

SECTION '2' – Applications meriting special consideration

Application No : 14/04955/FULL6

Ward:
Darwin

Address : Uplands Single Street Berrys Green
Westerham TN16 3AA

OS Grid Ref: E: 543623 N: 159757

Applicant : Mr & Mrs M Waterman

Objections : NO

Description of Development:

First floor side extension and front and rear dormers

Proposal

It is proposed to extend the first floor accommodation over the existing side extension to the south-western side of this dwelling, and add two front dormers and a front roof light, along with a 12.4m wide rear dormer. The roof over the side extension would have a barn hip, and the existing roof of the dwelling would also be hipped to the other side in order to match. The proposals would have a floor area of approximately 33sq.m.

The submitted plans state that a 1.89m separation exists to the south-western side boundary with Four Winds, with a 3.27m separation to the north-eastern flank boundary with Ladyhawke.

Location

This detached chalet bungalow is located on the north-western side of Single Street and lies within the Green Belt. It has been extended in the past to provide a single storey flat-roofed side extension and a rear lean-to extension, which together measure 29.7sq.m. in floor area.

Consultations

Nearby residents were notified of the application and a letter in support of the proposals was received from the occupier of the adjacent property, Fourwinds, who considers that the scheme would improve the property by removing the flat roof over the ground floor extension, and that it would be preferable to the "permitted development" scheme which involves adding to the footprint of the dwelling.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development
H8 Residential Extensions
G4 Dwellings in the Green Belt

This application was called in by a Ward Member.

Planning History

Permission was refused in 2009 (ref. 08/03877) for a first floor side extension with front and rear dormers on grounds relating to inappropriate development in the Green Belt, and the harmful impact on the overall form and bulk of the dwelling. The appeal was dismissed in 2010.

A Certificate of Lawfulness for a proposed front porch, single storey rear extension and 8.2m wide rear dormer was granted in September 2012 under ref. 12/02016.

Permission was then refused in 2013 (ref. 13/00618) for a first floor side extension and front and rear dormers on the following grounds:

- 1 The proposed extension, by reason of its size and the cumulative impact of previous extensions to the property, results in a disproportionate addition over and above the size of the original building and constitutes inappropriate development within the Green Belt, harmful to its openness and character. No very special circumstances have been demonstrated to warrant the setting aside of normal policy requirements, and the proposal is therefore contrary to Policy G4 of the Unitary Development Plan and the National Planning Policy Framework 2012.
- 2 The proposed extension, by reason of its size, bulk and resulting disproportionate width, would fail to preserve the openness of the Green Belt, and would be detrimental to the visual amenities of the area, thereby contrary to Policies H8, BE1 and G4 of the Unitary Development Plan.

The appeal was dismissed in January 2014.

It was determined in July 2014 (ref. 14/02129) that prior approval was not required for an 8m deep single storey rear extension with a maximum height of 3m to the original rear wall of the dwelling.

Conclusions

The main issues relating to the application are whether the revised proposals constitute inappropriate development in the Green Belt, and if so, whether very special circumstances exist that outweigh the harm by reason of inappropriateness, in addition to the impact on the open character and visual amenities of the Green Belt, and on the amenities of the occupants of surrounding residential properties.

Policy G4 relates to residential extensions in the Green Belt, and allows for a 10% increase in the floor area of the original dwelling, so long as the open character and visual amenities of the Green Belt were not harmed, and that there would not be a significant detrimental change in the overall form, bulk or character of the original dwelling.

In dismissing the previous scheme (ref. 13/00618), the Inspector commented that the additional floorspace of the extension (33sq.m.), when added to the two existing ground floor extensions (29.7sq.m.), would result in a 72% increase in the size of the original building which would considerably exceed the 10% normally allowed under Policy G4. As a result, she considered that it would comprise a disproportionate increase in the floor area of the original building, which would be contrary to paragraph 89 of the NPPF, and would therefore be inappropriate development which is, by definition, harmful to the Green Belt.

The current scheme proposes the same increase in floorspace at first floor level, the only differences being the barn hip design of the roof over the first floor side extension, with the hipping of the existing gable roof to the other side to match, and the removal of the existing rear porch (which would reduce the overall floorspace by 5.6sq.m.).

The Inspector further considered that the proposed extensions, together with the existing previous additions to the dwelling, would harmfully reduce the openness of the Green Belt, which would be contrary to the provisions of the NPPF.

The Inspector also considered that the extensions would fundamentally alter the character and appearance of the modest cottage and the area. She considered that "by extending the first floor accommodation over the existing single storey side extension and across the full width of the resultant rear roof slope in the form of a large rear dormer, and through the addition of two dormer windows in the front roof slope, the bulk and massing of the dwelling at first floor level would be significantly increased."

She considered that the character and appearance of the cottage would be lost, and that such high level increased massing would result in the reduction of the current sense of space between Uplands and Four Winds, which would have a harmful impact on the appearance of the area.

She concluded that the proposals would comprise inappropriate development in the Green Belt, with further harm to the Green Belt caused by loss of openness and the detrimental impact on the character and appearance of the area. The fallback position demonstrated by the permitted Certificate of Lawfulness (ref.12/02016), and the offer from the applicant to have permitted development rights removed, were not considered to clearly outweigh the harm to the Green Belt and the other identified harms such as to amount to the very special circumstances necessary to justify the development.

The current proposals have been reduced by only 5.6sq.m. as a result of the removal of the existing rear porch, and the proposed first floor extensions would

have the same floorspace as that previously dismissed. The main change would be the small reduction in the bulk of the roof by providing a barn hip to each end.

The applicant has put forward the following special circumstances in order to justify inappropriate development in the Green Belt:

- permitted development works, including the 8m deep extension permitted under the Householder Prior Approval application, could result in an increase in floorspace of 80.5sq.m. (54.8sq.m. greater than the current proposals) and would substantially increase the footprint and volume of the dwelling
- the previous Inspector did not properly take into account the fallback position when dismissing the previous proposals
- the ground floor extensions that could be carried out under permitted development would be much more harmful to the openness and character of the Green Belt
- there are other examples whereby the permitted development fallback position has been taken into consideration when allowing extensions significantly greater than the 10% allowance in the Green Belt
- the volume and bulk of the roof has been reduced
- the existing rear porch would be removed, reducing the overall floorspace
- the proposed rear dormer would not be visible from public vantage points
- an additional bedroom is required by the applicant to meet the needs of his growing family
- the flat roof over the single storey side extension is in need of replacement

Although the permitted development fallback position is a material consideration, the majority of the increase in floorspace would be contained at ground floor level, and located to the rear of the property where it would not be very visible from the public domain. In the previous appeal, the Inspector considered that in addition to the harm by reason of inappropriateness, the proposals would also cause harm to openness and to the character and appearance of the area by reason of the significant increase in the bulk and massing of the dwelling at first floor level. This would still be the case in the current proposals, and the small amendments to the roof design are not considered to reduce this harm to a significant extent.

It is therefore considered that the proposals would result in disproportionate additions over and above the size of the original dwelling, and that very special circumstances have not been demonstrated that would clearly outweigh the harm to the Green Belt and to the openness, character and appearance of the area to justify a departure from Policy G4 which aims to protect the open nature and visual amenities of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

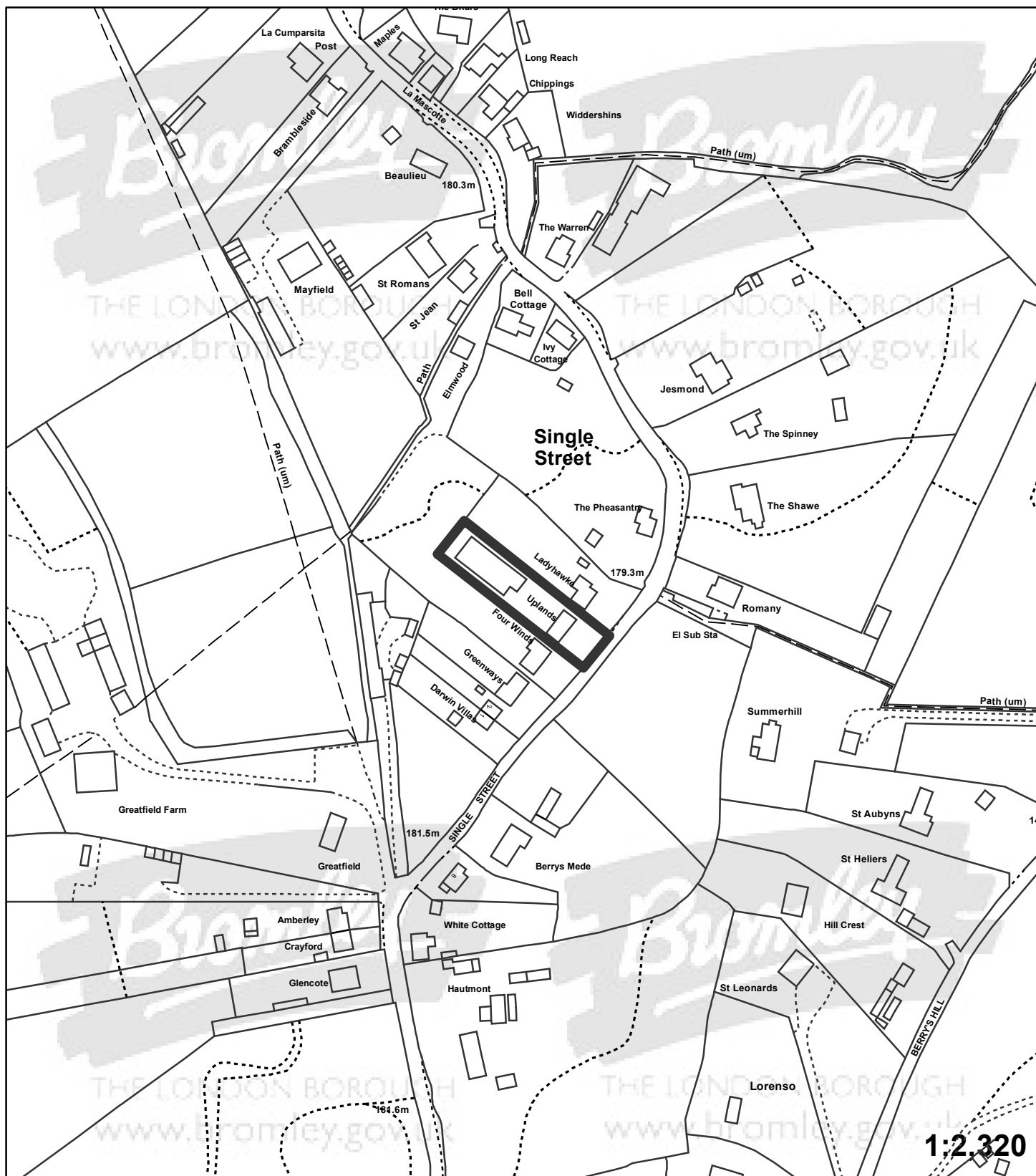
- 1 The proposed extension, by reason of its size and the cumulative impact of previous extensions to the property, results in a disproportionate addition over and above the size of the original building and constitutes inappropriate development within the Green Belt, harmful to its openness and character. No very special circumstances have been demonstrated to warrant the setting aside of normal policy requirements, and the proposal is therefore contrary to Policy G4 of the Unitary Development Plan and the National Planning Policy Framework 2012.

- 2 The proposed extension, by reason of its size, bulk and resulting disproportionate width, would harmfully reduce the openness of the Green Belt, and would be detrimental to the character and appearance of the existing dwelling and the surrounding area, thereby contrary to Policies H8, BE1 and G4 of the Unitary Development Plan.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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