

4.3 - SE/12/03388/HOUSE

Date expired 21 March 2013

PROPOSAL:

Introduction of two rear dormer windows to serve games room in loft space. Retaining two rooflights within roofspace serving bathroom serving bathroom and store and replacement rooflights serving games room so they are obscure glazed and fixed shut.

LOCATION:

Penryn Cottage, Milton Avenue, Badgers Mount TN14 7AU

WARD(S):

Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

This matter has been referred to the Development Control Committee by Councillor Grint to discuss the issue of the impact of the proposed works upon the amenities of the neighbours.

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 existing house as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: 79648/10A, Unnumbered existing rear elevation and unnumbered existing attic plan.

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

Sevenoaks District Local Plan- Policies EN1 VP1 H6B

Sevenoaks District Core Strategy 201 - Policies SP1 SP2 L07 L08

The following is a summary of the main reasons for the decision:

The scale, location and design of the development would preserve the character and appearance of the Area of Outstanding Natural Beauty.

The development would respect the context of the site and would not have an unacceptable impact on the street scene.

Any potentially significant impacts on the amenities of nearby dwellings can be satisfactorily

mitigated by way of the conditions imposed.

Description of Proposal

- 1 A partially retrospective application for the installation of 4 rooflights in the flank roofspace (retrospective) and two dormer windows in the rear elevation.
- 2 The rooflights would illuminate a 2nd floor bathroom, store room and games room/bedroom. The two rooflights to the games room would be fixed shut and obscure glazed. All windows are at eye level rather than high level.
- 3 Also proposed are two pitched roof dormer windows in the rear elevation. The dormer would each accommodate a casement window some 90cm square. The dormers would be tile hung in materials to match the existing roof.

Description of Site

- 4 The site comprises a rectangular plot sited within the built confines of Badgers Mount. The road at this point slopes downhill from east to west and the garden of this property is terraced with the rear garden being at a lower level than the front garden. Accordingly the bungalow to the west sits at a lower level than the application site whilst the bungalow to the east sits at a higher level.
- 5 The house approved in the 2009 application has now been completed with a number of amendments to the roof comprising 4 rooflights in one flank roofslope and two in the opposite roofslope. The rear window to bedroom 1 has been replaced by a set of glazed doors.
- 6 The general streetscene is fairly mixed with both single and two storey dwellings in the road, of a mixture of designs and ages.
- 7 The flank boundaries have a mixture of planting – both hedges and trees – which following the redevelopment of the site now largely lie in the adjacent gardens.

Constraints

- 8 Built confines of Badgers Mount and Kent Downs AONB

Policies

Sevenoaks District Local Plan

- 9 Policies - EN1, VP1, H6B

Sevenoaks Core Strategy

- 10 Policies - L07, L08, SP1, SP2

Relevant Planning History

- 11 SE/12/02286/CONVAR Variation of condition 1 seeking to change approved plans to include one dormer in the front elevation, two in the rear, Juliet balcony on the rear elevation and rooflights - Refused as the proposed additional fenestration would permit additional views across neighbouring properties to an

extent that would be considered harmful to their amenities and contrary to the provisions of policy EN1 of the SDLP.

- 12 SE/12/01506/NMA Seeking to insert a condition with a drawing number: drawing 79648/6A.
- 13 SE/09/00578/FUL Demolition of ex house and erection of replacement house with integral garage - Granted

Appeal lodged and allowed against the imposition of Conditions 9,10 and 12 removed relating to permitted development rights for extensions, windows, dormers and glazed openings as permitted development and obscure glazed window in flank elevation.

Consultations

Shoreham Parish Town Council

- 14 Objects to the proposed development: the rear dormers are not acceptable due to overlooking of neighbouring properties.

Representations

- 15 3 letters of objection including one from the Badgers Mount Residents Association raising the following issues:
- The house is significantly larger than others within Badgers Mount and the additional dormers would add to the mass of this dwelling to the detriment of the character of the surrounding area
 - Harm to neighbours amenities from overlooking, loss of privacy and the increased physical dominance of this house resulting from its bulk and mass
 - Incremental development that is harmful to the character of the area.
- 16 One letter raising no objection to the rooflights

Group Manager Planning Services Appraisal

Principal Issues

- 17 The impact of the proposed changes are:
- design, character and appearance of the scheme
 - impact upon the AONB
 - impact upon the neighbours amenities.

Design

- 18 Policy SP1 of the Core Strategy expects all new development to be designed to a high quality and to respond to the local character of the area in which it is situated. Policy LO8 expects that the distinctive character of the Kent downs and High Weald Areas of Outstanding Natural Beauty and their setting will be conserved and enhanced.

- 19 The Residential Extensions SPD - Policy H6b advises that new dormers
- will not normally be allowed to front elevations in streets where there are none already
 - large dormers which are disproportionate to the house will not be allowed
 - any dormer that results in unacceptable overlooking of a neighbouring property will not be allowed.
 - the number and size of roof windows should not visually dominate the roof plane.
 - roof windows should be designed and installed to have a minimum projection from the roof plane.
- 20 The proposed scheme would make some amendments to the roofscape that are not permitted development i.e. the dormers and 4 flank rooflights (could be pd if higher off the floor and obscure glazed). Residents have expressed concerns about the impact of these changes in terms of exacerbating the general bulk and scale of the development compared to those houses and bungalows around it. Rooflights could be inserted subject to certain conditions without needing permission. However, as these are small scale compared to the size of the roof and are flush to the roof slope, I do not consider they would increase the bulk of the property to an unacceptable level.
- 21 The dormer windows are modest in size, well designed and sit comfortably within the roofslope. Dormer windows and rooflights are a common feature in modern development and would not appear out of character within Badgers Mount. The rear dormers may just be visible from Milton Avenue although at a very oblique angle and are likely to have a negligible impact upon the streetscene. They will of course be visible to residents from their rear gardens. This is a substantial sized house and the dormers will emphasise that a second floor is in existence but it is not considered that they would emphasise the bulk so much as to make this scheme unacceptable, as they are set well down from the ridge and are in proportion to the development.

Impact upon AONB

- 22 Policy LO8 expects that the distinctive character of the Kent downs and High Weald Areas of Outstanding Natural Beauty and their setting will be conserved and enhanced.
- 23 The Inspector previously referred to the fact that permitted development rights within the AONB would prevent the automatic right to build the type of development for which permission is sought here. It is officers view that this does not mean that where permission is sought that it should be rejected, unless obviously of poor design and harmful to the character of the wider area.
- 24 The house sits comfortably within the settlement of Badgers Mount (washed over by the AONB) and the addition of two modest dormer windows would not harm the character of the house to such a degree as to make these harmful to the general character of the area. There are other examples of dormer windows within the Badgers Mount settlement.

Neighbours Amenities

- 25 Policy EN1 of the Sevenoaks District Local Plan seeks to ensure that any new development protects existing resident's amenities from harm by reason of form, scale, height, outlook, noise or light intrusion or activity levels.
- 26 The Council withdrew permitted development rights in respect of extensions and new windows when this house was approved, but an appeal was lodged seeking to remove those conditions. The appeal was upheld and this house now benefits from permitted development rights in respect of both elements. However since the site lies within an AONB the dormer windows are not permitted development. The Inspector concluded that *I do not consider that the siting of the new house or its relationship to the neighbouring properties are such that there would be serious adverse effects on amenity or the environment if it were to be extended, particularly bearing in mind that Badgers Mount is within the Kent Downs AONB where more limited permitted development rights would apply.* In respect of the issue of overlooking of neighbouring properties by a proposed bedroom window the Inspector compared the proposed house to the fact that the original house had 5 windows to the first floor to the side of the house and that it was possible to see from the hall, toilet and bathrooms windows across the neighbouring garden of Merligen.
- 27 In terms of loss of privacy and overlooking the rear dormer windows would overlook the rear garden of the house itself and both adjacent gardens. Without a concerted effort to look sideways out of these windows at neighbouring houses, these dormers would not facilitate intrusive views of the neighbouring dwellings or gardens.
- 28 Of the rooflights in the flank elevations the two first floor en suite rooflights were approved as part of the original permission. The additional four rooflights now proposed are to a bathroom, store room and two to the top floor games room/bedroom. The rooflights to the games room are proposed to be fixed shut and obscure glazed. The remaining two rooflights are it is considered, sited sufficiently towards the front of the building to enable views over the roofs of the adjacent houses rather than direct views over the patios and those areas of the dwellings that are generally regarded as more private.
- 29 Overall it is not considered that these works would either result in an unacceptable loss of privacy nor would be visually intrusive to the adjacent neighbours and policy EN1 is therefore complied with.

Access Issues

- 30 Dealt with as part of the building regulations application.

Conclusion

- 31 This application seeks permission for the addition, partially retrospectively, for 4 rooflights in the flank roofspace of this house and two rear facing dormer windows. It is not considered that any of these changes would adversely affect either the streetscene or surrounding AONB or the amenities of nearby residents and that this scheme therefore accords with established policies.

Background Papers

Site Plan

Contact Officer(s): Lesley Westphal Extension: 7235

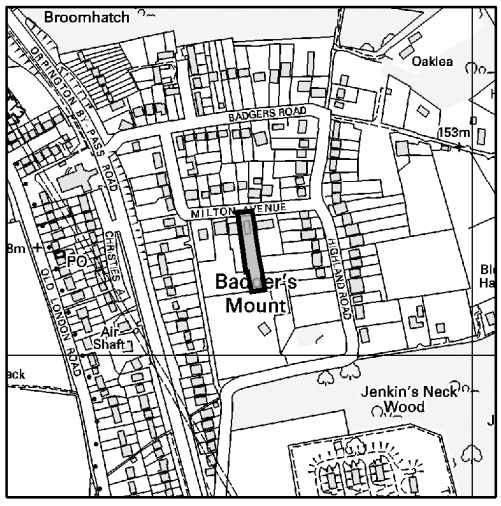
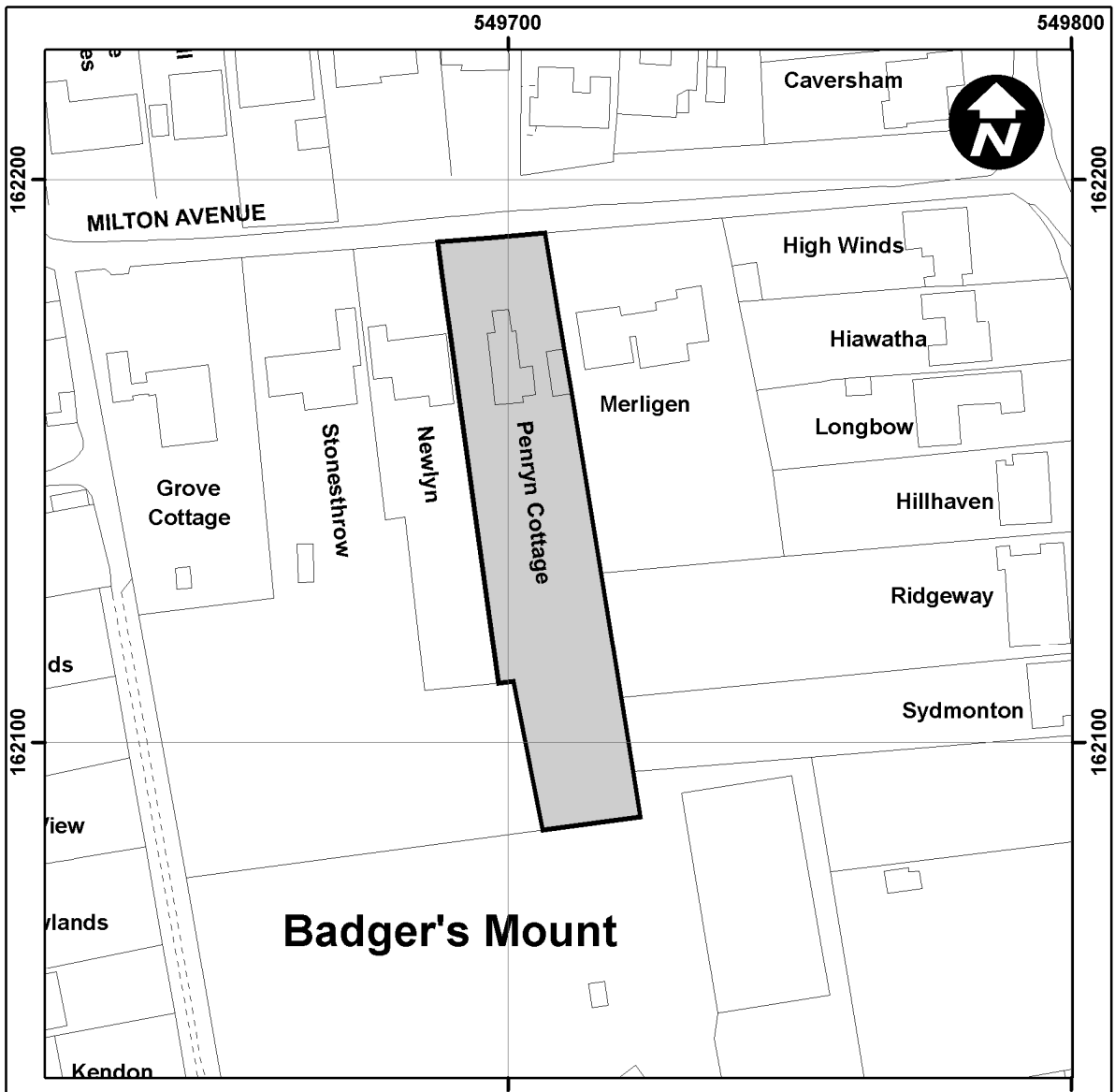
Pav Ramewal
Chief Executive Designate


Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MFBY90BK0FZ00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MFBY90BK0FZ00>



<h1>Site Plan</h1>	
Scale	1:1,250
Date	01/05/2013
 Sevenoaks DISTRICT COUNCIL	
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