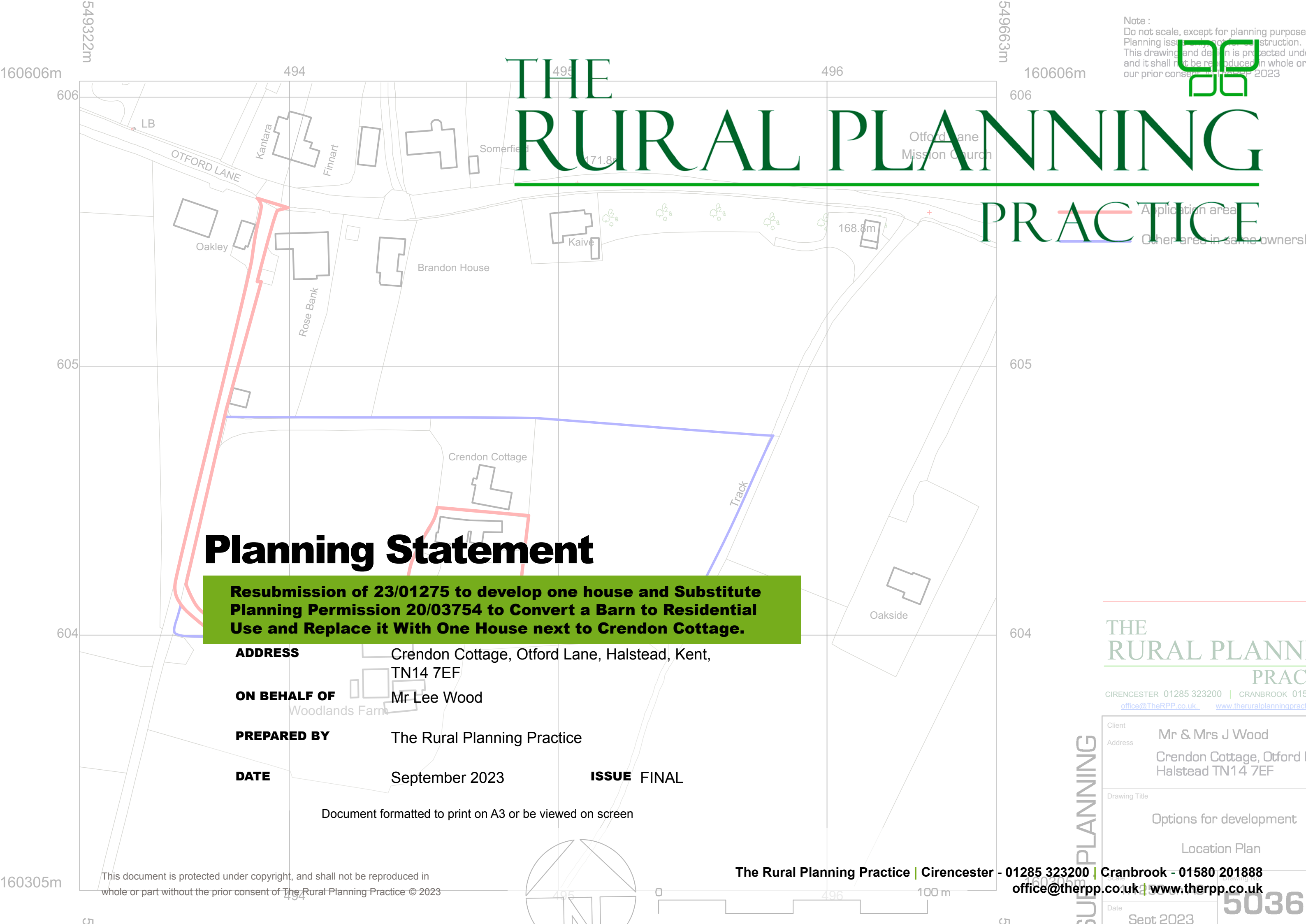


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THE RURAL PLANNING PRACTICE



Planning Statement

Resubmission of 23/01275 to develop one house and Substitute Planning Permission 20/03754 to Convert a Barn to Residential Use and Replace it With One House next to Crendon Cottage.

ADDRESS Crendon Cottage, Otford Lane, Halstead, Kent, TN14 7EF
ON BEHALF OF Mr Lee Wood
PREPARED BY The Rural Planning Practice
DATE September 2023 **ISSUE** FINAL

Document formatted to print on A3 or be viewed on screen

THE RURAL PLANNING PRACTICE

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Client: Mr & Mrs J Wood
Address: Crendon Cottage, Otford Lane, Halstead TN14 7EF

Drawing Title: Options for development
Location Plan

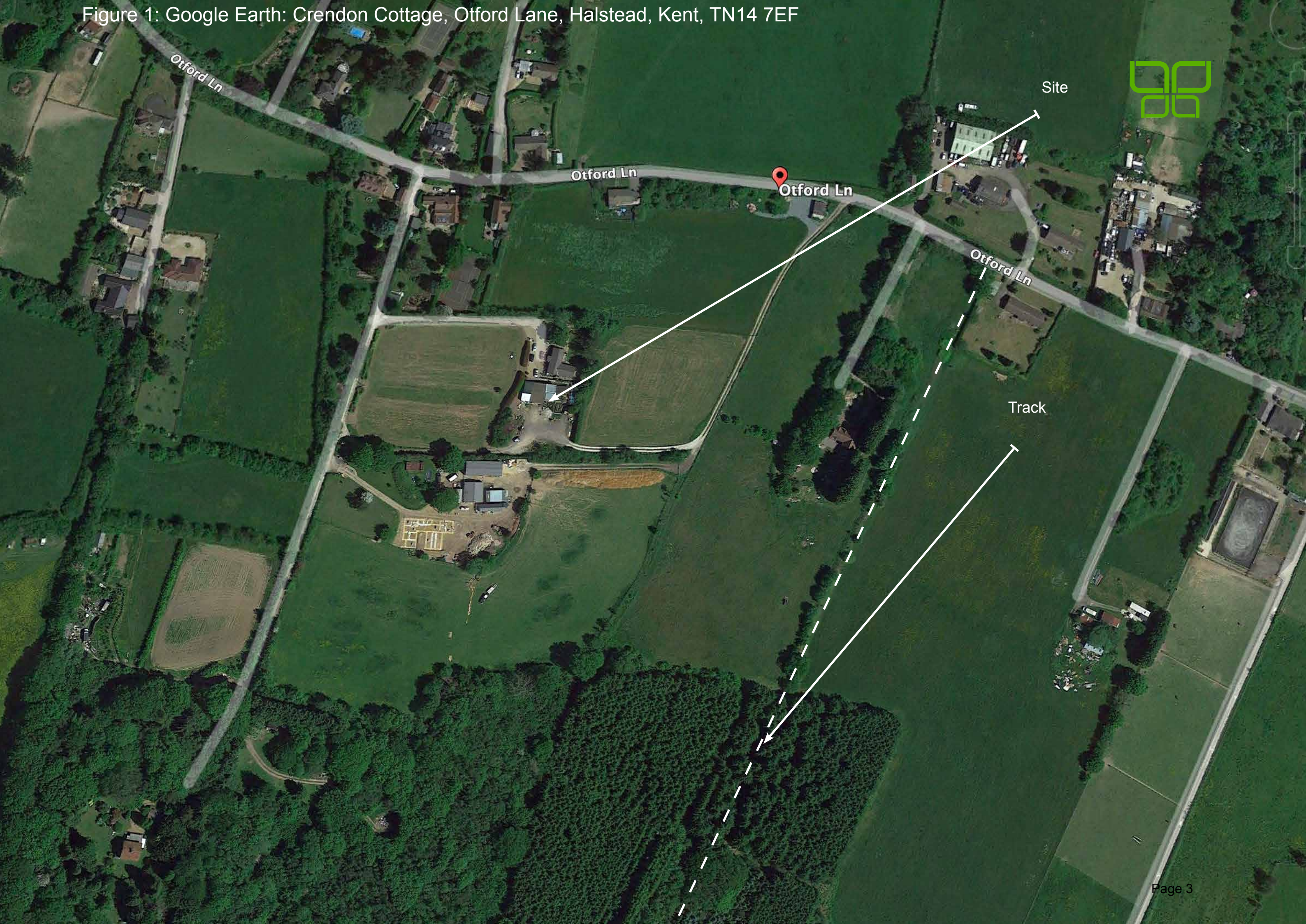
Date: Sept 2023



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Figure 1: Google Earth: Crendon Cottage, Otford Lane, Halstead, Kent, TN14 7EF





1. Introduction

- 1.1. This application is a resubmission of 23/01275 and seeks to develop one house on a brownfield site where planning permission has been granted for conversion of a modern barn into a house by reference 20/03754.
- 1.2. Crendon Cottage is set within a plot of 5 acres in Halstead. The house can be accessed from two drives from Otford Lane. The field will remain with Crendon Cottage, and the new house will use the western drive.

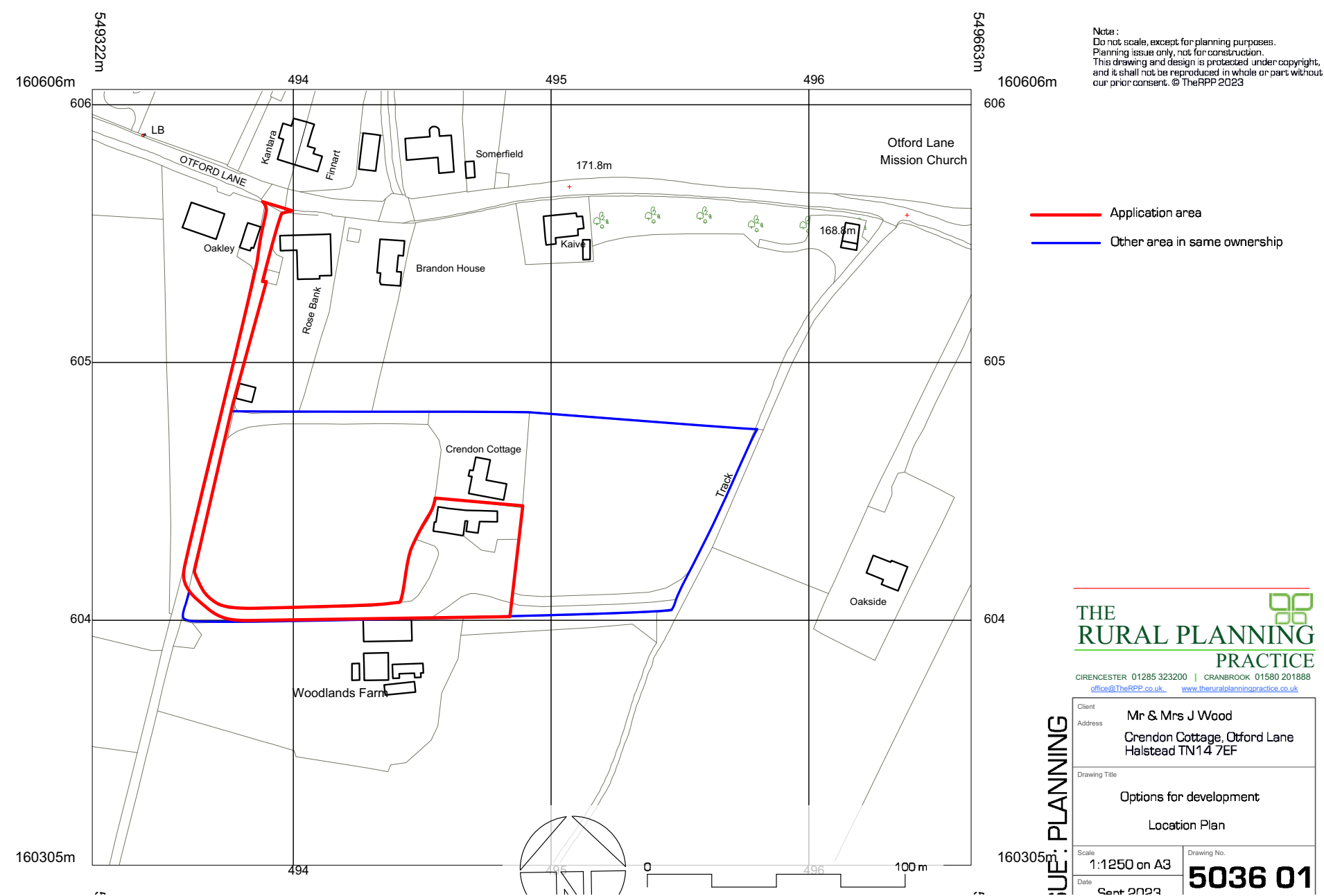


Figure 2: Location Plan



1.3. The justification for the development is as follows:

- The site is brownfield in a sustainable location.
- Sevenoaks District Council is not able to show a five-year housing land supply and it currently stands at 2.6 years supply which is a material consideration and described by one planning inspector as a 'grave shortfall'.
- The proposal makes efficient use of land. 93% of the district is designated as Green Belt. This raises the importance of delivering efficient sites.
- The good design of the housing respects the intrinsic beauty of the countryside and meets planning policies for good design.



Photograph 1: Access Drive



Photograph 2: Crendon Cottage



2. Planning History

- 2.1. Erection of single storey side extension and conservatory, together with the removal of two mobile homes. Ref. No: 03/02536/FUL | Status: Decision - Granted.
- 2.2. The erection of 3 single storey extensions. Ref. No: 12/02161/LDCPR | Status: Decision - Granted.
- 2.3. Demolition of existing bungalow, garage and store, and erection of 4 x bed dwelling. Ref. No: 12/03142/FUL | Status: Refused.
- 2.4. Prior notification of a single storey rear extension which extends 8m beyond the rear wall of the original dwelling house with a maximum height of 3.95m and eaves height of 2.9m measurement. Ref. No: 13/02219/PAE | Status: Prior Approval Not Required.
- 2.5. Conversion of Barn to Residential Dwelling. 20/03754 Status: Approved
- 2.6. Substitution of 20/03754 with two new build houses. Status: Refused

3. Proposals

3.1. The submitted drawings are:

- Location Plan
- SO 5076 Site Plan 5076 5B.
- SO 5076 3A Floor Plans Plot 2.
- SO 5076 4B Elevations Plot 2.

3.2. The family house has been designed by Border Oak who specialise in timber framed dwellings with high insulation and good detailing. Materials include plain clay tile roofs, timber joinery, tile hanging and applied timber with stucco.

3.3. The interesting house utilises the plot area of the barn and the same access. The house is one and a half storeys high with half hips and some single storey rooms to break up the mass and to generate good internal layouts. The house is tile hung. The houses has substantial oak framing and attractive feature chimney

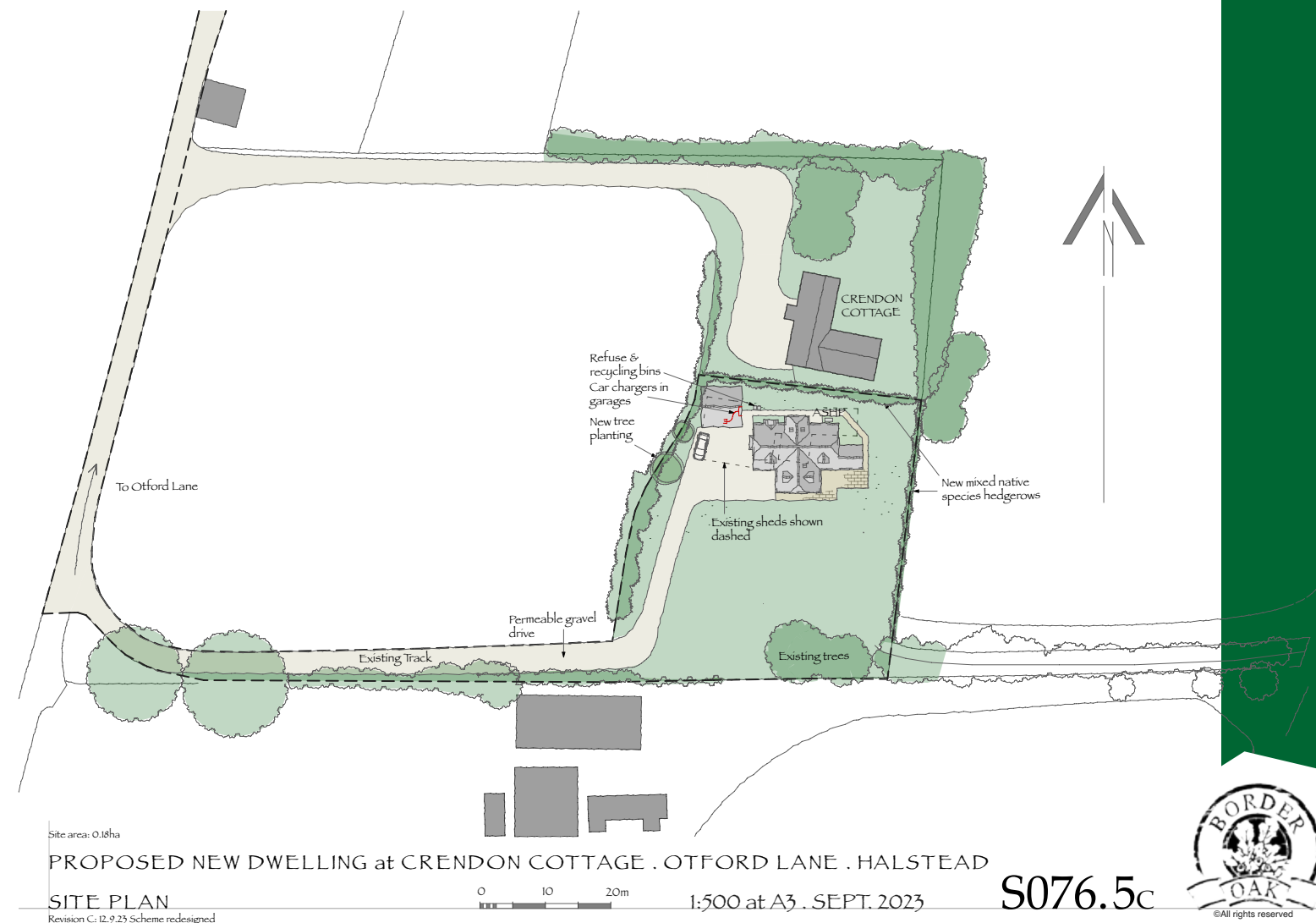
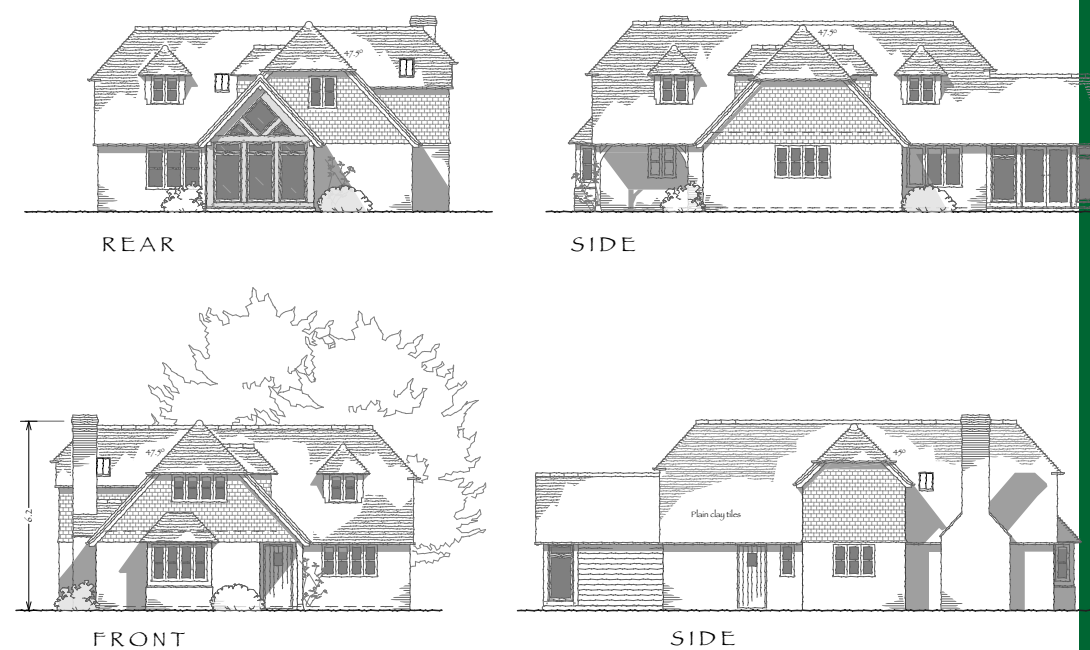
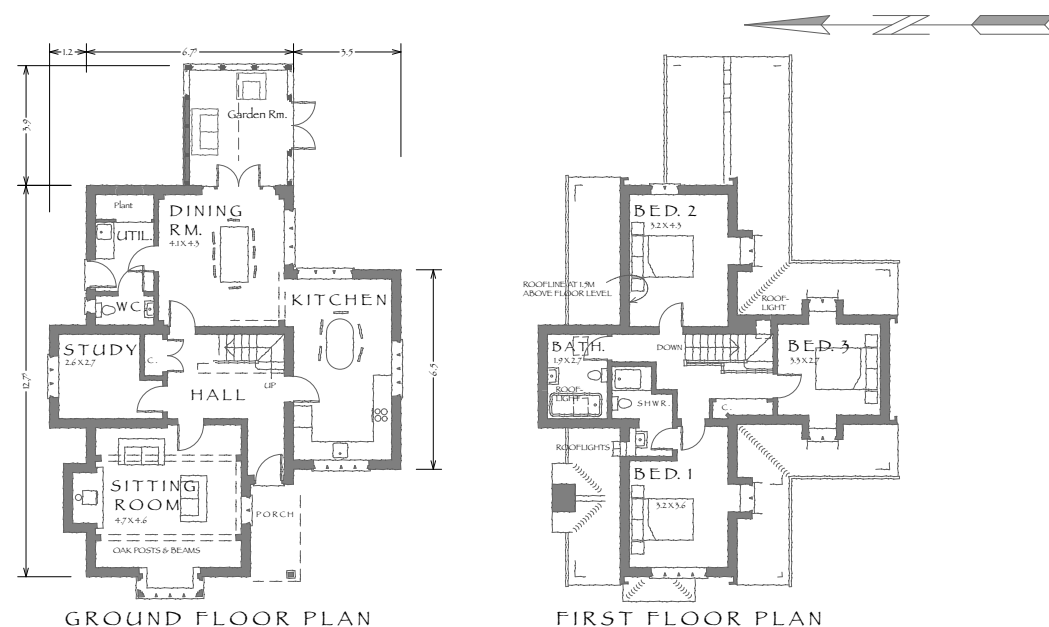


Figure 3: Site Plan



breasts.

- 3.4. The house has three bedrooms with a study.
- 3.5. Native Hedge planting is shown along the boundaries.
- 3.6. An area is shown for bins and recycling.
- 3.7. The house is designed to appeal to self-builders who are prepared to invest in good detailing.
- 3.8. The house will be heated by air source heat pumps and foul drainage by means of a treatment plant.
- 3.9. The barn has a footprint of 201 square metres.
- 3.10. The house has a footprint of 121.9 square metres.
- 3.11. The maximum height of the barn is 4 metres. The ridge height of the house is 5.8 metres.



Gross internal floor area: 170.0 m²
External floor area: 195.2 m²
PROPOSED NEW DWELLING at CRENDON COTTAGE . OTFORD LANE . HALSTEAD

FLOOR PLANS 0 1 2 3 4 5m 1:100 at A3 SEPT. 2023

S076.3B



PROPOSED NEW DWELLING at CRENDON COTTAGE . OTFORD LANE . HALSTEAD

ELEVATIONS 0 1 2 3 4 5m 1:100 at A3 SEPT. 2023

S076.4B





4. Reasons for Refusal of 20/03754

- 4.1. The application was refused for reason of Green Belt policy, Paragraph 149 (g) which relates to the use of previously developed land. Acceptable development is expected to have “*no greater impact*” on the openness of the Green Belt. We contend this better designed building constructed of traditional, vernacular building materials that is the same footprint as the barn, albeit the pitched roof is 1.77m higher.
- 4.2. There are two limbs to the exception set out in paragraph 149(g), or two tests which the development must pass to fall within the exception as set out, namely
 - (i) that the redevelopment must not have a greater impact on the openness of the Green Belt than the existing development and
 - (ii) that it must not conflict more with the purpose of including land within the Green Belt than the existing development.
- 4.3. In terms of “limb one”, case law sets out that for there to be “greater impact” there must be something more than merely a change . If the openness of the Green Belt is preserved, there is no greater impact. Conversely, if the openness of the Green Belt is not preserved, there will be greater impact. In this context, “preserved” has been found to not mean “not changed” but rather to mean “not harmed”. So, whether there is greater impact involves an assessment of the harm occasioned by the change. The Court of Appeal (in the case of Samuel Smith) concluded that preservation of the openness of the Green Belt can only sensibly mean that the effects on openness must not be harmful – understanding the verb “preserved” in the sense of keep safe from harm, rather than maintain a state of things (see paragraph 39 of that judgement).
- 4.4. Furthermore, it is not simply a question of whether something, which by definition has a spatial impact, is to be built. The question of whether the openness of the Green Belt is preserved will generally involve an assessment of the visual or perceived impact. That is a matter of planning judgement.
- 4.5. The scheme has been amended to overcome the previous ground of refusal through the reduction in the number of units from two to one. The proposed dwelling does not have a floor area greater than that of the existing barn and would be located as a direct replacement to that building. The residential curtilage created to serve the dwelling would also reflect that already approved in connection with the conversion scheme. As such, there would be no greater impact to the Green Belt in spatial terms.
- 4.6. Moreover, whilst there would be a slight increase in ridge height when compared to the existing building, this would not be readily discernible particularly given the surrounding built development. The proposed dwelling would also appear to be considerable less bulky than the existing building given its specific design, which is an improvement in Green Belt terms. This would further mean there would be no harmful impact on the openness of the Green Belt in visual terms. Taken in combination, it is submitted that the proposed development meets the requirements of paragraph 149(g) of the NPPF and in so doing successfully overcomes the councils single ground of refusal.
- 4.7. In terms of the second limb, concerning the purposes of including land within the Green Belt, no conflict arises from the proposed development whatsoever.



5. Biodiversity

- 5.1. At the time of consideration of the planning application to convert the barn it was agreed the building shows negligible potential for roosting bats and does not meet the planning trigger list as identified by the Bat Conservation Trust (2016) Bat Surveys for Professional Ecologists.
- 5.2. The photographs included within the submitted Planning Statement for the barn, plus the letter at Appendix 2 from the Consultant Structural Engineer, show the building to be weatherboard externally and unlined internally and with a profiled steel sheet cladding roof. There are no wall cavities or roof cavities, and the building has been in use as a store for plants.
- 5.3. The biodiversity survey by KB Ecology dated 27 March 2023 submitted with this application shows there is a very low likelihood of bats living in the existing barn with no need for further surveys for any protected species.
- 5.4. Recommendations for enhancements included hedgehog nesting boxes, bird boxes on retained trees, swift bricks, bat boxes, native hedge planting (already shown), wildflower grass areas, fruit espaliers.
- 5.5. The applicants are willing to progress these ideas which could be the subject of a planning condition.

6. Accessibility of The Site

- 6.1. Crendon Cottage is 0.7 miles from the centre of the village, an acceptable walking distance to facilities according to the Chartered Institute of Highways and Transport.
- 6.2. There is a bus service to Orpington Station and to Sevenoaks.
- 6.3. A school bus service operates to several schools in the area.
- 6.4. Halstead is a settlement (identified in the Core Strategy as a Service Village) with some day to day facilities including Hancocks Village Stores, three pubs and a bakery. There is also a primary school.

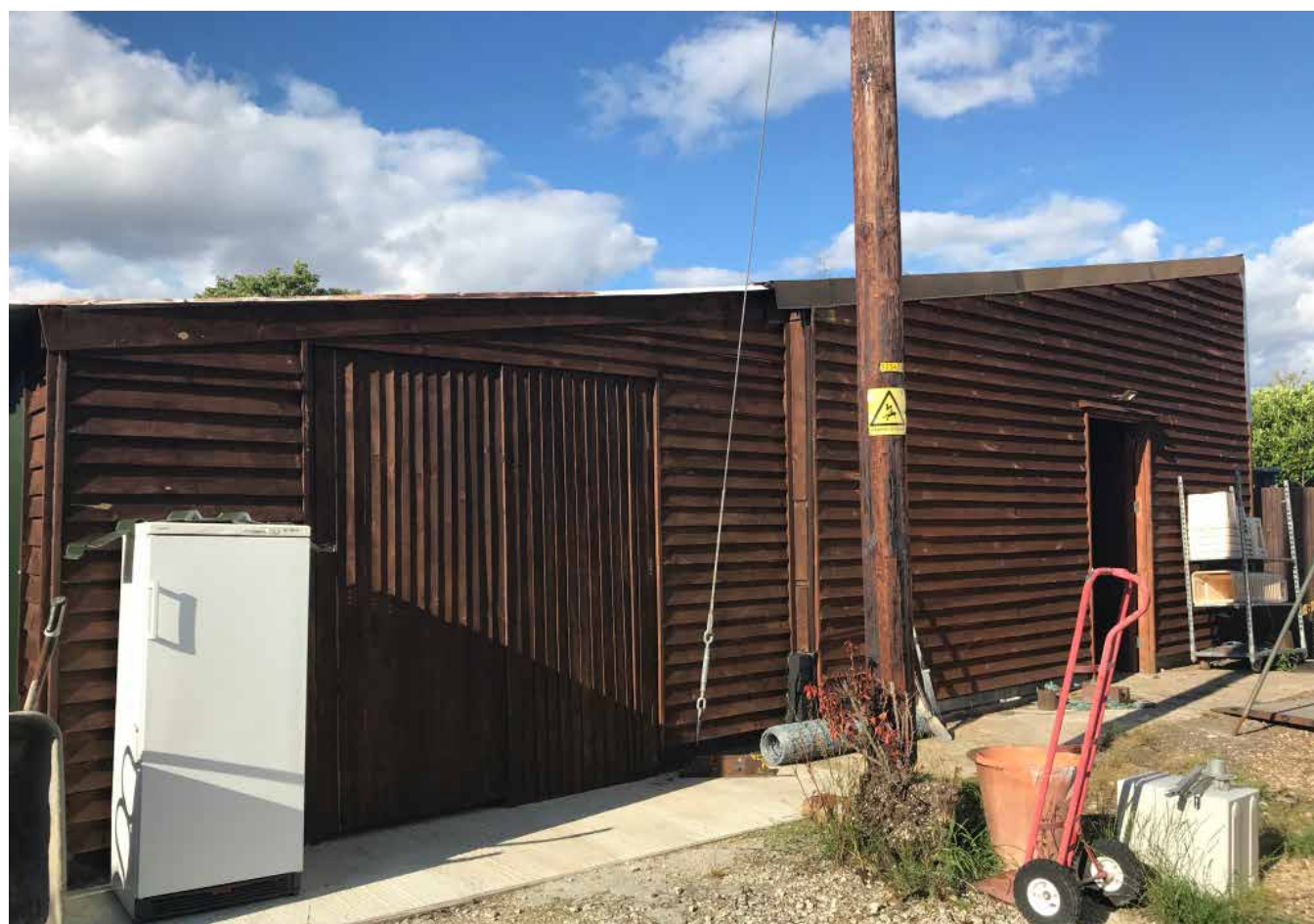


7. Brownfield development and previously developed land (PDL)

- 7.1. The National Planning Policy Framework (NPPF) defines previously developed land (PDL, or brownfield land) as; 'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure'.
- 7.2. It is estimated that 90% of the population in England is currently living in towns and cities – potentially increasing to 92% by 2030. The general understanding is that to achieve sustainable growth, new homes should be located close to transport links, jobs and a broad mix of supporting activities. Within this, bolstering existing urban centres is clearly the starting point when planning for expansion.
- 7.3. In 2009, the Home and Communities Agency (HCA) estimated that almost 62,000 hectares (620 km²) of brownfield/ PDL land exists in England – as a scale of magnitude, this is broadly the same size as metropolitan Manchester and eight times larger than Leicester. Of this, 54% was derelict or vacant, while the remainder is in use but with potential for redevelopment. In November 2016, the Campaign to Protect Rural England (CPRE) asserted that existing brownfield sites in England could deliver between 1.1 and 1.4 million new homes. While this figure has been questioned by the government, if viable, it would accommodate the White Paper's target for the next five years.
- 7.4. The proposed development would make efficient and effective use of this brownfield site and this should be seen as a clear benefit of the development weighing in favour of a grant of planning permission.

8. The Fallback

8.1. The council will be aware of a judgment in the Court of Appeal relating to a site in Tonbridge and Malling, where it was established that in that case a Class Q prior approval was a fallback that could legitimately be taken into account when determining a new planning application. In this case the approved scheme for the conversion of the barn remains extant and the applicant would seek to implement this permission. It therefore represents an entirely legitimate fallback position. However, it is considered that the proposed development represents an altogether more attractive solution.



Photograph 3: The Existing Barn

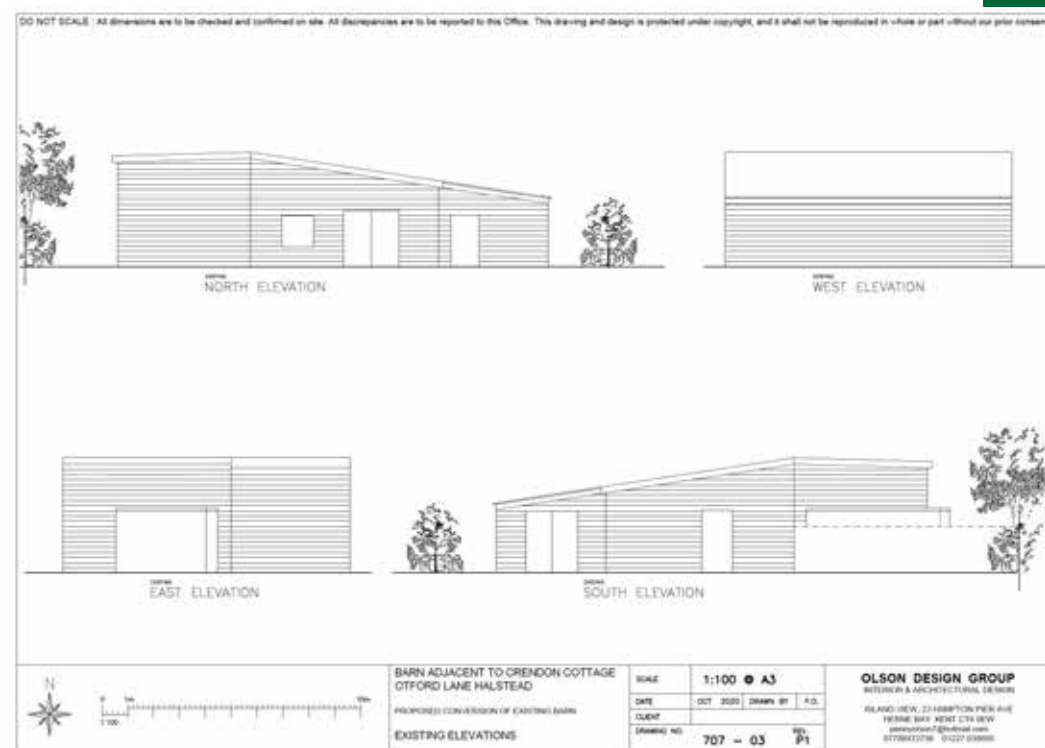


Figure 3: Existing Barn



Figure 4: Proposed Conversion of the Existing Barn



9. Adopted Development Plan and Material Considerations

National Planning Policy Framework

- 9.1. The overall policy supports sustainable development. Paragraph 38 of the document encourages planning authorities to 'approach decisions on proposed development in a positive and creative way'.
- 9.2. Chapter 11 'Making effective use of land' states at paragraph 119:
- *Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield land'.*
 - Paragraph 120 (d) states *decisions should promote and support the development of underutilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained.....*
 - Chapter 12 endorses the need for good design and refers to it as a 'key aspect' of sustainable development. Paragraph 130 requires development to add to the *overall quality of an area.*
 - Visual attractiveness '*as the result of good architecture*' is supported together with a *good layout and appropriate and effective landscaping.*
 - The design should fit the local *character and history*'.
 - These policies are met by this proposal.
 - Chapter 13 relates to Green Belt policy which has several purposes but the most relevant in this case is to '*assist in preventing the countryside from encroachment*'.
 - Chapter 14 sets out planning policy relating to the Green Belt.
 - Under para 146 exception (g) it should be considered whether the redevelopment of previously developed land would have a greater impact on openness of the Green Belt than the existing development. It is contended that in this case it would not have a greater impact.
- 9.3. In light of the land supply shortfall, the presumption in favour of sustainable development, set out in paragraph 11 of the NPPF (July 2021) has to be applied for decision making purposes. This means approving development proposals without delay unless there are clear reasons for doing so, or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole. We believe our proposals to deliver two new homes, on this brownfield site complies with the policies of the Framework when taken as a whole, and likewise the relevant policies of the adopted Local Plan.



- 9.4. The Council's "Development in the Green Belt" SPD (2015) contains adopted guidance regarding previously developed land in section 7. This states that in order to maintain the same impact on the openness of the Green Belt, the Council would generally expect redevelopment proposals to:
- 9.5. a) Have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land within it, and where possible have less;
- 9.6. b) Not exceed the height of the existing building, and;
- 9.7. c) Not occupy a larger area of the site than the existing buildings (in terms of aggregate ground floor area "footprint")
- 9.8. Paragraph 7.4 makes the point that the most relevant area for the purpose of (c) is the aggregate floor area of the existing buildings (the footprint), excluding temporary buildings, open spaces with direct external access between wings of a building and areas of hardstanding. However, the council will consider alternative approaches to determining impact where there is justification to do so.
- 9.9. It is our contention this house is no higher than the existing building but contribute a much better designed appearance in a reasonably sustainable location in a district where housing provision is compromised. The site provides enough space for each house to have sufficient parking and amenity space.
- 9.10. Design is considered in section 11.
- 9.11. In terms of siting the well-designed house will fit the location and character of the area. The proposals include hedge planting and proposals to enhance biodiversity.
- 9.12. The form of the houses includes steep pitches with interesting use of single and one and a half storeys. External surfaces will be porous to aid surface water drainage.
- 9.13. Materials are good quality and reflect the vernacular of the locality.

Sevenoaks District Core Strategy

- 9.14. Policy SP1 of the Core Strategy states 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.
- 9.15. Core Strategy policy L08 states that the extent of the Green Belt will be maintained. The countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible.
- 9.16. Policy EN1 of the ADMP requires development to respond to the character of the area and provide adequate parking, amongst other things.



9.17. The existing property Crendon Cottage is a cream rendered bungalow which sits back and is not visible in the landscape. The barn, as existing, is more visually prominent in the landscape than the bungalow, due to its overall bulk and form above that of the adjacent bungalow.

10. Conclusion

- 10.1. This application is to replace a somewhat unprepossessing barn with planning permission for conversion to one well designed house. The site uses brownfield land. The scheme successfully overcomes the previous ground of refusal relating to Green Belt.
- 10.2. The site is within walking distance of the Halsted and the facilities it offers including a shop and public transport.
- 10.3. Sevenoaks District Council is well below its housing land supply and making efficient use of land is an aspiration of the NPPF; this application achieves this.
- 10.4. The authority is respectfully asked to approve this application.