



Sevenoaks
DISTRICT COUNCIL

Despatched: 11.04.12

DEVELOPMENT CONTROL COMMITTEE

19 April 2012 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Mrs. Dawson

Vice-Chairman Cllr. Williamson

Cllrs. Mrs. Ayres, Brookbank, Brown, Clark, Cooke, Davison, Dickins, Gaywood, Ms. Lowe, McGarvey, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

Please note that there will be a briefing for Members on the recently published National Planning Policy Framework (NPPF) at 6pm in the Members Room.

Apologies for absence

1. Minutes of previous meeting (Pages 1 - 10)
Minutes of the meeting of the Committee held on 15 March 2012
2. Declarations of Interest or Predetermination
3. Declarations of Lobbying
4. Ruling by the Chairman regarding Urgent Matters
5. Planning Applications – Head of Development Services’ Report
 - 5.1. SE/10/02793/FUL - 31 Serpentine Road, Sevenoaks TN13 3XR (Pages 11 - 28)
Proposed development at land to the rear of 31 Serpentine Road forming new 4 bed detached residential dwelling.
 - 5.2. SE/11/02706/FUL - Ludwells Farmhouse, Spode Lane, Cowden, Kent (Pages 29 - 42)
TN8 7HN
The erection of an extension and renovation of listed farmhouse including conversion of associated farm building and rationalisation of outbuildings.
 - 5.3. SE/11/02707/LBCALT - Ludwells Farmhouse, Spode Lane, Cowden (Pages 43 - 50)
TN8 7HN

Extension and renovation of listed farmhouse including conversion of associated farm building.

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

If you wish to speak in support or against a planning application on this agenda, please call the Council's Contact Centre on 01732 227000

For any other queries concerning this agenda or the meeting please contact:
The Democratic Services Team (01732 227350)

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227350 by 5pm on Monday, 16 April 2012.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting of the Development Control Committee held on 15 March
2012 commencing at 7.00 pm

Present: Cllr. Mrs. Dawson (Chairman)

Cllr. Williamson (Vice-Chairman)

Cllrs. Mrs. Ayres, Brookbank, Clark, Cooke, Davison, Dickins, Gaywood,
Ms. Lowe, McGarvey, Mrs. Parkin, Piper, Scholey, Miss. Thornton and
Underwood

Apologies for absence were received from Cllrs. Brown and Walshe

Cllrs. Ayres, Mrs. Davison, Hogarth and Mrs. Hunter were also present.

68. Minutes of previous meeting

Resolved: That the minutes of the meeting of the Development Control Committee held on 16 February 2012 be approved and signed by the Chairman as a correct record.

69. To receive any declarations of interest or predetermination in respect of items of business included on the agenda for this meeting.

Cllrs. Mrs Dawson and Piper declared personal interests in item 5.01 - SE/12/00024/FUL: Amity, Clenches Farm Lane, Sevenoaks TN13 2LX as dual hatted members of both the District Council and Sevenoaks Town Council, which had already expressed views on the matter.

Cllr. Miss. Thornton declared a personal interest in items 5.04 – SE/11/01735/FUL: Kentish Yeoman, The Kentish Yeoman, 10-12 High Street Seal and 5.05 - SE/11/03105/LBCALT: Kentish Yeoman, The Kentish Yeoman, 10-12 High Street Seal as the Local Member. She confirmed she would reserve her right to speak until the debate.

70. To receive any declarations of lobbying in respect of items of business included on the agenda for this meeting.

Cllr. Miss. Thornton declared she had general discussions with the applicant for items 5.04 – SE/11/01735/FUL: Kentish Yeoman, The Kentish Yeoman, 10-12 High Street Seal and 5.05 - SE/11/03105/LBCALT: Kentish Yeoman, The Kentish Yeoman, 10-12 High Street Seal.

71. Ruling by the Chairman regarding Urgent Matters

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The Chairman ruled that additional information received since the despatch of the agenda be considered at the meeting as a matter of urgency by reason of the special circumstances that decisions were required to be made without undue delay and on the basis of the most up to date information available.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

72. SE/12/00024/FUL Amity, Clenches Farm Lane, Sevenoaks TN13 2LX

The proposal was for the demolition of the existing property and detached garage and to replace it with a two storey (with further accommodation in the roof space), seven bedroom property. A detached garage was proposed to replace the existing detached garage sited in the south eastern corner of the plot.

The proposed dwelling was 3.3m taller than the current structure but there was significant boundary screening.

Officers considered that, on balance, the proposed replacement dwelling would not detract from the character and appearance of the street scene, or have a detrimental impact upon the amenities of the neighbouring properties. Any potentially significant impact on the amenities of nearby dwellings could be satisfactorily mitigated by way of conditions.

The Committee was addressed by the following speakers:

Against the Application:	Angus MecEskill
For the Application:	Fred Robinson
Parish Representative:	-
Local Member:	Cllr. Mrs. Hunter

In response to questions Officers confirmed the proposal would create a density of between 6 and 7 houses per hectare. The floor levels of the proposed dwelling would be 3m below those of the neighbouring property, Martlets. It would be 31m from Martlets at its nearest point, 35m from the 1st floor and 37m from the dormer window.

Noting the comments of the neighbour, some Members proposed that, if approved, a condition should be added to protect the roots of the boundary hedge during construction.

Members were concerned that the proposal would be overbearing as it was a small site for the area. The proposed building was considerably taller than the existing bungalow and would cause a significant loss of privacy to neighbours. It would have a significant impact on the outlook and perspective of Martlets, particularly as there could be 5 visible windows.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted

together with an additional condition to protect the roots of the boundary hedge during construction. The motion was put to the vote and there voted –

4 votes in favour of the motion

10 votes against the motion

The Chairman declared the motion to be LOST.

It was then MOVED by the Vice-Chairman and duly seconded:

“That planning permission be REFUSED for the following reason:

The proposal due to its height, scale and bulk would be inappropriate development for this site to the detriment of the local area. The height and scale of the proposal results in an overbearing impact on the residential amenities of neighbouring property Martlets. As such the proposal is contrary to saved policy EN1 of the Sevenoaks District Local Plan 2000.”

The motion was put to the vote and there voted –

10 votes in favour of the motion

4 votes against the motion

Resolved: That planning permission be REFUSED for the following reason:

The proposal due to its height, scale and bulk would be inappropriate development for this site to the detriment of the local area. The height and scale of the proposal results in an overbearing impact on the residential amenities of neighbouring property Martlets. As such the proposal is contrary to saved policy EN1 of the Sevenoaks District Local Plan 2000.

73. SE/11/03260/FUL Bridges Charity Café, Bridges, High Street, Edenbridge TN8 5AJ

Members were informed that this item had been WITHDRAWN from the agenda.

74. SE/11/03261/LBCALT Bridges Charity Café, Bridges, High Street, Edenbridge

Members were informed that this item had been WITHDRAWN from the agenda.

75. SE/11/01735/FUL Kentish Yeoman, The Kentish Yeoman, 10-12 High Street, Seal TN15 OAJ

It was noted that a Members' Site Inspection had been held for this application.

The proposal was for approval of the conversion of the existing public house into one 4 bedroom and one 3 bedroom dwelling, the conversion of the detached summer house into a two bedroom dwelling, the construction of two new dwellings to

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incorporate one 4 bedroom, and one 3 bedroom unit adjacent to the public house building, together with associated parking facilities.

Neighbouring properties were Grade II listed and it was noted that design features of the proposed new dwellings drew design elements from other buildings in the Conservation Area.

Officers considered that the proposed development would be acceptable in principle and would not have a significant impact on the Listed Buildings, the Conservation Area, street scene, neighbouring amenity, the Area of Outstanding Natural Beauty or highways safety. It would provide sufficient off-street parking and a provision for off-site affordable housing. Although the proposal would be deemed inappropriate development in the Green Belt, very special circumstances outweighed the harm from the proposal. An outbuilding would be removed from the rear of the site which was similar in floorspace to the extensions to the public house and summer house.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

- Against the Application: -
- For the Application: Jamie Brady
- Parish Representative: -
- Local Member: Cllr. Hogarth

Officers confirmed that Policy LO7 resisted loss of local services where possible but there was an exception when the services were no longer financially viable. The pub had been shut for more than a year and had closed 4 times in 10 years. The applicant had made significant investment but the business was unsustainable. Some Members of the Committee believed the site could still be viable for other different services.

The local Member on the Committee welcomed the amended condition in the Late Observation Sheet regarding parking provision. Members proposed a further, clarifying amendment so condition 8 referred to accessible parking "for no fewer than" 11 vehicles.

The Committee was concerned by access to the properties by road. They proposed that fencing be approved by the Council to ensure it was not so high as to obscure vehicle visibility. Additionally they proposed appropriate signs be added inside the development to discourage reversing onto the High Street.

It was MOVED by the Vice-Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions and subject to completion of a section 106 obligation be adopted. This was subject to the amendments for "no fewer than" 11 vehicles in condition 8, the amendments in the Late Observations Sheet and the additional conditions about fencing and signs. The motion was put to the vote and there voted –

10 votes in favour of the motion

4 votes against the motion

Resolved:

RECOMMENDATION A: That subject to the receipt of a signed and valid S106 Obligation to secure the off-site affordable housing contribution, that authority be delegated to the Community and Planning Services Director to GRANT planning permission with any required amendments to the conditions:-

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

The proposal would lead to a requirement to contribute towards affordable housing provision. In the absence of a completed Section 106 obligation to secure an appropriate level of affordable housing provision, the development would be contrary to policy SP3 of the Sevenoaks District Council Core Strategy.

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

2) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To maintain the integrity, character and settings of the Listed Buildings and to preserve the character and appearance of the Conservation Area as supported by Planning Policy Statement 5: Planning for the Historic Environment.

3) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, 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 programme of implementation.

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

4) Soft landscape works shall be carried out before first occupation of the dwellings. The landscape works shall be carried out in accordance with the approved details.

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

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5) 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 preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

6) The recommendations outlined within the Arboricultural Report dated 30th June 2011 shall be adhered to at all times during the period of construction.

To ensure the long term retention of mature trees on the site as supported by Planning Policy Statement 9: Biodiversity and Geological Conservation.

7) No development shall be carried out on the land until full details of the surfacing within the root protection areas of the existing trees on the site and adjacent to it, and the construction of these areas, have been submitted to and approved in writing by the Council.

To ensure the long term retention of mature trees on the site as supported by Planning Policy Statement 9: Biodiversity and Geological Conservation.

8) No development shall take place until details of the layout of areas for the independently accessible parking for no fewer than 11 vehicles have been submitted to and approved in writing by the Council. The parking areas approved shall be provided and kept available for parking in connection with the use hereby permitted at all times.

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

9) The development hereby permitted shall not be used or occupied until details of pedestrian visibility splays have been submitted to and approved in writing by the Council. The visibility splays shall be provided before the development is first used or occupied and thereafter shall be maintained free from obstruction at all times at a height not exceeding 0.6m above the level of the adjacent carriageway.

In the interest of pedestrian safety as supported by policy EN1 of the Sevenoaks District Local Plan.

10) No development shall be carried out on the land until a Construction Management Plan has been submitted and approved in writing by the Council. The plan should include the provision of on site parking and loading, and wheelwashing facilities. The development shall be carried out in accordance with the approved plan.

In the interests of highway safety and visual amenity as supported by policy EN1 of the Sevenoaks District Local Plan.

11) Prior to the commencement of the development hereby approved, a scheme of acoustic insulation and mechanical ventilation shall be submitted to, and approved in writing by the Local Planning Authority. The scheme should provide the residential units with adequate protection against noise and air pollution, the later to include demonstrating that any alternative source of 'clean air' has acceptable or lower levels of pollution. The development shall be carried out in complete accordance with the approved details and shall thereafter be maintained as such.

To ensure a suitable living environment for future occupiers as supported by Planning Policy Guidance 24: Planning and Noise.

12) No development shall be carried out on the land until the findings of the site investigations recommended within paragraphs 10.5 and 10.6 of the Phase 1 Geo Environmental Desk Study dated June 2011 have been submitted to and approved in writing by the Council.

To ensure a suitable living environment for future occupiers as supported by Planning Policy Statement 23: Planning and Pollution Control.

13) The existing detached outbuilding as shown on the approved plan 3656-PD-02 Revision C shall be demolished and all materials resulting therefrom shall be removed from the land before development commences, or within such period as shall have been agreed in writing by the Council.

To prevent over development of the site as supported by Planning Policy Guidance 2: Green Belts.

14) No boundary walls, fences or other means of enclosure, shall be erected on the site boundaries of the approved dwellings despite the provisions of any Development Order.

To maintain the integrity, character and setting of the Listed Buildings as supported by Planning Policy Statement 5: Planning for the Historic Environment.

15) No extension or external alterations shall be carried out to the dwellings hereby approved, despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by Planning Policy Guidance 2: Green Belts.

16) No building, enclosure or swimming pool, other than those shown on the approved plans, shall be erected within the curtilage of the dwellings hereby approved, despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by Planning Policy Guidance 2: Green Belts.

17) The development of the pair of semi-detached dwellings shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority -

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i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority. Achievement of Code level 3 must include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources.

In the interests of environmental sustainability and reducing the risk of climate change as supported in Planning Policy Statement 1, policies CC2 & CC4 of the South East Regional Plan and policy SP2 of the Core Strategy.

18) The development of the main pub building and summer house shall achieve a BREEAM Eco Homes 'refurbishment' minimum rating of "Very Good". Evidence shall be provided to the Local Authority -

i) Prior to the commencement of development, of how it is intended the development will achieve an Eco Homes Design Certificate minimum rating of "Very Good" or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved an Eco Homes post construction certificate minimum rating of "Very Good" or alternative as agreed in writing by the Local Planning Authority. Achievement of an Eco Homes rating of "Very Good" must include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources.

In the interests of environmental sustainability and reducing the risk of climate change as supported in Planning Policy Statement 1, policies CC2 & CC4 of the South East Regional Plan and policy SP2 of the Core Strategy.

19) The development hereby permitted shall be carried out in accordance with the following approved plans: 3656-PD-02 Revision C, 05 Revision A, 06 Revision B, 07 Revision C, 08 Revision A and 3656-04 Revision A.

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

20) No development shall be carried out on the land until details of fencing and boundary treatment have been submitted to and approved in writing by the Council. The development shall be carried out using the approved details.

To ensure that the appearance of the development is in harmony with the existing character of the area and in the interests of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

21) No development shall be carried out on the land until signage within the application site discouraging vehicles to reverse out onto the public highway have been submitted to and approved in writing by the Council. The development shall be carried out using the approved details.

In the interests of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

RECOMMENDATION B: In the event that the legal agreement is not completed within four weeks of the decision of the Development Control Committee, the application be REFUSED for the following reason:

The proposal would lead to a requirement to contribute towards affordable housing provision. In the absence of a completed Section 106 obligation to secure an appropriate level of affordable housing provision, the development would be contrary to policy SP3 of the Sevenoaks District Council Core Strategy.

76. SE/11/03105/LBCALT Kentish Yeoman, The Kentish Yeoman, 10-12 High Street, Seal TN15 OAJ

The proposal was for listed building consent approval of the conversion and division of the existing public house into one 4 bedroom and one 3 bedroom dwelling and the conversion of the detached summer house into a two bedroom dwelling.

Officers considered that the proposed development would not significantly impact the Listed Buildings. Consequently the proposal was in accordance with the development plan.

Members' attention was drawn to the tabled Late Observations sheet. It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

- Against the Application: -
- For the Application: -
- Parish Representative: -
- Local Member: Cllr. Hogarth

Officers clarified that there was not an absolute prohibition on works on listed buildings. Approval could be given after assessing the quality of the existing building against the proposals. Therefore the Conservation Officer was content with the modern outbuilding store being removed. All existing windows would be retained and refurbished.

It was **MOVED** by the Vice-Chairman and was duly seconded that the recommendation in the report to grant listed building consent subject to conditions be adopted. The motion was put to the vote and there voted –

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12 votes in favour of the motion

3 votes against the motion

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

1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) No works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby granted consent have been submitted to and approved in writing by the Council. The works shall be carried out using the approved materials.

To maintain the integrity, character and settings of the Listed Buildings as supported by Planning Policy Statement 5: Planning for the Historic Environment.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: 3656-PD-02 Revision C, 05 Revision A, 06 Revision B, 07 Revision C and 3656-04 Revision A.

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

THE MEETING WAS CONCLUDED AT 9.10 PM

CHAIRMAN

5.01 – SE/10/02793/FUL Date expired 22 December 2010

PROPOSAL: Proposed development at land to the rear of 31 Serpentine Road forming new 4 bed detached residential dwelling.

LOCATION: 31 Serpentine Road, Sevenoaks TN13 3XR

WARD(S): Sevenoaks Eastern

ITEM FOR DECISION

This application has been referred to the Development Control Committee since the item was previously heard by the Development Control Committee in February 2011 but following a Judicial Review of the application the High Court has quashed the planning permission and the application has been returned to the Council for re-determination.

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) 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 dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No development shall be carried out on the land until full details of both hard and soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:

- plans showing revised parking and turning areas,
- planting plans (identifying existing planting, plants to be retained and new planting),
- written specifications (including cultivation and other operations associated with plant and grass establishment),
- schedules of new plants (noting species, size of stock at time of planting and proposed number/densities where appropriate), and
- a programme of implementation.

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

4) Hard and soft landscape works shall be carried out before occupation of the dwelling. The landscape works shall be carried out in accordance with the approved details.

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

5) 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 preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

6) No development shall be carried out on the land until a plan indicating the positions, design and materials of all means of enclosure to be retained and erected has been submitted to and approved in writing by the Council.

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

7) The garage and vehicle parking area approved shall be provided and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the garage and vehicle parking area.

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

8) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority -

i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority. Achievement of the Code levels and BREEAM standards must include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources.

In the interests of environmental sustainability and reducing the risk of climate change as supported by the National Planning Policy Framework, policies CC2 & CC4 of the South East Regional Plan and policy SP2 of the Sevenoaks District Core Strategy.

9) The development hereby permitted shall be carried out in accordance with the following approved plans: 10/165/1, 2 and 3

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

South East Plan 2009 - Policies CC1, CC2, CC4, CC6, H4, H5, T4 and NRM10

Sevenoaks District Local Plan - Policies EN1 and VP1

Sevenoaks District Core Strategy 2011 - Policies LO1, LO2, SP1, SP2, SP3, SP5 and SP7

The following is a summary of the main reasons for the decision:

The site is within the built confines of the settlement where there is no objection to the principle of the proposed development.

The scale, location and design of the development would respect the context of the site and preserve the visual amenities of the locality.

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

Informatives

1) With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, 3 Church Road, Haywards Heath, West Sussex. RH16 3NY. Tel: 01444-448200.

2) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Description of Proposal

- 1 The application seeks the approval of the replacement of the previously demolished annexe building, positioned to the rear of the main house, and the erection of a new dwelling. The proposed house would be orientated so that its front elevation faces in a northerly direction. The dwelling would be L-shaped, with an integral garage projecting to the front of the property. Access to the new house would continue to be from the entrance to the site, adjacent to 31 Serpentine Road, and along a driveway that runs along the northern boundary to the site of the new dwelling.
- 2 The proposed dwelling would stand at roughly 7m in height, the main two storey part of the would be 18.4m in width (increasing to 21.2m with the integral garage) and 9.7m in depth (increasing to 19.9m with the single storey rear projection and the garage). The proposed dwelling would possess a mansard roof finished with slate tiles and have a painted rendered finish to the walls of the property. A basement is also proposed underneath the proposed footprint of the house that

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would be served by two windows dug into the eastern flank of the dwelling and a staircase and door to the western flank.

- 3 The mansard roof would have several dormer windows built into it, including three to the front, three to the rear and one in both flanks. To the front the windows would serve a bathroom, a gallery over the hallway and a bedroom. To the rear the proposed windows would two bedrooms and a landing. The eastern flank window would serve a shower room and the western flank window would be a secondary window to a bedroom. A balcony is also proposed to the rear elevation at the south-west corner of the proposed dwelling.
- 4 This application follows an approved application for a new house on the site, which was decided by the Committee in September 2009. This scheme differs from the approved application in that the siting and orientation of the approved house has been altered, as has the design of the approved dwelling. The approved house was a Chalet style bungalow, with a brick work finish and tiled roof, positioned on the western boundary of the site so that it faced towards the rear of 31 Serpentine Road.
- 5 For reference I have included a table below to show the comparison between the original building, the approved house and the proposed house.
- 6 Whilst I have included the overall floor area of each level of the different buildings in the table I do not regard this as a particular helpful parameter in judging the impact of the development. It is the proposed development's external dimensions that are of greater significance in this regard.

	Demolished building	Approved house for SE/09/01132/FUL	Current proposed house
Height	6.15m	6.7m	7.2m
Width of the main element of building (Maximum width)	18.25m	15.3m (21.5m)	18.4m (21.2m)
Depth of the main element of building (Maximum depth)	6.45m	8.4m (12.8m)	9.7m (19.89m)
Minimum distance to neighbouring houses on Serpentine Court	22m	23m	23m
Floor area	174.2m ²	264.4m ²	452.2m ² (317.4m ² not including basement)

- 7 In addition, the approved house had a first floor window facing in a northerly direction that was 32m from the neighbouring houses on Serpentine Court, which compares with first floor windows in the proposed house that are 23m from these neighbouring properties.
- 8 Members will be aware that this application was determined by the Development Control Committee on 17 February 2011 when it resolved to grant planning

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permission. That decision was subject to an application for judicial review on four grounds. Three of the grounds related to the handling of the application at the committee meeting itself. The court held that these were unarguable. Permission was granted in relation to the remaining ground which alleged that the officer's report had not addressed the question posed by the new definition of previously developed land in the revised PPS3 and did not give consideration to whether the site comprised residential garden land.

- 9 In the end, the matter was not considered by the court as the Council reached a settlement with the claimant and consented to judgment on this issue. As a result the planning permission was quashed and this report has been prepared for the re-determination of the application.
- 10 On 27 March 2012 the Government published the National Planning Policy Framework (NPPF). Annex 3 of the NPPF makes it clear that PPS3 is replaced by this document. As a result the definition of previously developed land in the NPPF has now been addressed in full as part of the main body of my report so that the Members of the Committee can consider it in detail.

Description of Site

- 11 The application site comprises a piece of land to the rear of 31 Serpentine Road, accessed via an existing driveway along the northern boundary of the site, adjacent to the rear boundaries of several properties along Serpentine Court. The plot is currently empty but previously possessed an annexe to the main house, which was recently removed from the site. The ancillary building was single storey in design but possessed accommodation in its roof. The site is relatively level but sits roughly a metre above the neighbouring houses on Serpentine Court.

Constraints

- 12 The site lies within the built confines of Sevenoaks.

Policies

South East Plan

- 13 Policies- CC1, CC2, CC4, CC6, H4, H5, T4 and NRM10

Sevenoaks District Local Plan

- 14 Policies - EN1 and VP1

Sevenoaks District Core Strategy

- 15 Policies -LO1, L02, SP1, SP2, SP3, SP5 and SP7

Others

- 16 National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies and replaces previous Planning Policy Statements and Guidance. It is a material consideration in decisions on planning applications from the date of its publication (27 March 2012). The NPPF states that for 12 months from the date of publication decision

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takers can continue to give full weight to relevant policies adopted since 2004 (this includes the Core Strategy policies) and that in other cases due weight should be given to relevant policies in existing plans according to their consistency with the NPPF (this includes the Local Plan policies).

- 17 Draft Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SPD)

Planning History

- 18 SE/09/01132 - Demolition of existing dwelling and erection of a four bed Chalet style dwelling. Boundary line amended and internal layout of ground floor altered, plans received 30.06.2009. Granted 18.09.09

SE/91/01217 - Lawful Development Certificate for use of first floor of Coach House for ancillary residential purposes. Granted 01.11.91

SE/90/00362 - Use of coach house as studio/office for consulting engineer. Refused 16.05.90

SE/89/01445 - Use of coach house as studio/office for consulting engineer. Refused 03.11.89

Consultation

- 19 Members will note that two sets of responses have been received. This is due to the fact that the original consultation process was held when the application was initially received. This process commenced on 2 November 2010 and expired on 23 November 2010. Following the application being returned to the Council a further period of consultation has taken place starting on 3 February 2012 and which expired on 24 February 2012.

Original Consultation Responses

Parish / Town Council

- 20 Comments received on- 22.11.10

Sevenoaks Town Council recommends refusal of this application.

Sevenoaks Town Council notes that the present proposal is a substantially long building that was granted under application SE/09/01132/FUL.

This earliest proposal is for a building with a floor area twice that of the previous permission.

Sevenoaks Town Council note that the new building would have a substantially large first floor, thus introducing a detrimental impact on the amenities of neighbouring properties in Serpentine Court, contrary to Policy EN1

The proposal is designed in a style totally at odds with the surrounding properties, contrary to Policy EN1.

Sevenoaks Town Council draws attention to the changed PPS3 which no longer presumes that a garden is a 'brownfield site' and thus suitable for development.

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The overbearing size of this proposal is out of keeping and inappropriate in the garden of this Edwardian property.

Sevenoaks Town Council reserve the right to add additional comments following our meeting on 29th November 2010.'

Further comments – 02.12.10

- 21 'The Town Council noted that the present proposal is a substantially larger building than that granted under application SE/09/01132. This latest proposal is for a building with floor area twice that of the previous permission. Sevenoaks Town Council noted that the new building would have this is substantially larger first floor that introducing a detrimental impact on the amenities of neighbouring properties in Serpentine Court contrary to policy EN1.

The proposal is designed in a style totally at odds with the surrounding properties, contrary to policy EN1, of the Sevenoaks district local plan.

Sevenoaks town Council draws attention to the changed PPS3 which no longer presumes that garden is a brown field site and thus suitable for development.

The overbearing size of this proposal is out of keeping and inappropriate in the garden of this Edwardian property.

Thames Water – 05.11.10

- 22 'No objection subject to imposition of informatives.'

Original Representations

- 23 Seven letters of representation have been received that have highlighted the following concerns:

- over-development of the site;
- excessive scale, mass, size and floor area;
- loss of privacy;
- loss of neighbouring amenity;
- over-bearing effect;
- loss of light;
- overlooking;
- lack of soft landscaping;
- inaccuracies in the Design and Access Statement;
- the revised PPS3;
- impact of the use of the existing driveway;
- impact on character and appearance of the area;
- increase in traffic movements;
- impact on outlook;

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- impact on reasonable enjoyment of rear garden area; and
- potential damage to fencing.

Further Consultation responses following Judicial Review process

Parish / Town Council

24 Comments received on– 01.03.12

‘Sevenoaks Town Council recommended refusal.

The Town Council noted that the proposed new building is substantially larger than the application granted under app ref: SE/09/01132/FUL. This latest proposal is for a building with a floor area twice that of the previous permission.

The Town Council noted that the proposed new building would have a substantially larger first floor and would be situated unacceptably close to the boundary of neighbouring properties in Serpentine Court thus introducing a detrimental impact on the amenities of those properties, contrary to policy EN1.

The proposal is designed in a style totally at odds with the surrounding properties, contrary to policy EN1, and the Draft Residential Character Area Assessment SPD.

The Town Council drew attention to the changed PPS3 which no longer presumes that a garden is a "brownfield" site, and thus suitable for development.

The overbearing size of the building proposed is out of keeping and inappropriate in the garden of this Edwardian property.’

Kent Highways Engineer

25 Comments received on– 15.02.12

‘I confirm I have no objection to this proposal subject to the conditions previously specified, namely:-

The garage and vehicle parking area approved shall be provided and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the garage and vehicle parking area.

Reason: To ensure a permanent retention of vehicle parking for the property.’

Thames Water

26 Comments received on– 06.02.12

Thames Water raised no objection to the proposal subject to imposition of informatives – for full comments see file note.

Further Representations received following judicial review process

27 Seven letters of representation have been received, two of which are the same letter, that have highlighted the following concerns:

- overlooking;
- loss of privacy;
- impact on visual amenity;
- overshadowing;
- design, appearance and materials not in keeping with neighbouring properties;
- excessive floor area;
- impact on neighbouring amenity;
- overbearing effect;
- inadequate space for soft landscaping to mitigate any impacts;
- inaccuracies in the Design and Access Statement;
- over-development of the site;
- the revised PPS3;
- the National Planning Policy Framework;
- noise created by the increase in traffic movements;
- potential damage to fencing;
- loss of light;
- loss of trees;
- large scale and mass of the proposed house; and
- inadequate vehicular access.

Head of Development Services Appraisal

Principal Issues

28 The main issues in this case are the principle of the development, under which heading I consider the question of previously developed land, the potential impact on the character and appearance of the area, and the potential impact on neighbouring amenity. Other issues include sustainable development, the provision for affordable housing and inaccuracies in the submission.

Principle of development

29 The principle of a residential development on the site is one that was accepted as part of the previous approval, SE/09/01132/FUL, which remains extant until 17 September 2012. For the reason that this development could still be carried out the principle of the development is one that the Council would continue to accept.

30 Paragraph 53 of the NPPF states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. There is no local policy specifically ruling out development on gardens in built up areas.

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- 31 The NPPF also states that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value (para. 111).
- 32 Annex 2 of the NPPF provides a definition for previously developed land stating that it is land 'which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.' This definition excludes 'land in built-up areas such as private residential gardens, parks, recreation grounds and allotments'.
- 33 It is evident that the site used to form part of the private residential garden of 31 Serpentine Road. It had a building on it that was used for residential purposes. The fact that there was a building on it is not inconsistent with the exclusion from the definition of previously developed land in the NPPF. In my judgment, the better view is that the site falls within the exclusion in the NPPF and should not be considered previously developed land.
- 34 However, this conclusion does not affect my conclusion on the acceptability of the development of the site for residential purposes as a matter of principle.

Impact on character and appearance of the area

- 35 Local Plan policy EN1, which is considered to be broadly consistent with the NPPF, states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. This policy also states that the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 36 The NPPF states that the Government 'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' (para. 56)
- 37 The character and appearance of the area is mixed due to the varying size and appearance of properties that are sited on Serpentine Road, Serpentine Court and the surrounding area. This section of Serpentine Road possesses both detached and semi detached properties, some larger than others, on plots of varying size. Serpentine Court possesses a handful of modest sized properties on modest sized plots. The properties on Kennedy Gardens, to the rear of the site, have less of an impact on the character and appearance of the area due to their location in relation to Serpentine Road.
- 38 The draft Sevenoaks Residential Character Area Assessment SPD highlights locally distinctive contextual features. These include building heights being generally two storeys some with basements and attic rooms, predominant building materials are Ragstone with some yellow or red brick, render with original slate or red tiles (or replacement concrete) roofs, predominant boundary treatments are Ragstone walls (some topped by railings), hedges, and areas of open space/vegetation are identified as being trees and planting to front, side or rear gardens, hedging enclosing side/rear gardens abutting the footway.
- 39 The proposed dwelling would be set back approximately 60m from the frontage of

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- 31 Serpentine Road. Since it would be sited in behind the existing house the property would not be easily viewed from outside of the site itself. Views of the roof line of the proposed house may be available between 29 and 27A Serpentine Road to the south-east and from Kennedy Gardens to the west, and of the integral garage along the access drive. However, these would remain fleeting views and so would have minimal impact on the character and appearance of the area.
- 40 It is acknowledged that the design of the building is not wholly in keeping with other properties in the immediate locality. However, an example of the use of a mansard roof and a painted render finish to walls exists at 56 and 57 Bayham Road, a large semi-detached dwelling located on the corner between Bayham Road and Serpentine Road, which lies approximately 100m to the south of the application site.
- 41 In addition, the design of the building would utilise several locally distinctive contextual features. These include the height of the house, being two storey in design with a basement and the finishing materials of the dwelling are proposed to be render with slate roof tiles. Conditions controlling boundary treatments and landscaping would ensure that the appearance of the site would also sit comfortably within the prevailing character of the area.
- 42 The Town Council and several representations received have made reference to the increase in floor area that the proposed house represents over the approved scheme. This increase is acknowledged, as is the increase in the dimensions of the proposed dwelling. However, the scale and height of the approved house and the current scheme are roughly comparable (see table above). The proposed dwelling would have a height 0.5m greater than that of the approved dwelling, a width just over 3m greater than the approved property and depth 1.3m greater than the approved house.
- 43 The most significant difference lies within the fact that the proposed scheme now includes a basement, which would add no visible bulk and scale to the house. Therefore, I do not view this as an issue that would be sufficient to warrant a refusal.
- 44 The issue of overdevelopment has also been raised. Looking at sites in the locality it is not unusual for properties to almost span the width of their plots, something that the proposed house would also do. The amount of amenity area each property in the locality possesses also varies greatly and so again the amount of development on the plot compared to the size of the plot replicates the situation with existing plots in the area. In addition, the proposed integral garage for the house would be located a similar distance from the shared boundary with 5 Serpentine Court than the integral garage for the approved house, that is about 4m. I would therefore not agree that the proposal represents overdevelopment of the site.
- 45 For the above reasons, and the fact that the proposed dwelling would add to the mixed character of the area, it is considered that the proposed dwelling would preserve the character and appearance of the area, and would preserve the visual amenities of the area.

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Impact on neighbouring amenity

- 46 Policy EN1 of the Sevenoaks District Local Plan requires that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 47 The site is bounded on all sides by adjoining neighbouring properties. 31 Serpentine Road, to the east of the site, would retain a distance of over 30m to the flank wall of the proposed house. 29 Serpentine Road, to the south of No.31, would be almost 40m from the proposed dwelling. To the west lies a terrace of four properties on Kennedy Gardens, which would remain roughly 20m from the flank wall of the proposed house. These distances of separation are considered to be sufficient enough not to cause any harm to neighbouring amenity.
- 48 This can be enhanced by way of a soft landscaping scheme that would assist in softening the shared boundaries between the properties. The applicant has demonstrated that sufficient space could be retained on all boundaries, particularly the northern boundary, to provide for any soft landscaping proposed. This is a part of the development that can be required by way of condition on any approval of planning permission.
- 49 Turning to the north and the houses along Serpentine Court, Nos.1–3 are considered to be sufficient distance away from the proposed dwelling not to be significantly harmed in terms of neighbouring amenity. No.3 would be the closest of these three properties at about 25m away. The proposed house would front directly onto the rear boundary of both 4 and 5 Serpentine Court, and a minimum distance of 8m would be retained between the front of the proposed house and the shared boundary. The distance of separation between the front of the proposed house and the rear of No.4 would be roughly 23m to the single storey rear projection of No.4 and about 25m to the main two storey element of the house. The distance of separation to the rear of No.5 would be about 26m.
- 50 These distances of separation are, again, deemed sufficient not to cause significant harm to the residential amenity of the occupiers of Nos. 4 and 5 Serpentine Court. This is the case even though there is a change in levels between the sites, with Nos.4 and 5 being lower than the application site. It is not felt, given these distances of separation, that the change in levels would increase the perceived harm in any way. In addition, a soft landscaping scheme would assist the softening of this shared boundary.
- 51 It is acknowledged that three first floor windows would face towards Nos.4 and 5 Serpentine Court. However, one window would serve a bathroom, one would serve a gallery area over the hallway of the property and one window would serve a bedroom. Given the distance of separation and fact that only one window would serve a habitable room it is considered that the harm these windows would exert on the amenities of the occupiers of Nos.4 and 5 would not be detrimental.
- 52 The issue of the use of the driveway and access to the proposed house has been raised by several representations received. The principle of the use of the driveway is one that was agreed as part of the approval for the previous scheme since it was not considered that the use of the driveway would be detrimental to neighbouring amenity. In addition, a condition can be applied to any approval of planning permission requiring details of hard landscaping to ensure there is sufficient space on site to allow a turning area. This would prevent damage to the

fencing running along the northern boundary of the site, which the applicant has said they would replace if it is damaged.

- 53 Given the distances of separation between the adjacent properties it is considered that the proposed dwelling would preserve the amenities currently enjoyed by the occupants of those adjoining properties including loss of privacy, overlooking, loss of light, over shadowing, over-bearing effect and loss of outlook.

Sustainable development

- 54 The NPPF states that 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.' (para. 14) For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

- 55 In my opinion, the proposed scheme accords with the development plan, and I have explained this in detail above, there would be no adverse impacts in granting planning permission for the development and there are no specific policies within the NPPF which indicate that development should be restricted.

Other Issues

Code for Sustainable Homes

- 56 Policy SP2 of the Core Strategy requires that new homes will be required to achieve at least Level 3 of the Code for Sustainable Homes. No information relating to this has been submitted by the applicant. However, it is possible for the achievement of Level 3 to be required by way of condition on any approval.

Affordable housing contributions

- 57 Policy SP3 of the Core Strategy requires that residential developments of less than 5 units, that involve a net gain in the number of units, a financial contribution based on the equivalent of 10% affordable housing will be required towards improving affordable housing provision off-site.
- 58 Since the site possesses an extant permission for the erection of a dwelling, that could be commenced immediately with no requirement to pay a contribution, and allowing for the fact that the Core Strategy policy had not been adopted at the time the application was previously considered by the Committee, the decision has been taken that the affordable housing contribution will not be required in this instance.

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Inaccuracies in the Design and Access Statement

- 59 Representations received have highlighted inaccuracies in the Design and Access Statement submitted with the application. This document, although a useful tool in understanding details of the application, does not form any part of the assessment of the proposal and ultimately the recommendation made. Therefore, if inaccuracies exist within the document they have not affected my recommendation, as the scale and bulk of the buildings are the tests of the acceptability of a building in an urban area not its resultant floor space.

Parking provision and highways safety

- 60 The Highways Engineer has assessed the proposal in terms of parking provision and highways safety relating to the vehicular access to the site. In their view the proposal is acceptable subject to the inclusion of a condition attached to any approval of consent.

Loss of trees

- 61 It is noted that a number of trees have been removed from the site. However, the Council would retain control over the future soft landscaping of the site in the form of a condition relating to soft landscaping to ensure that the visual amenities of the area are preserved.

Access Issues

- 62 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development provides appropriate facilities for those with disabilities. The entrance to the proposed house would be accessed via a step up to it. The applicant can be notified by way of informative that a planning application may be required for any ramp necessary for the proposed dwelling to comply with Building Regulations consent.

Conclusion

- 62 It is considered that the principle of the development is one that is wholly acceptable. In addition, the proposed house would preserve the character and appearance of the area, and neighbouring amenity. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background Papers

Site & Block Plans

Contact Officer(s): Mr M Holmes Extension: 7406

Kristen Paterson
Community and Planning Services Director

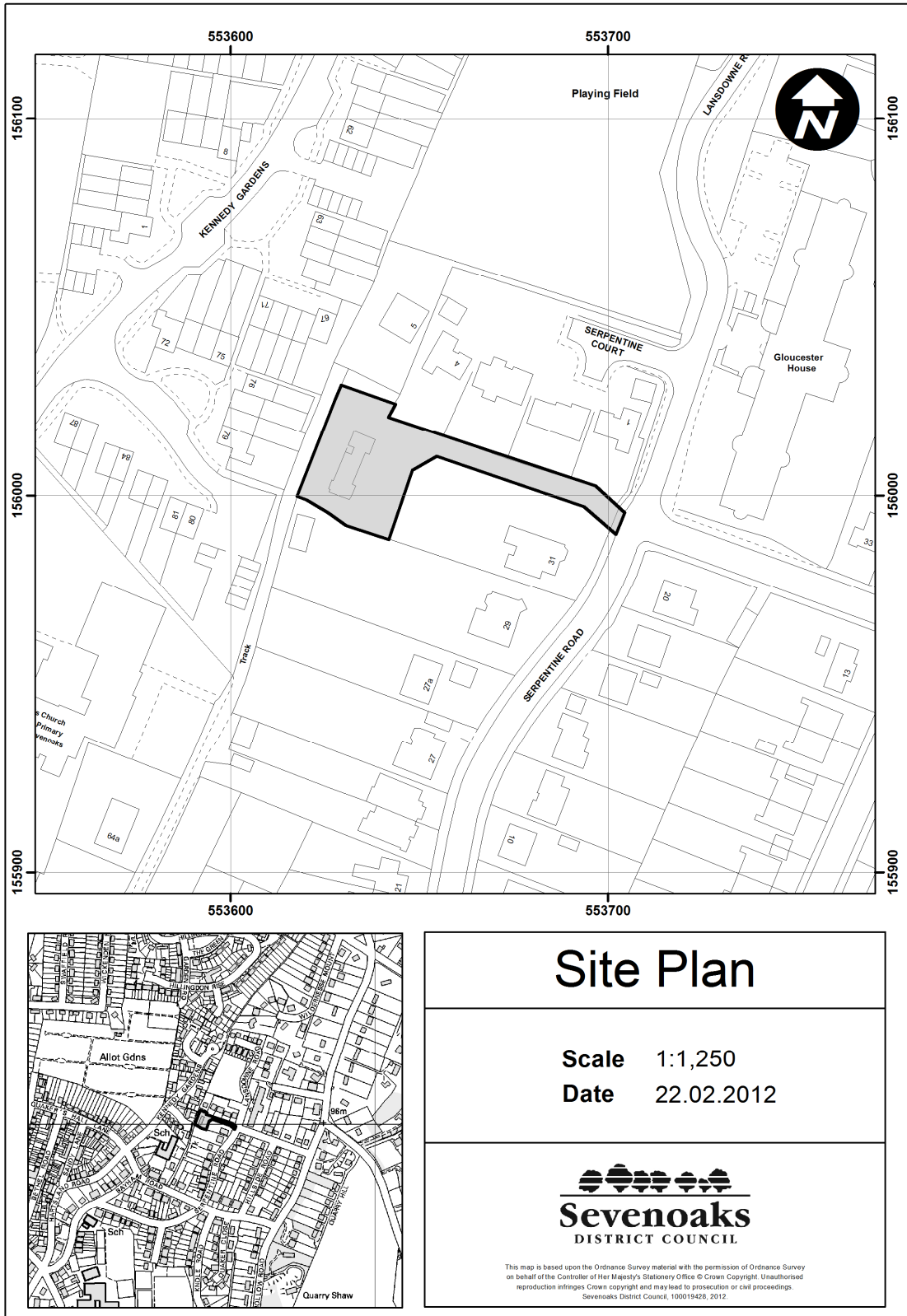
Link to application details:

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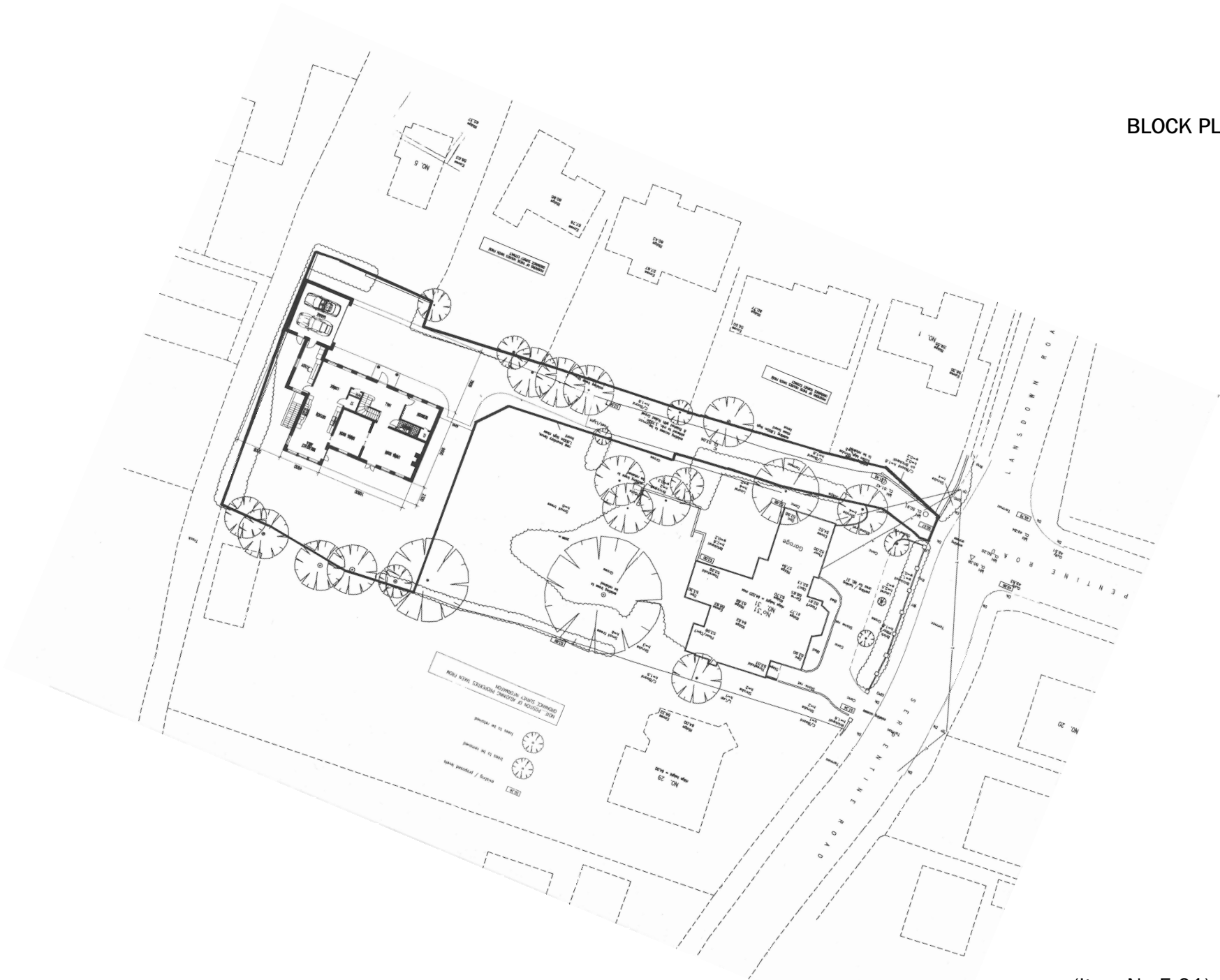
<http://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do;jsessionid=D66D4C57B7CC3EED8144B4BB719A8C8F?action=firstPage>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LA464HBK8V0>



BLOCK PLAN



5.02 – SE/11/02706/FUL Date expired 15 December 2011

PROPOSAL: The erection of an extension and renovation of listed farmhouse including conversion of associated farm building and rationalisation of outbuildings

LOCATION: Ludwells Farmhouse, Spode Lane, Cowden, Kent TN8 7HN

WARD(S): Cowden & Hever

ITEM FOR DECISION

This application has been referred to the Development Control Committee since the Officer's recommendation is at variance to the view of the Parish Council and in the absence of a Ward Member for the area.

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) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the extension and outbuilding hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

3) No development shall be carried out on the land until all door and window details, at a scale of not less than 1:20 have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

4) No development shall be carried out on the land until a detailed method statement has been submitted to and approved in writing by the Council. The method statement shall include the works required for the underpinning of the walls and chimney of the house, the works required for the lowering and tanking of the ground floor, and the works proposed at the junction of the original house and the extension. The development shall be carried out using the approved statement and shall be completed before the first occupation of the extension hereby permitted.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

5) No development shall take place until a method statement in accordance with The Ecology Consultancy Bat and Reptile Report of 3rd November 2011 has been submitted to and approved in writing by the Council demonstrating how and when

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building works would take place taking into account the presence of protected species and including all enhancements proposed. The development shall be carried out in accordance with the approved statement.

To ensure the long term retention of protected species on the site as supported by the National Planning Policy Framework.

6) No external lighting shall be installed on the building or surrounding land until details regarding a lighting scheme which is sensitive to bats have been submitted to and approved in writing by the Council. The development should be carried out using the agreed lighting scheme and no additional lighting shall be permitted despite the provisions of any Development Order.

To ensure that the development does not significantly harm bats that may inhabit the area as supported by the National Planning Policy Framework.

7) The existing derelict stables, paint store, garage, office containers, services and store as shown on the approved plan H10-907-007 Revision A shall be demolished and all materials resulting therefrom shall be removed from the land before development commences, or within such period as shall have been agreed in writing by the Council.

To prevent inappropriate development in the Green Belt as supported by policy H14B of the Sevenoaks District Local Plan.

8) No extension or external alterations shall be carried out to the dwelling despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by policy H14A of the Sevenoaks District Local Plan.

9) No building, enclosure or swimming pool, other than those shown on the approved plans, shall be erected within the curtilage of the dwelling despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by policy H14B of the Sevenoaks District Local Plan.

10) The converted Apple Store shall not be occupied at any time other than for purposes ancillary to the residential use of Ludwells Farmhouse.

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

11) The development hereby permitted shall be carried out in accordance with the following approved plans: H10-907-001 Revision A, 002, 003, 004, 005 Revision A, 006, 007 Revision A, 010 Revision A, 011 Revision A, 012 Revision E and 013.

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

South East Plan 2009 - Policies SP5, CC6, C3 and BE6

Sevenoaks District Local Plan - Policies EN1, GB3A, H6B, H14A and H14B

Sevenoaks District Core Strategy 2011 - Policies LO8 and SP1

The following is a summary of the main reasons for the decision:

The following very special circumstances exceptionally outweigh any harm by reason of inappropriateness and any additional harm to the Metropolitan Green Belt by reason of other factors:- the house is Grade II Listed meaning the creation of a basement beneath it would not be acceptable;- the basement is wholly subterranean; and- the footprint of the basement is comparable to the footprint of the extended house and so is not deemed to be in any way excessive.

The development would respect the fabric, character and setting of the Listed Building.

The scale, location and design of the development would preserve the character and appearance of the Area of Outstanding Natural Beauty.

Description of Proposal

- 1 The application seeks the approval of the erection of a two storey side extension to the main house, a link addition to the rear and a separate two storey addition. Approval is also sought for a basement area under the proposed rear extension and terrace area, the conversion of an existing former store building to provide additional accommodation and the demolition of a number of existing outbuildings on the site and the erection of a single detached outbuilding.
- 2 The proposed two storey side extension would be located where an existing single storey side projection lies. This addition is proposed to tie into the main house with a large hip end over the extension.
- 3 The two storey link addition is proposed to be a mainly glazed structure, with a low flat roof, that would provide a new entrance to the building. The proposed two storey rear extension would again have a lower ridge height than the main house and would possess a traditional appearance, with a slight overhang at first floor level. The proposed basement area would be located partly below the proposed rear addition and link, and partly beneath a proposed terrace to the rear of the main house.
- 4 The proposed conversion involves a former store building, located to the north-east of the main house, at the end of what appears to be the residential curtilage of the property. The conversion would provide accommodation over two floors with minimal external alterations to the building.
- 5 The proposed outbuilding would be single storey in design and would be located to the west of the main house. The site would be cleared of several existing buildings including a large workshop and two office buildings adjacent to the rear of the dwelling, and a store building and stable building located to the north-east of the main house.

Description of Site

- 6 The application site comprises a large two storey detached dwelling, with accommodation in its roof, several detached outbuildings and an associated

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curtilage located in a remote setting off of Spode Lane. Development in the area is sparse with a converted barn standing adjacent to the site to the north-west and several other residential properties sited back towards Spode Lane. The site is fairly well screened from long distant views but the site is open in places to views from within the locality of the main house.

Constraints

- 7 The site lies within the Metropolitan Green Belt, High Weald Area of Outstanding Natural Beauty (AONB) and the main Farmhouse building is Grade II Listed, with the Apple Store being curtilage Listed.

Policies

South East Plan

- 8 Policies – SP5, CC6, C3 and BE6

Sevenoaks District Local Plan

- 9 Policies – EN1, GB3A, H6B, H14A and H14B

Sevenoaks District Core Strategy

- 10 Policies – LO8 and SP1

Other

- 11 National Planning Policy Framework (NPPF)
12 Residential Extensions Supplementary Planning Document (SPD)

Planning History

- 13 SE/11/02707 - Listed Building Consent for the extension and renovation of listed farmhouse including conversion of associated farm building and rationalisation of outbuildings. Pending consideration

Consultations

Parish / Town Council

- 14 Comments received – 16.11.11

'Members of the Planning Committee of Cowden Parish Council have recently considered the planning applications referenced above. Members unanimously resolved not to support these applications on the grounds that:

- i) Members consider the proposed development to be excessive, particularly in terms of potential overdevelopment;
- ii) Members expressed doubt about the provenance of occupation of the Apple Store;

- iii) Members expressed doubt in respect of the percentage increase of the proposed extension in relation to the claimed provenance of the office cabins and other outbuildings.'

Natural England

- 15 Comments received – 16.11.11

Natural England raised no objection to the proposal but suggest several conditions to be included in any approval of planning permission. See file note for full comments.

KCC Biodiversity Officer

- 16 Comments received – 16.11.11

The KCC Biodiversity Officer raised no objection to the proposal but suggests several conditions to be included in any approval of planning permission. See file note for full comments.

The Society For The Protection Of Ancient Buildings (SPAB)

- 17 Comments received – 28.11.11

SPAB initially raised strong concerns about elements of the proposed works to the Farmhouse. However, after a meeting on site and further consultation SPAB have accepted the justification for the works and offered their support of the proposal. See file notes for full comments.

SDC Conservation Officer

- 18 Comments received – 14.12.11

'Following detailed discussions, I consider that the proposed extension would be appropriate in terms of location in relation to the existing house, scale and design. With regard to the proposed alterations to the existing building however I am not convinced that the reduction of the ground floor level, underpinning and tanking is justified in terms of the impact on historic fabric or is in any way necessary. Specialist advice should be sought to find a less drastic means of dealing with the perceived problem. In addition I am not convinced that all the existing windows need to be replaced. In summary this application is not yet at a stage where a positive recommendation can be made.'

- 19 Further comments – 08.02.11

'Following a site meeting held on 10/01/2012 the various issues raised by myself and by SPAB have been further discussed and since resolved. There are now no objections to the proposed underpinning and lowering of the ground floor levels (part) as these have been shown to be necessary in the particular circumstances of the site and the building. I therefore recommend consent subject to conditions relating the samples/details of materials, details of doors and windows (to be painted timber throughout), a detailed method statement in respect of various works e.g. underpinning new flooring.'

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Southern Water

20 Comments received – 14.11.11

‘Southern Water has no objections to the above proposals.’

Representations

21 None received.

Head of Development Services Appraisal

22 The main issues in this case are the potential impact on the Green Belt, the potential impact on the impact on the landscape character of the AONB and the potential impact on the Listed Buildings. Other issues include impact on biodiversity, neighbouring amenity, parking provision, highways safety and drainage.

Principal Issues

Impact on the Metropolitan Green Belt

- 23 Policy regarding the Green Belt contains a presumption against inappropriate development in the Green Belt. New development is only seen as appropriate if it falls into one of several categories. One of these categories is 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. The re-use of existing buildings is also potentially deemed to be appropriate development.
- 24 Policy H14A of the Local Plan clarifies this by requiring that the 'gross floor area' of the existing dwelling plus the 'gross floor area' of the extension does not exceed the 'gross floor area' of the 'original' dwelling by more than 50%, amongst other requirements.
- 25 Policy H14B of the Sevenoaks District Local Plan allows for the erection of outbuildings within the curtilage of dwellings in an AONB provided; the floor area of the outbuilding falls within the 50% allowance of the property, the cumulative floor area of all outbuildings does not exceed 40m², the outbuilding is single storey and is well designed in relation to the dwelling and the surrounding area.
- 26 Policy GB3A of the Local Plan supports the conversion and re-use of existing buildings in the Green Belt provided the proposed new use will not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it, the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction and the form, bulk and general design of the buildings are in keeping with their surroundings and respect local building styles and materials.
- 27 In addition the NPPF states that ‘local planning authorities should ensure that substantial weight is 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.’ (para. 88)

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- 28 Policy EN1 of the Local Plan states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive character of the area in which it is situated.
- 29 The original floor area of the dwelling was roughly 240m² allowing additions to the house of up to 120m². The only alteration that appears to have occurred to the property is the addition of the single storey boiler room projection, which is proposed to be removed as part of the proposed works. The proposed extensions appear to create an additional 207m² in floor area, including a basement area beneath the proposed extension and terrace area. The area of the basement is roughly 87m².
- 30 The main house was designed and originally constructed for residential use, and the proposed extensions would not facilitate the creation of a separate unit. The design of the extensions, with their subservient appearance, would be sympathetic and well articulated to main house, and would not result in a large, bulky or intrusive building in the landscape. Visually, the harm that the proposed extension would have on the open character of the area would be minimal given the location of the development and the boundary treatment of the site.
- 31 The amount of proposed floor area exceeds the permitted amount and so it is considered that the proposal would not comply with policy H14A. It is therefore necessary to assess the case for very special circumstances that applies to the proposal. This includes the fact that the Farmhouse is a Listed Building and that the basement is wholly subterranean. An assessment of this case will be carried out later in the report.
- 32 The floor area of the proposed garage and workshop outbuilding is proposed to be about 115m². Due to this proposed floor area and the cumulative floor area of the extensions and the outbuilding, the proposal fails to comply with criteria 1 and 2 of policy H14B and so would be deemed to be inappropriate development. The proposal would comply with criteria 3 and 4 in that it would be single storey in design, would be well designed in relation to the main house, compatible with the character of the area and designed and sited to minimise visual intrusion.
- 33 It is therefore necessary to assess the case for very special circumstances provided by the applicant. This includes the fact that the site would be cleared of a number of outbuildings with a cumulative floor area significantly greater than that of the proposed building. Again, an assessment of this case will be carried out later in the report.
- 34 The proposed conversion of the existing store building to further residential accommodation would not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it. External alterations to the building are proposed to be minimal with existing openings being utilised and a few additional openings being created. Some works are proposed to be carried out to the building but these are not considered to be major or complete reconstruction. Finally, bulk and general design of the building is in keeping with the surroundings and respect local building styles and materials, especially given the adjacent redundant farm buildings.

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- 35 Overall, the proposal constitutes inappropriate development in the Green Belt but very special circumstances are to be considered further later in the report.

Impact on the landscape character of the AONB

- 36 Policies relating to the AONB requires development that falls within these areas not to harm or detract from the landscape character of the area.
- 37 The character of the area is defined by the open fields that surround the site. These fields gently undulate, and the site is also surrounded by small groups of trees and so long distance views into the site are limited. Shorter views are available from the public right of way that runs along the access road directly adjacent to the site.
- 38 The main additions to the house would project to the side and rear of the property, and the proposed outbuilding would also lie to the rear of the house. The house is, and the proposed outbuilding would therefore be, some distance from the plot frontage. The existing store building, proposed to be converted, lies adjacent to the plot frontage but minimal external alterations are proposed to this building.
- 39 It is therefore considered that the proposed works would not to harm or detract from the landscape character of the AONB.

Impact on the Listed Buildings

- 40 The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 41 The proposal involves works to the Farmhouse in addition to the proposed side and rear extensions. The additions to the house are generally supported by SPAB and the Council's Conservation Officer. The extension to the side of the house replicates the general design of the existing building, using matching finishing materials, tying into the roof of the existing property and having the same depth as the dwelling.
- 42 The proposed link extension provides a modern break between the main house and the proposed rear extension, both of which are wholly acceptable in terms of their design and scale given the size and appearance of the main house.
- 43 The additional works to the building include the underpinning of the existing foundations of the building and the lowering of the floor, at ground floor level, in the proposed dining and family rooms. These works have the potential to have a significant effect on the fabric of the building, hence the concern initially raised by SPAB and the Council's Conservation Officer.
- 44 At a meeting on site, including a representative from SPAB and the Conservation Officer, further explanation for these structural works were provided. The site is found on clay and a high water table is evident. This combined with the shallow foundations has led to movement within the building, apparent from the fractures in the south and west elevations, floor distortions and cracking to the inglenook fireplace.

- 45 To combat this issue the applicants structural engineer has proposed a combination of dropping the internal floor level of the ground floor of the part of the house most affected, which are not original features of the building, and underpinning the foundations of the dwelling.
- 46 Since it has been demonstrated that these measures are required to ensure the retention of this Grade II Listed Building both SPAB and the Conservation Officer have agreed that, subject to several conditions including one relating to a detailed method statement regarding the structural works to the building, the proposed works are acceptable.
- 47 No objections are raised by SPAB or the Conservation Officer with regards the conversion of the Apple Store or the erection of the detached outbuilding. As explained above works required to convert the Apple Store are minimal and the outbuildings to be removed are more recent additions to the site and therefore have no historic links to the main Farmhouse building.
- 48 Overall, it is therefore considered that the proposal would preserve the historic fabric, the character and the setting of the Listed Buildings.

Other Issues

Impact on biodiversity

- 49 The NPPF states that When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.
- 50 Both Natural England and the KCC Biodiversity Officer have offered their support for the proposal subject to conditions to be attached to any approval of consent. These would require a method statement in accordance with the ecological report submitted and a scheme for any proposed external lighting to ensure that it is bat sensitive.

Impact on neighbouring amenity

- 51 Policies EN1 and H6B of the Sevenoaks District Local Plan require that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants. The Council's Residential Extensions Supplementary Planning Document also provides guidance relating to the design of extensions to dwellings.
- 52 The closest neighbouring residential property to the site will be the converted barn to the north of the site once it is completed. This property is roughly 30m away from the flank of the dwelling and so the proposed works would have minimal impact upon the future occupants of the converted barn.

Parking provision and highways safety

- 53 The site would retain provision for a significant number of vehicles on site, given the size of the proposed garage building and the extent of driveway proposed. The continued use of the existing access onto the site would also be acceptable.

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Drainage

- 54 Following no objection to the proposal being raised by Southern Water it is considered that the proposal would be acceptable in terms of drainage.

Access Issues

- 55 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development provides appropriate facilities for those with disabilities. The new entrance to the property appears to be accessed via a step up to it. If required by Building Regulations the applicant can be notified by way of informative that a ramp may require a further planning permission and to contact the Council to discuss the matter.

Very Special Circumstances

- 56 Very special circumstances need to be considered with regards the proposed extensions and the proposed outbuilding.
- 57 It is asserted that the fact that the building is Listed prevents a basement from being created beneath the main house, hence the location of it partly below the proposed extension and partly beneath a terrace proposed to the rear of the house. This point is accepted since the works required to create a basement would cause a great deal of disruption to the historic fabric of the building. In addition to this, the footprint of the basement is comparable to the footprint of the extended house and so is not deemed to be in any way excessive.
- 58 Finally, the basement is wholly subterranean and so would have no impact on the maintenance and the open character of the area.
- 59 Therefore, while it is acknowledged that the cumulative floor area of the extensions and the basement exceeds the allowance permitted by policy, the basement area is not deemed to be excessive in size and would have no impact on the maintenance and the open character of the Green Belt. Subsequently, it is accepted that the basement area should be discounted from the floor area calculation of the house. With this area removed from the calculation, the proposed extensions would wholly comply with the criteria of policy H14A.
- 60 Turning to the proposed outbuilding, the proposal involves the removal of a number of large outbuildings from the site, with a cumulative floor area of about 230m². The proposed outbuilding would have a floor area significantly smaller than this at about 115m².
- 61 The floor area of the proposed outbuilding would be equal to half the cumulative floor area of the existing structures. This represents a significant reduction in built form on the site, which would have the effect of significantly opening up the site given the fact that several of the outbuildings stand prominently to the front of the Farmhouse and the proposed garage and workshop would be located to the rear.
- 62 Therefore, while it is again acknowledged that the floor area of the proposed outbuilding exceeds that permitted by policy, the planning gain in clearing the site of several outbuildings and replacing them, with a single structure with a much smaller footprint, is significant. It is also the case that the Council can control future development on the site by removing permitted development rights relating to the erection of outbuildings and other enclosures.

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- 63 Overall, it is concluded that the case for very special circumstances is sufficient to outweigh the harm to the maintenance and the open character of the area that the proposal represents.

Conclusion

- 64 It is considered that the proposed development would not to harm or detract from the landscape character of the AONB and would not significantly impact upon the historic fabric, character and setting of the Listed Buildings. However, the proposal is considered to be inappropriate development in the Green Belt but circumstances exist that are sufficient to outweigh the harm that the development represents. Consequently the proposal is not wholly in accordance with the development plan but the Officer's recommendation is to approve.

Background Papers

Site and Block Plans

Contact Officer(s): Mr M Holmes Extension: 7406

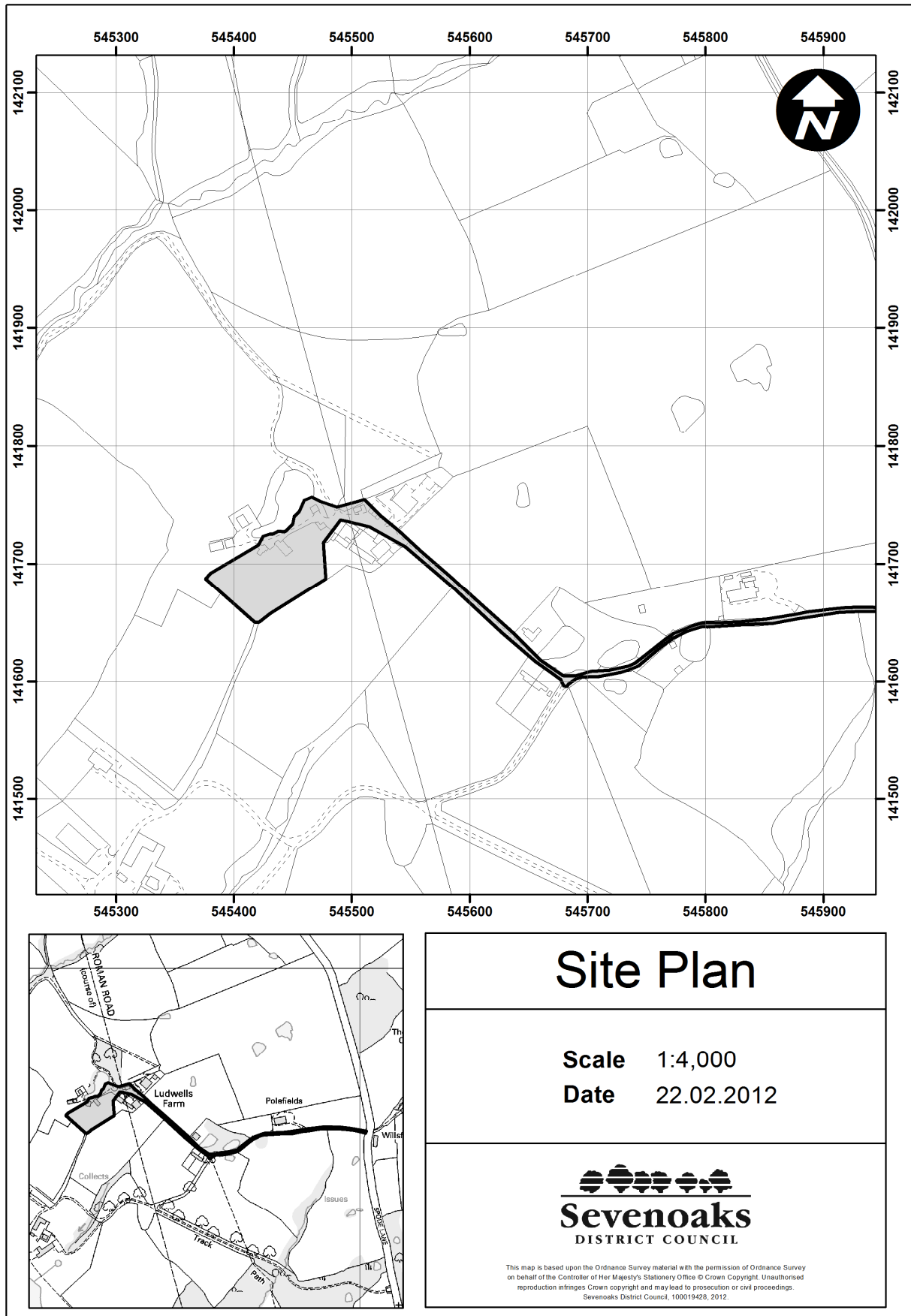
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LTCRIWBK8V000>

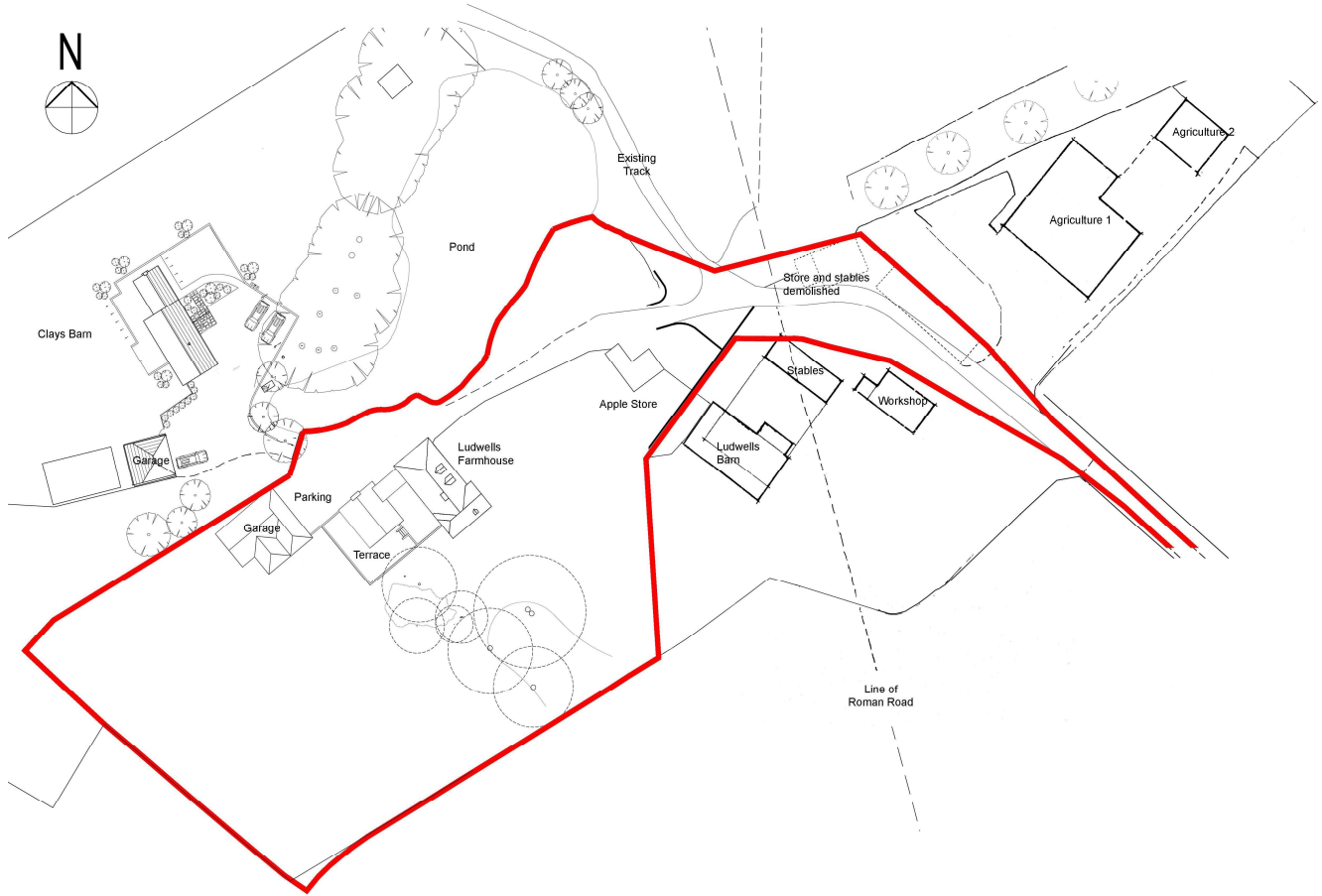
Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LTCRIWBK8V000>



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BLOCK PLAN - PROPOSED



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5.03 - SE/11/02707/LBCALT Date expired 15 December 2011

PROPOSAL: Extension and renovation of listed farmhouse including conversion of associated farm building.

LOCATION: Ludwells Farmhouse, Spode Lane, Cowden TN8 7HN

WARD(S) Cowden and Hever

ITEM FOR DECISION

This application has been referred to the Development Control Committee since the Officer's recommendation is at variance to the view of the Parish Council and in the absence of a Ward Member for the area.

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

1) The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) No works shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby granted consent have been submitted to and approved in writing by the Council. The works shall be carried out using the approved materials.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

3) No works shall take place until all door and window details, at a scale of not less than 1:20 have been submitted to and approved in writing by the Council. The works shall be carried out in accordance with the approved details.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

4) No works shall take place until a detailed method statement has been submitted to and approved in writing by the Council. The method statement shall include the works required for the underpinning of the walls and chimney of the house, the works required for the lowering and tanking of the ground floor, and the works proposed at the junction of the original house and the extension. The development shall be carried out using the approved statement and shall be completed before the first occupation of the extension hereby permitted.

To conserve the significance of the Listed Building as supported by the National Planning Policy Framework.

5) The development hereby permitted shall be carried out in accordance with the following approved plans: H10-907-001 Revision A, 002, 003, 004, 005 Revision A, 006,

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007 Revision A, 010 Revision A, 011 Revision A, 012 Revision E and 013.

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

South East Plan 2009 - Policy BE6

Sevenoaks District Core Strategy - SP1

National Planning Policy Framework

The following is a summary of the main reasons for the decision:

The development would respect the fabric, character and setting of the Listed Building.

Description of Proposal

- 1 The application seeks the approval of the erection of a two storey side extension to the main house, a link addition to the rear and a separate two storey addition. Approval is also sought for a basement area under the proposed rear extension and terrace area and the conversion of an existing former store building to provide additional accommodation.
- 2 The proposed two storey side extension would be located where an existing single storey side projection lies. This addition is proposed to tie into the main house with a large hip end over the extension.
- 3 The two storey link addition is proposed to be a mainly glazed structure, with a low flat roof, that would provide a new entrance to the building. The proposed two storey rear extension would again have a lower ridge height than the main house and would possess a traditional appearance, with a slight overhang at first floor level. The proposed basement area would be located partly below the proposed rear addition and link, and partly beneath a proposed terrace to the rear of the main house.
- 4 The proposed conversion involves a former store building, located to the north-east of the main house, at the end of what appears to be the residential curtilage of the property. The conversion would provide accommodation over two floors with minimal external alterations to the building.

Description of Site

- 5 The application site comprises a large two storey detached dwelling, with accommodation in its roof, several detached outbuildings and an associated curtilage located in a remote setting off of Spode Lane. Development in the area is sparse with a converted barn standing adjacent to the site to the north-west and several other residential properties sited back towards Spode Lane. The site is fairly well screened from long distant views but the site is open in places to views from within the locality of the main house.

Constraints

- 6 The main Farmhouse building is Grade II Listed and the Apple Store is curtilage Listed.

Policies

South East Plan

- 7 Policy– BE6

Sevenoaks District Core Strategy

- 8 Policy– SP1

Other

- 9 The National Planning Policy Framework (NPPF)

Planning History

- 10 SE/11/02706 - Full planning application for the erection of an extension and renovation of listed farmhouse including conversion of associated farm building and rationalisation of outbuildings. Pending consideration.

Consultations

Parish / Town Council

- 11 Comments received– 16.11.11.

‘Members of the Planning Committee of Cowden Parish Council have recently considered the planning applications referenced above. Members unanimously resolved not to support these applications on the grounds that:

- i) Members consider the proposed development to be excessive, particularly in terms of potential overdevelopment;
- ii) Members expressed doubt about the provenance of occupation of the Apple Store;
- iii) Members expressed doubt in respect of the percentage increase of the proposed extension in relation to the claimed provenance of the office cabins and other outbuildings.’

The Society For The Protection of Ancient Buildings (SPAB)

- 12 Comments received – 28.11.11.

SPAB initially raised strong concerns about elements of the proposed works to the Farmhouse. However, after a meeting on site and further consultation SPAB have accepted the justification for the works and offered their support of the proposal. See file notes for full comments.

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Conservation Officer

13 Comments received – 14.12.11.

‘Following detailed discussions, I consider that the proposed extension would be appropriate in terms of location in relation to the existing house, scale and design. With regard to the proposed alterations to the existing building however I am not convinced that the reduction of the ground floor level, underpinning and tanking is justified in terms of the impact on historic fabric or is in any way necessary. Specialist advice should be sought to find a less drastic means of dealing with the perceived problem. In addition I am not convinced that all the existing windows need to be replaced. In summary this application is not yet at a stage where a positive recommendation can be made.’

Further comments

14 Comments received – 08.02.11.

‘Following a site meeting held on 10/01/2012 the various issues raised by myself and by SPAB have been further discussed and since resolved. There are now no objections to the proposed underpinning and lowering of the ground floor levels (part) as these have been shown to be necessary in the particular circumstances of the site and the building. I therefore recommend consent subject to conditions relating the samples/details of materials, details of doors and windows (to be painted timber throughout), a detailed method statement in respect of various works e.g. underpinning new flooring.’

Representations

15 None received.

Head of Development Services Appraisal

16 The main issues in this case are the potential impact on the Listed Buildings.

Principal Issues

Impact on the Listed Buildings

17 The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

18 The proposal involves works to the Farmhouse in addition to the proposed side and rear extensions. The additions to the house are generally supported by SPAB and the Council’s Conservation Officer. The extension to the side of the house replicates the general design of the existing building, using matching finishing materials, tying into the roof of the existing property and having the same depth as the dwelling.

19 The proposed link extension provides a modern break between the main house and the proposed rear extension, both of which are wholly acceptable in terms of their design and scale given the size and appearance of the main house.

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- 20 The additional works to the building include the underpinning of the existing foundations of the building and the lowering of the floor, at ground floor level, in the proposed dining and family rooms. These works have the potential to have a significant effect on the fabric of the building, hence the concern initially raised by SPAB and the Council's Conservation Officer.
- 21 At a meeting on site, including a representative from SPAB and the Conservation Officer, further explanation for these structural works was provided. The site is found on clay and a high water table is evident. This combined with the shallow foundations has led to movement within the building, apparent from the fractures in the south and west elevations, floor distortions and cracking to the inglenook fireplace.
- 22 To combat this issue the applicants structural engineer has proposed a combination of dropping the internal floor level of the ground floor of the part of the house most affected, which are not original features of the building, and underpinning the foundations of the dwelling.
- 23 Since it has been demonstrated that these measures are required to ensure the retention of this Grade II Listed Building both SPAB and the Conservation Officer have agreed that, subject to several conditions including one relating to a detailed method statement regarding the structural works to the building, the proposed works are acceptable.
- 24 No objections are raised by SPAB or the Conservation Officer with regards the conversion of the Apple Store or the erection of the detached outbuilding. As explained above works required to convert the Apple Store are minimal and the outbuildings to be removed are more recent additions to the site and therefore have no historic links to the main Farmhouse building.
- 25 Overall, it is therefore considered that the proposal would preserve the historic fabric, the character and the setting of the Listed Buildings.

Other Issues

- 26 None relating to this application.

Access Issues

- 27 None relating to this application.

Conclusion

- 28 It is considered that the proposed development would not significantly impact upon the historic fabric, character and setting of the Listed Buildings. Consequently the proposal is in accordance with the development plan and the Officer's recommendation is to approve.

Background Papers

Site and Block Plans

Contact Officer(s):

Mr M Holmes Extension: 7406

Agenda Item 5.3

Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LTCRIBK8V001>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LTCRIBK8V001>

