

4.3 – SE/15/02112/LBCALT 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.

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 planning permission has been made under reference: 15/02111/HOUSE.

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

- 9 The National Planning Policy Framework (NPPF)
- 10 Planning (Listed Buildings and Conservation Areas) Act 1990
- 11 Sevenoaks District Allocations and Development Management Plan (ADMP) – EN4

Planning History

- 12 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

15/02111/HOUSE - Enlargement of existing front extension at ground floor and first floor – Currently being considered

Consultations

Leigh Parish Council

13 Support the application.

Sevenoaks District Council Conservation Officer –

14 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.

15 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

16 None received.

Chief Planning Officer's Appraisal

Principal issues

Previous permissions

- 17 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.
- 18 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.
- 19 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.
- 20 *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.
- 21 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.

Impact on the Listed Building

- 22 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).

- 23 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.
- 24 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)
- 25 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*.

Access issues

- 26 There are no changes to access proposed.

Other issues

- 27 There are no other issues related to the proposal.

Conclusion

- 28 I consider that for the reasons detailed above that the proposed development would be harmful to a designated heritage asset in the form of the listed building (LB/G2/50/1540) and the public benefits of the scheme have not been demonstrated. Consequently the proposal is not in accordance with the development plan and therefore my recommendation is to refuse listed building consent.

Background Papers

Site and Block plans.

Contact Officer(s):

Paul Dadswell Extension: 7463

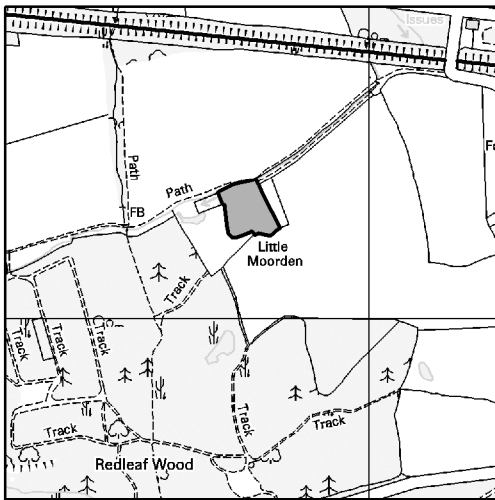
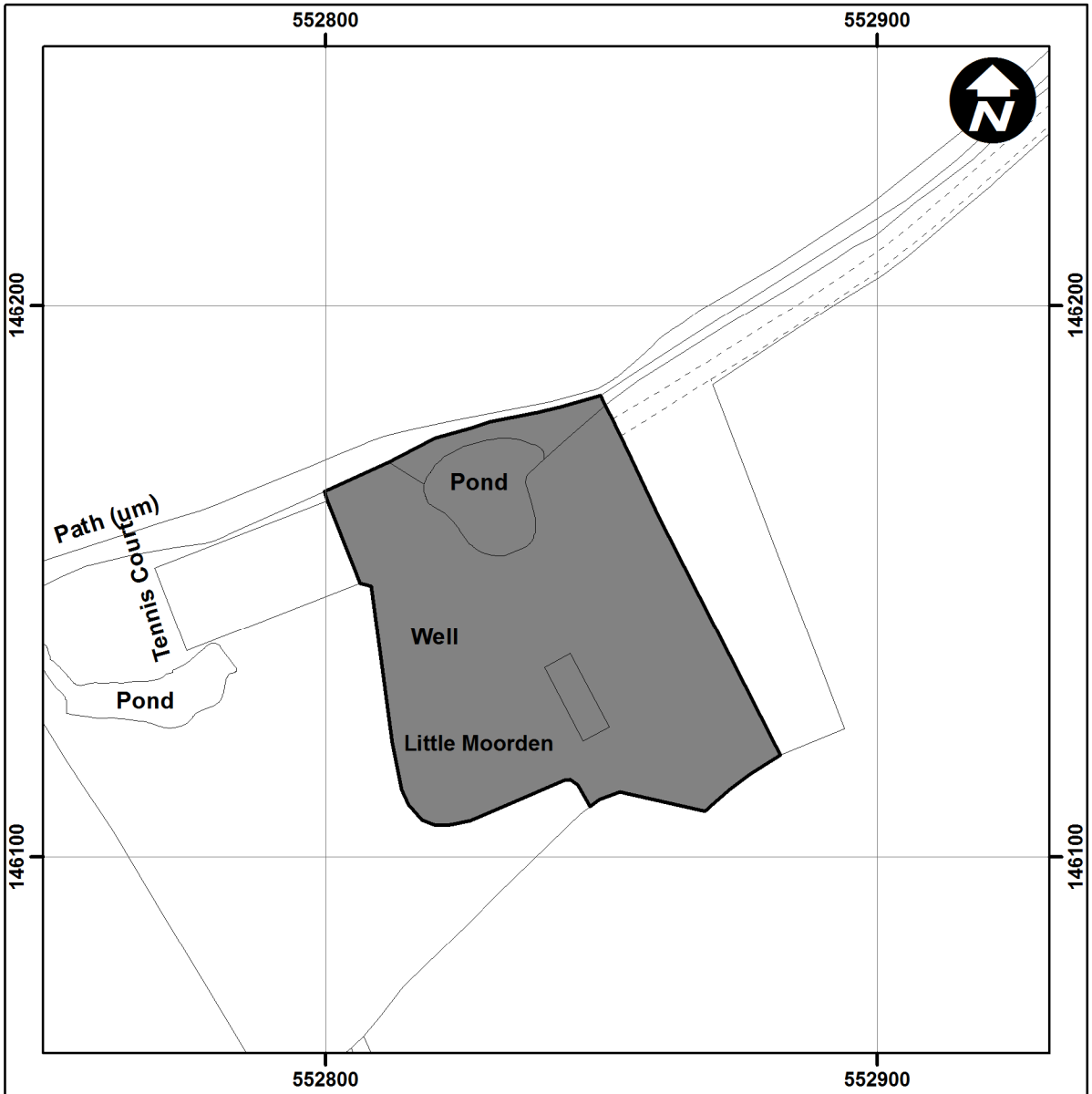
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NR89V9BKK9D00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NR89V9BKK9D00>



Site Plan

Scale 1:1,250

Date 23/11/2015



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Block Plan

