

# PLANNING STATEMENT

Site: Hale Oak Barn, Hale Oak Road, Weald TN14 6NQ

Client: Mr & Mrs D Turner

Prepared by: DHA Planning Ltd

Date: April 2021

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## 1.1 Introduction

- 1.1.1 This planning statement has been prepared on behalf of Mr and Mrs D Turner in support of a householder planning application for the erection of a domestic glasshouse, a modest bin and log store and a minor fenestration alteration at Hale Oak Barn, Hale Oak Road, Weald TN14 6NQ.
- 1.1.2 The site is located within the Metropolitan Green Belt ('MGB' or 'Green Belt'), where restrictions on new buildings apply. Nevertheless, national and local Green Belt policy make it clear that 'proportionate' additions to existing dwellings are an acceptable form of development. This includes suitably designed outbuildings.
- 1.1.3 The fenestration change in isolation is *de minimis* in nature and of such a small scale that planning permission is unlikely to be required. The same principle applies to the timber bin and log store, which will be of a temporary nature that does not constitute development. Nonetheless, given the applicant is seeking consent for the glasshouse, and because the property does not benefit from permitted development rights, we consider it prudent to include these elements within the proposal.
- 1.1.4 This statement provides an overview of the application site, its planning history and summarises the proposed development. It then assesses the proposal against the relevant local and national policy context and concludes that planning permission should be granted.

## 1.2 Site Context

### *Application Site and Surroundings*

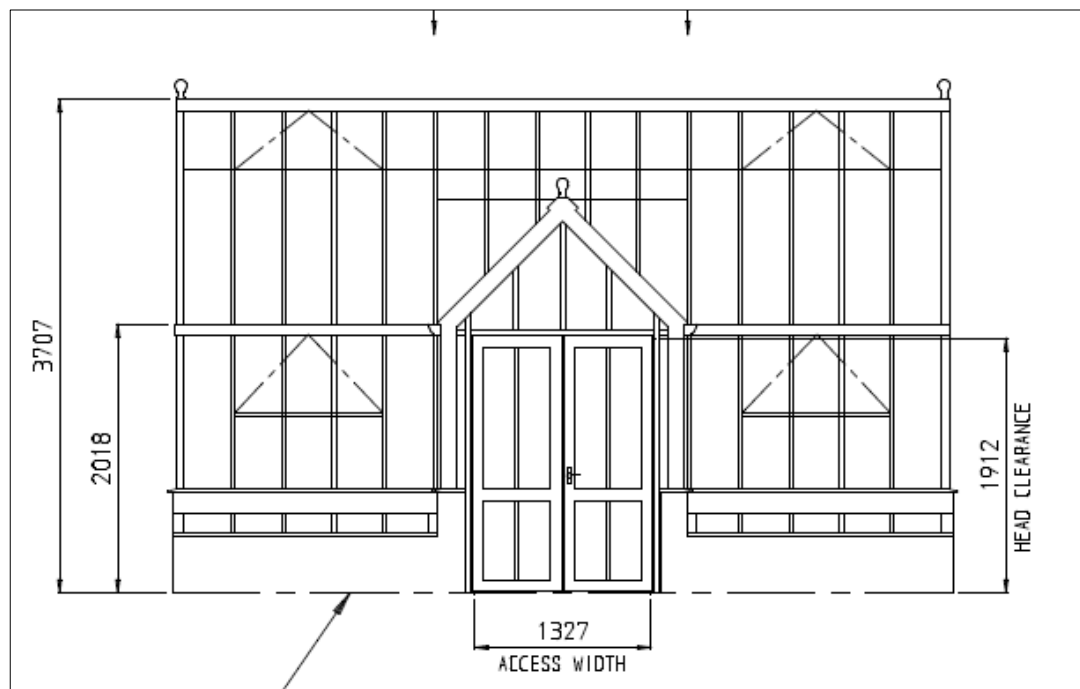
- 1.2.1 Hale Oak Barn is a detached former agricultural building that previously formed part of Hale Oak Farm. Planning permission was approved for the conversion of the barn to single dwelling under planning reference SE/95/2297. The works were carried out shortly after receiving consent and a new residential curtilage established.
- 1.2.2 Since conversion, the property has not been enlarged and so is in its original condition as first converted.
- 1.2.3 In respect of its surroundings, the site is located approximately 2km southwest of Sevenoaks Weald and is rural in nature, bound by agricultural fields and

development comprising the wider Hale Oak Farm. The site is within the Metropolitan Green Belt and predominantly in the High Weald Area of Outstanding Natural Beauty, albeit a small element sits outside of the protected landscape designation. The site is located entirely within the administrative boundaries of Sevenoaks District Council.

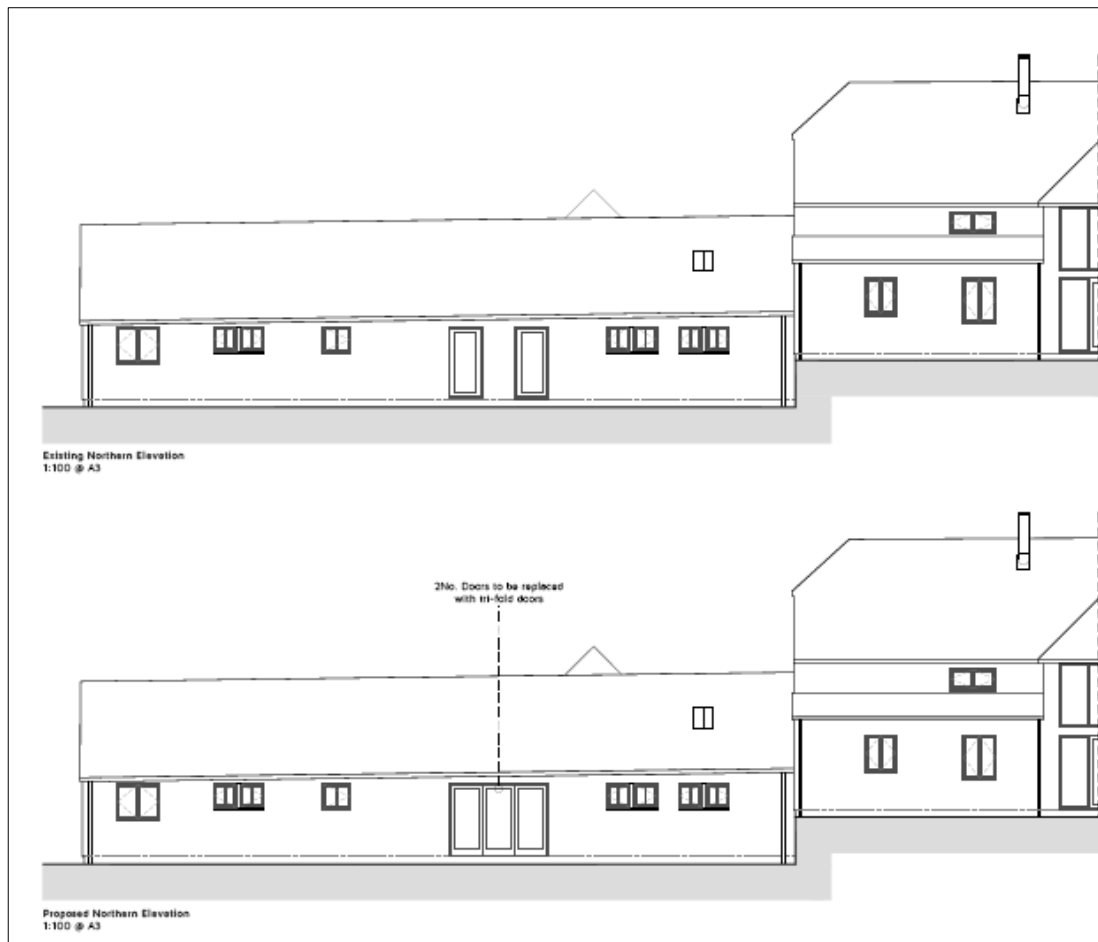
- 1.2.4 Access and associated parking is gained from a private driveway from Hale Oak Road.

### 1.3 Proposed Development

- 1.3.1 Planning permission is sought for the erection of a 'Victorian Lodge' glasshouse build on a permanent brick foundation. The glasshouse will be used solely for ancillary domestic purposes.
- 1.3.2 Although permanent in nature, the glasshouse will be of modest scale and would have a GEA of circa 22 sqm.



- 1.3.3 As part of the wider application a minor fenestration change is proposed on the southern elevation of the property to reconfigure two existing doorways with new trifold doors. This fenestration change in isolation is *de minimis* and is hidden from public view beyond the property boundaries due to the topography, but given the applicant is seeking consent for the glasshouse, and because the property does not benefit from permitted development rights which had been removed when the barn was converted, we consider it prudent to include this within the proposal.
- 1.3.4 The final element is a timber bin and log store. This element is not deemed development, but is included for completeness should the Council reach a different conclusion.



*Proposed fenestration changes*

## 1.4 Planning Policy Framework

### *Policy Overview*

- 1.4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan, unless material considerations indicate otherwise.
- 1.4.2 For the purpose of this planning application, the Development Plan comprises the Sevenoaks Core Strategy (2011) and Allocations and Development Management Plan (2015).
- 1.4.3 In addition to the development plan, the Government published the National Planning Policy Framework ('NPPF' or 'the Framework') in February 2019. The NPPF replaces previous national guidance and sets out the Government's requirements and policies for planning in England.

## ***National Planning Policy Framework (2019)***

### Achieving Sustainable Development

- 1.4.4 Achieving sustainable development is the core objective for the planning system and the NPPF is built on the premise that sustainable development should go ahead without delay.
- 1.4.5 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform several roles:
- contribute to building a strong, responsive and competitive economy;
  - support strong, vibrant and healthy communities; and
  - contribute to protecting and enhancing our natural, built and historic environment.

### Decision Making

- 1.4.6 Paragraph 38 of the Framework states that local planning authorities should approach decisions on proposed development in a positive and creative way.
- 1.4.7 In terms of conditions and obligations, paragraph 55 makes clear that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects.
- 1.4.8 Paragraph 58 concerns enforcement and stresses that such action is discretionary and local planning authorities should act proportionately in responding to suspected breaches of planning control.

### Protecting Green Belt Land

- 1.4.9 Paragraph 133 of the Framework stresses that the Government attaches great importance to Green Belts, with the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open.
- 1.4.10 In terms of proposal affecting the Green Belt, paragraph 143 makes clear that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
- 1.4.11 Paragraph 145 goes on to say that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, other than several limited exceptions, including for agricultural purposes or 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 (NPPF, Paragraph 145c).

## ***Sevenoaks Core Strategy (2011)***

- 1.4.12 The Sevenoaks Core Strategy is the key component of the Council's Local Development Framework (Local Plan). It provides the overarching strategic principles for planning and the distribution of development between 2006 and 2026.

- 1.4.13 *Policy LO1 (Distribution of Development)* of the Core Strategy controls the spread of new development. The priority is to locate new development within the most sustainable settlements and to protect rural areas by permitting only development consistent with policies for the protection of the Green Belt and AONB. Policy LO8 further seeks to conserve the features of the District's countryside.
- 1.4.14 *Policy SP1 (Design of New Development and Conservation)* provides guidance on the design of new development and states that all new development should be designed to a high quality and respond to distinctive local character.
- 1.4.15 Notwithstanding that the Core Strategy is the overriding component of the development plan; the small scaled nature of the proposal means that it is the ADMP that is of greatest relevance to the proposal scheme.

#### ***Allocations and Development Management Plan (2015)***

- 1.4.16 The Allocations and Development Management Plan (ADMP) was adopted by the Council on the 17 February 2015.
- 1.4.17 *Policy SC1 (Presumption in Favour of Sustainable Development)* states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development. The Council will work proactively with applicants to find solutions, which mean that proposals can be approved wherever possible.
- 1.4.18 *Policy EN1 (Design Principles)* has regards to core design principles and states proposals which would create high quality design and meet the following criteria will be permitted.
- 1.4.19 *Policy EN2 (Amenity Protection)* seeks to protect amenity and states that proposals will be permitted where they would provide adequate residential amenity for existing and future occupiers of the development and would safeguard the amenity of existing and future occupants of nearby properties by ensuring that development does not result in, and is not located in areas where occupiers of the development would be subject to, excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and where the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.
- 1.4.20 *Policy GB3 (Residential outbuildings in the Green Belt)* states that within the Green Belt residential outbuildings (more than 5m from the house) will be permitted where the building, including the cumulative impact of other outbuildings and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.

#### ***Green Belt Supplementary Planning Document (2015)***

- 1.4.21 The Green Belt SPD sets out further guidance on how the Council will implement the policies in the ADMP and NPPF. The purpose of the guidance is to ensure consistency in decision making when determining planning applications.

- 1.4.22 Paragraph 1.3 of the SPD states that the District Council will take a positive approach to development in the Green Belt that accords with the Sevenoaks District Local Plan.
- 1.4.23 Section 5 of the SPD outlines the approach to determining whether a proposal is proportionate to the original building. It states:

*'In determining proposals for residential extensions or replacement dwellings in the Green Belt an assessment will be made against the impact of the 'original' existing development.*

*Establishing what the Council deems to be the 'original dwelling' depends on when the property in question was first built and whether it pre-dates the modern planning system. In many cases the 'original dwelling' will refer to the floorspace of the dwelling when it was first constructed.*

*However, for older homes constructed prior to July 1<sup>st</sup> 1948, the 'original dwelling' refers to the floorspace of the dwelling as it was on this date, when the Town and Country Planning Act was first introduced.*

*In either case any additions that have occurred since the 'original' dwelling date will be considered cumulatively and will be counted as part of the overall increase in floorspace of the dwelling when new additions are being assessed. This is because small reductions in openness, repeated many times, can have a cumulatively detrimental effect'.*

- 1.4.24 Paragraph 5.30 provides useful guidance on the parameters for new outbuildings and states:

*'where planning permission is required for these structures in the Green Belt, and where the outbuildings are more than 5m from the existing dwelling, outbuildings will be permitted **in addition to** the allowance under Policies GB1 or GB4 if the design and cumulative impact would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion. The outbuilding should be well designed in relation to the dwelling, compatible with the character of the area and designed and sited to minimise visual intrusion. In order to minimise the impact of outbuildings on the openness of the Green Belt, the Council will seek to restrict any outbuildings to a limit of 40sqm (measured externally)'.*

- 1.4.25 Paragraph 5.32 goes on to state that the Council will seek to ensure that such proposals do not dominate the main dwelling or its setting, their scale should not exceed what might reasonably be expected for the function of the building and garages and outbuildings for domestic purposes should not normally need to exceed a single storey in height or have excessive volume. Such buildings should also be clearly ancillary to the main dwelling in terms of function and design.
- 1.4.26 Paragraph 5.33 and 5.34 state that whether planning permission is required or not, the design of outbuildings should not impact detrimentally on the space surrounding buildings and should be limited in scale. Outbuildings should not compete with the main house.

### ***Residential Extensions SPD (2009)***

- 1.4.27 The somewhat dated Residential Extensions SPD has regard to garages and other Outbuildings in the Green Belt and Areas of Outstanding Natural Beauty, much of which has now been repeated within the ADMP and Green Belt SPD.
- 1.4.28 Nevertheless, the key message is that outbuildings should not impact detrimentally on the space surrounding buildings; they must be limited in scale and clearly ancillary to the property; their scale should not exceed what might reasonably be expected for the function of the building and garages and outbuildings for domestic purposes should not normally need to exceed a single storey in height or have excessive volume.
- 1.4.29 The above advice has been followed in formulating the current design.

### ***Community Infrastructure Levy (2014)***

- 1.4.30 The Community Infrastructure Levy (CIL) is a charge on development used to fund infrastructure. The charge applies to most new development where new floorspace is proposed (of 100 square metres or more) or where a new dwelling is created. The proposed development falls under this threshold.

## **1.5 Planning Considerations**

### ***Principle of Development***

- 1.5.1 The fenestration change is of such a small scale that there would be no meaningful impact upon the character or the area, the openness of the Green Belt or the amenities of the nearby residents. Accordingly, the key aspect of the development plan is policy GB3 of the Sevenoaks Allocations and Development Management DPD (2015), which allows for a modest outbuilding in the Green Belt.
- 1.5.2 Policy GB3 states that residential outbuildings within the curtilage of an existing dwelling in the Green Belt, will be treated as an extension if the proposed outbuilding would be located within 5m of the existing dwelling. However, as the proposed outbuilding is more than 5m from the original dwelling, it must be assessed as a new outbuilding instead.
- 1.5.3 The second part of policy GB3 state that outbuildings located more than 5m from the existing dwelling will be permitted where the building, including the cumulative impact of other outbuildings and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.
- 1.5.4 The proposed additions would not result in an unacceptable proliferation of outbuildings. The bin and log store is temporary in nature. Furthermore, the glasshouse will facilitate agriculture, which is an appropriate use in the Green Belt. Under either scenario the proposed glasshouse would not result in an adverse impact upon the open character of the Green Belt.
- 1.5.5 The glasshouse, by virtue of its nature and design, would clearly be ancillary to the main dwelling. It is traditionally formed and of a general domestic

appearance. It would not lend itself to any more intensive form of domestic accommodation nor is it of nature to convert to a separate residential unit.

- 1.5.6 The design complements the rural style of the existing dwelling whilst still ensuring that the bulk and volume to be created would be kept to an absolute minimum.
- 1.5.7 Taking the above into consideration, we consider the proposal fully complies with the requirements of the adopted ADMP and would comply with the Council's definition of a 'proportionate' addition to an existing residential plot.

#### ***Residential Amenity***

- 1.5.8 Given the nature of the works – there would be no adverse harm through overlooking, overbearing, or loss of privacy to the occupiers of the neighbouring properties.

#### ***Access and Parking***

- 1.5.9 The glasshouse would be sited on land that is currently garden and would not impact on current parking provision.

#### ***Landscape Impact***

- 1.5.10 The small scale nature of the proposal, combined with the quality finish, would represent typical rural features that would not be at odds with the character of the AONB landscape.

### **1.6 Conclusions**

- 1.6.1 In conclusion, this Planning Statement has been prepared on behalf Mr and Mrs Turner in support of a planning application for the erection of domestic glasshouse, a bin and log store, and minor fenestration changes.
- 1.6.2 The site is located within the Metropolitan Green Belt where strict restrictions on new buildings apply. However, national Green Belt policy is clear that 'proportionate' additions to an existing dwelling can be an acceptable form of development.
- 1.6.3 With the above in mind, the proposal has been shown to be in accordance with the development plan and therefore we respectfully request that planning permission is approved without delay.