

5.07 - SE/10/03522/FUL Date expired 1 March 2011

PROPOSAL: Demolition of existing dwelling and erection of 2 detached dwellings, car port and car port and alterations to vehicular access.

LOCATION: Chelsham , Church Road, Hartley, Longfield DA3 8DN

WARD(S): Hartley & Hodsoll Street

ITEM FOR DECISION

This item has been referred to the Development Control Committee at the request of Ward Councillors who have concerns that the scheme represents the over development of the site.

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 dwellings 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 enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No building shall be occupied until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting);
- schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and
- a programme of implementation.

Soft landscape works shall be carried out in accordance with the approved details and programme of implementation. If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved soft landscaping, die, are removed, or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To ensure a satisfactory appearance upon completion.

4) Before the use or occupation of the development hereby permitted, the car

parking and turning areas shown on the approved plan shall be provided and shall be kept available for the parking of cars at all times.

In the interests of highways safety

5) The windows in the rear elevation of both dwellings , facing the property Virgo shall be obscure glazed and shall thereafter be permanently maintained as such.

To protect the privacy of adjacent residents in accordance with policy EN1 of the Sevenoaks District Local Plan.

6) No windows or other openings shall be inserted at any time in the walls or roof of the buildings hereby approved, despite the provision of any Development Order.

To protect the privacy of adjacent residents in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

7) Prior to commencement of development details shall be provided in writing to the Local Planning Authority of the proposed car port. The car port shall be constructed in accordance with the approved details .

In the interests of highways safety.

8) The development hereby permitted shall be carried out in accordance with the following approved plans: 1691/2,9D rev02/11,15,16B rev 02/1117A rev 02/1118B rev 02/1122,23,24A rev0125,27

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

9) Notwithstanding the details submitted, the velux window to the main bedroom of Dwelling B in the south east facing elevation , shall be high level with a minimum cill height of 1.7 metres above finished floor level.

To protect the privacy of the adjacent residents in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

10) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority -

i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 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 Planning Policy Statement 1, policies CC2 & CC4 of the South East Regional Plan & Policy SP2 of the Core Strategy

11) The development hereby approved shall not be occupied until the visibility splays shown on the approved plan have been provided and anything which obstructs visibility at any height greater than 0.6m above the surface of the adjoining highway has been removed. Thereafter visibility splays shall be maintained free from obstruction at all

times.

In the interests of highway safety.

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

South East Plan 2009 - Policies H1,H3,H4,H5,T4

Sevenoaks District Local Plan - Policies EN1, VP1, H10A

Sevenoaks District Core Strategy 2011 - Policies SP1, L07,SP2,SP3,SP5,SP7

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

The traffic movements generated by the development can be accommodated without detriment to highway safety.

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

The scale, location and design of the development would respect the context of the site and protect the visual amenities of the locality.

Informatives

1) It appears that the proposal involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact Kent Highway Services, Network Operations on 01474 544068.

Description of Proposal

- 1 The demolition of the existing bungalow and the erection of two chalet bungalows, one fronting onto Gresham Avenue and one fronting onto Church Road. Ancillary parking and a car port are also proposed. The two dwellings would sit alongside each other each stepping a little forward of the adjacent dwelling 'Keston'.
- 2 The main wall of Bungalow A would lie just over 4m's from the grass verge of Gresham Avenue and just over 12m's from the pavement of Church Road. It would be a chalet bungalow with one bedroom and two bathrooms contained within the roofspace – lit by windows at each end of the dwelling and rooflights. The ridge would be the same height as shown on the approved outline application. The plan has been amended to remove an originally proposed garage and off street parking will be provided by 2 spaces located to the rear of the plot adjacent to the neighbouring drive. This dwelling would project 3m's in front of the nearest existing dwelling 'Keston'. The main garden space would lie at the front of the dwelling – screened from the adjacent highway by an existing significant sized boundary hedge. The existing vehicular access to Church Road would be blocked up.

- 3 Dwelling B would comprise a 4 bedroom chalet bungalow lying to the east of bungalow A. It would lie 1m from the flank wall of the adjacent dwelling and would project 1.6m's in front of that dwelling. It would be sited 11m's from the rear garden boundary and just over 15m's from Church Road. It would have a ridge height of 7.3m's (0.2m lower than indicated on the outline application) and incorporate two large dormer windows - one in each flank roofspace. A new access would be opened up to provide vehicular access to a car port and turning area. The main garden would be provided to the rear of the dwelling.

Description of Site

- 4 The site comprises a corner residential plot currently occupied by a detached bungalow set within an established residential area on the corner of Gresham Avenue and Church Road. The existing bungalow is aligned broadly with the adjacent bungalow of Keston, fronting onto Church Road. The site is well landscaped with several mature trees and hedgerows on the site boundary.
- 5 The surrounding area comprises a mixture of bungalows, chalet bungalows and two storey houses of a range of sizes and designs. Whilst the entrance to Gresham Avenue is well planted on both sides, the rest of Gresham Avenue is much more open with low levels of boundary planting and this openness is reflected in the character of Dixon Close sited on the opposite side of Church Road to the application site.

Constraints

- 6 Within built confines of Hartley

Policies

South East Plan

- 7 Policies - H1,H3,H4,H5,T4,

Sevenoaks District Local Plan

- 8 Policies - EN1, VP1, H10A

Sevenoaks Core Strategy

- 9 Policies SP1, L07,SP2,SP3,SP5,SP7,

Others

- 10 National Policy: PPS1,PPS3

Planning history

- 11 SE/09/01424/OUT Demolition of existing dwelling and erection of detached chalet bungalow and detached bungalow with alteration to the vehicular access. Conditional approval
- 12 This application reserved all matters but indicated for illustrative purposes two bungalows broadly in the positions now shown with each plot having two off street

parking spaces. That scheme showed two dwellings closer to the two road frontages than now proposed but with slightly different footprints of the same general bulk and scale as now proposed. The outline scheme proposed two sets of off street parking rather than a car port and of street parking.

- 13 SE/10/02208/FUL Demolition of existing dwelling and erection of two detached chalet bungalows with detached garages, alterations to existing vehicular access and creation of new vehicular access. Refused.

Consultations

Parish/Town Council

- 14 Hartley Parish Council objects to the above application on the grounds that the proposal would constitute over development of the site, being harmful to the area, contrary to the provisions of policy EN1 of the Sevenoaks District Local Plan.

KCC Highways:

- 15 The replacement of the previously proposed garage at Plot B with a car port will improve manoeuvrability within the site but I would recommend that the distance between the supports be increased to 5.4m to ensure vehicles can turn. Subject to this revision I would recommend conditions to secure parking and also reinstatement of the existing crossover and adequate wheelwashing facilities and also informatives to cover works to the highway INH105 and cutting back of the hedge to provide and maintain visibility.

Thames Water:

- 16 Waste Comments – no objection.
- 17 Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

SDC Tree Officer:

- 18 This site is fairly void of any important trees. The trees that do exist are shown for removal to accommodate the proposals. I note from the proposed site layout that a number of trees are indicatively shown as new landscaping. A statement entitled "Notes". States that "All planting, seedling and turfing shall be implemented during the first planting season following occupation of the building". I would prefer to see an acceptable landscaping scheme carried out upon completion of the building work at the latest.
- 19 I also note that a size of 2 metres for the new planting has been referred to. I would prefer to see a minimum of 10-12 cm girth trees used. This would equate to about a 3 metre high tree at planting. I would also like to see more specific details regarding the tree species.

Representations

- 20 2 letters of objection raising concerns about::
- over development,

- movement of building line in front of that currently existing in Church Road,
- impact of car port upon streetscene – being no different to a garage,
- drainage
- privacy
- overshadowing and loss of sunlight to the garden of Virgo

Head of Development Services Appraisal

Principal Issues

- 21 The site lies within the built confines of Hartley where the principle of such development is acceptable, subject to compliance with all relevant policies within the Local Plan. The main issues therefore are the impact upon the streetscene, impact upon the highway and impact upon the neighbours amenities.

Impact upon Streetscene

- 22 This plot is relatively well planted, particularly along the Church Road frontage which is somewhat different in character to the remaining part of Gresham Avenue and indeed to Dickens Close, opposite the site. The existing substantial boundary hedge right on the corner of the site and along the Church Road frontage is to be retained, although previous boundary planting along the Gresham Avenue frontage has been partially removed.
- 23 The approved outline scheme on this site showed a bungalow with no roof accommodation set back from Gresham Ave by 3.2m's (apart from the porch). This application proposes a chalet bungalow 4.2m's from Gresham Ave (the porch being 3.2m's from the highway). The roofspace would have a single rooflight. Although the footprint of the building is 3m's longer than approved in outline it is not considered that this would be sufficient to make this scheme cramped where previously considered acceptable. .
- 24 The adjacent dwelling B has a marginally different footprint to the outline approval but has been moved back into the site by approx. 3m's compared to the outline approval – it is now less than 2m's in front of the adjacent bungalow. The dormer windows proposed are quite large but not considered so out of scale to the overall roof form as to be unacceptable. The parking spaces have been replaced by a double car port. In this particular case it will be largely screened by the existing mature hedge on the boundary with the highway. This dwelling does not depart significantly from that considered acceptable as part the outline application.
- 25 This scheme has been modified compared to the previous application that was refused by the removal of the garages and alterations to the positioning of the buildings on site and is now considered acceptable and not such a departure from the approved outline consent.

- 26 The recently refused scheme proposed two chalet bungalows – both broadly of the same footprint now proposed, but with the plot nearest the corner of the site being taller (0.7m), closer to Gresham Avenue, with two roof dormers and a detached double garage in the rear garden. The second plot proposed a double garage in the front garden and had a large clear glazed bedroom window in the rear elevation. In total this was considered to represent the over development of the site being harmful both to the streetscene, by virtue of the additional built form and height of the dwelling, and to the neighbours amenities as a result of the bedroom window in the second dwelling.

KCC Highways

- 27 No objections are raised to this scheme subject to sight lines being provided and the car port being adequately sized to accommodate two cars adequately.

Neighbours Amenities

- 28 The residents of 'Virgo' (Gresham Avenue) and 'Keston', (fronting onto Church Road) would be most affected by the position of the new chalet bungalows.
- 29 The flank garden boundary of Virgo would abut the rear garden of the two proposed dwellings. Dwelling A would lie adjacent to the driveway and side garden of Virgo and dwelling B would lie adjacent to the side garden of Virgo: being separated from the main part of the rear garden by the detached garage belonging to Virgo. Some land has moved from Virgo and now forms part of this site increasing the size of the rear garden to dwelling A.
- 30 At ground floor level both dwellings would be separated from Virgo by a close boarded fence thereby protecting the neighbours amenities. At first floor level both dwellings would have obscured glazed windows facing towards the rear of the site thereby protecting the neighbours privacy.
- 31 The dwellings would lie between 11 – 12 metres from the rear boundary (which is the side boundary of 'Virgo'). This is considered to be a sufficient distance from the neighbouring boundary to ensure that they would not have a significant impact upon the amenities of the neighbouring residents of Virgo: their main patio area appears to be directly to the rear of their bungalow and that is partially shielded from the application site by a single detached garage.
- 32 The neighbours at Keston would lie adjacent to the larger dwelling but its position within the site is not such that it is considered to be unneighbourly. Subject to a condition to prevent any new windows being installed into the roofspace, levels of overlooking could be maintained to acceptable levels.

Access Issues

- 33 Accessibility issues in respect of these dwellings would be resolved by Building Regulations.

Conclusion

- 34 The site lies within the built confines of Hartley and this corner plot is currently occupied by a single bungalow. Outline planning permission has been granted for a detached chalet bungalow and a detached bungalow with associated parking. This scheme is similar to that submission, albeit at that stage all matters were reserved. It is considered that the siting, bulk and mass of the two dwellings would be acceptable within the streetscene and that the amenities of neighbouring residents would not be unacceptably affected by the proposed scheme. It is therefore recommended that Planning Permission be GRANTED subject to conditions.

Background Papers

Site and Block Plans

Contact Officer(s): Lesley Westphal Extension: 7235

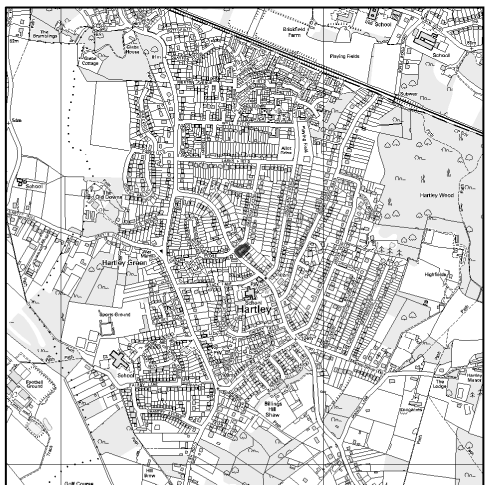
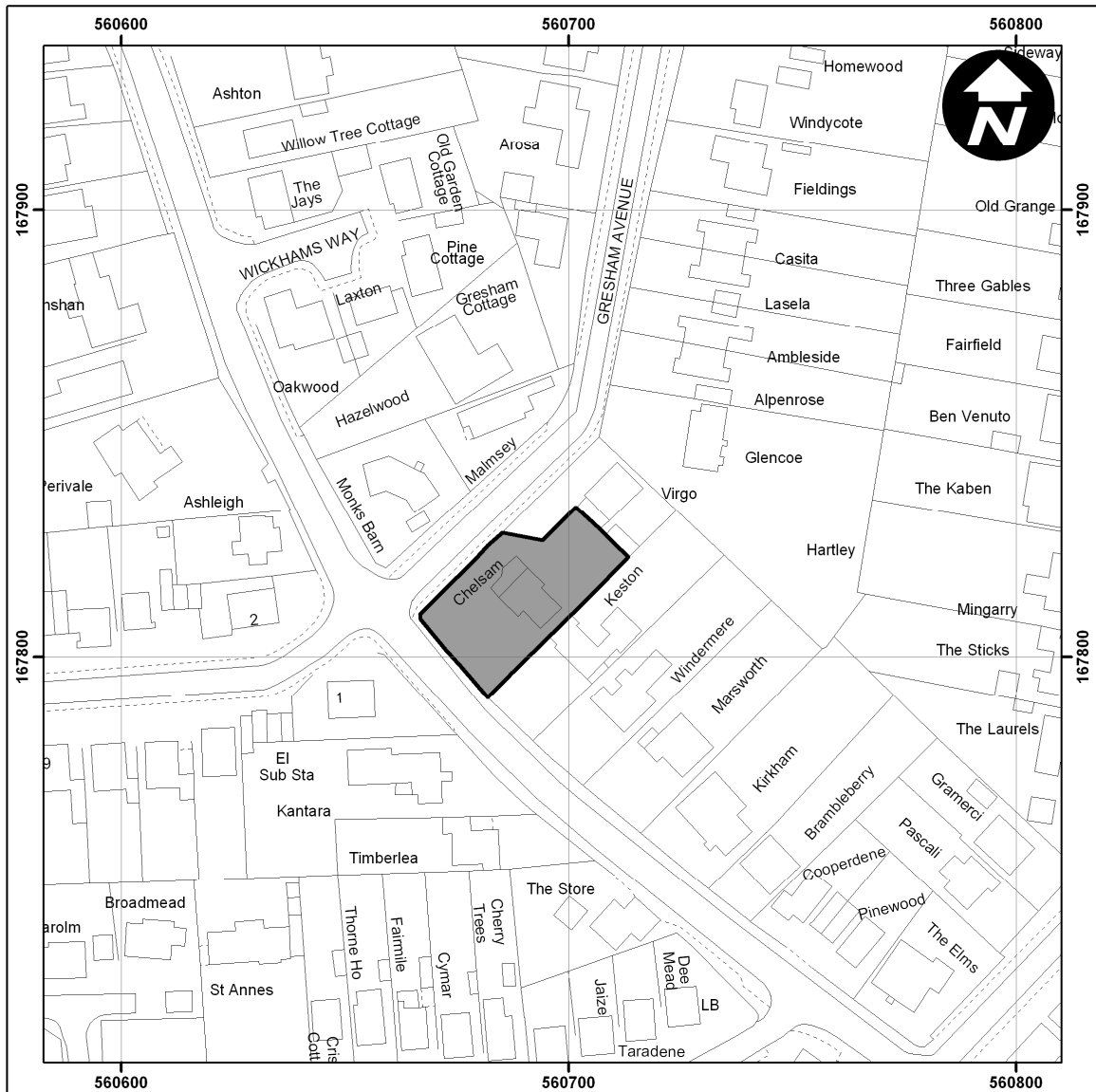
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LDVFL6BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LDVFL6BK8V000>



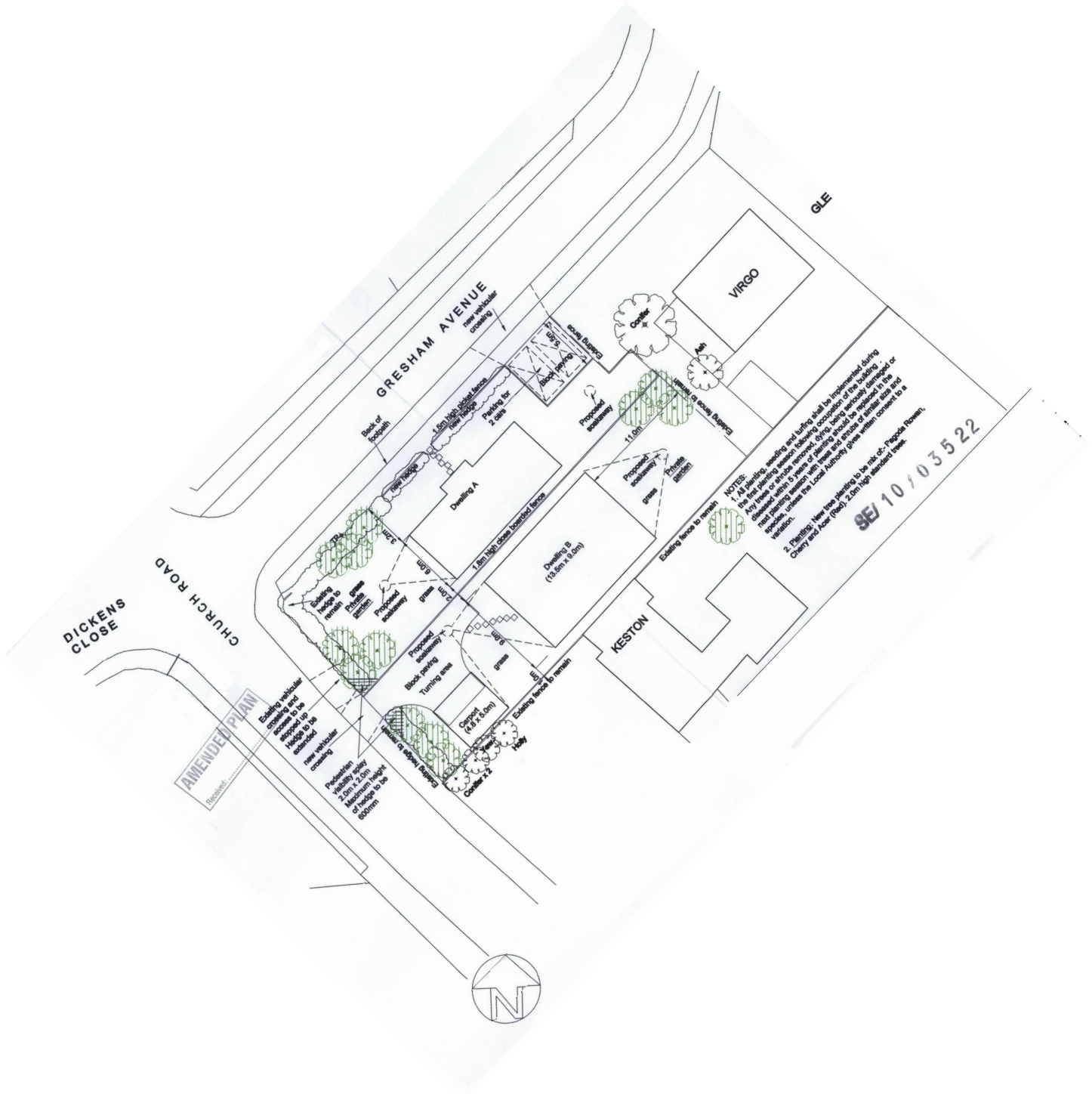
Site Plan

Scale 1:1,250

Date 23/05/11



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NOTES:

1. All planting, seeding and sowing shall be implemented during the first planting season following completion of the building. Any trees or shrubs removed, dying, being severely damaged or dead during the 10 year or planting period be replaced in the species unless the Local Authority gives written consent to a variation.
2. Planting: New tree planting to be max. ch. 7 (Pigeon Roost), Cherry and Rose (R6) 2.5m high standard trees.

SE/10/03522

AMENDED PLAN
Proposed

