

4.4 18/02613/HOUSE Date expired 16 October 2018

Proposal: Alterations to existing dwelling including rear single storey and part two storey extension, new bay window on front elevation.

Location: Keepers Cottage, Hill Hoath Road, Chiddingstone TN8 7AE

Ward: Penshurst, Fordcombe & Chiddingstone

Item for decision

The application was referred to Development Control Committee by Councillor Coleman to consider the impact upon the openness of the Green Belt and the fall back position.

RECOMMENDATION: That planning permission be 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 and 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 site

- 1 The application site comprises of a detached, two-storey house set back from the public highway within the rural location of Hill Hoath Road. The site is located within the Metropolitan Green Belt, High Weald AONB and Chiddingstone Conservation Area. Hoath Hill Road is set in a rural location with wide views of the countryside.

Description of proposal

- 2 The proposal is for alterations to existing dwelling including a single storey and part two storey extensions to the rear with an overall height of approx. 7.2 metres, a projection of 5metres at ground floor level with a width of 8 metres and 4metres from first floor with a width of approx.5 metres. The proposal also seeks permission for the addition of a new bay window located to the front elevation; this would project 0.7metres from the rear wall and a width of 2.3 metres.
- 3 The materials proposed for the new extension will match the existing property, these consist of:-
 - Walls - Brick work
 - Roof - Clay tiles
 - Windows - Wood

Relevant planning history

- 4 86/02261/HIST - Two storey extension to dwelling - GRANTED

06/02635/FUL - Replacement of out-buildings. Resubmission of planning application SE/06/01887/FUL. - GRANTED

07/00587/FUL - Replacement of out-buildings. Resubmission of planning application SE/06/01887/FUL. - GRANTED

17/03587/LDCPR - Rear single storey extension. - GRANTED

17/03155/WTCA - Works to various trees (WTCA) - No Objection Lodged

Policies

- 5 National Planning Policy Framework

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.

6 Core Strategy

- SP1 Design of New Development and Conservation
- L08 The Countryside and Rural economy

7 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- EN5 Area Of Outstanding Natural Beauty (AONB)
- GB1 Green Belt

8 Other:

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

Constraints

9 High Weald Area of Outstanding Natural Beauty (AONB)

10 Metropolitan Green Belt

11 Chiddingstone Conservation Area

Consultations

Chiddingstone Parish Council:

12 Supports this application.

SDC Tree Officer:

13 A no objection response to 17/03155/WTCA has been given. These trees are the nearest to the proposals, no objection to extension.

Representations

14 No representations have been received.

Chief Planning Officer's appraisal

15 The main planning considerations are:

- Impact on the character of the area
- Impact on neighbouring amenity
- Impact on the Metropolitan Green Belt
- Impact on Conservation Area
- Impact on AONB

Impact on the character of the area

- 16 The proposed single storey and part two storey extensions will be clearly visible in the street scene; however the proposal is set back from the highway. Hoath Hill Road is set within the rural location of Chiddingstone Hoath.
- 17 The proposal is a good quality of design, the proposed part two storey extension roof to the rear is a pitched roof which integrates well with the existing finishes and is in keeping with the existing dwelling. Materials to be used are to match the existing dwelling and would be deemed appropriate.
- 18 As such the proposal would be in keeping with the residential character and appearance of the area and is in compliance with policy EN1of the ADMP.

Impact on neighbouring amenity

- 19 There are no neighbouring properties located in close proximity to the proposal, with the closest neighbour being at a distance over 54 metres from Keepers Cottage. Therefore, the proposal will not harm the residential amenity of neighbouring properties.
- 20 The proposal therefore complies with Policy EN2 of the ADMP.

Impact on Green Belt

- 21 As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development, there are some exceptions. Paragraph 143 states that 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.
- 22 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.
- 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 principal to the Green Belt from inappropriate development.
- 24 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 stated in Policy GB1 of the ADMP.
- 25 In this case, if the increase in floorspace does not comply with the requirements of Policy GB1 subject to the impact on openness, the proposed form of development could be, by definition inappropriate development in the Green Belt.

- 26 The dwelling is both permanent and lawful and would comply with criteria (a) of policy GB1.
- 27 With regards to the size of the original dwelling, Keepers Cottage has been subject to a number of extensions and alterations. The extensions have included a two storey side extension to the south elevation and the addition of a large detached garage within 5m of the dwelling (which for the purpose of Green Belt is considered as an addition to the dwelling). As such, the following floor area calculations have been derived for the purposes of Policy GB1 of the ADMP -

	Total/sqm	Increase on original	% increase
Original dwelling	141.613	-	-
Original plus previous Extensions + Garage	213.783	72.17	50.96
Original dwelling plus previous extensions plus proposed	273.928	132.315	93.43

- 28 While floor-space calculations are not a substitute for volume calculations they provide an indicative guidance to the dwellings overall increase.
- 29 From the table above, the proposed development results in a total increase in floor area of 93.43% to the original dwellinghouse. It is considered that the proposed development would detrimentally harm the openness of the Green Belt due to the cumulative additions in relation to both the increase of volume and the bulk of the single and two storey rear extensions. As such the proposal would exceed the 50% limit of the original dwelling, contrary to Policy GB1 of the ADMP by definition constitutes as inappropriate development.
- 30 The existing two storey side extension increased the dwelling beyond 50% of its original floor-space. This together with the proposed two storey extension significantly increases the volume associated with the property particular at first floor which has wider and more visible impact.
- 31 The existing garage has further spread bulk and volume across the site towards the south. The spread of bulk and volume across the width of the site results in a sense of enclosure and prohibits wider views when viewing the dwelling from the east and west of the site. The existing extensions are already disproportionate to the 'original' dwelling.
- 32 The proposed two storey extension projects from the western elevation of the dwelling. The ridge height would be set down from the existing ridge and the development would be set in from the side elevations.
- 33 The extension would extend the dwelling further to the west extending the bulk/volume of the built from into areas currently free from development,

eroding the openness of the Green Belt. The existing extensions to the original dwelling in combination with the proposed development would double the volume and bulk across the site. The proposal would significantly increase the volume of the dwelling from the 'original'.

34 The Development in the Green Belt SPD states:

'The impact of the development on the countryside is clearly greater if located in a highly visible location. However, the test of impact still applies even if there are limited or no public views of it as, if allowed, the argument could be repeated, with a potentially more serious cumulative impact on the openness of the Green Belt and the urbanisation of the countryside and for these reasons would be unacceptable. In some locations any extension or replacement dwelling may be inappropriate.'

35 The cumulative impact of development has already spread across the front elevation and encloses the western boundary with volume and bulk from the two storey extension. Overall the proposed extensions would double the bulk and volume associated with the site in comparison to the original dwelling to a degree which further erodes the openness of the Green Belt and is inappropriate development. Substantial weight must be given to this harm as a material consideration in accordance with the NPPF. The proposal would therefore be an inappropriate development within the Green Belt and is contrary with Policy GB1 of the ADMP.

Within or adjacent to a Conservation Area

36 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

37 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

38 The Chiddingstone Hoath Conservation Area Appraisal states that extensions should respect the form and character of the original house and its locality and use high quality materials and detailing. It also states that design should be of high quality, whether modern or traditional. Roof lines, roof shape, eaves details, verge details and the creation of new chimneys are all important considerations and that extensions should not dominate the original building.

39 In this instance the proposed materials and design are considered to fit in well with the character of the Conservation Area. The proposed materials such as the hang tiles and facing brick work matches well with the existing house. The design of the pitched roofing also integrates well with the existing finishes of the dwelling house. As such the proposed development is in keeping and conserves the character and appearance of the Conservation Area in accordance with Policy EN4 and the ADMP.

Area of Outstanding Natural Beauty (AONB)

- 40 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.
- 41 There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.
- 42 Given that the dwelling has already had previous extensions, the proposal would not add any additional harm to the landscape character of the AONB. The residential dwelling already exists and is an expected feature in this location within the AONB. The design of the extension reflects the house and conserves the views of the AONB and the wider countryside. The proposed does not detract from the special landscape characteristics of the AONB and conforms to Policy EN5 of the ADMP.

Assessment of very special circumstances

- 43 The harm in this case has been identified as:
- The harm in principal from inappropriate development in the Green Belt, which must be given substantial weight
 - The impact to the openness as a result of the proposed volume and bulk.

The applicant is claiming that there are very special circumstances

- 44
- In keeping with the character of the area
 - Previously approved Lawful Development Certificate
 - Does not impact the openness of the Green Belt

In keeping with the character of the area:

- 45 In regard to the design of the proposal, as stated above, the development would be in keeping with the character of the area. The impact from the creation of additional volume and bulk to the dwelling would have on the openness of the Green Belt, the overall design is not so exceptional or innovative as to significantly outweigh the harm. Very limited weight is attributed to this circumstance.

Previously approved Lawful Development Certificate:

- 46 In terms of the size of the existing property and the proposal, it is acknowledged that the property benefits from the Lawful Development Certificate for a single storey rear extension. The existing and permitted development scheme results in a total increase of 75.53% (248.576m²). The current proposals would increase the dwelling by 93.43% (273.928m²) from its original form. As such, the proposed development under the lawful

development certificate would be single storey and would have a smaller floor-area, volume and bulk than the proposed two storey extensions. Therefore, limited to no weight can be attributed to this, as the Lawful Development scheme represents significantly less harmful proposal to the openness of the Green Belt than the proposed scheme.

Does not impact the openness of the Green Belt:

- 47 The agent has indicated that other dwellings in close proximity to the site are large in scale and such a proposal would be reasonable in light of the size of neighbouring properties. However, each application is taken on its own merits and in light of the sites individual context. The impact to the Green Belt is assessed by both local and national policy on its increase from the 'original' building. The NPPF considers an 'original' building to be:

'A building as it existed on 1 July 1948 or, if constructed after the 1st of July 1948 as it was built originally'.

- 48 Paragraph 145 of the NPPF states that:

'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exception to this are: ... (c) the extension or alteration of a building provides that it does not result in disproportionate additions over and above the size of the 'original' building'.

- 49 As such, extensions to existing dwellings in the Green are entirely dependant upon their original form. Therefore, the existence of large dwellings in close proximity to the site does set a precedent for similar sized development. Upon considering this limited to no weight can be attributed to this.

Balance exercise:

- 50 Upon considering the very special circumstances as a whole, it is considered that the set of circumstances advanced to significantly outweigh the substantial harm to the Green Belt has not been demonstrated here. Therefore a very special circumstances does not exist.

CIL

- 51 This proposal is not CIL liable.

Conclusion

- 52 The proposal would result in the overall addition of more than 50% floorspace over the original dwelling, combined with a significant increase in bulk, massing and volume over the original dwelling. Thus the proposals represent inappropriate development which would erode the openness of the Green Belt. As such, the proposals do not comply with the requirements of Policy GB1 of the ADMP.

53 Substantial weight has been given to this harm and the very special circumstances not subtract in outweigh this harm and that there are no other overriding material considerations to indicate otherwise.

CIL

This proposal is not CIL liable.

Background papers

Site and block plan

Contact Officer: Holly Pockett Extension: 7264

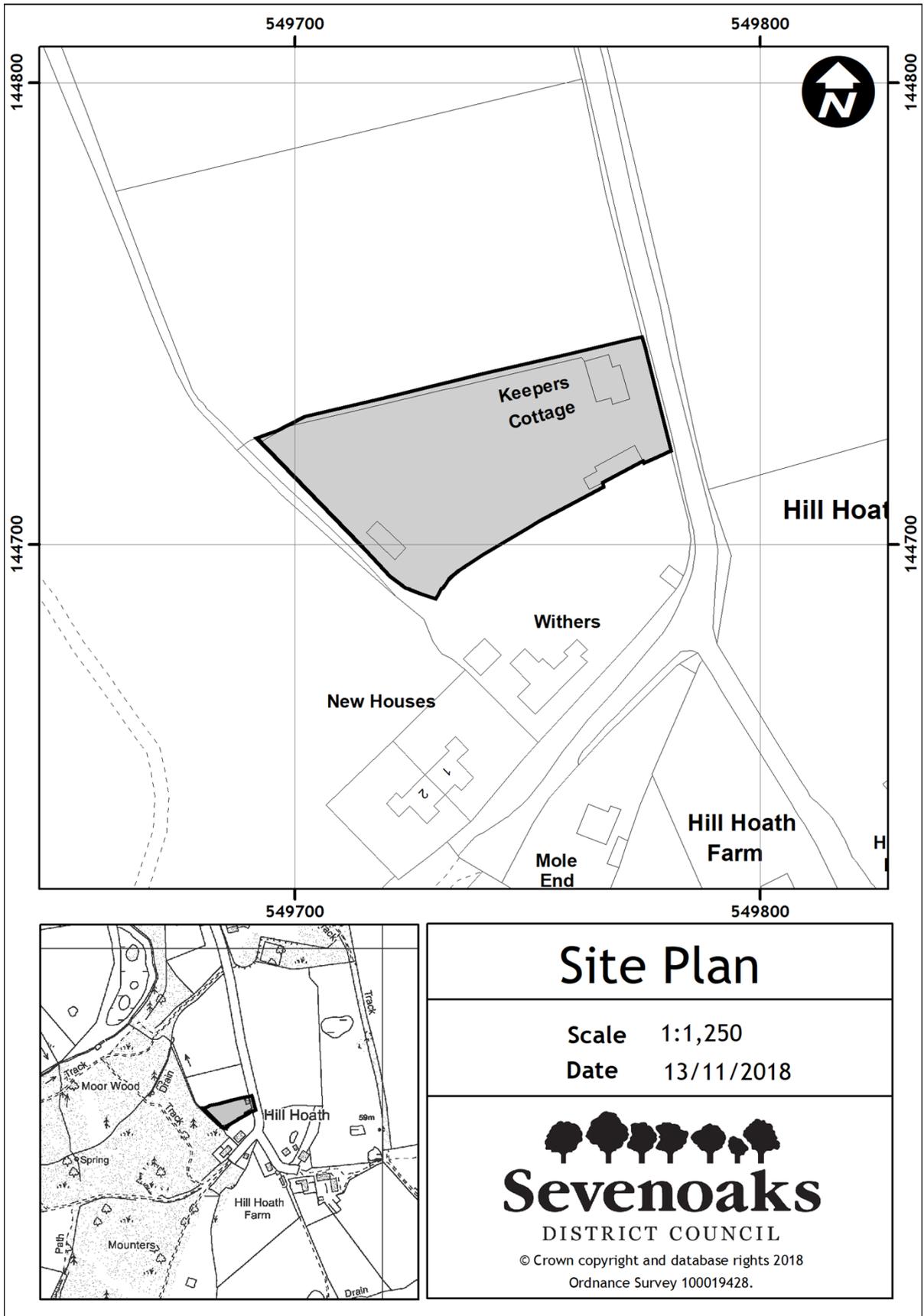
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PDIF9NBKM9W00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PDIF9NBKM9W00>



Block Plan

