



Mr J. Sperryn
Principal Planning Officer
Sevenoaks District Council
Argyle Road
Sevenoaks
TN13 1HG

Our ref SEV/21/30
Your ref
25.08.21

Dear Mr. Sperryn,

5 Hailwood Place, West Kingsdown, Kent, TN15 6AN

I have been instructed to submit a planning application for the development of the above site involving the revision to the replacement garage granted planning permission under reference 21/00971/HOUSE, and the erection of a porch.

The application is formed of this covering letter, drawings numbered COB/20/1066/01, COB/20/1066/30B, planning application and CIL forms.

Site and surrounding area

The site comprises of a large dwelling situated within Hailwood Place, which is a relatively new estate of dwellings of similar design and appearance. The estate lies within the Green Belt and Area of Outstanding Natural Beauty and was granted planning permission in 2018. In granting permission for this scheme, the Council removed permitted development rights for extensions and external alterations as well as outbuildings.

Proposed development

The development proposed is for a revision to the replacement garage permission that was granted under reference 21/00971/HOUSE. The addition involves the realignment of the rear wall of the link section of the development that connects the proposed garage to the house. The rear wall is to be moved back approximately 1.5m from the previously granted scheme. In all other respects, the proposed garage is the same as the approved scheme.

The proposal also involves the addition of a porch to the front of the property. Under normal circumstances the erection of a porch would be permitted development, but permitted development rights for the erection of porches was removed by condition on the original planning permission for the erection of the property (condition 4 of planning permission 17/00410/FUL).

Planning history

There have been a number of applications in the past for the development of the site, culminating in application reference 17/00410, for the demolition of the previous retreat house and the construction of 6 detached dwellings.

As noted above, a planning application was submitted under reference 20/01896 for the erection of a replacement detached garage and an orangery to the rear of the dwelling. Planning permission was refused for this development on 09.09.20. The decision to refuse permission was appealed. The Inspector considered the orangery to the rear to be acceptable but deemed the replacement garage unacceptable. As a result, a split decision was issued to allow the orangery to the rear, but the appeal was dismissed in relation to the proposed garage. The appeal decision letter is dated 01.03.21.

Following the dismissal of the appeal, a further planning permission was submitted for the erection of an attached garage, reference 21/00971/HOUSE, which was granted permission on 28.05.21.

Policy context

The development plan for the area consists of the Core Strategy, adopted in 2011, and the Allocations and Development Management Plan, adopted in 2015.

The relevant policy of the Core Strategy is;

- SP1 Design of New Development and Conservation

The relevant policies of the Allocations and Development Management Plan are;

- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- GB1 Limited Extensions in the Green Belt

Other material policy considerations include the National Planning Policy Framework (NPPF), in particular paragraph 149, and the Sevenoaks Residential Extensions SPD and Development in the Green Belt SPD.

Main issues

Having regard to the policy context, the main issues to consider are as follows;

- Impact on the Green Belt;
- Impact on the character of the area, including the AONB;
- Impact on neighbouring amenity.

Green Belt

Policy GB1 of the Allocations and Development Management Plan provides the local policy on extensions in the Green Belt. The policy is criteria based and requires the existing dwelling to be lawful and permanent in nature, and the design responds to the original form and appearance of the building and the proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the “original” dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion. If these criteria are met, the proposed extension, together with previous extensions, should not exceed 50% of the floorspace of the original dwelling. As the proposal is for an extension to the existing dwelling, policy GB1 is relevant.

Policy GB1 is consistent with paragraph 149 of the NPPF, which identifies that new buildings in the Green Belt are inappropriate development, and therefore harmful by definition. There are some exceptions to this, such as “*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*”. It is noted that the Council consider “not disproportionate” to mean no more than a 50% increase in floor area.

Having regard to the criteria in policy GB1, the existing dwelling is permanent and lawful (benefitting from planning permission granted under reference 17/00410). In addition, the scale, bulk and massing of the proposal reflects the design of the original form and appearance of the building (this will be discussed in more detail below).

As the first two criteria are complied with, the third criterion requires the proposed development (together with previous additions) to be no more than 50% of the floorspace of the original dwelling. The floorspace of the original dwelling is 234.5 sqm, and the floorspace of the existing garage (to be demolished) is 42.5 sqm, with the total floorspace of the original dwelling plus garage being 277 sqm.

The orangery, allowed on appeal, measures a total of 18 sqm.



The floorspace of the previously approved garage amounted to 119.5 sqm. The additional floorspace proposed by this application amounts to 4.05 sqm, making a total of 123.55 sqm. However, the proposed garage extension is built over the footprint of the existing garage. As a result, the net increase in floorspace for the proposed extension is 81.05 sqm (123.55 sqm – 42.5 sqm).

The floorspace of the proposed porch amounts to 3.6m x 1.2m, or 4.32 sqm.

The total increase of the currently proposed extensions, together with the permission granted on appeal for the orangery, amounts to (18 sqm + 81.05 sqm + 4.32 sqm) 103.37 sqm. This represents a 37% increase over the floorspace of the original dwelling.

As this is below the 50% increase (which would amount to 138.5 sqm), it is submitted that the proposed development is not inappropriate development, and not by definition harmful to the Green Belt, and that very special circumstances are not required to be made out.

Consequently, it is also submitted that the proposed development complies with policy GB1 and the NPPF, and that there is no harm to the openness of the Green Belt. The Inspector came to the same conclusion in relation to the previously refused proposal.

Impact on the character of the area, including the AONB

The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan. Policy SP1 sets out that “*all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.*” Policy EN1 is a criteria based policy. Due to the nature of the proposal, a number of the criteria are not relevant. The most relevant criterion is that the form of the proposed development would respond to the scale, height, materials and site coverage of the area.

The previously granted permission for the garage is a material consideration of substantial weight. The Council found the garage to be acceptable and not resulting in harm to the character of the area. The proposed change involves a slight realignment of the rear wall of the link between the garage and house- this part of the development will not be seen from public vantage points and will not significantly alter the scale and bulk of the property together with the approved garage. As a result, it is submitted that the minor change to the garage will not result in any additional harmful impact on the character of the area.

The proposed porch extension is simply to build up the wall below the existing projecting canopy over the front door. As a result, the minor addition to the front elevation will not result in any significant change to the scale and bulk of the dwelling when viewed from public vantage points.

It is submitted therefore that the proposed development will not result in harm to the character of the area generally, and would not conflict with policies SP1 and EN1 of the development plan.

Policy EN5 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.

The minor revision to the design of the proposed garage would conserve and enhance the character of the area generally and the AONB in particular. The proposed porch is a minor addition to the property in the context of the existing scale and bulk of the dwelling, and would maintain the existing form, design and unified visual appearance of its setting. In addition, the use of matching materials would enhance the character of the existing building and the surrounding area. As a result, there is considered to be no conflict with policy EN5.

Impact on the amenities of adjoining properties.

Policy EN2 of the development plan sets out that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that they would not be subject to 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.

The existing dwelling is set in spacious grounds, with a considerable distance to the adjoining properties to either side. The proposed garage is located away from the boundary to the south and does not have any openings to the southern flank elevation and the minor revision will not impact the amenities of the adjoining properties. The proposed porch will not impact on the amenities of adjoining properties due to its location and scale. As a result, there will be no harmful impact on the amenities of the adjoining property and there is no conflict with policy EN2 of the development plan.

Conclusion

The above demonstrates that there is no harm to the Green Belt, the character of the area, including the AONB, or



the amenities of the adjoining properties.

As there is no conflict with the policies of the development plan, the proposed development falls within the definition of sustainable development, as set out in paragraphs 10 and 11 of the NPPF. As such, it is submitted that the proposed development should be granted permission without delay.

Yours sincerely,

