

4.2 - SE/15/03223/HOUSE Date expired 8 December 2015

PROPOSAL: Erection of a first floor rear extension.

LOCATION: Lower Daltons, Swanley Village Road, Swanley BR8 7NU

WARD(S): Swanley Christchurch & Swanley Village

ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillor Searles to review the very special circumstances case of this proposal.

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 as it will result in a disproportionate addition over and above the size of the original dwelling for which the very special circumstances case advanced is not sufficient to clearly outweigh the substantial harm to the Green Belt. The proposal would therefore be contrary to policy GB1 of the Sevenoaks Allocations and Development Plan, Sevenoaks District Council Development in the Green Belt SPD and the aims and objectives of the National Planning Policy Framework.

Informatives

1) For the avoidance of any doubt, the following plans were considered:

4163-PD-001 Rev.A, 4163-PD-002 Rev.A, 4163-PD-003.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by:

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line
(www.sevenoaks.gov.uk/environment/planning/planning_services_online/65)

4.asp),

- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Working in line with the NPPF, the application was refused as the proposal failed to improve the economic, social or environmental conditions of the area.

Description of Proposal

- 1 This proposal seeks to erect a first floor extension to the southwest facing elevation of the property, which would adjoin onto an existing 1st floor projection, matching the dimension of the existing ground floor. It will use the existing scale and proportions of the existing 1st floor projection and original dwelling house, with matching eaves and roof pitch. It will be formed using materials that match that of the existing dwelling.

Description of Site

- 2 The application relates to a residential dwelling located on the southeastern side of Swanley Village Road. The character is characterised by linear residential development that is sporadic. The architectural style within this part of the Road is varied and the dwellings are set back from the roadside with most having off street parking areas to their frontages together with mature landscaped frontages that screen the buildings from the road.
- 3 This site is occupied by a two storey detached residential dwelling with a detached modest sized single storey carport/garage within 5m of the dwelling. The property has been subjected to a few alterations and additions. The property is adjoined to the west by Lower Daltons Nursery and opposite the site is Cold Harbour Farm and to the east, on the opposite side of Button Street is Cold Harbour (dwelling). The property has hedging along the front and east boundaries except for pedestrian access from Swanley Village Road and vehicle access from Button Street.
- 4 The site is within the designated Metropolitan Green Belt and Swanley Village Conservation Area

Constraints

- 5 Metropolitan Green Belt
- 6 Swanley Village Conservation Area

Policies

Sevenoaks Core Strategy

7 Policies - LO8, SP1

Allocations and Development Management Plan:

8 Policies - EN1, EN2, GB1, T2

Other

9 National Planning Policy Framework (NPPF)

10 National Planning Practice Guidance (NPPG)

11 SDC Development in the Green Belt SPD

12 SDC Swanley Village Conservation Area Appraisal

Planning History

13 06/02098 - Demolition of rear conservatory and front porch. Proposed first floor front/side extension to western elevation and internal alterations. Erection of new roof over existing garage to form living area - GRANTED

14 06/01082 - Demolition of rear conservatory and front porch. Erection of first floor side extension to western elevation. Reconstruction of roof on eastern flank. Internal alteration to cellar access. Erection of new porch to south elevation. Erection of detached garage - REFUSED

15 04/01089 - Renewal of temporary planning permission SE/01/00206 - GRANTED

16 81/00389 - Extension - GRANTED

17 TH/5/59/552 - Addition to form a garage, porch and conservatory - GRANTED

Consultations

Swanley Town Council

18 Supports the application

Representations:

19 None received

Chief Planning Officer's Appraisal

Principal Issues

20 The main considerations of this application are:

- Impact on the Green Belt;

- Impact on character and appearance of the area/Conservation Area;
- Impact upon existing residential amenity;
- Highways;

Impact upon the Green Belt

- Whether the proposal is inappropriate development or not?

- 21 National planning policy guidance relating to the Green Belt is set out in paragraph 80 of the NPPF. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The document states that there is a general presumption against inappropriate development, where the openness of the countryside/landscape would be adversely affected. Green Belt policy states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless the harm in principle from inappropriate development and any other harm is clearly outweighed by any very special circumstances.
- 22 The NPPF states that certain other forms of development are not inappropriate development provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. The NPPF does allow for extensions to dwelling providing they are not disproportionate additions to the size of the original building as stated in paragraph 89.
- 23 In addition to the policy advice in the NPPF, the advice and guidance from relevant policies in the ADMP, namely Policy GB1 and current Development in the Green Belt SPD should also be considered in respect of this proposal.
- 24 Policy GB1 of the ADMP will permit limited extensions to residential dwellings within the Green Belt subject to certain criteria.
- 25 Having carried out an extensive search of the planning history, based on the evidence the present building has had various extensions to it. Therefore regards to the size of the 'original' dwelling, the following calculations have been derived:-

Original floor space of dwelling - **100.6m²**

50% allowance - **50.3m²**

Existing outbuilding within 5m - **37m²**

Existing extensions - **92.2m²**

Present Total floor area - **229.5m²**

Present Cumulative % increase of dwelling - **128%**

All extensions + original floor area above ground	Floor Area Proposed	Total Floor area	Percentage 140%
	11.8m ²	241.3m ²	

- 26 From the above calculations, it is apparent that the proposed additions to the property clearly exceeds the 50% allowance, permitted under Policy GB1 of the ADMP, as the proposed total floor area being provided would equate to a 140% increase on the original dwellinghouse. As a consequence, the extensions to the dwelling in both their existing and proposed form would significantly exceed 50% of the total gross floor area of the original. Therefore the proposal would result in disproportionate additions to the original dwelling. This proposal is regarded as inappropriate development in the Green Belt contrary to Policy GB1 of the ADMP, Green Belt SPD and the National Planning Policy Framework. As such substantial weight must be given to this.
- 27 The NPPF confirms that the most important aspect of Green Belts is their openness and the fundamental aim of Green Belt Policy is to maintain this. It should be noted that openness is not reliant upon degree of visibility but upon an absence of built development. Openness can be diminished by the cumulative “footprint” of discreetly sited incremental additions to existing individual buildings as much as it can by conspicuous swathes of new development.
- 28 It is considered that some additional harm to the Green Belt is caused by the additional bulk that adds to the overall scale of the development on site. The extension would match the existing building in terms of design and materials; however the development would result in a significant reduction in openness through excessive scale, bulk and visual intrusion, particularly when taking into account the cumulative impact of the extensions - existing and proposed.

Impact on character and appearance of the Conservation Area and surrounding area

- 29 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 30 The application site is located within the designated Swanley Village Conservation Area. Government policy in respect of the historic environment is set out in the National Planning Policy Framework. Paragraph 126 of the Framework recognises that historic assets are an irreplaceable resource that local authorities should conserve in a manner appropriate to their significance. Any harm, which is less than substantial, must be weighed against the public benefit of the proposal.

- 31 Policy EN4 of the ADMP relates to Heritage Assets. It states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 32 The designated heritage asset which would be affected by the proposal is Swanley Village Conservation Area.
- 33 The Swanley Village Conservation Area Appraisal is therefore relevant to this proposal. This was adopted by the Council as Supplementary Planning Guidance in December 2003.
- 34 Policy SP1 of the Council's Core Strategy expects heritage assets and their settings to be protected and enhanced.
- 35 No reference is to this site within the appraisal, however it is understood that the site was incorporated into the Conservation Area boundaries under a 2005 review. It was noted that Lower Daltons, although much altered, is a building of historic interest mentioned in the local history. The Conservation Area Appraisal notes that the site contains a fine Cedar tree, as does Coldharbour on the frontage with Wood Street.
- 36 It is considered that the proposed extension in terms of the degree of development and scale of the proposal would not appear prominent nor intrusive in its spatial context. The proposed first floor infill extension would neither affect views in or out of the Conservation nor would it become a prominent feature within it. As such the overall character and appearance of the Conservation Area would be preserved as the existing balance between the existing built form and spaces within this designated area would not be irreversibly damaged by the development proposed and would comply with the statutory test of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy EN4 of the ADMP and SP1 of the Core Strategy.
- 37 Policy EN1 of the ADMP requires that development respects and takes opportunities to enhance the character and distinctiveness of the locality. 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. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard so that the distinctive character of villages is not damaged.
- 38 In terms of Policy LO8 of the Core Strategy requires that development to respect the countryside by having no detrimental impact to the quality of the landscape character.
- 39 The character of the area is varied with a mixture of detached properties some with a variety of different extensions. This addition relates well with the existing house, covering part of its width and a roof that has been designed to match the existing. The extension would not appear visually dominant when compared with the surrounding properties as it retains the existing scale and proportions of the existing dwelling. As such, the size and

overall proportion of this extension is not so significant to detract from the existing character or appearance of the dwelling.

- 40 Overall, the design of the extension proposed would preserve the character and appearance of the Conservation Area and street scene, compliant with Policies EN1, EN4 of the ADMP and Policy SP1 of the Core Strategy.

Impact upon existing residential amenity

- 41 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 42 Policy EN2 of the ADMP 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.
- 43 Taking into consideration the orientation of the dwelling and the distance between the site and the nearest residential property (Cold Harbour) of approximately 18m to the east, it is considered that, no loss of residential amenity would occur to surrounding occupiers.
- 44 For the reasons above, it is concluded that this proposal would not have a materially harmful effect on the living conditions of the surrounding occupiers of dwellings and would not conflict with policy EN2 of the ADMP.

Highways

- 45 The proposal seeks to utilise the existing access into the site. The existing garage, parking/turning area would be retained and would not be eroded by the proposed scheme. The proposal would be creating an additional bedroom and still 3 off-street parking spaces would be provided. As such the property will have sufficient off-street parking provision for its size and would accord to Policy T2 of the ADMP.

Community Infrastructure Levy

- 46 The proposed development, by reason of proposing a net increase of less than 100m² of internal floor area is not CIL liable.

Very Special Circumstances case/Balancing exercise

- 47 Having regard to Inappropriate development in the Green Belt, in accordance with paragraph 87 of the NPPF it is necessary to consider whether very special circumstances exist that clearly outweigh the defined harm by reason of inappropriate development and any other harm identified.
- 48 As noted in previous paragraphs, substantial weight can be given to the harm to the Green Belt by reason of the proposal's inappropriateness. The proposal would result in significant harm to the Green Belt in terms of it harm in principle and the impact upon the openness. The applicant has advanced a very special circumstances case in this instance.

- 49 The case that has been advanced is that the applicant has medical reasons for requiring a further provision of a bedroom and en-suite shower facilities to assist with his needs in dealing with his medical condition, which has been verified by his General Practitioner. The applicant's medical condition does not incapacitate him and is able to move around. The floorplans show that the dwelling already has a bedroom with an en-suite shower facility, and there appears to be scope to improve this existing facility if required without extending the property further. There also appears to be provision for such a facility on the ground floor. In this respect it is questionable as to whether further provision is required.
- 50 The applicant has not demonstrated why his medical needs cannot be provided for in the existing dwelling and why an extension is necessary. Accordingly the circumstance can be given little weight.

Conclusion

- 51 The proposal is for inappropriate development in the Green Belt which is harmful in principle and to its openness. This is given significant weight. Limited weight is given to the potential very special circumstances case. The circumstances in this case are not sufficient to clearly outweigh the harm in principle and any other harm. As such, the development is contrary to the relevant Development Plan policies and there are no other overriding material considerations to indicate otherwise. Therefore it is recommended that this application should be refused

Background Papers

Site and Block plans

Contact Officer(s): Sean Mitchell Extension: 7349

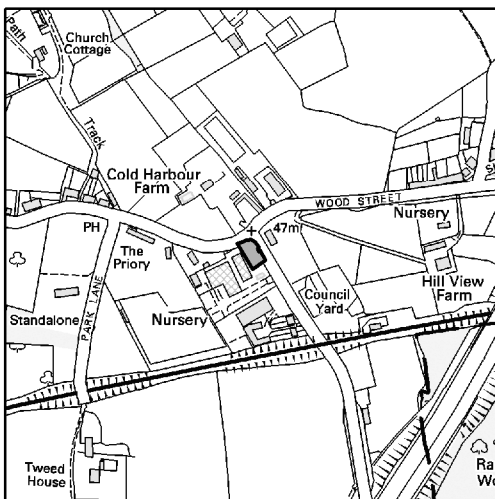
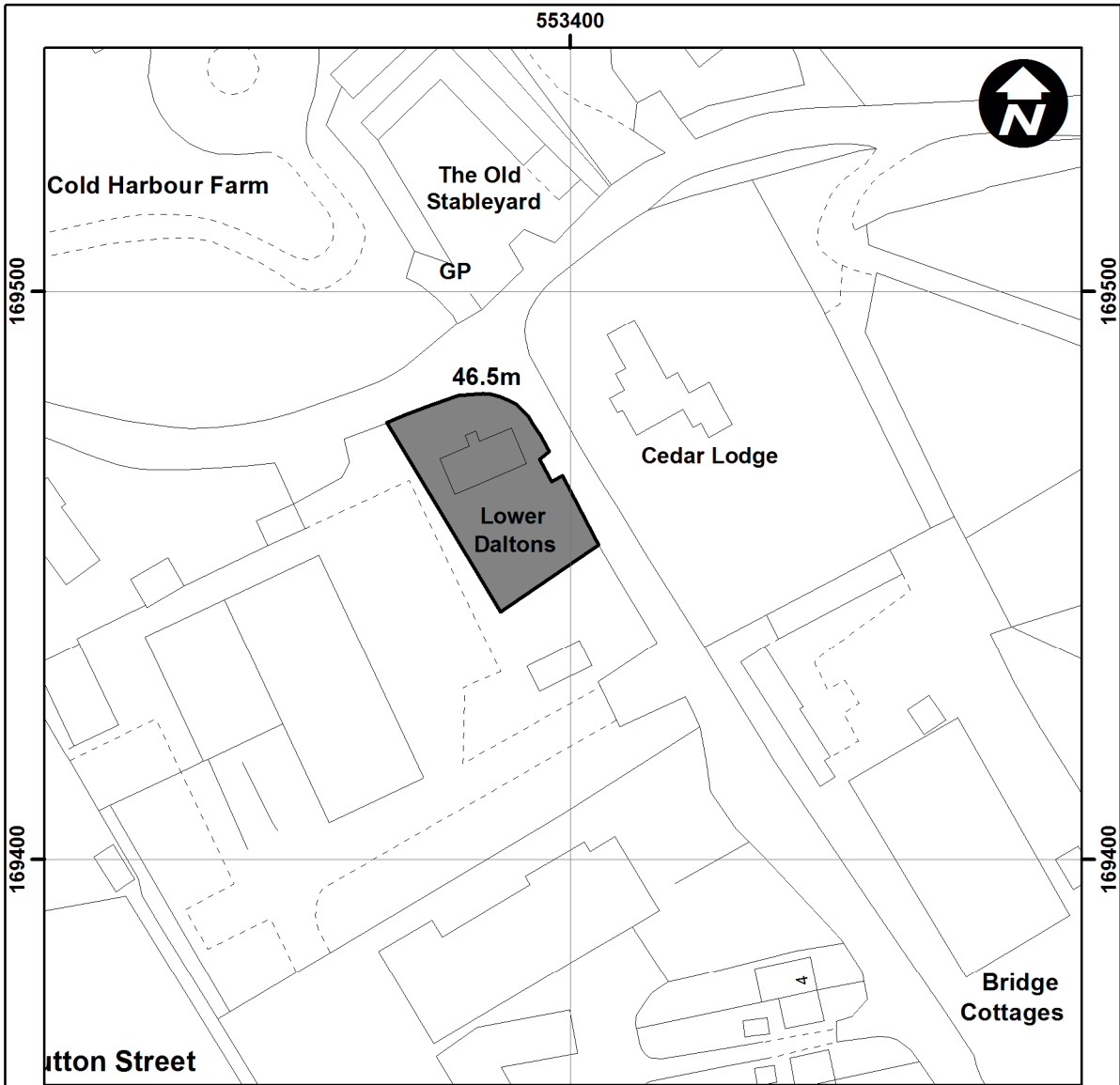
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NW7J6SBK0L000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NW7J6SBK0L000>



Site Plan

Scale 1:1,250

Date 08/12/2015



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Ordnance Survey 100019428.

Block Plan

