

4.2 - SE/16/03310/HOUSE Date expired 23 December 2016

PROPOSAL: Demolition of garage and erection of a first floor rear extension. Alterations to front fenestration. Demolish part of the single storey lobby.

LOCATION: St Thomas, Old London Road, Knockholt TN14 7LU

WARD(S): Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

Councillor Grint has referred this application to Development Control Committee as the percentage increase is way above the 50% increase allowed in the Green Belt.

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 application form.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, C, D, and E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the local planning authority.

To prevent inappropriate development in the Green Belt as supported by GB1 of the Sevenoaks Allocations and Development Management Plan.

4) Prior to the commencement of development all outbuildings, including the rear half of the lobby and garage as detailed on drawing 2016/104, within the curtilage of the dwelling house shall be demolished, and all resultant materials shall be removed from the land.

To prevent inappropriate development in the Green Belt as supported by GB1 of the Sevenoaks Allocations and Development Management Plan.

5) The development hereby permitted shall be carried out in accordance with the following approved plans: 2016/104, Existing Garage, Side Elevations date

stamped 28/10/2016.

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

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) Was updated on the progress of the planning application.

Description of Proposal

- 1 This proposal is a re-submission of application 16/01819/HOUSE which was previously refused. The current application differs in that it includes the demolition of part of a previous extension, and the garage.
- 2 The current applicant proposes a first floor rear extension; the overall depth of this extension would be 2.3m, and have an overall width of 7.25m. This would be inset from the West elevation boundary, associated with Bramble Cottage, by approximately 1.1m. A partial cat-slide roof would be installed between the proposed elevation and the elevation of Bramble Cottage.
- 3 Along the proposed Northern elevation, three windows would form the fenestration details associated with this extension. The proposed roof enclosing this extension would be approximately 5.3m in overall height, and would be constructed with a false pitch leading to a flat roof element. The proposed extension would be rendered to match the existing fabric of the dwelling, with matching roof tiles and windows and doors.

- 4 Additionally the applicant has proposed some alterations to fenestration detail. These would include the replacement of a ground floor centrally located window, along the principle elevation, with a front door and small adjacent window. These details would maintain the width of the original window at approximately 1.7m. The rear ground floor window would be infilled.
- 5 The applicant has proposed the demolition of the existing garage, and the part demolition of the existing lobby.

Description of Site

- 6 St Thomas is a semi-detached dwelling located to the North of Old London Road, the property was previously called Duredin, and pre-dates planning records.
- 7 The property is slightly set back from the road, and is partially screened by hedging along the front elevation of the dwelling. A gravel area is located to the front of the dwelling, for parking and small area of patio extends adjacent to the principle elevation. The properties external façade is comprised of white and green render, with primarily white fenestration details. To the rear both a wall and hedging separates the curtilage between St Thomas and Bramble Cottage. The property lies within the Metropolitan Green Belt, and outside of the built confines of Knockholt.

Constraints

- 8 Metropolitan Green Belt - GB
- 9 The site lies outside of the built confines of Knockholt.

Policies

Allocations and Development Management (ADMP):

- 10 Policies - GB1, EN1, EN2

Core Strategy (CS): SP1

- 11 Policy - SP1

Other:

- 12 National Planning Policy (NPPF)
- 13 Residential Extensions SPD
- 14 Development in the Green Belt SPD

Relevant Planning History

- 15 SW/5/71/251 - Extension to provide new lounge and store - GRANTED.
SE/75/00091/HIST - Construction of first floor bedroom extension at side - GRANTED.

SE/77/00344/HIST - Extension to side of dwelling - GRANTED.

SE/91/00533/HIST - Erection of conservatory - GRANTED.

SE/16/01819/HOUSE - Erection of a first floor rear extension and alterations to front fenestration - REFUSED.

Consultations

Knockholt Parish Council -

- 16 *Objection - "Object - As no measurements have been supplied regarding the increase in size of this property over the years, KPC are unable to access whether the demolition of the garage and part of the single storey ensures this plan does not exceed the 50% increased". permitted".*

Representations

- 17 Neighbour notification letters were sent to two properties. Site notice displayed and press notification published. The statutory consultation period ended on the 11/12/2016. No written responses were received.

Chief Planning Officer's Appraisal

- 18 The main issues for consideration of this planning application are:

- Green Belt
- Design and appearance
- Impact on neighbouring amenity
- Highways and Parking

- 19 Of particular relevance to this application is the following guidance:

Presumption in favour of sustainable development

- 20 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.)
- 21 Para 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

Green Belt

Green Belt considerations:

- 22 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.
- 23 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.
- 24 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.
- 25 Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development.
- 26 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.

Development plan policy summary:

Whether the proposal is appropriate or inappropriate development in the Green Belt:

- 27 The NPPF dictates that the extension or alteration of a building could be appropriate in the Green Belt if it does not result in disproportionate additions over and above the size of the original building. In this case as the increase in floor-space does not comply with the requirements of Policy GB1. Contrary to Policy GB1 of the ADMP/ the proposed form of development would be, by definition inappropriate development in the Green Belt, contrary to Policy GB1 of the ADMP.

Assessment against development plan policy:

- 28 Section 9, paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances.
- 29 Paragraph 89 of the NPPF however, does permit some development, such as an extension or alteration to a building, providing it is limited in nature and does not result in disproportionate additions over and above the size of the original building.
- 30 Policy GB1 of the ADMP and the Development in the Green Belt SPD states that proposals to extend existing dwellings within the Green Belt would be permitted if:

a) the development is lawful and permanent in nature and;

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 extensions, 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

If the proposal is considered acceptable when considered against criteria a) and b), the following criterion will then be assessed and must also be met for the proposal to be considered appropriate:

c) the applicant provides clear evidence that the total floorspace of the proposal, together with any previous extensions, alterations and outbuildings 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 building.

- 31 The Development in the Green Belt SPD establishes the council's definition of the 'original dwelling' as:

'Establishing what the Council deems to be the 'original dwelling' depends on when the property in question was first built and whether it pre-dates the modern planning system. In many cases the 'original dwelling' will refer to the floorspace of the dwelling when it was first constructed'.

'However for older homes constructed prior to July 1st 1948, the 'original dwelling' refers to the floorspace of the dwelling as it was on this date, when the Town and Country Planning Act was first introduced'.

Green Belt Assessment

- 32 The existing dwelling is lawful and permanent in nature. Previous applications have been made to the authority in relation to the extension of the dwelling, mainly in association with the East, side elevation of the dwelling. The first of which was in 1971 for a single storey extension to provide a lounge and store room, which was a flat roof addition to the East elevation.
- 33 In 1975, an application was submitted and granted for a first floor side extension, to provide an additional bedroom. This element was built above that of the 1971 single storey side extension. In 1977, an additional single storey element was constructed to create a lobby; located along the East elevation adjacent to the previous 1971 extension. It appears according to the previous application submissions that a porch and storeroom were both constructed, and demolished during this period.
- 34 In 1991, an application for the erection of a conservatory, to the rear Northern elevation of the dwelling was granted. It is also reasonable to assume, having consulted the planning plotting sheets and historic mapping, that the garage constitutes an addition from the original footprint of the dwelling. According to these sources, it appears the garage was constructed between 1987 and 1990. This garage is located within 5m of the dwelling, and therefore counts towards the Green Belt calculation.

35 Green Belt Calculations:

Original floor space	83.16 m ²
50% limit	41.58 m²
Previous extensions(s)	65.5025 m ²
Proposed Demolition	16.47 m ²
Proposed extension(s)	16.15 m ²
Total additional floorspace (existing extensions and proposed)	65.1825 m ²
Total percentage increase from original	78.38 %

- 36 The 'original' floor area of the building has been calculated as 83.16m². The latter extensions include the garage, conservatory, lobby, ground and first floor extensions, add 65.5m². Therefore, the existing property as it stands today already increases the site of the original dwelling by 78.77%. The proposed demolition will amount to 16.47m², with the proposed additional floor area amounting to 16.15m². This would represent a 78.38% increase on the 'original' footprint, and will decrease compared to the existing extensions to the property. Therefore, the proposal represents inappropriate development in the Green Belt. However, the proposal for this application indicates the demolition of both the garage, and part of the lobby, as a case of very special circumstances. This will be discussed in further detail towards the end of the report.

Impact on openness:

- 37 When considering the proposals impact on its own merits, without regard for the case of very special circumstances (the proposed demolition), the proposed first floor addition would represent a considerable increase in the three-dimensional bulk to the existing dwelling.
- 38 Taken on the proposed developments own merits, without consideration of any other circumstances (the proposed demolition), the proposed first floor addition would introduce further bulk to the existing dwelling. This addition would be located at first floor level, and protrude slightly from the East elevation. This, in combination with the partial proposed flat roof would add to the overall bulk of the dwelling. However, as the extension would be set within and above the existing built form; its impact on the open character of the Green Belt is limited.

Very special circumstances:

- 39 There has been a claim made of very special circumstances.
- 40 In this case, there are material considerations that may amount to or contribute to a case for very special circumstances.

Design and Appearance

- 41 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the character of the area in which it is situated. Policy EN1 of the ADMP states that the development should respond to the scale, height, materials and site coverage of the area and should respect the character of the site and surrounding area.
- 42 The Residential Extensions SPD suggests that the materials of new windows and doors should match those of the original house and that the scale and form of an extension should normally fit unobtrusively with the building and its setting.
- 43 These policies broadly conform with Paragraph 17 of the NPPF, which states that planning should take into account the varying roles and character of different areas. The above policies can therefore be afforded weight in the assessment of the proposal.
- 44 The proposed infilling of the rear window, formally associated with the storeroom would not be visible from the streetscene. It is considered, that the removal of the ground floor window on the front elevation, and replacement with a front door and small window, would pose a negligible harm to the street scene. This is due to the proposed front door and window maintenance of the width of the original window, the use of matching glazing bars, and the formation of the proposed re-placement window. These details would appear proportional to the existing windows located along the principle elevation of the dwelling.
- 45 The proposed demolition of the garage, given its partially dilapidated state, is considered to open up the area surrounding the dwelling, and therefore enhance the street scene. The Residential Extensions SPD advocates that outbuildings, and garages, should be subservient in scale, and should not be forward of the principle elevation of the dwelling. Currently, the garage sits in line with the properties principle elevation, at a slightly elevated level to the ground floor. The garage therefore represents a prominent built form along the street scene. It is considered its removal would respond to the SPD, lessening the impact of the built form in relation to the observable street scene.
- 46 The width and depth of the proposed addition at 2.3m, and 7.25m respectively, would represent an increase in the overall bulk to the dwelling. A gap of 1.1m would be left between the proposed extension and Bramble Cottage and the first floor element would meet the single storey elevation of St Thomas. This would not provide an appearance of deference to the existing built form. However, given the first floor, addition would be located to the rear, and the extension would maintain the building lines width, it would not be largely observable along the street scene. The use of matching materials, and the proportionality of the fenestration details would work to maintain the character of the property. Therefore, it is considered that the proposed works would have a negligible impact on the street scene.

- 47 The existing dwellings roof form is primarily pitched; the false pitch and partial flat roof element of the dwelling would represent a departure from this design. However, the roofline would be positioned lower than that of the existing ridgeline. This is supported by the Residential Extensions SPD, which recommends that proposed extensions should not exceed the original roof line to maintain an appearance of subservience.
- 48 It is therefore felt that the proposal would comply with Policy EN1 of the ADMP and the Residential Extensions SPD.

Amenity impact

- 49 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development, while ensuring it would not result in excessive overlooking, visual intrusion, noise, vibration, odour, air pollution, vehicle movements, or a loss of privacy and light enjoyed by the occupiers of nearby properties.
- 50 The Residential Extensions SPD expands upon this and states that any extension should not cause a significant loss of light to neighbouring properties and to protect against overlooking, a sidewall facing a neighbour should not normally contain windows unless privacy can be retained.
- 51 These policies are consistent with Paragraph 17 of the NPPF, which states that planning should always seek to secure a good standard of amenity for all existing and future occupants.

Bramble Cottage

- 52 Bramble Cottage is located to the West of the application site and forms the other part of the semi-detached dwelling. The rear first floor elevation of Bramble Cottage currently protrudes that of St Thomas. The proposed works would still maintain a slight set back from the rear elevation of Bramble Cottage, and a gap between the properties elevations would be sustained, with a cat slide roof separating these first floor elevations.
- 53 A 45° test was conducted to assess if a detrimentally harmful loss of light would be experienced as a result of the proposed first floor extension, to neighbouring amenity. The test passed on floor plans, as the proposed first floor addition would be set back from the first floor elevation of Bramble cottage. While the fenestration details associated with Bramble Cottage were not indicated on the plans, the test appears to fail on elevation, albeit the extension is behind the neighbouring property. Failure of one aspect of the test is not indicative of loss of light. Indeed, due to the aforementioned set back and gap of 1m between the properties elevations, Bramble Cottages first floor would essentially create the effect of a parapet wall. Therefore, it is not considered that a detrimental loss of light would be experienced as a result of the proposed works.
- 54 The proposed fenestration details associated with the proposed works would not create additional windows along this elevation. Although the windows would be larger in nature, and forward of there original position, they would face in a Northerly direction. Therefore, it is not considered that these

elements would result in an additional detrimental loss of privacy, or outlook.

Verington House

- 55 Verington is located to the East of St Thomas, in excess of 21m from the property, as a general rule this distance advocates that the neighbouring dwellings would not experience a worsening of living conditions as the result of development. Due to this distance, and the fact no additional fenestration details would be installed along this elevation, no loss of light, privacy or overlooking would be experienced as a result of the works to this dwelling.

Other dwellings and associated land

- 56 The proposed fenestration details located along the rear elevation, would not amount to additional windows, they would be of a larger nature, and moved forward from their original location. The ownership of the land located behind St Thomas cannot be identified, and there are no dwellings located to the rear of the application site. For these reasons, and the not inconsiderable vegetation that is located along the rear boundary, a detrimental loss of privacy, loss of light, or outlook would not be experienced as a result of the proposal.
- 57 The proposed alterations to the fenestration details on the front façade of the dwelling would not give rise to a loss of privacy or, affect neighbouring outlook. This is due to the maintenance of the width of the original window, to accommodate a front door and small adjoining window, and the existing vegetation along the Southern boundary.
- 58 It is therefore, considered that the proposed works would comply with policy EN2 of the ADMP.

Highways and Parking

- 59 Policy T2 of the ADMP states that vehicle parking provision should be made in accordance with the current Kent County Council (KCC) vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide. This states that properties with 3 bedrooms require 2 independently accessible parking spaces.
- 60 The proposed works would allow for the provision of an additional bedroom. This would increase the number of bedrooms associated with the dwelling from two to three. The available parking on site would provide sufficient space for two vehicles, even when considering the demolition of the garage. Therefore, it is considered the proposal would comply with policy T2 of the ADMP.

Assessment of any very special circumstances that may apply for this Green Belt proposal:

- 61 Para 88 of the NPPF states that when considering any planning application, LPAs should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to

the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by any other considerations.

Possible very special circumstances:

62 These can be summarised as:

- Decrease in floor-space,
- Decrease in footprint - improvement of spacing,
- First floor bulk is acceptable given the unique circumstances.

63 In addition to the applicants very special circumstances conditions would be attached to the application to prevent further development. These would include:

- Condition to remove General Permitted Development Rights, for Classes A, B, C, D and E.
- Condition requiring the demolition of all outbuildings within the curtilage of the dwelling prior to the commencement of development.

64 As previously discussed, the proposed extension would create an additional bulk to the dwelling. However, the proposed first floor addition would act as a partial infill extension, to the dwelling. The location of the extension would be to the Northern/rear, elevation of the dwelling, and the overall height of the proposed roof would be lower than that of the existing. This would locate the additional bulk against the backdrop of the existing dwelling. The location of the extension would not therefore further restrict an open vista of the Green Belt.

65 The demolition of garage would however open up a developed area of the site, which can be observed prominently along the principle elevation of the dwelling.

66 The garage is located approximately 1m from the dwelling and represents a spread of bulk across the site. In comparison, the first floor addition would, given the demolition, act to reduce the footprint in terms of the ground that is covered. This as the first floor addition would be located above a pre-existing footprint, and the bulk of the addition would be confined to the existing built form. Therefore, the demolition of the garage is given significant weight when considering the case for very special circumstances, for the reasons given above.

67 The part demolition of the lobby would, however only be considered to provide moderate weight as a case of very special circumstance. This is due to the fact, that the demolition would reduce the bulk on site, and allow a decrease in the overall footprint of the dwelling. The location of the demolition would be to the rear of the lobby at ground floor level, which would not represent more harm than that represented by the first floor addition, which would be more prominent.

68 The part demolition of the lobby would result in a loss of bulk and floor-space from the existing dwelling. The proposed demolition and first floor addition would actually reduce the floor-space on site. As the dwelling

currently exist the overall floor area is 148.66m², the proposal would represent 148.34 m². Therefore, the proposed works would decrease the built forms floor area by 0.32m².

- 69 In conjunction with the very special circumstances, permitted development rights classes A, B, C, D, and E would be removed. It would be considered reasonable to condition the application as such, to ensure that no further development would take place, which could further impact the open nature of the Green Belt. Indeed, this would appear reasonable given that the dwelling already exceeds the 50% limit. Further to this, the special circumstances rely upon the demolition of the garage, as the garage could potentially be re-constructed within the curtilage of the dwelling under class E. Removing the right to construct outbuildings would further protect the open character of the Green Belt.
- 70 Currently, the applicant would be entitled to carry out under their Permitted Development rights a number of construction projects. Therefore, the removal of the applicants PD rights would reduce the potential impact to the openness of the Green Belt, posed by the Permitted Development rights attached to the dwelling.
- 71 It would also be considered reasonable to condition the application to require that all outbuildings be demolished prior to the commencement of the works. This would prevent the applicant from constructing a garage or other outbuilding before the works commenced and the removal of PD rights came into force.

Conclusion on very special circumstances:

- 72 In reviewing the extent of harm and the potential very special circumstances, it is concluded that the very special circumstances, provide a case of significant weight. Therefore, the case put forward for the demolition of the garage, and partial demolition of the lobby, would clearly outweigh the harm posed by the proposed addition.

Community Infrastructure Levy

- 73 The Council adopted the Community Infrastructure Levy on 18 February 2014 and began charging on applications approved from the 4th August 2014.
- 74 The proposal is not CIL liable.

Conclusion

- 75 The proposed first floor extension and alterations to fenestrations would represent a negligible impact on the character of the street scene. Neither the proposed first floor addition, nor the alterations to fenestrations would present an opportunity for an additional harmful loss of light, outlook or privacy. It is also considered that sufficient parking exists on site. For the reasons above the proposed works are considered to comply with policies EN1, EN2 and T2 of the ADMP.

76 The proposed first floor addition is considered to represent a harmful impact to the open character of the Green Belt, and therefore does not comply with policy GB1. However, on balance, it is considered that the case of very special circumstances clearly outweighs the harm posed by the first floor addition.

77 It is recommended that permission is approved.

Background Papers

Site and Block Plans

Contact Officer(s): Emma Gore Extension: 7206

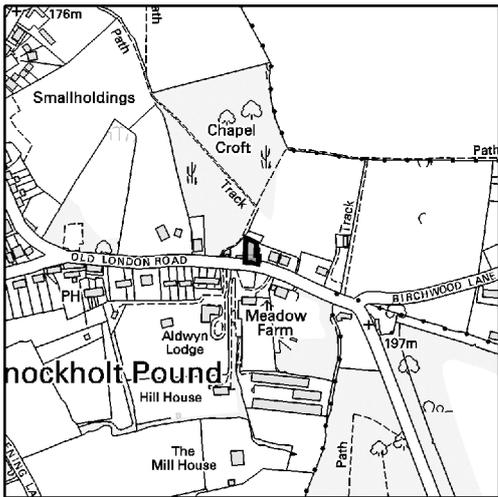
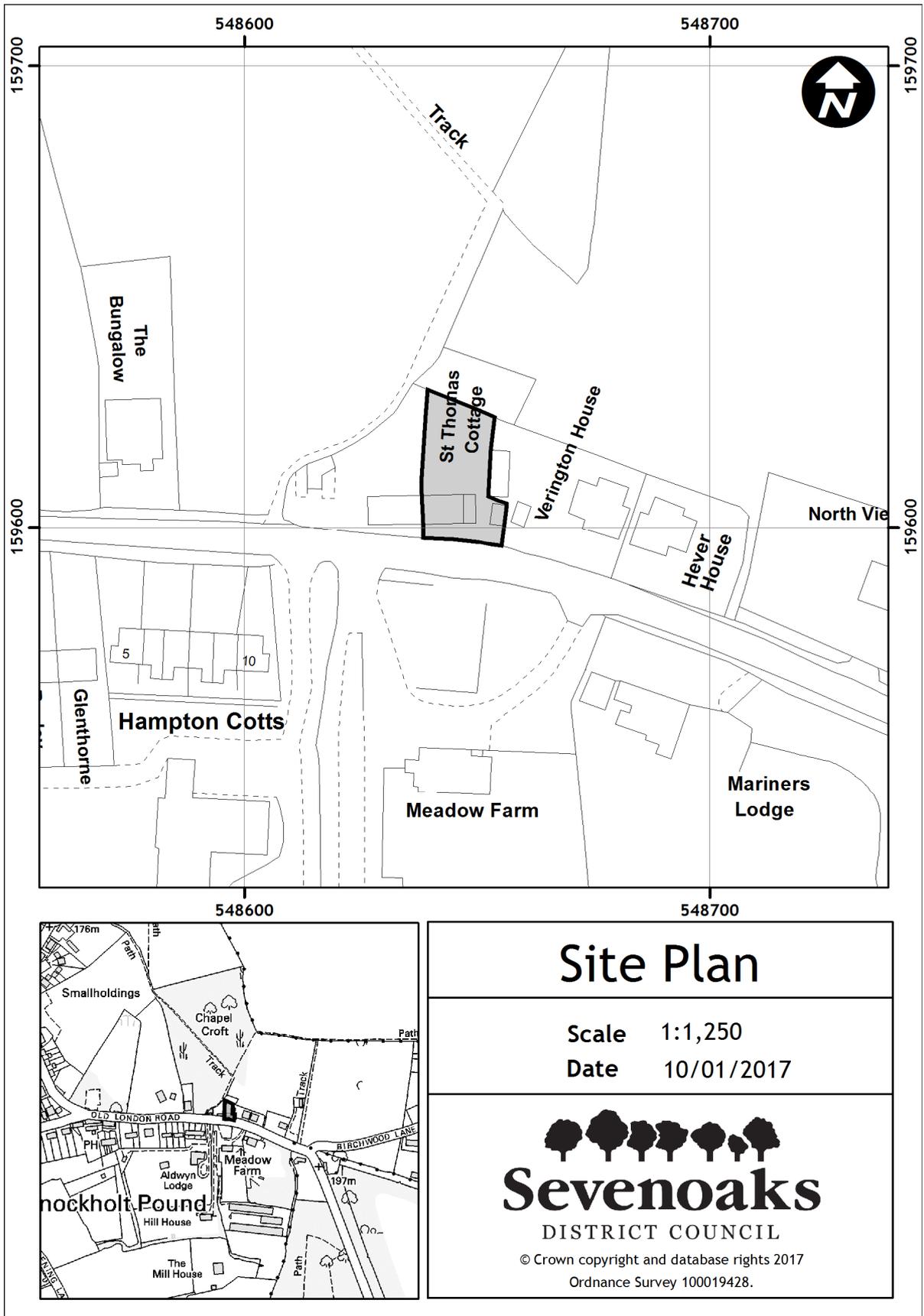
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OFR6Q4BK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OFR6Q4BK0L000>



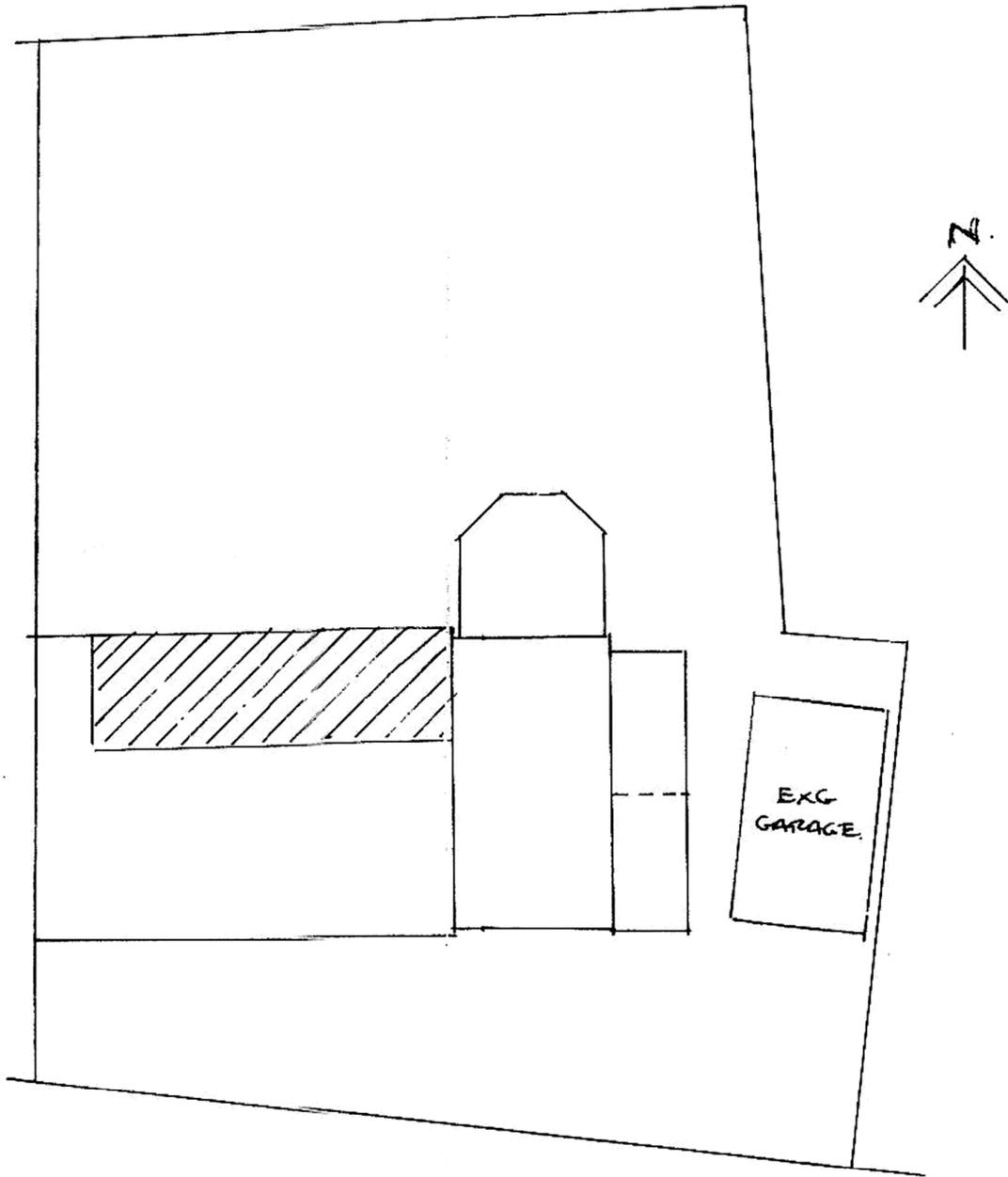
Site Plan

Scale 1:1,250
Date 10/01/2017



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Block Plan



BLOCK PLAN