

SECTION '2' – Applications meriting special consideration

**Application No :** 10/03000/FULL6

**Ward:**  
**Darwin**

**Address :** Stoneridge Silverstead Lane Westerham  
TN16 2HY

**OS Grid Ref:** E: 545374 N: 156920

**Applicant :** Mr C Allard

**Objections : NO**

**Description of Development:**

Part demolition of existing dwelling house, two storey side and front extensions. Roof and design alterations to form remodelled two storey dwelling house

Key designations:

Area of Outstanding Natural Beauty Area Of Outstanding Natural Beauty 02  
Special Advertisement Control Area  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Sites of Interest for Nat. Conservation

**Proposal**

- The existing garage and accommodation above, link structure and front entrance portico, terraces and balconies and ornamental wall will all be removed.
- The proposed extensions will result in a dwelling approx. 7.5m in height and a width of approx. 25m. The existing dwelling is comparable in width, however possesses a first floor that is 12.8m in width and a small area above the garage with a height of 5.5m. The resulting dwelling will be shorter than the existing.
- The resulting dwelling will be two storeys with a hipped roof and will have an overall siting that is further to the east than the existing dwelling.
- An existing detached pool house on the site will be retained.
- The applicant has submitted a supporting document stating that the floor area of the resulting dwelling will be very similar to that of the existing, and marginally less than the previously refused scheme. The statement also sets out the case for development in view of the site's Green Belt location.

## **Location**

Stoneridge is located on the northern side of Silverstead Lane and is isolated within an area of open countryside which falls within the Green Belt. The land is also within the North Kent Downs Area of Outstanding Natural Beauty.

The site contains a two storey detached residential property with a single storey link section comprising a garage converted to a gymnasium with living accommodation within the roof space.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

## **Comments from Consultees**

No Environmental Health objections are raised, subject to informatives concerning possible land contamination.

Comments had been received from the Countryside Management Officer suggesting a management plan for the existing trees and the planting of native vegetation to screen the building. It is also suggested that resurfacing of the access road be suggested to the applicant.

## **Planning Considerations**

The main policies relevant to this case are Policies BE1 (Design Of New Development), H8 Residential Extensions, G1 (Green Belt), G4 (Dwellings In The Green Belt Or On Metropolitan Open Land), NE2 (Development And Nature Conservation Sites) and NE11 (North Kent Downs Area Of Outstanding Natural Beauty (AONB)).

National policy in PPG2 (Green Belts) is also a consideration.

## **Planning History**

Planning permission was granted in 1981 under ref. 81/00697 for a new dwelling to replace the existing dwelling at the site – this is the current building at the site. This replacement dwelling was larger than the previous dwelling and as a result a restrictive condition was imposed to remove residential permitted rights in order to prevent further development to protect the Green Belt and AONB.

A detached double garage was allowed in 1982 under ref. 81/02966 to replace an existing timber structure.

Retrospective planning permission was granted under ref. 90/00976 for a single storey side extension which comprises the current link between the house and garage.

Planning permission was refused under ref. 97/00746 for a single storey rear extension. The refusal grounds were as follows:

'The site is located within the Green Belt and Area of Special Landscape Character and an Area of Outstanding Natural Beauty and the proposal by reason of its overall size, results in a disproportionate addition over and above the size of the original dwelling harmful to the openness and character of the area contrary to Policy G.3 of the Unitary Development Plan.'

Planning permission was refused under ref. 10/01761 for 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. The refusal grounds were as follows:

'The proposed extensions and remodelling would constitute inappropriate development and, by reason of the design, bulk and scale of the proposals, would result in a dwelling significantly bulkier than that existing, harmful to the openness, visual amenities and rural character of the Green Belt and Area of Outstanding Natural Beauty, contrary to Policies G1, G4 and NE11 of the Unitary Development Plan.'

## **Conclusions**

The main issues relating to the application are the effect that it would have on the open character of the Green Belt, Area of Outstanding Natural Beauty and Site of Interest for Nature Conservation. Given the separation from other dwellings, the impact on neighbouring residential amenities is not a consideration.

Since the proposal is for residential development it is in principle inappropriate within the Green Belt unless it falls within the category of limited extension or alteration to existing dwellings. The UDP addresses limited extensions to existing dwellings in Policy G4. With regard to this policy, the proposal does not comply as G4 states that proposals to extend replacement dwellings will not normally be permitted. This is to ensure that there is no incremental harm to the Green Belt by excessive subsequent extensions that collectively may jeopardise the open nature of the countryside. The dwelling currently on the site and the garage were allowed to replace the previous smaller dwelling and outbuilding, and thus any further extension is by definition inappropriate development requiring very special circumstances. Furthermore, the existing dwelling has already been extended and therefore the existing floorspace exceeds that of the original dwelling and the replacement dwelling. Any argument based on reconstructing this floorspace is limited in its value for that reason, and in particular if it adds to the bulk and impact on openness of the building. To this effect, the previous application under ref. 10/01761 was refused on the grounds of inappropriate development within the Green Belt

Having said this, it is acknowledged that the proposal would reduce the floor area from that existing and that the height of the resulting dwelling will be reduced. Also, the bulk of the resulting dwelling will be significantly reduced from the previously

refused scheme. The proposal, however, continues to seek to remove a low two storey structure to be replaced with a taller and bulkier two storey structure with hipped roof. The overall impact would be a bulkier dwelling. It is considered that the increase in scale and bulk of the building, including the introduction of 2 two storey 'wings', may represent a disproportionate addition of bulk to the existing building and Members will need to consider this in relation to Policy G4 of the UDP, which discourages significantly bulky additions within the Green Belt and whether this would represent an undue reduction in openness.

The agent has provided their proposed very special circumstances should the Council consider the proposal to be inappropriate development. Initially these involve an assessment of the purposes of Green Belt and the objectives for the use of Green Belt land, and conclude that the proposals do not conflict with either. This is a difficult argument to make however, since inappropriate development by definition harms openness. In this case, Members will need to consider whether there is actual harm caused by the increase in bulk, although a reduction from the previous proposal under ref. 10/01761. Although no very special circumstances exist to justify an extension, it is accepted that the circumstances in this case are not typical in that the proposal would reduce the floor area of an existing dwelling which is both a replacement house and an extended one at that.

The applicant's very special circumstances also relate to the claimed benefits to openness resulting from the removal of the garage, wall and link, and the improved visual appearance of the dwelling. This floor area is to be replaced elsewhere in the dwelling in a more visually intrusive manner, and therefore it is considered that no benefit would result to the openness or character of the Green Belt. However, it may be considered that harm caused would be reduced by the reductions made since the refused application and the appearance of the dwelling is now significantly less bulky, along with being shorter than the existing dwelling. Although this alone is not considered to be a very special circumstance to outweigh any harm caused, Members may consider this harm to be mitigated by the improvements to the design.

The applicant has mentioned the possibility of removing the existing pool house, and whilst this would be beneficial it would not be considered to outweigh any harm and consequently can be given limited weight to the consideration of the application. Although the circumstances provided by the applicant are not considered to be special or unique, Members may consider that the tucking in of the built development around the central original house may be enough to reduce the overall visual impact of the resulting dwelling on the openness of the surrounding Green Belt.

The site also falls within an Area of Outstanding Natural Beauty (AONB) which is characterised by its open landscapes and attractive countryside, as set out in the Kent Downs AONB Landscape Design Handbook. The proposed additional bulk may be considered by Members to detract from the open character of the countryside and as a consequence the proposal may not conserve or enhance the natural beauty of the AONB. From a heritage point of view, the introduction of native vegetation is suggested to screen the building and this can be secured by a landscaping condition.

In respect to the Site of Importance for Nature Conservation (SINC) status of the land, no harm to species or the purposes of nature conservation would result from the proposal. A management plan for the existing trees has been suggested by the heritage team.

In respect to residential amenities, there are no neighbouring properties that are sited in close proximity to the dwelling and therefore it is considered that no impact on neighbouring amenities would result from the proposal. It is considered that the design of the dwelling is an improvement over that of the existing building.

Having had regard to the above Members will need to consider the suitability of the development in the manner proposed in respect to the issue of inappropriate development within the Green Belt and whether the proposal is a significant enough reduction to overcome the previous refusal grounds relating to detrimental impact on the openness and rural character of the Green Belt. The visual impact of the extensions will be reduced and no additional footprint will be added, however Members must assess the visual impact and bulk of the resulting dwelling accordingly. On balance it is recommended that planning permission is granted for the proposal.

Background papers referred to during production of this report comprise all correspondence on files refs. 81/00697, 81/02966, 90/00976, 10/01761 and 10/03000, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04         |
| 3 | ACB01<br>ACB01R | Trees to be retained during building op.<br>Reason B01         |
| 4 | ACB02<br>ACB02R | Trees - protective fencing<br>Reason B02                       |
| 5 | ACB03<br>ACB03R | Trees - no bonfires<br>Reason B03                              |
| 6 | ACB04<br>ACB04R | Trees - no trenches, pipelines or drains<br>Reason B04         |
| 7 | ACC01<br>ACC01R | Satisfactory materials (ext'n'l surfaces)<br>Reason C01        |

## **Reasons for permission:**

In granting planning permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- H8 Residential Extensions

- G1 Green Belt
- G4 Dwellings in the Green Belt
- NE2 Development and Nature Conservation Sites
- NE11 North Kent Downs Area of Outstanding Natural Beauty

The development is considered to be satisfactory in relation to the following:

- (a) the relationship of the development to adjacent properties
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (d) the impact of the development on the openness and rural character of the Green Belt
- (e) the impact of the development on the Area of Outstanding Natural Beauty (AONB)
- (f) the impact of the development on the Site of Importance for Nature Conservation (SINC)

and having regard to all other matters raised.

Reference: 10/03000/FULL6

Address: Stoneridge Silverstead Lane Westerham TN16 2HY

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