

4.2 – SE/15/02111/HOUSE Date expired 16 September 2015

PROPOSAL: Enlargement of existing front extension at Ground Floor and First Floor.

LOCATION: Little Moorden , Cinder Hill Lane, Leigh TN11 8HU

WARD(S): Leigh & Chiddingstone Causeway

ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Peter Lake for the following reasons: The current proposal is identical to that approved in 2009 by Committee with the exception that the ungainly second floor window and roof lights are now omitted.

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

The proposed extension would be harmful to the special interest of the designated heritage asset in the form of the grade 2 listed building (LB/G2/50/1540) as it would overwhelm the simple linear form of the original building adding considerable bulk to the principal elevation and would further obscure parts of the original building. . As such the proposed extension enlargement would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

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. As such it is contrary to the National Planning Policy Framework, policy GB1 of the Sevenoaks Allocations and Development Management Plan and the Development in the Green Belt Supplementary Planning Document.

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 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.

Description of Proposal

- 1 'Enlargement of existing front extension at Ground Floor and First Floor'

The proposal seeks to enlarge a previous front extension to the property. The enlargement would include raising the ridge height of the extension by 0.6 metres, to just below that of the main property. It would also widen the extension at single storey level by 3.5 metres to 8.1 metres wide and at two storey level by 1.1 metres to 5.7 metres wide. The roof of the front extension would be altered from a dual pitched roof to a barn hip with a catslide extending from the ridge height of the extension to the southernmost side of the single storey element. The proposed enlargement would also increase the depth of the proposed extension by 2.5 metres, giving an overall depth to the front extension of 5.45 metres. Several new windows would be created in the front extension at both first and ground floor level; two on each side elevation and two on the front elevation.

- 2 The materials to be used on the extension would all match those existing with clay peg tiles to the roof, clay tile hanging at first floor level and matching brickwork at ground floor level.
- 3 A separate application for listed building consent has been made under reference: 15/02112/LBCALT.

Description of Site

- 4 The subject property consists of a two storey grade 2 Listed building in Leigh, set at the end of a long private driveway over 300 metres from the nearest highway, Cinder Hill Lane. The property lies within the Green Belt and an Area of Outstanding Natural Beauty and has an extensive garden incorporating several substantial outbuildings, a swimming pool, a tennis court and a TPO tree to the west. The property has been extended several times in the past to the front and to the north.

Constraints

- 5 Listed Building – LB/G2/50/1540
- 6 Area of Outstanding Natural Beauty
- 7 Metropolitan Green Belt

8 Tree Preservation Order – TPO/80/37/SDC

Policies

Sevenoaks District Core Strategy

9 Policy– SP1

Sevenoaks District Allocations and Development Management Plan (ADMP)

19 Policies– SC1, EN1, EN2, EN4 and GB1

Other

20 The National Planning Policy Framework (NPPF)

21 Planning (Listed Buildings and Conservation Areas) Act 1990

22 Development in the Green Belt SPD

23 Residential Extensions Supplementary Planning Document (SPD)

Planning History

24 81/00093/HIST – Internal and external alterations – Granted 18.03.1981

86/00453/HIST - FRONT ADDITION – Granted 06.05.1986

86/00555/HIST - Extension and internal alterations – Granted 13.05.1986

88/01809/HIST - Conversion of existing kitchen into extension of lounge.
Construction of new kitchen and provision of new bedroom – Granted
09.11.1988

88/01810/HIST - Conversion of existing kitchen into extension of lounge.
Construction of new kitchen and provision of new bedroom – Granted
07.11.1988

09/01391/FUL - Erection of single storey side extension and roof extension over
–Granted 24.08.2009

09/01402/LBCALT - Erection of single storey side extension and roof extension
over – Granted 25.08.2009

09/01841/LBCALT - Enlargement of existing front extension at ground floor and
first floor and creation of second floor bathroom – Granted 22.10.2009

09/02440/NMA - Non-Material amendment to SE/09/01391/FUL 'Erection of
single storey side extension and roof extension over'. Replacing a 3 pane window
with a 2 pane window – Amendment Non-Materials 15.01.2010

10/00123/FUL - Erection of single storey side extension and roof extension over.
Removal of brick floor in dining room, replace with period timber and bricks.
Lower floor to match level of study. Remove plaster work in stud partitioning in
adjoining wall to expose oak beams and footplate. Alter size of window previously
approved – Granted 20.04.2010

10/00128/LBCALT - Erection of single storey side extension and roof extension over. Removal of brick floor in dining room, replace with period timber and bricks. Lower floor to match level of study. Remove plaster work in stud partitioning in adjoining wall to expose oak beams and footplate. Alter size of window previously approved – Granted 20.04.2010

14/02668/LDCEX - Retrospective application for erection of a detached barn currently used as a music room/party room, kitchenette, toilet, shower room & study – Granted 22.10.2014

14/03565/LBCALT - Lowering floor in living room/hall to match floor level in dining room and kitchen – Granted 19.01.2015

15/00478/LDCEX - Storage shed – Granted 27.04.2015

15/02112/LBCALT - Enlargement of existing front extension at ground floor and first floor – Currently being considered

Consultations

Leigh Parish Council

25 Support the application

Sevenoaks District Council Conservation Officer

26 (comments provided for Listed Building Consent 15/02112/LBCALT) –

The property is a simple timber framed single pile house which the listing description dates as seventeenth century or earlier. The simple form was altered in 1988 by the addition of a two storey front extension. This was a harmful addition that alters the simple linear form of the host building and is prominently located on the principal elevation. In substantially increasing the depth of the extension the prominence of the extension is raised and the linear quality of the host property will be swamped. The proposed side addition to the front extension will add bulk to the principal elevation again detracting from the original form and also obscuring a further area of the original building.

These proposals are harmful to the special interest of the designated heritage asset. It is less than substantial harm and as such the public benefits of the proposals should be included in the application.

Representations

27 None received.

Chief Planning Officer's Appraisal

Principal issues

Previous permissions

28 An almost identical proposal was granted listed building consent at development control committee under listed building application SE/09/01841/LBCALT; following an officer recommendation for refusal due to the harm that the proposal would have on the listed building. The only differences between the previously

approved scheme and the current scheme are the omission of two conservation rooflights on the southern elevation of the extension and the removal of a window at second floor level on the front elevation of the proposed extension. This listed building consent lapsed on the 22nd October 2012. A planning application was not submitted for the proposed extension, as such the impact of the proposal on the Green Belt, the character and appearance of the area and neighbouring amenity were not considered, these elements will be considered under the current planning application.

- 29 Both national and local policy has changed since the listed building consent application was considered in 2009. *The Sevenoaks District Allocations and Development Management Plan* has been adopted, this contains *policy EN4 – Heritage Assets*, a policy which sets out how proposals affecting a heritage asset should be assessed. When the previous listed building consent application was considered the Council did not have an adopted local policy regarding heritage assets and listed buildings.
- 30 As such the previous listed building consent application was considered against the national policy that was in place at the time, specifically the Planning (Listed Buildings and Conservation Areas) Act 1990, *Planning Policy Guidance 15 – Planning and the Historic Environment (PPG15)* and *policy BE6 – Management of the Historic Environment of the South East Plan*. Only the Planning (Listed Buildings and Conservation Areas) Act 1990 is still currently used, whilst both *PPG15* and the *South East Plan* are no longer in place.
- 31 *PPG15* has effectively been replaced by the National Planning Policy Framework (NPPF); the NPPF has introduced a fundamentally different way of assessing applications that affect a heritage asset to that contained within *PPG15*. Paragraph 132 of the NPPF 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*’ (pp.31). It continues to describe the test that should be applied when deciding applications; this test requires the level of harm to the heritage asset to be identified and then the public benefits of the scheme to be weighed against the identified harm to the heritage asset.
- 32 In light of the changes to national and local policy since the previous listed building consent application was decided the application has been reassessed against the current policy. Whilst the previously approved listed building consent is a material consideration, on balance as it has now lapsed and there have been changes in policy that affect the way in which a proposal affecting a heritage asset is assessed this previous consent can only be given limited weight.
- 33 It should also be noted that no previous planning permission exists for the two storey extension. No duplicate planning application was submitted at the time of the 2009 listed building consent application.

Impact on the Green Belt

- 34 Both the *NPPF* and *Policy GB1* of the *ADMP* highlight that inappropriate development is harmful to the greenbelt and should not be approved except in very special circumstances. *Policy GB1* sets three criteria against which any proposed extensions in the Green Belt will be judged; the dwelling must be lawful and permanent, the extension must be designed to be in keeping with the

character of the dwelling, respecting its original form and it must not result in an increase above 50% of the floorspace of the original dwelling (when combined with other extensions, alterations and outbuildings).

- 35 I am satisfied that the dwelling is lawful and permanent in nature. I have also researched the planning history for the site and using historic planning applications have calculated the original floorspace of the dwelling as being 174 square metres. This differs slightly from the original floorspace calculated in previous applications; however the discrepancy is small with previous calculations amounting to 177 square metres. I have calculated the total proposed floorspace including all previous extensions as being 261 square metres, this is an increase of exactly 50% over the original floorspace and so the proposal is considered acceptable in this respect.
- 36 However the proposed enlargement would increase the depth of the front extension to 5.45 metres, only 0.15 metres less than that of the main dwelling. This would detract from the simple linear form of the original building already harmed through the previous front extension, would increase the dominance of the extension over the dwelling and would considerably increase the bulk of the property on the prominent front elevation.
- 37 Therefore it is considered that the proposed enlargement of the front extension would not be in keeping with the character or form of the original dwelling and would result in an unacceptable and disproportionate increase in bulk and harm to the openness of the Green Belt. Consequently the proposal is inappropriate development in the Green Belt harmful in principle and contrary to the *NPPF, policy GB1* of the *ADMP* and the *Development in the Green Belt SPD*. The applicant has not referred to any issues that amount to a case for very special circumstances.

Impact on the Listed Building

- 38 The *NPPF, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990* and *Policy EN4* of the *ADMP* place a great deal of weight on the conservation of listed buildings as well as their setting. Specifically, Paragraph 132 of the *NPPF* states that '*As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification*' (pp.31). *Policy EN4* of the *ADMP* reads '*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*' (pp.21).
- 39 The Council's Conservation Officer has been consulted on the application and has commented that the existing front extension to the dwelling which was approved in 1986 has altered the simple linear form of the dwelling; the proposal to increase the depth of the extension would raise the prominence of the extension and further alter the original form of the property. She has further commented that the side addition to the front extension would add additional bulk to the principal elevation, further detracting from the original form and obscuring an additional part of the original building. The Conservation officer has concluded that the proposal is harmful to the special interest of the designated heritage asset (the listed building); the harm is considered less than substantial.
- 40 Paragraph 134 of the *NPPF* states that '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset,*

this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use' (pp.31)

- 41 No public benefits of the scheme have been demonstrated and as such the harm to the listed building has not been justified. Therefore the proposal is not in accordance with the *NPPF, Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990* or *Policy EN4 of the ADMP*.

Impact on character and appearance of the area

- 42 The *NPPF* and *Policy SC1 of the Core strategy* both express that a '*presumption in favour of sustainable development*' must be used when deciding applications. *Policy SP1 of the Core Strategy, Policy EN1 of the ADMP* and the *NPPF* highlight that new developments should be of a high standard of design that responds to the character of the locality.
- 43 The *Residential Extensions SPD* provides detailed guidance on all elements that should be considered when deciding an application for an extension including amongst other things the; siting, scale, form, height, materials and amenity considerations.
- 44 In relation to front extensions the *Residential Extensions SPD* states that '*Particular care is required in the design of front extensions because of their prominence at the front of the property. Front extensions may be acceptable in a street where... the extension is to a detached house, where there is no strong visual relationship with adjoining properties*' (pp.14). It continues to state that '*Where an extension is acceptable, the roof should match the roof of the original house in style in order to compliment the existing building and the character of the area*' (pp.14).
- 45 The proposed extension is to a property located down a 300 metre private access driveway, just under 400 metres from the nearest surrounding property, as such it is not considered that there is any visual relationship between the subject property and any adjoining properties.
- 46 The proposed extension would have a similar roof profile to the roof of the main dwelling, with a barn hipped feature and a catslide to the south, these features would be sympathetic to the main dwelling and so are not considered to detract from the character or appearance of the area. Finally due to the distance of the property from the nearest public viewpoint the alterations proposed would have a minimal visual impact on the wider area.
- 47 In summary for the reasons detailed above I consider that the proposed extension would be in keeping with the character and appearance of the area, consequently it would be in accordance with the *NPPF, policy SP1 of the Core Strategy, policy EN1 of the ADMP* and the *Residential Extensions SPD*.

Impact on neighbouring amenity

- 48 The *NPPF* and *Policy EN2 of the ADMP* both require new developments to safeguard neighbouring amenity as well as to provide an adequate standard of residential amenity for the current and future occupiers.
- 49 The property is set over 390 metres from the nearest dwelling and so it is not considered that the proposal would result in overshadowing, a loss of light or a

loss of privacy to any neighbouring residents. As such the proposal is in accordance with the *NPPF*, policy *EN2* of the *ADMP* and the *Residential Extensions SPD*.

Access issues

50 There are no changes to access proposed.

Other issues

51 There are no other issues related to the proposal.

52 As the proposal would not result in an increase in floorspace of over 100 square metres the application is not CIL liable.

Conclusion

53 I consider that for the reasons detailed above that the proposed development would be in keeping with the character and appearance of the area and would preserve neighbouring amenity but would be harmful to a designated heritage asset in the form of the listed building (LB/G2/50/1540) and would impact negatively on the openness of the green belt. Consequently the proposal is not in accordance with the development plan and therefore the officer's recommendation is to refuse planning permission.

Background Papers

Site and Block Plan.

Contact Officer(s): Paul Dadswell Extension: 7463

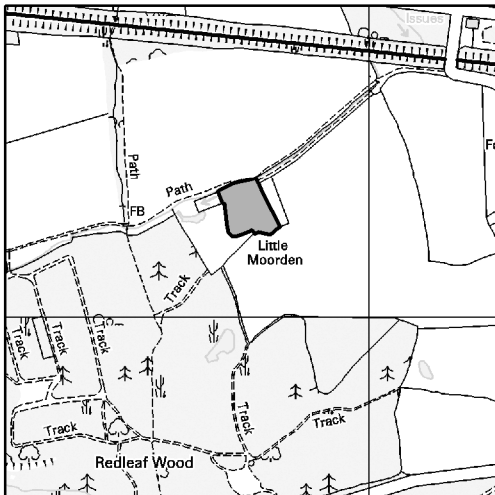
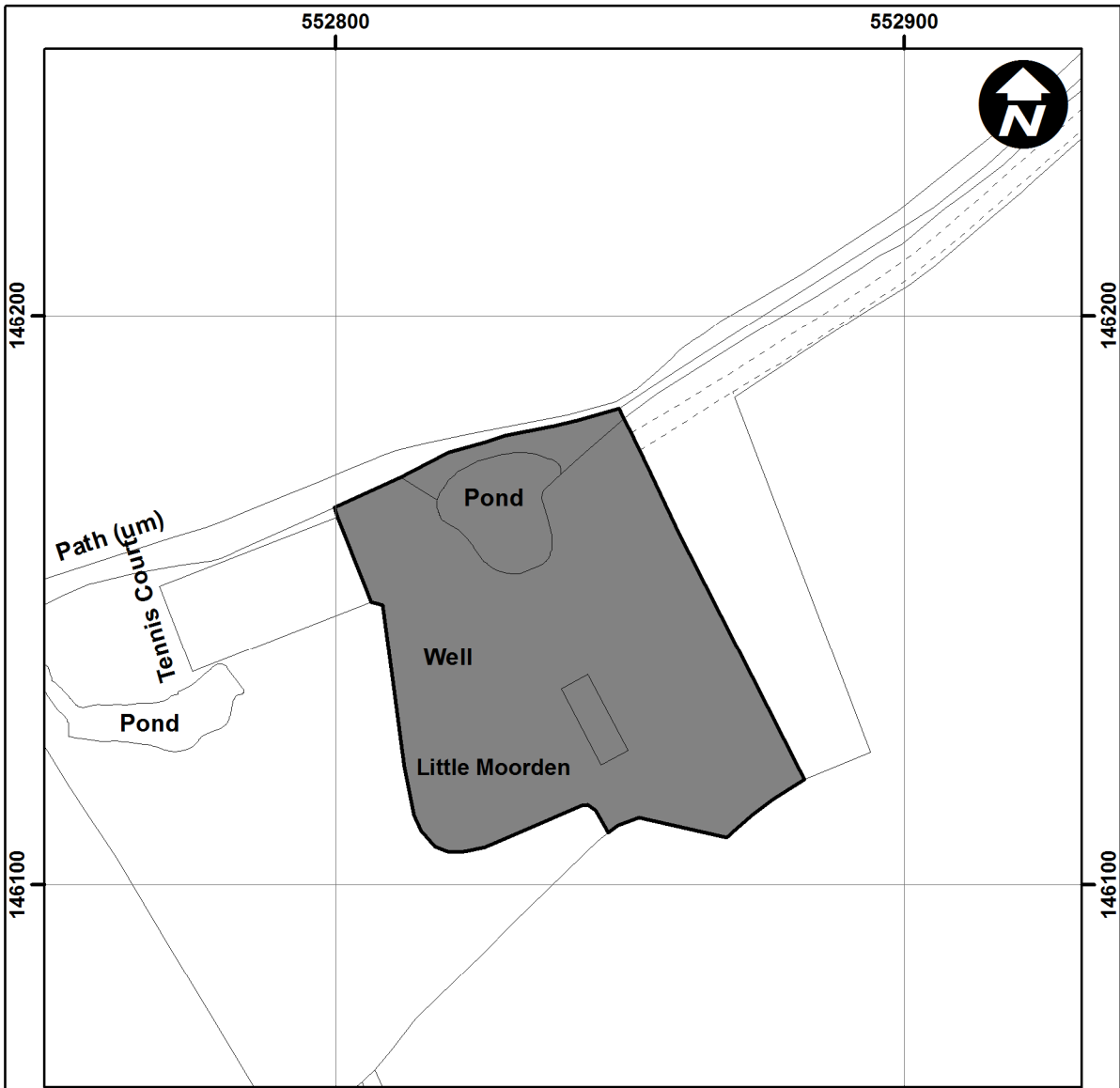
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NR89V7BKK9C00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NR89V7BKK9C00>



Site Plan

Scale 1:1,250

Date 23/11/2015



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Ordnance Survey 100019428.

Block Plan

