

Householder planning application					
<b>Application reference</b>	21/01647/HOUSE	<b>Officer</b>	Alexis Stanyer	<b>Report date</b>	14/07/2021
<b>Application site</b>	West Lodge Grove Road Penshurst KENT TN11 8DU				
<b>Description of proposal:</b>					
Demolition of existing wood store. Erection of single of single storey extension to garage and associated works to fenestration					
<b>Description of site:</b>					
The application site consists of a two-storey detached dwelling. The property is located to the south of Grove Road and it is in an elevated position. The property benefits from a detached garage with log store. The property is located in a rural area in the vicinity of Penshurst village.					
<b>Relevant planning history:</b>					
SW/5/68/384 - Extension to form bedroom, bathroom and dining room - GRANTED SW/5/69/55 - Construction of double garage - GRANTED 11/01897/LDCPR - In filling with glass/timber screen to existing loggia, on ground floor of the house - GRANTED 19/00070/LDCPR - Erection of garden room - GRANTED 19/00990/HOUSE - Erection of a garden room - GRANTED					
<b>Constraints:</b>					
High Weald Area of Outstanding Natural Beauty Metropolitan Green Belt Area of Archaeological Potential Great Crested Newt Risk Zone Great Crested Newt Strategic Opportunity Area					
<b>Policies:</b>					
<b>National Planning Policy Framework (NPPF)</b>	<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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless: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"> <li>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>6</sup>; or</li> <li>any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken</li> </ul>				

	<p>as a whole.</p> <ul style="list-style-type: none"> <li>Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.</li> </ul>						
<b>Core Strategy</b>	SP1 Design of New Development and Conservation L01 Distribution of Development L08 The Countryside and the Rural Economy						
<b>Allocations and Development Management Plan (ADMP)</b>	EN1 Design Principles EN2 Amenity Protection EN5 Landscape GB3 Residential Outbuildings in the Green Belt T2 Vehicle Parking						
<b>Other</b>	Sevenoaks Residential Extensions Supplementary Planning Document (SPD) Development in the Green Belt (SPD)						
<b>Representations</b>							
	<b>No.</b>	<b>Issues raised</b>					
<b>Support</b>							
<b>Object</b>							
<b>No comments received</b>	X						
<b>Consultations (x):</b>							
<b>Penshurst Parish Council</b>	<b>Support</b>	X	<b>Object</b>		<b>No Comment</b>		<b>Delegated Powers</b>
<b>Reason: N/A</b>							
<b>Other consultees</b>							
<b>Principal issues:</b>							
<ul style="list-style-type: none"> <li>Impact on the character of the area</li> <li>Impact on neighbouring amenity</li> <li>Impact on the Green Belt</li> <li>Impact on the AONB</li> </ul>							

<b>Impact on the character of the area</b>		
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.		
<b>Issue</b>	<b>Complies(Y/N)</b>	<b>Reason</b>
Street scene	Y	The development proposal relates to the demolition of an existing lean-to log store to facilitate the erection of a single storey extension to the existing detached garage. As

		<p>part of the proposed works, the garage will also be converted to ancillary accommodation. It is suggested that it is an annexe however for the purposes of CIL liability and the description of the development the floor area does not indicate a kitchen and as such it is an ancillary outbuilding and not CIL Liable nor an annexe.</p> <p>With regards to the potential impact of the proposed works upon the character and appearance of the streetscene, the existing garage outbuilding is set back from the road. Although the site is elevated, the existing structure is single-storey. The proposed extension to the rear of the garage will project away from the road. Accordingly the proposed extension to the garage should not appear visually incongruous in its setting.</p>
Design, form and proportions	Y	<p>The Sevenoaks Residential Extensions SPD states that outbuildings should be subservient in scale and position to the original dwelling and not impact detrimentally on the space surrounding buildings or the street scene by virtue of their scale, form or location. The scale of the extension to the garage is considered to be proportionate to the size of the existing outbuilding and the height and width of the extension will align with the existing structure so the height of the ridge roofline and the eaves height will remain the same. On this basis, the alterations should not make the outbuilding appear overly bulky. The proposed extension to the outbuilding will also project away from the road and the main house which helps to reduce its visual impact. Whilst the extension to the outbuilding will make it larger, the outbuilding will remain clearly subservient to the host dwelling in its scale and form. The location of the outbuilding remains as per the existing arrangement.</p>
Materials	Y	<p>The construction materials are as per the elevation drawings provided. The proposed garage extension will be constructed using matching materials and only minor changes are required to the exterior to accommodate the proposed new timber framed doors and windows. I consider the proposed construction materials to be appropriate in the site context.</p>
Parking/ refuse	Y	<p>Policy EN1 states that all new development</p>

		should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that parking provision should be in accordance with KCC guidance and KCC guidance states that dwellings in this location and of this size require a minimum of 2 parking spaces. Although the proposed works will result in the loss of a garage, the subject property benefits from a driveway and parking area adjacent to the garage building which provides enough parking for at least two vehicles on the site. The proposed works will not impact the existing parking area and therefore the policy requirements are met. The proposed works will not impact the existing refuse disposal and storage arrangements.
Other/ conclusion		The proposal is considered to meet the requirements of Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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 existing garage building is detached and it is located over 250 metres away from the nearest neighbouring dwelling. On this basis, the proposal will not result in overshadowing issues.
Privacy	Y	Whilst the existing garage outbuilding is to be converted to ancillary accommodation, owing to the distance between the outbuilding and the nearest neighbouring dwellings, a loss of privacy will not occur.
Visual intrusion	Y	Whilst the development proposal will result in the enlargement of the existing outbuilding, the site is some distance from the nearest neighbouring dwellings. As a consequence, neighbouring outlook will not be impacted by the proposed works.
Other/ conclusion		The development proposal is considered to meet the requirements of Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

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

As set out in paragraph 145 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 143 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 144 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. Even if there is absence of harm to openness, there can be harm in principal to the Green Belt from inappropriate development.

Policy GB3 of the ADMP provides the local policy on outbuildings in the Green Belt.

Issue	Complies(Y/N)	Reason
GB3a) the outbuilding is located at least 5 metres from the main house	Y	The existing garage is located more than 5 metres from the host dwelling.
GB3b) the outbuilding is clearly ancillary to the main dwelling	Y	Although the proposed extension to the outbuilding will make it larger, it will remain clearly ancillary to the main dwelling in its scale, form and location. In addition, the conversion works do not include a kitchen so the outbuilding could not be used independently and is not a residential annexe.
GB3c) Does it result in harm to the openness of the Metropolitan Green Belt?	Y	Paragraph 145 c) of the NPPF states that one of the exceptions to inappropriate development in the Green Belt is ‘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’. Although the maximum guidance figure for new outbuildings set out in the SPD relating to development in the Green Belt is 40sqm, the NPPF represents the most up-to-date national policy in relation to development in the Green Belt. The proposed extension to the existing outbuilding is not considered to be a disproportionate addition and it is not over and above the size of the original building. The proposed extension will project

		away from the road and it will match the proportions and height of the existing building. The scale and bulk of the proposal is considered to be appropriate and it will not result in harm to the openness.
Other	N/A	N/A
Conclusion on appropriateness and impact on openness		The proposal is considered to meet the requirements of Policy GB3 of the ADMP and paragraph 145 c) of the NPPF.

### Area of Outstanding Natural Beauty

The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.

There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.

Policy EN5 of the ADMP 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 and have regard to the relevant Management Plan and associated guidance.

Issue	Complies(Y/N)	Reason
Whether the development conserves and enhances the AONB		The proposed extension to the outbuilding will not result in an overly bulky and or dominant structure. The scale of the development should therefore not appear visually incongruous in the context of the surrounding AONB landscape. The materials to be used in the construction of the extension match with those used in the construction of the existing outbuilding so the character of the existing outbuilding is enhanced and retained.
Other/ Conclusion		The development proposal is considered to meet the requirements of Policy EN5 of the Sevenoaks Allocations and Development Management Plan.

### Other Issues

Other issues?	<del>No</del>	Yes	<b>Area of Archaeological Potential</b> - Although part of the site is located within an area of archaeological potential, the garage falls outside of this and a watching brief should not be required.
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<b>CIL liable(x)</b>	<b>No</b>	<b>Yes</b>	<b>X</b>	The applicant has applied for self-build CIL exemption. However the development is not actually CIL liable as the proposal is for an ancillary outbuilding. The development is also described as such on the application description and forms. As such no CIL is payable.
<b>Conclusion:</b>				
The development proposal is considered to meet the requirements of the local plan policies. On this basis, it is in accordance with the development plan for the District.				
<b>Recommendation (x):</b>				
<b>Grant</b>	<b>X</b>	<b>Refuse</b>	<b>Reason for refusal:</b>	
<b>Case Officer</b>	<b>Alexis Stanyer</b>		<b>Date</b>	<b>14/07/2021</b>
<b>Manager/Principal</b>	<b>Mark Mirams</b>		<b>Date</b>	<b>15.07.2021</b>