

4.1 19/01534/HOUSE

Date expired 19 July 2019

Proposal:

New entrance canopy and single storey extension to rear. Alterations to fenestration.

Location:

Vine House, Grove Road, Penshurst, Kent TN11 8DU

Ward(s):

Penshurst, Fordcombe & Chiddingstone

Item for decision

The application has been referred to the Development Control Committee by Councillor Coleman for the committee to decide whether the design, size and impact of the proposed works has a detrimental effect on the openness of 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 application form.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1810/008 Rev 01, 1810/007 Rev 01, 1810/020 Rev 02, 1810/005 Rev 01, 1810/006 Rev 01 and Site Location Plan.

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

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 consists of a two-storey detached dwelling on the southern side of Grove Road. The house itself is extremely isolated and is bounded by ancient woodland and a blanket tree preservation order. It sits within the Metropolitan Green Belt and High Weald Area of Outstanding Natural Beauty.

Description of proposal

- 2 It is proposed to construct a new entrance canopy over the front entrance door, make alterations to the fenestration on all elevations and replace the existing conservatory with a single-storey rear extension.

Relevant planning history

- 3 83/01681/HIST - Two storey extension and carport to dwelling. GRANT
91/00697/HIST - Rear hardwood Victorian conservatory. GRANT
92/00727/HIST - WC within existing garage with bedroom/shower room over garage. Appeal Allowed.

Policies

- 4 National Planning Policy Framework (NPPF)

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.

- 5 Sevenoaks Core Strategy:

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

- 6 Allocations and Development Management (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- GB1 Limited Extensions to Dwellings in the Green Belt

7 Other:

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
- Emerging Proposed Submission Version of the Sevenoaks Local Plan 2019

Constraints

- 8 High Weald Area of Outstanding Natural Beauty
- 9 Metropolitan Green Belt
- 10 Tree Preservation Order - 55/03/KSR (blanket TPO surrounds the entire site)
- 11 Ancient Woodland (borders western boundary)

Consultations

Penshurst Parish Council

- 12 'The PC have no objection to the entrance canopy, changes to garage and change to fenestration.

The Parish Council do, however, object to the increase in size of the proposed conservatory. We note from the Appeal SE/92/0727 that the original size of the property was around 57sqm and that subsequent extensions have increased it to 160sqm (or even more if the existing conservatory was not included in this figure). This is hugely greater than the 50% normally allowed and we consider that any further increase in the size of the dwelling would be detrimental to the Green Belt'.

Representations

- 13 No representations have been received.

Chief Planning Officer's Appraisal

- 14 The main planning consideration is:
- Impact on the green belt
 - The case of very special circumstances
 - Impact on the AONB
 - Design and impact on the character and appearance of the area
 - Impact on neighbouring amenity
 - Impact on trees

Impact on the Green Belt

- 15 As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development. There are some exceptions to this, such the extension or alteration of a building. 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.
- 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.

Assessment against policy and impact on openness

- 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. In this case as the increase in floorspace does not comply with the requirements of Policy GB1, subject to the impact on openness, the proposed form of development would be, by definition inappropriate development in the Green Belt, contrary to Policy GB1 of the ADMP.
- 19 Vine House has been substantially extended over time. I have looked through the planning history and located a planning application from 1983. This provides clear plans of the building and our historic maps (which pre-date this) match the footprint of the building in the 1983 application.
- 20 The floorspace calculations are:

Original Building	103 square metres (50% = 51.5 square metres)
Total Allowable	154.5 square metres
Total Existing Floorspace - (as it stands today)	211.85 square metres
Total Proposed Floorspace- (taking into account the proposed works)	234.83 square metres

- 21 The house as it stands today far exceeds the 50% floorspace allowance and the proposed rear extension and canopy increases the floorspace further, therefore the development is inappropriate. That said, the emerging local

plan submitted for examination states that ‘floorspace alone does not reflect the impact of the development of the openness of the greenbelt’ it also states, ‘the principles that determine the acceptability of a scheme are based on design and the impact that the form and appearance of the extensions/replacement have on the openness of the Green belt’. Whilst the emerging local plan holds very limited weight, it emphasises the move away from the rigid 50% floorspace allowance under our current extensions to dwellings in the Green Belt policy GB1 of the ADMP.

Very Special Circumstances

- 22 The proposed canopy would fall under permitted development (adding 3 square metres, with an overall height of 3 metres) and could therefore be constructed without requiring planning permission. The canopy is entirely open and would have very little impact to the openness of the greenbelt. The proposed rear extension would replace the existing conservatory. The proposed extension would be 1.4 metres deeper and 1.8 metres wider than the existing conservatory. The height of the proposed extension would be the same as existing. The proposed rear extension sits within the crux of the existing ‘L’ shaped part of the building, and from all vantage points this extension would be seen against the backdrop of the existing building. The house itself is set down by the natural land level and therefore surrounded by garden land that is slightly raised. The extension sits well with the existing building and the introduction of a shallow roof slope helps to reduce its bulk.
- 23 The proposal would not materially increase harm to openness of the green belt when compared to the existing permitted conservatory. It is fully acknowledged that the proposal is contrary to Policy GB1 of the ADMP. However, I am satisfied that a case of very special circumstances exists, given the permitted development fall back for the canopy, the unique design of the house and the nil harm to the openness of the Green Belt.

Area of Outstanding Natural Beauty (AONB):

- 24 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.
- 25 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.
- 26 Policy EN5 of the ADMP states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and

design will conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.

- 27 The application site is within the High Weald Area of Outstanding Natural Beauty. Extensions to residential properties are to be expected. It is considered the proposed development would have little impact on the AONB. The rear extension fits well with the host dwelling and would not be at odds with the generally mixed residential/rural character of the immediate area. The proposed development therefore conserves and enhances the character of this part of the AONB; complying with EN5 of the ADMP.

Design and impact on the character of the area

- 28 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 29 It is proposed to introduce a small canopy over the main entrance door on the front elevation. This would be entirely open and fixed to the wall.
- 30 It is also proposed to make alterations to the fenestration on all elevations, including the removal of the garage door and replacement with a window. These changes are to accommodate internal alterations to the building.
- 31 Lastly, it is proposed to demolish the existing conservatory and replace with a single-storey extension. The extension would sit in the crux of the 'L' shaped building and would be contained within the envelope of the existing built form. The walls of the extension would be brick to match existing and the shallow mono-pitch roof would be seamed zinc.
- 32 The proposed development would fit well with the host dwelling and would therefore not detriment the character and appearance of the wider area and therefore complies with Policy EN1 of the ADMP.

Neighbouring Amenity

- 33 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development. The Residential Extensions SPD recommends that a 45-degree test is undertaken for a loss of light to neighbouring dwellings, based on BRE guidance.
- 34 The application site is in a very isolated position well detached from neighbouring properties. For this reason, the proposed development will have no impact on neighbouring amenity and therefore complies with Policy EN2 of the ADMP.

Parking and Highways Impact

- 35 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.

- 36 The proposal does not increase the number of bedrooms at the dwelling. As a result, the existing parking arrangement on site is acceptable.

Trees and Landscaping

- 37 The site is bounded by ancient woodland and a blanket tree preservation order. The porch canopy to the front is wholly attached to the wall and requires no excavation for its construction. The proposed rear extension would be constructed on an existing patio area. This particular area is set on a lower ground level when compared to the surrounding garden land and therefore it is unlikely that tree roots would be present.

Community Infrastructure Levy (CIL)

- 38 This proposal is not CIL liable.

Conclusion

- 39 The proposed canopy, alterations to the fenestration and new rear extension does not result in harm to the openness of the greenbelt. The proposed development fits well with the existing dwelling and does not harm the character and appearance of the dwelling, nor wider area. There would be no impact to neighbouring amenity.

Recommendation

- 40 It is therefore recommended that this application is approved.

Background Papers

Site and block plan.

Contact Officer(s): Rebecca Fellows Contact : 01732 227000

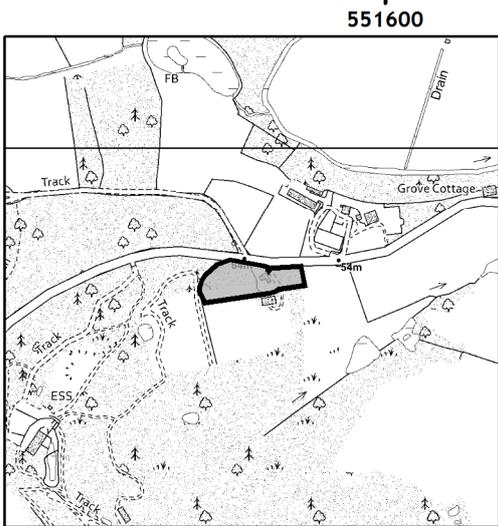
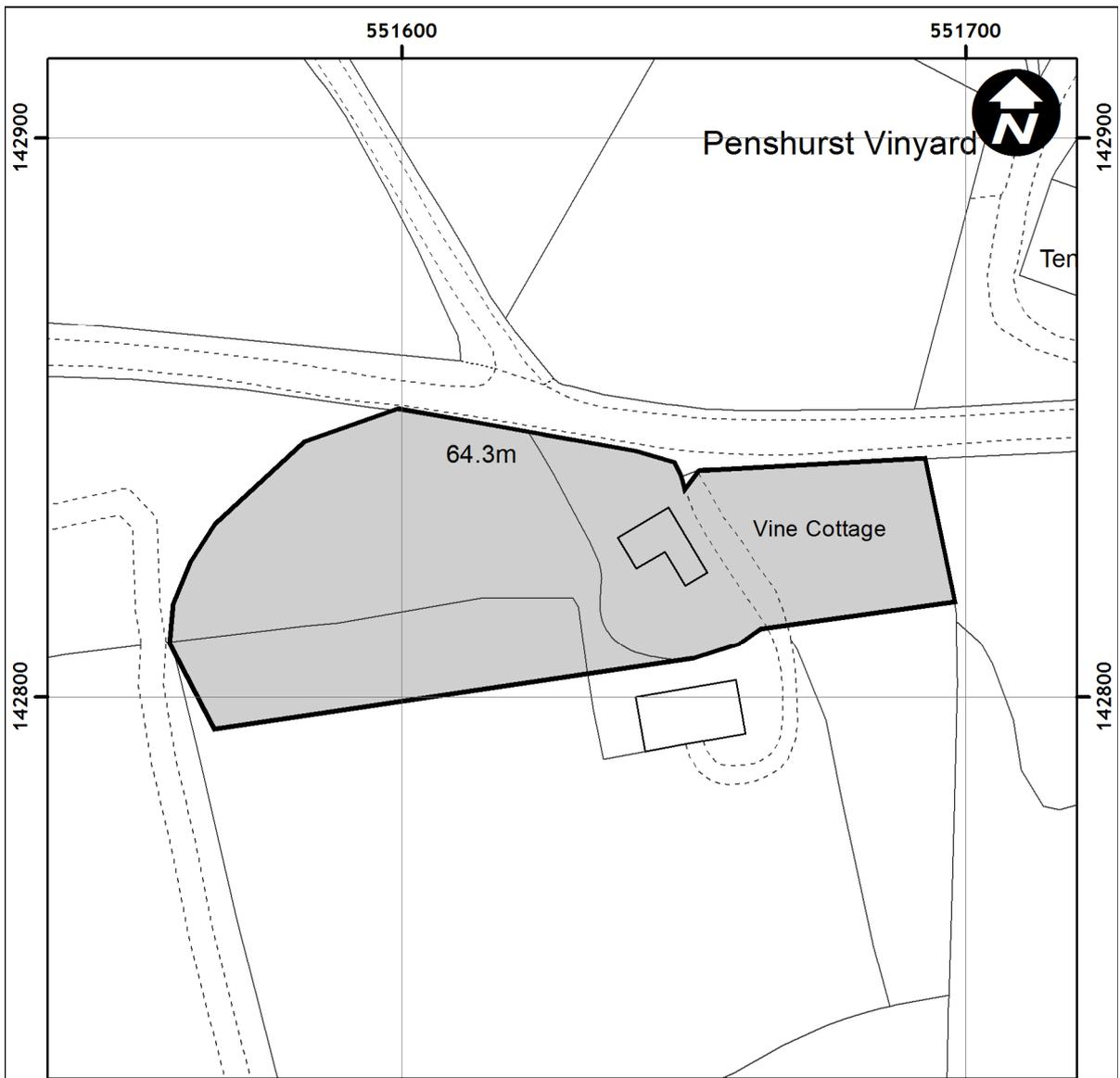
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PS0MXDBKJGR00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PS0MXDBKJGR00>



Site Plan

Scale 1:1,250

Date 24/07/2019



DISTRICT COUNCIL

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Ordnance Survey 100019428.

Block Plan

