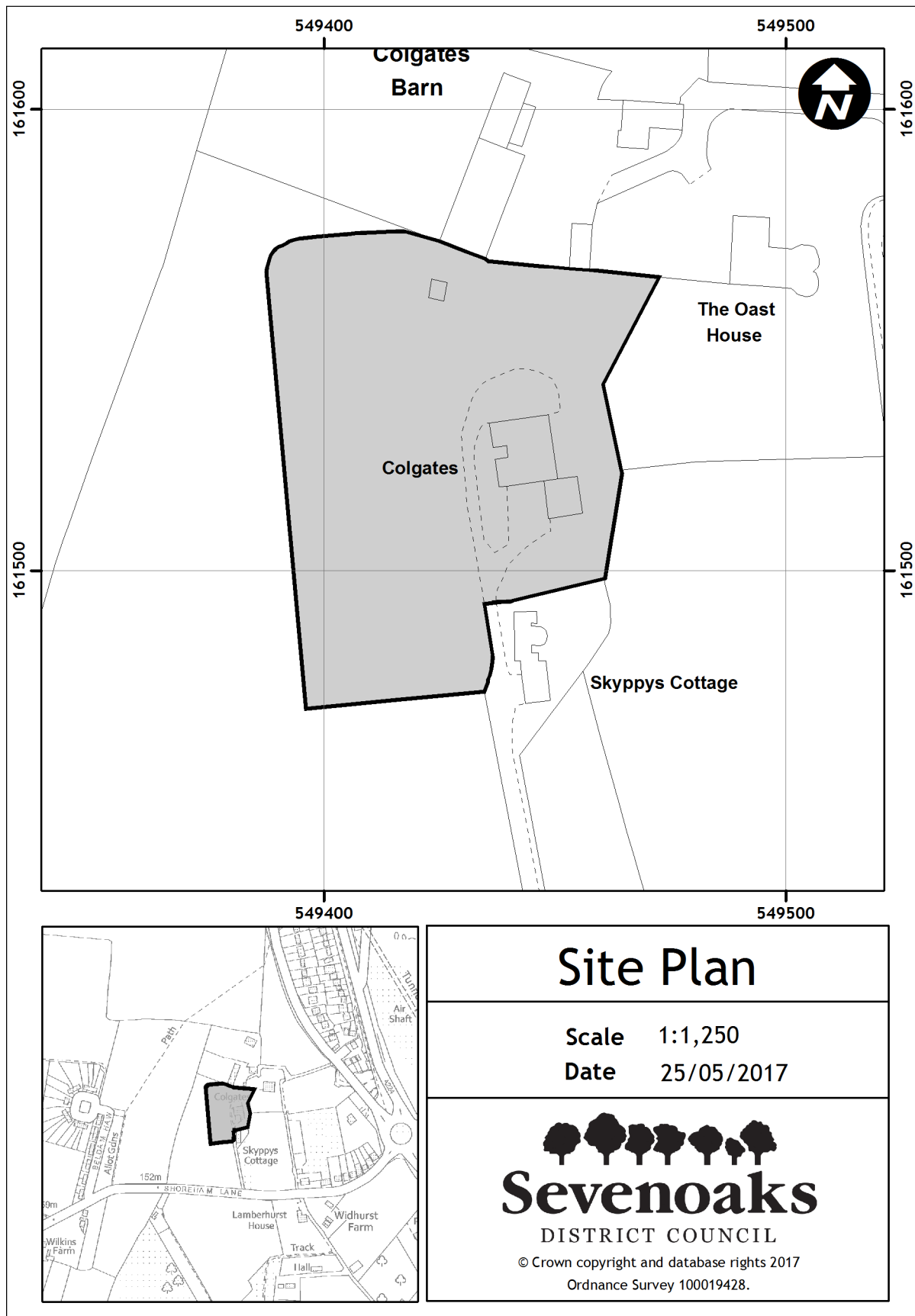
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OIAFBCBKK9R00>

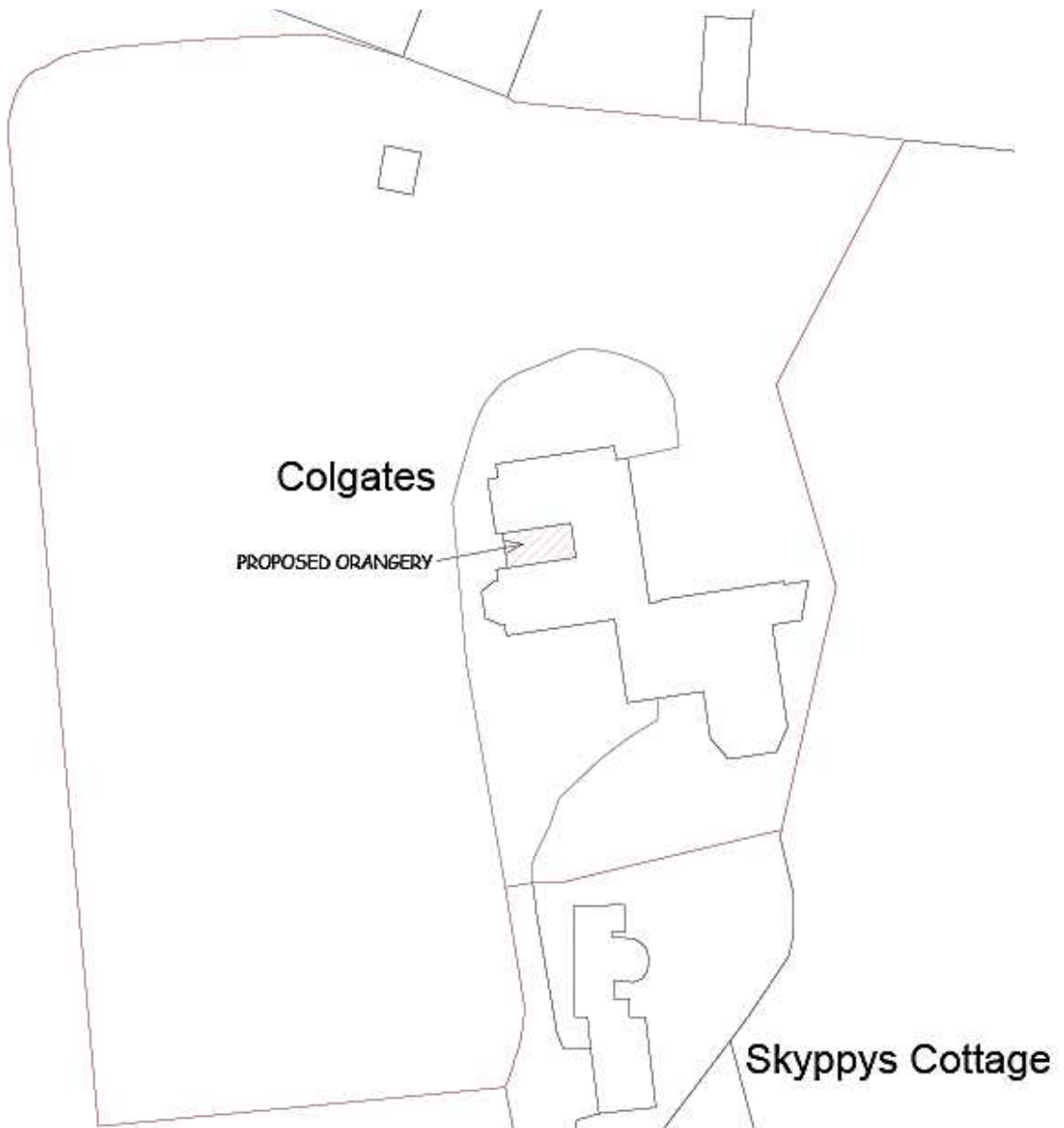
Link to associated documents

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OIAFBCBKK9R00>





Block Plan



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4.3 -SE/16/03876/LBCALT Revised expiry date 3 July 2017

**PROPOSAL:** Proposed Single Storey Orangery with minor internal alterations and external alterations including refurbishment of casement windows and one velux window, thermal insulation of attic space and re-positioning of downstairs toilet to Listed Building

**LOCATION:** Colgates, Shoreham Lane, Halstead Kent TN14 7BY

**WARD(S):** Halstead, Knockholt & Badgers Mount

**ITEM FOR DECISION**

This application is referred to Development Control Committee as the application is being made by Councillor Firth.

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

1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The materials to be used in the construction of the development shall be those indicated on the approved plan 5865-2 Rev E; 3 Rev A.

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

3) Notwithstanding the details shown on Drawing No. 5865-2 Rev E and 5865-3 Rev A an elevation drawing and horizontal and vertical section drawings of the dormer windows hereby approved shall be submitted to a scale of no less than 1:10 and joinery details 1:5 and glazing bar 1:2.

To maintain the integrity and character of the Listed Building as supported by the National Planning Policy Framework.

4) An elevation of a scale of no less than 1:10 and horizontal and vertical section drawings of a scale no less than 1:50 'as existing' and 'as proposed' shall be provided for the dormers showing the method of installation of insulation, specification of materials and any changes that may occur as a result of insulating the dormers.

To maintain the integrity and character of the Listed Building as supported by the National Planning Policy Framework.

5) The development hereby permitted shall be carried out in accordance with the following approved plans: 5865-1; 2 Rev E; 3 Rev A (excluding the Dormer

## Agenda Item 4.3

window joinery details)

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

### **Informative**

- 1) The slim double-glazing should be of a traditional detailing with true glazing bars and the glazing panels puttied into the frame.

### **Description of proposal**

- 1 Proposed Single Storey Orangery with minor internal alterations and external alterations.

### **Description of site**

- 2 Colgates is a Grade II listed detached dwelling located within a rural location approximately 0.75km to the east of Halstead village.

### **Constraints**

- 3 Grade II Listed
- 4 Biodiversity Opportunity Area
- 5 Metropolitan Green Belt

### **Policies:**

*SDC Core Strategy:*

- 6 Policy SP1

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

- 7 Policies EN1, EN4

*Other:*

- 8 National Planning Policy Framework (NPPF)
- 9 National Planning Policy Guidance (NPPG)
- 10 Halstead Village Design Statement:

### **Relevant planning history**

- |    |               |  |       |            |
|----|---------------|--|-------|------------|
| 11 | 74/00028/HIST | The erection of a lounge utility room and hall extension                                   | GRANT | 30/08/1974 |
|    | 84/00781/HIST | Reconstruction of barn/coach house to provide garage, workshop, general and garden storage | GRANT | 19/07/1984 |

88/01477/HIST	Pool and Enclosure	GRANT	15/11/1988
89/00853/HIST	Single storey building tiled roof for workshop and showroom display area. Outline	REFUSE	18/07/1989

**Consultation:**

*Halstead Parish Council*

12 Support. The Parish Council supports this application.

*Sevenoaks District Council Conservation Officer:*

13 It is considered that the proposal will cause no harm but preserve the special interest of this building and I have no objections to Listed Building Consent being granted, subject to adding the following conditions to the grant of consent.

Suggested conditions:

Notwithstanding the details shown on Drawing No. 5865-2 Rev E and 5865-3 Rev A an elevation drawing and horizontal and vertical section drawings of the dormer windows hereby approved shall be submitted to a scale no less than 1:10 and joinery detail 1:5 and glazing bars 1:2.

The following informative should be added: The slim double-glazing should be of traditional detailing with true glazing bars and the glazing panels puttied into the frame.

An elevation of a scale no less than 1:10 and horizontal and vertical section drawings of a scale no less than 1:5 'as existing' and 'as proposed' should be provided for the dormers showing method of installation of insulation, specification of materials and any changes that may occur as a result of insulating them.

*Society for the Preservation of Ancient Buildings:*

14 “There is no objection to the removal of the existing extensions, and the proposal is a logical way of linking the different elements of the existing house. We are particularly pleased to see the effort which has been taken in making the new orangery roof self supporting, thus avoiding any intrusion into the existing structure of the building which we understand is 16th century in places.

15 We appreciate that lead is an expensive material, and presume that this is why Sarnafil has been chosen to form gutters. However, this is not a material that would normally be considered to have the longevity expected of alterations to listed buildings. We wondered whether other sheet metals have also been considered? For instance, terne-coated stainless steel can be laid in long lengths without the stepped falls that lead requires, and would generally be considered more durable.”

## Agenda Item 4.3

### *Ancient Monument Society:*

16 No response received

### *The Council for British Archaeology:*

17 No response received

### *Georgian Group:*

18 No response received

### *Victorian Society:*

19 No response received

### **Representations**

20 No representations received.

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

#### *Impact upon the Listed Building*

- 21 The Listed Buildings and Conservation Area Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 22 The National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 23 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 24 Applications will be assessed with reference to the following:
1. the historic and / or architectural significance of the asset;
  2. the prominence of its location and setting; and
  3. the historic and/or architectural significance of any elements to be lost or replaced.
- 25 The proposal would result in the demolition of a modern existing single storey flat roofed infill between the properties existing study and drawing room measuring 4.2m by 3.3m rising to a height of 2.8m.

- 26 The proposed extension would incorporate a flat roofed extension with a lantern above measuring 6.5m by 3.3m rising to a height of 3.5m. An existing window located within the drawing room will be removed to create an access from the new Orangery into the drawing room and will be relocated to the southern wall of the drawing room. The materials would comprise of brick walls to match the existing house, with timber doors and windows and lead grey Sarnafil membrane to the flat roof. The membrane would not be visible and will protect the character of the building.
- 27 An existing Velux roof light on the south facing roof would be replaced with a conservation style roof light.
- 28 Two north facing dormer windows would be replaced with slim line double-glazed windows.
- 29 Internally the proposal would incorporate the:
  - a) widening of the opening between the dining room and the proposed conservatory;
  - b) Infilling of the door between the kitchen and the dining room;
  - c) re-location of the internal kitchen door;
  - d) removal of an existing internal hardwood studwork wall;
  - e) installation of double doors and relocating external window to the opposite side of the drawing room (within the 20<sup>th</sup> century extension);
  - f) thermally insulating the attic space serving the second floor bedrooms;
  - g) creation of a new toilet within the link between the kitchen and the swimming pool incorporating a new window relocated from the toilet demolished through the creation of the new conservatory.
- 30 The internal plasterwork would match the existing dwelling.
- 31 The proposal would replace an existing modern single storey extension of limited architectural merit located between an 18<sup>th</sup> century two-storey elevation and a 20<sup>th</sup> century single storey extension with a hipped roof.
- 32 The proposal would incorporate a brick Orangery of a subservient traditional design with a roof lantern which would not be out of character with the existing dwelling. The Orangery would be self-supporting resulting in a design which would not impact detrimentally upon the fabric of the historic building. Whilst part of the external wall of the 18<sup>th</sup> century extension would be covered with a dry-lining system this would be reversible if required by future owners and accordingly would be acceptable. The use of a Sarnafil roof would not be visible and accordingly its use would protect the character of the building. The re-location of the drawing room window to the southern side of this 20<sup>th</sup> century building would not impact on the historic fabric of the building and would incorporate an acceptable design.
- 33 The current roof light on the southern elevation is of a large bulky design and its replacement with a conservation roof light would improve the appearance of the roof.

## Agenda Item 4.3

- 34 The proposal incorporates the replacement of the casement dormer windows which date from the 20<sup>th</sup> century and possess no historic value. The proposed slim line double-glazing with a glazing pattern matching the windows below is acceptable in principle. Concern is raised in respect to the joinery detailing however a condition could be imposed to ensure that an acceptable standard of joinery and detailing is incorporated.
- 35 Internally the proposal would widen the opening between the dining room and the proposed extension which would re-instate the opening to a previous width and the replacement of a modern door with a side-hung double door with traditional detailing would not have a detrimental impact upon the historic fabric of the building.
- 36 The infilling of the door between the kitchen and dining room would block up a modern opening with a blind door enabling the opening to be re-instated at a later date.
- 37 The re-location of the internal kitchen door and the removal of the internal hardwood studwork wall would not impact upon the significance of the building. The changes to the 20<sup>th</sup> century single-storey extension would not impact upon the character of this part of the building or affect the significance of the older elements of the house and accordingly would be acceptable.
- 38 The re-located toilet to the link between kitchen and the swimming pool incorporating an existing window would be located within a modern addition to the listed building ensuring that the historic fabric and setting is unaffected.
- 39 The thermal insulation of the attic space as confirmed by our Conservation Officer is acceptable in principle. No details have been submitted to show that the proposed insulation material could be accommodated within the dormer cheeks without making changes to the proportions of the dormer frames and windows. This issue could potentially be addressed through the inclusion of a condition requiring further information.
- 40 The proposal would incorporate an appropriate design which would not impact detrimentally upon the fabric of the listed building and would conserve the character, appearance and setting of the listed building ensuring that the proposal would meet the requirements of the NPPF and policy EN4 of the ADMP.

### Conclusion

- 41 The proposal would incorporate an appropriate design which would not impact detrimentally upon the fabric of the listed building and would conserve the character, appearance and setting of the listed building ensuring that the proposal would meet the requirements of the NPPF and policy EN4 of the ADMP.

Recommendation - Grant subject to conditions



**Background papers**

Site and block plans

Contact Officer(s): Guy Martin Extension: 7351

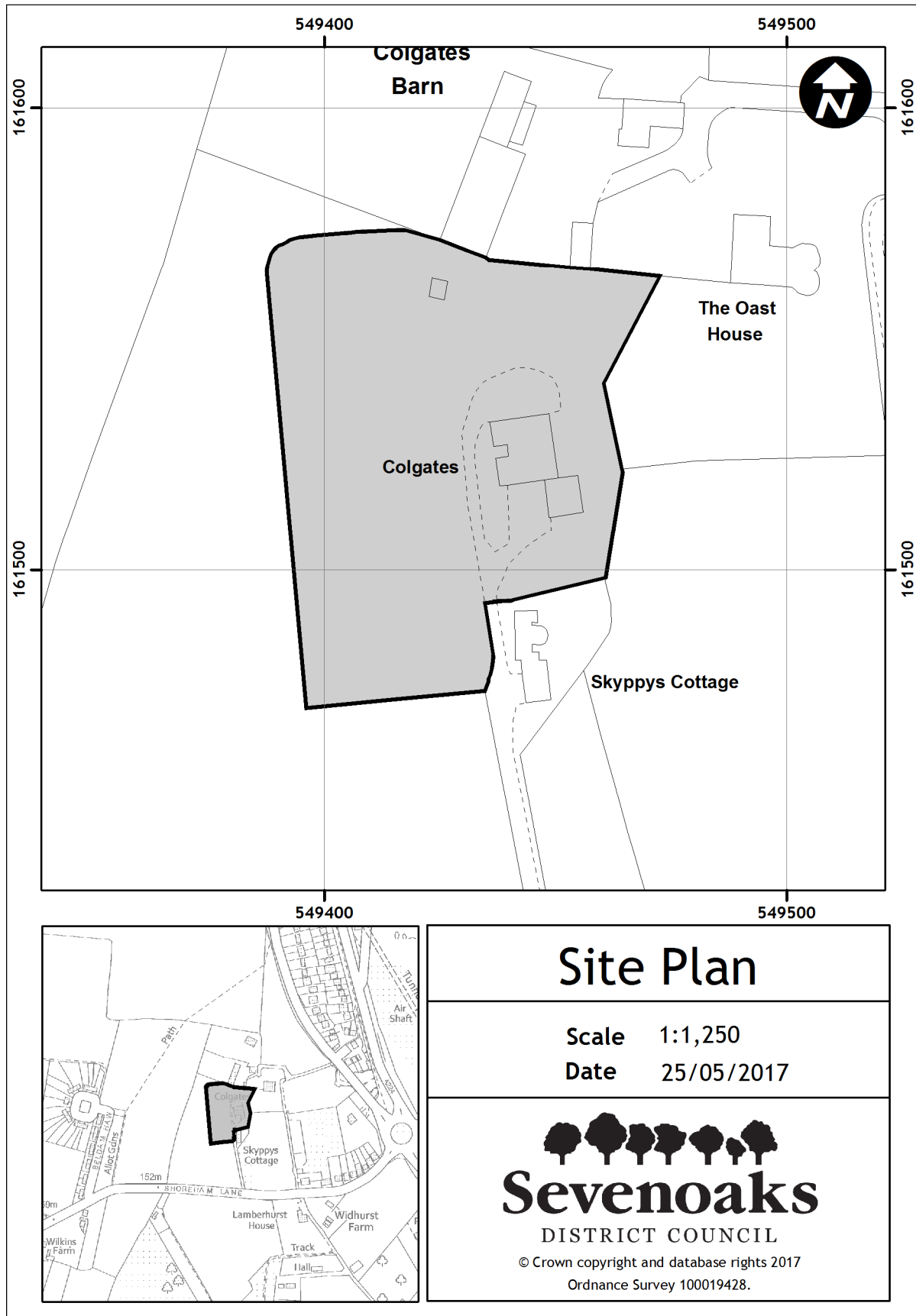
**Richard Morris -  
Chief Planning Officer**

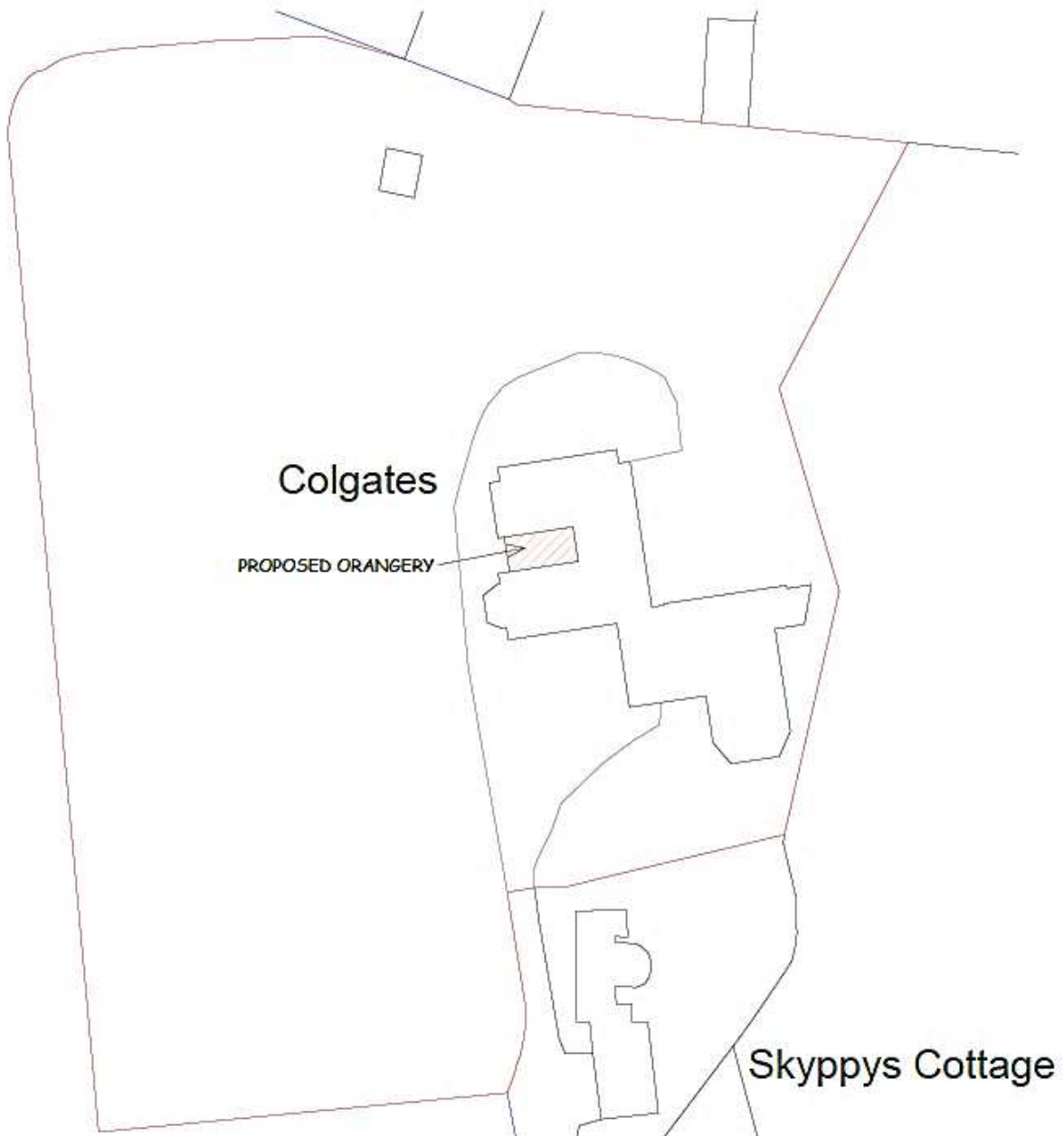
Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OIAFBEBKK9S00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OIAFBEBKK9S00>





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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 29 June 2017

**4.1 SE/17/00796/FUL Merry Lees, Billet Hill, Ash, Kent TN15 7HG**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OMLZBGBKGGD00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMLZBGBKGGD00>

**4.2 SE/16/03875/HOUSE Colgates, Shoreham Lane, Halstead, Kent TN14 7BY**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OIAFBCBKK9R00>

Link to associated documents

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OIAFBCBKK9R00>

**4.3 SE/16/03876/LBCALT Colgates, Shoreham Lane, Halstead, Kent TN14 7BY**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OIAFBEBKK9S00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OIAFBEBKK9S00>

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