



Sevenoaks
DISTRICT COUNCIL

Despatched: 17.10.12

DEVELOPMENT CONTROL COMMITTEE

25 October 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, Orridge, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

Pages

Apologies for Absence

Minutes

Please note that the minutes of the meeting held on 18 October 2012 will not be prepared in time for the meeting. The minutes from the meeting on 18 October 2012 will be considered at the next meeting of the Development Control Committee on 22 November 2012.

1. **Declarations of Interest or Predetermination**
Including any interests not already registered
2. **Declarations of Lobbying**
3. **Planning Applications - Group Manager - Planning's Report**
 - 3.1. **SE/12/02319/CONVAR - The Wheatsheaf , High Street, Kemsing Sevenoaks TN15 6NA** (Pages 1 - 12)
Variation of condition 8 (wheel washing facilities) and condition 12 (drawing numbers) of SE/12/00765/FUL to allow revised garage design and location and approval of wheelwashing facilities
 - 3.2. **SE/12/01617/FUL - Cold Harbour Farm, Wood Street, Swanley Kent BR8 7PA** (Pages 13 - 22)
Change of use of South Barn from equestrian use to B1 business use (retrospective)

3.3. **SE/11/03184/FUL - Land North Of Downsview, 48 Green Court Road, Crockenhill, Kent** (Pages 23 - 34)

Erection of metal fencing around perimeter of site

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 227241)

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, 22 October 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.

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3.1 - SE/12/02319/CONVAR Date expired 29 October 2012

PROPOSAL: Variation of condition 8 (wheel washing facilities) and condition 12 (drawing numbers) of SE/12/00765/FUL (Demolition of fire damaged public house with ancillary out buildings, enabling the erection of three houses with rear garaging / parking court inclusive landscaping and new footway to High Street including alterations to existing footway to provide modified access) to allow revised garage design and location and approval of wheelwashing facilities

LOCATION: The Wheatsheaf , High Street, Kemsing Sevenoaks
TN15 6NA

WARD(S): Kemsing

ITEM FOR DECISION

This item has been called to Development Control Committee by Councillor Stack to consider issues of:

- impact upon neighbours amenities and their enjoyment of their outdoor amenity space as a result of the enlarged garage block; and
- the negative impact of the development upon the nearby listed buildings as a result of the bulk and size of the enlarged garage block

RECOMMENDATION:

A) That subject to the submission of an agreed and signed Deed of Variation in respect of the Affordable Housing Contribution by midday on 29th October 2012, planning permission be GRANTED subject to the conditions below:

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 occupation shall commence 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);
- 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
- details of all materials proposed for hard landscaping.

The scheme shall be carried out in accordance with the approved plans. If within a period

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of 5 years from the completion of the planting scheme any of the plants die, become diseased, are damaged or removed, the plants shall be replaced with a species, of a size and in a position to be agreed with the Local Planning Authority.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

3) No occupation shall take place until the first floor bathroom window in the flank elevation of unit 1 has been fitted with obscured glass and fixed permanently shut. The window shall be retained permanently as such thereafter.

To protect the privacy and amenities of the adjacent residents in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

4) Notwithstanding the submitted drawings, no occupation shall take place until details have been submitted to and approved in writing by the Local Planning Authority of details of any repairs/replacement to the existing boundary wall between this site and the adjacent houses of St Ediths View, Well Cottage and Rose Cottage. The scheme shall be carried out in accordance with the approved plans before occupation and shall be permanently retained as such thereafter.

To ensure a satisfactory appearance within this conservation area in accordance with the provisions of policies EN1 and EN23 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

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

In the interests of the character and amenities of the surrounding Conservation area.

6) No window(s) or other opening(s) shall be inserted at any time in the houses or garages hereby approved without the prior approval in writing of the Local Planning Authority despite the provisions of any Development Order.

To protect the amenities of nearby residents and character and appearance of the surrounding conservation area in accordance with the provisions of policies EN1 and EN23 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

7) No occupation of the development hereby permitted shall take place until the access, garaging, car parking and turning areas shown on the approved plan have been provided. Thereafter no development shall take place that would prevent the permanent use of the access, garages and parking spaces for that purpose.

To ensure satisfactory levels of off street parking.

8) No occupation shall take place until the means of enclosure on the approved plans (and as approved pursuant to condition 4) have been implemented in accordance with the approved plans.

To safeguard the privacy of residents and the visual amenity of the area, as supported by Policy EN1 of the Sevenoaks District Local Plan.

9) No occupation shall take place until details have been submitted in writing to and approved by the Local Planning Authority of a scheme to demonstrate that the visibility splays shown on the approved drawing can be achieved. No occupation shall take place

until the visibility splays are formed in accordance with the approved scheme. Thereafter no development or planting shall obscure the visibility splays between a height of 0.6m above ground - 2m above ground.

In the interests of highways safety.

10) The scheme shall be constructed using the following materials unless otherwise agreed in writing by the Local Planning Authority: Wienerberger Bloomsbury Multi Stock Brick, Terca Baggeridge Warnham Red Stock, Keymer Traditional Elizabethan Tiles, Sandtoft Village Blend tiles, Redland Cambrian Natural Weathered Slates.

To ensure satisfactory appearance upon completion.

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

In the interests of the character and amenities of the surrounding Conservation Area.

12) Wheelwashing facilities shall be provided on site for the duration of the development works and shall be provided in accordance with the details shown on drawing number PLK-104.

To ensure that no mud or other debris is deposited on the nearby public highway.

13) The scheme shall be carried out in accordance with the following plans: PLK-500, PLK-004C, 009C, 020A, 100, 101F, -103, 104, 010C, 1002B, 200, 202, 203, 204.

In the interests of the proper planning of the area.

Or,

B) If an agreed and signed Deed of Variation has not been submitted by midday on 29th October 201 permission shall be REFUSED because –

The proposed development makes no provision for a contribution towards the Councils Affordable Housing initiative and, nor has it been demonstrated that such a contribution would render the scheme unviable. This scheme is therefore contrary to the provisions of policy SP3 of the Sevenoaks Core Strategy and policy H3 of the South East Plan.

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

The South East Plan 2009 - Policies H1-H5, BE6, C3, T1, T4

Sevenoaks District Local Plan - Policies SP1 SP2 SP3 L07

Sevenoaks District Core Strategy 2011 - Policies EN1 VP1 EN23

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

The development would preserve those trees on the site which are important to the visual amenities of the locality.

The development would preserve the special character and appearance of the

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Conservation Area.

The development would preserve the setting of the adjacent listed buildings

Any potentially significant impacts on the amenities of nearby dwellings can be satisfactorily mitigated by way of the conditions imposed.

The development makes provision for the safe means of vehicular access to and from the site.

Description of Proposal

- 1 Variation of Condition 8 (wheelwashing facilities) and the variation of Condition 12 (drawing numbers) of planning application ref SE/12/00765/FUL (erection of three houses with rear garaging/parking forecourt with ancillary landscaping and a new footway) to revise the design and siting of the garage block approved and approve wheelwashing facilities.
- 2 The approved garage comprises a block of three single-width garages, 6m x 11.2m in size with an eaves height of 2.4m and ridge height of 3.879m. The block would be sited, broadly at right angles to the rear boundary of Well cottage towards the rear of the site. It would be set back from the boundary with Well Cottage by between 5 - 7m.
- 3 The scheme now proposed increases the depth of the garage block by adding storage areas at the rear of each garage – this results in a footprint of 11.2 x 9m. The eaves height would be 1.8m where facing towards Well cottage and 2.5 on the front of the garage block. The ridge height would increase to 4.039m and the block would now sit between 2m–4m off the rear boundary of Well Cottage.

	Approved Scheme	Proposed Scheme
Width	11.2m	11.2m
Depth	6	9
Eaves	2.4	1.8 & 2.5
Ridge	3.879	4.039
Distance – Well Cttge Boundary	5 – 7	2 – 4

- 4 The wheelwashing facilities would comprise an external tap and power supply to be located adjacent to the proposed access to the rear of the site.

Description of Site

- 5 The site comprises a part two part single storey unlisted building formerly in use as a public house. It has been partly burnt out and the site is now closed up.

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- 6 It lies on land that rises from the adjacent highway and is set between St Ediths View, an attractive 2 storey house to the west and the access to the public car park at the rear to the east. Beyond the car park entrance lies the village hall. Opposite lie a range of two storey dwellings and commercial uses. Behind St Ediths View lies another residential property.
- 7 The site lies within the Conservation Area and the CA Appraisal identifies it and neighbouring buildings as forming part of an important group of buildings and as contributing to the character of the CA. In fact all buildings along this stretch of the High Street are considered to contribute to the character of the area.
- 8 The site has good levels of planting along its eastern edge – where adjacent to the car park and entrance. Some planting exists at the front of the site and along the western boundary with St Ediths View.
- 9 The building originally comprised a part brick, part stone, part rendered structure that had been extended to the rear with a timber clad pitched tiled extension running along the rear boundary with St Ediths View and then turned into the centre of the site. In terms of height it was a part two storey part 1½ storey part single storey building. The rear was used as a pub garden with parking at the front of the site.
- 10 An oval shaped area of grass lies between the front of the pub and the High Street. This area of hardstanding appears from photographs to have been used for parking, turning and seating at various stages in the history of the pub.
- 11 The village hall and the houses on the other side of St Ediths View, adjacent to the site, are all listed.

Constraints

- 12 Conservation Area, built confines of Kemsing, AONB, Area of Archaeological potential

Policies

South East Plan

- 13 Policies - BE6 C3 H1-H5

Sevenoaks District Local Plan

- 14 Policies - EN1 EN23

Core Strategy

- 15 Policies - SP1 SP2 SP3 L07

Other

- 16 National Planning Policy Framework

Relevant Planning History

- 17 SE/12/0766 Demolition of the existing public house

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SE/12/00765/FUL Demolition of public house to enable the erection of three houses with rear garaging/parking court, landscaping and new footway. Granted

Consultations

Parish / Town Council:

18 Recommend approval

Representations

19 None received at time of writing report:

Group Manager - Planning Appraisal

Principal Issues

- 20 This application essentially seeks to grant permission for the whole development again, i.e. the three houses with access drive, albeit with a different design and siting of the garage block and approving details of wheelwashing facilities on site. These two elements are therefore the only aspects of the application that can be considered afresh. The original report is replicated below with additional comments relating specifically to the issue of the garage and wheelwashing facilities.
- 21 The main issues concern the design/appearance of the proposed houses and their impact upon the surrounding conservation area, impact upon nearby listed buildings, impact upon neighbours' amenities, impact upon adjacent highway, affordable housing and the acceptability of the wheelwashing facilities.

Design/Impact upon Conservation Area

- 22 The original pub comprised a part single, 1½ /2 storey building with elevations encompassing a number of materials/designs – bricks, first floor tile hanging, Kentish ragstone. It has been partially burnt out and Conservation Area Consent has been granted for its demolition. The pub lies at the apex of the bend and is set back to a point level with the front of the adjacent cottage St Ediths View. It sits some distance behind the line of the adjacent village hall St Ediths Hall. The vehicular access to the site curves around an oval landscaped area immediately adjoining the road.
- 23 The proposed new houses would face directly onto the High Street as did the pub but would be set further forward, closer to the High Street: by some 4m. As can be seen from the streetscene the total height of the proposed new houses would be partly higher and partly lower than the various ridge heights of the pub. The pub sits on higher land than the adjacent house and consequently will have a higher ridge height than that property. The proposed terrace will stretch further across the site than the pub.
- 24 It is this movement further forward on the site, in combination with the increased width of the building that would have the most impact upon the character of the surrounding village and Conservation Area, compared to the pub. The adjacent houses face onto the High Street with a set back of some 6-8m from the back edge of the road following the curve of the road at this point. This building needs to address the High Street 'squarely' rather than follow the line of the adjacent

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houses because it lies at the apex of the bend in the road: any other position would expose a side elevation to the highway and would not reflect adjacent forms of development. The building would be set back from the pavement by 6.2-10.5m: a distance which is comparable to nearby buildings. It would project no closer to the road than the village hall to the east.

- 25 Whilst this will erode the sense of space around this part of the Conservation Area it is not considered that this in principle is unacceptable: at present part of the flank wall of St Ediths View is exposed as it projects beyond the pub (when viewed from the east) and this position will be reversed as part of the flank wall of the new terrace would be visible beyond St Ediths View when viewed from the west. Also it is considered that the general set back of this terrace from the highway will prevent this part of the High Street feeling cramped.
- 26 The design proposed is considered to be acceptable – taking enough leads from adjacent development to fit comfortably within the wider streetscene: this part of the village actually exhibits a quite diverse range of building styles – all of traditional design, albeit the houses closest are of a similar style and form and certainly utilise similar materials to each other. Local residents have previously suggested (as part of the previous application) that the scheme lacks a particular Kentish feel, and would be an inoffensive albeit bland design.
- 27 The materials proposed are a red multi stock brick with clay tile hanging, and clay tiles for the main roof. The roofs of the single storey rear extension and the garage block are a shallow pitch and an artificial slate is proposed.
- 28 To the rear of the site would lie the garage block – a brick structure with a relatively shallow pitched roof – to be finished in artificial slates. The approved scheme, reduced the size of the garage, as described above, following objections from the nearby residents, and was approved as a block of three single garages lying at right angles to the proposed houses at the end of the plot. That scheme resulted in a building that lay between 11-16m from the rear wall of the adjacent cottages, (5 - 7m from their rear garden walls) and with an eaves height of 2.4m and ridge height of 3.879m. The scheme now proposed would lie 3m closer to the adjacent cottages, as a result of the single storey storage areas attached to the rear of the garage block. The eaves height would be approximately 10cm higher and the ridge height would be 16cm higher than the approved scheme.
- 29 The approved scheme clearly results in a building with a smaller footprint for the garage block and one that sits further from the rear gardens of the neighbouring houses. This is clearly preferable in terms of the impact of the scheme upon the surrounding Conservation Area. Although preferable, that does not however make the impact of the scheme now proposed unacceptable. The design and impact upon the surrounding CA is considered acceptable.

Impact upon Setting of nearby Listed Buildings

- 30 The nearest listed buildings lie to the west of the site, adjacent to the rear boundary by the proposed garage block. Previously these cottages would have overlooked the rear of the site that contained a single storey extension stretching back into the site from the rear of the pub. As a result of this scheme a detached garage block of three garages is sited partially in the same position as the end of that original single storey extension.

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- 31 The garage/store block in its revised position would lie between 2–4m from the rear boundary of the adjacent cottages (8.4–13.4 m from the rear of the dwellings). It would have a traditional design – with brick elevations and a pitched slate roof. The two sites are separated by a stone wall which forms the rear garden wall. It is approximately 1.75m high at the rear of Well Cottage. The eaves height of the garages would be 2.5m with a ridge height of just over 4m. With these respective heights and the distance between the cottages and proposed garage block it is not considered that the setting of the two cottages will be harmed by this garage block.
- 32 St Ediths view, next to the site is not listed although a very attractive house

Neighbours Amenities

- 33 The proposed scheme would have less impact upon the neighbours in terms of noise and disturbance compared to the original use of the site but will result in a different physical form that will impact differently upon the adjacent neighbours than the previous scheme.
- 34 The cottages at the rear of the site will overlook the rear of the site – looking at the proposed garage block. The block has been increased in size and moved closer to the shared boundary compared to the approved scheme. The rear garden of Well Cottage is some 7m in length with a 1.75 boundary wall. The garage block would lie some 8.4-13.4m from the rear wall of this cottage and 2-4m from the boundary of this cottage. With an eaves height of 2.5 and ridge height of 4m it is not considered that this would amount to a significant harm to the amenities of these residents – albeit they previously objected that they do not wish to look at the garage roof above their wall. The ability to see the development would not in itself be harmful.
- 35 Those residents to be most affected by this scheme would be the residents of St Ediths View, adjacent to the front of the site. Their garden lies at the side/rear of the site – most of their rear garden being taken up with an extension. The flank wall of the proposed terrace will lie closer to the shared boundary than the existing pub and will in total present a longer elevation to those residents – albeit more of this is positioned at the front of the site rather than at the rear: that element projecting to the rear of St Ediths View would be single storey.
- 36 The neighbour to this site previously objected on the grounds of the impact of a bathroom window in the flank wall at first floor of the nearest house being adjacent to their garden, the originally proposed gable end being adjacent to their garden with subsequent impact and concerns about the shared boundary wall being retained and repaired and the proximity of the site to a watercourse/stream. The plans have been amended to remove the gable end and hip the roof facing towards St Ediths View, the first floor bathroom window however remains: this can of course be subject to a condition to obscure glaze the window and ensure that the lower half of the window remains permanently shut.
- 37 The submitted streetscene shows that the proposed houses would be no higher than the ridge line of the pub where adjacent to St Ediths View albeit marginally closer. However the major impact would result from the forward projection of the terrace compared to the pub. The houses would sit some 3.6m further forward at two storey level than the pub with a ground floor bay projecting 0.6m further forward still. This will result in the loss of some sunlight and early morning

overshadowing of the front/side neighbouring garden. Certainly visually this will mark a significant change to the outlook from the front of the adjacent property. This site lies at the apex of a steep bend within the High Street where front building lines do move forward to maintain a broadly even distance from the public highway. The pub was set back to allow for parking in front so in building terms had less impact visually. However whilst a more significant impact upon the side/front garden of the neighbouring house would result, given a separation distance between the front elevation of over 11m it is not considered that the impact would be so significant as to be unacceptable.

Impact upon highways:

- 38 The original pub existing on this site had an in/out parking area at the front of the pub, so two potential exists onto the highway. This scheme proposes a single access for three houses lying on the eastern flank of the site adjacent to the entrance to the village car park at the rear of the site. Given the level of traffic that could previously have used the site no objections are raised to the location of the access – it lying in that part of the site giving most visibility around this corner.

Affordable Housing:

- 39 Policy SP3 of the Core Strategy requires an off site contribution towards the Councils Affordable Housing strategy. A contribution was offered via a signed S106 agreement with the original scheme. This needs to be subject to a Deed of Variation and subject to the receipt of an acceptable agreement this element of the policy is complied with.

Other Issues:

- 40 Wheelwashing Condition: The Councils standard wheelwashing condition was attached to the previous permission. The submitted drawing shows an external tap and power supply to provide wheelwashing facilities to be located adjacent to the proposed access to the rear of the site. This is considered acceptable and the drawing number can be amended to agree this provision.
- 41 Boundary Wall: Pre-application discussions had considered that a white picket fence to match that of the adjacent houses would be appropriate in front of the houses. Local residents have suggested that a ragstone wall would actually be more representative of the local vernacular and that should replace the picket fences proposed. The applicant has not agreed to change the plans to reflect this and it is considered that the picket fence would tie in this scheme with the adjacent properties that also have a picket fence. The scheme does not justify a refusal on this basis.
- 42 Car Park: Concern has been expressed that this application ignores the future of the adjacent village car park. The car park is leased by the Council and could therefore be brought back into the control of the applicant after a suitable period of notice to cease the car park use. Whilst it would have been preferable to deal with this site and the car park at the same time, ultimately the Council has to determine the application put in front of it. We are not aware at this stage of what is proposed for the car park or when such a proposal could come forward. In the meantime the car park remains in that use. It is not considered that the development of this site actually prejudices the future of the car park - just that a

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different scheme could have evolved over a single larger site than the two sites individually.

Access Issues

43 Will be dealt with as part of any B Regs application.

Conclusion

44 This site lies at the heart of the village and comprises the burnt out shell of the former Wheatsheaf pub. Whilst previously an attractive building, Conservation Area Consent has already been granted for the demolition of the pub.

45 The proposed scheme would comprise a terrace of three houses sited forward of the existing position of the pub with a block of three garages sited towards the rear of the site. Access would be via an access at the side of the houses, adjacent to the vehicular access to the car park. No provisions are made for the existing car park at the rear of the site which remains outside the site.

46 The design is considered to be sympathetic to the local character and scale – although the building proposed would be significantly larger than the pub it would replace. However in conjunction with the use of good quality materials it is considered that this scheme would preserve and enhance the surrounding conservation area.

47 The garage block previously approved is now proposed for enlargement by the addition of three store rooms at the rear of the block. This would result in the block lying closer to the neighbouring residents with a higher eaves and ridge line. Overall it is not considered this, the only change from the previous grant of permission would warrant a refusal of permission.

48 The proposed wheelwashing facilities are considered acceptable.

Background Papers

Site and Block Plans

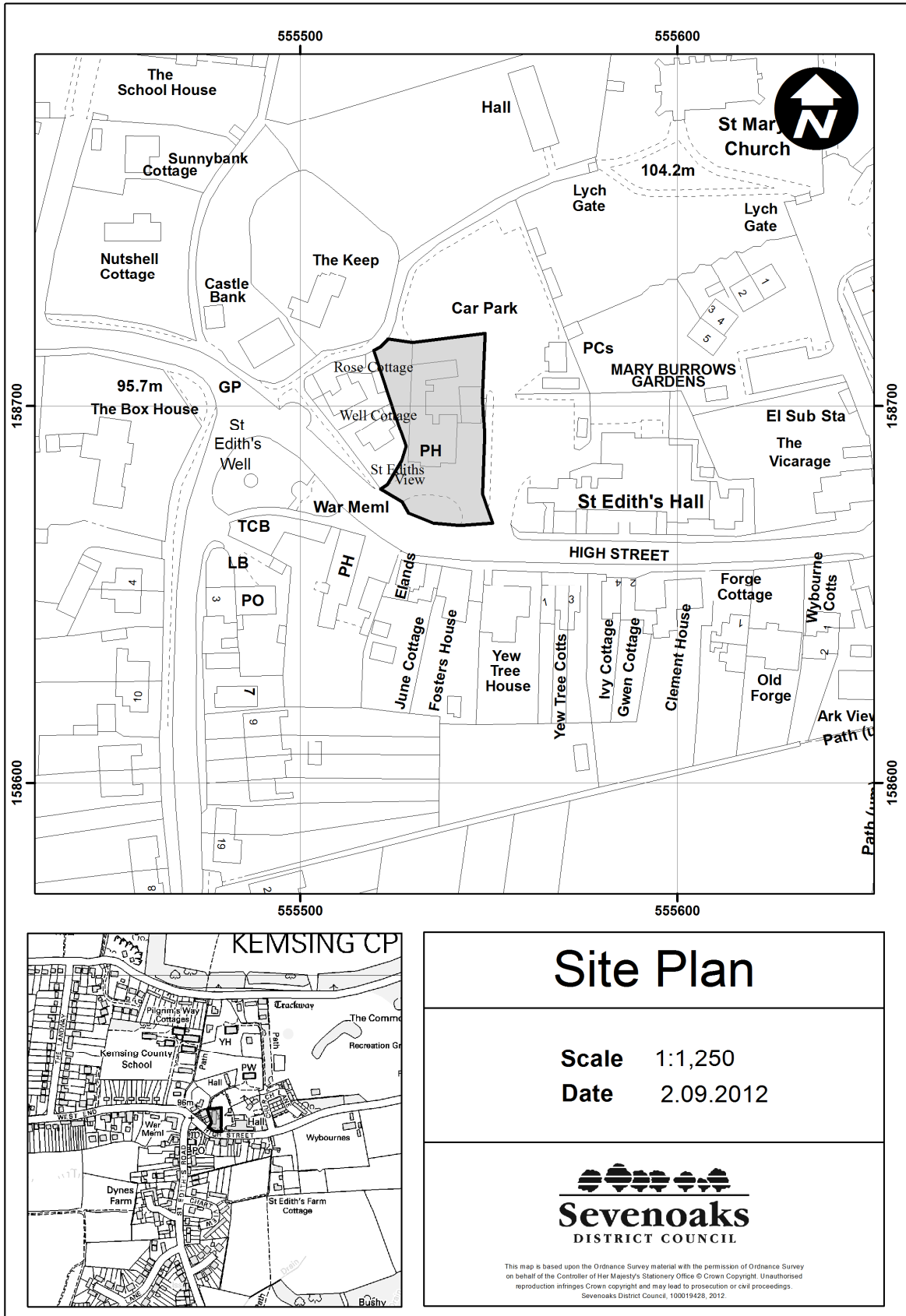
Contact Officer(s): Lesley Westphal Extension: 7235

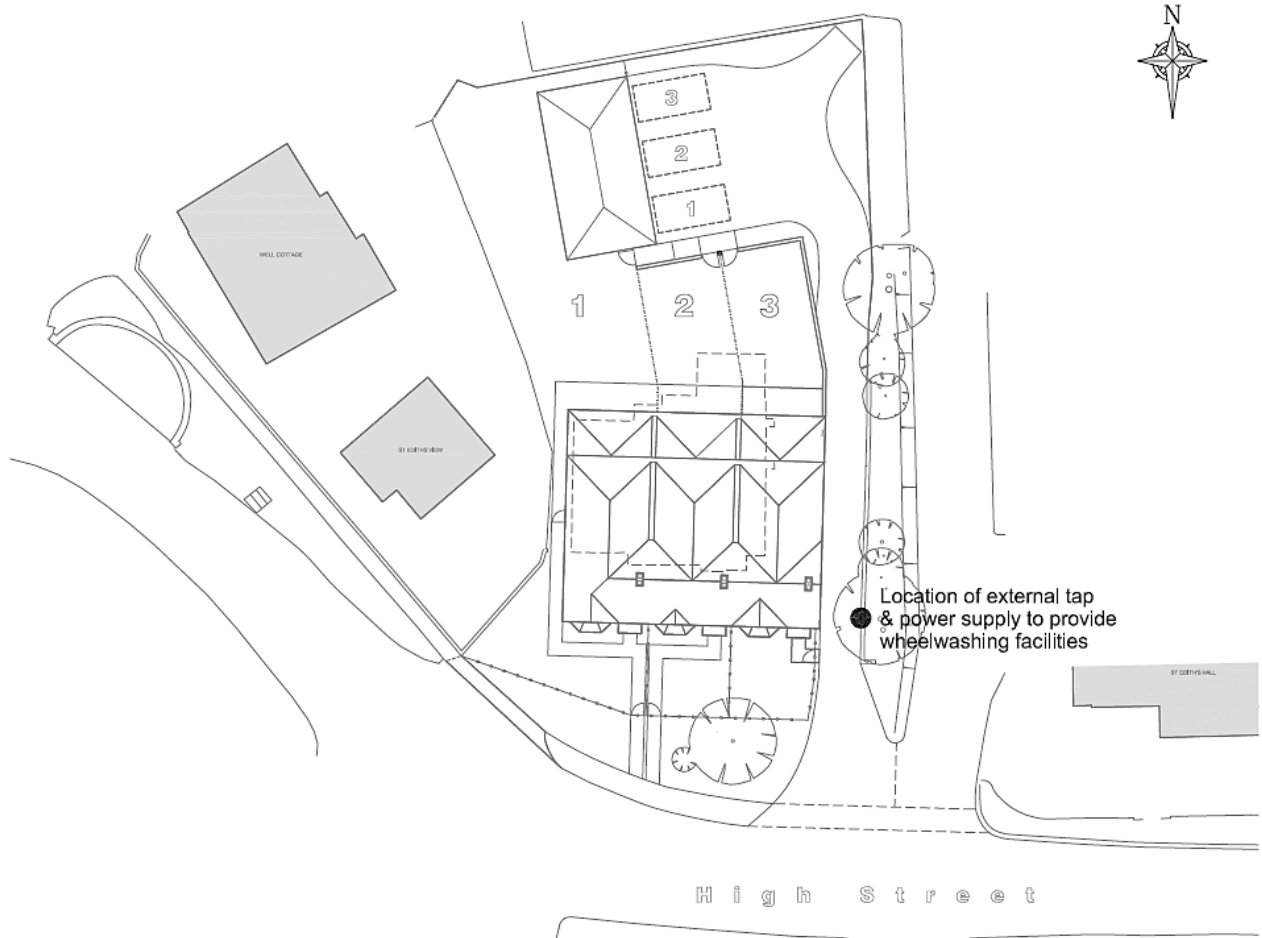
Kristen Paterson
Community and Planning Services Director

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M9RI79BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M9RI79BK8V000>





SITE PLAN - WHEEL WASH

3.2- SE/12/01617/FUL Date expired 16 August 2012

PROPOSAL: Change of use of South Barn from equestrian use to B1 business use (retrospective)

LOCATION: Cold Harbour Farm, Wood Street, Swanley Kent BR8 7PA

WARD(S): Swanley Christchurch & Swanley Village

ITEM FOR DECISION

This item has been referred to the Development Control Committee by Councillor Brookbank to consider the issues of impact upon the surrounding Green Belt and visual amenities of the adjacent Conservation 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) The materials to be used in the construction of the development shall be those indicated on the approved plan 1957/5A.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) Prior to the commencement of the proposed use, the parking spaces shown on drawing reference 1957/6A rev 09/12 shall be provided and maintained for parking permanently thereafter. Details shall be provided to and be approved in writing by the Local Planning Authority of the surfacing proposed for the parking spaces 6 -9 and associated turning area, as shown on drawing reference 1957/6A (received 1.10.12) prior to the commencement of works. The scheme shall be implemented in accordance with the approved details.

To ensure adequate off street parking in accordance with the provisions of policies EN1 and VP1 of the Sevenoaks District Local Plan.

4) The scheme is required to achieve BREEAM Very Good standards and prior to the first use of the site details shall be submitted in writing to and be approved in writing by the Local Planning Authority to demonstrate that these standards have been achieved.

To ensure a sustainable form of development and to comply with policy SP2 of the Sevenoaks Core Strategy.

5) The landscaping shown on drawing number 1957/6A shall be planted during the first available planting season following the commencement of development hereby approved. Any plants that die within 5 years of being planted shall be replaced with a species, of a size and in a location to be agreed with the Local Planning Authority.

To ensure a satisfactory appearance to the completed scheme in accordance with the

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provisions of policy EN1 of the Sevenoaks District Local Plan.

6) Works to the building hereby approved shall be carried out in accordance with the approved plans and the building shall be used only for uses falling within Use Class B1 and no external changes or change of use shall take place without the prior written approval of the Local Planning Authority, including any changes permitted by the Town & Country Planning (General Permitted Development) Order (or any subsequent amendments).

To ensure a satisfactory impact upon the surrounding Green Belt and adjacent Conservation Area in accordance with the provisions of the National Planning Policy Framework.

7) The development hereby permitted shall be carried out in accordance with the following approved plans: 1957/1,2B rev 10/12,3,4A rev 08/12,5A rev 08/12,6A, 1957/6A (rec'd 4.10.12), rev 09/12,

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:

The South East Plan 2009 - Policies SP5, T1, T4, BE6 & RE3

Sevenoaks District Local Plan - Policies EN1 & VP1

Sevenoaks District Core Strategy 2011 - Policies LO8, SP1, SP2 & SP8

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

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

The traffic movements generated by the development can be accommodated without detriment to highway safety.

The development is considered to be appropriate development within the Metropolitan Green Belt.

Description of Proposal

- 1 The retrospective change of use of South Barn from equestrian use to B1 Business Use.
- 2 The existing barn was approved in 2001 as part of a larger scheme including the erection of a stable block, sand school and new vehicular access. Its use was for the storage of jumps, trailers, tack and other equine equipment.
- 3 This application seeks a retrospective change of use to a B1 Business Use. The applicant advises that a change of use to a B1 use has already taken place and that since May 2008 a wine import/export business has operated from this building. We are advised that this business employs 2 people and currently uses 2 car spaces and 1 van space.

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- 4 This current application seeks to formalise the change of use of the premises to allow an existing business owned by the new owner of Coldharbour Farm which currently operates out of the Blue Chalet industrial Estate in West Kingsdown to move to this site.
- 5 The business proposed entails the testing of oil from facilities such as power stations to determine any potential problems with the equipment (gases are extracted from the oil from which it is possible to diagnose problems). The oil samples are delivered on average once per day by van. Small amounts of oil are kept on the premises and waste oil is collected once every 6 months by a waste collection agent. The company employs 5 people. We are advised that at present two employees would be able to walk to work whilst one lives next door. In addition to the above vehicular movements equipment is serviced every month and other visitors to the site would be anticipated to be approximately 2 – 3 times per week. Total traffic movements are anticipated to be 4-6 per day. Hours of work would be 9-5 Mondays to Fridays with the occasional emergency work necessary.
- 6 Sufficient car parking would be provided for 11 Cars with sufficient turning space within the site to enable access to the highway in a forward direction.
- 7 Externally the barn will be re-clad with timber weatherboarding and profile sheet roofing with new windows in grey. The front and rear elevations will be re clad and timber barn doors will be added. In all a more traditional appearance than this barn currently enjoys. The car park will be surfaced with either bonded gravel or granite setts and a new sliding gate will be installed across the access to the site – which is set back from Wood Street by a minimum of 7m.

Description of Site

- 8 The site lies in the countryside to the north west of Wood Street. It lies between two other commercial buildings (previously converted agricultural and stable buildings) in a small complex sitting close to the public highway. An existing vehicular access into the site is shared with the adjacent B1 units. The site sits alongside a public footpath on land that rises uphill from the west.

Constraints

- 9 Green Belt, edge of the adjacent Conservation Area

Policies

South East Plan:

- 10 Policies - SP5 T1 T4 BE6 RE3

Sevenoaks District Local Plan

- 11 Policies - EN1 VP1

Core Strategy:

- 12 Policies -L08 SP1 SP2 SP8

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Relevant Planning History

- 13 SE/03/01641/FUL Application to remove/vary conditions including those restricting the commercial use of this site. Refused and partially allowed on appeal: the Inspector attached a replacement condition allowing the use of the stables for livery purposes but preventing their use for the hiring of horses or as a riding school on the basis that such uses would need to be considered in terms of their impact on visual amenities of the area and potential highways impact.
- 14 SE/03/00219/REM Replacement stable block and barn with vehicular access
Granted
- 15 SE/01/01913/OUT Replacement dwelling and other buildings including replacement stables, barn and sandschool. Granted

Consultations

KCC Highways

- 16 This proposal has been considered and assessed against the previously permitted use of the site and the following should be noted:

Whilst a B1 use has the potential to generate a small increase in vehicle movements when compared to the previous ancillary equestrian storage use, there is likely to be an associated decrease in potential HGV or other larger vehicle movements to and from the site with this use. Furthermore, the means and scale of site access secured for the previous use dictates that the access is suitable for the type of vehicles associated with the proposed B1 use. Also, the adjacent larger site to the north which is served by the same access onto the highway network has a permitted B1 use with no objection having been raised by KCC highways to the means of access at the time that the permission was granted.

I would therefore not wish to raise a highway objection to the principle of a B1 use at this site served from the existing access. However, it is noted that the proposed on-site parking provision is more reflective of a storage type use than that of a B1 use which, for a building of this size equates to a maximum of 11 spaces which is well in excess of that being offered. It is also noted however, that scope appears to exist on site to provide significantly more formal car parking spaces than currently shown and it is therefore strongly recommended that the parking layout be reviewed and amended with a view to securing as close to the 11no. maximum space recommendation as possible.

Parish / Town Council

- 17 The Town Council objects to this application as the site is situated within the Metropolitan Green Belt and adjacent to the Village Conservation Area. Further development will lead to a loss of visual amenities as well as being detrimental to Highways safety due to the potential for increased traffic.

The Town Council has regularly drawn attention to the proliferation of this site and this latest application is further continuation of that

Representations

- 18 None received.

Group Manager - Planning Appraisal

Principal Issues

- 19 The main issues concern the principle of the change of use, impact upon the Green Belt, impact upon adjacent conservation area, neighbours amenities, highway safety and sustainability issues.

Principle of change of Use

- 20 The site lies within the Green Belt and the National Planning Policy Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The re-use of buildings (provided the buildings are of permanent and substantial construction and that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt) is considered to be appropriate development. This policy is reflected at a local level in policy GB3A. That policy advises that the re-use of buildings can be permitted providing:

- the proposed use will not have a materially greater impact than the present use on the openness of the Green Belt;
- that the buildings are of permanent and substantial construction and that the form bulk and general design of the buildings are in keeping with their surroundings.

- 21 Core Strategy Policy LO8 is supportive of development that supports the maintenance and diversification of the rural economy including development for small scale business development. This policy recognises that the rural economy has traditionally relied upon agriculture but has increasingly diversified. The Council will support small scale development proposals that contribute to the diversification of the rural economy where these are compatible with policies to protect the countryside. In particular the Core Strategy advises that support will be given to business developments that re-use existing buildings and there will generally be a preference for commercial over residential development when considering changes of use for rural buildings.

- 22 It should also be noted that the NPPF *supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.*

- 23 On this basis it is considered that the principle of the change of use is acceptable.

Impact upon Green Belt

- 24 The impact of the proposal arises from the building itself and its impact upon the openness of the surrounding Green Belt, and the impact upon the character of the Green Belt as a result of the activity associated with the business.
- 25 The building is already in existence and the changes proposed to the external appearance would give it a more traditional feel that would not cause any greater harm to the openness or visual amenities of the Green Belt than the current building.

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- 26 Although the wine import/export business has been in existence on this site for approximately 4 years that use is not yet a lawful use and an assessment of the impact of the proposed use should be compared to the approved use of the barn.
- 27 The proposed parking area largely utilises an existing area of hardstanding and this in itself would not impact upon the openness of the Green Belt. Clearly its use for parking would have some impact upon the openness of the Green Belt – albeit transient. Given the scale of the parking area proposed and the containment of this space largely between adjacent buildings, it is not considered that this would cause such visual harm to the character and openness of the surrounding Green Belt as to warrant a refusal of permission.
- 28 The use of the site for the storage of goods associated with an equestrian use of the site could undoubtedly have led to the use of the site by commercial vehicles and horse boxes but it is impossible to speculate as to the level of such traffic movements. The adjacent stables could lawfully have been used for livery which would have generated more traffic than their use by a single owner. However it is considered likely that the use now proposed would result in more traffic regularly accessing the site than would have been the case previously. However the original application ensured that the access would be sufficient for use by larger vehicles and such traffic as may need to visit this site could do so in a safe manner. It is anticipated that the level of traffic predicted to use the site would be able to access the site without causing significant impact upon the character of the surrounding countryside or Green Belt, compared to the existing use.

Impact upon Conservation Area

- 29 The site lies outside but adjacent to the Conservation Area (CA) boundary. The site lies on rising land that would make it visible from within the Conservation Area. However it already exists with a more utilitarian appearance than would result from the external works proposed. It is considered that the scheme would give the building a more traditional appearance that would be acceptable in terms of its impact upon the wider CA.
- 30 The area of hardstanding proposed for use for parking is already partially present and will be re-surfaced. An extended area of hardstanding is however proposed that would add further to the scope of built form in the immediate vicinity. This could be dealt with in a manner that would minimise the impact visually on the surrounding area i.e. a modular system such as grasscrete or similar. This area however would lie behind gates and fences and would have a minimal impact upon the adjacent Conservation Area.

Neighbours Amenities

- 31 The surrounding neighbours lie sufficiently far from the site that any direct impact upon their amenities should be avoided. A B1 use is also of course, by definition, a use that can be carried on in a residential area without causing harm to the neighbours amenities.

Highways

- 32 The plans have been amended to demonstrate sufficient on site parking and as can be seen from the County Highways assessment it is considered that the access itself would enable safe access and egress to/from the site. Other commercial uses lie in

close proximity to the site and appear to operate without causing any highway safety issues.

Sustainability

- 33 The NPPF and local planning policies seek to ensure that new development is sustainably located. Whilst sites in locations such as this encourage unsustainable means of travel i.e. private car, equally they can provide more localised employment that prevents longer journeys. It is considered that this scheme would result in a relatively modest enterprise that would comply with the general approach to support the rural economy through the conversion of existing buildings.

Other Issues

Proliferation of development on this site

- 34 This site has, over a period of some years, been the subject of a number of applications for the erection of rural buildings and outbuildings for which permission has subsequently been sought for a change of use. The erection of these buildings has undoubtedly led to a change of character and more intensive development of this site than was originally the case. However each such application has to be judged on its merits at the time the application is submitted and judged against then applicable policies, as has been discussed above.

Access Issues

- 35 To be dealt with as part of any Building Regulations application.

Conclusion

- 36 This site lies in the Green Belt and comprises changes of use and external appearance to an existing building to facilitate a B1 use. It is considered that the change of use sought and the impact upon the surrounding area is compliant with policies seeking to protect this area.

Background Papers

Site Plan

Contact Officer(s): Lesley Westphal Extension: 7235

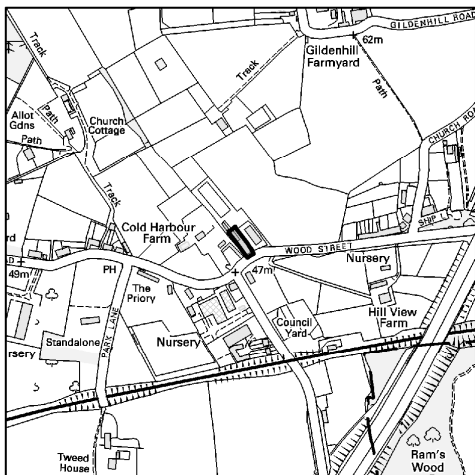
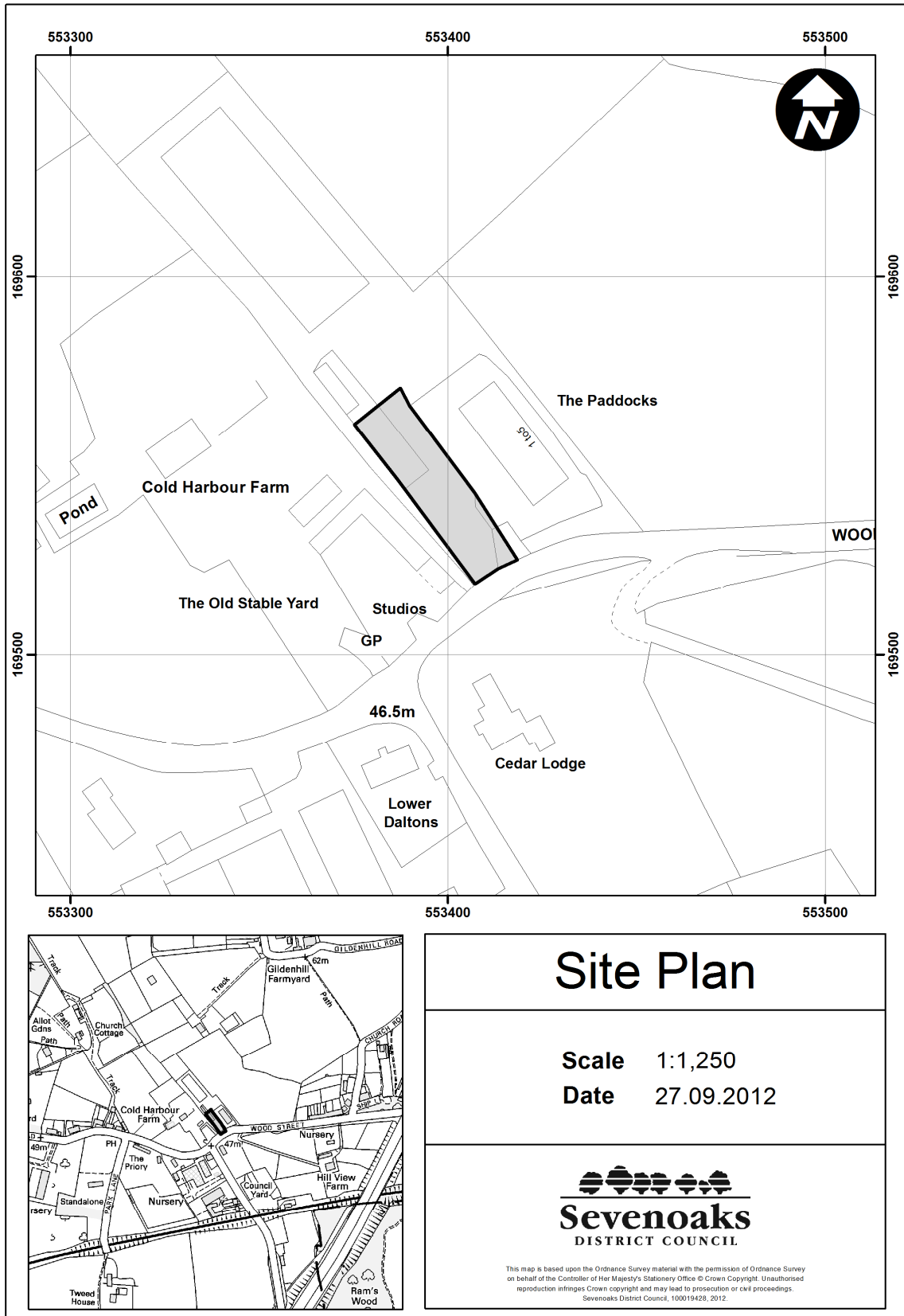
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M5WM4NBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M5WM4NBK8V000>



Site Plan

Scale 1:1,250
Date 27.09.2012



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Sevenoaks District Council, 100019428, 2012.



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3.3 – SE/11/03184/FUL Date expired 4 September 2012

PROPOSAL: Erection of metal fencing around perimeter of site.

LOCATION: Land North Of Downsview, 48 Green Court Road,
Crockenhill, Kent

WARD(S): Crockenhill & Well Hill

ITEM FOR DECISION

The application has been called to committee at the request of Cllr. Mrs. Dibsdall on the following grounds:-

- 1) A fence is required to ensure that the B8 land is separate from the Parish Council land behind and whilst hedging to hide the fencing would be better, this will take sometime to cultivate and the fence is required now. The unsightly containers piled three high will not be hidden by any fencing/hedge and these are the subject of the main objections locally.
- 2) The fencing proposed in this application is better than that originally proposed.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The land lies within the Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness by way of its height, solid appearance and design. No very special circumstances have been put forward that clearly outweigh the harm in principle and the harm to the openness of the Green Belt and as such this conflicts with policies SP5 of the South East Plan L08 of the Core Strategy and the National Planning Policy Framework.

The proposed fence would by virtue of its size and design, represent an alien and intrusive feature which would have an adverse impact on the visual quality of the landscape. The proposed development would therefore have a detrimental impact on the character of the countryside and the open visual appearance of the Green Belt. This conflicts with policy EN1, policies SP1 and L08 of the Sevenoaks Core Strategy, policies SP5 and C4 of the South East Plan and the advice and guidance in National Planning Policy Framework.

Insufficient information has been submitted to demonstrate that the proposal would not adversely impact upon the protected trees located on the eastern and southern boundaries of the site. This conflicts with policy EN1, policies SP1 and L08 of the Sevenoaks Core Strategy, policies SP5 and C4 of the South East Plan and the advice and guidance in National Planning Policy Framework.

Description of Proposal

- 1 This application seeks permission to install metal fencing around perimeter of application site. It is proposed that the fencing would measure 2 metres in height and would incorporate vertical repeats. It is proposed that the fence would be installed along the north, south east boundaries of the site.

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- 2 The entire application site is covered by an Article 4 Direction. This has removed the ability to erect, construct, maintain improve or alter a gate, fence, wall or other means of enclosure on the land as permitted development.
- 3 Planning permission was refused and dismissed at appeal on the 17 January 2007 under reference 06/01192/FUL to erect 2 metre high Euroguard 'Regular' fencing, a proprietary fencing consisting of steel wire panels clamped to galvanised steel posts on the impact that the development would have on the openness of the Green Belt and the visual amenity of the area.

Description of Site

- 4 The application site relates to an 'L' shaped parcel of land (approximately 0.33 hectares) located in the area to the north of 48 Green Court Road. Three boundaries of the 'L' shaped appeal site abut open field. A further boundary lies close to and parallel with Green Court Road whilst the remainder of the site borders the curtilages of a number of dwellings which face onto Green Court Road.
- 5 The application site is located within the Green Belt. There are several trees protected by TPOs located on the boundaries of this site. The site currently contains a small building which has permission to be converted into a single detached dwelling.

Constraints

- 6 Green Belt

Policies

South East Plan

- 7 Policies - SP5, C3

Sevenoaks District Local Plan

- 8 Policy EN1

Core Strategy

- 9 Policies - L08, SP1

Other

- 10 National Planning Policy Framework

Planning History

- 11 SE/08/00512/LDCEX Any use of the land within class B8 of the Town and Country Planning (Use Classes) Order 1987 refused 8 July 2008.

SE/07/01029/FUL Planning permission was refused in May 2007 for Permission is sought for the retention of hard surface of loose stones (Retrospective Application).

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SE/07/00817/LDCEX Any use of the land within class B8 of the Town and Country Planning (Use Classes) Order 1987 refused on 30 July 2007

SE/06/02255/LDCEX An LDC was resubmitted for the existing hardstanding. This was refused in October 2006.

SE/06/01192/FUL Replacement of existing post and wire fencing with new Euro Guard fencing (As amended by plans and supporting documents received on 7th June 2006 and 17th July 2006). This was refused and dismissed at appeal.

SE/06/01430/LDCEX Existing hardstanding. This LDC was refused in August 2006.

SE/05/00925/LDCPR Certificate was granted in June 2005 for any use of the building within class B8 of the Town and Country Planning (Use Classes) Order 1987

SE/04/02603 & 02604 Certificates were issued in December 2004 to show that a small shed has been located on the site for a period in excess of 4 years, and that it has been used for the storage of tools for over a period of 10 years.

SE/05/00571/LDCEX Certificate was granted in April 2005 for a corrugated iron building single storey building.

Consultations

Crockenhill Parish Council

12 Crockenhill Parish Council has made the following comments:-

Crockenhill Council have advised that they support the scheme, provided there is no damage to existing trees or shrubbery, it is green in colour and will not exceed 2m in height.

Swanley Town Council

13 Swanley Town Council have made the following comments:-

Swanley Town Council would like the following comments to be considered;

The Town Council has concerns that the erection of a fence of this type could lead to the area becoming more industrialised.

If the District Council allows fencing to be erected, the Town Council requests that it have a more rustic look to ensure that it is in keeping with the surrounding area and the Green Belt.

If steel fencing is erected, the Town Council would request that it be green in colour so as to help blend in with the surroundings.

Highways

14 The Highway Officer has advised the following:-

I refer to the above planning application and have no objections to the proposal in respect of highway matters.

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Environment Agency

15 The Environment Agency has made the following comments:-

Thank you for consulting the Environment Agency on the above applications

We have assessed these applications as having a low environmental risk. We therefore have no comments to make.

Non planning consents

Although we have no comments on these planning applications, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website to establish whether if a consent will be required.

<http://www.environment-agency.gov.uk/netregs/>

If you feel we should assess any of these planning application in more detail due to local issues please contact me or email kentplanning@environment-agency.gov.uk

SDC Tree Officer

16 The Tree Officer has made the following comments:-

I refer to the above application. I have visited the site and have studied the plans provided and have made the following observations:

I can inform you that there are several trees situated on the eastern and southern boundaries of this site. Those situated on the eastern boundary consist predominantly of Cherry trees, whilst those situated on the southern boundary consist predominantly of Oak. Four of these Oak trees are protected by TPO 2 of 2007. They are of high amenity value and appear to be in a sound and healthy condition. These trees are not shown on the plans provided. I would expect some pruning works would have to take place to allow the proposed fencing to be erected, whilst disturbance to the root plates of these trees could occur during excavation to install the fence posts. Unless the developer can provide evidence that the proposed fencing can be installed without damaging these trees, especially the Oak trees, I recommend that consent be denied.

Representations

17 7 letters of objection have been received in connection with this application. The main issues include the following:-

- Impact on the visual amenity of the area
- The recommendations of the Inspector under appeal APP/G2245/A/06/2025172, which raised objection to a similar fence in terms of its visual appearance

- Impact on the Green Belt
- The metal fence is out of keeping, not something that you see in the countryside
- The fence will affect the view from the neighbouring property
- Impact on area of landscape value
- Future plans for the site

Group Manager - Planning Appraisal

Principal Issues

- Impact on the Metropolitan Green Belt
- Impact on the amenities of adjacent properties
- Highway Impact
- Impact on protected trees

Impact on the Metropolitan Green Belt

- 18 Paragraph 9 of the Inspector's report for appeal APP/G2245/A/06/2025172 (SE/06/01192) states:

"According to the Town and Country Planning Act 1990 "building" includes any structure or erection and would therefore include the proposed fence. As it would be a complete replacement of the existing fence, the proposed fence would constitute a "new building", and will therefore be assessed as such.

- 20 The National Planning Policy Framework states:

The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:-

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- 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 replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on

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the openness of the Green Belt and the purpose of including land within it than the existing development.

- 21 The National Planning Policy Framework states that the construction of new buildings is inappropriate unless it is for one of the specified purposes. The term 'building' refers to any structure or erection and it therefore includes gates/fences and piers. Neither of these is in the list of exclusions in the National Planning Policy Framework.
- 22 Certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.
- 23 Turning to the impact of the proposed development on the openness of the Green Belt and the open character and visual amenity of the area, because of its construction and the nature of the wire panels, is considered to have a far greater visual impact than the existing post and wire fencing. In my view, the proposed fence would appear particularly intrusive when seen from an oblique angle as, due to the make up of the wire panels, it would take on a relatively solid appearance. Although the proposed colour would help to reduce the impact of the fence when seen against the backdrop of the trees and shrubbery, in my view, the fence would still be clearly visible and, when seen without the background of trees, would become a dominant feature in the immediate surroundings and wider landscape.
- 24 When coupled with its greater height compared to the existing fence, and its more solid appearance it is considered that the proposal would result in a materially harmful impact to the openness of the Green Belt in conflict with the guidance in the National Planning Policy Framework.
- 25 The National Planning Policy Framework states that very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 26 No very special circumstances have been presented with this application, as such it is considered that there are no very special circumstances which clearly outweigh the harm by reason of inappropriateness and the harm to the openness of the Green Belt.

Impact on the character and appearance of the area

- 27 Policy EN1 from the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy it states that the proposed development including any changes of use does should not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements.
- 28 Policy C4 from the South East Plan states "outside nationally designated landscapes, positive and high quality management of the regions open countryside will be encouraged and supported". In addition to this policy LO8 from the Core Strategy states that the countryside and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible

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- 29 The application site is in the Council's view an important transition/corridor site between the edge of the town of Swanley and the rural village of Crockenhill and because of its open and rural character, it provides an important break in the wider landscape. It is the Council's view that it essentially acts as a buffer zone which provides an important visual gap between Swanley from Crockenhill.
- 30 As stated above Swanley is urban in character and appearance. When leaving the edge of Swanley the landscape changes dramatically from being urban in nature to being rural in character with extensive open fields, hedgerows and vegetation. The appeal site is included in this. Although not a stereotypical piece of stunning countryside, as it has over the years been divided up to be grazing land, with the pressure to be used for other purposes, it in the Council's view represents an important open site that has an important visual impact within the wider landscape.
- 31 I am of the view that the proposed metal fence would be seen as an alien and intrusive feature in the landscape and would not respect the rural character in which it is located in. Long distance views of the fence would also be seen to the north of the site in particular along the footpath that runs parallel with the northern edge of the field.
- 32 It is considered that the proposed fence would transform the backdrop of the open grazed farmed field with a pleasing rural character to one that would have a half urban highly engineered appearance and which in my opinion would look out of character within the landscape. Although it is acknowledged the fence would demarcate an existing B8 use that is not considered to be particularly compatible within the rural landscape that it sits, (and is currently littered with storage containers packed on top of each other) the fence is considered to cause further detriment to the visual quality of the landscape. Indeed the Council has recently granted permission for the Parish Council to fence the periphery of a large field to the north with a more sensitive fence that is considered to be more acceptable within the context of the rural site that it would sit.
- 33 There is considered to be no objection in principle to an appropriate fence being erected around the site, the objection is down to the style and appearance of the fence that is proposed in this case and its detrimental impact on the wider rural landscape.
- 34 In view of the style and design of the fence the proposal is considered to conflict with the above aforementioned policies.

Impact on the amenities of adjacent properties

- 35 Policy EN1 requires all development should not have a detrimental impact on the amenities of neighbouring residential properties.
- 36 In view of these distances that the fence would be located to adjacent properties, it is considered that there would be no adverse impact to any other neighbouring properties to warrant an objection on planning grounds.

Highway Impact

- 37 Policy EN1 from the SDLP states that "the proposed development ensures satisfactory means of access for vehicles and pedestrians and provides parking facilities in accordance with the Council's approved standards".

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- 38 No objection has been raised by the highway officer about the proposed fence, I therefore consider that the proposal is acceptable on highway grounds.

Impact on the Trees

- 39 I can inform you that there are several trees situated on the eastern and southern boundaries of this site. Those situated on the eastern boundary consist predominantly of Cherry trees, whilst those situated on the southern boundary consist predominantly of Oak. Four of these Oak trees are protected by TPO 2 of 2007. They are of high amenity value and appear to be in a sound and healthy condition. These trees are not shown on the plans provided. I would expect some pruning works would have to take place to allow the proposed fencing to be erected, whilst disturbance to the root plates of these trees could occur during excavation to install the fence posts.
- 40 In view of the Tree Officer's comments, it is considered that the application has not been accompanied with sufficient information to demonstrate that the proposed fencing can be installed without damaging the protected Oak trees.

Conclusion

- 41 The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The National Planning Policy Framework sets out what constitutes appropriate development, the proposal does not fall within this definition. For the reasons outlined above, proposal constitutes inappropriate development. By definition therefore the appeal proposal causes harm to the Green Belt. No very special circumstances have been advanced by the applicant.
- 42 It is considered that by virtue of the design and height of the proposed fence that it does cause harm to the openness and visual amenities of the surrounding Green Belt and the character of the surrounding countryside.
- 43 In such circumstances therefore the appellant is required to demonstrate that very special circumstances exist that would outweigh the harm to the Green Belt by reason of inappropriateness and any other harm in order to justify such development. No very special circumstances have been provided that clearly overcome the harm.
- 44 Insufficient information has also been presented to demonstrate the proposal would have no adverse impact on the protected trees that surround the site.
- 45 In light of the above, I recommend refusal.

Background Papers

Site and Block plans

Contact Officer(s): Vicky Swift Extension: 7448

Kristen Paterson
Community and Planning Services Director

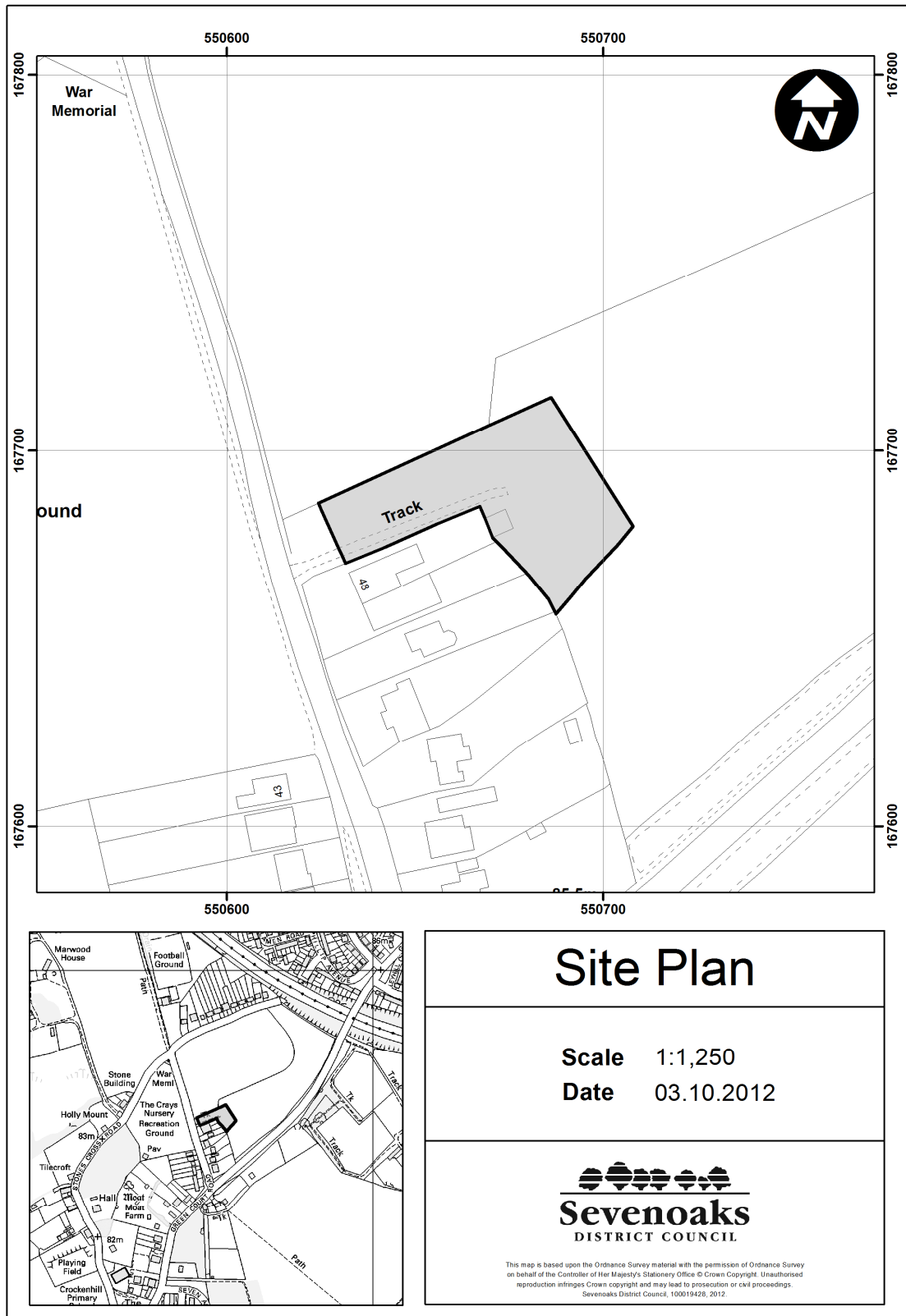
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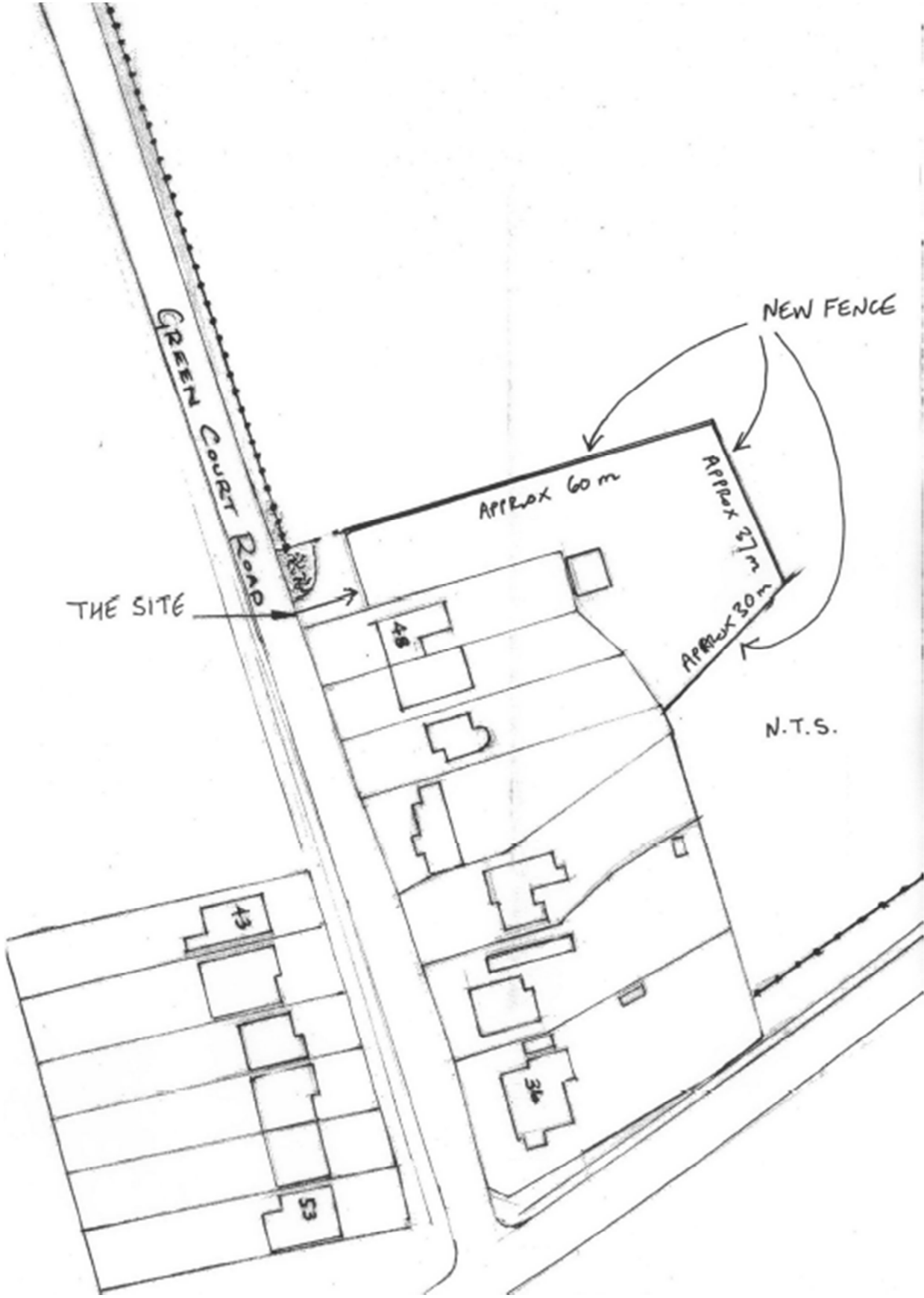
<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LVUGCDBKOCR00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LVUGCDBKOCR00>

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