

4.4 - SE/12/01530/CAC Date expired 13 August 2012

PROPOSAL: Demolition of the existing dwelling and attached garage

LOCATION: Cavendish House, Clenches Farm Road, Sevenoaks
TN13 2LU

WARD(S): Sevenoaks Kippington

ITEM FOR DECISION

Councillor Avril Hunter has referred the application to Development Control Committee, as she believes the application is acceptable on the basis that the demolition of the existing property will not harm the character and appearance of the Conservation Area.

RECOMMENDATION: That Conservation Area Consent be REFUSED for the following reasons:-

The demolition of a designated heritage asset will harm and detract from the character and appearance of the Conservation Area, contrary to the provisions of policies EN1 and EN23 of the Local Plan, SP1 of the Core Strategy and the National Planning Policy Framework.

Description of Proposal

- 1 Conservation Area Consent is proposed to demolish the existing dwelling and attached garage.

Description of Site

- 2 The application site lies within Sevenoaks, within the Kippington Road Conservation Area (the boundary of the Conservation Area runs around the side and rear boundary of the site)
- 3 The existing detached two storey property (and detached garage) is set off Clenches Farm Road in a plot of approximately 0.3ha.

Constraints

- 4 Conservation Area

Policies

Sevenoaks District Local Plan

- 5 Policy - EN1

Sevenoaks Core Strategy

- 6 Policy - SP1

Other

7 NPPF

Planning history

8 12/001529/FUL Demolition of the existing dwelling and attached garage and erection of a detached house and garage. Currently being considered.

Consultations

SDC Conservation Officer

9 As the DAS correctly states, the Kippington Road and Oakhill Road CAMP identifies Cavendish House as 'contributing to character'. A presumption against demolition follows from this. It is thus a heritage asset in the terms of NPPF section 12. The style of the house resembles 'Arts and Crafts' and is one of several houses of that era and type in the CA. No significant alterations appear to have been made over the years to detract from that character. There is a mix of house types in the CA and this mix is part of its character. Uniformity of style is thus neither desirable nor necessary. No evidence is submitted to indicate that there is any structural issue with the house or the lack of any essential domestic provision which cannot be provided by means of additions or alterations. Thus I must object to the demolition and recommend refusal. I have not been consulted on the proposed replacement but having studied the drawings, I do not consider that the design is of any special merit. It thus would not 'preserve or enhance' the CA as required by the legislation and related advice and guidance.

10 08/08/2012 I have read the agent's letter of 17/07/2012. This does not offer any information or comment on the physical condition of the house such as to support an argument for demolition. The fact that it is identified in the CAMP as 'contributing to character' makes it 'significant' in the terms of the NPPF. Sections 74-76 of the 1990 Act protects unlisted buildings in CAs from demolition especially where they maintain the character and appearance of the CA. Contrary to statement made by the agent in her letter, it IS the architectural design of the building which is important otherwise this would be an argument for replacing each and every building in a CA: clearly not a rational argument. I have not changed my opinion and recommendation for refusal.

Parish/Town Council

11 Sevenoaks Town Council recommended approval.

Representations

12 Neighbours – three letters of support have been received. Concern is also raised regarding possible disruption during the demolition/building works.

Group Manager - Planning Appraisal

13 The main considerations of this application are:

- impact upon character and appearance of the street scene and wider Conservation Area

Impact upon the character and appearance of the area and adjacent Conservation Area

- 14 Policy EN23 (from SDLP) states that *'proposals for development or redevelopment within or affecting Conservation Areas should be of positive architectural benefit by paying special attention to the desirability of preserving or enhancing the character or appearance of the area and of its setting.'*
- 15 The supporting text adds *'Planning control is extended to unlisted buildings in Conservation Areas threatened by proposals for partial or total demolition. When considering unlisted buildings, emphasis is placed on group value rather than individual quality. However it is seldom necessary to propose the removal of such buildings, as conversion or renovation is often an acceptable alternative.'*
- 16 Also relevant is policy SP1 from the Sevenoaks Core Strategy which states *'the Districts heritage assets and their settings, including conservation areas, will be protected and enhanced.'*
- 17 Cavendish House is identified in the Kippington Road Conservation Area Appraisal and Management Plan as a building contributing to character.
- 18 The Conservation Officer describes the dwelling as resembling *'Arts and Crafts' and is one of several houses of that era and type in the CA. No significant alterations appear to have been made over the years to detract from that character. There is a mix of house types in the CA and this mix is part of its character. Uniformity of style is thus neither desirable nor necessary.*
- 19 The submitted design and access statement states that the character of the site *'derives from its openness, dominant large house and surrounding garden, with relatively sparse planting'*, and not the design or architecture of the dwelling.
- 20 This is described as containing some Arts and Crafts features but *'lacking the detailing, ornamentation and asymmetrical form which typified this movement.'*
- 21 It is therefore argued that, given the property was not built during the time period for the Arts and Crafts movement; it is the presence of the building rather than the design that contributes to the conservation area rather than the actual quality of the building.
- 22 As stated above, the property is identified as contributing to the character of the Conservation Area. As identified by the Conservation Area appraisal, there is a mix of house types in the vicinity and this, as stated by the Conservation Officer, is part of its character.
- 23 As stated by the supporting text to policy EN23 of the Local Plan, *'when considering unlisted buildings, emphasis is placed on group value rather than individual quality.'*
- 24 It is therefore considered that whilst the property is not an Arts and Crafts dwelling, its individual architectural quality is of a quality and importance which is considered worthy of protection.
- 25 The identification of the dwelling as making a positive contribution to the significance of the Conservation Area means that, in respect of the NPPF:

'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.'

26 As the Conservation Officer states, no argument has been put forward regarding any structural issue or that the dwelling is unfit for purpose.

27 Given the siting of the dwelling and the mature front boundary hedging, it is mostly obscured from view from the highway. However it does remain visible, particularly when passing the entrance and therefore it does have an impact on the conservation Area.

28 In conclusion therefore, as, by virtue of its design and appearance, the dwelling is designated as contributing to the character of the Conservation Area, its demolition is considered contrary to the above policies, and no overriding justification has been put forward which would meet with the criteria set out in NPPF.

Other matters

29 A full application for the demolition of the existing dwelling and the erection of a replacement dwelling and garage has also been submitted (12/001529/FUL). The merits of the replacement dwelling are considered fully under this application and the following committee papers.

Conclusion

30 In summary, it is considered that the demolition of a designated heritage asset will detract from the character and appearance of the Conservation Area, contrary to the provisions of policies EN1 and EN23 of the Local Plan, SP1 of the Core Strategy and the NPPF.

Recommendation

31 That planning permission should be refused.

Contact Officer(s):

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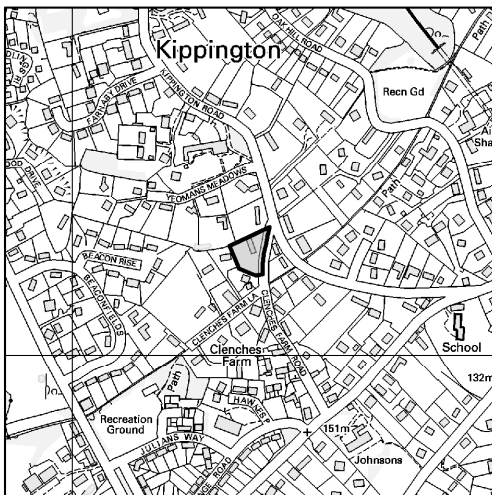
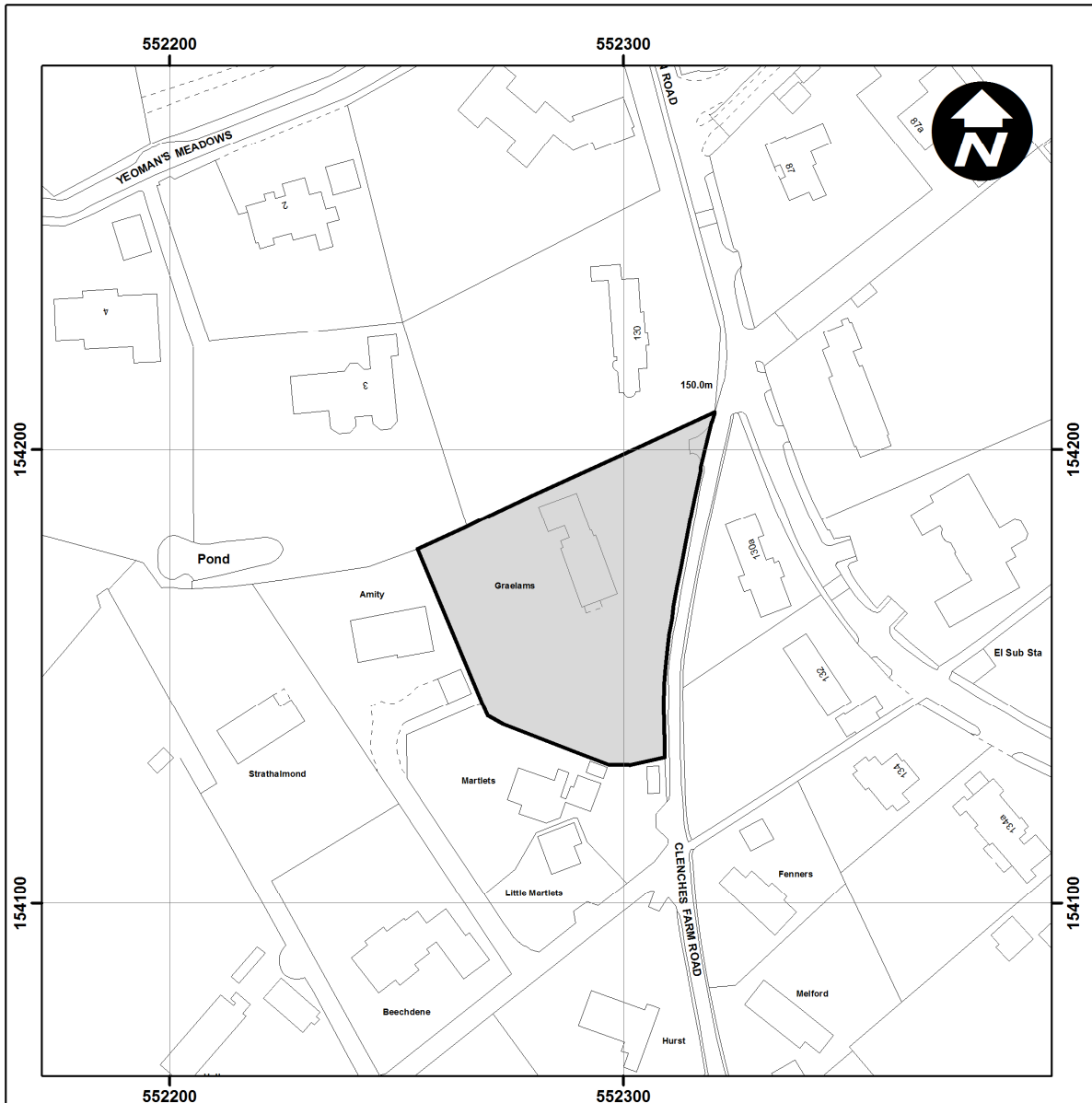
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M5HSU6BK8V001>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M5HSU6BK8V001>



Site Plan

Scale 1:1,250
Date 29.08.2012



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Sevenoaks District Council, 100019428, 2012.

Block Plan

New House

New Garage

