

4.1 – SE/12/01031/HOUSE Date expired 3 August 2012

PROPOSAL: Demolition of existing garage. Erection of a part two storey part first floor extension to the side of the property, the construction of a glazed link leading to a two storey structure incorporating a garage and gym with games room over. New cladding to first floor and the construction of a new access and driveway.

LOCATION: 51 Greenhill Road, Otford, Sevenoaks TN14 5RR

WARD(S): Otford & Shoreham

#### ITEM FOR DECISION

This application is being reported to Development Control Committee at the request of Councillor Lowe on the grounds of overshadowing and loss of light to number 53 Greenhill Road and loss of privacy to number 52 Greenhill Road.

**RECOMMENDATION:** That planning permission be REFUSED for the following reasons:-

The proposed glazed link by reason of its overall design and materials fails to acceptably integrate with or relate to the character and design of the existing building, furthermore, it would result in an uninterrupted extension of the built form across almost the entire width of the application site resulting in the site appearing cramped, contrary to the established spatial character of Greenhill Road. The proposal would therefore represent an inappropriate addition to the building to the detriment of its design, character and appearance and the character and appearance of the street scene of Greenhill Road. It would therefore be harmful to the visual amenity of the area and character and appearance of the Darent Valley Area of Outstanding Natural Beauty contrary to policies EN1 of the Sevenoaks District Local Plan, BE1, CC6 and C3 of the South East Plan, SP1, LO7 and LO8 of the Sevenoaks Core Strategy, the National Planning Policy Framework and the guidance contained in the Otford Village Design Statement.

#### Description of Proposal

- 1 The application seeks permission for the demolition of the existing garage, erection of a part two storey part first floor extension to the side of the property and the construction of a glazed link leading to a two storey structure incorporating a garage and gym with games room over. The application also seeks permission to re-clad the first floor.
- 2 The applicants also propose to construct an additional access and driveway.

#### Description of Site

- 3 The site the subject of this application is located in Greenhill Road, an area characterised by detached dwellings of varying age, size and design set in predominately spacious, well landscaped plots. The site is within the settlement

boundary of Otford as defined on Sevenoaks District Council's proposal maps. The site is located within an Area of Outstanding Natural Beauty (AONB). The south west corner of the site is within an Area of Archaeological Potential.

- 4 The site which is located on the east side of Greenhill Road is currently occupied by a detached dwelling and detached flat roof garage. The dwelling is set back from the road by approximately 16 metres. The site slopes upward away from Greenhill Road and as a result the dwelling is located approximately 3.5 metres above Greenhill Road.
- 5 The dwelling has been extended previously including a single storey extension to the side and a conservatory to the rear. The dwelling is constructed using a mix of traditional and modern materials, being white painted render at ground floor, timber cladding at first floor and a plain clay tile roof. The windows are timber double glazed widows, the doors are also timber.

#### Constraints

- 6 Area of Archaeological Potential
- 7 Darent Valley Area of Outstanding Natural Beauty
- 8 Airfield Safeguarding Zone
- 9 Area of Special Control of Adverts

#### Policies

##### *Sevenoaks District Local Plan*

- 10 Policies - EN1, EN6, VP1, H6B and Appendix 4 Residential Extensions

##### *South East Plan*

- 11 Policies - BE1, CC1, CC4, CC6, C3, T4

##### *Sevenoaks Core Strategy*

- 12 Policies - L01, L07, L08, SP1

##### *Other*

- 13 National Planning Policy Framework (NPPF)
- 14 SDC Residential Extensions SPD 2009
- 15 Otford Village Design Statement

#### Planning History

- 16 10/00049/LDCPR – Hardwood and glass orangery on a brick base – Granted 10/03/2010
- 17 96/02323/HIST – First floor extension and hipped roof – Granted 13/02/07
- 18 82/01242/HIST – Extension to dwelling – Granted 29/11/1982

- 19 77/00507/HIST – First floor extension to rear of dwelling supported on piers with part ground floor extension under – Granted 09/06/1977
- 20 76/01536/HIST - First floor extension to rear of dwelling supported on piers with part ground floor extension under – Refused 15/02/1977
- 21 75/01164/HIST – Erection of a single storey bedroom/study extension at rear – Granted 19/11/1975

## Consultations

### *Parish Council*

- 22 Comment received 03/07/2012 - Otford Parish Council has no objection in principal

### Further Comments

- The Council has no objections in principle
- The concerns of adjoining neighbours should be considered.
- There should be a condition that the property retains single occupancy.
- The Otford Village Design Statement refers to the importance of maintaining views of the surrounding countryside (see below).

#### *The Landscape and open spaces (page 9)*

*“The spacing of houses and integration with the countryside, enabling views of fields and trees between houses, are of paramount importance to the majority of residents. It should never be assumed that gaps in original frontages are automatically ripe for infilling. Such spaces often make a positive contribution to the character and appearance of the settlement. Thus every site apparently offering infill opportunities must be considered in its context. (as ref. Kent Design Guide)”*

*(Page 15)*

The spaces between the houses also promote this valued and essential sense of rural integration.

#### *Design Principles (accepted)*

*2b “Infilling which diminishes spaces between properties and hence their integration with the surrounding countryside, is not acceptable to Otford residents (Kent & Medway Structure plan 2006 - QL1.1 / 7.34. Sevenoaks & District Local Plan 13.iv)”*

- 23 Additional comments received 11/07/2012

Further to the original planning application response 2 neighbours of the above property have expressed their concerns and the Parish Council shares their concerns as detailed below:

- The development will result in overshadowing of a neighbouring property

- There is missing information on the plans in respect of a window in a neighbouring property
- The report produced by neighbours supports the Otford Village Design Statement in terms of infilling, restriction of views and bulk.
- The area in which the development will take place is home to dormice and roman snails

*SDC Arboricultural Officer*

24 Views awaited.

### Representations

25 6 Letters received objecting to the application on the following grounds:

- Loss of outlook and daylight experienced by 53 Greenhill Road
- Detrimental visual impact and overbearing effect upon 53 Greenhill Road.
- Cramped development in relation to plot size.
- Potential loss of trees and detrimental impact upon local wildlife.
- Contrary to the NPPF, Local Plan Policy H6B and Core Strategy Policy SP1.
- Proposal will exacerbate drainage issues.
- Loss of privacy

### **Group Manager - Planning Appraisal**

26 As stated previously, Greenhill Road is characterised by detached dwellings of varying age, size and design set in predominately spacious, well landscaped plots.

27 Despite the varied architectural styles the existing dwellings sit comfortably within their plots and for the most part maintain comparable distances between one another which are important to the semi rural character of both the street scene and the wider area. The established good sized trees and planting in the spacious gardens contributes to Greenhill Roads distinctive, low density, Arcadian character.

28 As stated previously, the site is located within the AONB where government guidance in the form of the NPPF and Local Plan policies exist to conserve and enhance the natural beauty of the landscape over other material planning considerations. Further to this, policy EN1 of the Local Plan indicates that, amongst other criteria, 'the form of the proposed development ... 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'. This is further supported by policy CC6 of the South East Plan which requires development to respect and where appropriate enhance the character and distinctiveness of settlements and landscapes. Policy H6B of the SDLP states that residential extensions shall be subject to the principals in Appendix 4. Amongst other things,

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Appendix 4 states that the extension should relate well in design terms to the original dwelling in respect of bulk, height, materials, windows and detailing. Regard should also be had to the Councils Residential Extensions SPD and the Otford Village Design Guide.

- 29 Having regard to the above, I refer firstly to the part two storey part first floor extension to the side of the property. This comprises a two storey extension to the front of the existing kitchen which extends out in line with the existing entrance hall, and then up and over the existing single storey extension.
- 30 At present the single storey extension to the side comprises a false pitch roof and a small flat roof utility room. These are of no particular architectural merit and bear no architectural resemblance to the character or appearance of the existing building.
- 31 The proposed extension would not extend forward of the principal building line. Its roof however, would extend directly off of the roof of the existing dwelling at the same ridge height and would replicate the form and pitch of the existing roof. As a result the extension would appear as an integral part of the dwelling rather than a subservient addition. However, in this instance this would re-establish symmetry to the property which does not exist at present, and provide an aesthetically pleasing replacement of the existing single storey extensions which will contribute far more positively to the character and appearance of the dwelling.
- 32 Furthermore, this extension has been designed and articulated in a way which is sympathetic and which would ensure that it would not have a negative impact upon the character of the dwelling. As such this extension is considered to be well integrated in respect of bulk, height, materials, windows and detailing and would, therefore, reflect the established design and layout principles of the existing dwelling.
- 33 I refer secondly to the re-cladding of the first floor. The materials proposed to be used to re-clad the first floor of the dwelling comprise tile hanging for the most part, and render and mock Tudor beams to the front first floor gable. These materials are consistent with the existing materials on the roof of the dwelling and at ground floor and would remain sympathetic to those predominating locally in type. As such there is no objection to the proposal in this respect.
- 34 I refer now to the construction of the glazed link leading to a two storey structure incorporating a garage and gym with games room over.
- 35 Having regard to the two storey structure alone, garages with accommodation in the roof are common in Greenhill Road. Their location forward of the building line also forms part of the established character of Greenhill Road. As such the location of the structure is considered to be acceptable in principal. Furthermore, the eaves and roof ridge are positioned below the eaves and ridge of the existing dwelling, and as a result the structure would appear subservient and ancillary in accordance with the advice relating to garages and outbuildings set out in the Councils Residential Extensions SPD.
- 36 Having regard to the glazed link it is of a relatively contemporary flat roof design juxtaposed to the traditional design and form of the existing dwelling and other proposed extensions. As such in context, the link would appear overtly austere and would fail to integrate with and relate to the character and design of the

existing building and other proposed extensions contrary to the aforementioned policy criteria. This view is consistent with that given in pre-application advice in March of this year. Furthermore, providing a link to the detached two storey structure would also result in the uninterrupted built form spanning almost the entire width of the application site resulting in the site appearing cramped, contrary to the established spatial character of Greenhill Road. Due to its location in line with the existing access the glazed link and the relationship of the built form to the size of the plot would be visible within the context of the street scene of Greenhill Road. This visibility would be further enhanced by the creation of a new access. It is therefore considered that the physical expression of the resultant building caused by the uninterrupted built form across the site coupled with the austere glazed link would lead to harm to the character and appearance of the existing dwelling, street scene, and established spatial character of Greenhill Road and furthermore, to the character and appearance of the AONB. For these reasons the proposal is considered to be contrary to policies EN1 of the SDC Local plan, SP1, L07 L08 of the Sevenoaks Core Strategy, BE1, C3 and CC6 of the South East Plan, the National Planning Policy Framework, the Councils Residential Extensions SPD and the principles set out in the Otford Village Design Statement.

### Impact on Amenities

- 37 Criteria 3 of policy EN1 of the Sevenoaks District Local Plan states that proposed development including changes of use 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.
- 38 Having regard to privacy, with the exception of a small first floor window in the south east (side) elevation of the first floor extension, all of the windows serving the development are proposed to be located in the north east (rear), south west (front) and north west (side) elevations. The proposed first floor window in the south east elevation will look directly out onto the roof of the proposed two storey structure, which exceeds the height of the window. The remaining windows will allow views out over the rear and front garden of the application site, towards the street and towards number 52 Greenhill Road directly opposite the site of the extensions. As a guide overlooking into windows or private amenity areas at a distance less than 21 metres is often deemed to be unacceptable. However, in this instance, the principal elevation to number 52 is located approximately 30 metres away from the south west elevation of the proposed garage. As such, and as per the guidance contained within the Councils Residential Extensions SPD views towards windows located in the front elevation of number 52 are not at close quarters and therefore are not considered to result in any immediate or unacceptable overlooking detrimental to the privacy of the occupiers.
- 39 Due to the robust screening of the boundaries, with mature trees and shrubs, there are no other neighbouring properties whose privacy is considered to be affected by the proposal. There are no windows proposed in the south east (side) elevation of the two storey structure at present and a condition restricting the insertion of windows/dormer windows or any other form of opening could be imposed to protect the amenities of the occupiers at number 53 Greenhill Road whose boundary immediately adjoins the site.
- 40 Having regard to outlook, overshadowing and loss of light, due to the positioning of the extensions to the south east side of the dwelling, the only neighbour whose

amenity would be immediately affected in this respect is number 53 Greenhill Road.

- 41 Firstly, in relation to outlook, the District Council is primarily concerned with the immediate outlook from neighbours windows and whether the proposal is overbearing or overshadows in a way which significantly changes the nature of the normal outlook. There are three existing windows and a door in the side elevation of number 53 which would face out onto the south east side of the proposed two storey structure. These include two first floor windows located approximately 12 metres from the site of the proposed two storey structure and a ground floor window and a door located approximately 8 metres away as identified on street elevation drawing number 356. The rooms and the use of the rooms which these windows serve is not in dispute.
- 42 These windows and door currently look out onto established trees and shrubs which align the boundary between the application site and number 53. The majority of these trees and shrubs would exceed the height of the proposed two storey structure. The application does not propose the removal of any of these trees which comprise a mix of deciduous and evergreen species. As such whilst it is acknowledged that in the winter months it will be possible to view the extension obscurely and intermittently through the boundary, taking the above distances and material factors into consideration such views would not be at close quarters and the outlook its self is not considered to significantly alter in a way which would justify withholding planning permission.
- 43 In addition to the above, having regard to overshadowing and loss of light, both the 45 degree test set out at paragraph 5.8 of the Councils Residential Extensions SPD and the 25 degree test (whereby a line is drawn upwards at a 25 degree angle from the centre of the lowest ground floor window facing directly onto the development proposal), have been applied, which aid the Council in ensuring that the proposal would not result in any unacceptable overshadowing or loss of light. In the case of the development proposal it would comply with both tests by not contravening either of these lines. Furthermore, as stated in the preceding paragraph, the existing planting to the boundary would exceed the height of the proposed two storey structure and as a result already obstructs light entering these windows especially during the summer months when the deciduous trees are in leaf.
- 44 In conclusion and irrespective of the manner in which the rooms to the neighbouring property are used, for the reasons set out in the preceding paragraphs and taking the above distances and material factors into consideration it is not considered that the proposal would have any undue impact upon the amenities of the neighbouring occupiers and therefore complies with policy EN1 of the SDC Local Plan.

#### Highways Issues

- 45 The proposal would accommodate two independently accessible parking spaces in the proposed garage in accordance with Kent County Councils Interim Guidance Note on residential parking and would comply with policy EN1 of the Local Plan.
- 46 Alterations are proposed to the access, which are addressed in further detail below.

## Other issues

- 47 Representations received have made reference to biodiversity particularly protected species.
- 48 Having followed Natural England's Standing Advice there is no specific criteria applying to the present condition of the site to indicate the need for the Local Planning Authority to request an Ecological Survey, or which indicates that any protected species/habitat are affected by the proposal.
- 49 Representations have also been received objecting to the proposal on grounds concerning surface water run off from the proposed access and drive. Having regard to the access and drive way, this has been included in the description for clarity at the applicants request.
- 50 Greenhill Road is an unclassified road and as such the creation of the access onto it does not require the benefit of formal planning permission. The creation of the access will involve the removal of a large conifer tree and part of the existing hedgerow, neither are protected by way of a Tree Preservation Order nor is the site located within a Conservation Area, as such their removal does not require any consent. The applicant's state in email dated 10/08/12 that they do not propose to carry out substantial engineering works to provide the access and drive. Whilst it was apparent from visiting the site that the creation of the access and drive will involve the removal of part of the modest bund of earth which runs along the front boundary of the site the amount of earth to be removed from the bund is not so significant as to constitute engineering works.
- 51 Having regard to the hard surfacing to create the driveway, it is possible for this to constitute permitted development under Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008. It is considered that the hard surface would comply with the criteria set out in Class F, as, the hard surface would be situated on land between a wall forming the principal elevation of the dwelling house and a highway, and although the area of ground covered by the hard surface, would exceed 5 square metres, the applicant's state in email dated 10/08/12 that they intend to use porous bricks at each entrance and shingle between rather than tarmac as originally detailed on the application form. This implies that provision is being made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house.
- 52 As such based upon the information received to date it is considered possible that the driveway may comply with Class F of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and could therefore constitute permitted development. As such the Council would not therefore, be able to request that the applicants submit details relating to drainage. However, in order for the Council to provide formal clarification of whether or not the construction of the driveway is permitted development a lawful development certificate would need to be submitted, as no detailed plans have been provided to show these works.
- 53 If at any time during the construction of the access and drive it came to light that ground works over and above those detailed by the applicant were being carried out, and/or that provision had not been made to direct *run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the*



*dwelling house*, then on receipt of such information this matter could be investigated further by the Councils Enforcement Officers.

- 54 Finally, the south west corner of the site where the access and a section of drive is proposed to be provided, lies within an area of archaeological potential. As the construction of the access and drive is not proposed to involve any significant ground/engineering works, it is extremely unlikely that any remains would be adversely affected as a result of the proposal. As the access and driveway is deemed to be permitted development the Council cannot attach any conditions requiring the applicants to submit a watching brief. Instead, it is suggested that an informative be attached to the decision informing the applicants of the designation and advising them to contact Kent County Council Heritage Conservation Group Environment and Waste in the event they unearth any unusual artefacts.

## Conclusion

- 55 Taking the above into consideration, the proposed glazed link by reason of its overall design and materials fails to acceptably integrate with or relate to the character and design of the existing building and would therefore represent an inappropriate addition to the building to the detriment of its design, character and appearance. Furthermore, the proposed development would result in an uninterrupted extension of the built form across almost the entire width of the application site resulting in the site appearing cramped, contrary to the established spatial character of Greenhill Road. As such, the proposal would be harmful to the visual amenity of the area and Character and Appearance of the Area of Outstanding Natural Beauty.
- 56 The development would not have an unacceptable impact on the residential amenities of nearby dwellings. Any potential significant impacts on the amenities of nearby dwellings could be satisfactorily mitigated by way of conditions imposed.
- 57 The proposal retains adequate provision for parking and can be accommodated without detriment to highway safety.

## Background Papers

Site and Block plans

Contact Officer(s): Claire Baldwin Extension: 7367

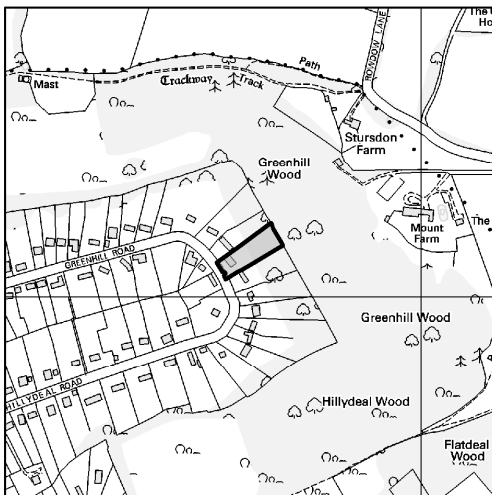
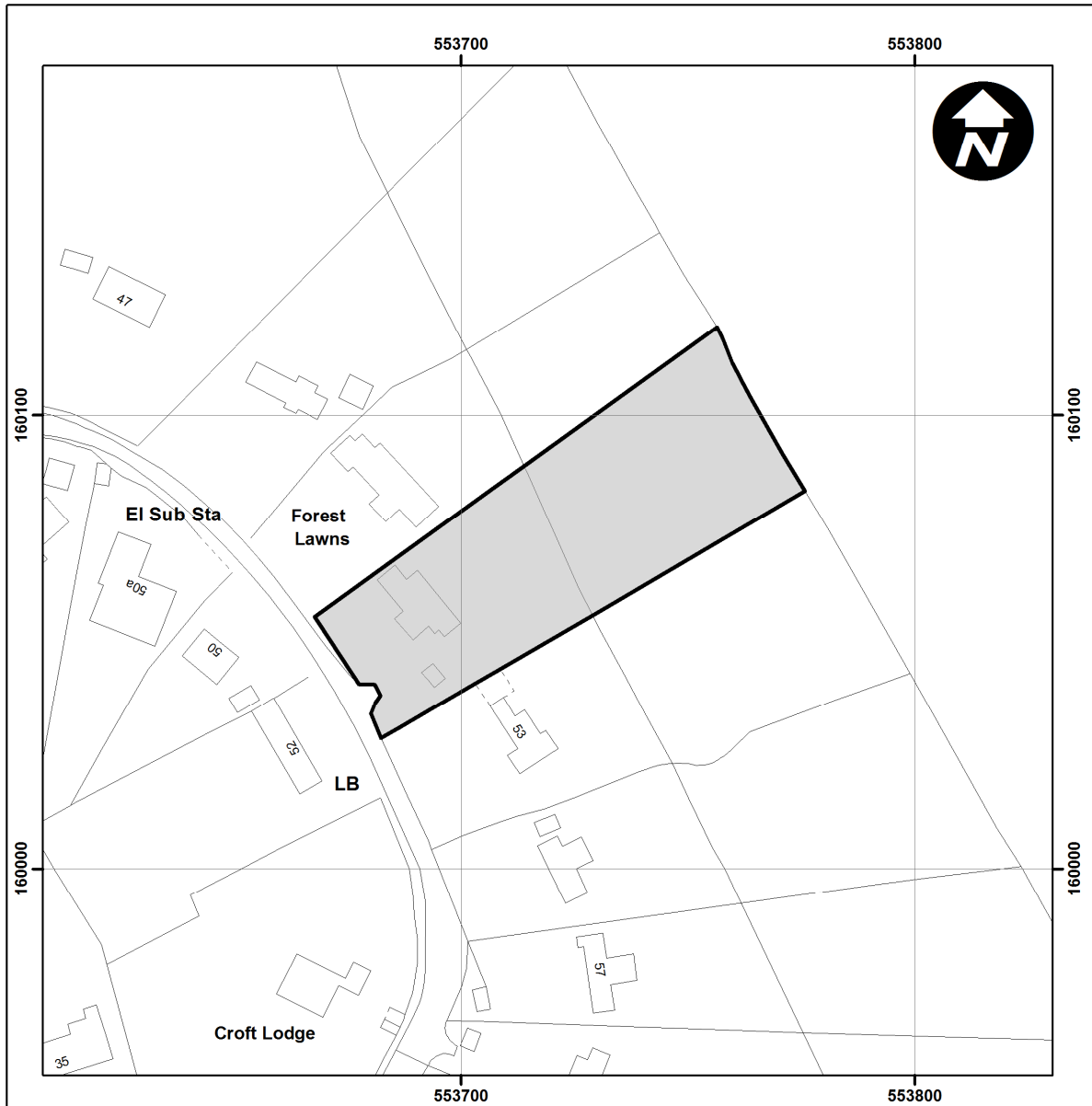
Kristen Paterson  
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M2RNIIBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M2RNIIBK8V000>



# Site Plan

Scale 1:1,250  
 Date 29.08.2012



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