

Householder planning application					
Application reference	23/00746/HOUSE	Officer	Guy Martin	Report date	02.05.23
Application site	The Village House Church Road Halstead Kent TN14 7HF				
Description of proposal:					
Installation of a small smart meter booster antenna to the eastern gable wall of the dwelling.					
Description of site:					
The Village House is a grade II detached property located on the southern side of Church Road near the centre of Halstead village.					
Relevant planning history:					
81/00330/HIST	CONSTRUCTION OF ORNAMENTAL LAKE IN GARDEN OF DWELLINGHOUSE	GRANT		24/06/1981	
88/02132/HIST	Large shed for garden and grass cutting equipment	GRANT		20/01/1989	
89/01809/HIST	Change of use of land from agriculture to private recreational purposes	GRANT		22/11/1989	
90/01198/HIST	Demolition of isolated, detached garage (8 bays), construction of new 8 bay garage adjacent to main house, as amended by drawings received 22/10/90 under cover of agents letter dated 15/10/90.	GRANT		12/11/1990	
98/00612/HIST	(LBC) Replacement of old conservatory with a new conservatory. Amended by plans received with letter dated 1.5.98.	GRANT		12/05/1999	
02/01203/FUL	New entrance gates.	GRANT		30/07/2002	
13/01056/LBCALT	The erection of a single storey extension on the west end of the building.	GRANT		11/06/2013	
13/01408/LBCALT	Erection of a single storey extension with roof lantern on the west end of the building.	GRANT		19/09/2013	
13/02968/HOUSE	Erection of an orangery with roof	GRANT		03/12/2013	

	lantern on the west end of the building.		
21/00538/FUL	Rebuilding part of listed flint wall that has fallen down due to earth movement and tree activity.	GRANT	24/05/2021
21/00539/LBCALT	Rebuilding part of listed flint wall that has fallen down due to earth movement and tree activity.	GRANT	06/05/2021
21/00803/HOUSE	Replacement of a fence and gate with brick wall and metal gate.	REFUSE	01/09/2021
21/00804/LBCALT	Replacement of a fence and gate with brick wall and metal gate.	REFUSE	27/08/2021
Constraints:			
Green Belt Halstead Conservation Area LB/G2/14/0495 - Grade II Listed House LB/G2/14/0496 - Grade II Listed northern wall LB/G2/14/0494 - Grade II Listed southern wall			
Policies:			
National Planning Policy Framework (NPPF)	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> 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 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding. 		
Core Strategy	SP1 Design of New Development and Conservation		
Allocation and Development Management	SC1 Presumption in Favour of Sustainable Development EN1 Design Principles		

Plan	EN2 Amenity Protection EN4 Heritage Assets GB1 Limited Extensions to Dwellings in the Green Belt						
Other	Halstead Conservation Area Appraisal						
Representations							
	No.	Issues raised					
Support							
Object							
No comments received	x						
Consultations (x):							
Halstead Parish Council	Support		Object		No Comment received	x	Delegated Powers
(Reason)							
SDC Conservation	<p>“Proposal: Installation of external technical equipment to a listed building in a conservation area</p> <p>- Significance</p> <p>Village House is a Grade II listed building of the early 19th century which sits in a spacious, softly landscaped setting in the Halstead conservation area. The House has modern additions to the east, Grade II listed boundary treatments to the north and north-east, and a Grade II listed building known as The Coach House abuts the site to the east.</p> <p>- Impact on Significance</p> <p>The proposed antenna is discretely located on the eastern gable and its diminutive form will be partially concealed behind adjacent parapets. Installation of the antenna has negligible impact on historic building fabric and its modest presence causes no harm to the significance of any designated heritage assets.</p> <p>- Policy Context</p> <p>Paragraphs 199 & 200 of the NPPF require great weight to be given to the conservation of designated heritage assets and note that significance can be harmed or lost through unsympathetic works. The proposal causes no harm to the significance of the potentially affected designated heritage assets and there is no objection in terms of Policy EN4”.</p>						
Principal issues:							
<ul style="list-style-type: none"> • Impact on the character of the area • Impact on neighbouring amenity 							

- Impact on the Green Belt
- Impact on the Conservation Area
- Impact on the listed building

Impact on the character of the area

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.

Issue	Complies(Y/N)	Reason
Design, form and proportions	Y	The proposed antenna measures 0.35m long fixed to the gable wall of the house at first floor with a length of cable measuring 0.3m which incorporates an appropriate design.
Street scene	Y	The Village House is set back from Church Road by 35m and due to the limited scale of the development it would not impact upon the street scene.
Materials	Y	The proposed materials would be appropriate to the development
Conclusion	Y	The proposal would incorporate an appropriate design that would meet the requirements of national and local planning policies.

Impact to neighbouring amenity

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

Issue	Complies(Y/N)	Reason
Light	Y	The proposal would not impact upon neighbours light.
Privacy	Y	The proposal would not impact upon neighbours privacy.
Visual intrusion	Y	The proposal would have a minimal bulk that would not result in visual intrusion./
Conclusion	Y	The proposal would not have an adverse impact upon neighbouring amenities meeting the requirements of national and local planning policies.

Whether the Development is appropriate development in the Green Belt and Impact on openness

As set out in paragraph 149 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”

Paragraph 147 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.

Paragraph 148 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.

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 principal to the Green Belt from inappropriate development.

Policy GB1 of the ADMP provides the local policy on extensions in the Green Belt.

Issue	Complies(Y/N)	Reason
GB1a) The existing dwelling is lawful and permanent in nature	Y	The Village House is an early 19 th century listed property which is lawful and permanent in nature.
GB1b) Responsive design, and harm to openness	Y	The proposal comprises of antenna measuring 0.35m long fixed to the gable wall of the house at first floor with a length of cable measuring 0.3m that would incorporate an appropriate design that would have a negligible impact upon openness.
GB1c) 50% uplift from the “original” building	Y	The proposal would have a negligible impact upon openness.
Conclusion on appropriateness and impact on openness	Y	The proposal would represent appropriate development that would not harm the openness of the Green Belt meeting the requirements of the NPPF and policy GB1.

Impact on Listed Buildings and their Setting

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.

The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).

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.

Issue	Complies(Y/N)	Reason
Impact on the listed buildings and setting	Y	The proposed antenna measures 0.35m fixed to the gable wall of the house at first floor with a length of cable measuring 0.3m which would be partially hidden by the adjacent sloping roof which would, as confirmed by SDC Conservation have a negligible impact on the historic fabric of the building causing no harm to the listed buildings significance.
Conclusion	Y	The proposal would have a negligible impact upon the historic fabric meeting the requirements of the NPPF and policy EN4 of the ADMP.

Conservation Area Impact

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

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.

Issue	Complies(Y/N)	Reason
Whether the development preserves or enhances the character or appearance of the conservation area.	Y	The Village House lies within the Halstead Conservation Area which notes that the Village House, “is an important building within the conservation area surrounded by magnificent grounds that border Deerleap Woods and Knockholt Road”. The proposal due to its limited size and its location partially screened by an existing first floor roof would ensure that the character of the Conservation area would be preserved.
Other/ Conclusion	Y	The proposal would meet the requirements of the NPPF and policy EN4 of the ADMP.

Other Issues

Other issues?	No	<input checked="" type="checkbox"/>	Yes		
CIL liable(x)	No	<input checked="" type="checkbox"/>	Yes		
Conclusion:					
The proposal would represent appropriate development that would not harm the openness of the Green Belt with an appropriate design that would have a negligible impact upon the fabric and setting of the listed building, would preserve the character of the Conservation area and would not impact adversely upon local amenities meeting the requirements of national and local planning policies.					
Recommendation (x):					
Grant	<input checked="" type="checkbox"/>	Refuse			
Case Officer	Guy Martin			Date	02.05.23
Manager/Principal	Jim Sperryn			Date	5.5.23

Assessing claims for self-build annexes and extensions

Legislation

People who extend their own homes or erect residential annexes within the grounds of their own homes are exempt from the levy, provided that they meet the relevant criteria set out in Sections 42A, 42B, and 42C of The Community Infrastructure Levy Regulations 2010 (as amended).

The applicant has submitted a self-build annex or extension claim form and has confirmed all the declarations required.

The applicant is claiming exemption for a **residential extension within the definition in Regulation 42A.**

Criteria for exemption

(Y/N)

--	--

Does the person who is claiming the exemption own a material interest in the land?		
Does their claim for exemption on the form, ie an annex or extension, match the development applied for in the related application and the CIL definitions of an annex or extension?		
Has the development commenced?		
Recommendation (x):		
Grant	<input type="checkbox"/>	Refuse <input type="checkbox"/>
Reason: (i.e. grant - The applicant has confirmed the declarations for exemption on the form required and the additional criteria referred to in the above table are met. I am therefore satisfied that the applicant is exempt from CIL for planning application 23/00746/HOUSE.		
Manager/Principal		Date: