

4.2 – SE/13/02476/FUL Date expired 8 October 2013

PROPOSAL: Demolition of existing detached bungalow and garage, and replacing with a two storey detached 5 bedroom house, with basement garaging on the lower ground floor.

LOCATION: Westview, Stonehouse Road, Halstead TN14 7HN

WARD(S): Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

Councillor Grint has referred this application to Development Control Committee has he has concerns upon the impact of the development upon the street scene and adjoining neighbouring properties.

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) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

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

3) No development shall take place until full details of both hard and soft landscaping have been submitted to and approved by the Local Planning Authority. These details shall cover as appropriate: Proposed finished levels or contours; Hard surfacing materials; Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities, and Implementation timetables.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

4) Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and

enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

5) Before any work commences, drawings at a scale of 1:50 to show cross-sectional details of the proposed driveway within the no-dig areas as stated in the submitted Arboricultural Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

6) Tree protection measures and the recommendation outlined in the submitted Arboricultural Method Statement dated 12 August 2013 shall be carried out in accordance with these details and shall be carried out prior to the commencement of the development or in accordance with the programme agreed with the Local Planning Authority.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

7) The dwelling shall achieve Level three of the Code for Sustainable Homes. No dwelling shall be occupied until evidence shall be provided to the Local Authority showing that a final Code Certificate has been issued for it certifying that Code Level three has been achieved or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported in the National Planning Policy Framework and policy SP2 of the Core Strategy

8) The windows to the north elevation and the first floor window(s) on the south elevation shall be fitted with obscure glass before the development hereby permitted is first occupied, and be incapable of being opened except for high level fanlight openings of at least 1.7m height above inside floor level and thereafter shall be so retained.

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

9) No development shall take place until full details of a scheme of Biodiversity enhancement has been submitted to and approved by the local planning authority. The approved details shall be implemented in full and maintained thereafter.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy SP11 of the Core Strategy and guidance in National Planning Policy Framework 2012.

10) No development shall be carried out on the land until details of the solar photo voltaic panels to be used with the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be implemented in accordance with the approved details.

To maintain the integrity and character of the dwelling hereby permitted as supported by

policy EN1 of the Sevenoaks District Local Plan.

11) Before the use or occupation of the development hereby permitted, the car parking and turning areas shown on the approved shall be provided and shall be kept available for the parking of cars at all times.

In the interest of highway safety as supported by policies EN1 and VP1 of the Sevenoaks District Local Plan.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development shall be carried out within Classes A, B, C of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

To safeguard the amenities of adjacent residential occupiers supported by Policy EN1 of the Sevenoaks District Local Plan.

13) Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles, isolux diagrams) and a written assessment of the impact of such a scheme. The approved scheme shall be carried out in accordance with the approved details and maintained thereafter and no further lighting shall be introduced into the site without the prior approval of the local planning authority.

In the interests of amenity in accordance with Policy EN1 of the Local Plan.

14) Demolition or construction works shall not take place outside 0700 hours to 1800 hours Mondays to Fridays and 0700 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

To prevent disturbance to nearby residential properties in accordance with Policy EN1 of the Local Plan

15) The development hereby permitted shall be constructed at the levels indicated on the approved drawing nos. 13/603/2, 13/603/3, & 13/603/4.

To ensure a satisfactory appearance on completion of the development in accordance with Policy EN1 of the Local Plan.

16) The development hereby permitted shall be carried out in accordance with the following approved plans: 13/603/2, 13/603/3, & 13/603/4.

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,

- 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),
- 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 Proposal

- 1 The application seeks the approval for a replacement two storey dwelling of an existing bungalow within the modest plot known as Westview.
- 2 The proposed dwelling would be sited upon the existing footprint of the existing bungalow.
- 3 The dwelling would have a maximum height of 8.6m, a maximum width of about 17.4m and a maximum depth of about 19.5m. The replacement dwelling will incorporate a basement level garage.
- 4 Most of the existing landscaping measures and boundary treatments are to be retained.
- 5 The application proposes to use the existing access whereby the driveway will be re-aligned and a new turning area and parking spaces will be created.

Description of Site

- 6 This plot is located on the eastern side of Stonehouse Road which is a Private Road, within the built confines of Halstead village. The site is located within an area comprising mainly interwar large detached houses set within generous plots with the built form appearing subservient to the natural landscape. The size of nearby properties varies from small bungalows to much larger detached properties. Dwellings generally are of an individual design those on the eastern side have very large front landscaped gardens with the dwellings set well back from the road frontage. Most of the houses are of paint and render finish.
- 7 The site rises from Stonehouse Road in an easterly direction in approximately a 1:20 slope that levels off mid-way along the site. To the south of the site, is a dwelling called "Briar Bank" a two storey detached property sited approximately 16m behind at a higher level from the application site. To the north "Wheeler's" a

one and half storey chalet styled bungalow with rooms and dormers in the roof space "Wheeler's" share the same front building line as "West View".

- 8 Both neighbouring dwellings "Briar Bank" and "Wheeler's" share the boundaries with this proposed development, which have extensive screening between the properties.
- 9 Access to the site is from a driveway from Stonehouse Road.
- 10 To the front of the site are three mature Beech trees that are protected by a Tree Preservation Order and one mature Walnut Tree that is also protected.

Constraints

- 11 Area of Special Advert Control
- 12 TPO - 13/10

Policies

Sevenoaks District Local Plan

- 13 Policies - EN1, VP1

Sevenoaks Core Strategy

- 14 Policies - LO1, LO7, SP1, SP2, SP5, SP7, SP11

Other

- 15 National Planning Policy Framework (NPPF) Paras: 14, 50, 56, 61, 63, 64, 118
- 16 Halstead Village Design Statement (VDS);

Planning History

- 17 None Relevant

Consultations

SDC Tree Officer

- 18 No objection subject to condition

Parish Council

- 19 Halstead Parish Council –Raises objections on the following grounds:
 - The applicant states that this proposed property would have no adverse impact on the street scene when there are in fact seven bungalows in close proximity;
 - This is on the outskirts of a small village and is not an urban area as stated;
 - The Parish Council believes that moving the property further back will increase the footprint;

- The property abuts the Green Belt on which this development would be dominant. The applicant proposes to move the property further back on the site which will cause the development to be even more intrusive in the Green Belt;
- This would contravene EN1 1) The form of the proposed development, including any buildings or extensions, should be compatible with in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining building and incorporate materials and landscaping of a high standard;
- Overshadowing and overlooking;
- Increased noise by the increase in number of bedrooms and vehicular movements;
- Increase in vehicles would lead to further de-generation of the access road;
- Contravenes Policy EN8 – relating to areas of Areas of Local Landscape Importance
- Contravenes Appendix 4 – residential extensions

The parish council also asked whether the developer would be required to make an affordable housing contribution.

Representations

20 1 neighbour representation received, objecting on the following grounds:

- Loss of light and privacy;
- Disproportionately large, overbearing and bulky;
- Footprint excessively large;
- Out of character with rest of the street;
- Light pollution;
- Protection of TPO trees

Chief Planning Officer's Appraisal

21 The main planning issues in respect of this application relate to:

- Principle of the development;
- Impact upon the character and appearance of the area;
- Impact upon the existing residential amenity;
- Highways;
- Biodiversity;

- Sustainability;
- Other Issues.

Principle of the development

- 22 The newly adopted NPPF has a general presumption in favour of sustainable development, whilst encouraging the delivery of homes of a high quality design and a good standard of amenity for all, whilst reusing previously developed land. Furthermore the site is within the built confines of Halstead where the principle for new development is acceptable.
- 23 Currently the site is occupied by a detached bungalow. Core Strategy Policy LO7, permits small scale development that is of the appropriate scale and nature of the village.
- 24 Upon considering the above, the principle of residential use of the site is acceptable subject to having an acceptable impact on the character of the area, the amenities of neighbouring occupiers, impact on highway conditions and an acceptable design, amongst other material planning considerations. The principle of a residential development is considered an acceptable and the most appropriate use of this parcel of land.
- 25 In terms of density, Policy SP7 of the Core Strategy sets a density of 30 dwellings per hectare for developments within rural settlements. This plot is approx. 0.20ha which according to the required densities could provide 6 dwellings. This proposal proposes 1 new unit and does not make efficient use of the land. However, due to the spatial/historic pattern of the development, the erection of one dwelling would not adversely impact upon the character and appearance of the area and compliments the prevailing open/spacious character of the road.

Impact on the landscape character of the area

- 26 The NPPF and Policy SP1 of the Core Strategy encourages design which responds positively to its context and developments which fail to take opportunities for enhancing the character of an area should not be permitted. Designs should complement the neighbouring buildings in terms of scale, density, layout and access.
- 27 Policy EN1 of the Sevenoaks District Local Plan requires that development respects and takes opportunities to enhance the character and distinctiveness of the locality. 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 so that the distinctive character of villages is not damaged.
- 28 Policies SP1 and LO7 give high priority to the conservation and enhancement of natural beauty. Proposals for development should be small scale proposals that are suitably located and designed and respond to local landscape character.
- 29 The proposal also benefits from adopted supplementary planning guidance within Halstead Village Design Statement. This document does not contain specific development policies but inform an assessment of the wider character of the built form and landscape.

- 30 In addition to the above, the NPPF emphasises the need to achieve good design standards for new development and a high quality of urban design in the wider context. This document recognises that design issues are matters of proper public interest and the relationships between buildings in their wider setting is often as important or more important than individual designs.
- 31 The NPPF states that good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities. In addition to this it also states that good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.
- 32 As previously mentioned, Stonehouse Road is characterised by dwellings of varied age, size and appearance. The building line is varied and some buildings are more prominent than others are, due to existing topography, siting, scale, and landscaping. However in the main, dwellings do not dominate the street scene due to large plot sizes and surrounding landscaping. The informal layout of the built form, together with the sylvan setting provided by mature garden trees, contributes to the general spaciousness of the area.
- 33 Halstead Village Design statement has been adopted as supplementary planning guidance and makes reference to the potential impact of new or replacement houses. It aims to discourage buildings that are out of scale and character with the rural aspect of the area. The statement promotes the scale and proportions of new developments to be in keeping with their surroundings, to maintain space and landscaping, and to prevent oversized dwellings that are alien to their surroundings, and to promote the use of local materials.
- 34 The development would be set back approx. 39m from the roadside and retain modest sized gaps between the flanks of the adjacent two storey dwelling and bungalow being 6m to the nearest point of the dwellings. Equally sufficient gaps have been maintained between the proposed dwelling and south eastern boundary by approximately 2m and approximately 2.5m to the northwestern boundary. Its layout would respect the existing pattern of development in the locality, where there are other examples nearby of buildings with sufficient separation gaps between dwellings, unusual layouts and plots that are not uniform in size or shape.
- 35 The dwelling proposed would be much larger in size than the former bungalow, although the frontage width and height of the building would be similar to other properties in the area, both old and new. The replacement dwelling would, at its highest point, stand approximately 8.6m metres in height and that falls within the parameters of standard ridge heights for two storey residential developments, and is comparable in height to many other buildings in the locality. To minimise its impact further, the development manipulates existing ground levels to its advantage, to ensure that the ridge height of the development would only be approximately 2.4m higher than the existing bungalow. This assists in assimilating the scale of the building into the existing established character of the area. For these reasons the scale of the proposed dwelling is acceptable, despite the concerns raised by the Parish Council and third parties.
- 36 With regard of the siting of the dwelling, the development would not appear unduly prominent, as the replacement dwelling would be sited upon the existing

footprint of the bungalow though extending further back it would make effective use of the existing topography, with the height proposed for the dwelling set between the ridge height of adjacent properties,

37 In terms of the design of the dwellings para. 60 of the NPPF states:

“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. “

38 The front elevation includes a number of architectural details and the inclusion of large glazed areas. Given the variety of architecture found within the road, it is not considered, that this development, in isolation could be deemed to be unacceptable. There are other dwellings that incorporate large glazed areas into the design of the dwellings i.e. Rosewood and therefore it would not appear out of context.

39 Overall it is considered that the proposed dwelling has been designed in such a way as to minimise its bulk within its current context. The mass and impact of the dwelling would be broken up by the different sections of the dwelling and the use of cutting into the existing ground levels that minimises the overall ridge height of the building. The development has been designed to have its own individual appearance, whilst respecting the linear pattern and scale of surrounding development. Details have been provided of the materials to be used in the external finish of the development picking the themes of local materials used within the locality. Their use would reinforce the character and identity of the area whilst maintaining a contemporary appearance. Given the variation in scale and design of houses in the road in general, the size of the plot and the landscaping afforded to it, it is considered that a dwelling of this proportions proposed can be accommodated without conflict with this policy or without conflict with the VDS.

40 It is considered that the proposed dwelling is of a design that sympathises with the character and appearance of the surrounding area. On this basis, this proposal would conform to policy EN1 of the Local Plan, policies SP1, LO1, LO7 of the Core Strategy.

Impact upon existing residential amenity

41 Policy EN1 from the Sevenoaks District Local Plan states that the proposed development 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.

42 In terms of loss of sunlight and daylight, no adjacent properties would be affected by the proposed development, due to the separation distances between dwellings and orientation of the development.

43 Concern has been raised by some neighbouring occupants regarding the impact of the development upon their outlook and loss of privacy.

44 The development itself has been designed to prevent the loss of privacy to immediate neighbouring properties. It is recognised that there are three

balconies to the rear elevation of the dwelling. It is also noted that these balconies are recessed into the main structure of the dwelling and this restricts the peripheral vision from these areas especially when there are intervening structures that are found adjacent to the northeastern boundary of the site, to Wheelers and the proposed rear single storey element roof that serves the proposed dining area.

- 45 In terms of the impact upon Briar Bank again the 5m amenity area to the rear of that property would be protected, as this property is on a higher ground level as compared to the application site and that property is set further back into its plot.
- 46 Concern has also been raised relating to the first floor windows to the flank elevation of the Briar Bank. However this issue can be mitigated by the use of obscure glazing conditions and again this property is at a high ground level and the nearest flank windows serve non-habitable rooms, being stairs and bathroom. Overall, it is not considered this issue to be significant to justify a refusal in relation to loss of privacy and overlooking.
- 47 Concern has been raised relating to the amount of glazing to be used in the design of the property. That said it is not considered that this proposal would cause a significant amount of light pollution sufficient to become a nuisance to adjacent neighbours due to the orientation of the proposed large glazed areas of the dwelling proposed. Equally it is not considered that the dwelling would significantly add to light pollution within the locality, as the dwelling would be seen together with other dwellings within the road. Notwithstanding this, it is noted that other dwellings within the locality have large expanses of glazed areas integral to their design. It is not considered that this reason alone would justify a reason for refusal.
- 48 Due to the fact the site is surrounded by residential properties, it would be reasonable to attach a condition restricting the hours of construction to minimise the impact of construction of the dwelling upon existing residential amenity. In addition to this, a condition is recommended to control external lighting to protect the amenity of residents and character of the area
- 49 Upon considering the above, it is considered that the development would not impact upon neighbouring amenities to an unacceptable degree. As such, the proposal would not be contrary to Policy EN1 of the Local Plan.

Biodiversity

- 50 Para. 118 of the NPPF and SP11 of the Core Strategy sets out that new development should maximise opportunities to build in features which are of benefit to biodiversity as part of good design. Proposals do not include a range of features designed to enhance the ecological value of the site. As such a condition could be required to secure those details to improve the ecological value of the site in accordance with the advice of policy SP11 of the Core Strategy.

Sustainability

- 51 Policy SP2 of the Core Strategy states the minimum Code for Sustainable Home (CSH) standard a new dwelling should achieve. At present the code standard requires a code 3 standard.

- 52 The (CSH) guidance states how a home can achieve a sustainability rating for one to six depending on the extent to which it has achieved Code standards. No information has been provided to what extent the current proposal would demonstrate the likely CSH level it will achieve. As such it would be reasonable to attach a condition requesting further information to ensure that the development complies with Policy SP2 of the Core Strategy.

Highways

- 53 The proposal seeks to re-align the existing driveway from the Private road and create a new parking area. The proposed dwelling will create a 4 bedroom property with at least 3 off-street parking spaces provided. This would accord with the Kent Highways Interim Guidance Notes for residential development which advises that for village environments, a minimum of 1.5 spaces per unit should be provided together with 0.2 visitor spaces per unit.
- 54 It is considered that the proposed use would be unlikely to generate additional trips compared to the existing use so there is no objection on this ground. The development would cater for 3-4 parking spaces with a turning and this would accord with policy VP1 of the Local Plan.

Access issues

- 55 There are no adverse access issues associated with this proposal.

Other issues

- 56 There is a number of Tree Protection Orders (TPO) upon trees within the site, served under reference TPO/13/10. The existing driveway would be re-aligned and materials to be used to ensure that the roots system of the existing TPO trees would not be compromised.
- 57 An arboricultural method statement has been submitted with the application and the Council's Tree Officer raises no objection to this proposal subject to the development conforming to the arboricultural method statement which allows for the implementation of tree protection measures.
- 58 The Parish Council has asked whether this development would require making an affordable housing contribution in accordance with Policy SP3 of the Local Plan. As there is a zero net gain in dwellings created, then in accordance with Policy SP3, an off-site affordable housing contribution would not be required in this instance.
- 59 In order to protect the future amenities of the adjacent occupiers, it would be reasonable to removal permitted development rights for extensions to the property to ensure their amenities are protected, in accordance with Policy EN1 of the Local Plan.

Conclusion

- 60 On considering the above, it is recommended that this application should be approved as it conforms to the relevant Development Plan policies and there are no other overriding material considerations to suggest otherwise.

Background Papers

Site and Block plans

Contact Officer(s):

Sean Mitchell Extension: 7349

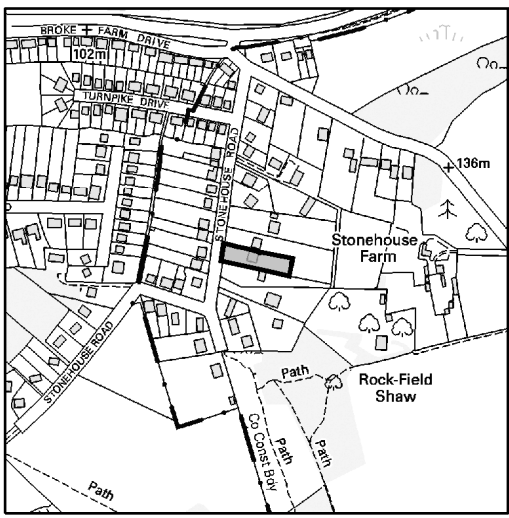
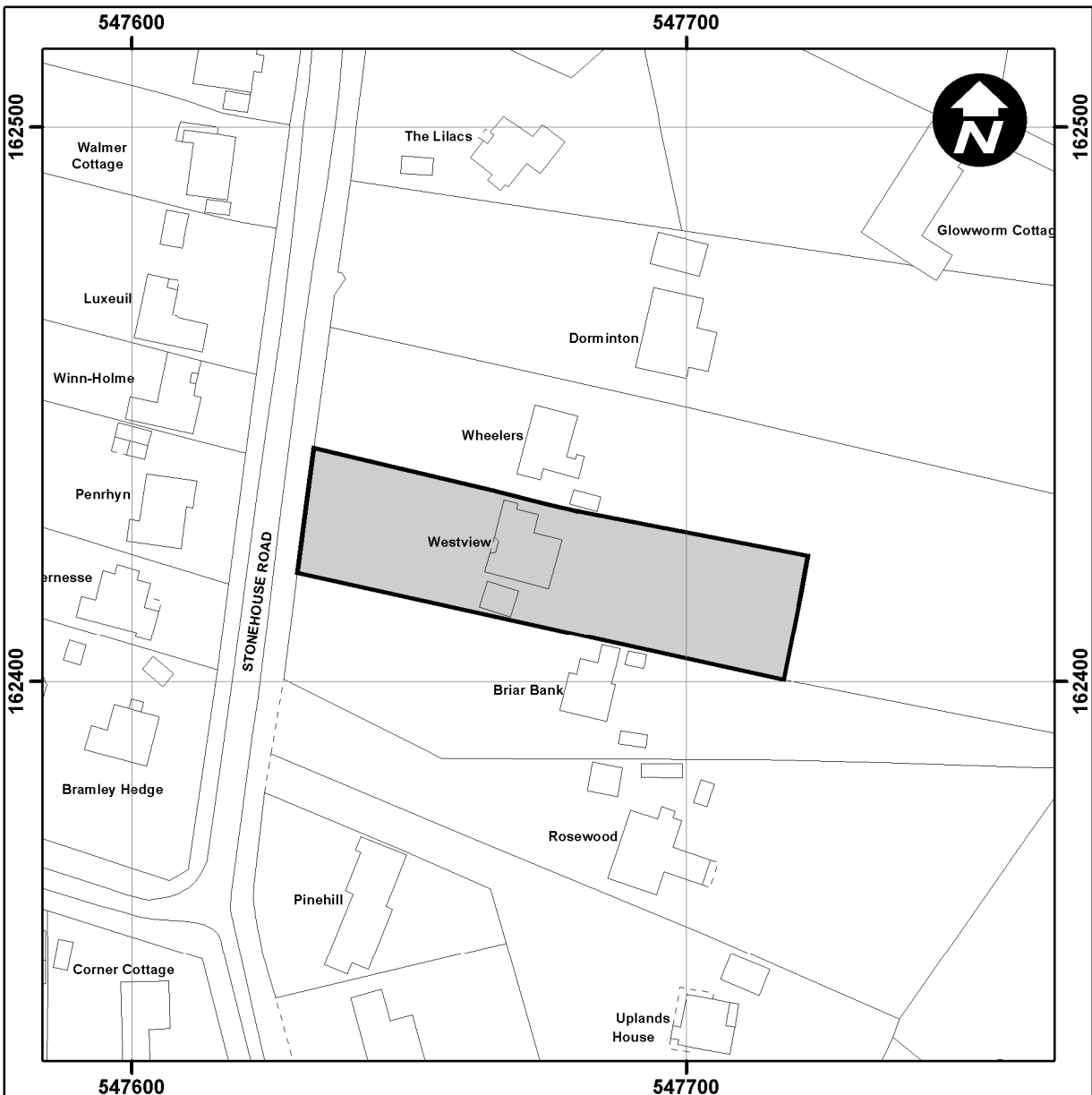
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MRIJ5TBK0L000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MRIJ5TBK0L000>



Site Plan

Scale 1:1,250
 Date 21/10/2013



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Proposed block plan

