

5.02 - SE/11/01282/FUL Date expired 3 August 2011

PROPOSAL: Erection of garden shed (Retrospective)

LOCATION: 1 The Stables, Halstead Place, Halstead TN14 7BJ

WARD(S): Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

This application has been referred to Development Control Committee at the request of Councillor Grint, because the proposal would not have an adverse impact on the listed building, conservation area or the Green Belt.

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 proposal would be inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. The Council does not consider that the special circumstances put forward in this case are sufficient to justify overriding policy SP5 of the SE Plan and PPG2.

Description of Proposal

- 1 Erection of garden shed (retrospective). The shed measures 3.05m by 1.52m rising to a height of 1.98m with a sloping roof and is of a wooden construction with glass windows. The shed is located adjacent to the property's detached garage.

Description of Site

- 2 1 The Stables is an end of terrace grade II listed building located within the Halstead Place site. The site has recently been developed for 33 houses and is located within the Green Belt. The current development was approved because of the very special circumstances advanced that the proposal would lead to an overall reduction in development on site, would possess a less intensive use, improve the setting of the listed buildings and the Site of Ancient Monument, improved landscape management, public access and ecological benefits.

Constraints

- 3 Conservation Area
- 4 Listed Building Grade II
- 5 Section 106 - S106/SE/08/01915

6 Tree Preservation Order

7 Metropolitan Green Belt

Policies

South East Plan (2009)

8 Policy CC1: Sustainable Development

9 Policy CC3: Resource Use

10 Policy CC4: Sustainable Design and Construction

11 Policy CC6: Sustainable Communities and Character of the Environment

12 Policy M1: Sustainable Construction

13 Policy SP5: Green Belt

Sevenoaks District Local Plan:

14 Policy EN1 Development Control – General Principles

15 Policy H6B & Appendix 4 Residential Extensions

16 Policy EN23 Conservation Area

SDC Core Strategy

17 Policy SP1 Design of New Development

Other

18 Planning Policy Guidance 2: Green Belt

19 Planning Policy Statement 5: Planning for the Historic Environment

20 Planning Policy Statement 7: Sustainable Development in Rural Areas

21 Halstead Village Design Statement

Planning History

22 06/00815/FUL Redevelopment of site to provide 61 dwellings (57 no. new & 4 no. through conversion) with associated car parking, access and landscaping. REFUSE 27/06/2006

23 06/00855/LBCALT Conversion of listed Stable Block building and adjacent GRANT 30/06/2006

Coach House for residential use.

24	06/02534/FUL	Redevelopment of site to provide 49 no. dwellings (45 no. new and 4 no. through conversion) with associated car parking, access and landscaping provision.	REFUSE	19/12/2006
25	06/02535/CAC	Demolition of unlisted building and structures within a designated conservation area as part of a proposed residential development.	GRANT	22/11/2006
26	07/00766/FUL	Redevelopment of site to provide 48 no. dwellings (44 no. new and 4 no. through conversion) with associated car parking, access, landscaping and open space provision.	REFUSE	20/06/2007
27	07/00053/RFPLN	Redevelopment of site to provide 49 no. dwellings (45 no. new and 4 no. through conversion) with associated car parking, access and landscaping provision.	APWITH	13/08/2007
28	08/01915/FUL	Redevelopment of site to provide 33 no. dwellings (29 no. new build and 4 no. through conversion) with associated car parking, access, landscaping and open space provision.	GRANT	20/02/2009
29	09/00690/FUL	Temporary permission for the erection and subsequent partial removal after 2No. year of a sales suite.	GRANT	22/05/2009

Consultations

Halstead Parish Council

30 'The Parish Council supports this planning application.'

SDC Conservation Officer

- 31 Given that the structure is small in size and is attached to the car barn, I consider that if it were to be stained to match the cladding to the end wall of the car barn, there would not be any significant impact on the setting of the Listed Building.

Representations

- 32 Five letters received supporting the application.

Head of Development Services Appraisal

Principal Issues

- 33 The principal issues are:
- Impact on the Green Belt;
 - Impact on amenities and street scene;
 - Impact upon the Conservation Area and Listed Building;
 - Trees.

Impact upon the Green Belt

- 34 PPG2 (Green Belts) states that there is a general presumption against inappropriate development within the Green Belt. Such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt. The construction of new buildings inside the Green Belt is inappropriate unless, amongst other things, it is for agriculture and forestry. The limited extension or alteration of an existing dwelling can be appropriate but this proposal for a shed cannot be described as an extension or alteration as it is a detached outbuilding.
- 35 The application site is located within the Green Belt. It was concluded in the report for the overall residential development on the site, that all the new buildings constituted inappropriate development in the Green Belt. As outlined above planning permission was granted for the redevelopment of the site because of the special circumstances advanced that clearly outweighed any harm to the openness of the Green Belt. Various conditions were attached to the planning permission to remove permitted development rights to prevent further development on the site, hence the requirement for the current submission.
- 36 Policy H14B refers to outbuildings in the Green Belt but this policy only applies if the outbuilding is also in the Area of Outstanding Natural Beauty. Halstead Place School, including this application site, is not in the Area of Outstanding Natural Beauty. There is therefore no local policy that applies to their proposal and it is therefore inappropriate development in the Green Belt.

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- 37 Though modest in scale the shed as a new building within the Green Belt would, due to the additional bulk created in the form of the proposal, be harmful to the openness of the Green Belt.
- 38 In such circumstances, it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. These are considered further below.
- 39 PPG2 states that the most important attribute of Green Belts is their openness. The erection of a shed leads to the erection of a three dimensional form that was not previously in place and accordingly has a detrimental impact upon the openness of the Green Belt.

Impact upon local amenities and street scene

- 40 Policy EN1 of the SDLP lists a number of criteria to be applied in the consideration of planning applications. In particular, Criteria 3) of policy EN1 of the SDLP states that the proposed development must not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements.
- 41 The shed has been erected against the side of the property's detached garage located within the rear garden of no 1 The Stables. This is set behind a close boarded wooden fence of approximately 1.8m and a brick wall rising to a height of approximately 1.8m. The fence and wall bound the rear of the garden with an access drive lying behind the property.
- 42 The garage would screen views of the shed from the southwest however the roof of the shed would be visible and the shed would be visible from the north west above the brick wall. However due to its size and it being viewed against the bulk of the garage its impact upon the visual amenities of the area would in my view be minimal.

Impact Upon the Conservation Area and Listed Building

- 43 Policy EN23 requires proposals for development or redevelopment within or affecting Conservation Areas should be of positive architectural benefit by paying special attention to the desirability of preserving or enhancing the character or appearance of the area and of its setting. The design of new buildings should reflect local character. PPS5 states that in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.
- 44 No 1 The Stables is a grade II listed building and is located within a Conservation Area. The shed set is within the rear garden of the property adjacent to the car barn however due to its limited scale and through being

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set adjacent to the car barn and partially shielded by a rear wall of approximately 1.8m in height the shed would not in my view have a detrimental impact upon the character and appearance of the Conservation Area or the listed building.

- 45 This view agrees with that of SDC's Conservation Officer who does however request that, if granted, the shed be stained to match the colour of the car barn.

Trees

- 46 There is a number of trees on the Halstead Place site that are subject to Tree Preservation Order however through the shed being set upon the ground there is no detrimental impact on these trees created by the shed.

Very Special circumstances

- 47 The applicant has stated that a garden store is required as secure storage for their lawnmower and other garden tools, in light of conditions which prevent the enclosure of the car barn and restricting development within the car barn that would preclude vehicular access.
- 48 The arguments advocated are not deemed in my view to represent very special circumstances in planning terms as they are easily repeatable across the wider area of Halstead Place School and for many other dwellings in the Green Belt. It is therefore concluded that the proposal would, through its physical bulk reduce the openness of the Green Belt and that there are no very special circumstances that clearly outweigh the harm in principle and any other harm.

Conclusion

- 49 The shed would not have a detrimental impact upon local amenities, the conservation area, protected trees or the listed building.
- 50 The shed would however represent inappropriate development that would be harmful to the openness of the Green Belt. The very special circumstances advanced are not considered to outweigh the harm identified in principle or the additional harm to the openness of the Green Belt.

Background Papers

Site and Block Plans

Contact Officer(s): Guy Martin Extension: 7351

Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LLG4BABK0CR00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LLG4BABK0CR00>





