

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 15/02381/FULL6

Ward:
Darwin

Address : Stoneridge Silverstead Lane Westerham
TN16 2HY

OS Grid Ref: E: 545374 N: 156920

Applicant : Mr C Duffy

Objections : YES

Description of Development:

Two storey side extension and basement

Key designations:

Area of Outstanding Natural Beauty
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding
Sites of Interest for Nat. Conservation

Proposal

The application seeks consent for the construction of a two storey side extension measuring 4.8m in width, 10.8m in length and projects 3.8m past the rear elevation of the dwelling. A subterranean basement is also proposed beneath the extension measuring 4.5m in width and 11m in length. The extension is proposed with matching materials and roof and window design, with the addition of a bi-folding door and is located upon the south-western elevation.

Location

The property is located in an isolated position and served by a single track lane; the land consists of 1.82 hectares of landscaped gardens and is surrounded by open countryside, with the nearest residential property being some distance away. The dwelling is located within the Green Belt and the Kent AONB.

Consultations

Comments from Local Residents

Nearby owners/occupiers were notified of the application however no comments have been forthcoming.

Comments from Consultees

No comments were received from Environmental Health (Pollution) at the time of writing the committee report, these will be reported to committee verbally.

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
- G1 The Green Belt
- G4 Dwellings in the Green Belt or on Metropolitan Open Land
- NE2 Development and Nature Conservation Sites
- NE7 Development and Trees
- NE11 Kent North Downs Area of Outstanding Beauty

Supplementary Planning Guidance 1 and 2

Kent AONB Management Strategy

The National Planning Policy Framework

Planning History

There is a substantial planning history with regards to this application of which the most relevant includes:

90/00976/FUL - Single storey side extension - Permitted

97/00746/FUL - Single storey rear extension and conservatory - Refused

10/01761/FULL6 - Part demolition of existing dwelling house, two storey side and front extensions, single storey rear extension. Roof and design alterations to form remodelled two storey dwelling house - Refused

10/03000/FULL6 - Part demolition of existing dwelling house, two storey side and front extensions. Roof and design alterations to form remodelled two storey dwelling house - Refused

11/02666/FULL6 - Part demolition of existing dwelling house, two storey front and side extensions, part one/two storey side extension, single storey rear extension to form a remodelled dwelling with two storey detached building at side - Refused (Allowed on appeal - APP/G5180/A/12/2167503)

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the openness of the Green Belt and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Green Belt policy seeks to protect the openness within the Green Belt although this is not specifically defined, but can be taken to mean the absence of visible development. The effect of a development on the openness of the Green Belt is primarily a matter of its nature, scale, bulk and site coverage. That is to say its physical effect on the application site rather than any visual or other impact on its surroundings.

The principle of the two storey side extension has been established by the granting of planning permission under ref.15/01172. This application seeks the addition of a basement area below the permitted footprint of the previously approved extension, as well as minor alterations to the fenestration as approved and the introduction of an area of hardstanding to the south west elevation. The proposed basement would have approximately 51.84m² gross external floor area. The NPPF states that the extension or alteration of a building is appropriate provided that it does not result in disproportionate additions over and above the size of the original building; Policy G4 measures such materiality as being above 10% of the existing floor area, including any outbuildings within 5 metres.

In permitting application 15/01172, it was pertinent to look at the previous planning history of the site. Planning permission was granted in 1992 for a large extension to the original dwelling that was not in compliance with Green Belt policy G1 as it permitted an increase in floor space above the maximum threshold of 10%. Application 11/02666/FULL proposed the removal of the large 1992 extension, and the erection of several extensions, cumulatively smaller in floor space than previously developed, however still in excess of 10% of the floor space of the original dwelling which formed the main reason for refusal. At appeal the Inspector stated "The presence of the large extension, deemed acceptable by the Council in 1992, should not be overlooked or ignored'... ' I do not consider the net floor space created taking into account demolitions, could reasonably be regarded as disproportionate".

The decision of the Inspector to allow the appeal held considerable weight when considering the extensions proposed within application 15/01172. Whilst it was evident from the floorplans submitted that the increase in floor space contravened policy G1 as it was over 10% of the floor space of the original dwelling, due to the removal of the two storey outbuilding and two storey element to the side elevation of the property, it was no larger than that allowed by the Inspector. Considering this, it was concluded the additional floor space created as part of the proposal was not disproportionate when considered in the context of the previous approved

extensions to the property and those elements of the existing dwelling that will be demolished as part of this proposal.

The proposed extension was therefore granted planning permission at 97.6 square metres (facilitated by the demolition of 99.1 square metres inclusive of a two storey outbuilding and bay feature along the north east elevation).

In terms of the application currently submitted, which includes the addition of a basement floor, the proposed increase is clearly above the 10% threshold outlined in Policy G4 for extensions to dwellings within the Green Belt. However, the proposed basement would be contained within the footprint of the approved extension with the additional floorspace contained below ground level, and for non-habitable purposes. In this case, given that the basement would not extend beyond the footprint and has no impact on the open character of the surrounding locality, Members may agree that very special circumstances exist in this case to grant planning permission for the development, which is inappropriate by definition.

In terms of the changes in fenestration, none are considered to allow for actual or perceived overlooking of neighbouring properties, due to the stand alone nature of the site and the proximity to neighbouring properties. All windows and doors are considered, in so far as practical, matching to the existing dwelling with the bi-folding doors considered harmonious with the modern design of the property. Members may consider that the area of hardstanding to the south west elevation retains the openness of the land and does not detrimentally impact upon the Green Belt nor the Kent Downs AONB.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character, openness, or visual amenity of the Green Belt or Kent Downs AONB.

Background papers referred to during production of this report comprise all correspondence on file references, excluding exempt information.

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: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: Section 91, Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 3 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 4 The existing two storey outbuilding on the site shall be demolished and the site cleared within three months of the first occupation of the extension hereby permitted.**

In order to comply with Policy BE1 of the Unitary Development Plan and to prevent overdevelopment of the site

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

In order to comply with Policy BE1 of the Unitary Development Plan and to prevent the overdevelopment of the site.