

4.2 - 23/03541/HOUSE

Revised expiry date 29 April 2024

Proposal: Demolition/dismantling of existing shed; erection of single storey side extension

Location: The Willows, 2 Singles Cross Cottages, Blueberry Lane  
Knockholt Kent TN14 7NH

Ward(s): Halstead, Knockholt & Badgers Mount

### **Item for decision**

This application has been called to Committee by Councillor Grint due to concern that the proposal would have an unacceptable impact on 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 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 building 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: Drawing No. 3081 (20) 002, 3081 (20) 003 Rev B, 3081 (20) 004, 3081 (02) 1250 Rev A, 3081 (20) 1250 Rev A and outbuilding removal plan (REP-01).

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

4) No development above the damp proof course shall be carried out to the extension hereby approved, until the existing buildings (half of shed to rear of the site and tool sheds 1 and 2), have been demolished and all resulting materials removed from the site, in accordance with the outbuilding removal plan (REP-01) and proposed ground and first floor plan (3081 (20) 002).

To preserve the openness of the Green Belt and to comply with the aims of the National Planning Policy Framework.

### **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 comprises of a detached dwelling and numerous outbuildings located on the eastern side of Blueberry Lane within the parish of Knockholt. There are properties either side of the site.
- 2 It is understood that the shed subject to this application is shared with No.1 Singles Cross and straddles both plots. The application proposes to demolish the half of the shed which serves The Willows, 2 Singles Cross Cottages. The shed is referred to in previous appeal decisions as 'a substantial pavilion type structure on a thick concrete base' with a 'robust and permanent appearance.' The lawfulness of the shed has not been questioned in previous decisions or at appeal. It is visible on aerial photography dated more than four years ago. Permitted development rights were removed under 09/02485/FUL.

### **Description of proposal**

- 3 Demolition/dismantling of existing shed; erection of single storey side extension.

### **Relevant planning history**

- 4 87/00869/HIST - Two storey rear extension - GRANT - 28/07/1987
- 5 93/00359/HIST - Replacement larger attached garage - GRANT - 21/05/1993
- 6 93/01139/HIST - Addition of room/storage area in roof space incorporating dormer extensions to front and side elevations. - GRANT - 11/10/1993
- 7 96/02288/HIST - To erect chain-link fencing, three metres high along the sides and four metres high at the ends, around a tennis court. - GRANT - 04/04/1997
- 8 98/01525/HIST - Renewal of planning permission SE/93/1139. - GRANT - 21/05/1999
- 9 09/02485/FUL - Demolish No 1 Singles Cross Cottages and erect replacement dwelling. Alter and retain No 2 Singles Cross Cottages. Including amended site plan 12.01.2010 - GRANT - 13.01.2010
- 10 11/02917/FUL - The addition of new windows to the existing building approved under planning reference SE/09/02485, comprising a new dormer window to the south east facing roof slope, three new windows in the southern flank wall and amendment to ground floor rear windows (part retrospective), increase to the roof ridge height of the rear projections and changes to the ground floor front windows. - GRANT - 08/08/2013
- 11 11/03304/LDCEX - Use of the land edged in red on the Site Plan as residential curtilage of the property at Number 2 Singles Cross Cottages, Blueberry Lane, Knockholt. - REFUSE - 14/02/2012
- 12 12/02736/HOUSE - Retention of Side Extension and Conservatory to No 2 Singles Cross Cottages and the erection of a shed. - REFUSE - 30/10/2013

- 13 15/00521/LDCPR – Stationing of a caravan – GRANT – 01/05/2015
- 14 15/00714/HOUSE – Proposed single storey side extension – REFUSE – 11/05/2015
- 15 20/03752/HOUSE – Demolition of existing outbuildings; erection of single storey side extension – REFUSE – 15/02/2021
- 16 23/02284/HOUSE - Relocation of existing shed. – GRANT – 10/10/2023

## Policies

### 17 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 proposed<sup>7</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 7 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

### 18 Core Strategy (CS)

- SP1 Design of New Development and Conservation
- LO8 The Countryside and the Rural Economy

### 19 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- GB1 Limited Extensions in the Green Belt
- GB3 Residential Outbuildings in the Green Belt
- T2 Vehicle Parking

### 20 Other:

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

## Constraints

### 21 The following constraints apply:

- Metropolitan Green Belt

## Consultations

- 22 Parish Council
- 23 First response:
- “We object to this application for the reasons listed below;
- 24 This application is contrary to the previous appeal decision (appeal reference APP/G2245/A/14/2212304).
- 25 We would strongly recommend this appeal decision is studied in detail ahead of making a decision on this application.
- 26 This is a stealthy approach when noting the previous history on this site. This proposal is for a 3-storey property which would constitute over development bearing in mind the property has already been very substantially increased over the years and this application would add further habitable space. We note the difference between the timber structure and the proposed brick structure including inclusion door into the main building.
- 27 We are disconcerted at the speed in which this application has been submitted after the previous application to relocate the shed which suggests clear intent.
- 28 We note with interest that the applicant is not the registered owner of this property as has been in past representations.
- 29 If Sevenoaks are minded to grant this application we request that permitted development rights be removed on the entire site.”
- 30 Second response (following revalidation):
- No response received.
- 31 SDC Planning Policy
- No responses received.

## Representations

- 32 We have received 3 letters of objection relating to the following issues:
- The application goes against previous appeal decisions
  - Over development
  - Permitted development rights should be removed
  - Impact on the Green Belt
  - The 50% limit for extensions should be upheld

## Chief Planning Officer's appraisal

- 33 The main planning considerations are:
- Impact on the Green Belt
  - Impact on the character of the area
  - Impact on neighbouring amenity

## Impact on the Green Belt

- 34 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”
- 35 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.
- 36 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.
- 37 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.
- 38 Policy GB1 of the ADMP provides the local policy on extensions in the Green Belt.
- 39 Criteria (a) of Policy GB1 states that proposals to extend an existing dwelling is permitted if the dwelling is lawful and permanent in nature. The dwelling is lawful and permanent in nature and therefore the proposed development would comply with Policy GB1 in this regard.
- 40 Criteria (b) states that the development should have a responsive design, should be proportional and subservient to the ‘original dwelling’ and should not materially harm the openness of the Green Belt through scale, bulk or visual intrusion.
- 41 Criteria (c) states that the total floor space of the proposal, together with any previous extensions, alterations and outbuildings should not result in an increase of more than 50% above the floor space of the original dwelling (measured externally) including outbuildings within 5m of the dwelling.
- 42 The dwelling is lawful and permanent in nature. It is understood from the planning history and appeal decisions that the dwelling has already been extended by more than 50%. As such, the proposed extension would represent a disproportionate addition to the original dwelling. This is demonstrated in the table below. The figures relating to the original dwelling and existing extensions are derived from previous officer reports. No evidence has been provided as part of this application which would lead me to refute these figures.

Original dwelling	107m <sup>2</sup>
50% limit	53.5m <sup>2</sup>
Existing extensions	120.3m <sup>2</sup>

Proposed extension	31.29m <sup>2</sup>
Proposed development	258.59m <sup>2</sup>
Percentage uplift	<b>141.67%</b>

43 In light of the above, the proposed extension would result in disproportionate additions over and above the size of the original dwelling and would therefore be inappropriate development in the Green Belt which is, by definition, harmful to the openness of the Green Belt. The proposal would fail to comply with policy GB1 of the ADMP and the NPPF.

44 Very special circumstances

The applicant **has** made a claim for very special circumstances. This issue is considered in more detail in this report.

#### **Design and impact on the character of the area**

45 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.

46 The proposal would involve the erection of a single storey side extension and the demolition of half of the existing shed to the rear of the site which serves The Willows.

47 It is understood that planning permission was refused in 2021 for the erection of a single storey side extension (ref: 20/03752/HOUSE). This was, in part, because it was considered that the development would lead to the over-development of the site which would be harmful to the character of the surrounding area. The extension was viewed as a disproportionate addition which would infill the gap between 2 and 3 Single Cross Cottages. This would be seen from Blueberry Lane and would have an adverse effect on the character and appearance of Nos.1-5 and their immediate surroundings. An appeal against this decision was dismissed (ref: 21/00020/RFPLN). However, it is noted that, while the Inspector found that there would be an element of harmful conflict in respect of the effect on the character and appearance of the surrounding area, they concluded that the harm would be limited as the addition would be set back from the front wall and the design would be in keeping with the design and materials of the main dwelling and neighbouring properties.

48 Planning permission was granted under 23/02284/HOUSE for the relocation of the shed (now proposed to be demolished) to the side of the main dwelling, between The Willows and 3 Singles Cross Cottages. The relocated shed had a smaller footprint than the extension proposed under 20/03752/HOUSE and would be set much further back from the front building lines of 2 and 3 Singles Cross Cottages and the front wall. As such, it was considered that, when viewed within the street scene, particularly when approaching the site from the north and south of Blueberry Lane, the perception of a gap between No. 2 and 3 Singles Cross Cottages would remain. It was noted that the roof of the shed would be partially visible. However, due to its set back its visual impact would be limited. Furthermore, due to its design, appearance, materials and height, it was considered that the shed would appear ancillary and subservient in its appearance. It would not be viewed as a substantial new addition to

the main dwelling. Therefore, when compared to the development proposed under 20/03752/HOUSE, it was concluded that the relocation of the shed would not have a seriously harmful impact upon the group of properties along Blueberry Lane or their immediate surroundings.

- 49 The proposed extension would be of the same scale, design, height and appearance as the relocated shed approved under 23/02284/HOUSE. It would also be set back from the front elevation of the road by the same distance and would have the same roof design. The only change would be to the materials, which would match the existing dwelling. As such, I am of the view that the visual impact of the proposed extension on the main dwelling and the street scene would be similar to the relocated shed and, therefore, would be acceptable.
- 50 The proposed extension would not be highly visible in views across the fields from the nearby public footpath due to its discrete location.
- 51 As mentioned above, the submitted plans state that the materials of the proposed extension would match those of the existing dwelling. This could be secured by a condition and would assist with integrating the proposed extension with the main dwelling.
- 52 In light of all of the above, it is considered that the proposal would not have a detrimental impact on the character of the surrounding area and would therefore comply with policy EN1 of the ADMP.

#### **Impact to neighbouring amenity**

- 53 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
- 54 The neighbouring property most likely to be affected by the proposed development is 3 Singles Cross Cottages immediately to the north of the site. Other neighbouring properties would be situated a sufficient distance away from the proposed development and therefore would not be adversely affected in terms of light, privacy and outlook.
- 55 Light
- There are no ground floor windows on the south side elevation of 3 Single Cross Cottages which serve habitable rooms and, as such, the proposal would not result in a harmful loss of light to this property. It is understood that there is a door on the south side elevation of the neighbouring property which contains a window however it is obscure glazed/frosted and therefore is unlikely to be the primary source of light to a habitable room.
- 56 Privacy
- The proposed extension would contain one window along the northern side elevation which would face towards 3 Singles Cross Cottages. For the same reason set out above, it is not considered that the development would result in a harmful loss of privacy or overlooking for any habitable rooms of this property.

57 Outlook

None of the main windows of the neighbouring property, 3 Singles Cross Cottages, would directly overlook the development. As such, it is not considered that the development would result in a harmful loss of outlook or visual intrusion.

Overall, the development would safeguard the amenities of existing and future occupants of nearby in accordance with the policy EN2 of the ADMP and the NPPF.

**Assessment of any Very Special Circumstances**

58 Para 153 of the NPPF states that when considering any planning application, we should ensure that substantial weight is given 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 any other considerations.

59 The harm in this case has been identified as:

- The harm in principle from inappropriate development in the Green Belt, which must be given significant weight.
- The harm to the openness of the Green Belt which is also given significant weight.

60 Possible very special circumstances – these can be summarised as:

- The proposed extension and the demolition of the shed would not result in an increase in floor area or volume and would result in an improvement to openness of the Green Belt to the rear of the site.

61 The applicant has highlighted that the proposal would not result in an increase in floor area or volume on the site when compared to the existing situation and planning permission 23/02284/HOUSE.

62 Furthermore, the demolition of the shed would result in an improvement to the openness of the Green Belt as it would consolidate the built form and reduce the sprawl of development across the site, particularly to the rear. This holds significant weight against the harm identified to the Green Belt. It is a similar argument to that made by the Inspector within the appeal decision for 20/03752/HOUSE, which related to the erection of a single storey side extension to the main dwelling. The Inspector found that the demolition of half of the shed would make a 'useful contribution to increasing the openness of the Green Belt' and would 'confer a noticeable and meaningful effect on the openness of the land to the rear of Singles Cottages.'

63 The demolition of the half of the shed in the rear of the site, and the demolition of the tool sheds in the area where the proposed extension would be sited, would be secured by condition 4. The previous application, 23/02284/HOUSE, did not secure the demolition of the buildings via a condition. This is therefore a further benefit of the current scheme.

**Conclusion on very special circumstances:**

64 It is therefore concluded that the case for very special circumstances put forward by the applicant would clearly outweigh the harm to the Green Belt in this instance.



## Other issues

- 65 Concerns raised by the parish council and during public consultation, which have not already been addressed in this report are considered below.
- 66 This application is contrary to the previous appeal decision
- 67 Previous appeal decisions are a material consideration for the current application. It is not considered that the grant of planning permission would be in conflict with the most recent appeal decision at the site, taking into account the differences between the proposals, the grant of 23/02284/HOUSE, the visual impact of the proposed extension and the very special circumstances that have been advanced.
- 68 This proposal is for a 3 storey property which would constitute over development bearing in mind the property has already been very substantially increased over the years and this application would add further habitable space.
- 69 The proposal is for a single storey side extension.
- 70 Overdevelopment
- 71 Planning Policy does not specifically seek to protect plot sizes nor does it define or specifically refer to the potential for overdevelopment. Instead, it focuses on the character of the area and how a proposed development would impact on that character. In this regard, it is considered that the proposal would not have a detrimental impact on the character of the surrounding area.
- 72 The difference between the timber structure and the proposed brick structure including inclusion door into the main building
- 73 This is noted within the report above. It is not considered that the difference in materials or the inclusion of a door connecting to the main dwelling would result in the development having a materially greater impact on the character of the surrounding area, or the Green Belt, when compared to 23/02284/HOUSE. Furthermore, it would not alter the balance of considerations which form the very special circumstances.
- 74 We are disconcerted at the speed in which this application has been submitted after the previous application to relocate the shed which suggests clear intent.
- 75 We cannot prevent the owners of The Willows from applying for planning permission and we have an obligation to assess any applications made. This matter therefore holds limited weight in the determination of the application.
- 76 We note with interest that the applicant is not the registered owner of this property as has been in past representations.
- 77 The applicant has served notice on the owner of the site and has subsequently signed certificate B on the application form.
- 78 If Sevenoaks are minded to grant this application we request that permitted development rights be removed on the entire site
- 79 Permitted development rights were removed for the dwelling under 09/02485/FUL.

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

80 The proposal is not CIL liable.

### **Conclusion**

81 The case for very special circumstances would clearly outweigh the harm to the Green Belt and, in every other respect, the proposal would be an acceptable form of development which would comply with local and national planning policies.

82 It is therefore recommended that this application is granted.

### **Background papers**

83 Site and block plan

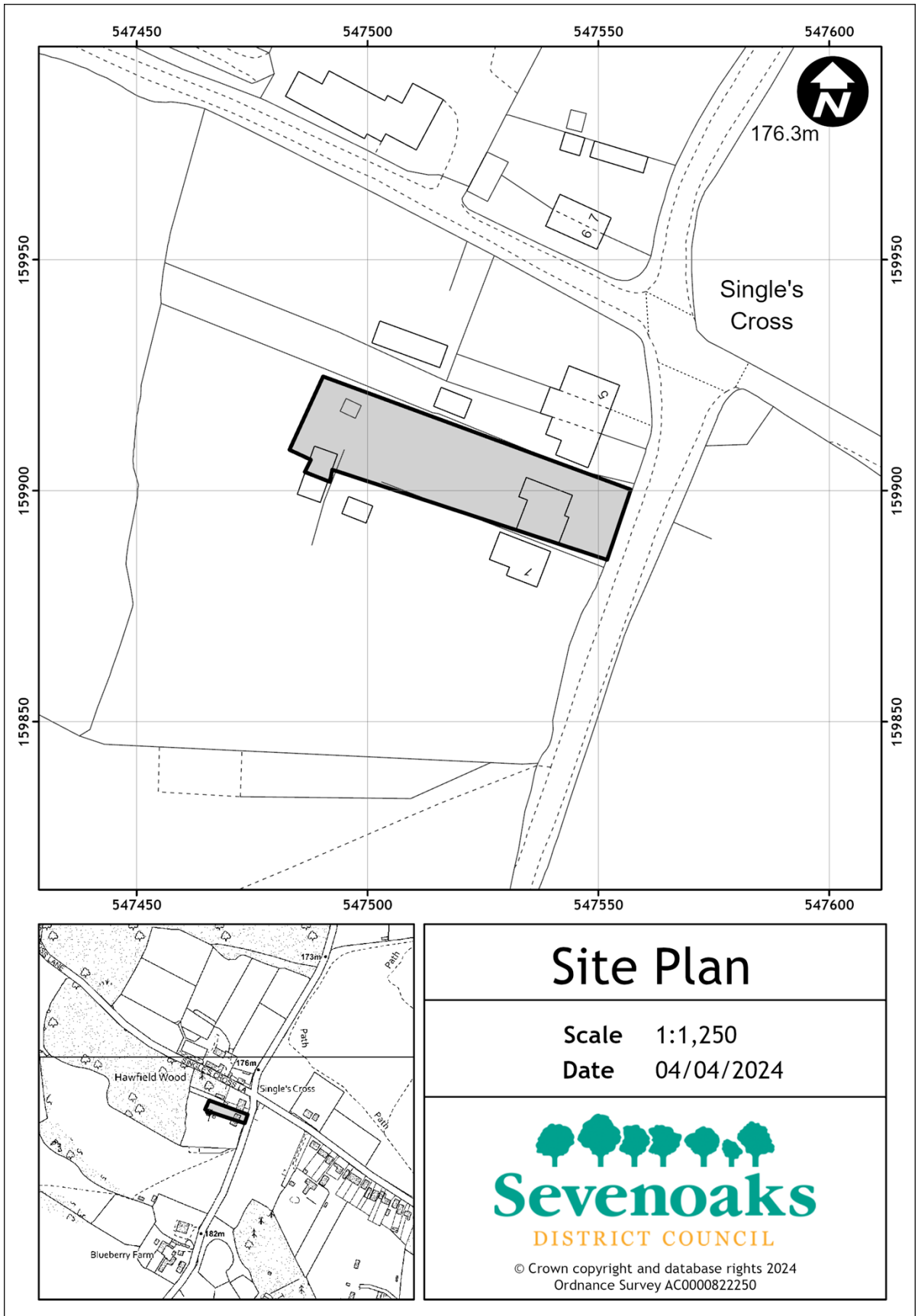
Contact Officer

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**Richard Morris**  
**Chief Planning Officer**

[Link to application details:](#)

[Link to associated documents:](#)



PROPOSED BLOCK PLAN

