
Appeal Decision

Site visit made on 6 December 2016

by Grahame Gould BA MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9th January 2017

Appeal Ref: APP/G2245/W/16/3155056

Polhill Business Centre, London Road, Badgers Mount TN14 7AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Paye of Paye Homes LLP against the decision of Sevenoaks District Council.
 - The application Ref SE/16/00944/FUL, dated 23 March 2016, was refused by notice dated 10 June 2016.
 - The development proposed is the conversion of the existing building to provide modified workshop and B1 office space to part ground floor and new first floor.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the existing building to provide modified workshop and B1 office space to part ground floor and new first floor at Polhill Business Centre, London Road, Badgers Mount TN14 7AA in accordance with the terms of the application, Ref SE/16/00944/FUL, dated 23 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PBC-870-PD-00 Existing Site Plan; PBC-870-PD-01 Existing Unit Ground Floor Plan; PBC-870-PD-02 Existing Elevations; PBC-870-PD-03 Existing Site Plan; PBC-870-PD-04 Proposed Ground Floor Plan; PBC-870-PD-05 Proposed First Floor Plan; and PBC-870-PD-06 Proposed Elevations.

Procedural Matter

2. The Council failed to submit a statement within the prescribed timescale and I have therefore relied on the Council's officer report as the basis for the explanation of its case.

Main Issue

3. The main issue is whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy.
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Reasons

4. The development would involve the raising of the building's roof to provide first floor accommodation with an area of 360 square metres. As part of the development a lean-to element of the building would be demolished and the existing ground floor would in part be reconfigured to provide defined workshop and office areas.
5. The Framework states at paragraph 87 that inappropriate development in the Green Belt is harmful by definition and should not be permitted. However, paragraph 89 of the Framework lists the categories of development which may be regarded as not being inappropriate in the Green Belt, subject to certain circumstances. Development that concerns the extension of buildings may be considered as being not inappropriate provided it will not result in a disproportionate addition over and above the size of the original building.
6. Policy GB8 of the Council's Allocations and Development Management Plan of 2015 (the DMP), which forms part of the Sevenoaks District Local Plan, addresses non-residential buildings within the Green Belt. Policy GB8 states that extensions will be permitted provided that the building in question is lawful and of a permanent nature and the volume and design of the extension, taking account of the cumulative effect of previous additions, would be proportional and subservient to the 'original' building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion. I consider that Policy GB8 is broadly in conformity with the Framework.
7. In refusing the application the Council considered that the building benefitted from a planning permission (SE/78/183) for a single storey extension that was granted on 9 June 1978 (the 1978 permission) and that extension is stated as having a floor area of 210 square metres. The Council calculated that the currently proposed extension, when added to the addition subject to the 1978 permission, would result in the original building's floor area being increased by 292%.
8. However, the appellant has submitted that the 1978 permission concerned a detached building behind the appeal premises on adjoining land. The Council has not disputed the appellant's interpretation of the 1978 permission. The appellant has further submitted that the footprint of the appeal premises has not been altered in any other way since the granting of the 1978 permission, a matter that has also not been disputed by the Council. On the evidence before me I consider that the 1978 permission is not relevant to the assessment as to whether the development would be inappropriate or not inappropriate development.
9. The historic map extracts provided by the appellant suggest that for the period between 1900 and 1969 the appeal building had a simple rectangular floorplan. It would therefore appear that the southern lean-to did not form part of the original building (ie that existing prior to 1948) and was added at sometime between 1969 and 1978, given the building's footprint shown on the plans accompanying application SE/78/183. However, as the lean-to would be demolished as part of the development, I am of the view that its presence can be discounted from the assessment as to whether the proposed extension would be inappropriate or not inappropriate development.

10. The building, based on the dimensions quoted by the Council, currently has ridge heights ranging between 4.75 and 6.2 metres and the extension would result in it having a single ridge height of 6.7 metres. While the building's floor area would be doubled by the development, the building's volume would be increased by 471 cubic metres, which on the appellant's undisputed assessment, would amount to a 34% increase in the building's volume. Outwardly there would be some increase in the building's mass, however, I consider that the overall change to the building's volume would be of a scale that would not be a disproportionate. The fact that the roof would have a quite shallow pitch would assist in limiting the development's mass.
11. For the reasons given above I conclude that the extension would not be a disproportionate addition and that the development would not be inappropriate within the Green Belt having regard to paragraph 89 of the Framework.
12. Having regard to the fact that the building lies between two quite substantial and taller buildings, ie the main Polhill Business Centre building and the Hotel 7 and Diner premises, I consider that the extension would not appear out of place and would have a minimal effect upon the openness of the area. I therefore consider that this development would not be in conflict with Policy GB8 of the DMP.

Other Matter

13. The Council accepts that the proposal would be acceptable in terms of its design, altered pattern of use, parking provision and the effect on protected trees and the quality of the Kent Downs Area of Outstanding Natural Beauty. I find no reason to reach a different conclusion on any of those matters.

Conditions

14. In the absence of any conditions having been suggested by the Council I consider that apart from the standard time condition the development should be built to accord with the application drawings for certainty. I have imposed conditions to this effect.

Conclusion

15. For the reasons given above the appeal is allowed.

Grahame Gould

INSPECTOR