

28 September 2017 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks  
Despatched: 20.09.17



# Development Control Committee

## Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Thornton  
Cllrs. Ball, Barnes, Bosley, Brown, Clark, Edwards-Winsler, Gaywood, Hogg,  
Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Reay, Raikes and a  
vacancy

## Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages
Apologies for Absence	
1. <b>Minutes</b>	(Pages 1 - 2)
To approve the minutes of the meeting of the Committee held on 7 September 2017, as a correct record.	
2. <b>Declarations of Interest or Predetermination</b>	
Including any interests not already registered	
3. <b>Declarations of Lobbying</b>	
4. <b>Planning Applications - Chief Planning Officer's Report</b>	
4.1. <b>SE/17/02136/HOUSE- 16 Prospect Road, Sevenoaks, Kent TN13 3UA</b>	(Pages 3 - 12)
<b>EXEMPT INFORMATION</b>	

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.

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 227000 by 5pm on Monday, 25 September 2017.

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 7 September 2017 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Bosley, Clark, Edwards-Winsor, Hogg, Horwood, Layland, Parkin, Purves, and Raikes

Apologies for absence were received from Cllrs. Barnes, Brown, Gaywood, Mrs. Hunter, Kitchener and Reay

Cllrs. Dr. Canet and Piper were also present.

32. Minutes

Resolved: That the minutes of the Committee held on 10 August 2017, be approved and signed by the Chairman as a correct record.

33. Declarations of Interest or Predetermination

There were none.

34. Declarations of Lobbying

There were none.

Unreserved Planning Applications

There were no public speakers against the following item and no Member reserved the item for debate. Therefore, in accordance with Part 7.3(e) of the constitution, the following matter was considered without debate:

35. SE/17/01790/HOUSE - 1 Jessemere, Shoreham Lane, Halstead, Kent TN14 7DD

The proposal sought permission for the demolition of existing store, to erect a two storey side extension, single storey rear extension, alterations to fenestration. The application had been referred to Committee by Councillor Grint on the grounds that the extensions maybe disproportionately large, harmful to the character of the property and the need to consider whether the proposal was compliant with Policy EN1 of the ADMP.

Members attention was brought to the main agenda papers and the amended late observations which added an additional condition.

## Agenda Item 1

### Development Control Committee - 7 September 2017

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.

- 2) The materials to be used in the construction of the development shall be those indicated on the approved plan Application Form.

To ensure that the appearance of the development is in harmony with the existing character of the dwelling as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Block Plan, 07, 09, 10, 11 and 12 date stamped 2 June 2017 and 08 date stamped 12 June 2017.

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

- 4) Within three months of commencing the development a scheme to promote biological diversity shall be submitted to and approved in writing by the Local Planning Authority with a scheme of implementation. The development shall be carried out in accordance with the approved details and shall be maintained thereafter.

To promote biodiversity as supported by Policy EN1 of the ADMP and SP11 of Sevenoaks District Council's Core Strategy.

THE MEETING WAS CONCLUDED AT 7.03 PM

CHAIRMAN

4.1 - SE/17/02136/HOUSE Date expired 30 August 2017

Proposal: Construction of rear dormer roof addition and changes to existing fenestration.

Location: 16 Prospect Road, Sevenoaks, Kent TN13 3UA

Ward(s): Sevenoaks Eastern

#### ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Purves on the following grounds, so that Members can consider the impact in a Conservation area and judge if the proposed dormer windows would present a dominant and oppressive effect on the neighbouring house at no. 18, and if it would mean loss of sunlight to no. 18 and the dwelling below to the house at the rear, 40 Cobden Road.

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 development hereby permitted shall be carried out in accordance with the following approved plans: Proposed plans and Elevations drawing no. GB/KC/02 Rev B dated 05 July 2017.

For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy EN1; of the Sevenoaks Allocations and Development Management Plan.

3) The external finishes of the development hereby permitted, including making good to the retained fabric, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1; of the Sevenoaks Allocations and Development Management Plan.

4) No development shall be carried out on the land until samples of the doors and windows have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved samples. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN4; of the Sevenoaks Allocations

and Development Management Plan.

**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 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) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

**Description of proposal**

- 1 This proposal is for the construction of a rear dormer window and changes to existing fenestration.
- 2 The application proposes the construction of a flat roofed rear dormer window measuring 2.8m wide and 3.8m deep. The height is set to 2.2m. The dormer window is set into the roof and will be constructed using plain clay tile cladding, and white heritage upvc sash windows. A Velux rooflight would be inserted into the front elevation of the main roof.
- 3 The application also proposes the replacement of existing fenestration to the first, ground and lower ground floors with white upvc sash units. White

painted hardwood frames would be inserted above the upper ground floor conservatory.

### Description of site

- 4 16 Prospect Road is a Victorian end of terraced property constructed over three storeys. The lower ground floor is in effect a basement, set below the level of Prospect Road. The entrance from the highway into the property is at the upper ground floor level. When standing in the rear garden of the property this level corresponds with eaves height of neighbouring properties on Cobden Road.
- 5 Prospect Road is a narrow lane with a consistent pattern of terraced housing set close to the road and enclosing views. Modern development is located to the northern and southern entrances to the road. Prospect Road is within the Hartslands Conservation Area where due to its location, on the apex of a valley, the houses on the east side of the road command views across the area and Downs. The Hartslands Conservation Area designates the terraced houses including 16 Prospect Road as buildings contributing to the character of the Conservation Area.

### Constraints

- 6 Urban confines
- 7 Agricultural Land Value (AGRI/U)
- 8 Conservation Area (Hartslands)

### Policies

Allocations and Development Management (ADMP):

- 9 Policies:
  - SC1 - Presumption in Favour of Sustainable Development
  - EN1 - Design Principles
  - EN2 - Amenity Protection
  - EN4 - Heritage Assets

Core Strategy:

- 10 Policy: SP1 - Design of New Development and Conservation
- 11 Residential Extensions Supplementary Planning Document (SPD)
- 12 National Planning Policy (NPPF)
- 13 Hartslands Conservation Area Appraisal and Management Plan

### Planning History

- 14 17/00826/HOUSE REFUSED Construction of rear dormer roof addition and changes to existing rear fenestration.

## Agenda Item 4.1

### Consultations

Parish/Town Council:

15 Sevenoaks Town Council recommended refusal on the following grounds:

- The proposed dormer is so large as to make the Eastern elevation of the house four storeys high (when the conservation area is predominantly two storeys).
- This would impact on the character of the Conservation area because the site is prominent and would impact on rooflines
- The development would overlook and dominate cottages in Cobden Road
- The development would overshadow the gardens and rear windows of 34-41 Cobden Road and adversely affect the roof scape of the Conservation area.
- It would also overshadow the gardens at 18 & 20 Prospect Road removing direct sunlight and harming residential amenity.

### Representations

16 2 comments received objecting to the planning application:-

- Properties on Cobden Road are lower than the houses and gardens of Prospect Road and will be affected by the proposal
- Direct and ambient lighting will be reduced - sunlight will be blocked by the extra height and size of the proposed design
- Size, scale and mass totally are inappropriate for the location and the design is not in keeping with much smaller adaptations to the rear properties of Prospect Road
- Extension not aesthetically pleasing and does not uphold the character of the immediate neighbourhood
- Modernisation is achievable without disrupting views and reducing light for people living nearby. The principle of extension is acceptable.
- Visually dominate the surroundings resulting in a loss of amenity
- Due to kink in Prospect Road, rear dormer will visually intrude, reduce sunlight and block light creating additional shadow to rear gardens - huge loss of amenity and access to sunlight

### Chief Planning Officer's appraisal

#### Principle issues

17 The main issues for consideration are:



- Impact on the character and appearance of the Conservation Area
- Impact of the proposal on the street scene
- Impact of the proposal on neighbouring amenity

18 Of particular relevant to this application is the following guidance:

Presumption in favour of sustainable development:

Para 14 of the National Planning Policy Framework (NPPF) confirms that there is a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras: 11, 12, and 13 of NPPF).

**Within or adjacent to a Conservation Area:**

- 19 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on us in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 20 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

**Design and impact on the street scene:**

- 21 Policy EN4 '*Heritage Assets*' of the Allocations and Development Management Plan outlines how proposals that affect a Heritage Asset or its setting will be permitted where the development 'conserves or enhances the character, appearance and setting of the asset. Applications will be assessed with reference to the historic and/or architectural significance of the asset, the prominence of its location and setting, the historic and/or architectural significance of any elements to be lost or replaced'.
- 22 In terms of design, the Residential Extensions Supplementary Planning Document (SPD) sets out guidance for proposed extensions.
- 23 We have policies to resist unsympathetic and disproportionate loft extensions. Our Residential Extensions Supplementary Planning Document states 'that loft extensions should be below the ridge height of the existing building and not create the appearance of an extra storey which would be unsympathetic to the character of the area. We advise applicants to ensure that dormers are set below the ridge height and in from the eaves of the roof to not create the appearance of an extra storey'.
- 24 The design of this flat roofed dormer window is such that it is set into the existing roof. This clearly distinguishes the proposed dormer window from the main house and prevents the appearance of a full extra storey. The dormer window's design is such that it will not result in an oppressive

## Agenda Item 4.1

addition to this home. The proposed rear dormer window is in accordance with our guidelines.

- 25 There are a number of larger 'box' shaped rear dormers to properties on Cobden Road including 35 Cobden Road (SE/15/02885/MMA), 24 Cobden Road (SE/14/02672/HOUSE) and 37 Cobden Road (SE/09/02727/FUL). This proposal represents a modest and reasoned addition in comparison and therefore is compliant with our policies.
- 26 As part of this application existing first floor and upper ground floor top hung casement windows to the front and rear would be replaced by white heritage upvc sash windows. At lower ground floor level the existing doors would be replaced with white heritage upvc glazed doors and fixed side glazing. To the front, the installation of a Velux roof light in the main roof is also proposed.
- 27 New windows and doors that are of a similar appearance to those used in the construction of the house do not normally require planning permission. Despite the fact that the use of heritage sash units may be appropriate, no samples have been provided to confirm that the windows would be of similar appearance and comply with Permitted Development.
- 28 Details and samples of the proposed upvc windows are therefore to be conditioned to conserve the locality and secure units that are in keeping with the character of the Conservation Area.

### Amenity:

- 29 The NPPF and Policy EN2 of the ADMP both require new developments to safeguard neighbouring amenity as well as provide an adequate standard of residential amenity for the current and future occupiers.
- 30 The Residential Extensions SPD (paragraph 5.7) states that an extension should not cause any significant loss of daylight or the cutting out of sunlight for a significant part of the day to habitable rooms (including lounge, dining room, kitchen/diner and bedrooms) in neighbouring properties or private amenity space.
- 31 The application property overshadows the house to the north. It is considered that because the bulk of 16 Prospect Road sits 6.3m in front of the rear building line of no. 18-30 Prospect Road, this is an existing situation. Therefore the proposed installation of a dormer window will not make a significant difference to the existing light situation, such that it is so severe that we should refuse this application.
- 32 Due to the orientation of 14 Prospect Road and the fact that the dormer window will sit within the existing roof, there will be no impact to its amenities.
- 33 Properties on the east side of Prospect Road stand 2 storeys above properties on Cobden Road. No new windows will be installed in a side elevation of the dormer window. The rear dormer would include two new sash windows in its rear face.

- 34 Whilst properties on Cobden Road are lower than the houses and gardens of Prospect Road, it is the bulk of the main house and not the addition of a dormer window to the roof which has an impact on amenity.
- 35 It is possible that the dormer window will increase the feeling of domination and overlooking. The distance from the dormer window to rear windows on Cobden Road is approximately 11m measured on the vertical axis. Views from the dormer window will not look directly onto the rear amenity areas of houses on Cobden Road. It is likely that those standing in the converted loft looking out will have views of the rooflines of Hartslands Conservation Area.
- 36 In this urban location, mutual overlooking is the norm. The upper ground floor and first floor of 16 Prospect Road and its neighbours overlook each other. Where the dormer window is visible it may only be discernible through the very narrow spaces between buildings (where they exist), from a vantage point by the school and over the tops of car parks. Inter-visibility is therefore low. In terms of views from private garden areas and bedroom windows, a degree of overlooking is inevitable but this is not considered unreasonable or harmful.
- 37 Consequently, I am satisfied that the dormer window would not have an unacceptable impact upon the amenity of surrounding residents. The development is considered to be in accordance with policy EN2 of the ADMP.

#### **Highways and parking**

- 38 The parking situation does not need to change in response to the increase of the property by one bedroom.

#### **Trees and landscaping**

- 39 The proposed development has no impact on existing trees or landscaping.

#### **CIL**

- 40 The development is not CIL liable as less than 100 square meters of floor space is created.

#### **Conclusion**

- 41 It is considered that the proposed development would preserve the Conservation Area and would be in keeping with the appearance of the locality. The proposed installation of a dormer window to the roof will not make significant difference to the light such that it is so severe that we should refuse it. The proposal is in accordance with the development plan and therefore the recommendation is to approve.

#### **Background Papers**

Site and block plan

## Agenda Item 4.1

Contact Officer(s): Neil Armour Extension: 7387

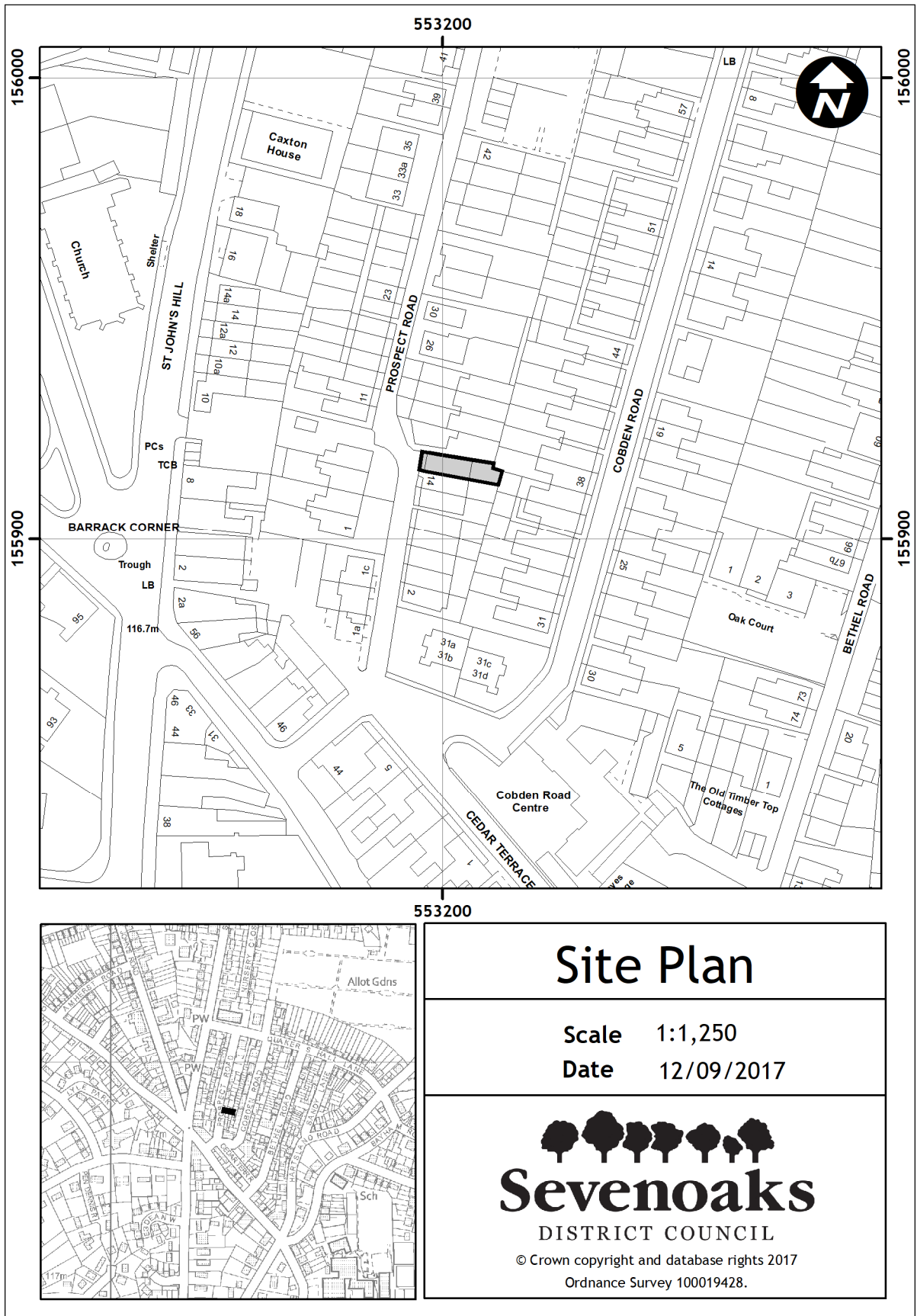
**Richard Morris**  
**Chief Planning Officer**

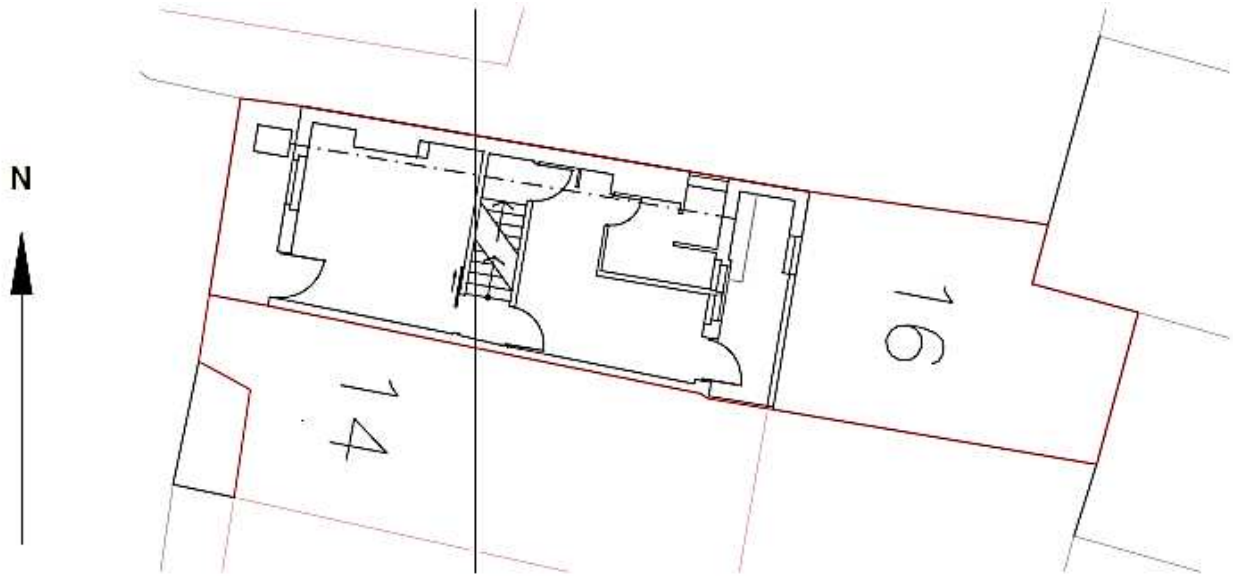
Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSMKLOBKLY300>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSMKLOBKLY300>





Planning Application Information on Public Access - for applications coming to  
DC Committee on Thursday 28 September 2017

**4.1 SE/17/02136/HOUSE 16 Prospect Road, Sevenoaks, Kent TN13 3UA**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSMKL0BKLY300>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSMKL0BKLY300>

This page is intentionally left blank