

5.8 – SE/12/01116/FUL Date expired 25 June 2012

**PROPOSAL:** Amendments to previously approved appeal APP/G2245/A/11/2152378 for '3 bedroom traditionally built agricultural worker's dwelling, in support of the farming enterprise of K I Lingham and Son, operated by the applicants', to include addition of bathroom window within the north elevation, and proposed dormer windows within the north and south roof slopes, in lieu of the conservation range rooflights.

**LOCATION:** Scollops Farm, Yorks Hill, Ide Hill TN14 6LG

**WARD(S):** Brasted, Chevening and Sundridge

**ITEM FOR DECISION**

This application is referred to Development Control Committee as the applicant's spouse is an employee of the Council.

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

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 10-11-32A, 11.92.100 and 10.11.31.

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

3) The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants.

Because of the very special circumstances of the case as supported by Government advice in the form of the National Planning Policy Framework.

4) Unless in accordance with the materials approved under planning reference SE/12/00473/DETAIL, no further development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 District Local Plan.

5) Unless in accordance with the details approved under planning reference SE/12/00474/DETAIL, notwithstanding any details of the drawings approved, no

development shall be carried out on the land until full details of all hard and soft landscape works and means of enclosure to be erected have been submitted to and approved in writing by the Council. Those details shall include:-details of materials for all hardsurfaces;

-planting plans (identifying existing planting in the immediate vicinity of the proposed dwelling, plants to be retained and new planting);

-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and

-a means of enclosure to delineate the curtilage of the dwelling. The hard and soft landscaping and means of enclosure shall be carried out in accordance with the approved details prior to occupation of the development or in accordance with a programme of implementation which shall have been agreed in writing prior to commencement of works. The means of enclosure shall be retained as approved thereafter.

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

6) If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

7) The parking and turning areas shown on the approved 1:500 site plan shall be constructed before the dwelling is occupied and shall be retained for such use thereafter.

To ensure a permanent retention of vehicle parking for the property as supported by EN1 of the Sevenoaks District Local Plan.

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension or external alterations shall be carried out to the dwelling hereby approved and no building or enclosure other than those on the approved plans shall be erected within the site.

To prevent inappropriate development in the Green Belt as supported by the National Planning Policy Framework and H14A of the Sevenoaks District Local Plan.

9) No external illumination shall be installed until details have been submitted to and approved in writing by the local planning authority. The installation shall be carried out in accordance with the approved details.

In the interests of the impact on protected species and residential amenity as supported by policies EN17B and EN1 of the Sevenoaks District Local Plan.

10) The development hereby permitted shall be carried out as an alternative to the permission granted under reference SE/11/00110/FUL but not in addition to it, so that

one of the developments permitted may be implemented but not both, nor parts of both, developments.

To prevent inappropriate development within the Green Belt as supported by the National Planning Policy Framework.

Description of Proposal:

- 1 The present application has been submitted following the granting at appeal of 2 alternative schemes for the erection of a “3 bedroom, traditionally built agricultural workers dwelling in support of the farming enterprise of K I Lingham and Son operated by the applicants.”
- 2 The applicant is in the process of implementing the latter of the 2 schemes, which comprised a slightly smaller footprint but included first floor accommodation. Work has ceased pending the outcome of this application, which seeks an amendment to include 2 small roof dormers, set within each flank roof slope (one to the north and one to the south elevation). The dormers would be 1.5m wide, with a small hipped roof above set slightly below the level of the main ridge. The Dormer to the south would replace one. Combined they would result in little over 0.5m<sup>2</sup> increase in internal floor area, which I consider to be negligible.
- 3 The proposals are similar to the approved scheme in all other respects.

Description of site:

- 4 The dwelling is sited in the place of a former small, open-sided hay barn located within a small clearing to the eastern side of farm track which travels north from the junction with Ide Hill Road. The track is relatively well wooded and provides a public footpath running north. The dwelling is some 70m to the north of the main road. Agricultural fields extend to the east and west of the site with various hedge and tree lined field boundaries beyond.
- 5 The main farm yard at Faulkers Hill Farm lies approx 550m to the east with the main farm house located here. The site is washed over the Green Belt, Area of Outstanding Natural Beauty and a Special Landscape Area.

Constraints:

- 6 Green Belt, Area of Outstanding Natural Beauty.

Policies

*South East Plan*

- 7 Policies - C3 and C4

*Sevenoaks District Local Plan*

- 8 Policy - EN1

*Sevenoaks District Core Strategy*

- 9 Policy – L08

*Other*

10 The National Planning Policy Framework

Relevant Planning History

- 11 SE/85/01221/FUL- Erection of a farm house- Refused (Winkhurst Farm)  
SE/89/02270/FUL- Farm Cottage- Refused (Winkhurst Farm)  
SE/91/00523/FUL- Agricultural workers dwelling- Refused (Winkhurst Farm)  
SE/94/00344/FUL- Agricultural workers dwelling- Refused (Winkhurst Farm)  
SE/95/01298/FUL- Agricultural workers dwelling- Refused (Winkhurst Farm)  
SE/05/02738/FUL- Agricultural workers dwelling- Withdrawn (Scollops Farm)  
SE/08/02739/FUL- Stationing of temporary mobile home- Withdrawn (Scollops Farm)
- 12 No appeals have been submitted in respect of these decisions.
- 13 SE/09/02110/FUL: Stationing of temporary mobile home in support of farming enterprise (Scollops Farm). Approved 16.12.09.  
SE/10/02041/FUL - Erection of detached bungalow (agricultural workers dwelling) in support of the farming enterprise of K I Lingham and son. (Scollops Farm - adjacent to access to Faulkners Hill Farm). This application was refused on 16.12.10.  
SE/11/02971/NMA: Amendment to previously approved SE/11/00122/FUL - APP/G2245/A/11/2152378 to include; alterations to approved ground floor window and door locations. Approved 13.12.11.  
SE/11/00110/FUL: Erection of a 3 bedroom, traditionally built agricultural workers dwelling in support of the farming enterprise of K I Lingham and Son operated by the applicants (This scheme comprised a larger footprint with accommodation at ground floor only). Allowed at appeal 5.10.11 and in process of being implemented.  
SE/11/00110/FUL: Erection of a 3 bedroom, traditionally built agricultural workers dwelling in support of the farming enterprise of K I Lingham and Son operated by the applicants (This scheme comprised a smaller footprint with accommodation at ground and first floor levels). Allowed at appeal 5.10.11.

Consultations

*Sundridge Parish Council*

14 No objection.

Representations

15 None received.

## Group Manager - Planning Appraisal

### Principal issues

#### *Policy Background*

- 15 Since the previous applications were determined, the Government has introduced the National Planning Policy Framework (NPPF). This now forms part of the material considerations relevant to the present application and supersedes the previous Planning Policy Statements and Planning Policy Guidance advice. However this document does not change the statutory status of the development plan as the starting point for decision making. Furthermore, whilst it introduces a presumption in favour of sustainable development the guidance states that this should not be the case where the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate development should be restricted.
- 16 Much of the general tenet of the NPPF is similar to the former PPS guidance though with some change in emphasis. I would note that paragraph 17 sets out a number of core planning principles to be followed. In summary, these principles include, amongst other things;
- To always seek to secure high quality design and good standard of amenity;
  - Take account of the difference roles and character of difference areas, including protecting the Green belt and recognising the intrinsic character and beauty of the countryside;
  - Contribute to conserving and enhancing the natural environment and reducing pollution.
- 17 The NPPF, supports the protection of the Green Belts and seeks to restrict development. The advice states that there is a general presumption against inappropriate development within the Green Belt. The advice explains that inappropriate development is, by definition, harmful to the Green Belt. Very Special Circumstances to justify inappropriate development will not exist unless the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 18 In determining the recent appeals for the erection of an agricultural dwelling on the site, the Planning Inspector concluded that there were very special circumstances which justified the erection of this building within the Green Belt. In light of this decision, and bearing in mind implementation of this permission has lawfully commenced, I consider the principle of the dwelling to be clearly established.
- Thus, the key consideration in this application is the visual impact of the dormers themselves.
- 19 In this respect, the NPPF explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.
- 20 Core Strategy policy LO8 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 and their settings, will be conserved and enhanced.

Therefore I consider the impact on openness and the character and appearance of the AONB to be the key issues for consideration for this application.

*Impact upon openness of Green Belt and character and appearance of Area of Outstanding Natural Beauty*

- 21 The dormer to the north elevation would replace two roof lights. The dormer to the south would replace one. I consider the dormers would be well designed and would sit comfortably within the roof form, being set well within the face of the relevant roof slope. They would be set well above the eaves, with a traditional hipped roof set below the ridge. I therefore consider the size, massing and detailed design to be acceptable.
- 22 In terms of longer views, I consider the dwelling itself would appear as a slightly incongruous feature within the isolated, rural setting. The dormers would result in an approximate 0.6m<sup>2</sup> of additional floorspace, which I consider to be negligible. More importantly, bearing in mind the principle of the dwelling is established, seen in the context of the whole building and particularly the relatively large roof form, I do not consider the dormers themselves would significantly affect the overall scale and massing of the dwelling or appear as unduly prominent structures which would be harmful to the openness of the Green Belt or seriously harm the character and appearance of this part of the Area of Outstanding Natural Beauty.

**Conclusion**

- 23 In light of the above, I do not consider the addition of dormers to the approved dwelling would have an unacceptable impact on the openness of the Green Belt or the character and appearance of this part of the Area of Outstanding Natural Beauty. I therefore recommend approval of this application.

**Background Papers**

Site and Block Plans

Contact Officer(s): Mr J Sperryn Extension: 7179

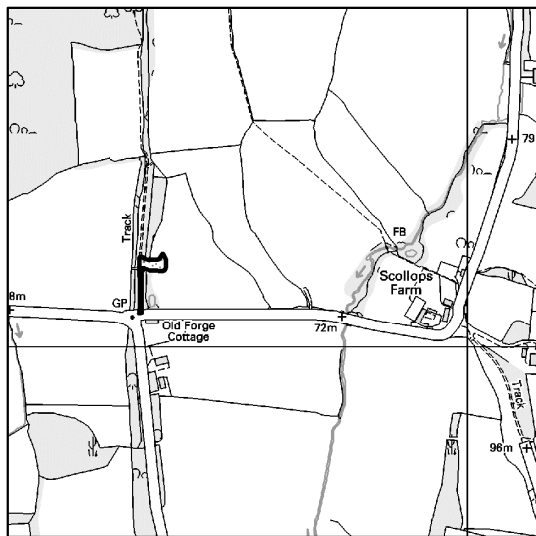
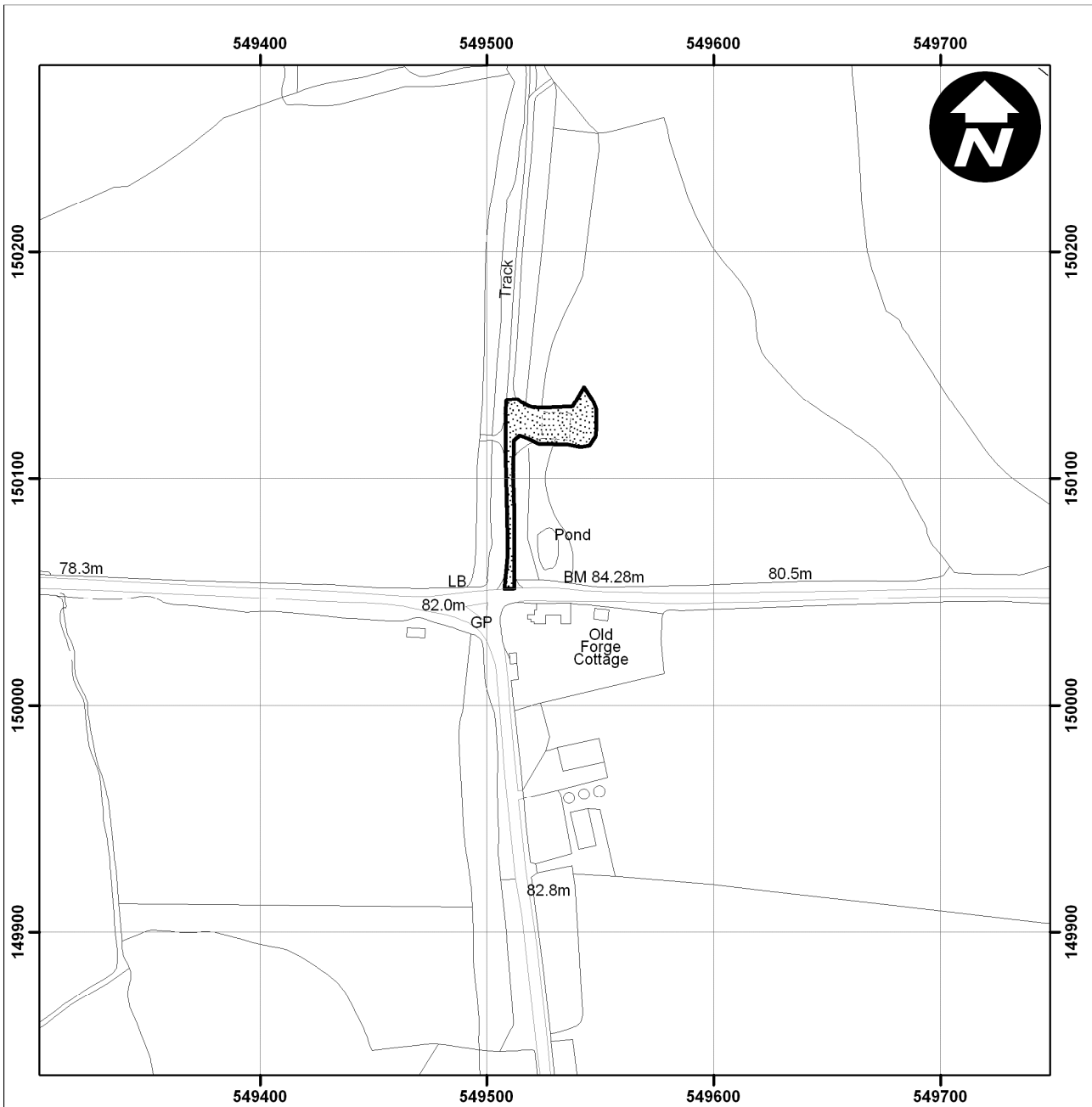
**Kristen Paterson**  
**Community and Planning Services Director**

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M3CA61BK0L000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M3CA61BK0L000>



# Site Plan

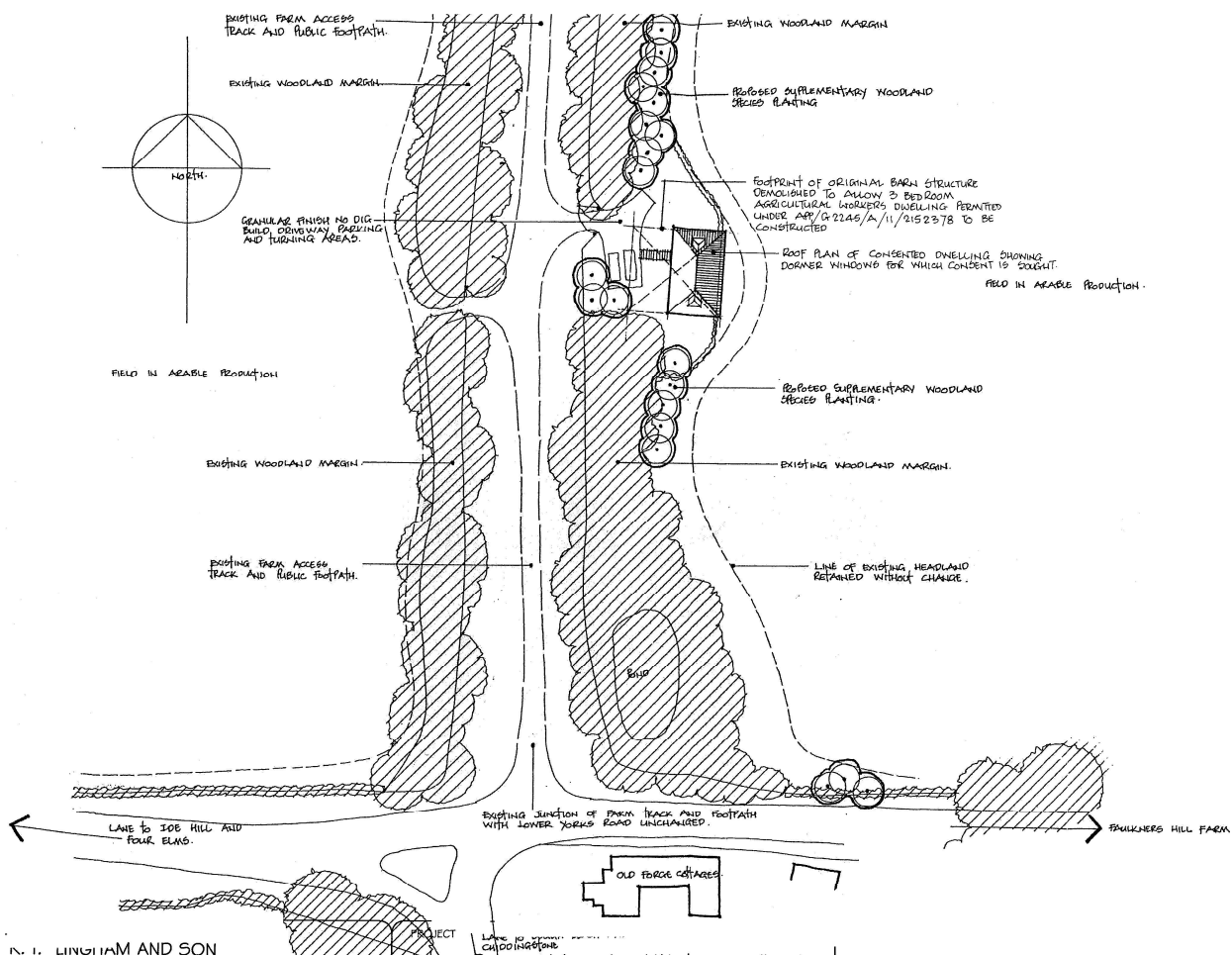
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Date 23/02/2011



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Sevenoaks District Council, 100019428, 2007.

BLOCK PLAN



N. T. LINGHAM AND SON