

4.3 21/00199/HOUSE Revised expiry date 21 May 2021

Proposal: Demolition of existing outbuildings and the erection of a two storey side extension, extension to basement, associated landscaping, new porch and alterations to fenestration.

Location: Pettings Court, Hodsoll Street, KENT TN15 7LH

Ward(s): Hartley & Hodsoll Street

#### Item for decision

The application has been referred to Development Control Committee by Councillor Cole on the grounds that the planning application may extend above the 50% requirement for the Green Belt and due to concerns regarding the visual impact created by the addition of the basement to the main extension and associated terracing, contrary to policy EN1/ EN2 and GB2.

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 external surfaces of the development hereby permitted shall match those used on the existing building.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 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: E001, P150 P3, P200 P3, P201 P3, P202 P2, P450 P4, P451 P3, the Tree Protection Plan (ref: 19-956-TPP) and Arboricultural Impact Assessment and Method Statement and Open Architecture Design and Access Statement.

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

4) Within three months of the proposed works commencing, a detailed ecological enhancement plan must be submitted and approved in writing by the local planning authority. The plan must be implemented six months after completion and must remain on site at all times.

To enhance the biodiversity on the application site, as supported by Policy SP11 of the Sevenoaks Core Strategy.

### **Informatives**

1) The proposed lighting to the application site shall follow the recommendations within the Bats and Artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals.

2) No works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. This means that the Public Rights of Way must not be stopped up, diverted, obstructed or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on and across Public Rights of Way without consent.

### **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 the Site**

- 1 The application site currently comprises a detached dwelling with associated outbuildings, located within Hodsoll Street. There are neighbouring properties to the north of the site. The site is located within the parish of Ash-Cum-Ridley.

### **Description of Proposal**

- 2 Demolition of existing outbuildings and the erection of a two storey side extension, extension to basement, associated landscaping, new porch and alterations to fenestration.

### **Relevant Planning History**

- 3 20/00943/HOUSE - Demolition of existing outbuildings and removal of existing swimming pool and the erection of a two storey side extension, single storey side extension, extension to basement, swimming pool and associated landscaping - WITHDRAWN
- 4 20/03225/HOUSE - Demolition of existing outbuildings and removal of existing swimming pool and the erection of a two storey side extension, single storey side extension, extension to basement, swimming pool and associated landscaping - WITHDRAWN
- 5 20/01371/HOUSE - Demolition of existing stables and erection of a single storey granny annexe with basement level - GRANT - 07/10/2020
- 6 20/02126/LDCPR - Use of the land for the stationing of a mobile home for ancillary family accommodation - GRANT - 16/07/2020
- 7 20/02633/LDCEX - Mobile home in the grounds of an existing dwelling - GRANT - 11/11/2020

## Policies

- 8 National Planning Policy Framework (NPPF)
- 9 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.
- 10 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 proposed<sup>6</sup>; 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.
- 11 Core Strategy (CS)
  - SP1 Design of New Development and Conservation
- 12 Allocations and Development Management (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- GB1 Limited Extensions in the Green Belt

13 Others:

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

### Constraints

14 The following constraints apply:

- Metropolitan Green Belt

### Consultations

15 Ash-Cum-Ridley Parish Council-objection:

16 The Parish Council objects to the proposed application on the basis of its harm to the Green Belt. It is appreciated that the applicant has slightly reduced the area of the proposed development compared with previous application SE/20/03225. The claimed area increase is now 42% based on only the ground floor area of granted application SE/20/01371 being taken into account. However, SDP Policy GB2 states that this is only permitted where the basement area is no greater than the original building it is replacing. The applicant's own calculations show this not to be the case and therefore the entire permitted annexe must be included leading to an area increase of 61% well over the 50% stated in Sevenoaks Green Belt policy. The house is on a very sensitive site in the Green Belt as it can be seen from a great distance along the north west-south east valley in which it lies. The visual impact of the proposed works would therefore be greater than implied by the area calculation as the south and west elevations would still be dominated by the terracing despite their reduction in area compared with SE/20/03225. Therefore, the bulk of the proposed works would have a major impact on the Green Belt.

17 Should the application be granted, we request the removal of permitted development rights to prevent further intensification of development on the site. In addition, we request a long-term landscaping plan to include trees to break up the impact of the building on the landscape.

18 Tree Officer:

19 I refer to the above application. I have visited the site and have studied the plans provided and have made the following observations: I have read the Arboricultural impact assessment and Arboricultural method statement

prepared by Canopy Consultancy. Providing those trees on site are adequately protected, I have no objection to the proposed development.

- 20 KCC Ecology:
- 21 Taking on board the information submitted with both this application and application 20/00337/HOUSE, no further information is required prior to determination. There is no objection to the scheme subject to the inclusion of conditions on the decision notice.
- 22 KCC Public Right of Way:
- 23 No objection subject to the inclusion of an informative on the decision notice.

### **Representations**

- 24 No representations received.

### **Chief Planning Officer's appraisal**

- 25 The main planning considerations are:
- Impact on the Metropolitan Green Belt
  - Impact on the Character of the Area
  - Impact on Residential Amenity

### **Impact on Metropolitan Green Belt**

- 26 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 as “c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”.
- 27 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.
- 28 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.
- 29 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.

- 30 Policy GB1 of the ADMP provides the local policy on extensions to houses within the Green Belt. In this instance, the proposed basement also falls to be assessed under Policy GB1 as it is visible from ground level.
- 31 The annexe approved under a recent permission is not be included within the 50% calculation, as this has not yet been built on the site. In any event, even if built, the annexe would be sited further than 5 metres from the house and has been considered on its own merits under separate policy. For the purposes of GB1, the calculations for the original dwelling for the purposes this application is based on what is currently on the site.
- 32 Policy GB1 of the ADMP refers to whether the existing dwelling is lawful and permanent. It is confirmed by assessing both the aerial photography and historic maps of the site than the existing dwelling is lawful and permanent.
- 33 The existing house is substantial in size. Notwithstanding the relatively large scale of the extension, it would be well designed, sympathetic to the existing building and proportionate in scale. The extension would create a symmetrical appearance to the front elevation of the property and the demolition of the existing outbuildings would reduce the spread of development on the application site. Whilst the basement level would not be contained entirely underneath the house and would to a degree add to the visual bulk of the building, it would be set at a lower ground level and this would limit the visual impact. Thus, the impact on the openness of the Green Belt is considered to be acceptable.
- 34 The proposed development would also not exceed 50% of the original dwelling, as shown in the below table.
- 35 There is no planning history available in relation to the original dwelling. Aerial photography dated 1900-1949 confirms that the dwelling as it stands and the outbuildings located within 5 metres from the dwelling are original for planning purposes.
- 36 As such, the floor space calculations are as set out below.

Original dwelling	616.5m <sup>2</sup>
50% limit	308.3m <sup>2</sup>
Proposed extensions	378m <sup>2</sup>
Demolition	110.1m <sup>2</sup>

Proposed development (original, proposed and demolition)	884.4m <sup>2</sup>
% increase	43.5%

- 37 The proposal would include the addition of terracing to the application site. However, the majority of this would be located in a location which is already extensively hard surfaced. The additional terracing would involve relatively modest ground works on this extensive site in close proximity to the established built envelope and is not considered to have a harmful impact on the openness of the Green Belt.
- 38 In light of the above, the proposals are considered to represent appropriate development within the Green Belt and would be policy compliant.

#### Impact on the Character of the Area

- 39 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.
- 40 The proposal would be visible from the highway, due to the site being located on a corner plot. However due to the varied character of the dwellings within the area, the proposal would not be out of keeping. As the basement would be set at lower ground level, it would have only a limited visual impact outside the confines of the site.
- 41 The proposal would represent a relatively modest addition to the existing dwelling. The extension would create a symmetrical appearance to the front elevation and would not extend any further than the current front building line on the site. The proposal would sit comfortably on the site and would not result in an overdevelopment.
- 42 The proposed materials would match the existing and therefore would respect the character of the site. The fenestration would also be proportionate to the dwelling and the landscaping would be a positive addition to the site.
- 43 The proposal complies with Policy EN1 of the ADMP.

#### Impact on neighbouring amenity

- 44 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application.

45 There are neighbouring properties located north of the site. Due to the considerable distance between the development and the neighbours, the proposal would have only a very modest impact their residential amenity.

46 The proposal complies with Policy EN2 of the ADMP.

### **Parking and Highways Impact**

47 The parking would be unaltered by the proposed development.

### **Trees and Landscaping**

48 The proposal includes landscaping to the site. The Tree Officer was consulted on the scheme and raised no objection in relation to the information submitted with the scheme.

### **Biodiversity**

49 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity.

50 KCC Ecology were consulted on the application and raised no objection to the scheme, subject to the inclusion of conditions in the event permission is to be granted.

### **Other Issues**

51 The Parish Council have referred to the Permitted Development Rights and for these to be removed if permission is granted. As the development complies with the relevant policies, it is not considered reasonable to remove these.

### **Community Infrastructure Levy (CIL)**

52 This proposal is CIL liable and there is no application for an exemption.

### **Conclusion**

53 In light of the above, the proposals represent appropriate development within the Green Belt, which would preserve the visual amenities of the area and the amenities of neighbouring occupiers. The proposals comply with the relevant local plan policies.

54 It is therefore recommended that this application is GRANTED.



**Background papers**

Site and block plan

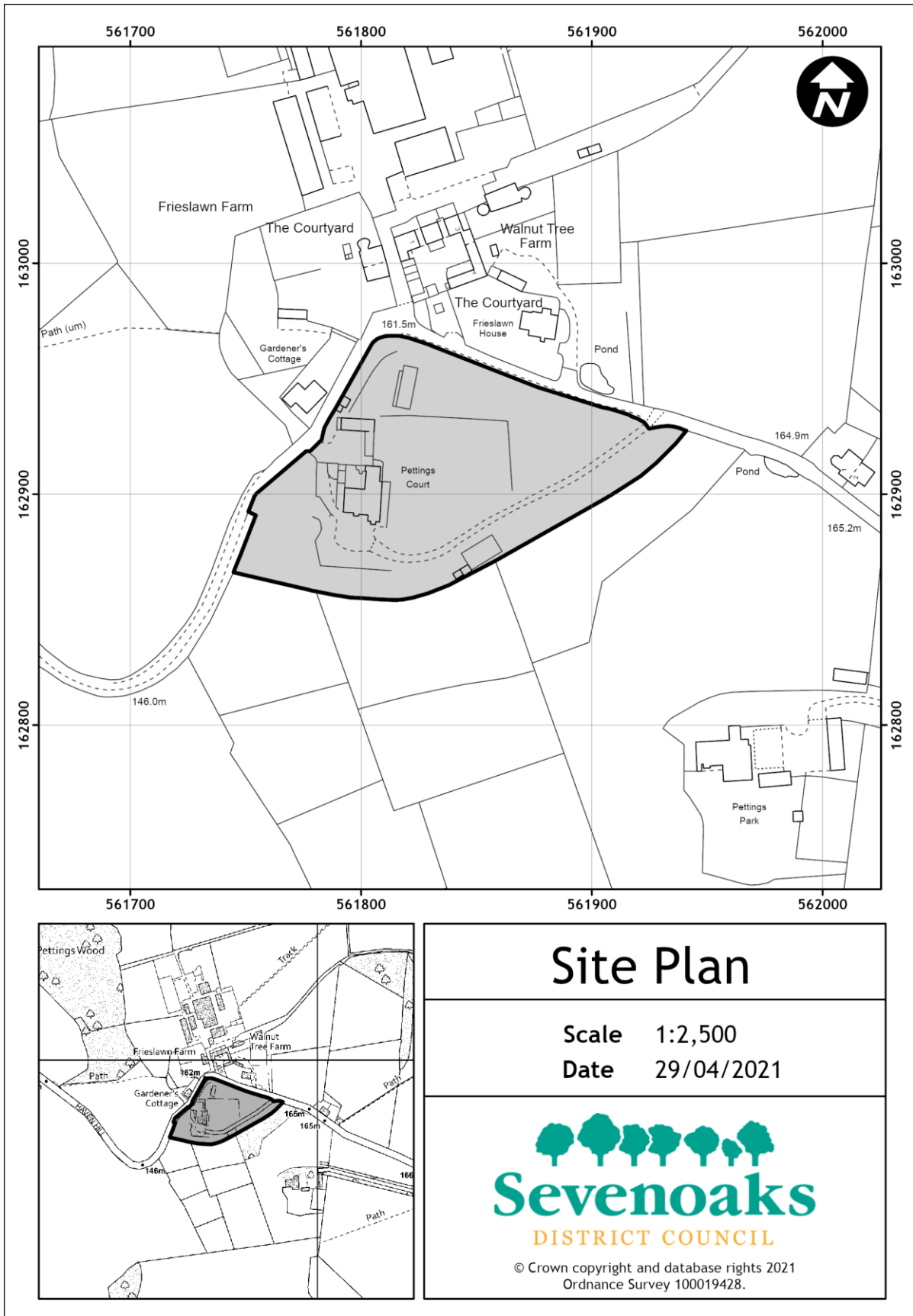
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[Link to application details:](#)

[Link to associated documents:](#)



# BLOCK PLAN

