



## **EXEMPT ITEMS**

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

**If you wish to speak in support or against a planning application on this agenda, please call the Council's Contact Centre on 01732 227000**

For any other queries concerning this agenda or the meeting please contact:  
The Democratic Services Team (01732 227241)

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk) or speak to a member of the Democratic Services Team on 01732 227350 by 5pm on Monday 30 June 2012.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 12 June 2014 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice Chairman)

Cllrs. Mrs. Ayres, Bosley, Clark, Cooke, Gaywood, McGarvey, Orridge, Mrs. Parkin, Miss. Stack and Walshe

Apologies for absence were received from Cllrs. Brookbank, Brown, Edwards-Winsler, Firth, Neal and Underwood

Cllrs. Ayres, Mrs. Dawson, Fleming and Piper were also present.

10. Minutes

Resolved: That the minutes of the Development Control Committee held on 20 May 2014, be approved and signed by the Chairman as a correct record.

11. Declarations of Interest or Predetermination

Councillor Raikes declared that he had an interest in SE/14/00188/FUL – Land West of 9 Mount Harry Road, Sevenoaks TN13 3JJ as a member of Sevenoaks Town Council and had referred this item to Committee. He declared that he would not take part in the debate or vote thereafter but would remain and listen to the debate.

Councillor McGarvey declared an interest in Tree Preservation Order (TPO) No.18 of 2013 Located at Land to the North of Sydenham Cottage, Sparepenny Lane, Enysford in that he knew the neighbour.

Councillor Cooke declared an interest in Tree Preservation Order (TPO) No. 4 of 2014 Located at Mapleton House, Mapleton Road, Four Elms and that he was friends with some of the residents, but did not take part in the debate or vote.

12. Declarations of Lobbying

Councillors Cooke, Orridge, Mrs. Parkin and Miss. Thornton declared that they had been lobbied in respect of Minute 13 Tree Preservation Order (TPO) No. 4 of 2014 located at Mapleton House, Mapleton Road, Four Elms.

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement the Chairman proposed to bring forward agenda items 5.1 and 5.2.

## Agenda Item 1

### Development Control Committee - 12 June 2014

#### Tree Preservation Orders

13. Tree Preservation Order (TPO) No 4 of 2014 Located at Mapleton House, Mapleton Road, Four Elms

The Tree Preservation Order related to an area that protected a mixed species woodland through the grounds at Mapleton House, Mapleton Road, Four Elms.

The Tree Preservation Officer advised that concerns had been raised over tree felling. He advised that on investigation some felling had taken place but the work was of good management as it allowed more light and better expansion of the stronger trees. In response to questions he confirmed that if the Tree Preservation Order was not confirmed it would not stop one being put on in the future, and a licence from the Forestry Commission would be required to fell all the trees.

Resolved: That the Tree Preservation Order No 4 of 2014 not be confirmed.

14. Tree Preservation Order (TPO) No. 18 of 2013 Located at Land to the North of Sydenham Cottage, Sparepenny Lane, Eynsford

The Tree Preservation Order related to several trees situated at land to the North and East of Sydenham Cottage, Sparepenny Lane, Eynsford. The trees were protected following a request from a concerned local resident after the site had been partially cleared by the owner. The trees were situated in a location that could be seen from the main road and neighbouring dwellings. One objection to the Tree Preservation Order had been received from the landowner on the grounds that the order was unnecessary as he intended to retain all the trees listed within schedule 1 within the agenda papers with the exception of the Elm and Ash trees as they restricted access to the site.

Resolved: That the Tree Preservation Order No 18 of 2013 be confirmed without amendments.

#### Reserved Planning Applications

The Committee considered the following planning applications:

15. SE/14/00188/FUL - Land West Of 9 Mount Harry Road, Sevenoaks TN13 3JJ

The application sought permission for the erection of a five bedroom detached dwelling with integral garage. The item had been deferred at the May meeting to allow clarification from the Highways Authority on matters previously raised and whether their concerns had been satisfied.

Members' attention was brought to further information contained within the late observations sheet but did not propose any amendments or changes to the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	David Alcock
For the Application:	Mark Batchelor
Parish Representative:	-

Local Members: Cllr. Fleming and Cllr. Dawson

Members asked questions of clarification from the Speakers and Officers. The case Officer confirmed that the application in 2010 had been recommended for approval but was unclear on the application in 2009. It was confirmed that a condition for soft landscaping could be included to ensure that the hedging was kept.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission subject to conditions be agreed.

Members expressed concern that the proposed property would have a detrimental impact on the street scene. It would be out of character as there were no other three storey properties in the area and the bulk of the property would result in a lack of usable amenity space for both properties. Members noted that the Sevenoaks Residential Character Area Assessment had been adopted since the previous appeal decision which provided more detailed guidance on the characteristics of the area and the type of development that would be acceptable than was available at the time of the previous decision. There appeared to be sufficient changes in planning policy to justify a different decision from when the Planning Inspector considered it in 2011.

The motion was put to the vote and it was lost.

It was moved by Cllr. Miss. Thornton and duly seconded that planning permission be refused on the grounds that the application did not comply with the Residential Character Area Assessment SPD, the lack of amenity space for both properties, and the negative impact of existing neighbours.

The motion was put to the vote and it was unanimously

Resolved: That planning permission be REFUSED for the following reasons:

- 1) The proposal would harm the character and appearance of the street scene. This is due to the fact that the large bulk, size and scale of the proposed house would have a dominant and overbearing effect on the street scene and on neighbouring properties. In addition, the size of the plot does not compare with others in the locality and together with the large size of the proposed dwelling would result in a cramped development. This conflicts with policy SP1 of the Core Strategy, EN1 of the Local Plan and the Sevenoaks Residential Character Area Assessment Supplementary Planning Document adopted in 2012.
- 2) The proposal would result in both the new property and the existing property, 9 Mount Harry Road, being left with insufficient amenity space, exacerbated by the substantial size of the Horse Chestnut tree to the rear of the site, which is covered by a Tree Preservation Order. The development would therefore result in an unsatisfactory environment for current and future occupants of No.9 and the new property. This conflicts with policy EN1 of the Local Plan.
- 3) The proposal would lead to a requirement to contribute towards affordable housing provision. In the absence of a completed Section 106 obligation to

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secure an appropriate level of affordable housing provision, the development would be contrary to policy SP3 of the Core Strategy.

#### 16. SE/14/00622/HOUSE - Kursella, Sevenoaks Road, Otford, Sevenoaks TN14 5PA

The proposal sought permission for the erection of a first floor extension to the north elevation, a one and a half storey extension to the south elevation to provide a garage with accommodation in the roof, part two storey and part single storey extensions to the rear, alterations to the roof and a loft conversion, the addition of a pitched roof dormer window and roof light to the rear roof slope and two pitched roof dormer windows in the front roof slope alterations to the fenestration and a front canopy porch. The application had been referred to Committee at the request of Councillor Ms. Lowe for reasons cited by the Parish Council which Councillor Ms. Lowe agreed with.

Members attention was brought to the main agenda papers and the late observations sheet which included an additional condition. It was noted that a Members' Site Inspection had been held.

The Committee was addressed by the following speakers:

Against the Application:	Philip Gardener
For the Application:	Richard Owen
Parish Representative:	Martin Whitehead
Local Member:	Cllr. Ms. Lowe

Members asked questions of clarification from Members and Officers. The Case Officer confirmed there were existing dormer windows in the property.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission subject to conditions be agreed.

It was brought to Members attention by the Planning Manager that the Otford Village Design Statement had not been adopted and that the application could not be refused on those grounds. Some Members thought the design was not cohesive with other properties in the area and that it would create an unbalanced street scene with the appearance of terracing, and be a reduction of light into the neighbouring property due to the bulk of the extension. Members discussed whether the design would breach planning guidelines as the road had mixed architectural styles.

The motion was put to the vote and was lost.

It was moved by Cllr. Stack and duly seconded that planning permission be refused on the grounds that the side extension and dormers would have a detrimental impact on the street scene and with the appearance of over development and have an adverse impact on the neighbouring properties.

The motion was put to the vote and it was

Resolved: That planning permission be REFUSED for the following reasons:

The proposed development, by reason of the addition of dormer windows in the front facing elevation at two storey level would result in an uncharacteristic form of development which would fail to respect the character and appearance of the existing and neighbouring dwellings and together with the one and a half storey extension to the south elevation would result in a cramped form of development that will be detrimental to character of the street scene and have an overbearing impact when viewed from the first floor bedroom window in the side elevation of the neighbouring dwelling Rhylock to the detriment of the amenities of the occupants therein. As such the proposal would be contrary to policy EN1 of the Sevenoaks Local Plan and policy SP1 of the Sevenoaks Core Strategy

17. SE/14/00744/HOUSE - 48 Willow Park, Otford, Sevenoaks TN14 5NF

The application sought permission for the erection of two storey side and part rear extension, pitched roof to porch to replace existing flat roof. The application had been referred to Committee at the request of Councillor Ms. Lowe who agreed with the objections raised by Otford Parish Council in response to the application and stated that in this instance although the rear elevation was lower than the existing roof-line, the front elevation had the same roof-line as the existing house, thereby impacting on the visible bulk of the building. The width of the building had increased by 50% of the original building and would be the only building in that vicinity to have undergone such a transformation/extension.

The Committee was addressed by the following speakers:

Against the application:	-
For the application:	-
Parish Representative:	Martin Whitehead
Local Member:	Cllr. Ms Lowe

Members asked questions of clarification from the Speakers and Officers. The Case Officer could not confirm whether other properties in the area were flush or set back as far as she was aware there was a mixture of properties styles.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant permission, be agreed.

Members noted that there had been no objections from the neighbours and that the look and feel of the property was consistent with other properties in the area. Members noted the comments made by Otford Parish Council.

The motion was put to the vote and it was

Resolved: That planning permission be GRANTED subject to the following conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

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- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1402/01

For the avoidance of doubt and in the interests of proper planning.

- 3) The materials to be used in the construction of the development shall be those indicated on the approved plan 1402/01.

To ensure that the appearance of the development is in harmony with the existing character of the building and the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 4) At the time of development, the first floor window in the side elevation shown as serving the bathroom shall be fitted with obscured glass of a type that is impenetrable to sight and shall be non opening up to a minimum of 1.7 metres above the internal finished floor level and shall be so retained at all times.

To safeguard the privacy of neighbouring residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 5) The extensions hereby permitted shall not be used or occupied until adequate provision has been made within the front of the application site for the parking of 2 vehicles on a permeable surface or on a surface which has adequate run off to a permeable surface. The parking shall be retained for parking purposes in association with the dwelling at all times.

To ensure adequate provision for off road parking in accordance with policy VP1 of the Sevenoaks Local Plan.

#### Informative

- 1) With regards to the removal of the existing garage, the applicant is advised that the Party Wall Act 1996 which provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavations near neighbouring buildings may apply.

THE MEETING WAS CONCLUDED AT 8.53 PM

CHAIRMAN

4.1 – SE/14/00493/HOUSE Date expired 20 May 2014

PROPOSAL: Retention of dormer roof extension on side (eastern) roof slope comprising second floor bathroom (retrospective).

LOCATION: 22 St. Botolphs Avenue, Sevenoaks TN13 3AL

WARD(S): Sevenoaks Town & St Johns

**ITEM FOR DECISION**

This planning application has been referred to Development Control Committee at the request of Councillor Fleming and Councillor Mrs Dawson on the basis of possible Enforcement implications and the peculiar arrangement of the property.

**RECOMMENDATION:** That planning permission be REFUSED for the following reasons:-

The retention of dormer roof extension, by virtue of its siting, large box appearance and scale has a detrimental impact upon the character and appearance of the existing dwelling and wider street scene. The development therefore conflicts with the provisions of saved Policy EN1 and H6B of the Sevenoaks District Plan, Policy SP1 from the Sevenoaks Core Strategy, the Sevenoaks Residential Character Area Assessment and the Sevenoaks Residential Extensions Supplementary Planning Document.

**Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

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- 1) Working in line with the NPPF, the application was refused as the proposal failed to improve the economic, social or environmental conditions of the area.

### Description of Proposal

- 1 This is a retrospective planning application to retain flat roof dormers on the front eastern roof slopes of an end of terraced property. The dormers provide for additional accommodation through the provision of a third bedroom and a bathroom on the second floor of the property.
- 2 The dormers include two windows in the south elevation, as well as a window in the east elevation, which will be obscured glazed, as it serves the bathroom.
- 3 The cheeks of the dormers have been finished in dark brown vertical hanging tiles.
- 4 The application follows enforcement investigations and a refused Lawful Development Certificate application to retain the dormers, as the works required planning permission.

### Description of Site

- 5 The application site lies within the built confines of Sevenoaks, midway down St Botolphs Avenue, as it turns the corner. The properties in this road are two storey Edwardian terraced houses. The application property is the corner house. The front door lies onto the eastern elevation of the house and faces directly onto St Botolphs Avenue.

### Policies

#### *Sevenoaks District Local Plan*

- 6 Policies - EN1 & H6B

#### *Sevenoaks Core Strategy*

- 7 Policy - SP1

#### *Other*

- 8 Allocations and Development Management Plan – EN1
- 9 NPPF
- 10 Supplementary Planning Guidance ‘Residential Extensions’
- 11 Sevenoaks Residential Character Area Assessment

### Planning History

- 12 SE/14/02001/LDCEX: Extension and conversion of attic into bedroom and bathroom with rooflight and window to East elevation and dormer to South

Elevation, part removal of chimney stack on East elevation. Refused on the 18<sup>th</sup> September 2014. Appeal pending

SE/14/02002/LDCPR: Proposed loft conversion with dormer either side of main roof, removal of part of chimney stacks. Refused on the 9<sup>th</sup> September 2013.

SE/97/02124/HIST: Formation of hard standing for parking in existing garden area. Approved on the 9<sup>th</sup> December 1997.

### Consultations

Sevenoaks Town Council:

13 Recommended approval.

### Representations

14 Four letters of support have been received from local residents covering the following matters:

- Development is not intrusive;
- Will not detract from the visual amenity of the locality;
- Works are not visible from the rest of the street;
- Constructed from sympathetic materials;

### **Chief Planning Officer's Appraisal**

15 The main issues for Members to consider with this application are whether the development has resulted in harm to the character and appearance of existing property and street scene and whether the development has resulted in the loss of residential amenity to nearby dwellings.

#### *Impact upon the character and appearance of the area*

16 Policy SP1 from the Sevenoaks Core Strategy which states 'All new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated'.

17 Saved Policy EN1 of the Sevenoaks District Local Plan states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. This policy also states: "*the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard and that the proposed development should not have an adverse impact on the privacy and amenities of a locality.*"

18 Saved policy H6B of the Sevenoaks District Local Plan requires development to be subject the principles of Appendix 4. The Appendix states in relation to loft and roof space extensions that they "*should not exceed the ridge height of the existing building or create the appearance of an extra storey which would be unsympathetic to the character of the area*".

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- 19 In addition, draft policy EN1 of the Sevenoaks Allocations & Development Management Plan now has moderate weight. It states that the form of the proposed development would respond to the scale, height, materials and site coverage of the area.
- 20 As such these policies require that new development to be in harmony with the locality. The large box dormers on the property are not in keeping with the simple and clearly defined character of the existing building or indeed the street scene. The dormers are highly visible from the street and quite clearly create the appearance of an extra storey to the detriment of the character of the existing dwelling and local area and as such are contrary to the above policies.
- 21 The Sevenoaks Supplementary Planning Document 'Residential Extensions' provides advice on dealing with dormers, stating "*large dormers/roof extensions requiring planning permission, which are disproportionate to the house, will not be allowed*" and "*new dormers will not allowed to front elevations in streets where there are none already.*"
- 22 The flat roofed box dormers are extremely large and extend to within 0.3m of the ridge and to within 0.2m of the eaves line. They completely dominate the roof profile of the house. They are entirely disproportionate and significantly detract from the character and appearance of the original end of terrace Edwardian property, as well of the wider visual amenity of the locality. The former roof is completely lost under the dormers.
- 23 The document also states that dormer windows should be *set in line with existing doors and windows in the original house*. The large window on the southern elevation does not match the existing first or ground floor fenestration or alignment.
- 24 The Supplementary Planning Guidance document Sevenoaks Residential Character Area Assessment (SRCAA) states that, in proposing new development within the St Botolphs Character Area: "*Regular building lines and unified simple roof lines presented to the street should be respected. The harmonious palette of red brick or render and original tile roofs should be respected.*"
- 25 Given the location of the dwelling on the corner of St Botolphs Avenue, the dormers are very prominent within the street scene. Their scale dominates the roof and the once simple roof line, which is highlighted in the SRCAA has been completely lost, to the detriment of the character of the local area in such a prominent position.
- 26 It should also be noted that the SRCAA states the palette materials in this location is red brick, render or original roof tiles. None of these materials have been used on the dormers as constructed, as brown vertical hanging tiles have been used, which do not match the original roof tiles used on the properties in Botolphs Avenue.
- 27 Reference has been made to dormers that have been approved within the street scene, for example at No's 13 and 10 St Botolphs Avenue, both of which were permitted development as single rear dormers and not visible the street. A further single dormer was approved at No.5, but again this was a rear dormer which was not visible from the street or public vantage points. None of these cases are comparable as to their location or visual presence within the street.

Nor were they of the size or scale, as just single dormers, rather than the double dormers that have been erected at 22 St Botolphs Avenue.

- 28 Therefore it quite apparent that the dormers do not comply with saved policies EN1 & H6B of the Saved SDLP, the Residential Extensions SPD and the Sevenoaks Residential Character Area Assessment.

### *Impact upon residential amenity*

- 29 Policy EN1 from the Sevenoaks District Local Plan states that the proposed development does should not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements.
- 30 Given the position of the dormers in the roof they will not result in the loss of any background daylight, sunlight or outlook to neighbouring properties.
- 31 The east elevation of the dormer has a window serving a bathroom which will be obscure glazed and in any event does not look over any private amenity space of neighbouring properties.
- 32 The south elevation features two sets of windows serving the bathroom and a bedroom which will look onto the flank wall of 23 St Botolphs Avenue. There are no windows habitable rooms on the neighbours flank wall, so there will be no direct inter-looking between the two properties.
- 33 I do have concerns that these dormers will overlook the private amenity space of No.23 St Botolphs Avenue, which is defined as the 5m closest to the rear elevation of the property. Whilst the dormers will clearly overlook this private garden area, I acknowledge that the existing first floor windows in the south elevation already overlook this private area and are marginally closer. So even though there will be more windows overlooking the private garden area, on balance given this garden is already overlooked, it is not considered that the dormers will not result in a significantly greater harm to the privacy of 23 St Botolphs Avenue than the existing situation.
- 34 Therefore this development does not result in the loss of residential amenity to neighbouring properties of any neighbour, and as such complies with saved policy EN1 (3) which deals with residential amenity.

### *Highways*

- 35 The development results in the provision of additional bedroom, taking the number of bedrooms up to three. In this edge of centre location, there is no requirement to provide any additional parking spaces when the number of bedrooms increases from 2 to 3. Therefore the development does not result in any hazardous highway conditions.

### Other Issues

- 36 Members will note that there is a pending appeal against the existing Lawful Development Certificate for the retention of the dormers. The applicant does not consider the eastern elevation to be the front and principal elevation of the property, rather they consider it to be north elevation.

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- 37 Whilst this is a matter for the Planning Inspectorate to consider, I would point out, that the main front entrance door to the property lies on the eastern front elevation, ie, the same as the dormers. At the time when the dormers were erected the house sign/number was also erected on the east elevation and the pedestrian access to the front door was also directly to the east. This east elevation also features a bay window and quite clearly is the front elevation of this property. Photographs will be reproduced in the officers' presentation to clarify this matter.
- 38 I note that the applicant has since blocked up the pedestrian access to the east as well as removing a section of hedgerow which previously connected to the north elevation of the house, so there was no previous direct access. The applicant has also erected a gate and relocated the house sign/number on the north elevation. This does not change the fact that the east elevation is still the principal elevation and fronts onto the road.
- 39 Should this application be refused, further enforcement investigations and action will recommence.

### **Conclusion**

- 40 In light of the above considerations, the development results in significant harm to the appearance of the dwelling as well as detracting from the visual amenity of the local area. As such the development is contrary to saved policies EN1 and H6B of the Sevenoaks District Plan, policy SP1 from the Sevenoaks Core Strategy, the Residential Extensions SPD and the Sevenoaks Residential Character Area Assessment.

### Recommendation

- 41 That Planning Permission is refused.

### **Background Papers**

Site and Block plans

Contact Officer(s): Aaron Hill Extension: 7399

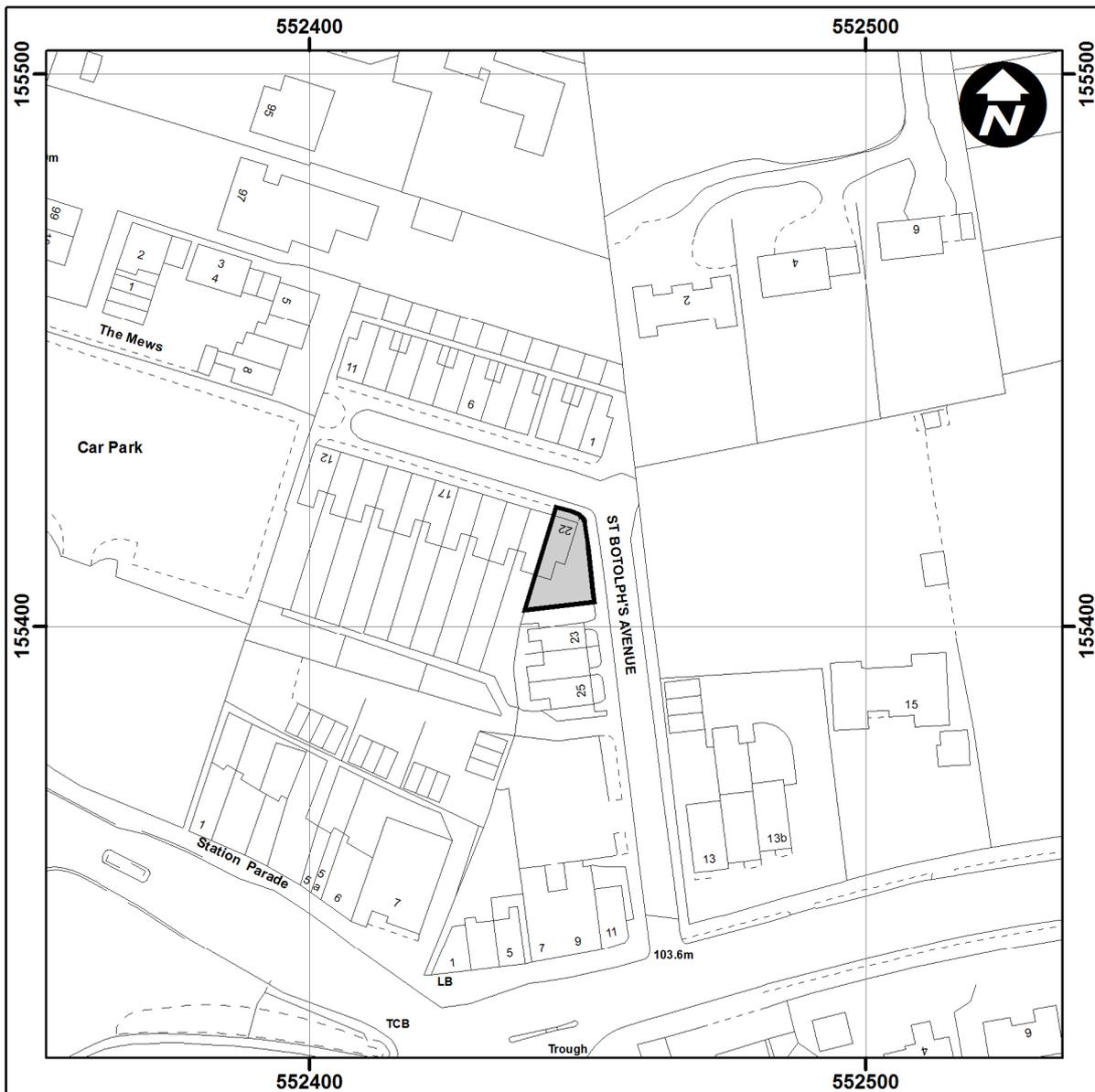
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N18H5KBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N18H5KBK8V000>



# Site Plan

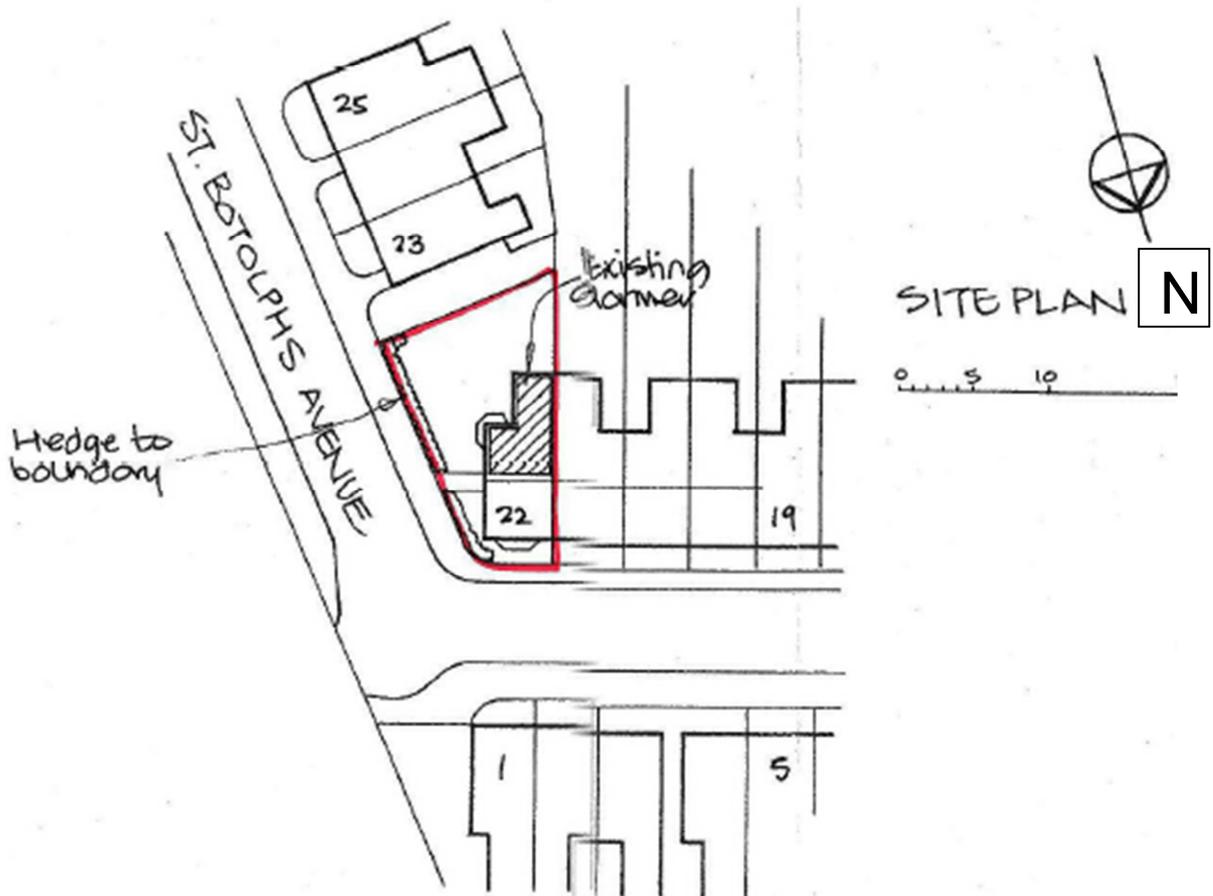
Scale 1:1,250  
Date 17/06/2014



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Sevenoaks District Council, 100019428, 2013.

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Block Plan



4.2 – SE/14/01056/HOUSE Date expired 18 June 2014

PROPOSAL: Demolition of existing two storey side extension and erection of a new two storey side extension.

LOCATION: Chartmoor, Brasted Chart, Westerham TN16 1LU

WARD(S): Brasted, Chevening And Sundridge

**ITEM FOR DECISION**

The application has been referred to Development Control Committee by Councillor Firth to consider whether the proposals would result in loss of amenity to the neighbouring occupiers, loss of openness to the Green Belt or harm to the street scene.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

To ensure that the appearance of the development is in harmony with the existing character of the house as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No window(s) or other opening(s) shall be inserted at any time in the southern flank elevation(s) of the extension hereby approved, despite the provisions of any Development Order.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: P-01, P-02, P-03 A, P-04 B, P-05 and P-06 A.

For the avoidance of doubt and in the interests of proper planning.

**Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,

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- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Did not require any further assistance as the application was acceptable as submitted.

### Description of Site and location

- 1 The application site accommodates a large detached, 2 storey, Victorian dwelling set within large gardens which extend to the front and rear. The house is “L” shaped in form, with a single storey extension running along the southern boundary of the site, in turn attached to a modest 2 storey outbuilding. For planning purposes, much of the building appears to be in “original” form (as appears on 1888-1949 OS map, though outbuilding is detached at that time).
- 2 The white painted brick house, which fronts the main road, is set under a fully hipped slate roof. To the southern flank, the house has been extended (possibly original) by a 1 ½ storey side extension set under a catslide roof terminating on the party boundary with Uplands, where the eaves height is approximately 3.2m. Within the roof to this side extension are 2no. 1<sup>st</sup> floor bedrooms, though clearly with reduced headroom. Each room is served by a small window in the front/rear elevation, with rooflights above.
- 3 The immediate area is generally characterised by large houses set within spacious and well foliated gardens, with the larger detached houses generally set back from the road frontage with planting along their front boundaries. Nevertheless, glimpses of the buildings can be gained from the street. The gaps around the detached houses are a feature of the street scene, though I would note that both Chartmoor and Uplands are somewhat at odds with this character because they both abut their party boundary.

### Description of Proposal

- 4 The present application has been submitted seeking to overcome the reasons for refusal on an earlier submission which was recently dismissed at appeal (SE/13/02997/FUL refers). That submission sought to raise the height of the flank wall to the existing side extension up to the eaves level of the house (5.6m) and add a full hipped roof above to match the existing house.

- 5 The present proposals also relate to the existing side extension to the southern elevation. However, it is now proposed to extend the flank by 1.25m vertically with a new pitched roof above to tuck under the eaves of the existing house. This would raise the height of the flank wall from 3.2m to 4.7m. New full-size windows are proposed to the front and rear elevations in place of the small ones now in situ. Two replacement rooflights are proposed above the extension.

### Constraints

- 6 Green Belt and Area of Outstanding Natural Beauty.

### Policies

#### *Sevenoaks District Local Plan -*

- 7 Policies - EN1, H6B, H14A and VP1.

#### *Sevenoaks Core Strategy:*

- 8 Policies - SP1 and L08.

#### *Allocations and Development Management Plan (ADMP) (Draft)*

- 9 Policies - EN1, EN2, GB1.

### *Other*

- 10 National Planning Policy Framework (NPPF)

### Planning History

- 11 SE/13/02997/FUL: Demolition of existing 2 storey side extension and erection of a new 2 storey side extension. Refused on 13.2.14 on the following:

“The proposed first floor extension, by reason of its siting, size, height and design and proximity to the neighbouring house, would

1) represent an unacceptable form of development which would fundamentally alter the relationship between the application dwelling and the neighbouring house to the detrimental of the spatial character of the area and also the street scene; and

2) seriously detract from the residential amenities presently enjoyed by the occupiers of the neighbouring house.

As such the proposals are contrary to Government advice in the form of the National Planning Policy Framework and policies EN1, H6B and H14A of the Sevenoaks District Local Plan and policies SP1 and L08 of the Sevenoaks District Core Strategy Development Plan Document.”

- 12 Appeal against the above decision was DISMISSED on 25.4.14. A copy of the decision is attached as Appendix A.

### Consultations

## Agenda Item 4.2

### *Brasted Parish Council:*

- 13 Brasted Parish objects to this application because:
1. Not all the buildings are shown on the plan. In particular it does not show that the property is joined to the neighbouring house (Uplands);
  2. Although this appears to be an improvement on the previous application it does not fully address our concerns about bulk and spatial character or access to light for the neighbour's kitchen. The eave level still appears to be approximately 1.5 m higher than the existing level.

### Representations

- 14 A letter has been received from the neighbouring resident raising the following objections:
- The drawings fail to indicate the adjoining property to the south.
  - The increased height of the wall would erode the gap between the properties.
  - Loss of light to kitchen and utility room and indirectly into living room.
  - Overlooking from rear window.
  - Angle of roof to side extension will not reflect the existing house and will detract from it.

### **Chief Planning Officer's Appraisal**

#### Principal issues

##### *Green Belt Implications:*

- 15 Current Government advice, in the form of the **National Planning Policy Framework**, supports the protection of the Green Belts and seeks to restrict development.
- 16 The advice states that there is a general presumption against inappropriate development within the Green Belt. Such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt.
- 17 Paragraph 79 of the NPPF states that "The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." Paragraph 89 states that a LPA should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 18 Policy H14A provides a local interpretation on what is an appropriate extension to dwellings within the Green Belt. It lists a number of criteria with which extensions to dwellings within the Green Belt must comply. This includes the criteria that the "gross floor area" of the existing dwelling plus the "gross floor area" of the extension must not exceed the "gross floor area" of the "original" dwelling by

more than 50%. The design of the extension should also be sympathetic and well articulated.

- 19 In this instance, though some of the outbuildings may not originally have been habitable, it is likely that they were in habitable use since 1948. In any event, for the purposes of policy, I consider all buildings may be counted as “original”. In any event, the present proposals do not result in an increase in floor space as such, but would slightly increase the height of the roof to provide better head-room.
- 20 The key issue therefore, in my view, is the impact on openness. In this regard, I would note that no objection was raised in Green Belt terms to the previous submission at either officer level or by the Inspector in determining the previous appeal, which would have resulted in a greater increase in size and bulk. In the circumstances, I am satisfied that the modest increase in bulk and mass resultant from the proposals would represent a proportionate addition over and above the size of the original building and would therefore represent appropriate development within the Green Belt.

*Size, bulk, design and impact on street scene and neighbouring occupiers:*

- 21 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criteria 1 states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. Policy H6B of the SDLP states that residential extensions shall be subject to the principles in Appendix 4. Amongst other things, Appendix 4 states that the extension itself should not be of such a size or proportion that it harms the integrity of the design of the original dwelling or adversely affect the street scene.
- 22 Criteria 3) of policy EN1 of the SDLP states that the proposed development must not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements. Appendix 4 to H6B also states that proposals should not result in material loss of privacy, outlook, daylight or sunlight to habitable rooms or private amenity space of neighbouring properties, or have a detrimental visual impact or overbearing effect on neighbouring properties.
- 23 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- 24 The key issue in the consideration of the previous application was considered to be the scale of the proposals, particularly the increased height of the flank wall with full hipped roof above, the setting of the house within its plot, the relationship with the neighbouring properties and the setting of the buildings within the street scene, all of which was considered to form part of the wider context within which the existing house is set.
- 25 It was my conclusion previously that the particular relationship between Chartmoor and uplands, most notably the gap at first floor level, was a distinctive feature which helped define the separation and distinctiveness of these 2 individual dwellings. Because of the size of the extension it was considered the

## Agenda Item 4.2

gap between the buildings would be significantly eroded, to the detriment of the street scene. This conclusion was accepted by the Inspector in dismissing the recent appeal.

26 However, the present submission, in my view, proposes a considerably reduced scale and bulk. The boundary wall is still increased in height, however, it would remain well below the eaves level of the existing house. Most importantly, the roof above it would comprise a very low pitch that would also remain below the eaves of the house. In the circumstances, viewed from the street, I do not consider the modest increase in the size of the existing side extension would significantly impact the street scene. In my view, the gap between the 2 dwellings would not be materially eroded. I note that the pitch of the roof would not reflect that of the main house, but do not consider this represent an unduly discordant design and the extension would remain clearly subservient to the existing house. I therefore consider the scale of the proposals and the consequent impact on the amenities of the street scene to be acceptable.

27 The key issue, in my view, is the impact on the neighbouring occupier at Uplands.

29 In considering the recent appeal, the Inspector commented on the impact on Uplands as follows:

“8. I note from the representations that flank windows facing the appeal site at Uplands include a kitchen window, a high-level ground floor lounge secondary window and a first floor bathroom window. In addition, there are velux windows in the covered walkway/utility area. I have not visited Uplands and thus have not been able to assess the accuracy of this information with regard to the internal arrangement of the dwelling. Nevertheless, due to the bulk and siting of the proposed first floor extension, it would unacceptably block the amount of daylight received through these windows. Whilst most of the side windows do not appear to be to habitable rooms, I do consider that the proposed first floor extension would significantly alter the natural light levels within this neighbouring dwelling, to the detriment of occupiers. The cumulative loss of light and consequential overbearing effect of the proposed first floor side extension would have an adverse effect on the living conditions of these neighbours.

9. A larger window would replace an existing small window in the rear elevation. Views of the patio area and part of the rear garden of Uplands are clear from the existing small window. The proposed larger window, due to its position and size, would not significantly increase this level of overlooking. Therefore, I do not consider that the proposed larger window in this position would materially adversely affect the level of privacy for residents at Uplands when using their rear garden.”

30 I have the benefit of having viewed Uplands internally.

Uplands has been extended to its northern flank at ground floor level so that it abuts the party boundary. This single storey element has several rooflights. To the front northern corner there is a small kitchen set slightly away from the boundary. This has a window in the north flank facing the proposals. From these vantage points the extended height of the flank wall would be visible. However, I do not consider the impact would appear seriously overbearing. Furthermore, none of these rooms are habitable and thus the impact on them cannot be accorded the weight that a living room, dining room or bedroom would. I note also that a side

window to the rear living room at Uplands would be affected; however this already faces into their own utility room addition. The main outlook and source of light from this room is towards the rear garden. Furthermore the kitchen has a large front window. I note too that Uplands has a large first floor window facing towards the southern flank of Chartmoor. However, this serves a bathroom, the outlook from which would be over and above the roof to the proposals. I would also note that the Inspector did not consider the larger rear window “would materially affect the level of privacy” of Uplands.

- 31 Bearing in mind the precise siting and relationship between the application property and Uplands, I consider the relatively modest increase in the height of the proposed flank wall and the overall scale of the proposed extension would be acceptable.
- 32 In the circumstances, it is my conclusion that the proposals in their current form to represent a significant improvement over the refused scheme. I do not consider the proposals would appear unduly overbearing or result in significant loss of light such as to warrant refusal on the grounds of adverse impact on residential amenity. To ensure that levels of privacy are maintained, I would propose to attach a condition to prevent the insertion of new windows in the southern flank elevation of the extension.
- 33 There are no other neighbouring properties which would be directly affected by the proposals.

### *Impact on Area of Outstanding Natural Beauty:*

- 34 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 35 Section 85 of that Act requires decision-makers in public bodies, in performing any function affecting land in an Area of Outstanding Natural Beauty, to have regard to the purpose of conserving and enhancing the natural beauty of that area.
- 36 Core strategy L08 refers to the extent of the Green Belt will be maintained. The countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible.
- 37 The Council raised no objection regarding the impact of the previous proposals on the AONB. Neither was an objection raised by the Planning Inspector.
- 38 Bearing in mind the footprint of the building would not be extended, the bulk would not be significantly increased and the extension would be seen in the context of other buildings on the site and nearby, I do not consider the proposals would have a significant impact or harm the natural beauty or the open character of the wider AONB.

### Access issues

- 39 Access remains unchanged and there is substantial parking on site.

## Agenda Item 4.2

### **Conclusion**

- 40 In light of the above, I consider the proposals would not significantly increase the size of the building and would represent a relatively modest and unobtrusive form of development which would preserve the amenities of the street scene and not result in an unduly detrimental impact on the amenities of the neighbouring occupiers. I therefore consider the proposals meet the requirements of the relevant summarised policies above.
- 41 I would therefore recommend approval be granted.

### **Background Papers**

Site and Block plans

Contact Officer(s): Mr J Sperryn Extension: 7179

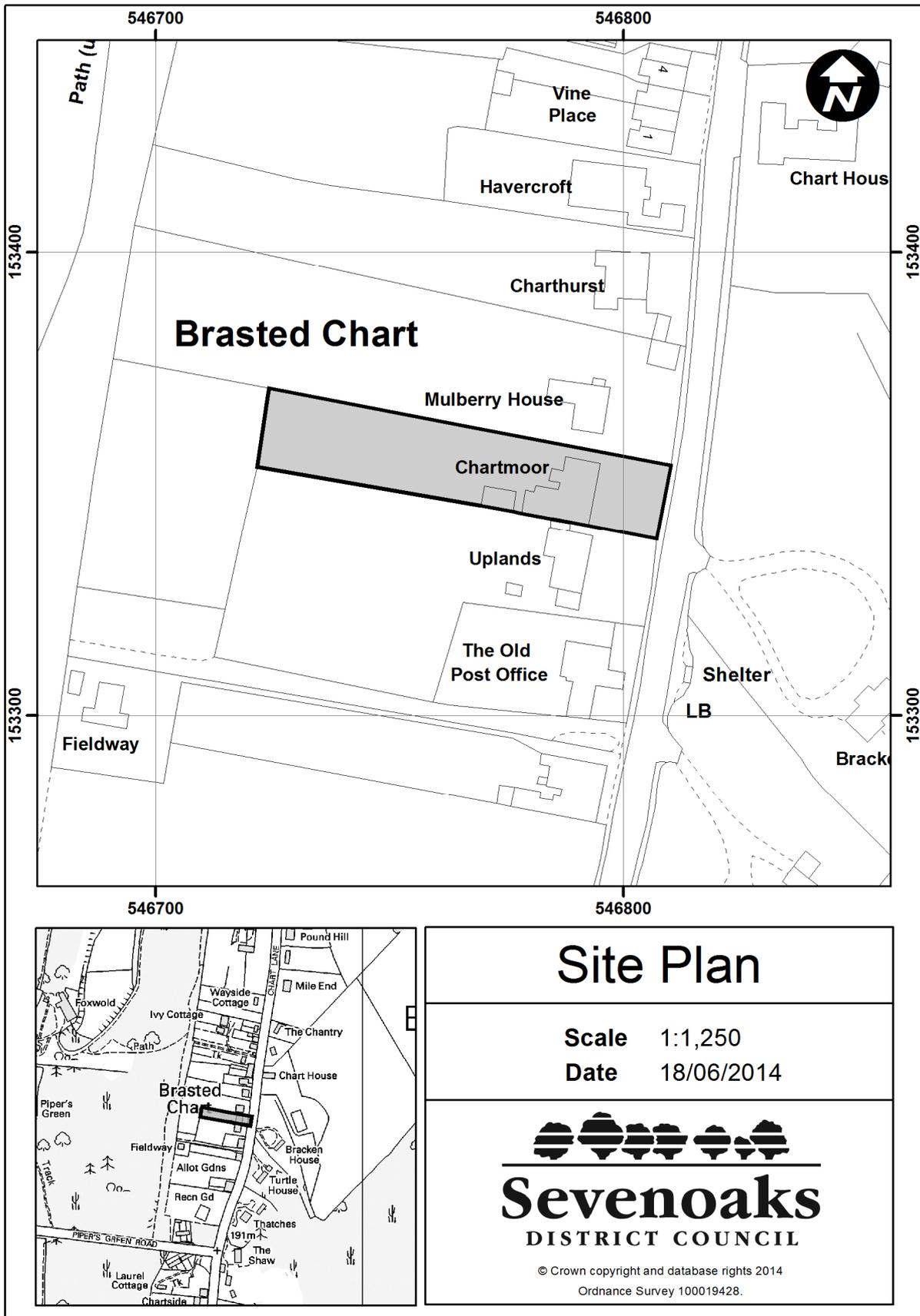
**Richard Morris**  
**Chief Planning Officer**

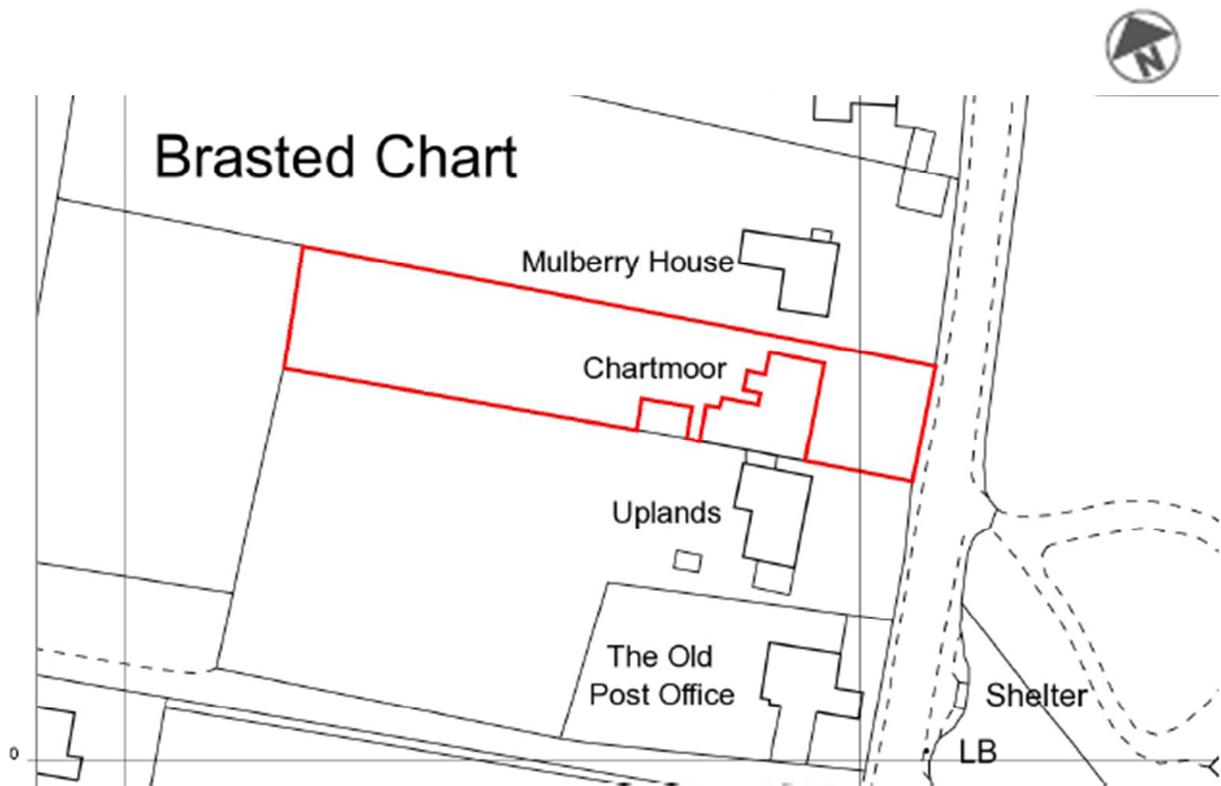
Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N3PBJABKFGF00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N3PBJABKFGF00>







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## Appeal Decision

Site visit made on 24 April 2014

by **J L Cheesley BA(Hons) DIPTP MRTPI**

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

Decision date: 25 April 2014

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**Appeal Ref: APP/G2245/D/14/2215809**

**Chartmoor, Brasted Chart, Westerham, Kent TN16 1LU**

- 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 Philip Manuel against the decision of Sevenoaks District Council.
  - The application Ref SE/13/02997/HOUSE was refused by notice dated 13 February 2014.
  - The development proposed is to replace the existing two-storey side extension with a new two-storey side extension.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Since the Council made its decision, the Planning Practice Guidance has been published. I have considered the content of the guidance, but in the light of the facts in this case, the Planning Practice Guidance does not alter my conclusion.

### Main Issues

3. I consider the main issues to be:

the effect of the proposal on the spatial character of the area and the surrounding streetscene; and

the effect of the proposal on the living conditions of occupiers of Uplands, with particular reference to visual impact, daylight and privacy.

### Reasons

4. The appeal site lies within the Green Belt. It is necessary to consider whether the proposal would amount to inappropriate development in the Green Belt. The proposal includes increasing the height of the flank wall by 2.4m, from 3.2m to 5.6m, to tie in with the eaves of the main house and extend the main roof of the house across the side extension, at a slightly lower level. The Council has stated that the proposed increase in bulk and mass would represent a relatively modest and proportionate addition over and above the size of the original building. From my observations, I concur with this view. Therefore, the proposal would not constitute inappropriate development in the Green Belt.

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[www.planningportal.gov.uk/planninginspectorate](http://www.planningportal.gov.uk/planninginspectorate)

## Agenda Item 4.2

Appeal Decision APP/G2245/D/14/2215809

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5. The appeal site lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). The modest increase in bulk and height of the dwelling, viewed in association with surrounding buildings, would not have a significant impact on the open character of the wider AONB.
6. The appeal site lies within a group of dwellings of various designs and sizes, situated in a semi-rural area with a mature landscaped setting. The sporadic development has a sense of spaciousness, which I consider defines the spatial character of the area.
7. The appeal dwelling is attached to the neighbouring dwelling Uplands via the adjoining garage at the appeal property and the covered walkway/utility at Uplands. Nevertheless, there is some appearance of separation at first floor level when viewed from the highway through the mature frontage vegetation. The proposed flank wall would abut the party boundary. This would have the visual effect of significantly closing the separation gap, to the detriment of the spatial character of the surrounding area and streetscene.
8. I note from the representations that flank windows facing the appeal site at Uplands include a kitchen window, a high-level ground floor lounge secondary window and a first floor bathroom window. In addition, there are velux windows in the covered walkway/utility area. I have not visited Uplands and thus have not been able to assess the accuracy of this information with regard to the internal arrangement of the dwelling. Nevertheless, due to the bulk and siting of the proposed first floor extension, it would unacceptably block the amount of daylight received through these windows. Whilst most of the side windows do not appear to be to habitable rooms, I do consider that the proposed first floor extension would significantly alter the natural light levels within this neighbouring dwelling, to the detriment of occupiers. The cumulative loss of light and consequential overbearing effect of the proposed first floor side extension would have an adverse effect on the living conditions of these neighbours.
9. A larger window would replace an existing small window in the rear elevation. Views of the patio area and part of the rear garden of Uplands are clear from the existing small window. The proposed larger window, due to its position and size, would not significantly increase this level of overlooking. Therefore, I do not consider that the proposed larger window in this position would materially adversely affect the level of privacy for residents at Uplands when using their rear garden.

### *Conclusion*

10. In reaching my conclusion, I have had regard to all matters raised. I have found that the proposal would not constitute inappropriate development in the Green Belt, would not have an adverse effect on the wider AONB and would not have an adverse effect on neighbours with regard to privacy. However, I have found that the proposal would have an adverse effect on the spatial character of the area and the surrounding streetscene and the living conditions of neighbours, with regard to visual impact and daylight. These are sufficient to dismiss the appeal.
11. For the above reasons, the proposal would be contrary to saved Policies EN1, H6B and H14A in the Sevenoaks District Council Saved Local Plan Policies Compendium (2008) and Policies SP1 and LO8 in the Council's Core Strategy

(2011). The proposal would be contrary to the particular parts of these policies where they seek a high quality of design, the protection of distinctive local character and protection of residential amenity. I consider that these policies are broadly in accordance with the National Planning Policy Framework where they meet the Framework's core principles; particularly that planning should be taking account of the different roles and character of an area; should be seeking to ensure high quality design and seeking a good standard of amenity for all existing occupants of land and buildings.

*J L Cheesley*

INSPECTOR

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4.3 – SE/14/01499/LDCPR Date expired 17 July 2014

PROPOSAL: Conversion of loft area with dormer to North elevation. Turn hipped roof into gable. Changes to fenestration including new window to West elevation.

LOCATION: 6 Gillies Road, West Kingsdown TN15 6DP

WARD(S): Fawkham & West Kingsdown

**ITEM FOR DECISION**

The application has been referred to Development Control Committee by Councillor Parkin to discuss whether the proposal meets the criterion set out in Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

**RECOMMENDATION:** That a lawful development certificate proposed be GRANTED for the following reason :-

The proposal complies with Classes B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and would therefore be permitted development.

Description of Proposal

- 1 Conversion of loft area within existing roof form and the installation of a dormer window to North roof elevation. Turn existing hipped roof into gable. Changes to fenestration including new window to West elevation.

Description of Site

- 2 The site is a semi detached bungalow within the settlement of West Kingsdown. Gillies Road is a short residential street that is characterised by semi-detached bungalows which all share similar design characteristics including roof shape and pitched roof front projections

Constraints

- 3 None relevant

Policies

- 4 There are no policies relevant to this application as this is an application to determine whether the proposal is lawful in that it complies with the Permitted Development Order and a separate application for planning permission is not required..
- 5 Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) is relevant.

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### Planning History

- 6 SE/ 14/00806/HOUSE - Conversion of loft area with dormers on north and south elevation and two roof lights on south elevation. Turn hipped roof into gable. REFUSED

SE/14/00016/HOUSE - Conversion of loft area with dormers north and south elevation and two roof lights on south elevation. Turn hipped roof into gable. REFUSED

TH/5/68/358 – Bedroom ext. demolition of existing garage and erection of new garage. APPROVED

TH/5/57/433 – Erection of 27 dwellings. APPROVED.

TH/5/56/70 – 27 dwellings and road. APPROVED.

### Consultations and Representations

- 7 None - The proposal is for a Lawful Development Certificate Proposed which is assessed on matters of fact rather than the application of policy. Therefore there is no statutory obligation to consult the Parish Council or neighbouring authorities. Consequently a consultation was not undertaken and no representations have been received.

### **Chief Planning Officer's Appraisal**

- 8 The proposal needs to be assessed under Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) which allows some extensions or alterations to the roof of a residential dwelling house.

- 9 Development is not permitted by B.1 if –

(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use)

- The dwellinghouse has not been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use)

(a) any part of the dwellinghouse, as a result of the works, exceed the height of the highest part of the roof;

- The works will not exceed the height of the highest part of the roof.

(b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

- The works will not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway

(c) the cubic content of the resulting roofspace would exceed the cubic content of the original roof space by more than –

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

- The dwelling is semi-detached and the cubic content of the resulting roofspace will not exceed 50m<sup>3</sup>

(d) it would consist of or include –

(i) the construction or provision of a veranda, balcony or raised platform. Or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

- The proposal will not include the construction or provision of a veranda, balcony or raised platform;
- The proposal will not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.

(e) the dwellinghouse is on article (1) 5 land

- The dwellinghouse is not on article 1(5) land

10 Development is permitted by Class B subject to the following conditions –

(a) the materials used in any exterior work shall be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse;

- The materials used in any exterior works will be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse.

(b) the enlargement shall be constructed so that –

(i) other than in the case of a hip-to-gable enlargement which joins the original roof to the roof of a rear or side extension –

(aa) the eaves of the original roof are maintained or reinstated

(bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves; and

- The hip to gable enlargement does not apply to this criterion. Regarding the dormer window part of the eaves are not being maintained, however this is being carried out as part of the hip-to gable enlargement and could be carried out under permitted development even if the dormer window was not proposed.
- The dormer will be set back 20 cm from the original eaves of the property.

## Agenda Item 4.3

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extensions, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse;

- The proposal will not extend beyond the outside face of any external wall of the original dwellinghouse.

(c ) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be -

(i) obscure glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

- A window is proposed on the side facing elevation of the hip-to-gable enlargement. The plans state that this will be obscure glazed. The agent has also confirmed that it will be fixed shut.

11 The original permission for the dwelling does not remove the permitted development rights for the property.

### **Conclusion**

12 The proposal complies with Classes B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and would therefore be permitted development.

### **Background Papers**

Site and Block plans

Contact Officer(s): Deborah Miles Extension: 7360

**Richard Morris**  
**Chief Planning Officer**

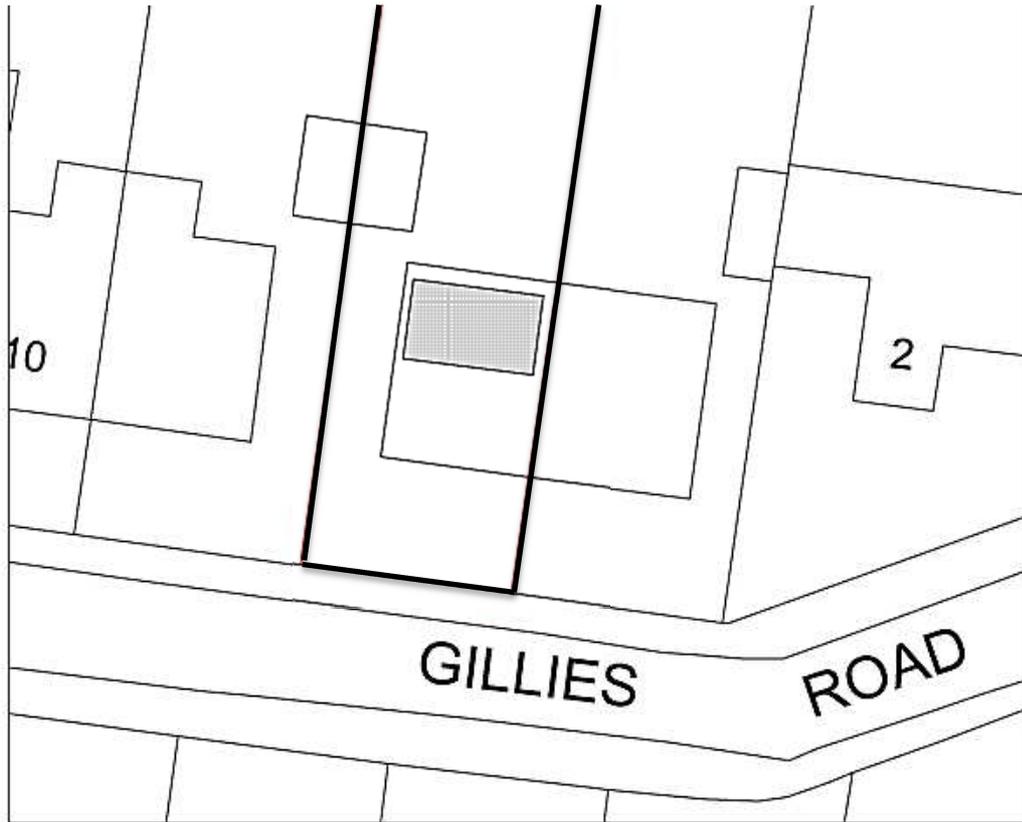
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<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N5LSXSBKFV500>





Planning Application Information on Public Access – for applications coming to DC  
Committee on Thursday 3 July 2014

Item 4.1 SE/14/00493/HOUSE 22 St Botolphs Avenue, Sevenoaks TN13 3AL

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N18H5KBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N18H5KBK8V000>

Item 4.2 SE/14/01056/HOUSE Chartmoor, Brasted Chart, Westerham TN16 1LU

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N3PBJABKFGF00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N3PBJABKFGF00>

Item 4.3 SE/14/01499/LDCPR 6 Gillies Road, West Kingsdown TN15 6DP

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N5LSXSBKFBV500>

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