

Delegated Report

Planning Application No: 20230577

Location: Lazzat Gravesend Road Wrotham Sevenoaks

Description: Sevenoaks Consultation 23/01352/FUL - Demolition of existing restaurant and outbuildings and removal of car park, erection of 2 dwellings.

Applicant: Sevenoaks District Council

Site Visit Date: Desktop Assessment

Proposal

This submission is a consultation from an adjoining authority in regard to Demolition of existing restaurant and outbuildings and removal of car park, erection of 2 dwellings.

Development Plan

Sevenoaks DC Core Strategy (CS):

- LO1 Distribution of Development
- LO8 The Countryside and Rural Economy
- SP1 Design of New Development and Conservation
- SP2 Sustainable Development
- SP7 Density of Housing Development
- SP11 Biodiversity

Sevenoaks DC Allocations and Development Management (ADMP):

- EN1 Design Principles
- EN2 Amenity Protection
- EN6 Outdoor Lighting
- SC1 Presumption in Favour of Sustainable Development
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Point

Other relevant Sevenoaks DC documents:

- Development in the Green Belt Supplementary Planning Document (SPD)

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving sustainable development and well-designed places

Consultations, Publicity and Representations

None undertaken

Officer's Analysis

The application site is located in the Green Belt and as such, the principle issues in the determination of this application are;

- Is the proposed development appropriate in the Green Belt?
- Effect on the character and appearance of the area - including landscape character
- Other matters
- Very special circumstances

Is the proposed development appropriate in the Green Belt?

Paragraph 149 of the NPPF sets out that the construction of new buildings is inappropriate development in the Green Belt but lists certain exceptions. One such exception is the redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need (sub-paragraph 149(g)).

The application site can be described as previously developed land (according to the definition set out in the NPPF). As the proposed development would not provide affordable housing, the proposal must be judged against the first criterion set out in sub-paragraph 149(g) of the NPPF i.e. the proposal should not have a greater impact on the openness of the Green Belt than the existing development.

It is noted that the proposed development would remove existing built development (restaurant and two outbuildings) and replace it with two dwellinghouses. The dwellinghouses cumulatively would have a greater footprint than the buildings to be demolished. They would have a similar height and eave height, reflecting the build line of neighbouring dwellinghouses to the north.

On balance, it is considered that the proposed development would have a materially greater adverse impact on the openness of the Green Belt, than the existing development. As such, the proposal would be inappropriate development in the Green Belt and be contrary to sub-paragraph 145(g) of the NPPF (2019).

Reference to paragraphs 147 and 151 of the NPPF informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is therefore necessary for the determining authority to consider whether the development causes any other harm and whether there are any other considerations that are relevant to the overall planning balance.

Character and appearance

The proposal would result in the separation of the plot into two residential plots, reflecting the plot/build line of dwellinghouses adjoining to the north.

The area surrounding the application site is rural in character with clusters of dwellings which front the

roadway, located in sizable plots and with significant areas of open land around them. The separation of the plot into two, would lead to a reduction in the size of the garden for the proposed dwellinghouse, in comparison with the majority of surrounding dwellinghouses. However, it is noted that this would be similar to those immediately to the north. It is also noted that most dwellinghouses are obscured by soft landscaping to the boundary, particularly on Gravesend Road.

The proposed bulk and design would be highly urban and residential in appearance, whereas rural dwellinghouse should usually reflect the rural character and have a discreet, low form appearance, with traditional use of materials. Consideration should be given to reduction of the bulk, particularly the width of the dwellinghouses and residential features such as dormers. Consideration should also be given to the increased prominence of the dwellinghouse to Oak Farm Lane due to its position close to the highway and potential for obscuration and softening the appearance of the proposals by using soft landscaping and securing this by condition.

The proposed scheme could be improved by reconsideration of the bulk, design and landscaping as suggested.

Other matters

Amenity of Future Occupiers

The proposed development would have a floor area that is in line with the minimum requirement set out in Nationally Described Space Standards for a 6 bedroom, two storey dwelling and sufficient garden space would be available. As such, the proposal would provide acceptable living conditions for future occupiers.

Neighbouring Amenity

The proposed dwellinghouses contain no upper floor side openings and so no concerns are raised with regard to direct overlooking. The positions would appear not to result in significant overshadowing of neighbours. Appropriate boundary treatments should be secure by condition.

Parking and Highways

KCC Highway comments are available on the Sevenoaks website for this application, and they have raised no objections. Three parking spaces would appear to be present for each dwellinghouse, appropriately sized. Retention of parking spaces should be secured by condition alongside the use of appropriate permeable surfacing. KCC Parking Standards (2006) also detail requirements for cycle provision which should be secured.

Climate Change and biodiversity

As new dwellings, the proposed development would increase the flow of foul water to the sewer system. Notwithstanding the removal of existing built form from the site; the size of the replacement building and the extent of the proposed hard surfacing, would also be likely to lead to an increase in the flow of surface water to the sewer system. In order to reduce water flows, it would be preferable for the proposal to incorporate a sustainable drainage system. This should be required by planning condition.

Paragraph 179 of the NPPF requires, amongst other things, that planning decisions minimise impacts on, and provide net gains, for biodiversity. The proposed development would result in an increase in built form across the application site. Therefore, in order to protect/enhance biodiversity, any planning permission granted should be conditioned to require the submission and approval of an ecological enhancement strategy and details of soft landscaping.

Housing need

The proposed development would result in a modest increase in housing supply.

Tilted Balance

As Sevenoaks DC cannot demonstrate a 5 year housing supply at this time, the tilted balance of NPPF paragraph 11d) is engaged. However, in this instance, as the development is situated within the Green Belt, the policies of the NPPF for the protection of the Green Belt provide a clear reason for the refusal of planning permission in terms of NPPF paragraph 11d)i).

Recommendation

- The planning authority will need to assess whether the development would be appropriate in the Greenbelt in accordance with paragraphs 147 to 151 of the NPPF (2021).
- The proposed scheme could be improved by reconsideration of the bulk, design and landscaping as suggested.
- Conditions should be applied covering:
 - Boundary Treatments
 - Ecological Enhancement
 - Parking Provision
 - Hard Landscaping
 - Soft Landscaping

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Lisa Williams	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	7th June 2023	Dated:	7th June 2023