

4. 4 - 23/03046/HOUSE

Revised expiry date 26 January 2024

Proposal:

Two storey front extension. Loft conversion. Rooflights and fenestration alteration. Roof alterations. Removal of existing chimney and installation of a flue.

Location:

33 Penshurst Road, Leigh, Tonbridge Kent TN11 8HL

Ward(s):

Leigh & Chiddingstone Causeway

Item for decision

The application has been referred to Development Management Committee due to the applicant being a District Councillor.

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 development hereby permitted shall be carried out in accordance with the following approved plans and details: S.01 Rev A; P.01 Rev J; P.02 Rev I

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

3) 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.

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 site consists of a two storey semi-detached dwelling that forms part of ribbon development to the southern side of Peshurst Road.
- 2 The property is set back from the highway behind open frontage and a hardstanding driveway. A small detached single storey outbuilding is located to the rear of the site. A mix of boundary treatments including close boarded fencing and hedging is present on site. The site benefits from a modest rear garden with detached outbuilding.
- 3 Peshurst Road consists of a mix of semi-detached and detached properties of varying heights, designs and materials.
- 4 The site lies within the Metropolitan Green Belt and the High Weald National Landscape (Area of Outstanding Natural Beauty).

Description of proposal

- 5 The application proposes a two-storey front extension, loft conversion, rooflights and fenestration alteration, roof alterations, removal of the existing chimney and installation of a flue to the rear roof plane of the property.

Relevant planning history

- 6 16/01870/HOUSE - Proposed two storey side extension with sunpipe at rear and part demolition of existing outbuilding. Alterations to fenestrations and external tile hanging around the first floor of dwelling - GRANTED
- 7 23/00707/HOUSE - Front porch extension. Loft conversion. Rear roof dormer extension. Addition of two velux windows. Roof alterations - REFUSED

Policies

- 8 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 proposed⁷; 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 7 relates to a variety of designations, including SSSIs, National Parks, Green Belt, AONBs, designated heritage assets and locations at risk of flooding

9 Core Strategy (CS)

- SP1 Design of New Development and Conservation
- LO8 Rural Economy and Landscape

10 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage
- EN5 Landscape
- GB1 Limited Extensions in the Green Belt
- T2 Vehicle Parking

11 Other

- Sevenoaks Residential Extensions SPD
- High Weald AONB Management Plan
- Development in the Green Belt SPD
- Kent Design Review: Interim Guidance Note 3 – Residential Parking

Constraints

12 The following constraints apply:

- National Landscape (Area of Outstanding Natural Beauty) – High Weald
- Metropolitan Green Belt
- Area of Archaeological Potential – (In part, to the front of the site)

Consultations

13 Leigh Parish Council – No comment

Representations

14 None received

Chief Planning Officer's appraisal

15 The main planning consideration are:

- Impact on the Green Belt;
- Design and impact on the character and appearance of the area;
- Impact on National Landscape (AONB);
- Impact on neighbouring amenity;

- Impact on highways safety and parking provision.

Impact on the Green Belt

- 16 As set out in paragraph 154 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”
- 17 Paragraph 152 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.
- 18 Paragraph 153 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 principle to the Green Belt remains even if there is no further harm to openness because of the development.
- 19 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form although it can have a visual element. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.
- 20 Policy GB1 of the ADMP provides the local policy on extensions in the Green Belt.
- 21 The dwelling is lawful and permanent in nature and meets criterion a) of GB1.
- 22 The loft conversion would add no additional bulk to the dwelling and have no impact on the openness of the Green Belt. The two-storey extension whilst adding additional bulk to the dwelling is of a size, design and materials palette that would appear subservient and in keeping with the general character of built form in this area of the Green Belt and as such, would not impact on the visual openness of the Green Belt. As a result, the scheme would be compliant with criterion b) of GB1.
- 23 Based on planning history and information provided by the applicant and the plans provided the floorspace calculations would be as follows:

Original total floorspace - **122.3m²** (including outbuilding within 5m)

50% allowance - **61.1m²**

Proposed Total - **180.1m²** (including outbuilding within 5m)

% uplift – 47.3%

(This excludes the converted loft space as it is converted using rooflights and adds no additional bulk to the dwelling)

- 24 Based on the above the proposed scheme would not result in an increase of more than 50% above the original dwelling and does not result in spatial harm to the Green Belts openness and is therefore compliant with Policy GB1 of the ADMP.

Design and impact on the character and appearance of the area

- 25 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.
- 26 The properties along Penshurst Road vary in scale, form, design and materials with a mix of two storey, bungalows, semi-detached and detached properties. Generally, all properties are set back from Penshurst Road behind a generous garden frontage and driveways.
- 27 An existing mono-pitched porch is present on site which connects to the bay window. The porch is to be removed and separates the bay window. A two-storey front extension is proposed to the property. The extension has two pitched roof forms, with a portion of the extension appearing as a central feature on the dwelling. The extension sits at a lower height than the existing roof ridge and the roof pitch follows the pitch of the existing roof which gives the appearance as a subservient addition to the property.
- 28 The properties in Penshurst Road have various front projections such as, porches, gabled extensions and rooflights, as well as vary in design and height as previously highlighted. As such, the proposed built form would be characteristic of the wider area and would remain set back from the highway behind open frontage and would not erode the existing gap between the dwellings. The overall design of the scheme is considered to have an acceptable impact on the street scene.
- 29 The existing loft space would be converted to habitable space. The insertion of five new rooflights is proposed to serve this room. The loft conversion allows for the creation of usable space without adding additional bulk to the dwelling. The rooflights do not overcrowd the existing roof planes and overall, the work would be respectful of the character and appearance of the area.
- 30 The removal of the chimney stack and installation of a smaller flue to the rear would not have an adverse impact on the character of the area.
- 31 The materials proposed include hanging tiles and brickwork that would match those found on the existing dwelling and as such, would assist integrating the proposed work with the existing dwelling.
- 32 Overall, the proposal is not considered as harmful to the character and appearance of the area and is considered to accord with policies SP1 of the Core Strategy and EN1 of the ADMP.

Impact on the National Landscape (AONB)

- 33 The Countryside and Rights of Way Act 2000 as amended states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty (AONB). Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 34 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.
- 35 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. This is also replicated in Policy LO8 of the Core Strategy.
- 36 The site is located within the High Weald National Landscape (Area of Outstanding Natural Beauty). The proposed work would be of similar scale, design and form that is featured along Penshurst Road. The site is part of other linear built development within the immediate locality and would utilise materials that are characteristic of the area and therefore, the proposed work would be in keeping with the existing built for. Overall, the development would have a neutral impact on the AONB by conserving the overall character and enhancing the appearance of the dwelling in compliance with the relevant planning policies.

Impact on neighbouring amenity

- 37 Policy EN2 of the ADMP requires proposals to safeguard the amenities of existing and future occupants of nearby properties.

38 Light

The two-storey extension is to the front of the property. The eaves height remains matching the existing. Whilst projecting slightly further forward, the separation distance between no.33 and no.35 means that no significant loss of light would occur. Additionally, with the extension located on the north facing elevation of the dwelling, due to the sun's path, no overshadowing would occur over and above, what the existing dwelling already creates.

39 Privacy

No side facing windows on the extension are proposed and the rear facing rooflights whilst large would have views upwards rather than outwards but any views of the neighbouring property would be oblique and as such, no significant loss of privacy would occur.

40 Visual Intrusion

The proposed does not encroach any closer to no.35 or pass the existing side building line. As such, the work would not be considered visually intrusive to neighbouring properties as to impact direct outlook.

On considering the above, the proposal is not considered to be harmful to the existing neighbouring amenity, in accordance with policy EN2 of the ADMP.

Impact on highways safety and parking provision

41 Policy EN1 of the ADMP states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states the Local Planning Authority may depart from the maximum or minimum standards in order to take into account of specific local circumstances.

42 An additional bedroom is proposed. The proposed extension is located on an area of existing hardstanding at the top of the driveway. Even with the proposed extension, sufficient parking for at least two vehicles would be retained and the access would remain unchanged. This would continue to meet parking standards in compliance with policy T2 of the ADMP.

Other Issues

43 Policy EN4 of the ADMP 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.

44 The proposed development is sited are outside the Area of Archaeological Potential and therefore would not be harmed.

Community Infrastructure Levy

45 This proposal is not CIL liable.

Conclusion

46 Upon considering the above, the proposed development accords with development plan policies and there are no other material considerations to indicate otherwise.

Recommendation

47 It is therefore recommended that this application is GRANTED.

Background papers

48 Site and block plan

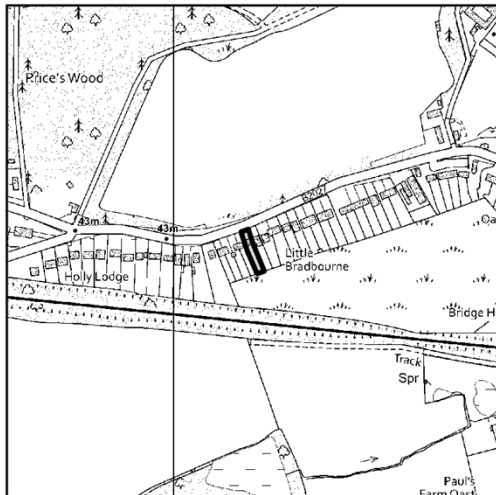
Contact Officer(s): Stephanie Payne

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Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

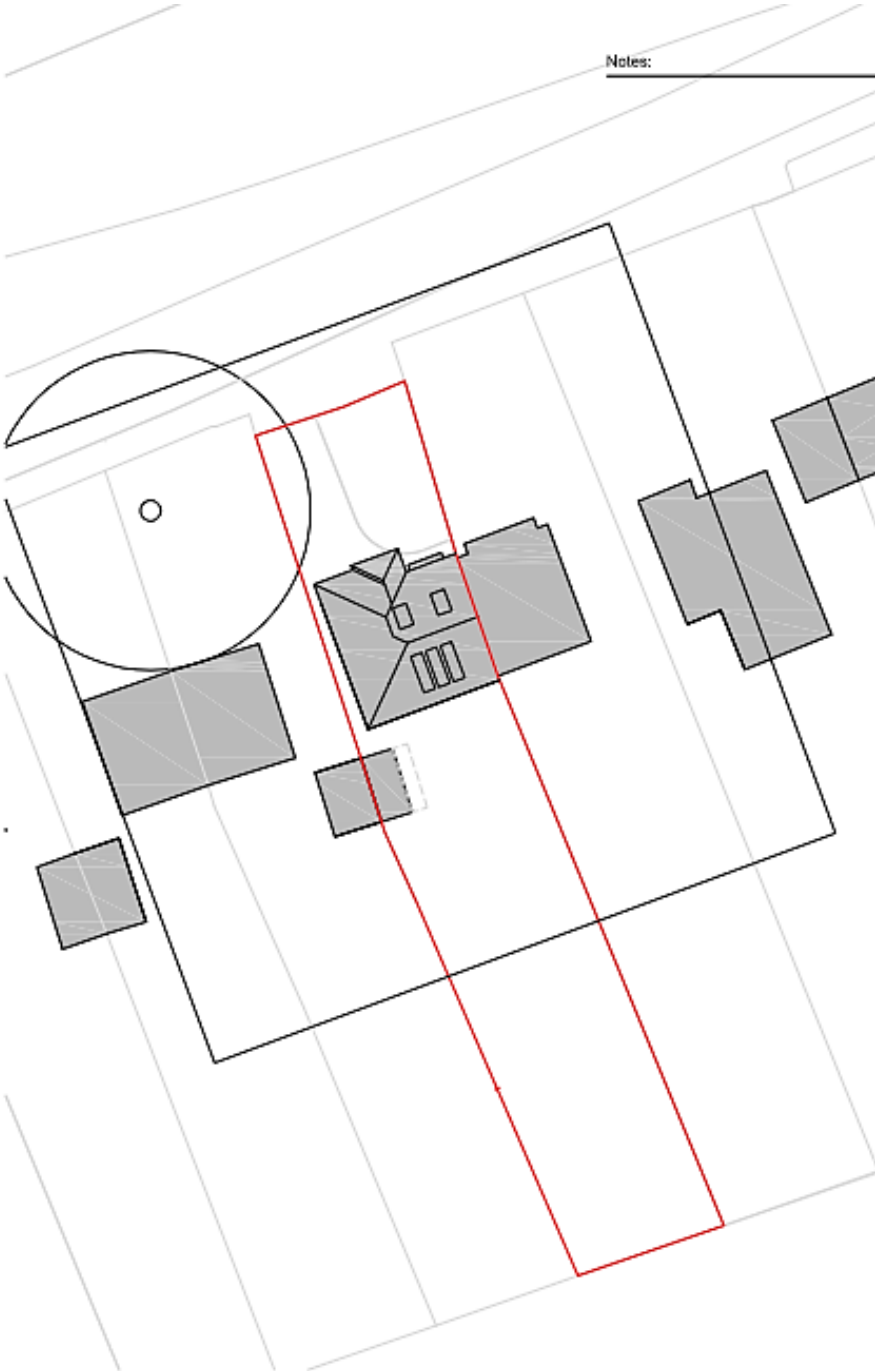
Scale 1:1,250
Date 21/12/2023



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PROPOSED SITE PLAN

Notes: _____



Proposed Site Plan (1:500 at A3)

