

4.1 - SE/16/03749/HOUSE Date expired 7 June 2017

PROPOSAL: The erection of a single storey rear extension.

LOCATION: Fletchers Oast, Egg Pie Lane, Weald, Kent TN14 6NP

WARD(S): Seal & Weald

ITEM FOR DECISION

The application has been referred to the Development Control Committee by Councillor Thornton on the following grounds:

- the proposal exceeds the 50% Green Belt limit for development
- a case of very special circumstances does not exist

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) The existing garden shed; as shown on the approved plan Existing Block and Site Location FL010 & Existing outbuilding drawing no. OW4; shall be demolished and all materials resulting therefrom shall be removed from the land within one month from the date of this permission.

To prevent inappropriate development in the Green Belt as supported by GB3 of the Sevenoaks Allocations and Development Management Plan.

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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Description of proposal

- 1 The applicant is seeking retrospective permission for a single storey addition.
- 2 The development consists of a single storey rear extension with a hipped roof measuring 3.5m wide and 1.4m deep from the rear elevation at ground level. The ridge height is set to 3.3m and the extension stands 2.2m at eaves. It has added 4.9m² in floorspace to the dwelling.

Description of site

- 3 The application site consists of Fletchers Oast a two storey detached dwelling fronting Egg Pie Lane; located within Seal and Weald Ward of Sevenoaks Weald parish. The site consists of the main dwelling and outbuildings situated in the residential curtilage.

Constraints

- 4 Metropolitan Green Belt

Policies

Allocations and Development Management (ADMP):

- 5 Policies - SC1, EN1, EN2, GB1

Core Strategy:

- 6 Policies - SP1

Other

- 7 Residential Extensions Supplementary Planning Document (SPD)
- 8 National Planning Policy (NPPF)

Planning history

- 9 SE/16/00097/HOUSE - GRANTED - Demolition of existing garage and summer house and erection of a new garage/workshop.

SE/15/02948/HOUSE - GRANTED - Demolition of existing garage/workshop. Erection of a garage/workshop. Alterations to parking area.

SE/14/01726/HOUSE - GRANTED - Demolition of existing garage/workshop and erection of new detached garage/workshop.

SE/13/02944/HOUSE - GRANTED - Demolition of existing extension and erection of a two storey side extension, repositioned porch, tile hanging to upper part of elevations, Juliet balcony on first floor rear elevation and lantern rooflight over ground floor rear extension, alterations to fenestration.

66/15758 - GRANTED - Addition of a garage, study, bedroom and garage.

60/10788 - GRANTED - Erection of brick garage.

Consultations

Weald Parish Council -

- 10 Objects to application. It is the Parish Council's policy to object to applications in the Green Belt which exceed the 50% rule under Policy H14A (*this policy has been superseded by Policy GB1 of the ADMP*).

Representations

- 11 Eight (1 duplicate) comments in support of the application have been received:
- Significant improvement after years of neglect
 - Concern that the contractor contacted Planning Enforcement after supporting the applicants in erecting unapproved extension
 - Small size of concerned area
 - Insignificant in relation to the overall dwelling and size of plot
 - Does not harm the Green Belt
 - Seclusion from neighbours
 - Extenuating circumstances
 - In keeping with original style of the property.

Chief Planning Officer's appraisal

Principal issues

- 12 The main issues for consideration are:
- Impact on the Green Belt
 - Impact of the proposal on the street scene
 - Impact of the proposal on neighbouring amenity.

Of particular relevant to this application is the following guidance:

Presumption in favour of sustainable development:

- 13 Para 14 of the NPPF confirms that there is 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).
- 14 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 considerations:

- 15 Having established that the site is within the Green Belt we must consider both our Development Plan Policy and the NPPF.
- 16 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.
- 17 Para 88 of the NPPF advises that Local Planning Authorities 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.
- 18 Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development.
- 19 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.

Impact on Green Belt

- 20 Fletchers Oast lies within the Metropolitan Green Belt and thus Policy GB1 '*Limited extension to dwellings in the Green Belt*' of the ADMP applies to this development. Policy GB1 states that proposals to extend an existing dwelling within the Green Belt which would meet the following criteria will be permitted.
- 21 Development must be in keeping with the appearance of the building and subservient in volume. Any development can not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion.
- 22 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.

Assessment against development plan policy:

- 23 I am satisfied that planning records on file indicate that the dwelling is lawful and permanent in nature in accordance with criteria a) of Policy GB1; and thus the development will need to be assessed against the remaining points contained within that policy.
- 24 In terms of design, the hipped roof over the single storey extension reflects the pitch, overhang and style of the main house and is covered in matching dark coloured tiles. The flanks of the extension are brickwork similar in quality and appearance to the main house. A window is installed in the rear elevation with a white frame.
- 25 It is considered that the choice and combination of materials succeed in responding to and reinforcing the character of the house and wider area. The rear extension is therefore a good match to the original building and unobtrusive in this respect.
- 26 It is my opinion that the volume, scale and bulk of the extension have not resulted in a development with an overbearing appearance but one that is subservient.
- 27 In summary, impact to the Green Belt as a result of this development is considered low. The character of the locality is unaffected and the development meets the requirements of criterion b).
- 28 Development is acceptable when considered against criteria a) and b); criterion c) will be assessed and must be met for the development to be appropriate. To accord with criterion c) development must not increase total floor space by more than 50% above the floor space of the original dwelling.
- 29 At ground level the development measures 3.5m wide and 1.4m deep from the rear elevation. It has added 4.9 m² (3.28%) in floorspace to the dwelling.
- 30 From the submitted plans, I have made the following floor space calculations: -

Original Floor Space	149.28 m ²
50%	74.64 m ² (59.5%)
Already extended by	88.79 m ²
Retrospective rear extension	4.9m ²
Total extensions	93.69m ²
Total increase %	62.76%

- 31 The development is contrary to local Green Belt policy GB1 and it is necessary to review the material considerations that may amount to a case for very special circumstances.
- 32 As a case for very special circumstances the applicant is willing to demolish a shed within the residential curtilage of the property located 14m from the main house. The shed is located against the eastern boundary of the site and comprises of a timber shed outbuilding used for storage. The shed measures 4.17m by 2.72 m and stands 2.45m high. The floor space is calculated at 11.34m².
- 33 Taking down a shed with a floor space of 11.34m² considerably larger than the 4.9m² of the retrospective extension development would materially reduce built bulk within the Green Belt. The area of the shed is greater than the area added to the house by 6.4m².
- 34 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form.
- 35 Given that a case for very special circumstances will remove a shed with a floor area of 11.34m², the impact of the rear addition is judged to be mitigated by a significant net gain to the openness of the Green Belt. The case for very special circumstances is considered valid.
- 36 When tested against criterion c) of GB1 I have concluded that the development is inappropriate in principle. However I would argue that as a case for very special circumstances the removal of a shed within the residential curtilage is sufficient to safeguard the character and openness of the Green Belt. On balance the scale and any harm from the development is outweighed by a reduction in built form within the Green Belt.

Amenity

- 37 The NPPF and Policy EN2 of the ADMP both require new developments to safeguard neighbouring amenity as well as to provide an adequate standard of residential amenity for the current and future occupiers.
- 38 The retrospective extension is located 21.5m from the nearest neighbour Appletrees and 60m from Fletchers Green. Given the distances and screening there will not be any loss of light or outlook to the surrounding residential properties resulting from the development. To the east the site is adjoins an area of land named Coal Yard and Stidolph's Farm but these will be unaffected by this small single storey extension.
- 39 I note that the development is located to the side of the rear elevation away from the highway on a part of the property screened by mature vegetation and trees on its boundary.
- 40 Views of the development are primarily blocked by the bulk of the main dwelling; and equally hidden by mature borders fronting the curtilage and to the side. A very brief gap in the front boundary hedgerow and house is the sole view point onto the garden from the street scene. This is the only position on Egg Pie Lane where the development can be seen and whilst it is

possible to look at flank of the property; the extension is difficult to distinguish due to perspective.

- 41 For the reasons stated above the development is largely concealed from the road and has minimal impact on the street scene and character of the area.
- 42 Looking at the wider neighbourhood, the area is foremost residential but has agricultural storage units. The mixed character of the area demonstrates that the development is not unconventional or unsuitable.
- 43 Consequently, I am satisfied that the rear extension would not have an unacceptable impact upon the amenity of surrounding residents. The development is considered to be in accordance with policy EN2 of the ADMP.

CIL

- 44 The development is not liable as less than 100 square meters of floor space is created.

Conclusion

- 45 For the reasons detailed above that the development would be acceptable through very special circumstances. The development would be in keeping with the character and appearance of the area, would preserve neighbouring amenity and would not be detrimental to the Green Belt. Therefore the Officer's recommendation is to grant planning permission.

Background papers

Site and block plan

Contact Officer(s): Neil Armour Extension: 7387

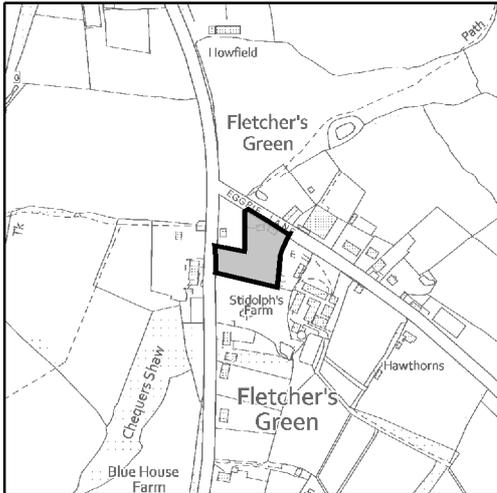
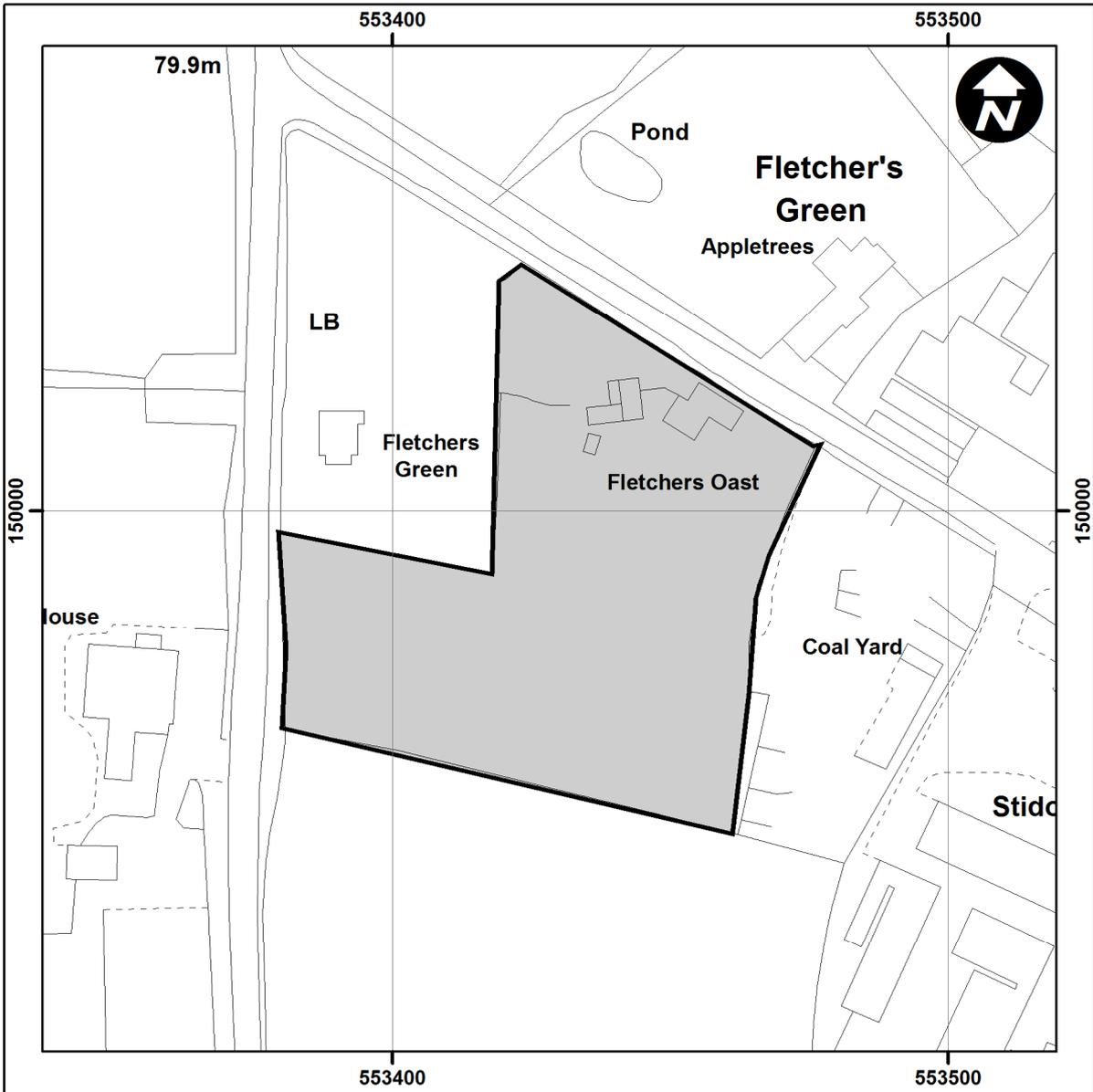
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OHTRCWBKN4000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OHTRCWBKN4000>



Site Plan

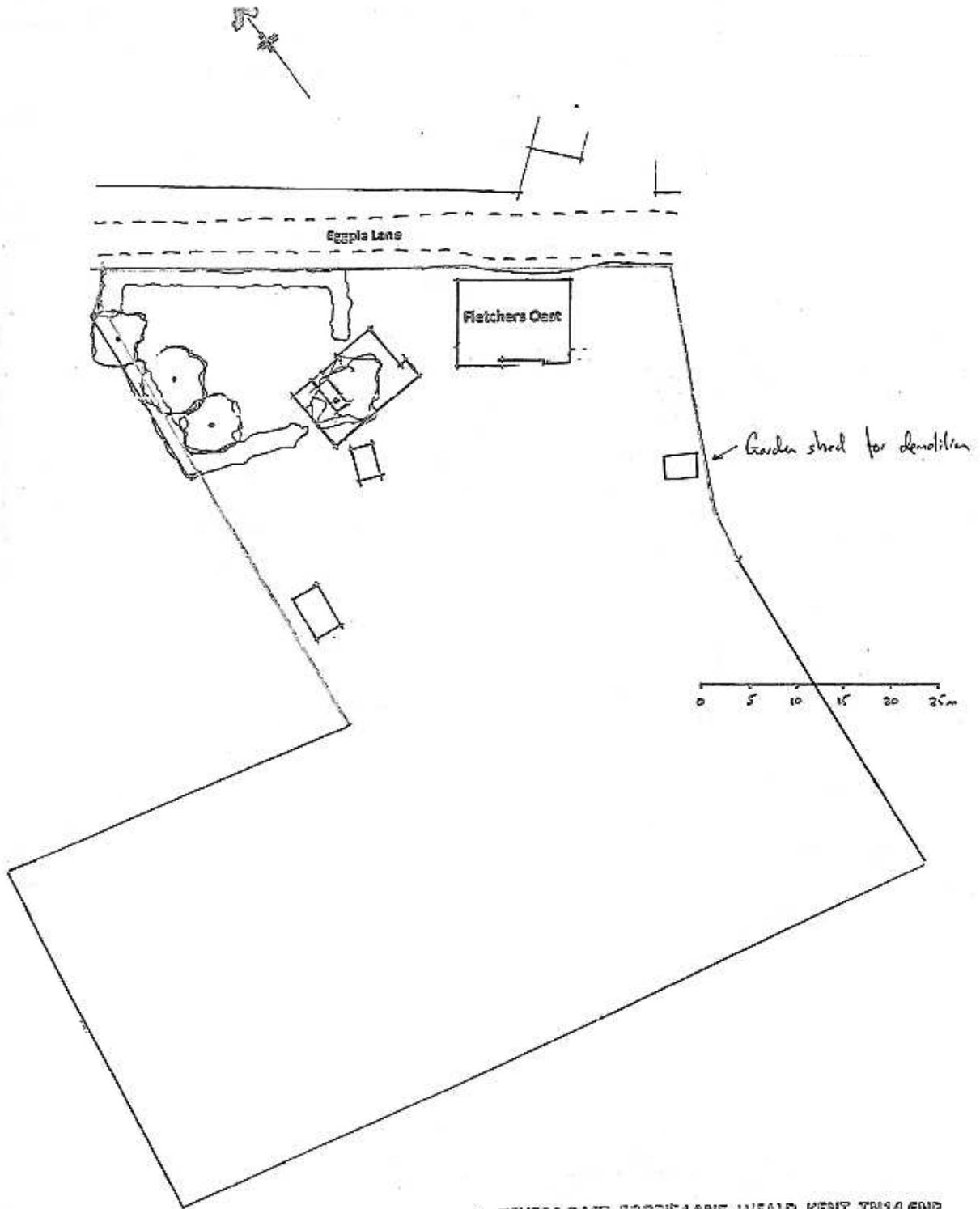
Scale 1:1,250

Date 03/03/2017



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Block Plan



FLETCHERS OAST, EGPIE LANE, WEALD, KENT, TR14 6NP