



Late Observations Sheet  
**DEVELOPMENT CONTROL COMMITTEE**  
**11 July 2013 at 7.00 pm**

**Late Observations**

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**LATE OBSERVATION SHEET**

**4.1 - SE/13/00081/REM - Former Sevenoaks Police Station, Morewood Close, Sevenoaks TN13 2HX**

Sevenoaks Town Council comments in relation to the revisions made

Sevenoaks Town Council recommend refusal on the following grounds:

1. Overdevelopment of the site:

There is a proposed density of 62.6 dwellings per hectare compared to the recommended level of 40.0 dwellings per hectare set out in the Core Strategy. Outline permission was granted for 52 dwellings on the site, this application seeks to increase this to 55 (reduced from 58 dwellings during the pre-application stage, at the advice of planning officers)

2. Design

Pg7 of the Design statements states "The design of the scheme and proposed materials strongly reflects the desire of the designers and planning department to create a contemporary aesthetic, and move away from the more traditional style and materials used within the immediate area"

This means the proposal conflicts with the Residential Character Area Assessment.

Despite amendments the Town Council remains concerned that the proposed design is not appropriate for a signature building on one of the main entrances into the Town.

Informative: Sevenoaks Town Council notes that this is a substantial application which should be referred to Development Control for public debate. Sevenoaks Town Council would also request that no demolition work be carried out until the developer is in a position to commence construction and complete within a reasonable timescale.

Officer comment – the town council comments remain essentially the same as originally submitted. Matters relating to design and density are considered in the main report.

With regard to the amendments made to the design of the buildings, Members should note that Block D does not include a render finish to the ground floor, and the engineered brick has been replaced on this block with a red brick finish.

**Recommendation**

My recommendation remains to grant planning permission, as per the main report.

### **4.2 SE/13/01159/HOUSE – 1 Plymouth Drive, Sevenoaks TN13 3RW**

Content of late obs and discussion

- 1 Please note that constraints listed as No's 6 through to 9 are land use constraints which apply to most application sites. The development proposed will not materially affect any of these constraints, and therefore they were not specifically addressed in the report.
- 2 Paragraph 34 reads correctly.
- 3 With paragraph 43 'foreseeable' should be replaced by 'foreseeably'.

Recommendation

The recommendation remains unchanged, grant of planning permission subject to conditions

### **4.3 SE/13/01293/FUL – Mercury House, Station Road, Edenbridge TN8 6HL**

The item has been made invalid and has been Withdrawn from the agenda.

### **4.4 SE/13/00628/HOUSE - White Gables, High Street, Farningham, Dartford DA4 ODB**

The following representation has been received on behalf of Ms J Gasson and Mr B Roberts of 1 Hillside, Farningham from Bloomfields Chartered Town Planners on 27 June 2013.

It can be summarised in the following points, and I will respond to them in order. Also note these comments are in response to the first original committee report which was pulled from the June agenda and re-drafted for submission in July.

- The Parish's concern regarding the 50% rule is agreed with. Calculations show that the increase in ground floor area would be 54.7%

*Considered in paragraph 55 of the committee report*

- Concern regarding the impact on the conservation area is not addressed. It is stated that the list given in the committee report is not exhaustive

*The impact on the Conservation Area was discussed in paragraphs 23-35 of the committee report. The list being referred to is a summary of the neighbour representations and it is not expected that this will be exhaustive as the representations themselves are available on line and by viewing the application file.*

- In paragraph 26 and 27 the gaps at the South East end of the Conservation Area are not discussed. These are identified in the Conservation Area Appraisal as contributing to the character of the area.

*Although gaps within the street scene are not specifically mentioned in the paragraphs referring to the Conservation Area they are discussed in paragraph 39-41 of the committee report in relation to the street scene.*

- New large houses are considered detrimental to the character of the Conservation Area. Therefore the expansion of another modern property will have a negative impact on the character of the Conservation Area.

*The proposal is not for a new large house but the extension to an existing house. Its impact on the Conservation Area is discussed in paragraphs 23-35*

- Paragraph 30 of officer's report states that White Gables is not a large house in comparison to Pinehurst, however it does not state that White Gables is a large house or that in direct contrast to its neighbours it is unattractive. The officer's report is quoted 'the hips will assist in reducing the bulk of the proposal' therefore the officer acknowledged that the extension will be bulky.

*Issues regarding the suitable design of a proposal can be subjective and the size of the house should be viewed within the context of the street scene. The alterations to the roof will add bulk, however it this is not automatically unacceptable. The proposal is found to be acceptable as stated in paragraph 59 of the committee report.*

- In paragraph 35 of report it is stated that the rear extension is subservient, no such comment is made regarding the side extension and therefore the agent's presumption is that the officer does not feel that this is subservient

*The impact of the side extension is discussed in paragraph 37 and paragraphs 39-41 of the committee report*

- The applicant has not set the extension back from the original building line or reduced the ridge line of the dwelling.

*This does not mean the application is unacceptable and the impact of the extension on the street scene is discussed in paragraph 37 and paragraphs 39-41 of the committee report*

- The Council's interpretation of Appendix 4 of policy H6B is incorrect.

*White Gables is not in a street scene with regular gaps and will not, therefore, result in a terraced and cramped appearance. This interpretation of Appendix 4 of policy H6B is supported in paragraph 4.18 of the Sevenoaks District Council Supplementary Planning Document for Household Extensions*

- The matter of proximity to the neighbours has not been clearly addressed and the 1 metre rule not adhered to.

*This issues has been fully discussed in paragraphs 39-41 of the committee report*

- An application for Tunbridge Wells Council included a condition requiring a distance of 0.9 metres between a side extension and a neighbours boundary. The current DC Manager at Sevenoaks signed of this decision.

*All applications are judged on their own merits and within the context of their site. Tunbridge Wells Council and Sevenoaks Council have different local policies. Therefore decisions on a different site can not be applied to this case.*

- The assessment on sunlight is incorrect and that the shadow from White Gables will extend further across the garden.

## Supplementary Information

*The impact of sunlight was discussed in paragraph 45 of the report.*

- Impact on garden of 1 Hillside and it's microclimate.

*This is discussed in paragraph 58 of the committee report*

- The proposal has been poorly designed with regards to access. Kent Highways acknowledges that the garage is unlikely to be used and there will be a loss of parking.

*The proposal was discussed with Kent Highways and their comments are set out in paragraph 49 of the committee report.*

- The guttering would overhang the neighbours at 1 Hillside.

*The submitted drawings show that there is no encroachment over the shared boundary with 1 Hillside. The drawings were found to be sufficient to reach a recommendation on the planning application.*

- Policy SP2 has not been complied with as no evidence of sustainable construction has been submitted.

*Policy SP2 is only applicable to new dwellings and conversions. Therefore it cannot be applied to extensions to existing dwellings.*

- Access on to the neighbours dwelling should be a material planning consideration. If the proposal cannot be built than it highlights bad design and is not sustainable.

*This is discussed in paragraph 57 of the committee report.*

- The application should be reassessed in light of these comments.

*The additional comments have been reviewed and the recommendation for approval has not been changed.*

- A condition should be placed on any permission granted removing permitted development rights.

*As the property is in a Conservation Area it is already prohibited from adding extensions to the roof to the side under permitted development.*

*Although properties in Conservation Areas can extend at first floor level up to three metres to the rear of the original dwellinghouse, at White Gables, given that the first floor windows are partial dormers, this would have to include an alteration to the roof and would therefore require planning permission as it would not be permitted under Class B by virtue of it being in a Conservation Area.*

*Given this, it is felt that there is no justification for a condition removing Class A permitted development rights.*

*Any proposed velux windows under Class C would not add any bulk to the roof of the dwelling and therefore it is not felt that there would be a justification for removing Class C permitted development rights.*

*The proposal will result in the removal of the existing garage. The proposed garage could provide storage for garden equipment etc. however there are no other outbuildings currently in the rear garden. Given this it is felt that it would be unreasonable to remove Class E permitted development rights.*

In addition to the above 'Listed Building and Conservation Areas Act 1990' in paragraphs 25 and 35 should read 'Planning (Listed Buildings and Conservation Areas) Act 1990.'

**4.5 & 4.6 - SE/13/00977/HOUSE & SE/13/00978/LBCALT- Dryhill Cottage, Dryhill Lane, Sundridge, Sevenoaks TN14 6AA**

Additional Information

In response to questions raised at the Dryhill Cottage site visit, upon further investigation, it can be confirmed that an eastern extension was granted planning permission in 1961.

Dryhill Cottage became a single dwelling in 1992 at which time it became a new planning unit. Accordingly for Green Belt purposes the original dwelling would be based on the properties floor area in 1992 and the percentage increase of the proposed extension is calculated in relation to this floor area.

**4.7 SE/13/00815/HOUSE - Little Buckhurst Barn, Hever Lane, Hever, Edenbridge TN8 7ET**

1. Paragraph 41 of the Officers Report states the following:

“Furthermore it is deemed that the extension is not compatible with the existing dwelling and does not respond to the distinctive local character of the area.”  
Officers request to replace ‘deemed’ with the word ‘considered’.

**Points of Clarification**

*Policy Green Belt*

2. Upon further consideration, the adoption of the NPPF has meant that criterion 1) and 5) of Policy H14A of the Sevenoaks District Local Plan (SDLP) are not compliant with this document. However, it is recognised that criterion 2) and 4) are still compliant.
3. Other relevant planning criterion is set out in the Residential Extensions Supplementary Planning Document (SPD). Paragraph 3.6 states that “residential extensions may have a significant environmental impact on visual openness, landscape and the character of the original property or its setting. Limited extension to an existing dwelling is not considered to be inappropriate development in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building or impact on the openness of the Green Belt. Any extension which would result in a disproportionate addition would constitute inappropriate development which is by definition harmful to the Green Belt”.
4. In addition paragraph 3.11 of the SPD states that “the scale and form of an extension should not adversely impact on the openness of the largely undeveloped character of the Green Belt, which is its most important attribute”. Paragraph 3.13 follows this by stating that “the impact of an extension on the countryside is clearly greater if located in a highly visible location. However, the test of impact still applies even if there are no public views of it as, if allowed, the argument could be repeated, with a potentially more serious cumulative impact on the openness of the Green Belt and for these reasons would be unacceptable”.

## Supplementary Information

5. It is outlined in the Officers Report (paragraph 33) that the proposal is in compliance with criteria 2) of Policy H14A of the SDLP (46.4%). It is important to highlight however that this is just a guideline and that the NPPF does not specify a particular figure which would make an extension 'disproportionate'. Simply extending under this threshold of 50% does not automatically make the scheme acceptable.
6. Therefore it is considered that for the reasons outlined in the report, the proposal namely its scale and height results in a disproportionate addition to the original building and is not designed sympathetically or well articulated to the existing dwelling, which is a converted barn. It is therefore considered that the proposal is not in accordance with criteria 4) of the Policy H14A of the SDLP or paragraphs 3.6, 3.11 and 3.13 of the Residential Extensions SPD.

### *Policy – Design*

7. The Residential Extensions SPD provides specific design advice in terms of converted buildings. Paragraph 3.14 states that “within the District there are a number of dwellings in the countryside which have been converted from buildings originally in non-residential use, such as barns. Many of these rural buildings have a simple form such as a rectilinear floor plan which fits well with their original function and the character of the countryside, whilst others have an historic form and character which should be retained”. Paragraph 3.15 of the SPD also states that “the Council will seek to preserve the original form and character of these buildings”.
8. It is considered that for the reasons outlined in paragraph 20-26 of the Officers Report, the development will not be in accordance with Paragraphs 3.14 and 3.15 of the Residential Extensions SPD, as the proposal will not retain the historic form and character of the original building.

### **Response to Planning Agents Additional Information**

9. The Planning Agent submitted additional information on 9 July 2013, including a video, additional pictures and background to the site. The Council, in response would like to make the following comments:

### *Pre-application*

10. The Planning Agent highlights that pre-application discussions took place prior to a formal submission. It is correct to state that the proposal involved two elements, a front extension (which was removed as recommended by the Council) and a link and rear extensions to the back of the property. The link extension is still essentially the same in terms of scale as the link extension which was considered at pre-application stage.
11. However, the rear extension which was considered at pre-application stage was 47.5m<sup>2</sup> in floor area (It was 9.5 metres long and 5 metres wide). With regards to the specific advice provided in terms of Green Belt the Officer made the following comments:

“I am of the opinion that the size of the rear extension would result in a disproportionate addition over and above the size of the original building. This is highlighted by the fact that the footprint of the addition would have a similar area to that of the main part of the barn. I would therefore suggest a significant reduction in



the length of the proposed extension to create a more modest addition to the building, which was sympathetic to the main building.”

12. The amended scheme (which is now under consideration) reduced the length of the extension by 1.5 metres but increased the width of the extension by 0.5 metres. The floor area of the rear extension from pre-application stage and submission stage only differed by 3.5m<sup>2</sup> in size.

*Green Belt*

13. The Planning Agent implies that there will be no impact on AONB and Green Belt in terms of character and appearance. However, Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
14. It is considered that as the proposal results in a disproportionate addition and will have a detrimental impact on the openness and permanence of the Green Belt. Considerations in relation to the ‘character’ and ‘appearance’ of the Green Belt are not considerations when assessing applications in the Green Belt
15. The Planning Agent has stated the proposal ‘would not affect the openness of the Green Belt as it cannot be seen’. However, Case Law dictates that the effect on openness is a function of the physical presence of development rather than whether it would be seen from any particular viewpoint, otherwise much development could take place in screened locations that would erode the Green Belt. This assertion is supported by paragraph 3.13 of the Residential Extensions SPD. Therefore the extent to which the new extensions might be seen has no bearing on this Green Belt assessment.

*Warren Cottage – SE/13/01220/HOUSE*

16. The Planning Agent has drawn comparisons with a recently approved planning application in the close proximity to the site at Warren Cottage SE/13/01220/HOUSE.
17. The Council would like to highlight that the proposals did not result in a cumulative increase in built form at the site as a result of the extensions as the Applicant was demolishing existing structures on the site. Whilst it is accepted that the built form at the site has resulted in a 187% increase in floor area from the original building, the extensions did not increase this figure and therefore under very special circumstances the development was considered acceptable.
18. It is also worth noting that the dwelling was originally constructed for residential use, with the dwelling currently under consideration being a converted barn.

*Video submitted by Planning Agent*

19. The Council note that the Planning Agent has provided a 3-D video which outlines the proposed extension and its relationship with the converted barn. Whilst the Council accepts that the extension appears to illustrate a true representation of the scale of development it considers that the glazed elements of the extensions would appear more pronounced than what is outlined in the video.

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