

4.3 18/02608/HOUSE Revised expiry date 14 December 2018

Proposal: Demolition of outbuildings and existing side extension. Proposed double storey side extension and single storey rear extension. Change of car parking from rear to front of property.

Location: 71 Newlands Cottages, Stones Cross Road, Crockenhill BR8 8LT

Ward: Crockenhill & Well Hill

Item for decision

This application has been referred to Development Control Committee by Councillor Lindsay who believes that the development does not represent inappropriate development that is harmful to the openness of the Green Belt.

RECOMMENDATION: That planning permission is REFUSED for the following reasons:

The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposed extensions would result in disproportionate additions to the original house and constitute inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. No very special circumstances exist to clearly outweigh the harm to the Green Belt, contrary to the National Planning Policy Framework, policy GB1 of the Sevenoaks Allocations and Development Management Plan, Policies SP1, LO8 of the Sevenoaks Core Strategy and Section 5 of the Sevenoaks Development in the Green Belt SPD.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of Proposal

- 1 Demolition of outbuildings and existing two-storey prominent flat roofed side extension, replaced with a two-storey side extension with a hipped roof together with a single storey rear extension. The proposal includes the relocation of off-road parking from the rear of the property to the front of the dwelling.

Description of Site

- 2 71 Newlands Cottages is a semi-detached property located over 200m to the north of Crockenhill village within a rural location. The property is located adjacent to Stones Cross Road with a mature hedge to the northeastern boundary of the site.
- 3 The site is located within the designated Metropolitan Green Belt.

Planning History

- 4 TH/5/59/408- Proposed bathroom - Granted.
TH/5/71/144 - Erection of a garage and construction of vehicle access - Granted.
79/01218 - Extension to side of dwelling - Granted.
18/00995 - Demolition of outbuildings and existing side extension. Proposed rear and side double storey extension. Creation of new access and parking for two cars - Refused.

Building Control History

- 5 437/74 - Single storey extension to kitchen at rear - GRANTED.

Constraints

- 6 Metropolitan Green Belt
- 7 Listed Coal Tax Post opposite the property

Policies

National Planning Policy Framework (NPPF)

- 8 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

9 Core Strategy (CS):

- SP1 - Design of New Development
- LO8 - The Countryside and Rural Economy

10 Allocations and Development Management (ADMP)

- EN1 - Design Principles Design Principles
- EN2 - Amenity Protection
- EN4 - Heritage
- GB1 - Residential Extensions within the Green Belt
- T2 - Vehicle Parking

11 Other

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
- SDC Development in the Green Belt SPD

Consultations

Crockenhill Parish Council

12 Supports the application

Representations

13 No representations have been received.

Chief Planning Officer's Appraisal

14 The main planning considerations are:

- Impact upon the Green Belt
- Design and impact on the character of the area
- Impact on neighbouring amenities
- Highways and parking
- Impact upon trees
- Impact upon heritage asset

Impact upon the Green Belt

15 As set out in paragraph 143 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.

16 Paragraph 144 of the NPPF advises we 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. Therefore, the

harm in principal to the Green Belt remains even if there is no further harm to openness because of the development.

- 17 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 principal to the Green Belt from inappropriate development.
- 18 The NPPF states 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. This is also reflected in Policy GB1 of the ADMP.
- 19 The property is lawful and permanent.
- 20 In reviewing the history of the site the side extension was granted permission in 1959 and the kitchen was extended in 1974 presumably under permitted development rights (Building control reference 437/74). The proposal requires the replacement of the existing extensions. Accordingly, when considering the increase the floor area of the existing extensions, these have been excluded from the figures. The existing shed within 5m of the house will be relocated and accordingly its floor area has not been included.
- 21 On considering the above, the following floor area calculations have been derived for the purposes of GB1 of the ADMP. They are as follows:

	Floor area m ²	Total floor area m ²	% increase
Original dwelling	80.78		
Proposed extensions	67.74	145.52	80.9

- 22 From the table above, the proposal represents disproportionate additions over the size of the original dwelling and therefore is harmful by definition and constitutes as inappropriate development.
- 23 The extent of harm to the Green Belt arises from the proposal by the significant increase in bulk caused by the proposed extensions. The two-storey side extension, lies adjacent to Stones Cross Road and would be clearly visible from the street and approaches to the property from the north and south. This results in a development where the proposed extensions would be more prominent than the existing built form, by the introduction new hipped roof. As a result, the openness of the Green Belt is eroded. This together with the increase in floor area of the development would represent inappropriate development that harms the openness of the Green Belt. Accordingly, it fails to meet the requirements of the NPPF, Policy GB1 of the ADMP and section 5 of the Development in the Green Belt SPD.

Design and impact on the character of the area

- 24 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP. The Residential Extensions SPD is also applicable.
- 25 Newlands Cottages comprises of two semi-detached properties, nos. 71 and 72 with no. 71 located adjacent to Stones Cross Road
- 26 The proposal would replace the existing two-storey flat roofed side extension with a two- storey side extension with a hipped roof and a single storey rear extension. The proposed design would be in keeping with the character of the existing dwelling with materials in keeping with the existing house. The proposed two- storey side extension would give a symmetrical appearance to nos. 71 and 72.
- 27 The proposal includes two parking spaces on the front drive of the property and the installation of a new common boundary fence, adjacent to the access.
- 28 The existing garage is proposed to be demolished and a new fence would be erected, 'closing off' the existing rear access.
- 29 Overall, it is considered that the proposal is of an appropriate design that would meet the requirements of the NPPF and policy EN1 of the ADMP and SDC's Residential Extensions SPD.

Impact on neighbouring amenities

- 30 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application.
- 31 The dwelling is a semi-detached property with both houses possessing single storey rear extensions.
- 32 The single storey rear extension would match the depth of the single storey rear extension on the adjoining property no. 72, ensuring in terms of loss of light and overshadowing issues that this property would not be affected.
- 33 The two-storey side extension would be set on the southern facing side of the house and would not affect the adjoining property.
- 34 The only other residential properties within close proximity to the site are - Rushes, located approximately 50m to the southeast and Marlpit Hall, located approximately 40m to the north-east. These properties would not be affected by the proposed development.
- 35 In consequence of the above, the proposal would meet the requirements the NPPF, policy EN2 of the ADMP and SDC's Residential Extensions SPD.

Highways and parking

- 36 The extended property would retain two bedrooms and a loft, which could be converted to a bedroom at later date. However, the proposal meets the

parking requirements of Appendix 2 of the ADMP in respect to off-street parking provision for a three-bedroom property. Therefore, no objection is raised in this instance.

- 37 In reviewing, the visibility splays of the new parking provision, sufficient visibility would exist to the north. However, there would be insufficient visibility to the south with the parking area being adjacent to a bend in the road with dense vegetation. Notwithstanding this, the proposal would provide enhanced visibility compared to the current arrangements and would improve overall highway conditions.

Impact upon trees

- 38 From the drawings submitted, the proposal shows the removal of the tree within the front garden. This element of the scheme matches the previous refused permission for which the Council's Tree Officer was consulted. He noted that the tree was not a specimen of merit and did not object to its loss.

Impact upon the setting of the heritage asset

- 39 Policy EN4 of the ADMP and Policy SP1 of the Core Strategy 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.
- 40 A grade II historic Coal Tax Post lies opposite the proposed dwelling adjacent to Stones Cross Road. It is considered that the proposed development would not impact upon the adjacent post ensuring that its character, appearance and setting would be conserved in accordance with Policy EN4 of the ADMP.

Assessment of very special circumstances

- 41 Paragraph 144 of the NPPF states that when considering any planning application, we 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 because of its inappropriateness and any other harm is clearly outweighed by any other considerations.
- 42 The harm in this case have been identified as:
- The harm in principal from inappropriate development in the Green Belt, which must be given significant weight.
 - The harm to the openness of the Green Belt, which is also given significant weight.
- 43 The applicant is claiming that there is a very special circumstance case being the removal of outbuildings to offset the proposed development.
- 44 The applicant is proposing to remove a detached garage and a summerhouse that are located more than 5m from the rear of the property. The floor areas of the proposed buildings measure 21.3m² and 6.3m² respectively,

giving a combined total floor area of 27.6m². Each building is flat-roofed with a height of 2.2m and 2.5m respectively.

- 45 It is considered that the current outbuildings are discrete in their design and appearance. Whilst the proposal would add a single storey rear extension that rises to a height of 6.0m and a two-storey side extension that extends to a height of 8.4m, it results in an increase in the scale and bulk of the dwelling, highlighting its visual prominence. Therefore, the loss of the floor area of the outbuildings does not wholly justify the development proposed as its impact brings no beneficial benefit to the openness of the Green Belt. As such, limited weight can be attributed to this circumstance.
- 46 It's noted that the adjoining property possesses a similar two-storey side extension. However, that proposal offset the bulk against earlier development that was demolished as part of the proposal, under planning application 11/00514/FUL. Therefore this proposal cannot be considered as directly comparable or

Balancing Exercise

- 47 In reviewing the extent of harm caused to the Green Belt by the proposal and the potential very special circumstances advanced by the applicant, it is concluded that due to the increase in the scale and massing of the property, the resultant development creates a more visually prominent feature that erodes the openness of the Green Belt. Whilst there is some benefit in the scheme by balancing the appearance of the semi-detached properties, however this would be at the expense in harming the Green Belt. In consequence, the proposal represents inappropriate development to which the very special circumstances case does not clearly outweigh the substantial harm to the openness of the Green Belt.

CIL

- 48 This proposal is not CIL liable.

Conclusion

- 49 In isolation from the Green Belt issue the proposal would represent an improved design that would be in keeping with the character and appearance of the area and the would not impact upon local amenity and would provide sufficient parking on site.
- 50 However, the proposal would represent inappropriate development harmful to the openness of the Green Belt. The very special circumstance case does not clearly outweigh the identified harm and accordingly the proposal fails to meet the requirements of national and local planning policies.

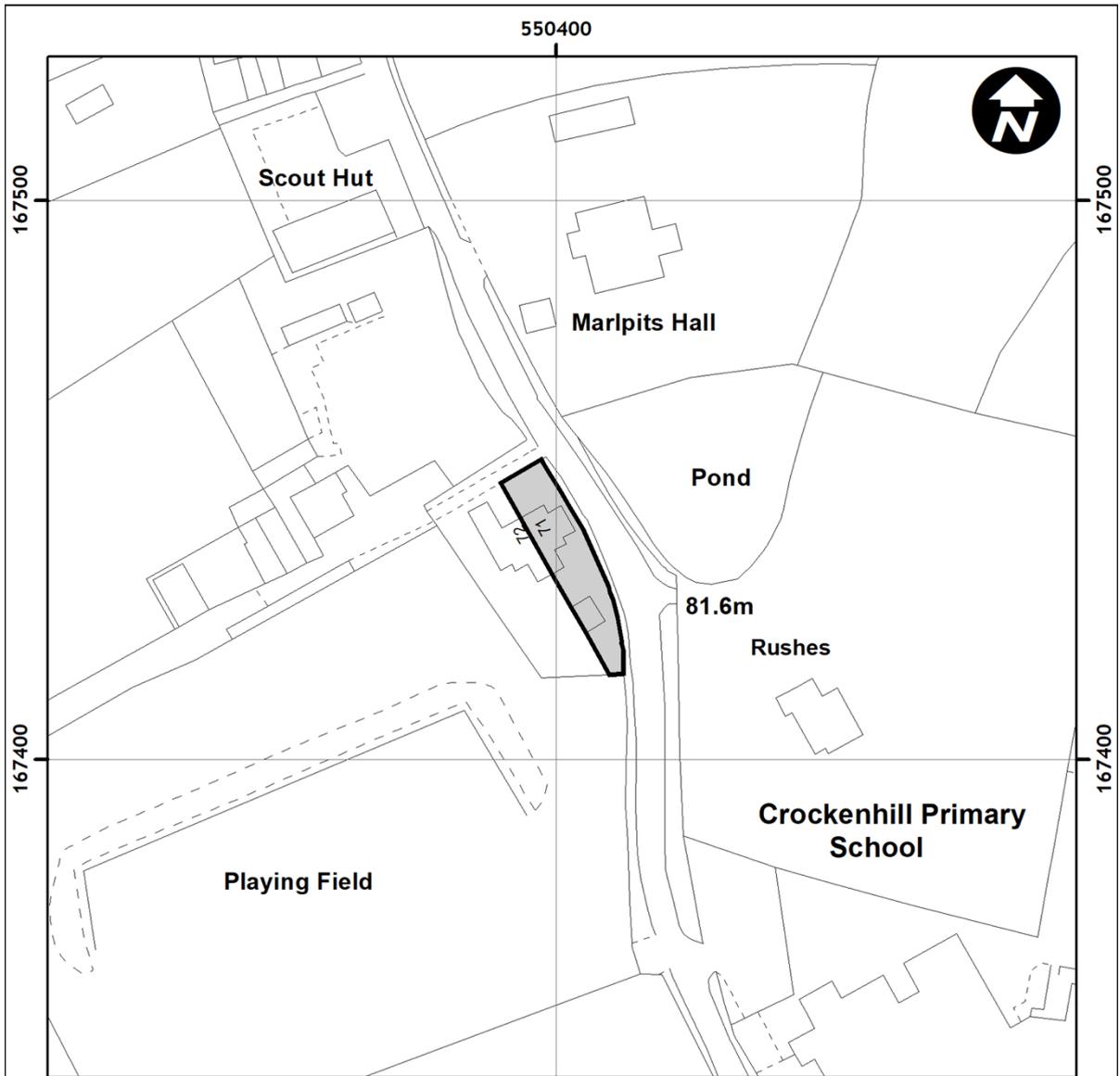
Background Papers

Site and Block Plan

Contact Officer:

Guy Martin Extension: 7351

Richard Morris
Chief Planning Officer



550400

Site Plan

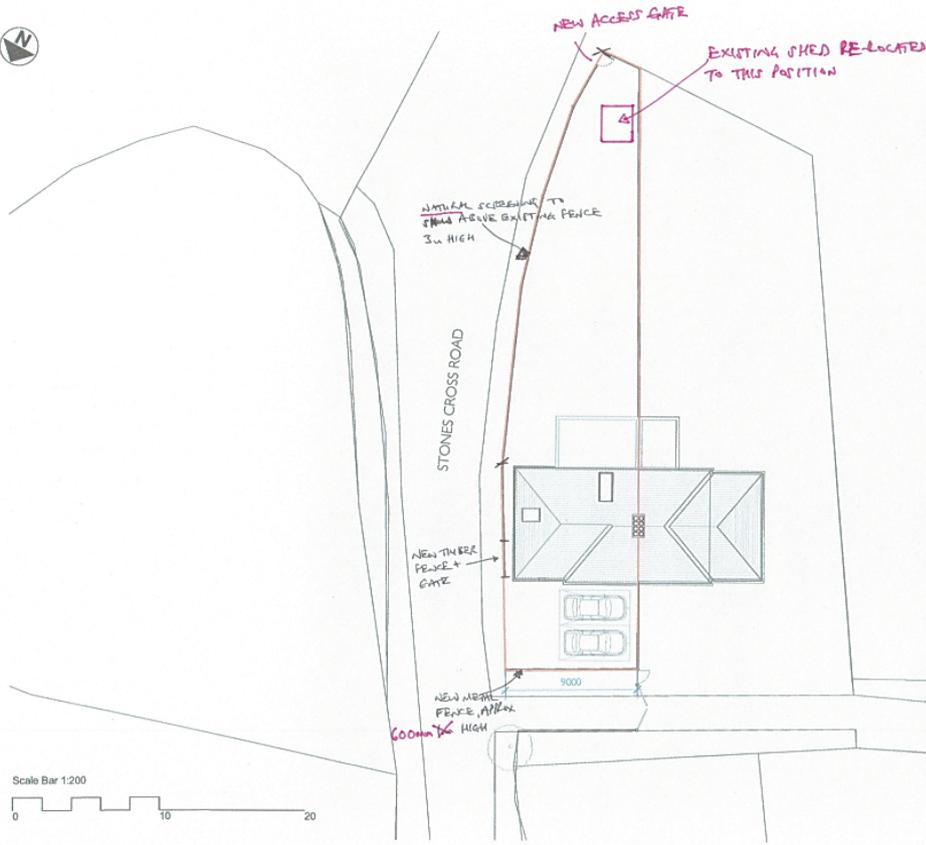
Scale 1:1,250

Date 28/11/2018

Sevenoaks
DISTRICT COUNCIL

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Ordnance Survey 100019428.

Block Plan



REV A : EXISTING SHED RE-LOCATED
 REV A : FRONT FENCE REDUCED TO 600mm HIGH
 REV A : NATURAL SCREENING TO BE MAINTAINED OR REPLACED WITH EXISTING FENCE TO REMAIN AND NEW TO MATCH

Proposed Site Plan

drawing number	sheet no	
000.16.01.Pln.020	A3/A	
job title		
71 Newlands Cottages, Kent		
client		
Mr Leo Palmer		
scale	drawn by	Dr
1:200 @ A3	DF	
date	checked by	
August 2016		

