

4.2 -SE/14/03829/HOUSE Date expired 11 February 2015

PROPOSAL: Two storey side extension and front porch infill.

LOCATION: 55B Hartslands Road, Sevenoaks TN13 3TW

WARD(S): Sevenoaks Eastern

ITEM FOR DECISION

This application has been referred to the Development Control Committee since the Officer's recommendation is at variance to the view of the Town Council and at the request of Councillor Mrs Purves who is of the view that the proposal would result in a detrimental impact on the residential amenities of the occupiers of 57 Hartslands Road and would result in a loss of off-street vehicle parking.

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: Site Location Plan, Block Plan, HART/3B, HART/4 and HART/6B.

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

3) 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 enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) The first floor bedroom window in the northern rear elevation of the approved extension shall be obscure glazed and non openable at all times, unless above 1.7m above the internal floor level.

To safeguard the privacy of residents as supported by Policy EN2 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),
- 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:

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

Description of Proposal

- 1 The application seeks the approval of the erection of a two storey side extension to the existing house and the infill of the existing front porch.
- 2 The proposed addition would tie into the existing eaves height of the house but have a lower roof height than the existing property by a metre, it would be a maximum of 2.4m wide, narrowing down in width where the side boundary of the site tapers in to retain a gap of a metre to the shared boundary. The proposed extension would have a front facing ground floor window and a ground and first floor rear facing window.
- 3 The proposed infill of the existing front porch would mean that the front door would be brought forward to the front wall of the existing house from its current position set back 0.7m from the front wall.

Description of Site

- 4 The application site comprises a two storey, semi-detached dwelling, located on the north side of Hartslands Road, close to the junction with Sandy Lane. The land falls away slightly from the street to the rear of the site. Being sited on a bend in the road the orientation of the dwelling and the neighbour to the east, 57 Hartslands Road, is such that the property tapers into the shared boundary. The street is formed of mainly semi-detached dwellings and the street backs on to the rear gardens of properties on Bayham Road to the south and east.

Constraints

- 5 The site lies within the built urban confines of Sevenoaks and adjacent to the Hartslands Road Conservation Area.

Policies

Sevenoaks District Core Strategy

- 6 Policies – L01, L02 and SP1

Sevenoaks District Allocations and Development Management Plan (ADMP)

- 7 Policies – SC1, EN1, EN2, EN4 and T2

Other

- 8 The National Planning Policy Framework (NPPF)
- 9 The National Planning Practice Guidance (NPPG)
- 10 Residential Extensions Supplementary Planning Document (SPD)
- 11 Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SPD)
- 12 Hartslands Road Conservation Area Appraisal and Management Plan

Planning History

- 13 SE/11/00201 - Erection of single story rear extension and first floor rear extension. Granted 31.03.11
- 14 SE/12/00643 - Variation of conditions 2, 3 and 4 of SE/11/00201/FUL - Erection of single storey rear extension and first floor rear extension. To block up small kitchen window and match existing, rooflight to have height above flat roof finish, relocate new window from first floor east side of house to the north and all new build running flush with existing pebbledash finish be rendered to match existing, ground floor new build walls which do not run flush be finished in smooth render, new built north kitchen & bathroom be finished in smooth render. Granted 16.05.12

Consultations

Sevenoaks Town Council – 08.01.15

- 15 ‘Sevenoaks Town Council unanimously recommended refusal on the following grounds:
- the two story extension would affect the amenity of the neighbouring cottage at no 57 Hartslands Road as it would overshadow two windows affecting main rooms - the kitchen window and the stair well window which helps light the main living room, as well as the glazed door which gives light to the living room
 - the extension would affect the setting of the weather boarded cottages which contribute to the Conservation Area, bringing the 1950s style

- building close to the boundary and partially obscuring the view of the cottages from the road
- it would also eradicate the gap separating the different periods of building in the conservation area, as well as the visual gap across the roof scape to the North Downs, which is an important part of the street scene
- in addition the extension would remove the off street parking space for no 55B, as it would occupy a space previously occupied by a garage, in an area where on street parking is in short supply.'

Representations

- 16 One letter of representation has been received objecting to the scheme on the grounds of the proposed extension being unneighbourly, loss of light, overshadowing, impact on the adjacent conservation area, loss of view between the extension and neighbouring property, loss of a parking space and impact on the character of the area.

Chief Planning Officer's Appraisal

- 17 The main issues in the consideration of this application are the potential impact on the character and appearance of the area and the potential impact on residential amenity. Other issues include loss of an off-street parking space.

Main Issues

Impact on the character of the area –

- 18 The NPPF states that the Government 'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' (para. 56)
- 19 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.
- 20 Policy EN1 of the ADMP states that the form of proposed development should respond to the scale, height, materials and site coverage of the area. This policy also states that the layout of proposed development should respect the topography and character of the site and the surrounding area.
- 21 In proposing new development within the Bayham Road Area, which includes the application site, the Residential Character Area Assessment SPD states that development should be set back from the road, the harmonious palette of white painted render, half timbering, hung tiles and contrasting brickwork should be respected in Bayham Road, the characteristic roof profile should be respected in Bayham Road, traditional detailing should be retained in Bayham Road, and the setting of Hartslands Conservation Area should be protected or enhanced.
- 22 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a Local Planning Authority, in considering development in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

- 23 The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (para. 132).
- 24 Policy EN4 of the ADMP states that 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.
- 25 The Hartslands Road Conservation Area Appraisal describes the character of Hartslands Road as having 'A strong sense of enclosure', which is 'provided to the street by the narrow street, with no footway to the south, high boundary walls, fences or buildings and mature specimen trees which enclose the eastern boundary and the buildings (some terraced) set close to the western side of the street.' The conservation area appraisal also explains that 'Hartslands Road is set on the highest part of the proposed Conservation Area and as a result, is visible from other parts of it. Glimpses of the North Downs give a sense of relief to the enclosed street.' The adjacent property to the east, 57 Hartslands Road, is identified as being a building that contributes to the character of the area but as noted above the application site is located outside of the conservation area.
- 26 The proposal comprises the erection of a two storey side extension to the existing house and the infill of the existing recessed porch to the front door of the property. The side extension would be modest sized, subservient to the main house and would retain a metre gap to the shared boundary with No.57.
- 27 The treatment of porches of neighbouring semi-detached properties varies but each has already been infilled. The infill of the porch of No.55B would therefore be acceptable.
- 28 The addition to the side of the house and alterations to the existing porch would also be finished in materials to match the existing property.
- 29 I am therefore of the view that the proposed extension would respect the established pattern of development being set back from the public highway, in line with the existing house. It would respect the existing palette of materials of the property and would respect the roof profile of the existing building.
- 30 As noted above, the adjacent conservation area is characterised by the narrow street and feeling of enclosure, with glimpses of the North Downs. The proposed side extension and infill of the porch would respect these characteristics since the addition would be set back from the street, would be modest in size, and would retain a gap of 1m to the shared boundary and just over 3m to the side wall of No.57, and the infill of the porch would be carried out within the existing built form of the house.
- 31 The width of the street would therefore be unaffected, the feeling of enclosure would be retained and a glimpse of the North Downs would be retained between the extension and No.57. In addition, No.57 itself would be unaffected by the proposed extension and alteration.
- 32 I am therefore satisfied that the development would not harm the setting of the adjacent conservation area.
- 33 The proposal would therefore preserve the character and appearance of the area and would conserve the significance of the adjacent conservation area in

accordance with the NPPF, policy SP1 of the Core Strategy and policies EN1 and EN4 the ADMP.

Impact on residential amenity –

- 34 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 35 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that development does not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and where the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.
- 36 This policy is supported by design guidance relating to residential amenity held within the Council's Residential Extensions SPD.
- 37 The neighbouring property potentially most affected by the proposed two storey side extension would be 57 Hartslands Road to the east of the site. The alterations to the existing porch would not impact any neighbouring amenity and other nearby houses are sufficient distance away not to be significantly impacted upon by the proposed side extension.
- 38 The ground floor layout of No.57 is such that the kitchen is positioned to the front of the house, a dining room is located to the centre of the house and a living room to the rear. The kitchen currently enjoys a south facing aspect and the living room a north facing aspect. In addition, a number of side facing windows serve the property including one for a ground floor bathroom located between the kitchen and dining room, a higher level window for the stairwell to the property (which the owner of No.57 points out also provides light to the dining room), and a part glazed door and a side window also serve the rear living room.
- 39 The proposed extension would pass the 45 degree angle test in plan, which is sufficient to demonstrate that there would not be a detrimental loss of daylight to the occupiers of No.57.
- 40 In terms of direct sunlight, the front of No.57 where the kitchen is situated would continue to enjoy a sustained level of sunlight for most of the day. The ground floor side facing windows would clearly be affected by the side extension. However, these windows serve either a bathroom or are secondary windows to a living room, and these windows would be currently affected by the position of No.55B as it stands today from the middle part of the afternoon. The upper level window, which serves the staircase, would be sufficiently high enough not to be significantly impacted upon.
- 41 I would therefore conclude that any impact would not be detrimental and the occupiers of No.57 would continue to enjoy a reasonable level of daylight and sunlight within the property and therefore the application could not be refused on this basis.

- 42 I am satisfied that the proposed side extension and infill of the porch would not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements that would impact the occupiers of No.57.
- 43 The proposed side extension includes the insertion of a rear facing bedroom window at first floor level. Due to the orientation of the properties overlooking of No.57 may occur from this window. As such I believe it would be reasonable and necessary to control this window to avoid overlooking and a loss of privacy. This is only acceptable in this instance since the same bedroom would also be served by a front facing window that would not need to be controlled at all.
- 44 The rear amenity area of No.57 would be sufficient distance away from the proposed side extension to ensure that visual intrusion would not occur and outlook would not be impacted upon. In addition, the side facing windows, which either serve non-habitable rooms or are secondary to primary windows in the rear elevation, would not be impacted upon in terms of potential visual intrusion or a loss of outlook.
- 45 Overall, I am satisfied that the development would safeguard the amenities of existing and future occupants of nearby properties and that the development would provide adequate residential amenities for existing and future occupiers of the site. The proposal therefore complies with the NPPF and policy EN2 of the ADMP.

Other Issues

Parking provision and highways safety –

- 46 Policy EN1 of the ADMP states that a proposal should ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 47 The existing parking space on site (minimum of 4.5m x 2.2m) is not sufficient to meet current requirements for parking bays (4.8m x 2.4m). It could therefore be argued that the loss of the existing parking space would not actually result in the loss of parking provision for the property.
- 48 I would acknowledge that on street parking on this part of Hartslands Road is restricted due to the width of the street and the ability to only park on one side. However, I do not believe that the parking of an additional car on the street would lead to a detrimental impact on highway safety to warrant refusing the application.
- 49 I am therefore of the view that the proposal would preserve highways safety and provide adequate parking in accordance with policy EN1 of the ADMP.

Loss of the view between the extension and neighbouring property –

- 50 As noted above a gap of just over 3m would be retained between the extension and 57 Hartslands Road. This would retain a glimpse of the North Downs. In addition, no individual has a right to a view.

Sustainable development –

- 51 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a

golden thread running through both plan-making and decision taking (para. 14). For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies out of date, granting of permission unless:-

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;
- specific policies in this framework indicate development should be restricted; or
- material considerations indicate otherwise.

52 In my opinion, the proposed scheme would wholly accord with the development plan, and I have explained this in detail above. It follows that the development is wholly appropriate and there would be adverse impacts in granting planning permission for the development.

Conclusion

53 I consider that the proposed development would preserve the character and appearance of the area, would not harm the setting of the adjacent conservation area, and would safeguard residential amenities. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background Papers

Site and Block plans

Contact Officer(s): Mr M Holmes Extension: 7406

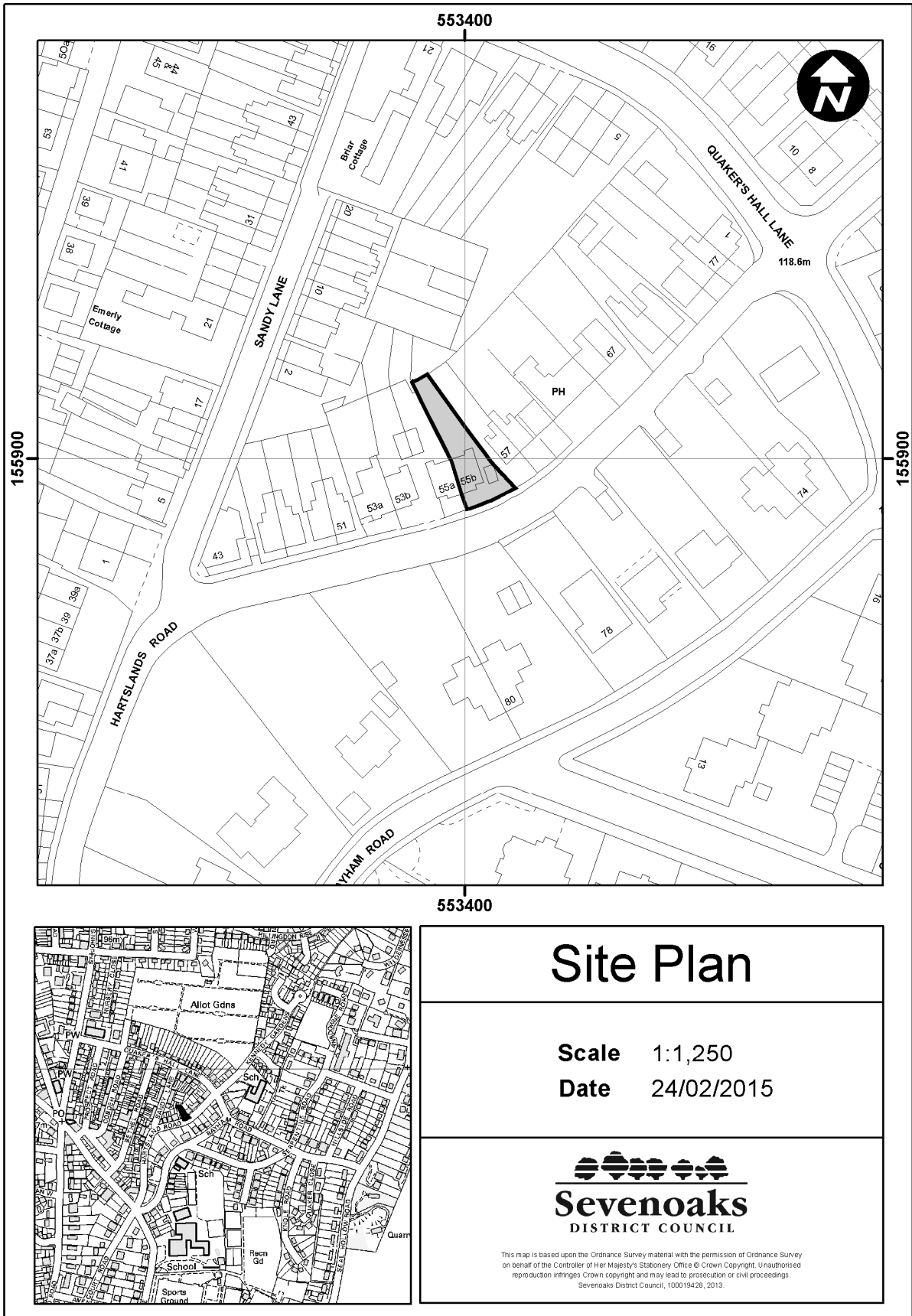
Richard Morris
Chief Planning Officer

Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NG970XBKHYX00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NG970XBKHYX00>



Site Plan

Scale 1:1,250
Date 24/02/2015



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 Sevenoaks District Council, 100019428, 2013.

