



**Late Observations Sheet
DEVELOPMENT MANAGEMENT COMMITTEE
05 September 2024 at 7.00 pm**

Late Observations

This page is intentionally left blank

DEVELOPMENT MANAGEMENT COMMITTEE

Thursday 5 Sept 2024

LATE OBSERVATION SHEET

4.1- 24/01461/HOUSE - 9 Bond Close, Knockholt, Kent TN14 7NB

No further observations.

4.2 - 24/01558/HOUSE - The Mount, Main Road, Knockholt, Kent TN14 7NU

Further submissions have been made in respect of the assessment set out in the main report in relation to:

- (i) floorspace calculations and the impact of this on the assessment of the proposed development against Green Belt policy.
- (ii) the impact on residential amenity.

These are addressed below.

i. Green Belt Assessment

The assessment of the application against ADMP Policy GB1 for 'limited extensions to dwellings in the Green Belt' as set out in the main report is based on the outbuilding to be demolished being within 5 metres of the existing dwelling. This distance was measured from Ordnance Survey based plans. Policy GB1(c) requires that the total floorspace of an extension would not result in an increase of more than 50% over the original dwelling. It confirms that outbuildings within 5 metres of the existing dwelling can be assessed as part of the calculation of the change in floorspace.

The officer has re-visited the site, and taken measurements, which has confirmed the outbuilding is located 6.3m from the main dwelling. As such, the outbuilding must be excluded from the assessment against the change in floorspace.

A reassessment of the proposal against Green Belt Policy is set out below.

As set out in paragraph 154 of the NPPF, new buildings in the Green Belt are inappropriate development. There are some exceptions to this identified in this paragraph, such as "c) 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." [my emphasis] Paragraph 152 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.

ADMP Policy GB1 is a criteria based policy and provides the local development plan policy on extensions in the Green Belt.

In response to Policy GB1(a), the existing dwelling is lawful and permanent in nature, and is **therefore compliant with part (a)**.

Supplementary Information

Policy GB1(b) requires responsive design and that the volume of any extension is proportional and subservient to the original dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion.

The proposal comprises a two-storey side extension with small single-storey rear element. The extension would be positioned on the existing built form of the house, representing a proportionate expansion of an existing building that forms part of an established spread of dwellings along Main Road. While the impact on openness is not a consideration under the exception set out within the NPPF, it is not considered that the extension would materially harm the openness of the Green Belt. **I am satisfied that the proposal complies with part (b).**

ADMP Policy GB1(c) then gives an allowance for an increase of up to 50% above the floorspace of the original dwelling, including any outbuildings within 5 metres. As noted, the dwelling was in situ before 1948, and the building has not been extended. The original floorspace is calculated as 103m². The table below does not include the demolition of the outbuilding.

	m ²	% increase
Original dwelling	103.00	
Proposed extension	57.20	
Total floorspace	160.20	55.3%

The table demonstrates that **the proposal would not comply with part (c) of Policy GB1** as the total increase of the development would be over 50%. On the basis of the local policy criteria, therefore, the extension would be inappropriate development in the Green Belt, failing to comply with all parts of Policy GB1, and so the NPPF.

The case for very special circumstances is considered below.

Very special circumstances

Paragraph 153 of the NPPF advises that substantial weight should be given 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.

On the basis of the above assessment, we have found that the extension would cause harm 'in principle' by reason of inappropriateness. It would not, however, cause material harm to openness and no other harms have been identified.

The possible very special circumstances case relates to:

- The removal of the existing outbuilding, reducing the spread of built form.
- Controls over future development through removal of permitted development rights.

As identified in the main report, the dwelling has an outbuilding that is located to the north east of the house, 6.3m from the dwelling; historic mapping shows that the outbuilding in situ before 1948. The outbuilding has a floor space of 8.5m². The location of the outbuilding has

an impact on the openness of the Green Belt by virtue of the spread of built form in the eastern part of the site, away from the main house and towards a more open landscape.

The proposal is for the removal of the outbuilding, resulting in a more concentrated built form and reducing the spread of built development across the site. In this sense, the development would deliver a benefit to the openness of the wider site and so to the Green Belt. The actual change in floorspace taking into account the demolition of the outbuilding would be 43.7%.

Any grant of planning permission would secure the removal of the outbuilding prior to occupation of the extended dwelling; the wording of the proposed additional condition is set out below.

Given the sensitivity of the site in both Green Belt and National Landscape terms, a grant of planning permission would reasonably ensure that additional controls are in place over any further extensions or outbuildings, that would not exist otherwise. This would give further protection to the Green Belt and its openness. This can be secured through a condition removing permitted development rights in relation to domestic extensions and outbuildings, as presented in the main report.

Taking into account the limited actual harm to the openness of the Green Belt resulting from the extension, the benefits of removing of the outbuilding and securing further controls over future development, it is considered that very special circumstances would exist in this instance to clearly outweigh any harms.

In this respect, the development is justified in terms of Green Belt policy under the terms of the NPPF.

ii. Impact on Neighbouring Amenity

Further concerns have been raised in regards to the impact on the neighbouring amenity and particularly the relationship of the extension to the rear garden area of Pheasants, the neighbouring dwelling.

It is noted that the garden of the Pheasants wraps around the rear the garden of The Mount.

The first floor windows/ Juliet balcony of the proposed extension would be approximately 25 metres from the rear boundary between the Pheasants and The Mount, which is considered a reasonable distance to achieve appropriate privacy levels taking into account the guidance in the National Model Design Code. The ground floor extension and bi-fold doors would be 20 metres from this boundary, a distance that would again be considered acceptable. Views to the side would be oblique and again at some distance, that would not encroach on key areas of private space.

As set out in the main report, any views would also be offset by boundary treatments, which would be subject to condition, and intervening vegetation. Further, it is proposed to require by condition that the balustrade screen to the balcony be obscure glazed, to reduce any perceived sense of overlooking.

Based on the above, there is no change to the conclusion of the main report, with the application considered to appropriately safeguard the amenity of the neighbouring property, so meeting the requirements of ADMP Policy EN2.

RECOMMENDATION:

Taking into account the above matters, it is recommended that the application be **GRANTED**, as per the main report.

The following additional condition is proposed for Committee's consideration:

"The extension hereby approved shall not be occupied until the outbuilding identified on Plan 2023-069 106 F to be removed has been demolished and all surplus materials removed from site.

Reason: To preserve the openness of the Green Belt, in accordance with the National Planning Policy Framework."

4.3 - 24/00576/FUL - 28 London Road, Riverhead, Kent TN13 2DE

Following publication of the main report, Councillor Bayley has clarified that the application was called to DM Committee on behalf of Councillor Clack who was away at the time of the delegated powers request.

At paragraph 78 in the main report there is an error within the listed policies. It should read: "As such, the proposal is considered compliant with policies EN1, EN2 and T2 of the ADMP."

There is no change to the recommendation.