

4.1 - 18/01627/HOUSE Revised expiry date 13 September 2018

Proposal: Demolition of existing rear extension, chimneys, front and rear porches and main roof. Replacement with new gabled roofs, rear extension and front porch.

Location: Tanglewood, Scabharbour Road, Hildenborough TN11 8PJ

Ward(s): Leigh & Chiddingstone Causeway

Item for decision

The application was referred to Development Control Committee by Councillor Peter Lake who objects due to the proposal being an inappropriate development in the Green Belt, as the proposal would exceed 50% of the original dwelling.

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

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

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

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

To maintain the integrity and character of the dwelling as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210.

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

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or any Order amending, revoking and re-enacting that Order) no development falling within Class(es) A, B, C, D or E of Part 1 of Schedule 2 to the said Order shall be carried out without the prior consent in writing of the Local Planning Authority.

To prevent inappropriate development in the Green Belt as supported by policy GB1 of the Sevenoaks Allocations and Development Management Plan.

5) 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 porch, rear and side extensions 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 enhances the character and appearance of the area and the Sevenoaks Residential Character Area Assessment; as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

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

Description of site

1 The property is a detached bungalow located within Scabharbour Road. There is housing and the Gaza Trading Estate located to the north of the application site. A neighbouring property 'St Andrew's Cottage' is located to the south of the application site's access route.

Description of proposal

2 Demolition of existing rear extension, chimneys, front and rear porches and main roof. Replacement with new gabled roofs, rear extension and front porch.

Relevant planning history

3 88/01074/HIST - Occupation of dwelling without complying with agricultural condition- GRANT- 14/09/1988

18/0055/LDCPR - Demolition of existing side and rear extension with chimney. Erection of a single storey side and rear extension. Alterations to the roof creating a hip to gable extension with loft conversion-GRANT- 26/04/2018

Policies

4 National Planning Policy Framework (NPPF)

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

5 Core Strategy (CS)

- SP1 Design of New Development and Conservation

6 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection

7 Other:

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

Constraints

8 Metropolitan Green Belt

Consultations

Leigh Parish Council:

- 9 Objects to this application due to excessive scale of development and inappropriate development in the Green Belt. The application was very confusing and not easy to read. There are already two permitted development approvals in place on this site, and this current application would cause the site to become overdeveloped. Leigh Parish Council also objects to this application due to inappropriate development in the Green Belt, as the proposal would be over 50% in size of the original dwelling. The Parish Council finds the contradiction in allowances under planning and permitted development in the Green Belt to be unacceptable.

Representations

10 We received two letters of support.

Chief Planning Officer's appraisal

11 The main planning considerations are:

- Impact on the character of the area
- Impact on residential amenity
- Impact on Metropolitan Green Belt

Impact on the character of the area

12 The proposal would not be significantly visible from the street scene as the dwelling is located at a considerable distance - approximately 150 metres - from the highway. The properties within the area are of a mixed character, this means that the proposed alterations to Tanglewood would not be out of keeping with the character or appearance of the area.

13 The proposed rear extension complies with the Sevenoaks Residential Extension SPD as it does not exceed 4 metres in height. The extension does exceed the guideline 4 metres in length, however as there are no neighbours in close proximity to the site and due to the varied building pattern, this would not be out of keeping. The porch also complies with the SPD as it is sympathetic to the form of the dwelling.

14 The proposed materials would differ from the existing on site, however as there is a varied material finish within the area this is acceptable. Due to the type of materials proposed, it is necessary for a material condition to be included on the decision notice.

15 The proposal therefore complies with Policy EN1 of the ADMP.

Impact on residential amenity

16 There are no neighbouring properties located in close proximity to the proposal, with the closest neighbour being at a distance of over 25 metres from Tanglewood. Therefore, the proposal will not harm the residential amenity of neighbouring properties.

17 The proposal therefore complies with Policy EN2 of the ADMP.

Impact on the Green Belt

18 As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development. There are some exceptions to this, such as 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.

Paragraph 143 states that 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.

- 19 Paragraph 144 of the NPPF advises we 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 principal to the Green Belt remains even if there is no further harm to openness because of the development.
- 20 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 principal to the Green Belt from inappropriate development.

Assessment against policy and impact on openness

- 21 The NPPF states that the extension or alteration of a building could be appropriate in the Green Belt if it does not result in disproportionate additions over and above the size of the original building. In this case, as the increase of floorspace does not comply with the requirements of Policy GB1, subject to the impact on openness, the proposed form of development would be, by definition inappropriate development in the Green Belt, contrary to Policy GB1 of the ADMP.

	Proposal	Permitted development proposal
Original floor space	86.2m ²	86.2m ²
Subsequent extensions (rear porch, side and rear extensions)	79.04m ²	79.04m ²
Proposed extension (s)	129.83m ²	132.2m ²
Floor space to be demolished	56.57m ²	47.07m ²
Difference (between proposed and demolished)	73.26m ²	85.13m ²
Total percentage increase	177%	190.5%

- 22 The proposed development would exceed 50% of the original dwelling and therefore does not comply with Policy GB1 of the ADMP.

Very special circumstances

- 23 The applicant has made a claim for very special circumstances. This issue is considered in more detail in this report.

Assessment of any very special circumstances that may apply for this Green Belt proposal

24 The very special circumstances in this application are therefore summarised as:

- The proposal is smaller than the approved permitted development scheme
- The removal of permitted development rights

25 The harm in this case has been identified as:

- The harm in principle from inappropriate development in the Green Belt, which must be given significant weight.

26 The proposed works includes the addition of a rear extension and front porch and a new gabled roof.

Assessment

27 The proposed extensions to the dwelling have been found to represent inappropriate development in the Green Belt. The dwelling as it currently exists already has extensions in excess of the 50% of the original dwelling. However it is important to note that the applicant already has a lawful development certificate 18/00555/LDCPR, for the erection of extensions in excess of those proposed by this planning application. This fall-back position carries weight in the determination of this application.

28 The application currently under consideration is smaller in terms of its percentage increase, compared to the extensions allowed under the lawful development certificate. However the dwelling that will be completed on this site, under this planning application, will have an appearance that is sympathetically designed and more in keeping, as opposed to the approved lawful development certificate which incorporates a large flat roof design.

29 The proposal would therefore represent less harm in the Green Belt than the approved lawful development certificate - this is given significant weight. The granting of this application would also provide the opportunity to condition any permission to prevent the construction of further permitted development extensions - again this carries moderate weight.

Conclusion

30 In reviewing the extent of harm and the potential very special circumstances, it is concluded that when taking the approved permitted development scheme into consideration, the current application case has significant weight. The proposal would also provide the benefit of removing permitted development rights.

31 The proposal is therefore considered to comply with the provisions of the NPPF.

CIL

32 This proposal is CIL liable.

Conclusion

33 The proposal complies with policies EN1 and EN2 of the ADMP.

Background papers

Site and block plan

Contact Officer(s): Louise Cane Extension: 7390

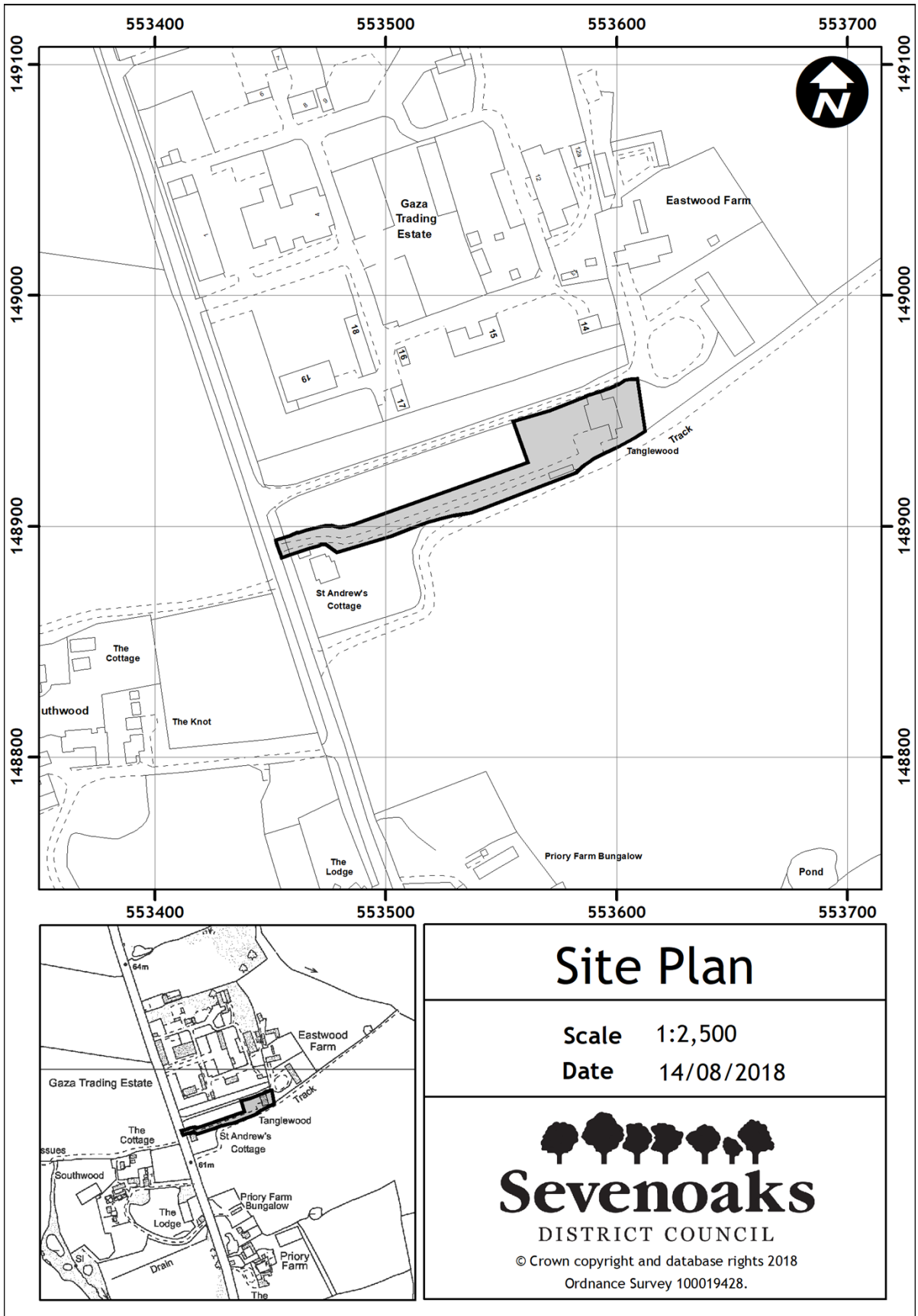
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P94EIVBK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P94EIVBK0L000>



Site Plan

Scale 1:2,500
 Date 14/08/2018



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 Ordnance Survey 100019428.

BLOCK PLAN

