

## POPULATION AND HOUSING

### Population Trends

- 9.1 In 1991 the resident population of Sevenoaks District comprised about 109,000 persons. This figure represents a decline of about 1,000 since the 1981 census. Projections of population change suggest that this decline may continue.

### Population change 1991-2011

1991	1996	2001	2006	2011	
109,000	109,200	108,400	106,800	104,700	Change (-4300)

Source: KCC trend-based projection and mid-year estimates.

- 9.2 Population projections based on age groupings, derived from the 1991 census, imply a decline of some -4300 persons up to year 2011. Population age groupings indicate that persons over 55 represent about 26.5% of total population, whilst young persons (up to age 15) represent 18.7%. A series of related economic factors: the location of major employment centres, the numbers of persons entering higher education, and the high cost of dwellings, has encouraged young, potentially economically active persons to migrate from the area. This has strengthened the representation of older persons in the total population. Net migration from the District is almost nil. This however masks the change in population composition which continues to occur, which is estimated at about 9% per annum. The characteristics of the in-migrants (they are usually older with the head of household in the professional/managerial category), and in particular the number of immediate and second generation households which may be formed, is of importance to the area in terms of expenditure and social requirements.

### Household Change 1991-2011

1991	1996	2001	2006	2011	
42,400	43,500	44,400	44,900	45,200	change (+2800)

Source: KCC trend-based projections

- 9.3 Whilst the population of the area continues to decline, the number of households, in line with national trends, continues to rise. This implies continuing pressure on the housing stock particularly for accommodation suitable for single person households.

### Housing Trends

- 9.4 In 1991 there were about 41,800 households in the Local Plan area with an average occupancy rate of 2.6 persons per unit. The balance between owner occupation and other forms of tenure (private rented, housing associations etc.) was biased towards the former with 75% of households in owner occupation compared to 25% in other tenures. However, there are variations across the District. For example there is only 50% owner-occupation in Swanley, but 89% in New Ash Green.

**LOCAL PLAN AIM**

To meet future local housing needs and improve the supply of affordable housing without compromising the environment and character of the District.

**Local Plan Objectives**

- (i) to provide, within the guidelines of the Kent Structure Plan, and subject to Green Belt policies, a 5-year supply of land available for housing;
- (ii) to secure a balance in the range and types of dwellings, including affordable and social housing, to meet as far as possible, the housing needs of the local community;
- (iii) to protect the character and environment of the District's towns and villages against intensive infilling and redevelopment which would adversely affect residential amenities; and
- (iv) to promote the concept of sustainability in terms of location, design and construction of all new housing.

9.5 The supply of building land in the District is constrained by the Green Belt and by policies to protect the town and villages from cramped development. The number of new houses likely to be built during the Plan period is therefore strictly limited. This places pressure on the existing housing stock which must adapt to changing demands. More particularly the supply of affordable and social housing for sale and/or rent is necessarily finite and the opportunities for reducing housing stress, particularly overcrowding, strictly limited. Housing Associations however are active within the area and recently these have been successful in acquiring a number of large sites.

9.6 It remains important however, to secure a balance in the type of housing being built and to avoid concentrations of housing tenure. Although the planning system can control generally the amount and type of new dwellings being built, it has little influence over the operation of the existing housing market.

The Strategic Context

9.7 The Kent Structure Plan provides the strategic context for future housing development in the District. Strategic policies (S6 and H1) impose general restraint on new housing development to ensure consistency with Green Belt, conservation and environmental objectives. Kent Structure Plan policy H1 quantifies the strategy in terms of the number of new dwelling units to be provided in the District for the period 1991-2011 and is based on an assessment of future local housing requirements. The specific quantities are as follows:

Mid 1991-96	Mid 1996-2001	Mid 2001-2006	Mid 2006-2011	Total
1100	900	700	400	3100

An explanation of housing land provision is given in Appendix 2. The period mid 2006-2011 is subject to further review.

In accordance with approved strategic policy:

**H1 The Local Plan makes provision for 610 dwellings between 1996-2006. Those sites considered suitable for residential development are listed below and identified on the Proposals Map. See Appendix 2 for further details.**

		Indicative Nos of dwellings	Phasing start date
H1(A)	Station Approach, Dunton Green	34 units	Post 1996
H1(B)	Hitchen Hatch Lane, Sevenoaks	10 units	Post 1996
H1(C)	Ashgrove Road, Sevenoaks	5 units	Post 1996
H1(D)	Bus Garage, London Road, Swanley	20 units	Post 1996
H1(E)	Hever Road, West Kingsdown	10 units	Post 1996
H1(F)	North of Ash Tree Drive, West Kingsdown	12 units	Post 1996
H1(G)	Caxton Close, Hartley	8 units	Post 1996
H1(H)	School Site, Cherry Avenue, Swanley	130 units	Post 1996
H1(I)	South of Ash Tree Drive, West Kingsdown	5 units	Post 1996
H1(J)	Allotment frontage, Station Road, Eynsford	7 units	Post 1996
H1(K)	Cray Road, Crockenhill	20 units	Post 2001
H1(L)	Keston and Beeches, Swanley Lane	35 units	Post 1996
H1(M)	North of Goldsel Road, Swanley.	40 units	Post 2001
H1(N)	North of Westways, Edenbridge	60 units	Post 2001
H1(O)	Madan Road, Westerham	15 units	Post 1996
H1(P)	Edenbridge Tannery	129 units	Post 1996
H1(Q)	Crouch House Road, Edenbridge	70 units	Post 1996

#### Affordable Housing: General Principles

- 9.8 Circular 6/98 and Planning Policy Guidance Note 3 advise local planning authorities and developers on the need to ensure that new developments provide an appropriate mix of housing and other uses to meet the needs of different types of households. The guidance makes clear that a community's need for "affordable" housing is a material planning consideration which may properly be taken into account in formulating development plan policies and hence in determining planning applications, where those policies indicate a need for an element of affordable housing. In this context affordable housing is taken to mean low-cost market housing and subsidised housing (irrespective of tenures, ownership or financial arrangements) that will be available to people who cannot afford to occupy houses generally on the open market.
- 9.9 In the light of this advice, the Local Planning Authority considers that it is desirable for new housing development, whether on allocated or windfall sites, to incorporate a reasonable mix and balance of house types and sizes to cater for a range of local housing needs.
- 9.10 The Council has recently (1996) undertaken a detailed Housing Needs Study. The Council's Housing Capital Programme for the period 1997-2000 makes provision for about 800 units, including units of shared accommodation, as against a projected requirement for up to 600 units for the same period. Subsequent changes in the need for affordable housing will be

monitored and Policies H2A and H2B will only be applied providing a need continues to be identified.

- 9.11 It is recognised that not all sites will be suitable for inclusion of affordable housing. Proposals will, therefore, be examined against the criteria set out in Policies H2A and H2B and the guidance given in Appendix 2 concerning eligibility. Schemes for sheltered housing above the relevant thresholds will not be exempt from the operation of the Policy, but will be examined on their individual merits taking into account the economics of provision and operational matters. The Council prefer the involvement of a registered social landlord in affordable housing schemes. Under some circumstances the Local Planning Authority may seek a financial or other contribution towards the provision of affordable housing on a different site in the District. Policy H9 will apply to all proposals on “rural exception sites”.

**H2A** Within the built confines of those settlements listed in Policy GB1 and defined on the Proposals Map, the Local Planning Authority will negotiate the provision of an element of affordable housing on or related to suitable sites. Full and effective use should be made of land within existing urban areas, particularly that which is vacant or has become derelict, subject to environmental, landscape, traffic and amenity considerations. Except where a registered social landlord is to manage the affordable housing stock, legal agreements and/or planning conditions will be used to ensure such housing is retained to meet affordable housing needs in the future. The following criteria will apply in the assessment of the suitability of sites whether allocated or arising as windfalls:

- 1) In settlements of 3000 persons or less the site must be capable of accommodating a development of 15 dwellings or more or have an area of 0.5 ha or more irrespective of the number of dwellings. Elsewhere the development must be for 25 or more dwellings or have an area of 1 ha or more;
- 2) The site on which affordable provision would be made should be located within a distance of about 1.6 km of local services and facilities and be accessible by public transport;
- 3) There are no particular costs associated with the development which would result in the provision of an element of affordable housing being uneconomic;
- 4) The introduction of affordable housing would not prevent the realisation of other planning objectives which should be given priority in the development of the site; and
- 5) Wherever possible sites should include a mix of affordable housing types such as family housing and homes for smaller households and regard will be had to the need to maintain or create mixed and balanced communities.

Subject to the site and market considerations referred to in the foregoing criteria, the Local Planning Authority will expect an overall average provision of about 20% of the total number of units provided on sites which are above the relevant thresholds to be units of affordable housing.

**H2B** The Local Planning Authority will, subject to environmental, landscape, traffic and amenity considerations, and other Local Plan policies, permit the provision of affordable housing through:

- 1) **Bringing vacant housing units back into use (for example above shops and offices);**
- 2) **Conversion of existing larger residential property into units more suited to smaller household sizes; and**
- 3) **Change of use and conversion of buildings not currently used for residential purposes.**

Phasing of Allocated and Unallocated Large Sites

9.12 Planning Policy Guidance Note 12 contains advice on the use of phasing policies in Local Plans. Although phasing should not be used in an arbitrary way, in circumstances where there are strong pressures for the release of land such as Green Belt areas, phasing is an appropriate mechanism to prevent the planned provision being exhausted too quickly. Given the market demand for fresh housing land and the general constraints imposed on land supply through Green Belt policy, the Local Planning Authority considers that sites allocated for residential development should be subject to phased release. Proposals for development on large unidentified sites may also be subject to a phasing condition. In order to ensure that a five year supply of land remains available commensurate with Planning Policy Guidance Note 3, the land supply position will be monitored on an annual basis and phasing arrangements amended through a review of the Local Plan, if found to be necessary. Hence,

**H3** The Local Planning Authority will phase the release of sites allocated for residential development in accordance with Policy H1. Large unidentified sites may also be subject to a phasing condition where pursued in advance of a Local Plan review.

For the purposes of the above Policy a large site will be defined as a site capable of accommodating 5+ units.

Site Development

9.13 Changes in household formation rates and, in particular, the smaller size of new households has resulted in a generally increased requirement for one and two bedroomed units. Despite recent provisions, the existing dwelling stock is likely to remain biased toward family units, revealing a potential mismatch between accommodation being sought and that which may be currently available for occupation.

9.14 The general trend in the District however, does not always reflect the situation in individual communities. In some areas there may also be a locally generated demand for some larger units. It is an objective of the Local Plan to redress emerging imbalances by securing the development of sites at densities reflecting the existing character of the area and where possible with the type of accommodation which most closely reflects local needs.

9.15 The objective of protecting the character and amenity of residential areas, together with the type of accommodation being constructed, will influence the overall density of development achievable on particular sites. Adoption of firm density standards is not therefore appropriate.

However, to make the best use of available land, especially allocated sites, and reduce pressures for fresh land release in the Green Belt, the Local Planning Authority considers that as a general principle, taking into account market demands, a minimum housing density of 100 bedspaces per ha should be secured on most sites. The definition of bedspace is to be that derived from Section 326 of the Housing Act 1985 (see Appendix 2 for further information). Therefore,

- H4 The Local Planning Authority will require the provision of a type of accommodation for which there is a local need. Subject to the criteria in Policy H5, a minimum of 100 bedspaces per ha. should be achieved.**

Housing Development: General Principles and Design Considerations

9.16 In order to comply with strategic policy and reduce pressures for the expansion of existing settlements, it is an objective of the Local Plan to make the maximum use of potentially developable land within defined built-up confines. However the Local Planning Authority is also anxious to safeguard the amenities of existing residents and the character and attraction of existing residential areas.

- H5 The following criteria will be used to assess the suitability of a scheme for a particular site:**

- 1) **The width, depth and size of each proposed plot in relation to other plots in the vicinity.**
- 2) **The position of each proposed building on the plot in terms of its relationship to the existing front and rear building lines and other adjoining dwellings.**
- 3) **The size of the footprint of each dwelling, its overall form, height and roof treatment.**
- 4) **The design of each building in relation to its setting and its compatibility in terms of external detailing and materials with that of its neighbours.**
- 5) **The space around each building including the extent of front and rear gardens and the nature of the proposed hard and soft landscaping and boundary treatment.**

**The proposal must comply with Policies EN1 and EN2, and all other appropriate policies set out in this Plan.**

9.17 The Local Planning Authority will resist proposals for the demolition of existing residential properties unless there is clear supporting evidence, (for example exchange of contracts), that the development will proceed, and will attach a condition to any planning permission and/or invoke the provisions of the General Permitted Development Order to this effect.

Residential Conversion, Property Subdivision and Extension

9.18 In order to make the optimum use of the existing housing stock and meet the demands of one and two person households for suitable accommodation, it is an objective to encourage the conversion of appropriate residential properties into smaller units of accommodation. It is

important, however, that such conversions do not create environmental or traffic related problems in hitherto quiet residential locations. Applicants are also advised that any internal alterations will need to comply with the Building Regulations. In consequence,

**H6A The Local Planning Authority will permit the conversion of appropriate properties subject to:**

- 1) **The proposal, including any extensions, reflecting the form and integrity of the building and its setting.**
- 2) **The proposal not harming the established character and amenities of the locality.**

9.19 The extension and improvement of residential properties is a common practice. The General Permitted Development Order provides certain relaxations from the requirement to obtain planning permission and should be consulted before an application is made. A separate application under the Building Regulations may be required. Whilst such extensions can be beneficial to the occupier, poor design can have an adverse affect on the appearance of the dwelling and upon the amenity and privacy of adjoining properties. When planning permission is necessary the Local Planning Authority will seek compliance with the guidance given in Appendix 4. Therefore,

**H6B Proposals for residential extensions will be subject to the principles in Appendix 4. Higher standards of design and external appearance will be required in or adjacent to conservation areas and on prominent sites. Extensions to mobile homes and buildings not designed for permanent residential use will not be permitted.**

9.20 Circular 10/95 and the GPDO provide that with certain exceptions the demolition of dwellinghouses constitutes development and, therefore, requires planning permission. The GPDO also provides that specified changes of use of upper floors of commercial properties are Permitted Development in some circumstances. Where permission is required, in order to preserve the stock of existing residential accommodation in the Local Plan area,

**H7A The Local Planning Authority will not permit the loss of residential accommodation through change of use or redevelopment unless satisfied that:**

- 1) **The existing dwelling no longer provides accommodation of a satisfactory standard and is incapable of being improved at reasonable expense.**
- 2) **The locality and character of the surroundings are no longer appropriate for residential purposes.**

9.21 The improvement of the existing housing stock and of poorer housing areas in general can also result in a worthwhile contribution to local housing provision and reduce the demand for fresh land. Therefore,

**H7B The Local Planning Authority will permit the improvement and re-use of floorspace above shops and business premises for residential purposes. A relaxation of vehicle parking standards may be permitted in these circumstances.**

Housing for Special Needs

- 9.22 The provision of residential accommodation must cater for a range of requirements to meet the needs of different sectors of the community such as the elderly and those with disabilities. This includes the requirements of people in special need of help or supervision, who may have special locational needs and for whom conventional housing may not be suitable.
- 9.23 Provision of accommodation for people in need of care comprises a variety of nursing homes, group houses, hostels and sheltered housing. Most of these uses come within Class C2 of the Use Classes Order 1987. However the use of houses for occupation, by not more than six residents who may be receiving care, living together as a single household does not require planning permission.
- 9.24 The Government's Care in the Community Programme favours the provision of small residential units within established residential areas, to cater for the increasing demands of people in special need. Locational factors, including access to local services and the supply of dwellings suitable for such use, particularly property conversions, tends to result in the concentration of special needs accommodation in particular areas. However the cumulative impact of several special needs homes, can be detrimental to the amenities of an area and cause difficulties for other residents. Consequently where planning permission is required the Local Planning Authority will have regard to the suitability of the premises and the impact of the use on the character and amenities of the locality.

**H8 Proposals for residential care homes within Class C2 of the Town and Country Planning Use Classes Order 1987 should comply with the following:**

- 1) **The land and/or buildings should be suitable for the purpose and off-street parking should be available;**
- 2) **The site should be well located near to local services including shops, health care and public transport;**
- 3) **The character of the neighbourhood should be appropriate. The Local Planning Authority will not permit the concentration of care homes in particular streets where the cumulative impact would harm the character and amenities of the area;**
- 4) **Proposals involving the conversion of existing buildings must not have a detrimental impact on the quiet enjoyment of adjoining residential properties.**

Affordable Housing for Local Needs in Rural Areas: The "Exceptions" Scheme

- 9.25 The market demand for housing in the Local Plan area is particularly strong and the take-up rate of allocated sites very high. Most of the new units provided by the volume builders are marketed regionally and tend to be occupied by in-migrants from other, often higher priced areas, particularly London. It is now apparent, that certain sectors of the local community, are unable to gain access to either the new or second-hand housing market and have insufficient personal resources to secure sufficient mortgage finance to fund a purchase in full.
- 9.26 Whilst the Government remains committed to the expansion of home ownership, recognition of the problems being encountered by some households, has prompted the Secretary of State to encourage the expansion of housing associations, charities and other non profit making

organisations as an alternative to private or public sector ownership. Planning Policy Guidance Note 3 contains further information.

- 9.27 The District Council's role as Local Planning Authority does not permit it, within the terms of present planning legislation, to identify sites specifically for local housing needs from within the general Local Plan housing allocation. Nor may planning conditions be used to restrict tenure or occupancy. However, where a Housing Association or other registered organisation has identified a particular local housing problem, the Local Planning Authority may consider whether there are exceptional and overriding circumstances which may permit the grant of planning permission, where, in the ordinary course of events, it would otherwise be refused. It is not appropriate for the Local Plan to identify sites to meet this purpose, as cases could only be assessed on their individual merits when placed before the Council.

- H9 The Local Planning Authority may, under special circumstances, give favourable consideration to proposals from private developers, housing associations, charities and other registered organisations, for the provision of suitable housing to meet proven local housing needs at settlements away from the urban areas and rural towns.**

The criteria listed below must all be satisfied:

- 1) The proposal meets a specific local housing need (i.e. additional to general housing provision), as agreed with and verified by the District Council, for affordable, shared equity, or rented accommodation, arising from the particular settlement or adjoining parishes within which the scheme would be located.
- 2) The identified local housing need cannot be met through development on allocated sites or other land under Policy H10A or H10C within the defined confines of villages.
- 3) The type and number of units proposed directly correlates to the identified local need and will be available at an affordable price or rent. Schemes which propose an element of cross subsidy will not be acceptable.
- 4) Such legal agreements and contracts, as are deemed necessary by the Local Planning Authority, are completed prior to the grant of planning permission and that these agreements contain an undertaking that the housing provided will not pass into the general market for housing on subsequent disposal.
- 5) The identified site is within or well related to an existing settlement and is acceptable in landscape, environmental and highway terms. Sites within 'green wedges' will not be acceptable.
- 6) The developer meets the full cost of providing all necessary highway, drainage, other infrastructure and services.
- 7) The proposal is accompanied by a financial appraisal proving the scheme will meet the defined need.
- 8) Preference will be given to the use of suitable derelict land or buildings.

**This policy does not alter the presumption against inappropriate development in the Green Belt. Proposals for affordable housing in the Green Belt will be regarded as formal departures from the approved Development Plan and determined in accordance with the guidance set out in Planning Policy Guidance Notes 2 and 3.**

For the purpose of Policy H9, Local Housing Need shall be defined as follows:

- (i) Households resident in the settlement or adjoining parishes currently occupying accommodation deemed as unsatisfactory by the District Council;
- (ii) First-time purchasers from the settlement or adjoining parishes;
- (iii) Persons who are close dependants of households living in the settlement or adjoining parishes;
- (iv) Households which include persons employed full-time in the settlement or in adjoining parishes and living elsewhere;
- (v) Households which include persons about to commence employment in the settlement or in adjoining parishes and whose employment requires them to live locally;
- (vi) Such other very special cases as the District Council may deem appropriate.

A residential qualification is interpreted as three years continuous residence in the parish or alternatively any five years out of the last ten. A household with local connections is defined as one having immediate family resident within the area for a minimum of ten years. Further guidance is contained in Appendix 2.

#### Housing Development Strategy

9.28 Strategic policy recognises the important contribution which rural settlements make towards the overall provision of new housing in the County. Rural settlements, however, differ considerably in terms of their size, form and character, and hence in their capacity to accept new development. In recognition of this, the Kent Structure Plan suggests that three broad categories of rural settlement should be identified. Policy H3 of the Kent Structure Plan also requires housing opportunities to be used in the urban areas.

- (a) Settlements where residential development will be restricted to minor development, redevelopment or infilling (Policy RS2);
- (b) Settlements having potential within or adjoining their built confines for new residential development, taking account of the availability of appropriate services and infrastructure and the Structure Plan's policies for the countryside, Green Belt and the built environment, the location and quantity of any new development to be specified in the operative Local Plan (Policy RS3(a)); and
- (c) Settlements of such exceptional conservation or tourist importance that the primary planning policy towards all new residential development, including minor development or redevelopment, will be conservation and enhancement of the special character (Policy RS3(b)).

Category A Settlements

9.29 Policy RS2 of the Kent Structure Plan generally restricts residential development at villages and small rural towns to minor development, redevelopment or infilling. In this context, infilling is defined as the completion of an otherwise substantially built-up frontage, by the filling of a narrow gap capable of taking one or two dwellings, in suitable locations within their built confines. The scope for minor development or redevelopment depends on the particular circumstances of the proposal. However proposals for five or more units on unallocated sites may be considered as beyond the scope of minor development in most villages. Therefore,

**H10A Pursuant to Structure Plan Policy RS2, within the confines of those villages listed below and defined on the Proposals Map, planning permission for residential development will be restricted to minor development (i.e. less than five units) or infilling (i.e. the completion of an otherwise built-up frontage capable of taking one or two dwellings only), except where the Local Plan has specifically identified a larger site intended to meet the requirements for the future growth of local households. Proposals for residential development must have regard to the existing visual character, spaciousness, architectural quality and rural setting of the area and achieve an appropriate standard of design and external appearance. Proposals to extend village confines, other than on sites specifically identified in the Local Plan, will not be permitted. The following villages will be subject to Policy H10A:**

**Badgers Mount, Brasted, Crockenhill, Halstead, Hartley, Hextable, Horton Kirby, Kemsing, Knockholt, Leigh, Otford, Pratts Bottom, Seal, Sevenoaks Weald, South Darenth, Sundridge and West Kingsdown.**

Category B Settlements

9.30 Policy RS3(a) of the Kent Structure Plan suggests the identification of rural settlements considered to have potential within and adjoining their existing built confines for new residential development in excess of minor development or redevelopment. Following Local Plan studies of the area, the small rural towns of Edenbridge and Westerham have been classified as locations to which Policy RS3(a) should apply.

9.31 At Edenbridge land has been identified in the Local Plan for residential development during the Plan period (Policy H1 refers). Some land on the periphery of Edenbridge has also been safeguarded for possible development in the very long term (Policy SG1A and SG1B refer).

9.32 At Westerham the amount of new development shall be small in scale and geared towards meeting the needs of the local community, commensurate with the size and character of the town and the capacity of its existing infrastructure and services. Therefore,

**H10B Pursuant to Structure Plan Policies H3 and RS3(a), and subject to the availability of appropriate services and infrastructure and the Local Plan's policies for the protection of the Green Belt and the environment, the urban areas of Sevenoaks and Swanley and the small rural towns of Edenbridge and Westerham are considered to have limited potential within and adjoining their built confines for new residential development. Those locations identified for new residential development within the Plan period are shown on the Proposals Map (Policy H1). A certain amount of land**

has also been safeguarded for possible development in the very long term (Policy SG1A and SG1B).

Category C Settlements

9.33 Pursuant to Structure Plan Policy RS3(b), settlements in this category have either a special historical or architectural character or uniqueness of form and layout necessitating very careful control over proposals for infilling, development or redevelopment. Hence,

**H10C Pursuant to Structure Plan Policy RS3(b), in the villages listed below, in addition to the approach set out in Policy H10A, conservation of the built environment and of the appearance of the area is of overriding importance. Proposals for residential development must be of the very highest standard compatible with the character of the area, and will not be permitted if they would damage the setting and visual quality of the area. This policy will apply to the following villages in the Local Plan area:**

**Eynsford, Farningham, New Ash Green, Shoreham.**

Housing Development within Smaller Settlements and in the Countryside.

9.34 The Local Plan area contains many smaller settlements, hamlets and sporadic ribbons of development. These are scattered throughout the countryside and are entirely within the Green Belt. There remains a presumption against permitting new residential development in these locations as well as within the open countryside.

**H11 Beyond the defined extent of those settlements listed in Policy GB1 and shown on the Proposals Map, Policies GB2, GB3A, GB3B and GB4 will apply. Proposals for new residential development will not be permitted unless they specifically meet the criteria set out in Policies H9, H12, H13, H14A and H14B or H15. Proposals in safeguarded areas will be subject to Policy SG1A and SG1B.**

The Conversion and Change of Use of Rural Buildings

9.35 Government advice accepts the re-use of rural buildings for residential purposes subject to stringent safeguards. In the past the re-use of rural buildings for residential purposes has received support from the Government, subject to certain safeguards. In the Green Belt, pressures for this type of accommodation are very strong. However, it is important to ensure that the character and quality of rural areas, especially those designated as Special Landscape Areas are not impaired by a proliferation of ill-designed and poorly located residential buildings. It will also be important to avoid dwellings being created at isolated and unsustainable locations. Therefore,

**H12 The Local Planning Authority will allow the conversion and change of use of oasts, agricultural barns and other buildings in the countryside to residential accommodation where:**

- 1) The conversion will not have a detrimental effect on the fabric and character of an historic farm building or other building possessing a distinctive rural character.**

- 2) The conversion will conserve the structural integrity and rural character of the building including any distinctive features, through the use of local building styles and natural materials.
- 3) The building is capable of conversion and will provide the accommodation required without extension, or demolition and rebuilding.
- 4) The proposed use and its associated curtilage will not detract from the character or setting of the building as a result of any ancillary uses or activities (such as the creation of a domestic garden or car parking areas), where this would be harmful to the openness of the Green Belt and the character of the landscape.
- 5) The use will not generate a level of traffic likely to cause hazards or be detrimental to the rural character of the area.
- 6) The building is in an appropriate location for the intended use.
- 7) The form, bulk and general design of the buildings are in keeping with their surroundings and respect local building styles and materials.

In relation to 3), the submission of a structural survey will be required to demonstrate the soundness of the building. Buildings so derelict that they could only be brought back into use by complete or substantial reconstruction will not be acceptable.

In relation to 4), to safeguard the Green Belt and landscape character, the Local Planning Authority will impose conditions withdrawing permitted development rights to extend or alter the building, or erect ancillary buildings, boundary walls or fences.

The applicant will be expected to supply information that any agricultural building proposed for re-use has previously been used for a legitimate agricultural purpose. The relevant period or periods over which this information will be required are those referred to in the General Permitted Development Order.

The replacement of major elements of the building fabric including foundations, external walls, and roof structure will be considered substantial reconstruction for the purposes of the above policy.

#### Replacement Dwellings

- 9.36 The replacement of an existing dwelling or its extension beyond those limits prescribed in the General Permitted Development Order requires planning permission. In the countryside, outside of the defined confines of the settlements listed in Policy GB1, the maintenance of the open character of the Green Belt and of landscape quality constitute prime objectives. Consequently, whilst any proposals to replace or extend dwellings in the Green Belt will be assessed on their individual merits, relative to the established residential use, weight will be attached to minimising the intrusion of additional built form within the rural scene. Large new buildings or extensions to existing buildings will not be permitted.

9.37 The size of the existing dwelling, and the visual impact of the built form are key factors to be taken into account in assessing the size of the replacement dwelling or any proposed extension. In comparison to these conditions, the size of other properties in the locality or the size of the curtilage are of little significance. The degree of visual impact will be of particular importance within Areas of Outstanding Natural Beauty. Policies H14A and H14B will not apply to new dwellings granted permission as exceptions to Green Belt policies on the basis of very special circumstances enlargements to such dwellings will not be permitted unless further very special circumstances are demonstrated. Therefore,

**H13 Proposals for replacement dwellings in the Green Belt must comply with the following criteria:**

- 1) The existing building is a dwelling and its “original” use has not been abandoned;
- 2) The existing dwelling was designed and originally constructed and occupied for residential use and built on permanent foundations on the site;
- 3) The existing dwelling has a frontage to an existing road from which vehicular access can be obtained or it already has such access and mains water and electricity are available;
- 4) The gross floor area of the replacement dwelling does not exceed the gross floor area of the “original” dwelling by more than 50%;
- 5) The replacement dwelling is well designed, sympathetic to the character of the area and sited and designed so as to minimise visual intrusion into the landscape; particular care will be required within Areas of Outstanding Natural Beauty;
- 6) The existing dwelling on the site is removed before the new dwelling is first occupied or within such period as may be agreed with the Local Planning Authority;
- 7) The proposal strictly adheres to the “original” curtilage which should be clearly defined in the planning application.

For the purposes of Policy H13, the “gross floor area” of the “original” dwelling will be ascertained by external measurement and shall include any garage or domestic outbuilding (incidental to the enjoyment of the dwelling) within the curtilage of the dwelling, if any part of that building lies within 5m of any part of the dwelling. All habitable floorspace of the building will be included which is useable without major reconstruction.

“Original” means the dwelling and domestic outbuildings as existing on 1st July 1948; or if no dwelling existed on that date, then “original” means the dwelling as first built after 1st July 1948, i.e. excluding in either case any extensions or outbuildings built after 1st July 1948, or first completion.

Extension of Existing Dwellings

**H14A** Proposals to extend an existing dwelling in the Green Belt must comply with Policy EN1 and with the following criteria:

- 1) The existing dwelling was designed and originally constructed for residential use and built on permanent foundations on the site;
- 2) The “gross floor area” of the existing dwelling plus the “gross floor area” of the extension does not exceed the “gross floor area” of the “original” dwelling by more than 50%;
- 3) The proposed extension would not facilitate the creation of a separate residential unit;
- 4) The design of the extension is sympathetic and well articulated to the existing dwelling and does not result in a large, bulky or intrusive building in the landscape;
- 5) Extensions to mobile homes and buildings not designed for permanent residential use will not be permitted, neither will proposals to extend a converted dwelling;
- 6) Proposals to extend a replacement of an “original” dwelling will only be permitted if the “gross floor area” of the replacement dwelling plus the “gross floor area” of the extension does not exceed the “gross floor area” of the “original” building by more than 50%.

For the purposes of Policy H14A “gross floor area” of the “original” dwelling will be ascertained by external measurement and shall include any garage or domestic outbuilding (incidental to the enjoyment of the dwelling) within the curtilage of the dwelling, if any part of that building lies within 5m of any part of the dwelling. All habitable floorspace of the building will be included which is useable without major reconstruction.

“Original” means the dwelling and domestic outbuildings as existing on 1st July 1948; or if no dwelling existed on that date, then “original” means the dwelling as first built after 1st July 1948, i.e. excluding in either case any extensions or outbuildings built after 1st July 1948 or first completion.

Outbuildings

9.38 The Courts have held that whether or not an outbuilding can be construed as an extension to a dwelling for the purposes of Government advice in PPG2 is a matter of fact and degree and planning judgement. The Council will consider applications for such development in this way and against the criteria of Policies H14A and H14B.

**H14B** Proposals for the erection of buildings and enclosures within the residential curtilages of dwellings within Areas of Outstanding Natural Beauty, but outside the confines of any town or village, as shown on the Proposals Map, must not conflict with Green Belt Policy and must comply with the following criteria:

- 1) The “gross floor area” of the outbuilding(s) whether individually or cumulatively, plus the “gross floor area” of the existing dwelling and any extension or outbuilding(s) does not exceed the “gross floor area” of the “original” dwelling by more than 50%;
- 2) The total “gross floor area” of the outbuilding(s), whether individually or cumulatively, must not exceed 40 sq. m.;
- 3) The outbuilding should be single storey;
- 4) The outbuilding should be well designed in relation to the dwelling, compatible with the character of the area and designed and sited to minimise visual intrusion; and
- 5) Outbuildings will not be permitted within the curtilages of buildings converted to dwellings.

“Original” means the dwelling and domestic outbuildings as existing on 1st July 1948; or if no dwelling existed on that date, then “original” means the dwelling as first built after 1st July 1948, i.e. excluding in either case any extensions or outbuildings built after 1st July 1948 or first completion.

#### Rural Workers Accommodation

9.39 The general presumption against residential development in the countryside has not in the past applied to agricultural or forestry workers’ dwellings. These were often subject to occupancy conditions which precluded the disposal of the freehold title on the open market. Guidance upon the provision of agricultural and forestry dwellings is contained within Annex E to PPG 7. In the light of this advice, the changing requirements of modern agriculture and forestry and the greater mobility of employees, a more restrictive approach is now considered appropriate.

9.40 In appropriate circumstances, therefore, the Local Planning Authority may seek a legal agreement, preventing the severance of the freehold or leasehold title of the dwelling from that of the total land holding, prior to planning permission being granted. Conditions will be imposed on the planning permission restricting occupancy to agriculture/forestry workers and their direct relatives.

**H15 Before granting planning permission for the erection of an agricultural or forestry worker’s dwelling, there must be a proven need for the dwelling and it must be sited and designed as part of the fixed capital equipment of the holding. Proposals must comply with all of the following criteria:**

- 1) That it is essential for the operation of the holding that the worker, for whom the dwelling is intended, lives on the holding.
- 2) That the dwelling is appropriately located on the holding in relation to its buildings and the wider landscape and is of an appropriate size relative to its function. A new dwelling will be subject to a maximum gross floor area of 120 sq. m.

- 3) That a more temporary type of accommodation (i.e. a caravan or mobile home) is unable to perform a similar and adequate function.

**Conditions will be imposed on permissions granted under this Policy to take away Permitted Development rights for subsequent extensions to ensure that functional requirements are not exceeded.**

Residential Caravan Sites and Mobile Home Parks

9.41 The Local Planning Authority recognises that mobile home parks and residential caravan sites meet a particular requirement and make a contribution to the community's housing needs. However provision within the Green Belt is considered inappropriate. Accordingly proposals to expand existing sites or establish new sites will be resisted. Within the defined confines of the towns and villages set out in Policy GB1 proposals will be assessed against the general policies set out in this Plan.

**H16 Proposals for residential mobile home parks and caravan sites will not be permitted in the Green Belt.**

9.42 The replacement of mobile homes and caravans by permanent dwellings is regarded as inappropriate development in the Green Belt. Elsewhere proposals will be considered on their planning merits taking into account the location, amenity and characteristics of the particular site and the affect on the housing stock of the loss of this type of low cost small unit accommodation.

**H17 Proposals to construct permanent dwellings as replacements for mobile homes or caravans on Green Belt sites, apart from those granted under Policies H18 or H19, will not be permitted. Elsewhere the implications of the loss of this type of low cost accommodation will be a material consideration in the determination of any planning application.**

9.43 The temporary stationing of a residential mobile home or caravan, may be viewed favourably in the context of providing essential accommodation for the operation of an agricultural or forestry holding. This will usually be where a period of residence is required to establish the commercial viability of an ongoing venture, prior to demonstrating a case for a permanent dwelling. Where planning permission is granted, conditions will be imposed restricting the period of stationing, and limiting occupation to persons and direct relatives specifically employed on the holding in question.

**H18 Subject to amenity, location and access considerations, proposals for the temporary location of a mobile home or caravan for residential accommodation, associated with an agricultural or forestry activity, will be permitted where there is a proven need.**

9.44 Mobile homes or caravans may provide temporary accommodation during the period of construction of a new or replacement dwelling. The Local Planning Authority recognises the need that can arise, and such proposals will be viewed sympathetically subject to environmental considerations. The onus however remains with the applicant to demonstrate a genuine need. Where planning permission is granted, conditions will be imposed limiting the stationing of the mobile home or caravan to the period of construction, and requiring removal upon completion of the new dwelling.

**H19 Proposals for the temporary location of a mobile home or caravan for residential accommodation, associated with the duration of construction of a permanent dwelling, will be permitted subject to environmental considerations.**

9.45 In addition, a mobile home or caravan within the curtilage of a dwelling can provide acceptable annexe accommodation, particularly to meet short-term needs. Where planning permission is required, proposals will be viewed favourably subject to appropriate siting close to the main dwelling and to environmental considerations. Proposals for self-contained accommodation, where the occupants are not dependant upon facilities in the main dwelling, will be firmly resisted.

9.46 Policies H16 - H19 do not withdraw the rights conferred on landowners under to the General Permitted Development Order concerning the temporary use of land for the stationing of caravans.

Provision of Sites for Gypsies

9.47 Gypsies are defined in statute as “persons of nomadic habitat of life whatever their race or origin”. Circulars 1/94 and 18/94 provide guidance on the provision of sites for gypsies and the land use, environmental and management issues which may arise.

9.48 As a rule, it is not appropriate to make provision for gypsy sites in Green Belts, Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest. The extent of these designations in Sevenoaks District effectively precludes the identification of permanent public or private sites for gypsies, outside the built-up confines of existing settlements. Proposals for gypsy sites should comply with as many as possible of the criteria in the Policy. It is recognised, however, that not all these criteria will be capable of being met on any one site and a balance will always need to be struck.

9.49 The temporary use of land for transit sites may be permitted, providing there is reasonable compliance with the criteria set out in the Policy and providing the period of occupation does not exceed that permitted under the General Permitted Development Order, for the temporary occupation of land.

**H20 Proposals for gypsy caravan sites should comply with the following criteria:**

- 1) **The location of the proposed site is appropriate in terms of vehicular access and proximity to essential local services such as shops, schools, public transport, medical and social services;**
- 2) **The size of the site and the number and distribution of pitches is appropriate. There will be a preference for appropriately located small sites;**
- 3) **The configuration of the site is satisfactory and its physical containment against unauthorised extension is achievable;**
- 4) **There is an ability to screen caravans and associated activities adequately from surrounding land, through suitable landscaping and screen planting;**
- 5) **The site is not in an exposed position in an Area of Outstanding Natural Beauty or a Special Landscape Area;**

- 6) The site is not within a site of importance for nature conservation and the possibility of damaging the flora and fauna of the surroundings is avoided;
- 7) The proposal does not detract from the amenities or privacy of neighbouring uses; close proximity to residential development should be avoided;
- 8) Mains services for sewerage, water and electricity should be available;
- 9) A safe access to and from the site for vehicles and pedestrians can be secured;
- 10) A concentration of sites in any one parish is avoided;
- 11) The site is suitable for residential purposes and would not prejudice the safety of occupants; and
- 12) The best and most versatile agricultural land is avoided.

**Proposals which would involve the use of land within the Green Belt will be regarded as formal departures from the Local Plan.**

- 9.50 For the purposes of the above Policy, a small caravan site shall be defined as having no more than 4 pitches. A single pitch is assumed to provide space for 2 caravans from within the same family unit. Permissions for private sites will be subject to conditions limiting the occupation of the site to (a) named individual or individuals.

The standards and management of public sites will be in accordance with Kent County Council's approved gypsy policy.

#### Sites for Travelling Showpeople

- 9.51 Circular 22/91 advises that local authorities should bear the needs of showmen in mind in the preparation of Local Plans. Showmen are businessmen who travel the country during the summer months holding fairs. Each autumn showmen and their families return to "Winter Quarters" with their caravans, vehicles and equipment. During the winter they live on these sites where they maintain their fairground equipment.
- 9.52 In recent years there has been a trend for winter quarter sites to become more permanent bases, with some family members staying on site for most of the year, and other, often retired members of the family, looking after equipment not in current use. The mixed nature of these sites, combining residential with storage and maintenance uses, means that they do not fit easily into existing land use allocations.
- 9.53 Sites suitable for this type of activity will be limited in this District due to existing Green Belt and landscape policies. It is also noted that Local Planning Authorities may withdraw permitted development rights from particularly sensitive locations.

- H21 Provided that the proposal is made on behalf of a group currently holding membership of the Showmen's Guild of Great Britain, proposals for sites for travelling showpeople should comply with the following criteria:**

- 1) The location of the proposed site is appropriate in terms of vehicular access and proximity to essential local services such as shops, schools, public transport, medical and social services;
- 2) The size of the site and the number and distribution of pitches is appropriate. There will be a preference for appropriately located small sites;
- 3) The configuration of the site is satisfactory and its physical containment against unauthorised extension is achievable;
- 4) There is an ability to screen caravans and associated activities adequately from surrounding land, through suitable landscaping and screen planting;
- 5) The site is not in an exposed position in an Area of Outstanding Natural Beauty or a Special Landscape Area;
- 6) The site is not within a site of importance for nature conservation and the possibility of damaging the flora and fauna of the surroundings is avoided;
- 7) The proposal does not detract from the amenities or privacy of neighbouring uses; close proximity to residential development should be avoided;
- 8) Mains services for sewerage, water and electricity should be available;
- 9) A safe access to and from the site for vehicles and pedestrians can be secured;
- 10) A concentration of sites in any one parish is avoided;
- 11) The site is suitable for residential purposes and would not prejudice the safety of occupants; and
- 12) The best and most versatile agricultural land is avoided.

Proposals which would involve the use of land within the Green Belt will be regarded as formal departures from the Local Plan.