

4.3 - SE/16/00306/HOUSE Date expired 13 April 2016

PROPOSAL: Replacement of existing two storey extension with new two storey extension to rear, alterations to fenestration, demolition of existing garage and erection of new garage, new pitched roof to replace flat roof over utility room, installation of 8 sqm. of photovoltaic panels. Raised pathway to front, and extension of patio to the rear.

LOCATION: Long Range , Rock Hill, Orpington BR6 7PP

WARD(S): Crockenhill & Well Hill

ITEM FOR DECISION

This application was referred to Development Control Committee by Councillor Lindsay as it is considered that the proposal constitutes no increase in floorspace and that there are Very Special Circumstances.

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

The proposal, by virtue of its additional bulk, scale and mass, represents inappropriate development in the Green Belt, is harmful to its openness, and does not comply with policies GB1 and GB3 of the ADMP, and the NPPF.

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/654.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) The applicant was provided the opportunity to submit amendments to the scheme/address issues.

Description of Proposal

- 1 Replacement of existing two storey extension with new two storey extension to rear, alteration to fenestration, demolition of existing garage and erection of new garage, new pitched roof to replace flat roof over utility room, installation of 8sq.m of photovoltaic panels. Raised pathway to front and extension of patio to rear.

Description of Site

- 2 The applicant property is located in the sparsely developed 'Well Hill' hamlet, to the east of Orpington.
- 3 The property sits close to the centre of its large plot, and thus is set back from the road by a good distance. Further, the local topography elevates the buildings above the road, and thus overall it is less dominant visually in the street scene than might be expected.
- 4 The property is a two storey property with an existing large rear extension. The flat roofed double garage to the west of the property is also part of this application.
- 5 Prior to this application, there had been a shed on the site to the rear of the garage, which has now been removed.

Constraints

- 6 Area of Outstanding Natural Beauty - Kent Downs
- 7 Metropolitan Green Belt

Policies

ADMP:

- 8 Policies - EN1, EN2, EN5, GB1, GB3

Core Strategy:

- 9 Policy - SP1

Other

- 10 NPPF
- 11 Residential Extension SPD

Planning History

12 15/00877/HOUSE - Replacement of existing two storey rear extension, erection of extension to enlarge hall, alterations to fenestration and reposition and rebuild of garage with connecting roof to existing house and installation of 8m² of photovoltaic panels. Raised pathway to front, and extension of patio to the rear. - Granted - 16.07.2015

08/00644/FUL - Replacement garage. Replacement roofs (pitched roofs to replace flat roofs) - Granted - 06.05.2008

81/00419/HIST - SINGLE AND TWO STOREY EXTENSIONS TO DWELLING - Granted - 10.06.1981

74/00741/HIST - THE ERECTION OF A DOUBLE GARAGE - Granted - 27.01.1975

Consultations

Shoreham Parish Council -

13 Support - Shoreham Parish Council supports this development subject to clarification of the size of the original building. This is required in order to confirm that the proposed development does not exceed the 50% permissible increase.

Officer comment - The proposal does not comply with the 50% permissible increase under GB1.

Representations

14 Four neighbour letters have been received supporting the application. The reasons for support are the need to make more efficient use of space and that the proposal represents an improvement to the appearance of the building;

Chief Planning Officer's Appraisal

Principal Issues

15 The principal issues to consider in the determination of the application concern:

- The principal of the development in the Green Belt, including whether the proposal would be inappropriate development in the Green Belt and the effect of the proposal on the openness of the Green Belt;
 - Impact on the character and appearance of the area;
 - Impact on residential amenity;
 - Impact on the AONB;
 - If it is inappropriate development, whether the harm by reason of inappropriateness, is clearly outweighed by other consideration, so as
- (Item 4.3) 3

to amount to the Very Special Circumstances necessary to justify the development.

Green Belt

- 16 At a national level, the NPPF sets out the criteria against which applications for development in the Green Belt shall be assessed. The NPPF states that inappropriate development, by definition, is development that is harmful to the Green Belt. Paragraph 79 of the document states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 17 The advice in the NPPF states that there is a general presumption against inappropriate development within the Green Belt and that such development should not be approved except in Very Special Circumstances.
- 18 The NPPF indicates that it is for applicants to demonstrate why permission should be granted and that very special circumstances to justify inappropriate development 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.
- 19 Paragraph 89 of the NPPF, states that a local planning authority should regard the construction of new building as inappropriate in the Green Belt, Exceptions to this include:

‘the extension or alteration of a building provided that it does not result in disproportionate additions over the above the size of the original building’
- 20 The NPPF does not quantify what is considered disproportionate, however, policy GB1 of the ADMP offers a local interpretation; part of this sets an additional 50% on the original dwelling as being the maximum addition suitable; further consideration is given to the increase in bulk, scale and visual impact..
- 21 This proposal includes both alterations and extensions to the main dwelling, and the demolition and replacement of the outbuilding (garage).
- 22 Of further reference in this instance is policy GB3 of the ADMP, which permits residential outbuildings in the Green Belt. The policy reads:

‘Outbuildings located more than 5m from the existing dwelling will be permitted where the building, including the cumulative impact of other outbuilding and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.’

Proposed extension - Policy GB1

- 23 The following calculations assist in understanding the impact of the proposal on the Green Belt:

Original:	134.8sq.m
50% Allowance:	67.4sq.m
Existing property including existing garage:	273.47sq.m (+102.87%)
Proposed property including proposed garage (Proposed to be 6m from property):	283.27sq.m (+110.14%)

- 24 These figures assume that the 'existing' garage is demolished. Were the existing garage to remain and new garage to be constructed, the impact would be greater still.
- 25 Giving consideration to the other criteria of policy GB1, being that extensions must be '*subservient to the original dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion*', note is given to the appearance of the proposal.
- 26 The proposal includes the replacement of a flat roof over an existing side extension with a lean-to roof.
- 27 The proposed new roof adds additional bulk to the building, though it does not increase the floorspace. The proposed roof does add to the cumulative impact had by the various alterations and extensions and would add to the impact on the openness of the Green Belt, emphasising the bulk of the proposal and the disproportionate increase in floorspace.
- 28 Of note is that even if the existing garage were removed, no new garage erected and the works to the house completed, both the existing and proposed house are above the permitted 50% threshold within GB1, and there would still be an increase in bulk to the building.
- 29 Given the above assessment, the proposal does not comply with GB1 of the Allocations and Development Management Plan as the proposal results in an increase in floorspace above the 50% threshold permitted under GB1. There would be a further increase in the bulk, scale and mass of the host building and of development on the site.

Proposed garage - Policy GB3

- 30 The proposal includes the demolition of the garage and replacing it 6m from the house, it is thus considered an outbuilding and is subject to Policy GB3 of the ADMP.
- 31 The reason for this is that GB1 considers 'extensions' to be buildings with 5m of the main house, however, where buildings are 5m+ from the main dwelling, policy GB3 'Residential outbuildings in the Green Belt' is the policy for consideration.

- 32 Policy GB3 of the ADMP allows for consideration on the cumulative impacts extensions and outbuildings on the site. Given this, the assessment within the table set out above remains relevant. Given the significant increase in overall development on the site between the 'original' and the proposal, the proposal would fail to comply with the requirement that the cumulative impact of outbuildings and extensions do not materially harm the openness of the Green Belt.
- 33 Further to the above, in this instance the moving of the garage further from the host dwelling spreads development around the site, further increasing its impact through an increased appearance of development.
- 34 Given the above, the proposal does not comply with GB3 of the ADMP as the proposal represents an increase in the cumulative impact on the openness of the Green Belt when consideration is given to the comparison between the original dwelling and cumulative extensions and outbuildings.

Green Belt summary

- 35 In light of the above, the proposed extensions and outbuildings would further increase the harm to the Green Belt by reason of inappropriate development and would result in a continued increase in the gross floor area that would be disproportionate and contrary to local and national policy. The proposal would result in a further increase in the bulk and scale of the original host dwelling, and this is compounded by the impact had through the construction of outbuildings of significant bulk and mass.
- 36 The NPPF confirms that the most important aspect of Green Belt is their openness and absence of built form, and the fundamental aim of the Green Belt policy is to maintain this.
- 37 It should be noted that openness is not reliant of the degree of visibility but in the absence of development.
- 38 Further, the spreading of development around the site adds additional harm to the Green Belt, as the proposed garage is proposed to move away from the existing built form.
- 39 The proposal would therefore be inappropriate development in the Green Belt, harmful to its openness, contrary to Policies GB1 and GB3 of the ADMP and the NPPF.
- 40 The applicant has made a case for very special circumstances and this will be assessed in detail below, to consider whether they would clearly outweigh the harm in principle to the Green Belt, and to its openness, and any other harm.

Impact on character and appearance of the area.

- 41 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).

- 42 Policy SP1 of the Core strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Policy EN1 of the ADMP states that the form of the proposed development should respond to the scale, height, materials and site coverage of the area. The design should be in harmony with adjoining buildings. Policy L08 of the Councils core strategy also applies and states that the countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible. Development should cause no adverse impact on the character of the countryside.
- 43 Giving consideration to the extension to the rear of the property, the extension would be largely within the context of an existing built form and would not be seen from the front elevation (the road) or publically accessible areas such as footpaths etc.
- 44 The extension includes the infilling of a terrace at first floor level, where currently the ground floor extends out further than the first floor.
- 45 The proposed extension is to have a flat roof, which is of a satisfactory design. The Residential Extensions SPD advised against flat roofs. However, in this instance the proposed flat roof assists in reducing the visual bulk of the extension, thus reducing the risk of its dominance on the street. It is also noted that the proposal replaces an existing flat roofed garage.
- 46 Further alterations to the façade of the applicant building, largely consisting of the installation of new windows and a new roof to an existing single storey side extension, would protect the character of the building and thus are acceptable.
- 47 It is proposed that a detached double garage, of 33sq.m with a flat roof, is erected forward of the building line and to the north of the main residential building.
- 48 Although generally the Council does not permit garages forward of the building line, there is no particularly defined building line in this area for the new building to adhere to. The garage would be set back from the road, and thus would not disrupt the street scene in itself.
- 49 Given the above, the proposal would comply with EN1 of the ADMP as it protects the character of the street and the existing building.

Area of Outstanding Natural Beauty

- 50 The site is located within the Kent Downs Area of Outstanding Natural Beauty. The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development. Policy EN5 of the ADMP states that proposals within AONB will be permitted where the form, scale, materials and design

would conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.

- 51 The proposed removal and reconstruction of the two storey extension to the rear of the property will have very little impact on the character of the area as the works would be seen within the context of the existing built form.
- 52 With regards to the garage, the relocation of the garage will have a changing impact on the AONB. Although the garage will move away from the property and thus spread the area of development, it would still be seen within the context of the house and Hillbrow/Hill View and their outbuildings. I also consider that there will be some benefit to the Area of Outstanding Natural Beauty through the reduction in the buildings bulk as a result of reduced height and through the more sensitive screening proposed. The reduction in the buildings height results in a reduction in visual intrusion through the site, which benefits the visual character of the AONB.
- 53 The removal of one of the chimneys reduces the height of the building from some perspectives, and thus represents a small improvement in the impact the development has on the AONB.
- 54 Overall, the proposal complies with EN5 of the ADMP as it does enhance and conserve the character of the landscape.

Impact on residential amenity

- 55 Para 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-making. 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.
- 56 Policy EN2 of the ADMP seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements.
- 57 The low density nature of the development in the area means that the amenity impact of extensions on neighbours is low.
- 58 The proposed extension to the main dwelling will continue to leave a gap of approximately 25m between the dwelling and its neighbour, and there will be approximately 15m between the proposed garage and the nearest neighbour at Hill View.
- 59 In this case, the impact of the proposed extension on the neighbours, with regards to additional overlooking and loss of light is nil.
- 60 The proposed garage is closer to the north site boundary, however, it will have no impact on neighbouring amenity with regards to loss of light due to the distance from this boundary.
- 61 The proposed development would not therefore have an unacceptable impact on neighbouring properties and would comply with the aforementioned policy criteria.

- 62 The assessment identifies that the proposal would comply with EN2 of the ADMP as the proposal has no impact on neighbouring amenity.

Whether there are any very special circumstances

- 63 The NPPF section paras 87-89 read that development in the Green Belt is inappropriate unless the harm in principle and any other harm is clearly outweighed by other considerations.
- 64 The following case is advanced by the applicant as Very Special Circumstances:
- ‘The Case Officer has not taken into account the shed to the rear of the garage. The shed was demolished prior to the submission of planning permission in preparation for the works, and should be taken into account’.
- 65 It is the applicant’s case for Very Special Circumstances that the proposal should be permitted as allowance has not been made for an ‘existing’ shed to the rear of the garage. The shed had a floorspace of 10.88sq.m
- 66 Were the shed included in the calculations for the existing property, the existing property would have a floorspace of 284.35sq.m, and the proposal would result in a net loss of 1.08sq.m of floorspace (see floorspace table above).
- 67 Although the applicant includes the shed in their submitted drawings, the shed is not currently on-site, and was not on-site during the Case Officers original site visit and therefore no weight can be attached to it as part of a case for very special circumstances.
- 68 The cumulative extent of the extensions to the dwelling and outbuildings on site are already well above the 50% permitted for extensions under GB1, and this proposal represents a further increase in floorspace and bulk on the applicant property.
- 69 Some weight must be given to the benefit the application has with regards to the AONB and policy EN5 of the ADMP. However, whilst the assessment shows some benefit is to be had, the benefit is a minor one that does not outweigh the significant harm to the Green Belt. It is worth noting that whilst a minor benefit to the AONB has been established by virtue of the reduced final height of the building, visual bulk is only part of the consideration with regards to the harm to the Green Belt, where policy states any development is inherently harmful.
- 70 No further case for Very Special Circumstances has been submitted to add weight to the proposal.
- 71 Further note is given to the lack of a Permitted Development fall-back position. In this instance, there are no permitted development rights of relevance through which the proposal could be brought forward.

Community Infrastructure Levy

72 The proposal has been assessed against CIL legislation. The proposal is for additional floorspace of less than 100sq.m and thus is not CIL liable.

Access Issues

73 Access to the site is not affected by this proposal.

Conclusion

- 74 The proposal would be inappropriate development in the Green Belt and harmful to its openness. The figures included in this report demonstrate that the host dwelling has been extended historically by over the 50% permitted under GB1, and is proposed to increase. The figures submitted demonstrate that the proposal does not comply with GB3 as the cumulative impact of extensions and outbuildings would materially harm the openness of the Green Belt.
- 75 The proposals impact on the local street character would be minimal, and the character of the dwelling is retained. The assessment shows that the proposal complies with EN1 of the ADMP.
- 76 The proposals have very limited or no impact on the amenity of the neighbours, by virtue of overlooking and loss of light and therefore complies with EN2 of the ADMP.
- 77 Some benefit has been established in relation to the enhancement of the AONB through the loss of the chimney, and it has also been discussed that the AONB is conserved and enhanced through no further harm in principle to the visual appearance of the AONB. Little weight is given to the case for Very Special Circumstances made for the reasons identified and it is considered that the proposals harm in principle and to the openness of the Green Belt has not been outweighed.
- 78 The proposal is therefore recommended for refusal.

Contact Officer(s): Matthew Besant Extension: 7136

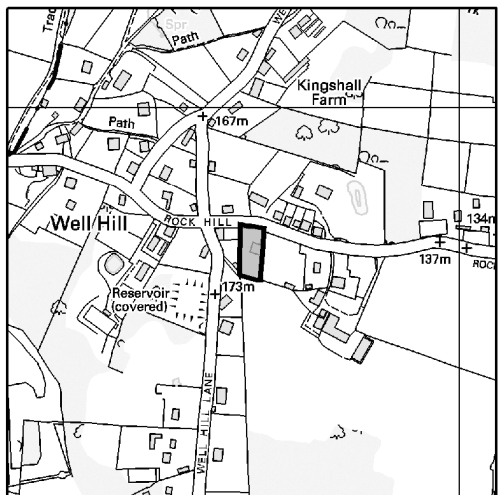
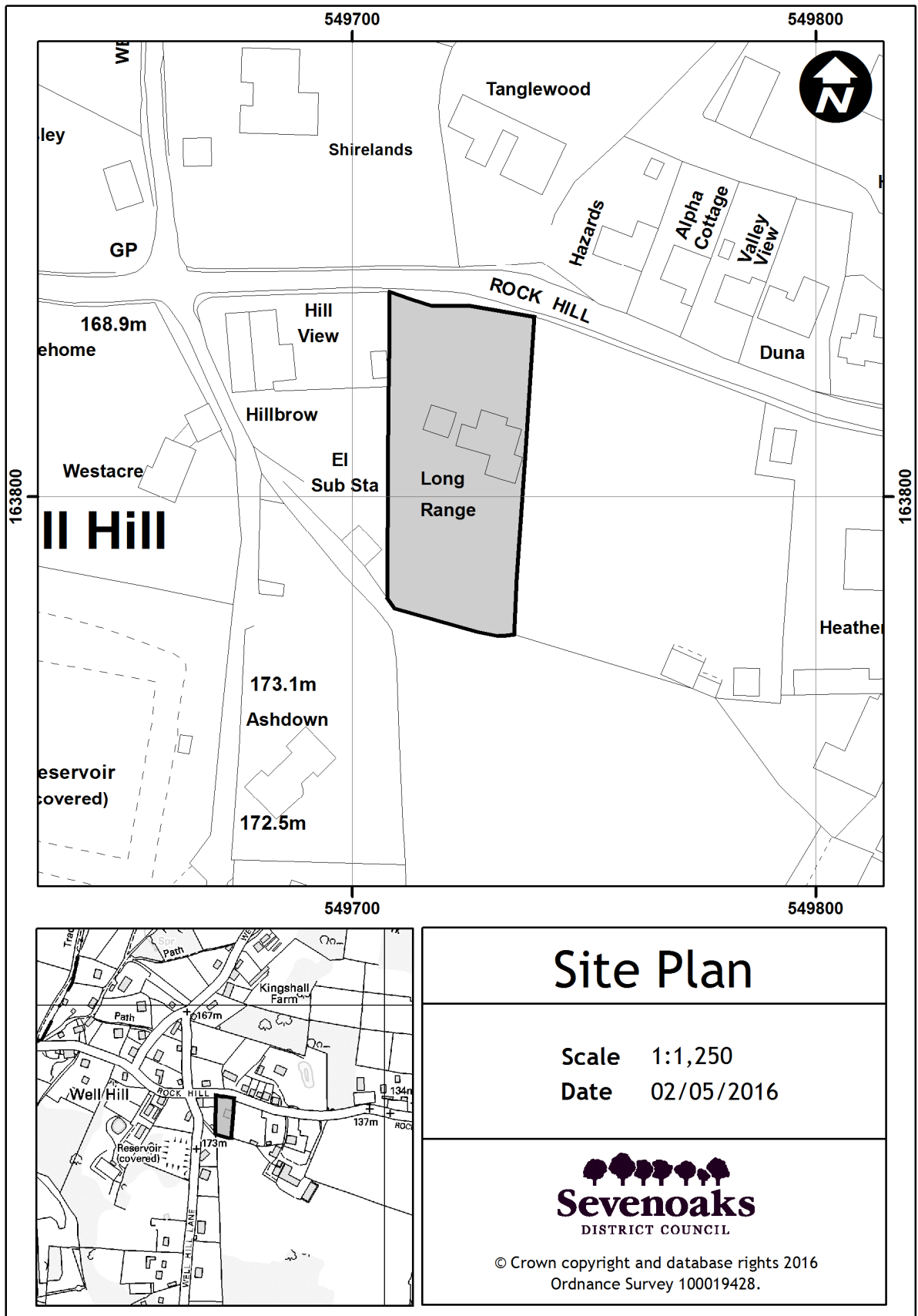
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O1ZE02BKG8500>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O1ZE02BKG8500>



Site Plan

Scale 1:1,250
Date 02/05/2016



© Crown copyright and database rights 2016
Ordnance Survey 100019428.

Proposed Block Plan

