

In this instance the applicant/agent:

- 1) Was updated of any issues after the initial site visit.

Description of Proposal

- 1 The proposal includes the demolition of a log store to the east of the property. The log store consists of wooden pillars elevating a wooden roof, with plastic covered extensions.
- 2 The proposal includes the construction of a 1.65m deep extension, of 3.25m in width.
- 3 It is proposed the extension has an eaves height of 2.3m to match existing, and a ridge height of 4.4m, below existing. The extension has a gable end.
- 4 Materials are to match existing.

Description of Site

- 5 The application site is located in a rural and picturesque valley to the east of Ash and south of Hartley.
- 6 The property consists in a small bungalow, understood to once be a school building, situated within a small farm complex within the valley. The complex now has a more residential characteristic; however, the bungalow sits visually relatively isolated on a rural road junction.
- 7 The bungalow sits close to the road, and has a reasonable garden to the rear. It is brick built, surrounded by hedges of a approximately 2m in height, screening it from the road significantly, bar its roof.
- 8 Planning history identifies that the property has been extended significantly historically.

Constraints

- 9 Metropolitan Green Belt

Policies

ADMP:

- 10 Policies EN1, EN2, GB1

Core Strategy:

- 11 Policy - SP1

Other

- 12 NPPF

13 Residential Extensions SPD

Planning History (relevant only)

14 84/01451/HIST - New bedroom and alterations - Allowed on Appeal - 12.11.84

78/00499/HIST - Extension to rear of dwelling - 05.06.1978

Consultations

Parish Council

15 No objection - The Parish Council does not object to this application as long as it does not conflict with local planning policy, including the 50% rule.

Representations

16 None received.

Chief Planning Officers' Appraisal

Principle Issues

17 The principle issues to consider in the determination of the application concern:

- The principle 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
- If it is inappropriate development, whether the harm by reason of inappropriateness, is clearly outweighed by other consideration, so as to amount to the Very Special Circumstances necessary to justify the development.

18 Of particular relevance to this application is the following guidance:

Para 14 of the NPPF confirms that the NPPF has a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11, 12, 13 of NPPF.)

Green Belt

19 Having established that the site is within the Green Belt the Authority must consider both its own Development Plan Policy and edicts of the NPPF.

- 20 As set out in para 87 of the NPPF, where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.
- 21 Para 88 of the NPPF advises that LPAs should give substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.
- 22 Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development.
- 23 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.
- 24 Policy GB1 of the ADMP (in part) states that applications for residential extensions within the Green Belt will be permitted where:

'B) the design is in keeping with the original form and appearance of the building and the proposed volume of the extension, taking into consideration any previous extension, is proportional and subservient to the 'original' dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion', and;

C) the applicant provides clear evidence that the total floorspace of the proposal, together with any previous extension, alterations and outbuilding would not result in an increase of more than 50% above the floorspace of the 'original' dwelling (measured externally) including outbuildings within 5m of the existing dwelling'.

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

Original:	66.27sq.m
+50% Allowance:	94.05sq.m
Existing property:	121.35sq.m (+83.11%)
Existing log-store:	9.5sq.m. (Total 131.85sq.m)
Proposed extension:	5.34sq.m
Proposed property:	126.69sq.m (+91.17%)

- 26 The property has been extended significantly within its history, both in the 1970s for conversion from a small school to a dwelling, and then again in the mid-1980s.
- 27 The proposed extension is modest, however, under local policy the extension would represent an unacceptable addition to a property already extended further than local policy allows.
- 28 The existing log-store is a makeshift structure with little degree of permanence and is considered an informal structure that would not be suitable for conversion into living space itself. Its presence may be an issue of relevance in relation to the case for very special circumstances. Given the aforementioned, little weight is given to the presence of the log-store, as apposed to the ‘substantial’ weight given to the harm to the openness of the Green Belt from an inappropriate addition.
- 29 Further to the above, the proposal would have a further material impact on the Green Belt above that of the log-store, as it has a greater visual impact, as the eaves and ridge height are higher than the existing log-store, which is almost entirely screened by existing hedging. The proposal thus represents an increase in built form by virtue of its bulk.
- 30 Giving consideration to the other criteria of policy GB1 set out in b), 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.
- 31 The footprint of the proposed extension is proportional and subservient to the existing property, and would, at 5.34sq.m, be proportional and subservient to the original property were it a stand-alone extension. However, the bulk of the proposal with the ridged roof would be visible and harmful to the openness contrary to part b) of GB1 particularly when taking into account cumulative impact with the existing extensions.
- 32 The extension has a limited visual impact above the existing property, given its proposed position and design.
- 33 Given the above, the proposal is considered to comply with GB1 part b) in its own right.
- 34 Overall, the proposal is contrary to policy GB1 of the ADMP, and the NPPF, due to the cumulative impact of the proposal and historic extensions and would be inappropriate development in the Green Belt and harmful to its openness.

Impact on character and appearance of the area

- 35 Policy SP1 (- Design of New Development and Conservation) 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*’ (pp.60).
- 36 Policy EN1 (- Design Principles) of the ADMP states that the form of the proposed development should respond to the scale, height, materials and

site coverage of the area. It continues that the layout of the development should respect the topography and character of the site and surrounding area.

- 37 The Residential Extensions SPD states that development should ‘*respect the original dwelling with careful design*’ (p.20), and further that ‘*the scale, proportion and height of an extension should respect the character of the existing building unless there is a strong justification for an alternative approach and should fit unobtrusively with the building and its settings. The form of extension should be well proportioned and present a satisfactory composition with the house. The extension should normally be roofed to match the existing building in shape*’ (p.12). This statement is supported by policies EN1 which states that ‘*the form of the proposed development would respond to the scale, height, materials and site coverage of the area*’.
- 38 The proposal includes the removal of an existing log store. The log store has a limited degree of permanence by virtue of its make-shift nature. The log-store is heavily screened by existing hedging around the property, and thus its visual impact is extremely limited. Given the aforementioned, the removal of the log-store would represent a very limited enhancement to the properties visual character, as it cannot be seen from the surrounding landscape.
- 39 The proposal includes the erection of a modest extension of 5.34sq.m. The proposed extension would build towards a highway. The proposed extension is higher than the screening hedge that hides the existing log-store, and as both the eaves and ridge of the proposed building would be higher, there would be some additional impact to consider, although the proposal does not suggest the hedge is to be removed, and thus there would remain some screening effect.
- 40 The roof design proposed matches that of the existing buildings. Given this, from any angle from which it is particularly visible, giving thought to Pease Hill Road to the north-east, it would be seen within the context of the existing building. This significantly reduces the impact on the landscape.
- 41 The original characteristic of the building, which is that of a rural cottage albeit that the building was historically a school, will be maintained by this proposal. Local character, which is of a rural area with small farmstead style developments forming part of a rural fabric, is maintained.
- 42 The use of materials matching those of the existing building is suitable.
- 43 Overall, the proposal complies with EN1 of the ADMP.

Impact on residential amenity

- 44 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.

- 45 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.
- 46 By virtue of significant distance between the cottage and any residential neighbours, and by virtue of the positioning of the proposed extension, the proposal has no impact on neighbouring amenity.
- 47 The proposal complies with EN2 of the ADMP.

Whether there are any very special circumstances

- 48 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.
- 49 The applicant in this instance has not advanced a case for very special circumstances.
- 50 However, in this case there may be some material considerations that may amount to or contribute to a case for very special circumstances.
- 51 Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by any other consideration. Weight given to inappropriate development in the Green Belt is 'significant'.
- 52 The harm in this case is from the proposal of inappropriate development and its harm to the openness, which must be given significant weight.
- 53 The proposed extension is to sit in place of an existing log-store structure which has a greater footprint than the proposed extension.
- 54 Taking careful note of this structure, the applicant mentioned upon the Officer's site visit that the log-store has been on site for a significant amount of time. However, the level of 'permanence' of the log-store is limited. It would appear to have no foundation other than the pathway it crosses, and it does not have the appearance of a permanent structure.
- 55 Further to the above, the log store has a significantly reduced visual impact due to screening by existing hedging; the proposed extension would be visible from the road and thus from the wider landscape. It thus has a greater visual impact than the log store to be removed. The current log-store is screened behind existing boundary hedging, and has a height of approximately 2.2m. The proposed extension has an eaves height of 2.3m, with a ridge height of 4.4m, giving it a degree of visibility not afforded to the log-store, as it would be higher than the existing hedge.
- 56 In a separate matter to the above, the applicant has submitted a covering letter, outlining medical justification for the bathroom. Whilst sympathy is expressed for the applicant's position, it has been assessed that the requirement for a second bathroom could be fulfilled through internal alterations, and that this alone does not outweigh the harm caused to the openness of the Green Belt.

- 57 No case for a Permitted Development fall-back position has been advanced.
- 58 The harm from the proposal extension is consider to be greater than the harm from the existing log store, due to the bulk and height of the proposal. The provision of an additional bathroom could, it appears, be accommodated within the existing dwelling. Accordingly, neither potential very special circumstances, either individually or cumulatively, can be given the significance weight to 'clearly outweigh' the harm in principle to the Green Belt and its openness.
- 59 The proposal is contrary to GB1 of the ADMP and the NPPF.

Community Infrastructure Levy

- 60 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

- 61 Access to the site is not affected by this proposal.

Conclusion

- 62 Giving consideration to local policies, the proposal would not contradict policy EN1 as it conserves local character, nor EN2, as no neighbouring amenity is detrimentally impacted.
- 63 The cumulative impact of historic extensions and the proposed extension mean that the proposal represents a 91.17% addition to the property cumulatively, and would be inappropriate development, harmful in principle to the Green Belt and its openness. As a result, the proposal fails to comply with GB1 of the ADMP and the NPPF. It has been assessed that there are no Very Special Circumstances that would clearly outweigh the harm.

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Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=ODR580BK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ODR580BK0L000>

