

Proposal: Demolition of existing conservatory and the erection of a single storey front porch, double storey side extension, loft conversion with rear dormer and change of roof of existing rear extension from flat roof to pitched roof and alterations to fenestration.

Location: 20 Barnetts Road, Leigh, Kent TN11 8QH

Ward(s): Leigh & Chiddingstone Causeway

Item for decision

Councillor Lake has referred this application to Development Control Committee as the development would be visually intrusive, overbearing and out of character in an area of mainly listed buildings.

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 dwellinghouse and terrace 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: RA1208/REV B/01

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

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

- 1 The site is a 1930s end-terraced dwelling house with a pitched roof, terracotta hanging tiles at first floor level and white painted exterior at ground floor level. The majority of the other properties in the road are similar in terms of their size, style and building line but they are not identical in their appearance and there is evidence of more recent additions along the road. The dwelling is centrally located in Leigh village and it falls within ward of Leigh and Chiddingstone Causeway. The property is not located in a conservation area but it is located close to the boundary of the Leigh Conservation Area.

Description of proposal

- 2 The application is to allow for the demolition of the existing conservatory to facilitate the erection of a two-storey side extension and a loft conversion with proposed roof lights at the front of the property and a new dormer at the rear. The applicant also seeks to erect a porch with 40 degree roof pitch at the front of the property and to change the roof of the existing rear extension from a flat roof to a pitched roof with 15 degree pitch.

Relevant planning history

- 3 None

Policies

- 4 National Planning Policy Framework

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

- 5 Core Strategy

SP1 - Design of New Development and Conservation
LO7 - Development in Rural Settlements

- 6 Allocations and Development Management Plan (ADMP)
- EN1 - Design Principles Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
 - SC1 Presumption in Favour of Sustainable Development

7 Other:

- Sevenoaks Countryside Character Assessment (SPD)
- Sevenoaks Landscape Character Assessment (SPD)
- Sevenoaks District Council Residential Extensions (SPD)

Constraints

- 8 None

Consultations

Leigh Parish Council

- 9 Objection lodged in relation to the application for the reasons detailed below

‘Leigh Parish Council objects to this application because the proposed dormer windows on the proposed extension would be out of keeping with neighbouring properties, and there would be overlooking from these windows into neighbours’ properties. The size and scale of the proposal is also too large for the plot and in comparison with neighbouring properties. The property is on the edge of the Conservation Area and could have a visual impact on the Conservation Area.’

Representations

- 10 Four representations received objecting on the following grounds:

- Overlooking and loss of privacy
- Design and appearance
- Height and density of the roof elevation/new dormers
- Impact on listed buildings
- Impact on the conservation area
- Visual amenity
- Encroachment on right of way

Chief Planning Officer’s appraisal

- 11 The main planning considerations are as follows:

- Impact on heritage assets
- Impact on the design and character of the area
- Impact on neighbouring amenity
- Parking and highway impact

Impact on heritage assets:

- 12 Paragraphs 184-202 of the NPPF are concerned with conserving and enhancing the historic environment and in particular the importance to be attached to the conservation and enhancement of heritage assets when considering development proposals.
- 13 Policy EN4 of the ADMP further states that proposals which affect a heritage asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 14 In this case, the property is not listed, nor is it situated in a conservation area. The rear of the adjacent site backs on to the boundary of the Leigh Conservation area. The representations received mention that there is some concern locally that the proposed alterations will have a negative effect upon the integrity of the conservation area and upon the buildings situated along Powder Mill Lane which are listed, namely Gales and Greenways Cottage. Neither of the properties adjoin the application site. However due to the fact that the properties are located in the vicinity of the subject property there is some concern that the new extension could affect the historic setting of the listed buildings.
- 15 I have measured the distance between the proposed location of the new extension and the boundary fences of both properties. In the case of the Gables, once built the proposed extension would be situated approximately 17.7m from the boundary and approximately 27.5m from the main dwellinghouse at its closest point. In the case of Green Ways Cottage, once built the new proposal would be situated approximately 17.1m from the property boundary and approximately 30m away from the main dwellinghouse at its closest point. Consequently I feel that the subject property in this case is sufficiently far away from both of the listed properties that the proposed alterations will not have a negative impact on their setting. There is also an undeveloped plot located between the subject property and the two listed properties which helps to provide a certain amount of additional protection with regards to their historic setting.
- 16 I consider that the proposal should not have a negative impact on the rhythm and uniformity of the streetscene, nor upon the Conservation Area views and the setting of the listed buildings located in the vicinity. It therefore complies with Policy EN4.

Impact on the design and character of the area

- 17 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 18 In this case, this particular terrace of properties is fairly uniform in terms of materials though the style of the windows appears to differ from house to house.
- 19 At the front of the property the addition of four roof lights has been proposed, together with a new porch. The addition of the roof lights could

be carried out under permitted development and so I am satisfied that this element of the proposal is acceptable. Whilst the addition of a porch is not necessarily in keeping with the style of the rest of the terrace, again it would ordinarily be possible to erect a similar structure under permitted development rights if it had a lower pitch. The 40 degree pitch follows the main roof line and in terms of aesthetic appearance the proposed pitched roof is more in keeping with the style of the existing building than a flat roof might be.

- 20 As far as the side extension is concerned, the extension has been designed in a way that reflects the style of the existing terrace to the extent that the proposed materials, window size and line of the windows are in keeping with the existing row of properties. The proposed side window at first floor level is to be obscure glazed to avoid creating issues relating to loss of privacy and it will also be approximately 23.5m away from the nearest dwelling. I therefore consider that there is sufficient distance between the two properties to avoid problems caused by overlooking. The new bi-fold doors at ground floor level will be similarly positioned approximately 23.5m away from the nearest neighbouring property and they will afford less visibility towards the neighbouring properties than that afforded by the existing conservatory. Equally the addition of a new window in the existing rear extension should not create any issue with regards to privacy and overlooking due to the distance between it and the nearest property, which in this case is approximately 30.5m.
- 21 At the rear of the property the addition of a dormer with three windows is proposed, together with a change to the roof of the existing rear extension at ground floor level. It is considered that the roof of the rear extension on the ground floor has been deliberately designed to follow the pitch of the lower roof line in keeping with the character of the existing building. The application form confirms that the materials to be used in the extension including the tiles and brickwork will also match the existing dwellinghouse so it is considered that the proposal will respond to its character.
- 22 Whilst it is acknowledged that the new proposed dormer is substantial, the principle of having a dormer isn't brought into question due to the fact that it would be possible to erect a smaller dormer under permitted development rights. In addition the dormer is still subservient to the existing roof in that it sits below the existing roof line and does not project out beyond the rear elevation. The proposed dormer windows also been designed to reflect the line and style of some of the existing windows at first and ground floor level.
- 23 The Sevenoaks District Council Residential Extensions SPD states that the scale height and proportion of an extension should respect the character of the existing building and that it should fit unobtrusively with the building and setting. Whilst a side extension is often set back from the main building line, in this case the line of terraced properties are flat-fronted. The proposed extension follows the existing building line and ridge line and I consider this to be an acceptable means of blending the extension in to match the line and appearance of the neighbouring properties.

- 24 According to the Sevenoaks Countryside Character Assessment and the Sevenoaks Countryside Landscape Assessment, the property is located in area characterised for its intensely farmed landscape, pastureland and estate parklands, and for its substantial areas of woodland and mature hedgerow network. The villages located in the area villages tend to have strong historic building style at their core.
- 25 In this case, the implementation of the proposal will not result in a loss of some of the features which are characteristic of the area such as hedgerows and woodland. In addition, the subject property is not located along the high street or in the designated conservation area and so it is not considered to be detrimental to the historic character of the village core.

Impact on the neighbouring amenity

- 26 Policy EN2 of the ADMP requires proposals to safeguard the residential amenities of existing and future occupants of any properties which are situated in the vicinity. Consequently regard must be had to and excessive noise, odour, overlooking or visual intrusion. The Residential Extensions SPD recommends that a 45 degree test is undertaken for a loss of light to neighbouring dwellings, based on BRE guidance.
- 27 At the front of the property, the proposed new porch is to be located 7 metres away from the boundary with 19 Barnetts Road and will project out from the line of the terrace by 1.8m. The depth of the porch is therefore such that the new proposed structure is unlikely to cause any overshadowing.
- 28 The proposed side extension is to be erected on a large square shaped plot at the end of a line of terraced properties. The extension will be situated approximately 26 metres away from the northern site boundary. Consequently it is concluded that the presence of the new bi-fold doors and obscure glazed window on the first floor of the extension will be acceptable distance from the neighbouring boundary and should not cause any issues relating to a loss of privacy. Given that the main projection will be at the side of the property away from the rest of the terrace and given the sun's trajectory, I do not consider that the presence of the new side extension will create any additional issues relating to loss of daylight and sunlight for the neighbouring properties.
- 29 At the rear of the property, the footprint of the existing rear extension will remain the same. The addition of a pitched roof will be at a 15 degree angle and given the low pitch it should not cause any additional overshadowing issues.
- 30 As far as the rear dormer is concerned, the intended use of the new second floor is as a bedroom, en-suite and dressing room. Given that the new rooms will be used mainly at night, the impact on the neighbouring garden in terms of overlooking will be fairly minimal during the day.
- 31 As a result of the above, I am satisfied that the alterations should not result in overlooking, unreasonable loss of light or create privacy issues for those occupying the neighbouring properties.

Parking and highways impact

- 32 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 33 Although the application in this case involves the addition of two extra bedrooms, owing to the size of the plot there will be adequate space for parking on the driveway in front of the house and complies with policy T2 of the ADMP.

Other issues

- 34 Two of the representations received mentioned concern about a loss of private rights of way. This is a legal matter and is not a material planning consideration in the determination of this application.

CIL

- 35 This proposal is not CIL liable.

Conclusion

- 36 The application proposal for a new front porch, front rooflights, a side extension and the addition of a new dormer and replacement roof at the rear has been designed in a way which is not considered harmful to the streetscape or to its surroundings. The materials proposed are to match the existing brickwork and tiling in order to minimise the impact on the existing street scene. The size of the proposed extension is also unlikely to cause any significant privacy or loss of light issues for the neighbouring properties. Consequently, the proposal is in accordance with the development plan.

Background papers

Site and block plan

Contact Officer(s): Alexis Stanyer Extension: 7346

Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PBEHWABKLBD00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PBEHWABKLBD00>

Proposed Block Plan

