



Appeal Decision

Site visit made on 18 July 2023

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2023

Appeal Ref: APP/G2245/D/23/3316295

Cherry Tree Cottage, Long Barn Road, Sevenoaks Weald TN14 6NJ

- 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 and Mrs Fiorini against the decision of Sevenoaks District Council.
 - The application Ref SE/22/03175/HOUSE, dated 15 November 2022, was refused by notice dated 19 January 2023.
 - The development proposed is the demolition of existing front and rear extensions. Erection of two storey side/front extension, two storey rear extension and associated external alterations including glazed link. Erection of detached garage/store and associated landscaping. Installation of bore hole, ground source heat pump and integrated solar tiles to south facing roof slopes.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing front and rear extensions. Erection of two storey side/front extension, two storey rear extension and associated external alterations including glazed link. Erection of detached garage/store and associated landscaping. Installation of bore hole, ground source heat pump and integrated solar tiles to south facing roof slopes at Cherry Tree Cottage, Long Barn Road, Sevenoaks Weald TN14 6NJ in accordance with the terms of the application, Ref SE/22/03175/HOUSE, dated 15 November 2022, and the plans submitted with it, subject to the conditions set out in the schedule.

Preliminary Matters

2. I have used the description of development as it appears on the council's decision notice, since the appellant has confirmed in writing that they agree to the use of this description for the appeal.

Main Issues

3. The main issues are:
 - The effect of the proposals on the character and appearance of the original cottage.
 - Whether the proposals would preserve or enhance the character or appearance of the Sevenoaks Weald Conservation Area.
 - Whether the proposals would preserve and enhance the Kent Downs Area of Outstanding Natural Beauty.

Reasons

Effect upon the character and appearance of the original cottage

4. The appeal site, Cherry Tree cottage, is a simple, 2 storey brick and stone clad dwelling dating from the mid-19th Century. It has been subject to various extensions and alterations, notably, a large 1930s single storey extension to the rear. There are also outbuildings to the front and side of the cottage. It is set well back from the road in a large plot which is mostly level, but then slopes quite steeply away to the very rear where there is dense tree coverage.
5. Long Barn Road itself has a variety of building styles, from Victorian terraced cottages to large modern detached dwellings. There is no predominant style of building or regular pattern of development. Materials also vary, with common use of brick, stone, render and timber cladding. Most dwellings are set well back from the road in generous plots, often screened by vegetation and large trees.
6. The proposed silvered-timber clad 2 storey rear extension would replace the 1930s single storey extension. While the ridge height of the extension would be higher than the original cottage, it would have a similar ridge height to the neighbouring properties either side. It would be set well back from Long Barn Road itself; the glazed link would add a sense of visual separation between the cottage and rear extension whilst also increasing its set back from the street. The proposed materials and detailed design would make the extension visually distinct from the original cottage. Despite the bulk and height of the extension, the form, size, proportion and materials of the original cottage would still be appreciable.
7. The removal of some vegetation from the plot, particularly the conifers and silver birch shown on the tree survey would mean that the plot would be more open to street views, particularly looking uphill towards the Green from Long Barn Road. The dominant features in this view are the roofscapes of houses framed by the trees and woodland to the north and west of the road. Though the view would be less screened than at present due to the removal of the conifers and silver birch, the extension would sit comfortably in these views and in the street scene as a whole.
8. I note that policy SP1 of the Core Strategy 2011 and EN1 of the Allocations and Development Management Plan (ADMP) 2015, along with guidance contained in the Residential Extensions Supplementary Planning Document (SPD) require extensions to respond to the distinctive local character of their location and respect the local scale and type of development. The SPD also acknowledges that there can be alternative approaches if there is a strong justification. The significant set back of the extension from the street, and from the cottage itself, would have the effect of reducing the potential dominance of the extension in street views. Its detailed design, separation from the cottage and limited public views would allow appreciation of the original cottage whilst providing significant additional residential floorspace. There would be a benefit in the restoration and use of the cottage as part of the enlarged dwelling. I find therefore that the proposal is in line with the overall aims of policies SP1 and EN1 as detailed above.

The effect upon the conservation area and Area of Outstanding Natural Beauty

9. The Sevenoaks Weald Conservation Area (CA) covers an area encompassing the Village Green and buildings surrounding it, extending along the east side of Long Barn Road to the Long Barn itself, a Grade II * listed building at the very southern end of the village. As identified in the Conservation Area Appraisal and Management Plan (CAAMP), the pre-eminent feature of the CA is the Green and the informal arrangement of various types and ages of buildings around it. Notable buildings set on the Green include the Weald Community Primary School dating from the 1870s, and the early 20th century Patience Cottages. The views and topography are another key element of significance in this CA. There are far reaching countryside views from the Green, beyond and between the buildings to the higher ground to the north. The CA is also characterised by the numerous trees lining footpaths and plots throughout.
10. Whilst not mentioned specifically in the text of the CAAMP, Cherry Tree Cottage is one of several on Long Barn Road shown on the Character Appraisal Map as being buildings which contribute to the character of the CA. These buildings provide evidence of the historic expansion of the village to the south, collectively contributing to the character of the CA.
11. The statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. When taken together, the detailed design of the extension, its set back from the street and the restoration of the cottage's facade would have a positive effect on the character and appearance of the conservation area taken as a whole. The key areas of the conservation area's significance, that is, the far-reaching countryside views, setting of the Village Green and the buildings around it, along with the tree coverage, would be preserved by the proposed scheme. The cottage itself would be restored and repaired, which I consider a benefit given it is identified as one of the buildings on Long Barn Road that contributes to the understanding of how the village expanded historically. Overall therefore, I find that the character and appearance of the Sevenoaks Weald CA would be preserved and enhanced by the appeal scheme, in line with the aims of policy EN4 of the ADMP.
12. Paragraph 176 of the Framework affords great weight to conserving and enhancing the landscape and scenic beauty of designated Areas of Outstanding Natural Beauty. Policy EN5 of the ADMP states that in the AONB proposals will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape, having regard to the relevant management plan and guidance.
13. Key features of the Kent Downs AONB as identified in the management plan include, amongst other things, far reaching countryside views, woodland areas on the scarp slope and dry valley sides, views from the escarpment, pastoral scenery and villages. The proposed extensions do not significantly increase the built coverage of this extensive plot. The views of open countryside from the village will be maintained, as will the woodland character of the rear of the plot. As I have already found, there would be limited views of the proposed rear extension from public vantage points, and it would sit comfortably in the street scene. The detailed design and materials of the extensions set it apart

from the original cottage, enabling the appreciation of the cottage in a restored, near-original form. As such, I consider the proposals would protect and enhance the landscape and scenic beauty of the Kent Downs AONB in line with the requirements of the Framework and policy EN5 of the ADMP.

Other Matters

14. The proposed extensions, due to their position within the plot and distance from the dwellings immediately adjacent, would not cause any undue loss of light or increased enclosure to residential windows in these properties. There would be several windows to the elevation adjacent to the house known as Peelers which are marked on the drawings as being obscure glazed to protect views into the adjacent property.
15. The appeal site contains a large number of trees and shrubs of varying ages and significance. An initial arboricultural impact assessment was submitted with the appeal which identifies a need for a method statement for how trees would be protected during the course of construction along with a tree protection plan.
16. The ecology and bat surveys submitted show that the presence of bat roosts within the buildings on site are unlikely, though bats were observed foraging and passing through the site. In terms of mitigation the survey recommends a low impact lighting design strategy, along with the provision of bat boxes on site.

Conditions

17. The council have provided some suggested conditions which I have considered against advice in the Framework and Planning Practice Guidance. I have attached the standard time limit condition and a plans condition as this provides certainty. I have added a condition concerning materials to ensure a satisfactory appearance. There is a condition requiring some windows to be obscure glazed and fixed shut where any part of the window falls below 1.7m above finished floor level. This is required to protect the privacy of residents adjacent.
18. I have amended the council's suggested arboricultural and biodiversity conditions for clarity. A condition requiring the submission and approval of an arboricultural method statement and tree protection plan is required to ensure the retained trees are protected during construction. The condition regarding lighting design is necessary to protect bats. The condition to secure the provision of bat boxes to provide additional roosting habitat will secure an enhancement to bat habitats. The arboricultural and lighting conditions need to be pre commencement due to the potential impact of construction works on trees and bat habitats. The appellant has confirmed their agreement to the pre commencement conditions.

Conclusion

19. For the reasons set out above, the appeal is allowed.

L Francis

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans: 10-P-01-REV A; 10-P-06-REV A; 10-P-07-REV A; 10-P-08-REV B; 10-P-09-REV A; 10-P-10-REV B; 10-P-11
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those shown on the approved plans: 10-P-07-REV A; 10-P-08-REV B
- 4) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
- 5) Prior to the commencement of development, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) Identify those areas and features on site that are particularly sensitive for bats where additional lighting is likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory,
 - b) Show how and where external lighting will be installed, along with details of illumination levels.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.
- 6) Prior to first occupation of the development, a minimum of 2 bat boxes must be installed within the site and thereafter maintained. Details of their location shall be submitted to and approved by the local planning authority before their installation.
- 7) The first floor windows in the north-facing elevation(s) shall be obscure glazed and fixed shut and thereafter maintained as such, where any part of the window falls below 1.7m of finished floor level.

**** END OF CONDITIONS ****