

DEVELOPMENT CONTROL COMMITTEE

18 April 2013 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Mrs. Dawson

Vice-Chairman Cllr. Williamson

Cllrs. Mrs. Ayres, Brookbank, Brown, Clark, Cooke, Davison, Dickins, Gaywood, Ms. Lowe, McGarvey, Orridge, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

Pages

Apologies for Absence

1. **Minutes** (Pages 1 - 6)
Minutes of the meeting of the Committee held on 21 March 2013
2. **Declarations of Interest or Predetermination**
Including any interests not already registered
3. **Declarations of Lobbying**
4. **Planning Applications - Group Manager - Planning's Report**
 - 4.1. **SE/13/00081/REM - Former Sevenoaks Police Station, Morewood Close, Sevenoaks Kent TN13 2HX** (Pages 7 - 20)
Reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to condition 2 of SE/11/02471/OUT - Proposed demolition of the former police station and erection of up to approximately 52 residential units
 - 4.2. **SE/12/02643/HOUSE - 74 Brattle Wood, Sevenoaks TN13 1QU** (Pages 21 - 30)
Extension of existing garage with habitable room over. Amended plans received 12 February 2013
 - 4.3. **SE/12/03416/HOUSE - 29 Vine Avenue, Sevenoaks TN13 3AH** (Pages 31 - 44)
Erection of a two storey side extension; two single storey rear extensions, alterations to rear roof design incorporating first floor extension; demolition of existing garage; erection of new garage with cycle store; removal of existing decking area and erection of paved terrace with low level garden store underneath; alterations

to the fenestration.

- 4.4. **SE/13/00429/HOUCON - Lansdowne, 19 Woodside Road, Sevenoaks TN13 3HF** (Pages 45 - 50)

Variation of condition 1 of SE/11/02457/FUL to Erection of wooden garden shed with amendment to staining in natural oak

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

If you wish to speak in support or against a planning application on this agenda, please call the Council's Contact Centre on 01732 227000

For any other queries concerning this agenda or the meeting please contact:
The Democratic Services Team (01732 227241)

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227350 by 5pm on Monday, 15 April 2013.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 21 March 2013 commencing at 7.00 pm

Present:

Cllr. Williamson (Vice Chairman) (In the Chair)

Cllrs. Mrs. Ayres, Brookbank, Clark, Davison, Dickins, Gaywood, Ms. Lowe, McGarvey, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

Apologies for absence were received from Cllrs. Mrs. Dawson, Brown, Cooke and Orridge

Cllrs. Ayres, Mrs. Davison, Eyre, Fleming and Miss. Stack were also present.

125. Minutes

Resolved: That the minutes of the meeting of the Development Control Committee held on 14 March 2013 be approved and signed by the Chairman as a correct record.

126. Declarations of Interest or Predetermination

No declarations of interest or predetermination were made.

127. Declarations of Lobbying

Cllrs. Dickins, Scholey and Miss Thornton declared that they had been lobbied in respect of item 4.1 SE/12/00881/FUL – Mill House, Mill Lane, Sevenoaks TN14 5BX.

Cllrs. Davison and Dickins declared that they had been lobbied in respect of item 4.2 SE/12/03255/FUL – Holyoake Room, Holyoake Terrace, Sevenoaks TN13 1PA. All Councillors declared that they had received an email from the local member Cllr Hunter. The Chairman advised that this would be read out during the debate on that item.

All Councillors declared that they had been lobbied in respect of item 4.3 SE/12/03119/FUL – 94-96 London Road, Sevenoaks TN13 1BB.

Reserved Planning Applications

The Committee considered the following applications:

128. SE/12/00881/FUL - Mill House, Mill Lane, Sevenoaks TN14 5BX

The proposal was for the redevelopment of the mixed-use site to provide 29 dwellings; 22 new houses and flats in three separate blocks and 7 houses and flats by way of converting and/or partial rebuilding the existing Mill House, Mill Cottage and Mill Building with 45 associated car parking spaces and new centrally located access road.

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Members' attention was drawn to the tabled Late Observations sheet. It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application:	Keith Hilson
For the Application:	Rob Ranson
Parish Representative:	Cllr. Canet
Local Member:	-

It was MOVED by the Chairman and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet, to grant permission subject to conditions be adopted.

Concern was expressed at the density of the site, especially Block E, and lack of affordable housing which fell below policy requirement. Officers advised that the policy allowed viability to be taken into account and the applicant had submitted a detailed viability appraisal report which had been forwarded to the Council's consultants who had accepted the findings. It was hard to say whether decreasing or increasing density would make the development more viable as there were many factors to be taken into consideration.

In response to questions, Officers advised that the developer could only be asked to not make the current drainage situation worse, not fix an existing problem.

The motion was put to the vote and there voted -

5 votes in favour of the motion

9 votes against the motion

The Chairman declared the motion to be LOST. It was MOVED by Cllr. Miss Thornton and was duly seconded:

That planning permission be REFUSED for the following reason:

'The proposed development, by virtue of the scale, design, bulk and height of Block E, would have an unacceptable and dominating impact upon the street scene and upon the setting of the adjacent mill building recognized as a local landmark feature and an "undesignated" heritage asset. This would be contrary to Policy EN1 of the Sevenoaks District Local Plan and Policies SP1 and SP7 of the Sevenoaks Core Strategy.

The proposed development, by virtue of the scale, mass and height of Block E, would have an unacceptable overbearing impact upon the outlook and the living conditions of the properties opposite the site on Mill Lane, contrary to Policy EN1 of the Sevenoaks District Local Plan.

In the absence of a completed S106 agreement, the proposal would fail to make suitable provision for affordable housing on the site, nor would it contribute towards identified infrastructure improvements. This would be contrary to policies SP3 and SP9 of the

Sevenoaks Core Strategy and the Council's Supplementary Planning Guidance: Affordable Housing.'

The motion was put to the vote and there voted –

9 votes in favour of the motion

3 votes against the motion

It was therefore

Resolved: That planning permission be REFUSED for the following reasons: 'The proposed development, by virtue of the scale, design, bulk and height of Block E, would have an unacceptable and dominating impact upon the street scene and upon the setting of the adjacent mill building recognized as a local landmark feature and an "undesigned" heritage asset. This would be contrary to Policy EN1 of the Sevenoaks District Local Plan and Policies SP1 and SP7 of the Sevenoaks Core Strategy.

The proposed development, by virtue of the scale, mass and height of Block E, would have an unacceptable overbearing impact upon the outlook and the living conditions of the properties opposite the site on Mill Lane, contrary to Policy EN1 of the Sevenoaks District Local Plan.

In the absence of a completed S106 agreement, the proposal would fail to make suitable provision for affordable housing on the site, nor would it contribute towards identified infrastructure improvements. This would be contrary to policies SP3 and SP9 of the Sevenoaks Core Strategy and the Council's Supplementary Planning Guidance: Affordable Housing.'

129. SE/12/03255/FUL - Holyoake Room, Holyoake Terrace, Sevenoaks TN13 1PA

The proposal was for the erection of a terrace of three dwellings and creation of three parking spaces, as revised by amended plans.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Dale Mayhew
Parish Representative:	-
Local Member:	Cllr. Eyre

An email agreeing with the Officer's recommendation to refuse, previously circulated to Members by Cllr. Mrs Hunter, was read out to all those present.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet, to grant delegated powers to

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Officers to refuse permission subject to no adverse adverse comments received as part of the outstanding consultation, be adopted.

Some Members felt that subject to landscaping and screening the application was acceptable.

The motion was put to the vote and there voted –

6 votes in favour of the motion

9 votes against the motion

The Chairman declared the motion to be LOST. It was MOVED by Cllr. Miss Thornton and was duly seconded:

‘That the Group Manager Planning be given delegated powers to APPROVE the planning application subject to a number conditions to be drafted by officers including landscaping , screening, impact of noise on future residents, materials submitted, parking and drainage.’

It was requested that the draft conditions be sent to local members for their consideration before a decision was issued.

The motion was put to the vote and there voted –

9 votes in favour of the motion

2 votes against the motion

It was therefore

Resolved: That the Group Manager Planning be granted delegated powers to APPROVE the planning application subject to a number conditions to b drafted by officers including landscaping , screening, impact of noise on future residents, materials submitted, parking and drainage.

130. SE/12/03119/FUL - 94 - 96 London Road, Sevenoaks TN13 1BB

The proposal was for the alteration of planning permission SE/10/02968/FUL - demolition of existing building; erection of a four storey building providing office space (use class B1) and parking (14 spaces) with 14 two-bedroom flats and creation of new vehicular access.

The Committee was addressed by the following speakers:

Against the Application:	Jennifer Wheatley
For the Application:	Martin Page
Parish Representative:	Cllr. Mrs London
Local Member:	Cllr. Fleming

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant planning permission subject to conditions be adopted.

Some Members were concerned by the increase in height and the effect on the surrounding area and adjacent conservation area. It was clarified that Members' were considering the application to alter the current granted scheme.

The motion was put to the vote and there voted –

5 votes in favour of the motion

9 votes against the motion

The Chairman declared the motion to be LOST. It was MOVED by Cllr. Miss Thornton and was duly seconded:

That planning permission be REFUSED for the following reasons:

'The proposed development, by virtue of its design, height and bulk, would have a detrimental and harmful impact on the character of the area and the streetscene. It would also fail to preserve or enhance the setting of the adjacent Vine Conservation Area. The proposal would therefore be contrary to Policy EN1 and EN23 of the Sevenoaks District Local Plan and policies SP1 and SP7 of the Sevenoaks Core Strategy.'

The motion was put to the vote and there voted –

9 votes in favour of the motion

3 votes against the motion

It was therefore

Resolved: That planning permission be REFUSED for the following reasons:

'The proposed development, by virtue of its design, height and bulk, would have a detrimental and harmful impact on the character of the area and the streetscene. It would also fail to preserve or enhance the setting of the adjacent Vine Conservation Area. The proposal would therefore be contrary to Policy EN1 and EN23 of the Sevenoaks District Local Plan and policies SP1 and SP7 of the Sevenoaks Core Strategy.'

THE MEETING WAS CONCLUDED AT 9.55 PM

CHAIRMAN

4.1 – SE/13/00081/REM Date expired 25 April 2013

PROPOSAL: Reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to condition 2 of SE/11/02471/OUT - Proposed demolition of the former police station and erection of up to approximately 52 residential units.

LOCATION: Former Sevenoaks Police Station, Morewood Close, Sevenoaks KENT TN13 2HX

WARD(S): Sevenoaks Kippington

ITEM FOR DECISION

Councillors Eyre and Hunter have referred the application to Development Control Committee for reasons relating to design and density.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) The southernmost portion of the turning head to the rear of Block B shall be hatched with "keep clear" markings or other similar measures, in accordance with a scheme that shall be submitted to and approved writing by the Local Planning Authority prior to the first occupation of Block B or Block D. The approved details shall be maintained as such thereafter.

To ensure suitable provision for the turning of refuse vehicles, in accordance with policy EN1 of the Sevenoaks District Local Plan.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5827 01C, 10C, 11C, 12C, 13A, 14B, 15B, 16B, 17D, 18, 20D, Bir.4175_01 and Bir.4175_02

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

Informatives

1) The refuse bins that are depicted on the approved plans appear to be 1,100L wheeled bins, and if so each refuse storage area has the required no. of bins. The 1,100L bins must be of the drop-front variety as outlined in the Sevenoaks District Council guidance to developers. Further, the bins should be allocated as follows:

a. Refuse Block A: 3 bins for general waste (black sacks) & 3 bins for recyclable waste (clear sacks and large cardboard)

b. Refuse Block B: 2 bins for general waste (black sacks) & 2 bins for recyclable waste (clear sacks and large cardboard)

c. Refuse Block C: 2 bins for general waste (black sacks) & 2 bins for recyclable waste (clear sacks and large cardboard)

d. Refuse Block D: 1 bin for general waste (black sacks) & 1 bin for recyclable waste

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(clear sacks and large cardboard)

- 2) The surfacing materials for the access and roadways hereby approved and as shown on the plans, shall be constructed to accommodate the weight of a 26 tonne refuse collection vehicle.
- 3) You are advised that the drainage details required as part of condition 12 of the outline planning permission remain outstanding and will need to be subject to a separate details submission.

Description of Proposal

- 1 This application seeks the approval of reserved matters for redevelopment of the police station site, pursuant to the outline planning permission granted under SE/11/02471. This permission secured development for “the erection of up to approximately 52 residential units”.
- 2 The reserved matters submitted are for the layout, scale and appearance of the buildings, the means of access and landscaping of the site, and in summary the details submitted are as follows –
 - The application proposes 55 apartments in total, consisting of 6 x 3 bed units, 39 x 2 bed units and 10 x 1 bed units. Of these, 22 units would be affordable.
 - 66 car parking spaces would be provided, at a ratio of 1 space per residential unit and 11 visitor spaces.
 - The development would consist of 4 residential blocks. The blocks have been designed in a similar style, utilising contrasting red and grey/blue bricks, timber cladding, grey casement windows, and flat grey membrane roofs which overhang the elevations of each building.
 - Block A would be four storeys in height with a recessed top floor. The western side of the building would taper to two storeys in height. This building would contain 21 apartments in total. The building would measure approximately 43m in length, 14m in width, and 11.6 metres in height.
 - Block B would be located towards the western boundary of the site, to the north of block A. It would be 3 storeys in height and would contain 15 units, all of which would be affordable. The building would measure approximately 29 metres in length, 15 metres in width and 8.8 metres in height.
 - Block C would be sited adjacent to Morewood Close, and would be 3 storeys in height. It would contain 12 units in total. The building would measure approximately 31 metres in length, 13 metres in depth and 8.8 metres in height.
 - Block D would be sited to the rear of the existing Magistrates Court and would contain 7 flats arranged over two floors, all of which would be affordable units. The building would measure approximately 20 metres in length, 14.5 metres in width and 7 metres in height.

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- The buildings would be evenly distributed around the site and separated by hard and soft landscaping. A single vehicle access point would be provided from Morewood Close, between proposed Block C and the Magistrates Court. A further emergency access point would be located between blocks A and C.
- The development would retain a number of trees within the site which are protected by a Tree Preservation Order. Further soft landscaping would be provided on site in addition to this.

Description of Site

- 3 The application site relates to buildings and land formerly in use as Sevenoaks police station. The station has been closed for some time and services relocated, including a new station elsewhere in Sevenoaks. The site is 0.86 hectares in size to the south and west of the existing Magistrates court which is to remain on site.
- 4 The site is located within the built confines of Sevenoaks and within close walking distance of the train station. It occupies an important position at the “entrance” to the town when approaching from London Road. The site is surrounded by residential development to the south and west, by an open area of land and the railway embankment to the north, and by the fire station and houses to the east. Land levels in the area vary to the extent that houses to the west of the site on Uplands Close are at a much higher level than the police site.
- 5 Land within the site slopes gently from west to east and from south to north. The eastern part of the site falls within a flood zone. A band of trees are located to the front and side of the site and are protected by a Tree Preservation Order, as are various individual and groups of trees adjacent to the magistrates court building.
- 6 A public footpath is sited to the west of the site and leads under the railway embankment to Robyns Way.
- 7 The former police building is a rather unattractive 3-4 storey flat roofed building of around 1950s origin which faces the road. The building drops to single storey to the rear and leads on to the Magistrates Court which is a part single, part two storey flat roofed building of similar age and design to the police station. The rear of the Magistrates Court is used for parking and it is separated from the police site by an iron railed fence.
- 8 The remainder of the application site is generally laid to grass, although some hard surfaced areas for car parking remain.

Constraints

- 9 The application site is within the built confines of Sevenoaks. A number of trees (including individual and group designations) protected by Tree Preservation Order no.1 of 2005 are located around the site. The eastern edge of the site is located within an identified flood zone.

Policies

Sevenoaks District Local Plan

- 10 Policies – EN1, NR10, T8, T10, VP1, EP8, ST10

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Sevenoaks Core Strategy

- 11 Policies – L01, L02, SP1, SP2, SP3, SP5, SP7, SP8, SP9, SP10

Other

- 12 Sevenoaks Affordable Housing Supplementary Planning Document 2011
- 13 Kent Design Guide (Adopted as Sevenoaks Supplementary Planning Document in 2007)
- 14 The National Planning Policy Framework

Planning History

- 15 SE/11/02471 - Proposed demolition of the former police station and erection of up to approximately 52 residential units - Approved
- 16 SE/09/00650 – Outline application for demolition of the existing police station and erection of 52 residential units and approximately 1,228sqm of office floor space – Approved.
- 17 SE/07/00686 - Demolition of existing police station and erection of 59 residential units and approximately 1340sqm of office floor space – Refused. Dismissed on appeal

Consultations

Sevenoaks Town Council

- 18 Recommends refusal on the following grounds:

“1. Overdevelopment of the site:

There is a proposed density of 62.6 dwellings per hectare compared to the recommended level of 40.0 dwellings per hectare set out in the Core Strategy.

Outline permission was granted for 52 dwellings on the site, this application seeks to increase this to 55 (reduced from 58 dwellings during the pre-application stage, at the advice of planning officers)

2. Design

Pg 7 of the Design statements states "The design of the scheme and proposed materials strongly reflects the desire of the designers and planning department to create a contemporary aesthetic, and move away from the more traditional style and materials used within the immediate area". This means the proposal conflicts with the Residential Character Area Assessment.

The developer intends to use red brick, brown shiplap boarding, and the result will be similar to the criticized railway and bicycle scheme.

Informative: Sevenoaks Town Council notes that this is a substantial application which should be referred to Development Control for public debate. Sevenoaks Town Council would also request that no demolition work be carried out until the

developer is in a position to commence construction and complete within a reasonable timescale“.

SDC Tree Officer

- 19 “I have no issue with this proposed development. I am equally comfortable with the tree protection details and the hard and soft landscaping scheme as proposed”.

Environment Agency

- 20 “This application relates to a condition that was not requested by us, we therefore have no comments to make with regards to the discharge of condition 2.”

SDC Environmental Health Officer

- 21 “I have no adverse comments or observations, in respect of this submission”.

SDC Planning Policy team

- 22 “Thank you for the opportunity to comment on this planning application. The Planning Policy team previously commented on application SE/11/02471, which granted permission for approximately 52 residential units on the site. The Planning Policy team does not wish to comment on these detailed matters”.

SDC Refuse team

- 23 “We have assessed four areas of concern with the development, outlined as follows:
1. Site access road surfaces: When fully laden, our refuse collection vehicles (RCVs) have a gross weight of 26 tonnes. The road surface over which they travel must therefore be suitable for such a vehicle to traverse the site without causing any damage to the road surface. In particular, we are concerned that the access road area at refuse block C, adjacent to the disabled parking bays, appears to be raised and to be constructed of brick or a similar block. Any such structure, and other traffic-calming measures (e.g., sleeping policemen), must be suitable for regular use by heavy vehicles.
 2. Turning head parking restrictions: The southernmost portion of the turning head area must be hatched with 'Keep Clear,' or a similar measure, to prevent vehicles from parking within it. RCVs will need to use the southernmost area to manoeuvre in order to reverse to the bin-store area in Block D, and then to exit the site at the completion of the collection sequence.
 3. Location of the 4 refuse bin store areas: As long as our RCVs can access the bin store areas readily and safely as outlined in nos. 1 and 2 above, the locations are satisfactory as proposed.
 4. The refuse bins that are depicted appear to be 1,100L wheeled bins, and if so each refuse storage area has the required no. of bins. The 1,100L bins must be of the drop-front variety as outlined in our guidance to developers. RCVs do not have the mechanisms needed to lift bins to empty; drop-fronted bins allow or crews to manually remove refuse and recycling sacks from bins. Further, the bins should be allocated as follows:

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- a. Refuse Block A: 3 bins for general waste (black sacks) & 3 bins for recyclable waste (clear sacks and large cardboard)
- b. Refuse Block B: 2 bins for general waste (black sacks) & 2 bins for recyclable waste (clear sacks and large cardboard)
- c. Refuse Block C: 2 bins for general waste (black sacks) & 2 bins for recyclable waste (clear sacks and large cardboard)
- d. Refuse Block D: 1 bin for general waste (black sacks) & 1 bin for recyclable waste (clear sacks and large cardboard)

If vehicle access and bin deployment needs are as outlined above, SDC - Environmental and Operational Services have no objection to the development.”

West Kent Public Rights of Way team

- 24 “Public Rights of Way Footpath SU12 runs along the western boundary of the property. I do not anticipate that it will be directly affected by the development. I enclose a copy of the Public Rights of Way network map showing the line of this path for your information.

I would repeat my request of 3rd November 2011 that a Section 106 agreement should be made to include money to upgrade the surface of the public footpath SU12 between Robyn's Way and London Road.

I am also concerned that the changes in ground level should not result in surface water or flood water draining onto the public footpath. I would also ask that no further trees or shrubs are planted along the footpath boundary on the western edge of the site thus leaving the possibility of natural surveillance of the footpath from the buildings. The footpath is already quite densely shaded by trees to its western side from Uplands Close and the height of the block D will also overshadow any natural light and any further planting would exacerbate this.

It should also be noted that gates are not allowed, under Section 153 of the Highways Act 1980, to open outwards onto a public highway and therefore any gate at the end of the walkway out to the public footpath must open inwards, onto the site.

KCC Ecology

- 25 An ecological scoping survey and a reptile survey was carried out as part of the outline planning application. The reptile survey identified that there were low numbers of reptiles around the boundary of the site.

The landscape plans submitted with the planning application shows that there will be a grassy area around the boundary of the site. The landscape plan details that this area will be seeded with grass and mown regularly. We recommend that this area is sown with wild flower seed and at least half of this area is enhanced and managed to benefit reptiles. Details of the proposed management must be submitted for comment as a condition of the application.

Please be aware that any clearance of vegetation within this site, must be carried out following the precautionary mitigation detailed in the Reptile Report (Reptile

Survey Report; Former Police Station, Sevenoaks; Ref B512/01; Lloyd Bore Landscape and Ecology; Dated June 2009)".

UK Power Networks

26 "No objections".

Thames Water

27 "The reserved matters application does not affect Thames Water and as such we have no observations to make".

South East water

28 No comments made

Representations

29 1 letter received

- The public footpath should not be adversely affected in any way
- Could the developer, in conjunction with the council, improve the path and lighting on it?

Group Manager Planning Services Appraisal

30 This application follows the grant of outline planning permission for the site, where the principle of a residential development has been accepted. The reserved matters application submitted seeks approval for the detailed design of the scheme, incorporating the layout, scale and appearance of the buildings, the means of access to the site, and landscaping of the site. The main issues for consideration are as follows

- Whether the reserved matters submission follows the terms of the Outline planning permission
- Whether the detailed design of the scheme is acceptable in terms of appearance, scale and layout
- Whether the access and parking arrangements are satisfactory.
- Provision for affordable housing
- Any other matters raised

Whether the reserved matters accord with the terms of the Outline Permission

31 The outline planning permission granted under SE/11/02471 is described as "the erection of up to approximately 52 residential units." This reserved matters application proposes to erect 55 residential units in total. Given the description of the development approved under the Outline Scheme, I consider that this gives sufficient flexibility to allow either slightly more or slightly less than 52 residential units as part of the reserved matters submission. In numerical terms, I am

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satisfied that the 55 units proposed would fall under the terms of “approximately 52 residential units”.

32 The outline planning permission reserved all matters relating to the layout, scale and appearance of the buildings, access and landscaping for future consideration. However as part of the outline scheme, a series of illustrative plans and scale parameters were submitted and Condition 2 of the outline permission requires the scale of the development submitted under the reserved matters application to be “no greater than the height width and length parameters stated in the application”. In addition, condition 2 requires any building fronting London Road “not to exceed 11.2 metres in height when measured from a ground level of 82.6m above Ordnance Datum”.

33 The reserved matters submission shows the height of Block A, which would front London Road, at a maximum height of 93.8m above Ordnance Datum – and this accords with the height restriction in condition 2 of the Outline permission, as set out above.

34 In terms of the general scale parameters, the approximate length, width and height of each building as set out in the outline permission were as follows.

Block A – Approximately 46m length, 15m width, 3.5 storeys (including a recessed fourth storey) with upper height limit of 12m

Block B – Approximately 44m length, 13m (staggered) width, 3 storeys with upper height limit of 9m.

Block C – Approximately 36m length, 11m width, 3 storeys with upper height limit of 9m

Block D – Approximately 22m length, 14m width, 3 storeys with upper height limit of 9m.

35 The detailed drawings submitted under the reserved matters are for buildings of the following sizes.

Block A - 43m in length, 14m in width, and 11.6 metres in height over 4 storeys, including a recessed fourth storey. This excludes the part three, part two storey element to the north of the building, which projects at an angle and as such cannot be easily measured as part of the total length and width parameters set out in the outline permission.

Block B – 29m length, 15m width, 8.8m height over three storeys.

Block C – 31m length, 13m width, 8.8m height over three storeys

Block D – 20m length, 14m width, 7m height over two storeys.

36 As can be seen by comparing the above dimensions, the detailed drawings submitted with the reserved matters would comply with the approximate scale parameters set out in the outline scheme. Whilst not directly contravening the outline scale parameters, the design of Block A includes a part three, part two storey element, which increases the overall size of this building, and this will be considered in further detail below.

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- 37 Overall I am satisfied that the submitted details would comply with the terms of the outline approval, and as such can be properly considered as the reserved matters to this approval.

The layout, scale and appearance of the proposal and impact upon the surrounding area

- 38 The scheme provides a four storey building fronting London Road and three storey buildings elsewhere on the site, in accordance with the terms of the outline planning permission. The frontage building (Block A) was shown at outline stage as an oval shaped building with glazed and cladded elevations. The details now show a building of more conventional and regular elevations, finished in two contrasting brick colours and timber cladding, with the recessed top floor finished in grey render. The same material finishes would be used for other buildings on the site.
- 39 The part three, part two storey element on the west elevation of Block A would increase the overall footprint and size of this block in comparison to the outline scheme. However due to the siting of this part of the building, at an angle to the remainder of Block A, it does not contravene the overall approximate length and width parameters set out in the outline permission. At the same time, the length of Blocks B, C and D would be smaller than the approximate parameters set at outline stage, albeit that the width of Block C is 2 metres wider than these parameters. Overall, the extent of built form covering the site would be very similar to the illustrations submitted with the outline scheme. The limit in height of the additional wing to Block A at two storeys would minimise the effect of Block A on the setting and outlook of Block B, and would also help maintain a break between the massing of these buildings at 3 and 4 storeys respectively.
- 40 Block B as now proposed would be condensed in size from a staggered building of 44m length to a rectangular footprint of 29 metres in length. As a result, the massing of the east and west facing elevations of this building have been significantly reduced in comparison to the outline scheme, and this also helps offset the increased size of Block A as set out above.
- 41 Block C was illustrated at outline stage as a three storey building containing 6 townhouses. This has been revised for the reserved matters to consist of a three storey building containing 12 apartments. As a result the building would be smaller in length but slightly wider. I consider that the adaption of this block to flats would provide a number of benefits. It would provide a greater number of smaller residential units within the scheme, in compliance with Policy SP5 of the Core Strategy. It would also allow the building to benefit from a more open, landscaped and unified setting on its frontage with Morewood Close – whereas the townhouses illustrated at outline stage would have been divided from one another by fencing and other boundary treatments, and contained separate access points along the road thus minimising the provision of soft landscaping on this boundary. The revisions to this block also illustrates how the number of units proposed for the site can be increased (in this instance to 55 units) without necessarily resulting in a greater extent of built form on site.
- 42 Block D would be smaller in size and height than shown at outline stage, and the building has been sited to make provision for amenity space to the side and rear. Whilst the location of this block is relatively isolated from the other blocks, and includes windows facing towards the magistrates court, these were not matters considered to be unacceptable by the appeal inspector in consideration of the

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first application for development of this site under SE/07/00686. The design of this block takes account of possible flooding issues on this part of the site, and the internal floor area of the flats would be raised, with a “dry route” walkway shown. This is to the satisfaction of the Environment Agency, who provided detailed comments on this proposal at outline stage.

- 43 The remaining space on site would be given over to hard and soft landscaping, and includes the retention of a large number of trees subject to a TPO. The layout and relationship of the development with surrounding trees is to the satisfaction of the Council’s tree officer.
- 44 When the first application for development of this site was under consideration, the appeal inspector commented that the site was physically separated from surrounding residential areas and that, as a result, a scheme need not reflect the surrounding character of residential development. The reserved matters would provide a unified and distinctive design for the site which I consider would complement and enhance the mixed character of the area. I consider this would be compliant with policy EN1 of the Sevenoaks District Local Plan, and Policies SP1, SP5 and SP7 of the Sevenoaks Core Strategy.
- 45 The siting of the blocks would be in very similar positions to the illustrative drawings submitted at outline stage, and these blocks would be well separated from surrounding residential properties. The closest dwellings on Uplands Close would be in the region of 30 metres from any of the buildings, and Uplands Close is significantly elevated above the application site, with a high degree of intervening landscaping. Those properties on Morewood Close would be in excess of 50 metres from any block. As such I do not consider the detailed scheme would cause any undue loss of light, privacy or outlook to surrounding residential properties. This would accord with Policy EN1(3) of the local plan.

Parking and Highways Safety

- 46 The scheme for 55 residential units is closely matched to the outline proposal for “up to approximately 52 units”, and the traffic generated from the site has been established to be acceptable at outline stage. The scheme proposes a single access point via Morewood Close, with a further controlled emergency access onto the same road. This is to the satisfaction of Kent Highways.
- 47 The proposal would make provision for 1 space per residential unit and 11 visitor spaces, which would accord with the Kent Highways Interim Guidance Note on residential parking. The scheme also makes provision for cycle storage within the buildings. This would accord with condition 7 of the Outline permission, and is to the satisfaction of Kent Highways. On this basis, I consider the reserved matters would make adequate provision for access, parking and cycle facilities and would not have unacceptable highways impact, in accordance with policy EN1 of the Local Plan.

Provision for affordable housing

- 48 The Outline Planning permission secured 40% of all units on site as affordable housing. This reserved matters submission shows the provision of 22 units in total, contained within Blocks B and D, and consisting of 15 x 2 bed units and 7 x 1 bed units. The 2 bed flats would be provided as affordable rented units, and the 1 bed flats as intermediate units. This scheme has been agreed with the West

Kent Housing association. The reserved matters would accord with the terms of the S106 agreement secured at outline stage, and with Policy SP3 of the Core Strategy.

Other Matters

- 49 Sevenoaks Town Council has criticised the scheme as it would not match the style of houses in the surrounding area and thus would not conform to the Sevenoaks Residential Character Area Assessment. Members should note that the site is not covered in this document as it is not in an existing residential area, and as such is not in conflict with it. Members should also note the comments referred to above from an earlier appeal decision where an Inspector considered that development of the site need not reflect surrounding residential development.
- 50 The town council has also criticised the density of the development, and cited Policy SP7 of the Core Strategy. It should be noted that the general requirement of this policy to develop within Sevenoaks at a density of 40dph is not a maximum density. It should also be noted that 52 dwellings would achieve a density of 60.4dph, whereas 55 units would result in a density of 64dph, so the difference as a density figure is not significant. More importantly, Members should note that the increased number of units does not result in a greater extent of built form on the site – and as stated above this is partly due to the revisions to Block C to substitute a smaller number of town houses with a greater number of flats. As the scale of development is not greater than approved at outline stage, I do not consider the increase in density to cause any demonstrable harm.
- 51 The comments from the Rights of Way Officer are noted. In approving the outline scheme, this Council did not consider a financial contribution towards the upgrade of the footpath to be reasonable. It cannot now be sought under a reserved matters application. With regard to tree planting on the western boundary, it is noted that the reserved matters seek to retain existing planting on this boundary and as such natural surveillance of the path from the proposed units would not be obscured by new planting.

Conclusion

- 52 The scheme meets the terms of the Outline permission issued under SE/11/02471, and I consider the siting, layout and appearance of the buildings, the means of access and landscaping of the site to be acceptable and in accordance with development plan policies. I would therefore recommend that the reserved matters be approved.

Background Papers

Site and Block plans

Contact Officer(s): Mr A Byrne Extension: 7225

Pav Ramewal
Chief Executive Designate

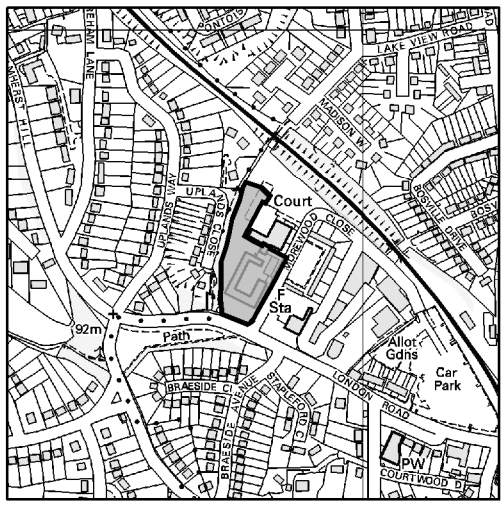
Agenda Item 4.1

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MGLVMEBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MGLVMEBK8V000>

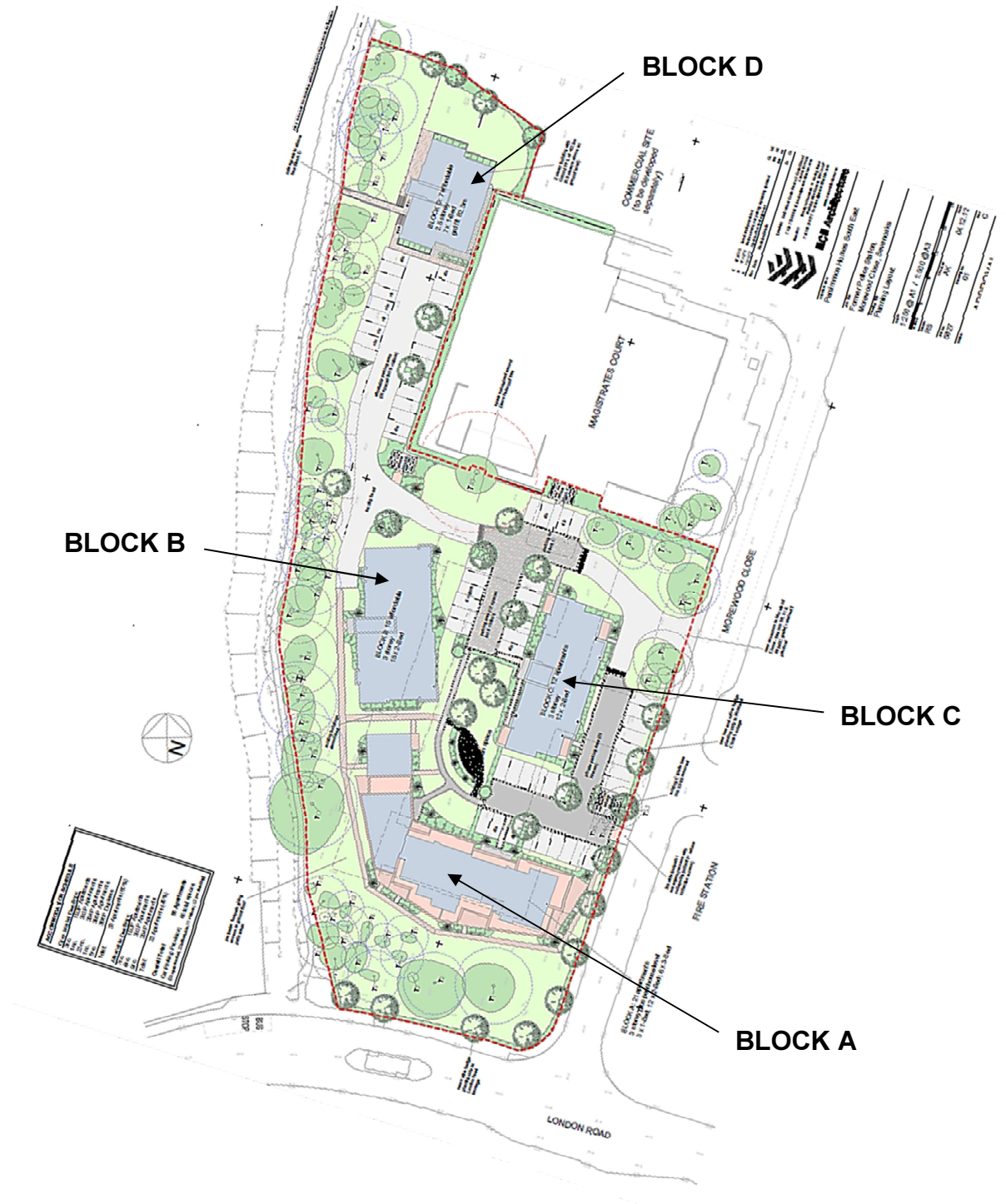


Site Plan

Scale 1:1,500
Date 03/04/2013



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Sevenoaks District Council, 100019428, 2013.



4.2 – SE/12/02643/HOUSE Date expired 27 December 2012

PROPOSAL: Extension of existing garage with habitable room over.
Amended plans received 12 February 2013

LOCATION: 74 Brattle Wood, Sevenoaks TN13 1QU

WARD(S): Sevenoaks Kippington

ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Avril Hunter, who has concerns regarding the possible detrimental impact of the extension on the character and appearance of the street scene, overdevelopment of the site and the possible undesirable precedent that approval would set.

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 dwelling as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed block plan, SA/201108/03, SA201108/4, SA201108/5, SA201108/6, SA201108/7 all dated 12th Feb 2013.

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

Description of Proposal

- 1 It is proposed to erect a two storey front extension, namely the extension of existing garage with habitable room over.
- 2 The extension will project 2.2m in front of the existing property.
- 3 This application originally proposed an extension of 2.7m in depth, and this was reduced by 500mm during the consideration of this application.
- 4 A previous application for a larger extension was refused on this site SE/12/00902/HOUSE for the following reason:

It is considered that the proposed extension of existing garage with habitable room over, due to its scale and siting forward of the building line would have an adverse impact on the open, spacious character of the street scene, contrary with

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the Policy EN1 of the Local Plan and SP1 of the Core Strategy, and the advice given in Supplementary Planning Documents - Residential Extensions' and 'Sevenoaks Character Area Assessment'.

- 5 This current application has been amended from the earlier application in an attempt to overcome the previous ground of refusal. The extension has been reduced from 4.4m (which was refused as above) to 2.2m (projection in front of the existing house) under the current application.

Description of Site

- 6 The property is a large detached property located on Brattle Wood, in Sevenoaks.
- 7 Brattle Wood is characterised by large detached properties of varying appearance, scale and character. The street has a spacious open character, with the properties set back considerably from the road.

Constraints

- 8 None

Policies

Sevenoaks District Local Plan

- 9 Policies - EN1, VP1

Sevenoaks Core Strategy

- 10 Policy SP1

Other

- 11 Supplementary Planning Documents 'Residential Extensions' 'Sevenoaks Character Area Assessment'
- 12 NPPF

Planning history

- 13 SE/12/00902/FUL Extension of existing garage with habitable room over. Creation of a new crossover, (as amended by Location and Block plan received 30 April 2012). Refused.
- 14 SE/11/03136/FUL Erection of double pitched roofed garage in front garden. Conversion of existing integral garage into entertainment room/utility room. Refused
- 15 SE/11/01795/FUL Erection of double pitched roofed garage in front garden. Conversion of existing integral garage into entertainment room/utility room. Refused. Dismissed at Appeal.
- 16 04/00312/FUL Construction of first floor extension above existing rear ground floor addition. Granted

- 17 03/02852/FUL Construction of first floor extension above existing rear ground floor addition. Refused
- 18 00/00644/FUL Erection of ground floor rear extension with associated landscaping works. Granted
- 19 93/00252/HIST Proposed garage extension with dormer windows over and front entrance porch. Granted

Consultations

Sevenoaks Town Council

- 20 Sevenoaks Town Council recommended refusal on the following grounds:
- The proposal would set an undesirable precedent; there are no examples of garages in the front garden in the surrounding area;
 - The proposal would be injurious to the street scene, which is generally spacious, contrary to EN1;
 - Overdevelopment of the site;
 - Contrary to SP1 of the LDF Core Strategy;

- 21 Following re-consultation due to amended (reduced) proposal:

Proposed extension reduced in scale

Sevenoaks Town Council recommended refusal on the following grounds:

- The proposal would set an undesirable precedent; there are no examples of garages in the front garden in the surrounding area;
- The proposal would be injurious to the street scene, which is generally spacious, contrary to EN1;
- Overdevelopment of the site;
- Contrary to SP1 of the LDF Core Strategy;
- Contrary to the design guidance set out in the Sevenoaks Residential Character Area Assessment.

Representations

- 22 Ten letters of objection have been received, which are summarised as follows:
- The further reduction of 500mm is immaterial.
 - The development would be contrary to the building line and would fail to preserve the open, spaced character of the area.
 - The proposal would result in overdevelopment.

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- The development is contrary to the SPD 'Sevenoaks Character Area Assessment'
- An approval could lead to an unfortunate precedent for similar development in front of the building line.
- The proposed extension will overshadow my property.
- The extension will be very obtrusive and not fit unobtrusively with the street scene.
- The proposal does not overcome the previous reason for refusal.

Group Manager Planning Services Appraisal

23 The main considerations of this proposal are:

- The impact upon the character and appearance of the existing property and area;
- Impact upon residential amenity;
- Highways/rights of way issues.

Impact upon the character and appearance of the existing dwelling and wider area

- 24 Policy EN1 (from SDLP) and CC6 (from SEP) state that 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. This policy also states that the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 25 Also relevant is policy SP1 from the Sevenoaks Core Strategy which states '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'.
- 26 The Supplementary Planning Document 'Residential Extensions' states that with regards to front extensions

Particular care is required in the design of front extensions because of their prominence at the front of a property. Front extensions may be acceptable in a street where:

- *there is already considerable variety in the building line,*
- *there are already projecting elements such as gables facing the street,*
- *a front extension would enhance the townscape by, for example, increasing the*
- *visual attractiveness to an otherwise unexceptional street scene,*
- *the extension is to a detached house, where there is no strong visual relationship with adjoining properties.*

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Front extensions can appear unduly prominent within the street scene where buildings are set back a consistent distance from the street along a common building line or where there is already a strong character of no front extensions. The visual unity of a whole terrace or the wider street scene should not be compromised.

- 27 Generally, extensions should not overwhelm an existing dwelling and the scale, proportion and height of an extension should respect the character of the existing building.
- 28 Whilst the extension does not match the existing gable in terms of width or height, it is considered that it is generally in keeping with the existing dwelling and does not detract from its character and appearance.
- 29 However, as explained by the above SPD, given the siting of the extension, its impact upon the street scene must be carefully considered.
- 30 The Sevenoaks Character Area Assessment states that:
- the predominant character of this area (is) formed by individually designed detached houses set well back on a relatively regular building line along wide avenues with grass verges and pavements .*
- 31 It gives as an example of a locally distinctive positive feature as: *Individually designed mostly 2 storey detached houses are set back from the road along a relatively regular building line with gaps between buildings*
- 32 As well as this, the Inspector for a previous application at this property for a detached front garage (SE/11/01795/FUL) concluded that Brattle Wood has a generally uniform building line.
- 33 The previous application found that the proposed extension extended a significant distance to the front. This application has been amended so that the extension has been reduced to 2.2m, rather than the 4.4m previously refused on the ground of impact upon the street scene.
- 34 As the Inspector states, there are several instances of forward projecting extensions (such as No 47 opposite) and integral garages, for example at No 78.
- 35 With regards to the criteria set out above, there is variety in the character and appearance of the dwellings in terms of design features within the street scene so there is no strong visual relationship with neighbouring properties. There is a generally uniform building line along Brattle Wood however this is not exact, and the extension has been reduced to an extent that it is not considered to be clearly in front of an established building line. The extension remains 7.5m from the verge of the highway and the existing character and appearance of the application property will not be detrimentally altered. It is therefore considered that the open, spacious character of the street scene would be retained.
- 36 It is therefore considered that the proposal would comply with the above policies and SPD guidance, and that the previous reason for refusal has been overcome.

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Impact upon residential amenity

- 37 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.
- 38 The proposed extension is sited up to approximately 500mm from the northern boundary with No.72.
- 39 This property has one small window on its side elevation however this directly faces the existing property and appears to be a secondary window.
- 40 As with the previous application, the proposed extension does not conflict with the 45 degree line when drawn from the centre of the nearest front elevation window.
- 41 It is not therefore considered that the proposed extension will have a detrimental overbearing or overshadowing impact upon this, or any other neighbour.
- 42 Turning to overlooking, the proposed extension does not have any side elevation windows and therefore it is not considered to have an increased overlooking impact upon any neighbour.

Other matters

- 43 Notwithstanding the above, ten letters of objection was received, the relevant issues pertaining to which have been addressed above. In terms of overdevelopment, taken in isolation it is considered that the plot is capable of accommodating the front extension. This was not a previous reason for refusal and was not, when considering the application for a detached front garage, an issue for the Inspector.
- 44 As stated above, there are other examples of front integral garages, including front gables, for example at No.78 (SE/01/01394/FUL). In terms of precedent, each application will be considered on its own merits. As stated above, the visual impact of this extension is considered acceptable.

Conclusion

- 45 In summary, it is considered that the proposed extension of the existing garage with a habitable room over, (as amended) will not, on balance, detract from the character and appearance of the street scene, or have a detrimental impact upon the amenities of the neighbouring properties. The proposal therefore complies with Policy EN1 of the Local Plan and SP1 of the Core Strategy, and the Supplementary Planning Documents 'Residential Extensions' 'Sevenoaks Character Area Assessment'
- 46 Therefore, the Officer's recommendation is to approve.

Background Papers

Site and Block Plans

Contact Officer(s): Ben Phillips Extension: 7387

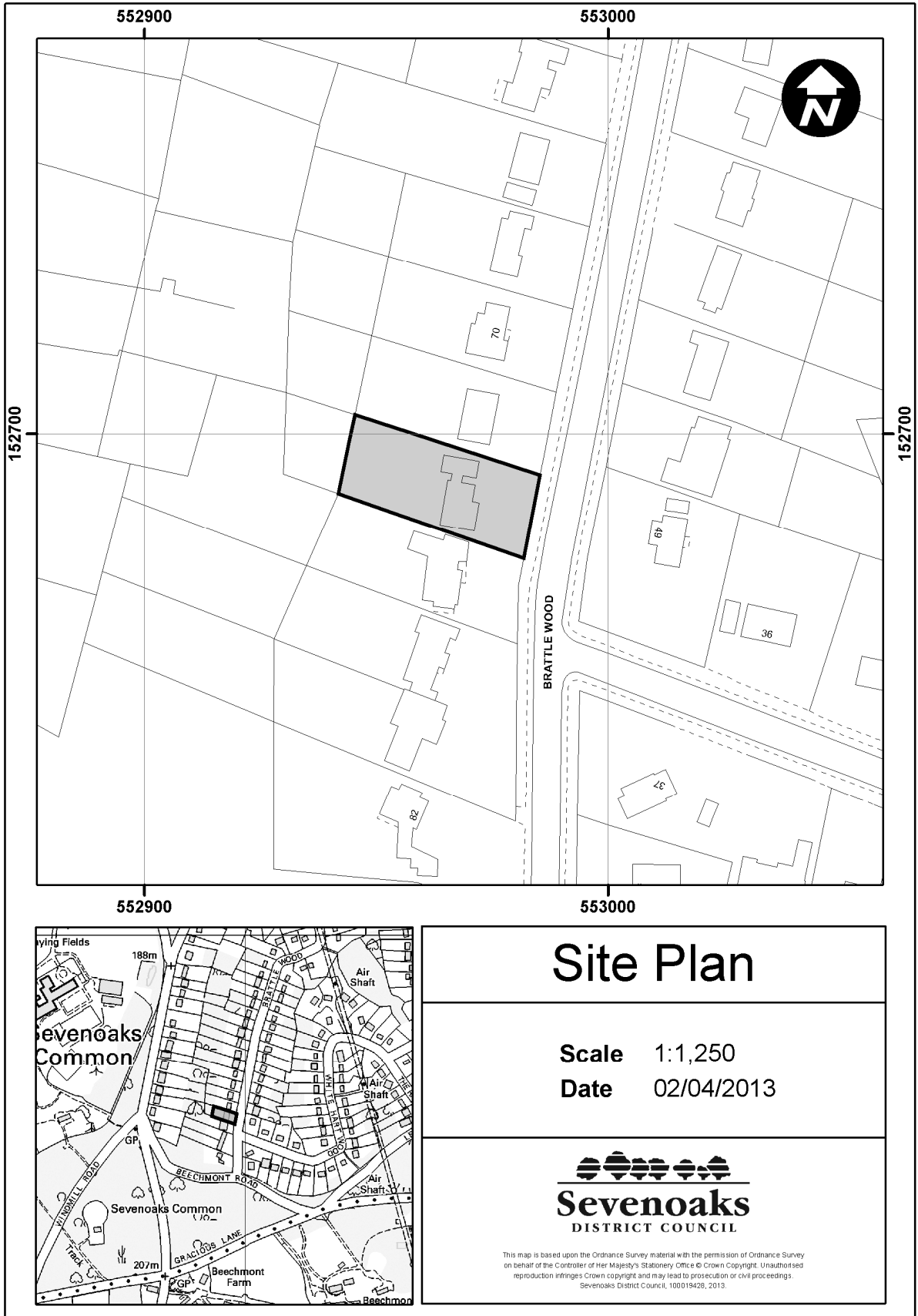
Pav Ramewal - Chief Executive Designate

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MBFA3DBK0L000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MBFA3DBK0L000>



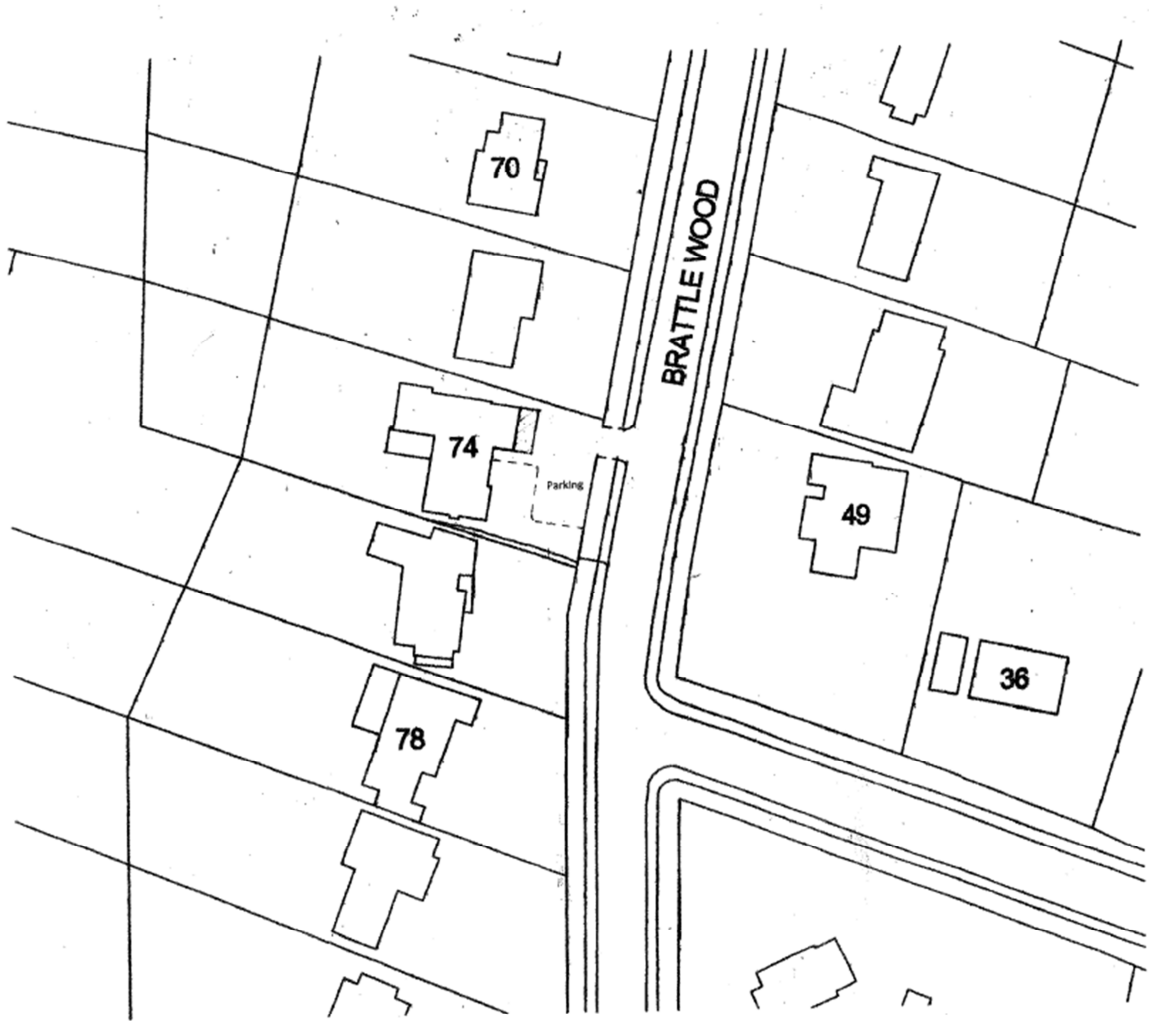
Site Plan

Scale 1:1,250
Date 02/04/2013



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Block Plan



PROPOSED BLOCK PLAN

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4.3 – SE/12/03416/HOUSE Date expired 23 April 2013

PROPOSAL: Erection of a two storey side extension with dormer window on front elevation; two single storey rear extensions, alterations to rear roof design to incorporate first floor extension; demolition of existing garage; erection of new garage with cycle store; removal of existing decking area and erection of paved terrace with low level garden store underneath; alterations to the fenestration including roof window on front elevation and alterations to dormer window design on front elevation.

LOCATION: 29 Vine Avenue, Sevenoaks TN13 3AH

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application has been referred to Development Control Committee at the request of Councillor Raikes on the grounds that the extensions will lead to a loss of amenity to neighbouring properties, will overdevelop the site, will be detrimental to the street scene and that it is out of keeping with the Sevenoaks Residential Character Area Assessment SPD.

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:- Drawing Number 397/A1/12 Revision C, dated December 2012, stamped 26 February 2013;- Drawing Number 397/A1/10 Revision B, dated December 2012;- Drawing Number 397/A1/11 Revision B, dated December 2012; stamped 26 February 2013;

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

3) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the extensions 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.

4) The first floor bedroom window in the eastern elevation shall be obscure glazed at all times and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the bedroom.

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

5) No development shall be carried out on the land until full details of soft and hard 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);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation;- details of enclosure surrounding the site;

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 and the Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

6) If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of 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 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 and the Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

7) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, a tree protection statement for the retained trees at the property shall be submitted to and approved in writing by the Council. Also:A) The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land.

B) Within a retained tree protected area:

- Levels shall not be raised or lowered in relation to the existing ground level;
- No roots shall be cut, trenches cut, or soil removed;
- No buildings, roads, or other engineering operations shall be constructed or carried out;
- No fires shall be lit;
- No vehicles shall be driven or parked over the area;
- No materials or equipment shall be stored.

To secure the retention of the trees at the site and to safeguard their long-term health as supported by Policy EN1 of the Sevenoaks District Local Plan.

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

Sevenoaks District Core Strategy: SP1

Sevenoaks District Local Plan: EN1, H6B

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

The development would respect the context of the site and would not have an unacceptable impact on the street scene.

Any potentially significant impacts on the amenities of nearby dwellings can be satisfactorily mitigated by way of the conditions imposed.

Description of Proposal

- 1 Planning permission is sought for a number of different elements at 29 Vine Avenue. These include the erection of a two storey side extension with dormer window on front elevation; two single storey rear extensions; alterations to rear roof design to incorporate first floor extension; demolition of existing garage; erection of new garage with cycle store; removal of existing decking area and erection of paved terrace with low level garden store underneath; alterations to the fenestration including roof window on front elevation and alterations to dormer window design on front elevation.
- 2 The two storey side extension will match the eaves and roof ridge of the existing dwelling. It will extend to the side by 3.6 metres and extend to the existing rear elevation. A distance of 2.5 metres – 3 metres will be retained to the boundary with Hitchen Hatch lane.
- 3 The single storey rear extension which is closest to Hitchen Hatch Lane will provide approximately 13.65m² of floor area and will have a height of 3.9 metres to eaves and 4.2 metres to the top of the roof lantern. The single storey closest to 27 Vine Avenue will provide approximately 21.7m² of floor area and will have a height of 3.5 metres to eaves and 3.9 metres to the top of the roof lantern.
- 4 The alterations to the roof design (i.e. a larger dormer window) will incorporate a first floor extension which will provide additional living space to the property. The dormer window will be 0.9 metres lower than the main roof pitch (the existing dormer is 0.3 metres lower than the main roof pitch) and will be flat roofed in design.
- 5 The existing garage has a floor area of approximately 15.08m². The replacement garage will have a floor area of 24.38m² and will have a height of 2.4 metres to eaves and 4.7 metres to roof pitch.
- 6 The proposal also involves some minor amendments to the fenestration of the property, including changing the design of the dormer windows on the front elevation from pitched to flat roofs.
- 7 Finally a paved terrace and low level garden store are proposed. The new paved terrace will have a floor area of approximately 27.3m² (although it is noted that the existing terrace provides 33.35m² of floor area). The low level garden store will be situated underneath the proposed terrace and will be 1.35m underground and will have provide a floor area of approximately 26.13m².

Description of Site

- 8 The site is situated within the urban confines of Sevenoaks, within the Sevenoaks Town and St Johns Ward. The site consists of one detached chalet bungalow finished with textured render and gabled tile roof with two pitch roof dormers on the front elevation. The front elevation includes a projecting gable canopy structure. The dwelling is located on a corner plot at the junction of Vine Avenue and Hitchen Hatch Lane and is set at a slightly higher land level to the adjacent highway on both sides.

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- 9 The area contains a variety of building styles and ages. Dwellings along Vine Avenue have fairly regular plot widths and are predominantly detached two storey dwellings. Dwellings along the southern edge of the road are set above the level of the highway. Dwellings to the east of Hitchen Hatch Lane are a mixture of Victorian terraced dwellings and semi-detached villas which are set directly onto the road or with only a limited set back. The dwelling to the north of the site is a single storey bungalow.

Constraints

- 10 No significant constraints associated with the site.

Policies

Sevenoaks District Core Strategy

- 11 Policy - SP1

Sevenoaks District Local Plan

- 12 Policies - EN1, H6B

Others

- 13 National Planning Policy Framework (NPPF)
14 Residential Extensions Supplementary Planning Document (SPD)
15 Sevenoaks Residential Character Area Assessment SPD

Planning History

- 16 SE/10/01281/FUL - Erection of two storey side extension and basement, new front dormer, resized rear dormer. Erection of extension to garage (granted 17 December 2010) – *now referred to as the 2010 permission.*
17 SE/04/00228/FUL - Two storey side extension and single storey rear extension (refused 15 March 2004).
18 SE/03/02760/FUL - Two storey side and rear extension (refused 14 January 2004).
19 SE/96/02040/HIST - Proposed roof windows (2 no dormers + 2 no rooflights) to front and rear sloping roofs at first floor level (granted 10 December 1996).

Consultations

Sevenoaks Town Council

- 20 Three consultation responses were received, all of which stated recommended refusal on the grounds that the application:
- Is detrimental to the street scene;
 - Would cause a loss of amenity to neighbouring properties;

- Would constitute overdevelopment of the site;
- Is out of keeping with the Residential Character Area Assessment;

- 21 SDC Tree Officer: - The proposed side extension would impact on several shrubs situated on the eastern boundary. These are of low amenity value but do provide an effective screen. However, these could be replaced as part of an approved landscaping scheme. The proposed rear extension would impact on a mature Apple tree which appears to be in a poor condition. This could also be replaced as part of an approved landscaping scheme. The remainder of the vegetation including the cypress hedge to the rear of the site should not be affected by the proposal.
- 22 In view of the above comments, I recommend that consent be granted, providing those trees/shrubs to be retained is adequately protected. Details of protective measures to be used should be submitted for comment and should comply with BS5837:2012.

Representations

- 23 Two letters of objection were received:

We are concerned that the extension of the eastern part of the house will mean a loss of privacy as it will be overlooking our property considerably more. A minor concern is the loss of green area due to the size of the extension.

This extension will have serious implications for our house and others on Hitchen Hatch Lane in terms of loss of privacy, loss of significant vegetation and change of aesthetics. The significant side extension comes very close to the site boundary and, given the height relative to houses on Hitchen Hatch Lane, will cause a considerable loss of privacy. The loss of existing grass, bushes and trees will significantly alter our outlook and the visual characteristics of the immediate area.

- 24 One letter of representation was received

We are next door to no.29. While we have no objection to the planned alterations, we would like confirmation of how the boundary between our houses is to be affected. This boundary is their responsibility, and it is currently in poor repair beyond the current garage. The demolition and rebuilding offers them an opportunity to renew the whole fence. We would also like confirmation that the line of their current garage wall and the fence represents the boundary between our properties.

Group Manager Planning Services Appraisal

Principal Issues

Design, Scale and Bulk

- 25 Policy SP1 of the Sevenoaks District 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.
- 26 Policy EN1 of the SDLP states that the form of proposed development including extensions should be compatible in terms of scale and height with other buildings

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in the locality. Policy H6B of the SDLP states that extensions should not be of such a size or proportion that it harms the integrity of the design of the original dwelling. In addition Policy H6B sets out the following design principles:

- Extensions should relate well in design terms to the original dwelling in respect of bulk, height, materials and detailing;
- In general two storey extensions should have pitched roofs to match the existing dwelling;

- 27 The Residential Extensions SPD states that for development on corner sites should respond sensitively to the character of the adjoining street created by a common building line, the scale, form and architectural features of development and the spaces around buildings.
- 28 The Sevenoaks Residential Character Area Assessment SPD states that the following criteria should be applied to new development:
- Development should be set back from the road and retain space between buildings;
 - In Vine Avenue the regular building line should be respected;
 - Mature trees and hedged boundaries which contribute to the character of the road should be retained;
- 29 Concern has been raised that the proposal will have a detrimental impact on the street scene. However the two storey side extension reflects the scale and design of approved planning permission SE/10/01281/FUL. This permission was approved in December 2010 and still could be implemented tomorrow if the applicant so wished. The design of the extension matches the existing roof pitch of the property and maintains the existing eaves height. In addition the new dormer window will match the other front elevation dormer windows in design. Whilst it is recognised that the proposal occupies a prominent position between Vine Avenue and Hitchen Hatch Lane, due to the acceptable design of the proposal (as outlined above) and the pre-existing planning permission (SE/10/01281/FUL) it is not considered that the character of the area of will be affected. For this reason, it is considered that the side extension will not be of such a size or proportion that it harms the integrity of the design of the original dwelling which would result in a material harm to the street scene.
- 30 It must be noted however, that there has been a change of circumstances since the approval of planning permission SE/10/01281/FUL, specifically the adoption of the Sevenoaks Residential Character Area Assessment SPD. The specific criteria are outlined in paragraph 29. It is considered that the two storey side extension is set back from the Vine Avenue (6 metres) and retains space between the adjoining building (27 Vine Avenue). It is also deemed that the regular building line of Vine Avenue is respected, as it does encroach in front of this adjoining property. Finally, it is worth noting that the side extension respects the building line in Hitchen Hatch Lane, as it is aligned with Number 13 Hitchen Hatch Lane (this is outlined in the Block Plan – drawing number 397/A1/10 Revision B). It is considered that this also addresses the criteria outlined in the Residential Extensions SPD. In terms of the final criteria of the Sevenoaks Residential

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Character Area Assessment SPD (in relation to trees etc.), this is assessed in the Trees section.

- 31 Permission is also sought for a two single storey rear extensions and an alteration to rear roof design at first floor level (also at the rear). These are well concealed from the highway both from Vine Avenue and Hitchen Hatch Lane. It is also considered that the first floor extension / dormer window results in a more attractive design than the existing dormer which is incongruous in shape. For this reason it is not considered that these elements will impact the street scene. Overall, it is deemed that the scale and design of these elements of the proposal respect the original dwelling.
- 32 Finally (in regards to the street scene), it is recognised that the garage is slightly larger in scale than the existing one. The existing garage is 3.4 metres high and the proposed garage is 4.2 metres high. Whilst it is acknowledged that the garage is higher it is considered that it will still appear subservient to the main dwelling as it will be 2.8 metres lower than the main roof pitch. The proposed garage also incorporates a number of materials on the dwelling. For these reasons it is considered that this element of the proposal is in accordance with policy and will not impact the street scene.
- 33 In regards to overdevelopment of the site (another reason for refusal by the Town Council) it is accepted that the proposal involves a number of additions to the property. However, it is recognised that the development retains the distance to the highway in Vine Avenue as well as maintaining a distance of 2.5 metres – 3 metres to the highway in Hitchen Hatch Lane. It is also acknowledged that the single storey extension will maintain a distance with Number 27 Vine Avenue (0.9 metres). Finally a distance of 12 metres to the property to the north of the site will be maintained. For these reasons it is considered that the development does not constitute overdevelopment of the site.
- 34 In relation as to whether the proposal addresses the design criteria of the Sevenoaks Residential Character Area Assessment SPD it is considered that the development will be set back from the road and will retain space between the adjoining buildings. Further, it is recognised that the proposals ensure that the regular building line is respected as it will not involved extending the dwelling closer to the highway in Vine Avenue (please note that criteria relating to trees is assessed under the trees section below).
- 35 It is considered that the minor amendments to the existing dwelling (including the amendment to the design of the dormer window) will ensure that the dwelling will be in harmony with the surrounding buildings and wider street scene.
- 36 For the reasons outlined above it is considered that the proposal is in accordance with Policy SP1 of the Sevenoaks District Core Strategy, Policies EN1 and H6B of the SDLP and the Sevenoaks Residential Character Area Assessment SPD.

Residential Amenity

- 37 Policy EN1 of the SDLP states that proposed development should not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height and outlook. In addition, Policy H6B of the SDLP states that proposals should not result in a material loss of privacy, outlook, daylight or sunlight to habitable rooms or private amenity space of neighbouring properties, or have a

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detrimental visual impact or overbearing effect on neighbouring properties or the street scene.

Daylight / Sunlight

- 38 The Residential Extensions Supplementary Planning Document (SPD) states that an extension should not cause any significant loss of daylight or the cutting out of sunlight for a significant part of the day to habitable rooms or private amenity space. A useful guideline to measure the likely impact of an extension on a neighbouring property is the 45 degree test.
- 39 It is considered that due to the position of the dwelling on site (a corner plot) the only property which may be affected by the proposal in terms of daylight and sunlight is the adjoining property, Number 27 Vine Avenue.
- 40 However, after undertaking a site visit at the property next door, there are only two ground floor windows which face onto the site. These windows serve a downstairs WC and utility room. Due to the non-habitable status of these rooms it is not considered that the proposal will result in a loss of amenity to the adjoining occupiers.
- 41 There are no first floor flank elevation windows which may be affected by the proposal at Number 27 Vine Avenue.
- 42 In terms of sunlight, it is recognised that the properties have north facing gardens. It is acknowledged therefore that the existing built form of the dwelling already cuts out morning sunlight received to both properties (site and Number 27 Vine Avenue). However, it is not considered that the proposals will exacerbate any loss of sunlight, as the adjoining property is to the west of the site. For this reason it is considered that the proposal will not cause a loss of amenity in respect to sunlight.

Privacy

- 43 Concern has been raised in regards to the loss of privacy to the properties in Hitchen Hatch Lane. It is accepted that a new bedroom window will be inserted on the flank wall of the property. This bedroom will benefit from a window on the front elevation and therefore it is considered reasonable to attach a condition on any approved planning consent ensuring that it is obscured glazed. This will protect the amenity of the occupiers in Hitchen Hatch Lane.
- 44 The property to the north of the site (13 Hitchen Hatch Lane) is positioned approximately 20 metres away and a tall evergreen screen conceals the property. For this reason it is not considered that the proposed dormer / first floor extension will not result in any direct overlooking to this property.
- 45 As stated above, there are no habitable room windows on the flank elevation facing the site at Number 27 Vine Avenue. In addition, no new flank elevation windows will face the site. Although there are more first floor rear elevation windows as a result of the proposal, due to the orientation of these it is not considered that these will overlook the private amenity space of Number 27 Vine Avenue.

- 46 For this reason, it is not considered that the proposal will result in a detrimental loss of privacy to the adjoining occupiers.

Outlook

- 47 The Residential Extensions SPD states that the District Council is primarily concerned with the immediate outlook from neighbour's windows, and whether a proposal significantly changes the nature of the normal outlook.
- 48 It is considered that due to the distances between the properties to the north and east of the site (20 metres plus), it is not deemed that the proposal will significantly alter the outlook from these properties.
- 49 As documented above, the adjoining property to the west of the site, Number 27 Vine Avenue does not have any habitable rooms facing the extension. For this reason it is not considered that the proposal will harm the outlook from habitable room windows at this property. It is also considered that as the single storey extensions do not significantly extend beyond the rear building line, the proposal will not be overbearing to the private amenity area (i.e. rear garden) either.

Other Issues

Trees

- 50 Policy EN1 of the SDLP states that the layout of proposed development should retain important features including trees. In addition, as outlined above the Sevenoaks Residential Character Area Assessment SPD states that mature trees and hedged boundaries which contribute to the character of the road should be retained.
- 51 As part of the consultation process the SDC Tree Officer was consulted on the proposal. The Officer asserted that the shrubs / hedges along the eastern side of the plot are of low amenity value but do provide an effective screen. It was deemed that these could be replaced as part of an approved landscaping scheme.
- 52 The Planning Agent has confirmed that some of this landscaping would need to be removed during construction works to enable access to the rear of the property.
- 53 It is considered that whilst the loss of the shrubs / hedging is regrettable, it is recognised that these are of low amenity value and do not contribute to the character of the area. It is recommended that these shrubs / hedges be replaced via landscaping condition on any approved consent, as well as a tree protection statement. This is to ensure that the flank wall of the property is not overbearing upon the street scene at its slightly raised position.
- 54 For these reasons it is considered that the proposal is in accordance with Policy EN1 of the SDLP and the Sevenoaks Residential Character Area Assessment SPD.

Parking

- 55 The property will become a five bedroom dwelling (currently a four bedroom dwelling) as a result of the proposals. The Kent Design Guide Review Interim Guidance Note 3 (20 November 2008: Residential Parking) states that four plus bedroom houses on the edge of town centres should provide 1.5 spaces per unit.

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- 56 From visiting the site, the dwelling already provides two off road parking space in an area of parking restriction. The 2010 permission, which also permitted the increase of bedrooms, did not request a parking condition. Therefore it is considered that due to the town centre location any parking condition would be unreasonable in this instance.

Boundary Treatment

- 57 The adjoining neighbour (Number 27 Vine Avenue) has raised concern over the maintenance of the fence which exists between the two properties. In addition, the same neighbour has queried the position of the boundary line between the two properties. This is considered a civil matter but it is confirmed that none of the proposed garage will encroach or overhang onto the property following the amendment of the guttering (amended plans as received on 26 February 2013).

Excavation / Land levels

- 58 The 2010 permission requested the following condition:

Prior to the commencement of development, details of excavation works and changes to land levels (including existing and proposed sections and spot heights) shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in complete accordance with the approved details.

- 59 To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 60 The proposal under consideration does not propose a basement such as the one permitted under the 2010 permission and proposes no amendments to the existing basement. However, the scheme does propose the creation of low level garden store underneath a proposed terrace. The drawings indicate the position, extent and depth of the low level garden store. For this reason it is considered unreasonable to attach a condition in this circumstance, given the details submitted are adequate.

Conclusion

- 61 For the reasons set out above, it is considered that the proposal is in accordance with the Development Plan and therefore the Officer's recommendation is to approve planning permission.

Background Papers

Site Plan

Contact Officer(s): Neal Thompson Extension: 7463

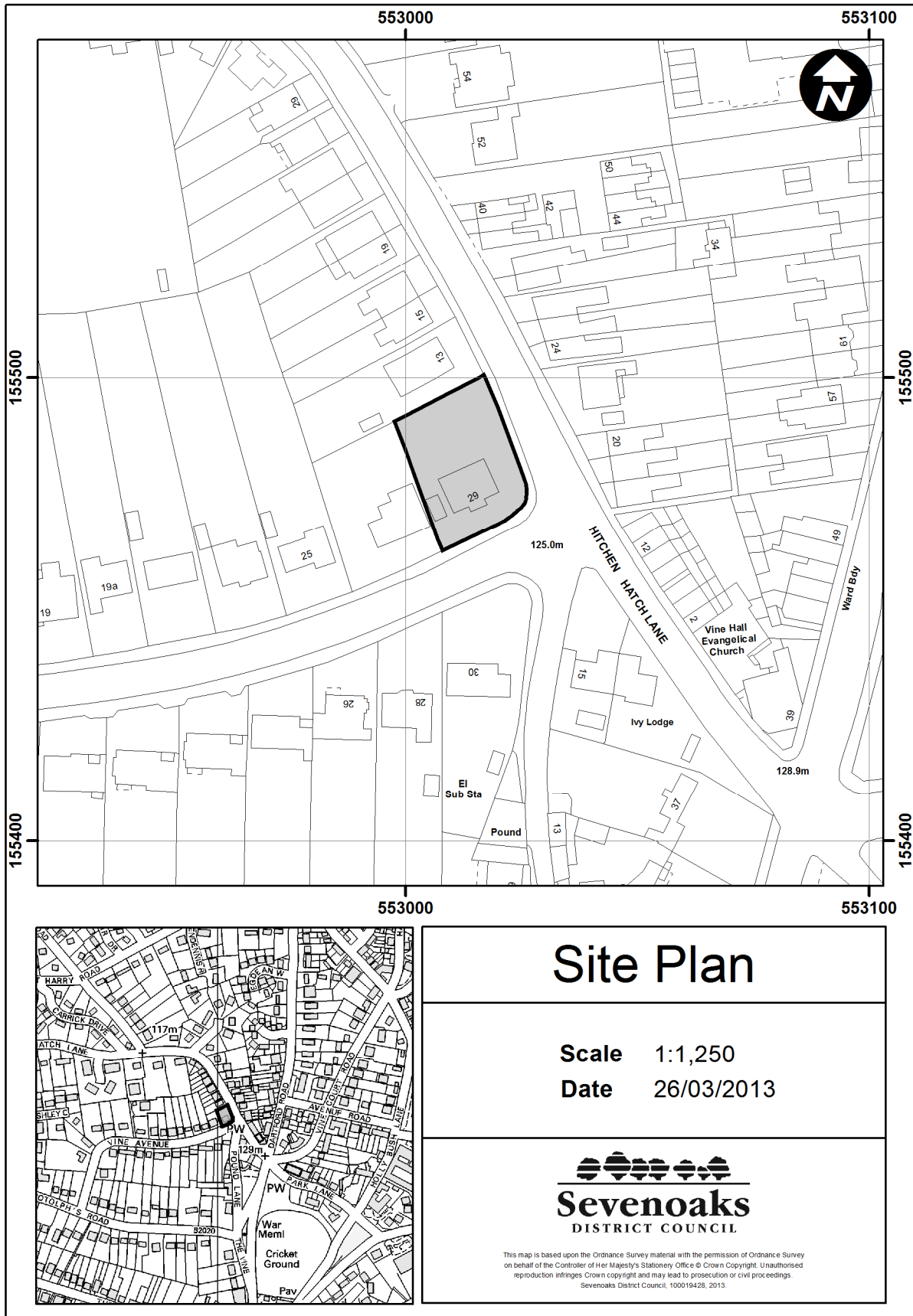
Pav Ramewal - Chief Executive Designate

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MFIZMQBK&V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MFIZMQBK8V000>



Site Plan

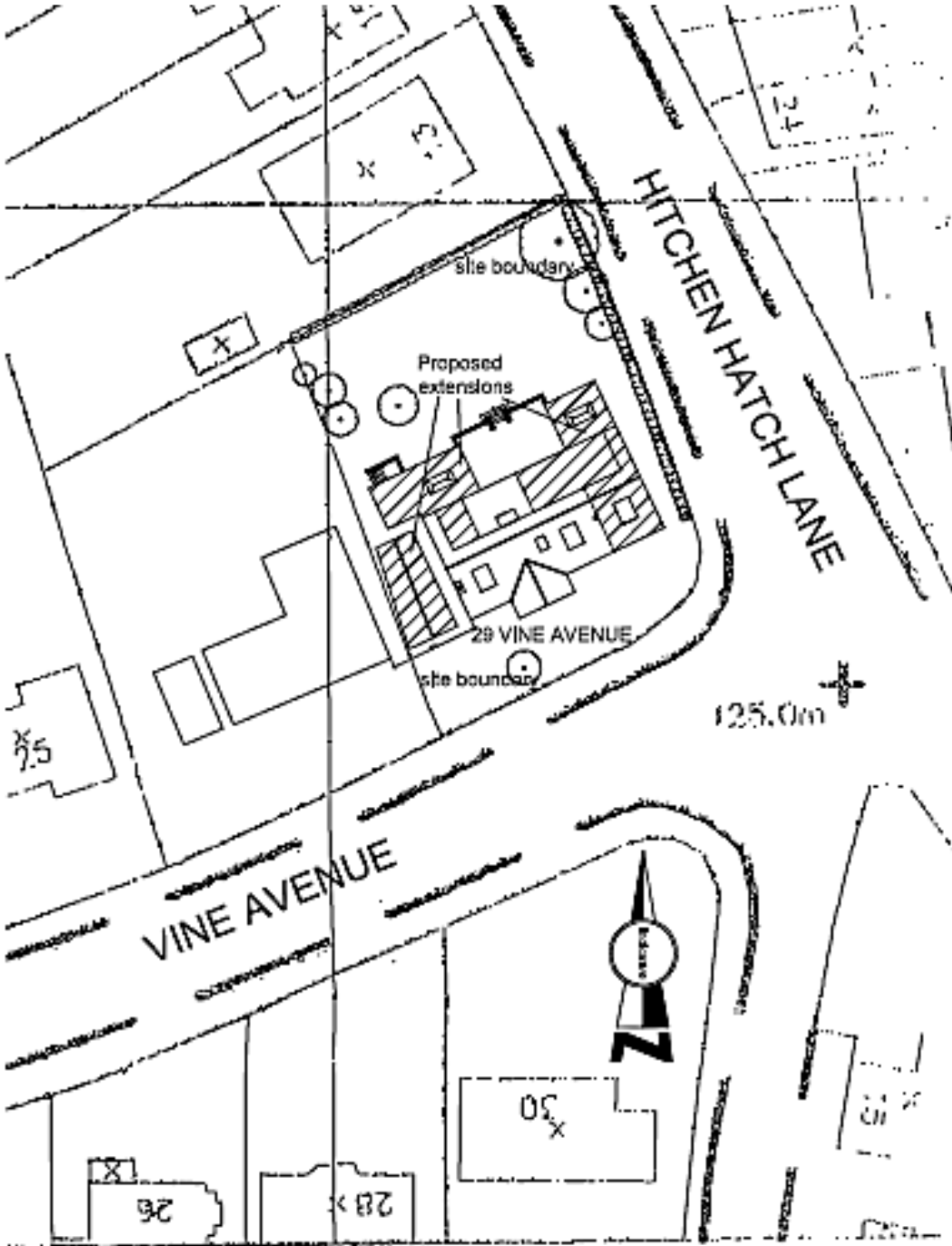
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Date 26/03/2013



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BLOCK PLAN



BLOCK PLAN

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4.4 - SE/13/00429/HOUCON Date expired 8 April 2013

PROPOSAL: Variation of condition 1 of SE/11/02457/FUL to Erection of wooden garden shed with amendment to staining in natural oak

LOCATION: Lansdowne, 19 Woodside Road, Sevenoaks TN13 3HF

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

The application has been called to Development Control Committee by Councillor Raikes for the following reason:

The shed is set against a wooden paling fence which has been left untreated and is therefore natural pale brown. Behind in are the trunks of conifers (Leylandii I believe) also brown though the branches conifers themselves are covered in green pine needles. The house 19 Woodside Road is a matter of feet away from the shed and colour-washed in a shade of pale yellow/cream.

Painting the shed green would make it stand out against the background of the fence and contrast far more starkly with the nearby house. It is mellowing well and I am happy with it as it is. I have no objection either with it staying as is or being coloured natural oak

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

A natural oak wood-stain would not be sufficiently camouflaging to make the shed acceptable. The resulting structure would be contrary to policies EN1 of the Sevenoaks District Local Plan and SP1 of the Core Strategy as a development that does not respect its setting and incorporates materials which are not of a high standard.

Description of Proposal

- 1 Variation of condition 1 of SE/11/02457/FUL to Erection of wooden garden shed with amendment to staining in natural oak

Description of Site

- 2 The property is a detached property with an open and raised front garden. An access driveway runs up one side of the garden with the other side laid to lawn and patio. To the right side boundary sits a line of trees on the boundary with number 21. A timber shed has been erected in front of these trees, which faces in towards the garden.

Constraints

- 3 None

Policies

Sevenoaks District Local Plan

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4 Policy – EN1

Sevenoaks Core Strategy

5 Policy - SP1

Planning History

6 11/02457/FUL - Erection of a wooden garden shed (Retrospective). Granted

7 00/01385/FUL - Demolition of existing garage and erection of 2 storey side extension. Granted 15/8/2000

Consultations

Sevenoaks Town Council

8 Sevenoaks Town Council recommended approval.

Representations

9 One letter of objection has been received which raises the following points:

- The shed is unsightly and inappropriate for a front garden. Retrospective planning permission should not have been granted. The proliferation of sheds in front gardens in Woodside Road has had an adverse effect on the street scene.
- Staining the shed natural oak would have little or no effect on its unsatisfactory appearance, whereas staining it dark green would make it significantly less obtrusive.
- The fence and recently erected shed in the front garden of 23 Woodside Road are both pale green, not natural.
- The conifers referred to are not Leylandii. Lower branches were removed some time ago to improve the amount of light in the front garden of 21 and 19 Woodside Road. Erection of the shed substantially reduced the amount of light in both front gardens.
- The shed is closer to the fence than indicated in the retrospective planning application.
- The shed is not being used for its stated purpose. Since it was erected there has been no diminution in the amount of rubbish and other detritus permanently stored in the front garden of 19 Woodside Road.

Group Manager Planning Services Appraisal

10 Planning permission was granted retrospectively for the erection of the shed (ref SE/11/02457) on 15 February 2012.

11 It was considered that the acceptability of the structure was in the balance given its prominent position in a front garden. It was concluded that the size and location were not significantly harmful to the appearance of the locality but

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because of its colour it did appear as an incongruous feature and had a detrimental impact on the appearance of the streetscene. Permission was therefore granted for the shed with a condition which required it to be treated with a dark green woodstain within 6 weeks of the permission. It was considered that this colour would be more sympathetic to the location of the shed which backs on to a row of trees.

- 12 The owner has failed to do this and has now submitted the current application to treat the shed in natural oak colour rather than dark green.
- 13 A natural oak colour would go a little way to soften the impact of the shed but would not be sufficiently camouflaging to make the shed acceptable. The structure would therefore be contrary to policies EN1 of the Sevenoaks District Local Plan and SP1 of the Core Strategy as a development that does not respect its setting and incorporates materials which are not of a high standard.

Conclusion

- 14 That permission to vary condition 1 of SE/11/02457/FUL to allow the garden shed to be stained in a natural oak colour be refused.

Background Papers

Site and Block plans

Contact Officer(s): Joanna Russell Extension: 7367

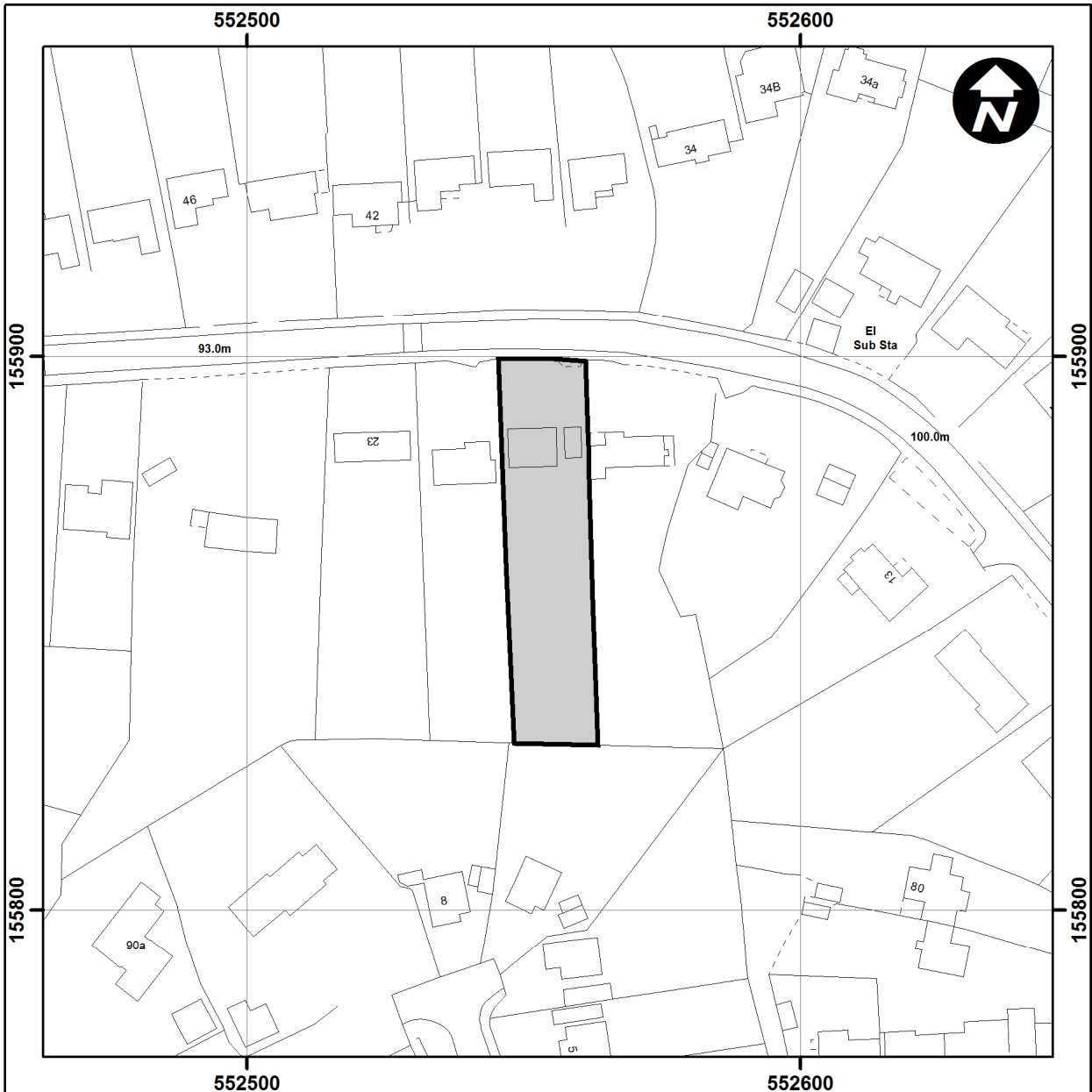
Pav Ramewal Chief Executive Designate

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MI2BGCBK0L000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MI2BGCBK0L000>



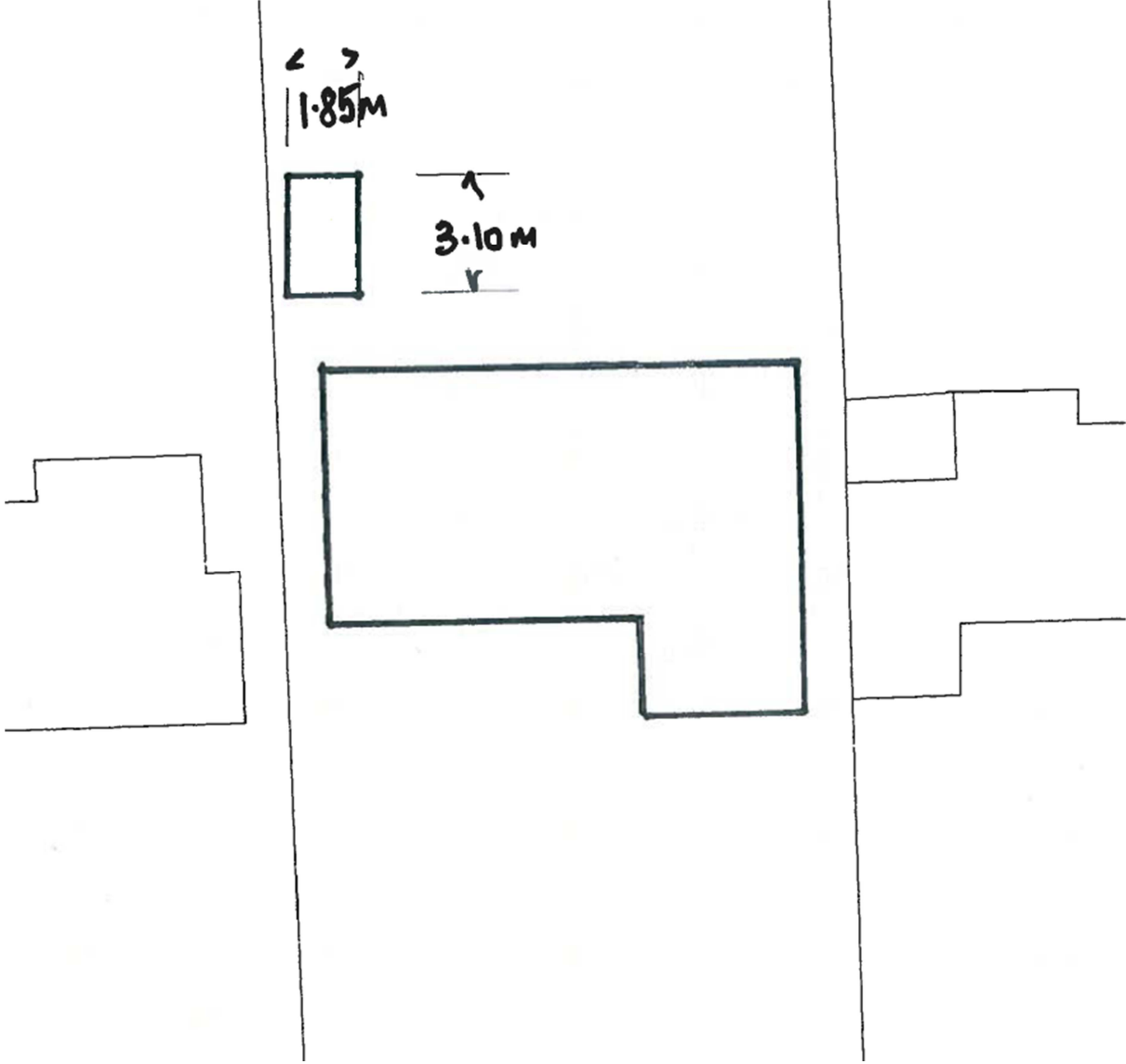
Site Plan

Scale 1:1,250

Date 22/03/2013



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