

- 4.4. **SE/14/03006/HOUSE - Dippers Close, Kemsing, Sevenoaks TN15 6QD** (Pages 51 - 60)

Extension to first floor including rooflights, infill existing porch, Juliet balcony to west elevation along with various internal alterations and a roof lantern to existing family room on west elevation

- 4.5. **SE/14/02140/HOUSE - Merryn, Orpington By Pass, Badgers Mount, Sevenoaks TN14 7AG** (Pages 61 - 70)

Demolition of existing garage. Erection of a single storey rear extension, roof alterations to include front and rear dormers and enclosure of entrance porch

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 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 227247)

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 227247 by 5pm on Monday 24 November 2014.

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.

This page is intentionally left blank

4.1 – SE/14/00849/HOUSE & SE/14/00850/LBCALT Date expired 23 May 2014

PROPOSAL: Erection of two-storey side extension following demolition of part of the attached listed wall, alterations to rear garden room; minor internal alterations and repairs to chimney stack.

LOCATION: Threeways, The Street, Ash TN15 7HA

WARD(S): Ash And New Ash Green

- 1 These applications have been returned to the Development Control Committee following the decision by the Committee to defer them at the meeting of 14 August 2014.
- 2 The application was deferred so that consideration of the applications for planning permission and listed building consent could allow for the following:
 - 1) The Conservation Officer to contact the Georgian Group to obtain a revised response based on clarity over the size of the extension;
 - 2) The Conservation Officer to carry out an internal inspection, including considering the historic value of the kitchen fireplace and whether it needs to be retained if an extension is agreed;
 - 3) Consideration of whether the design of the windows should be altered to better relate to the form of windows on the original building; and
 - 4) When the item is reported back, for the Conservation Officer to attend the meeting.
- 3 The original report and late observations sheet is reproduced below (Appendix 1).
- 4 Since the application last came to the Development Control Committee, the Applicant and Agent have spent considerable time with the Planning Officer and Conservation Officer on site and have submitted amended plans to address the issues raised by the committee.
- 5 In light of the amended plans, the issues raised by the Committee are addressed in turn below:

Contacting the Georgian Group

- 6 The Conservation Officer has tried to contact the Georgian Group to clarify its response on numerous occasions. There has, however, been no response to the Conservation Officer's emails or telephone messages.
- 7 Officers have however been made aware by the applicant that the Georgian Group has visited the property on Monday 8th September at the invitation of the

Agenda Item 4.1

applicant but no formal comments have been received from the Society by the Council.

- 8 The Georgian Group has been sent a copy of the amended plans now submitted and if any comments are received they will be reported at the committee meeting.

Internal inspection of the property by the Conservation Officer

- 9 It was requested by the Committee that the Conservation Officer carry out an internal inspection of the property, and in particular to consider the historic value of the kitchen fireplace and whether it needs to be retained if an extension is agreed.
- 10 The current Conservation Officer was not been involved in the pre-application discussions and did not prepare the original consultation response to the application. She has now visited the property twice since the committee on 14th August.
- 11 In her view, *“the fireplace is considered to be a significant feature and should be incorporated into any proposals. This is an interesting feature that relates to the evolution of the building. The original weatherboarding demonstrates the former rear elevation and the kitchen fireplace represents the later, but still valuable, accretions”*.
- 12 The amended plans submitted reflect this and now show the fireplace to be retained.

Consideration of whether the design of the windows should be altered to better relate to the form of windows on the original building

- 13 In regard to this issue, the Conservation Officer comments as follows:
- “The ground floor windows in the proposals are poorly expressed and fail to relate well to the original building and the terrace as a whole. The small windows are also inappropriate for a formal principal elevation. A simple sash window, with proportions matching the existing would be the most harmonious approach but this is complicated by the current internal arrangement and width of the extension. A small decrease in the width of the extension to reflect the proportions of the plan form of the host property will give a more pleasing and sympathetic solid to void ratio and would mean that a sash window would sit well in the elevation. This would have the combined benefit of improving the plan form. It would also be possible to re-order the internal layout so that only one window is required at ground floor level”*.
- 14 In light of these comments, the applicant has submitted amended plans, which show a small reduction in the width of the extension (from 4.7 to 4.3m) and with the small windows in the front elevation replaced with sash windows which match the proportions of the existing property. The internal layout of the proposal has also changed to allow these external changes to take place. The amended plans create a more harmonious approach to the proposed extension which considerably mitigates against the harm of the original proposal and relates better to the form of windows on the original property.

- 15 It is also considered that these changes address the concerns raised by the Parish Council who preferred *“all windows on the front elevation to match the existing building and as long as it does not conflict with local planning policy”*.

Conservation Officer attendance at the meeting

- 16 The Conservation Officer will attend the meeting on 27 November.

Other issues

- 17 As the proposed amendments reduce the floorspace of the proposed extension, it is considered, as with the previous report that the proposal is a proportionate addition to the original dwelling which would be in accordance with guidance contained in the NPPF and policies in the Local Plan and ADMP relating to Green Belt.
- 18 The changes made would not change the impact on neighbouring properties since the previous application and therefore the proposal is considered to not to have an adverse impact on amenity.
- 19 It would also not change the car parking arrangements nor the impact on the trees and therefore the view of officers would remain the same as laid out in the original report.

Conclusions

- 20 Whilst officers raised concerns in regard to the principle of the proposed two storey side extension, officers have worked with the applicant to attempt to mitigate the harm caused by the proposed extension and have addressed the concerns raised by the committee.
- 21 The revised plans respond in a satisfactory way to the issues raised by Members at the previous meeting. If Members agree that their previous concerns have been met then it would be appropriate to grant planning and listed building consent. Conditions could be delegated for officers to agree.

4.2 – SE/14/00849/HOUSE Date expired 23 May 2014
SE/14/00850/LBCALT

PROPOSAL: Erection of two-storey side extension following demolition of part of the attached listed wall, alterations to rear garden room; minor internal alterations and repairs to chimney stack.

LOCATION: Threeways, The Street, Ash TN15 7HA

WARD(S): Ash And New Ash Green

ITEM FOR DECISION

This application is called to Development Control Committee at the discretion of the Chief Planning Officer as the recommendation is at odds with conservation advice obtained at pre-application stage by a former Officer of the Council.

RECOMMENDATION – SE/14/00849/HOUSE: That planning permission be REFUSED for the following reasons:-

Due to its scale, bulk, massing, siting and overall design, the proposed extension would fail to respect the character, design and layout of the listed building and would overwhelm its modest proportions resulting in a disproportionate and unsympathetic addition which would cause substantial harm to the historic significance of this designated heritage asset contrary to policy EN1 of the Sevenoaks Local Plan, SP1 of the Sevenoaks Core Strategy, emerging policy EN4 of the Sevenoaks Allocations and Development Management Plan, the Councils Residential Extensions Supplementary Planning Document, the National Planning Policy Framework and Planning Policy Statement 5 (PPS5) Planning for the Historic Environment: Historic Environment Planning Practice Guide March 2010.

RECOMMENDATION – SE/14/00850/LBCALT: That listed building consent be REFUSED for the following reasons:-

Due to its scale, bulk, massing, siting and overall design, the proposed extension would fail to respect the character, design and layout of the listed building and would overwhelm its modest proportions resulting in a disproportionate and unsympathetic addition which would cause substantial harm to the historic significance of this designated heritage asset contrary to policy EN1 of the Sevenoaks Local Plan, SP1 of the Sevenoaks Core Strategy, emerging policy EN4 of the Sevenoaks Allocations and Development Management Plan, the Councils Residential Extensions Supplementary Planning Document, the National Planning Policy Framework and Planning Policy Statement 5 (PPS5) Planning for the Historic Environment: Historic Environment Planning Practice Guide March 2010.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works

with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Description of Proposal

- 1 These applications seek planning permission and Listed Building Consent (LBC) for the erection of a two-storey side extension following demolition of part of the attached listed wall, alterations to rear garden room; minor internal alterations and repairs to chimney stack.

Description of Site

- 2 The site the subject of this application is an end of terrace dwelling. The application property (Threeways) together with 3, 4 and 5 Wallace Terrace are grade II Listed.

- 3 The Listing description for the building reads as follows:

Threeways is dated 1783 with the initials W S A. Two storeys and attics red brick. Tiled roof with 2 hipped dormers. Two sashes with glazing bars intact. Door case with flat hood on brackets. The adjoining property to the left was originally part of the same house but rehung in tile in the C19 on the first floor and stuccoed on the ground floor. One sash with glazing bars intact. Wallace Terrace is C19. Two storeys brown brick. Tiled roof. Two sashes with glazing bars intact.

- 4 In addition to the above, the site is located in the Green Belt.

Agenda Item 4.1

Constraints

- 5 Listed Building
- 6 Green Belt

Policies

Sevenoaks District Local Plan:

- 7 Policies – EN1, H6B + Appendix 4 & H14A

Sevenoaks Core Strategy

- 8 Policies – SP1 & LO8

Allocations and Development Management Plan (ADMP) (Submission Draft)

- 9 Policies – EN1, EN2, EN4, GB1 (moderate weight) & T2 (significant weight)

Other

- 10 National Planning Policy Framework
- 11 Planning Policy Statement 5 (PPS5) Planning for the Historic Environment: Historic Environment Planning Practice Guide March 2010
- 12 Planning Practice Guidance
- 13 Residential Extensions Supplementary Planning Document (RESPD).

Planning History

- 14 13/02814/LBCALT Replacing dilapidated / rotting front door with new non-identical door. Grant 13/12/2013.

Consultations

Parish Council

- 15 No objection:

The Parish Council has no objection, in principle to this application but would prefer all windows on the front elevation to match the existing building and as long as it does not conflict with local planning policy.

SDC Tree Officer

- 16 The proposed side extension could impact on two cypress trees, a Birch and a section of conifer hedge situated on the southern boundary. Although these are situated within a prominent position, they are of low amenity value but do provide an effective screen when viewed from Pease Hill. I have estimated that trees numbered T1-T2, both cypresses, require a RPA of 4.80. T3, the Birch, requires a RPA of 4.20m. The proposed extension would be constructed within 2.50m of T1, 3.0m of T2 and 4.0m of T3. The hedge requires a RPA of 1.80m. The proposed extension represents a serious incursion into the RPA's of T1 & T2. T1 appears to

have been damaged by the recent storms. These trees could be removed and replaced as part of an approved landscaping scheme. T3 could be successfully retained providing it is adequately protected during the construction process. This also applies to the conifer hedge.

- 17 In view of the above comments, I have no objection to the proposed development, providing those trees to be retained are protected. Details of protective measures to be used should be submitted for comment and should comply with BS5837:2012.

SDC Conservation Officer

- 18 SDC's Conservation Officer objects to the proposal on the following grounds:

“Threeways is a Grade II listed building dated 1783. The largely symmetrical, late 18th century style of the front façade presents a startling contrast to the rear of the building, which is dominated across much of its width by an impressive sweep of cat-slide roof. These disparate architectural treatments result in the building having a distinctive singularity of form and this characteristic quality is most evident when viewed from the south.

The present proposal seeks to attach a substantial, two storey addition to the southern gable of Threeways and from the conservation perspective, it is considered entirely unacceptable:

1. The new work overwhelms the modest proportions of the listed building, transforming all three elevations and the roofscape. (ref para. 178 of the Historic Environment Practice Guide)

2. The balanced, largely symmetrical treatment of the principal elevation is an important characteristic of the listed building and it is diminished by the presence of the side addition. (ref para. 178 of the Practice Guide)

3. The simple form of the historic floorplan will be obscured by the new work (ref para. 182 of the Practice Guide)

Poor precedents at adjacent properties do not justify further inappropriate work at Threeways, as an accretion of later additions obscures the historic significance of a listed building. Para. 137 of the NPPF states that only proposals which better reveal the significance of designated heritage assets should be treated favourably.

Although minor interior alterations and remodelling of the existing unsympathetic garden room may be acceptable, the proposed two storey side addition results in substantial harm to the historic significance of the designated heritage asset, and refusal is recommended in terms of para. 133 of the NPPF.

The present structural condition of the chimney justifies the intended remedial works, which are considered ‘like for like repairs’ and do not require consent.

It is noted that the heritage statement includes references to preceding conservation advice. However, Council records have been searched for pre-application advice pertaining to this case and none found. If such advice was given and it differs from that above, an on-balance decision should be made as to

Agenda Item 4.1

whether – for the sake of consistency – it is best to proceed with the case on the basis of the earlier guidance”.

- 19 Earlier this year the applicant sought Conservation advice from a former officer of the Council in respect of the proposed scheme. It is stated that the Conservation Officer visited the site which concurs with copies of correspondence provided between the agent and the Conservation officer. An email from the officer to the agent in response to discussions on site and in response to the submission of preliminary drawings which reflect the scheme currently under consideration, states the following:

“This all looks to be as we discussed on site. The extent of the addition would be in proportion to the terrace but readily identifiable as a new addition. You would also be making various improvements to the property without loss of historic fabric or character. The Design and Access Statement needs to include a Heritage Statement”.

- 20 The Conservation Officer post currently operates on a job share basis with two officers sharing the role. In view of the disagreement between the current and former post holder on the merits of the scheme, the other job sharer was asked to informally review the case. She supports the objections of her colleague.

Ancient Monument Society

- 21 No comment received

The Council for British Archaeology

- 22 No comment received

Georgian Group

- 23 The Group is concerned that the proposed extension is too great in terms of scale and massing and objects for these reasons, the proposed extension will nearly double the footprint of the listed building and alters the vertical emphasis of the building to a horizontal one.

- 24 In the absence of new guidance the PPS5 Planning Practice Guide remains a material consideration:

“The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate.” (Para. 178)

- 25 The plans show a number of internal doors being relocated/removed. It is good practice to close and seal doors not required rather than removing them.

Recommendation

For those reasons set out above The Group objects to application SE/14/00850/LBCALT and recommends it be refused.

Society for the Preservation of Ancient Buildings

26 No comment received

Twentieth Century Society

27 No comment received

Victorian Society

28 No comment received

English Heritage

29 No comment received

Tonbridge and Malling Borough Council

30 No objection subject to Sevenoaks DC being satisfied that the proposal would not be detrimental to the historic character and appearance of the Listed Building.

Representations

31 None received

Chief Planning Officer's Appraisal

Principal Issues

32 Threeways forms part of a terrace of properties which are grade II Listed and therefore are designated heritage assets. In accordance with Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), it is the Council's statutory duty and obligation to have regard to the preservation and enhancement of such assets. As such, the impact of the proposal on the character and integrity of the Listed building(s) is the principle issue to the consideration in the determination of this application.

33 The remaining issues to consider in the determination of this application are:

- Design and visual impact of the proposal;
- Whether the proposal would involve inappropriate development in the Green Belt and, if so whether the harm to the Green Belt would be clearly outweighed by other considerations.
- The impact upon existing residential amenity;
- Impact on trees; and
- Highway implications

Agenda Item 4.1

Heritage Issues, Design and Visual Impact

Relevant Policy

- 34 With regards to heritage, paragraph 126 of the NPPF describes heritage assets as *'an irreplaceable resource'* and states that they should be conserved in a *'manner appropriate to their significance.'*
- 35 Paragraph 129 of the NPPF identifies how, in decision making, local planning authorities should identify and assess the particular significance of any heritage asset affected by a proposal (including by development affecting the setting of a heritage asset) and utilise this assessment when considering the impact of a proposal on a heritage asset in order to avoid or minimise conflict between the conservation of the heritage asset and any aspect of the proposal.
- 36 Paragraph 131 indicates amongst other things that in determining planning applications the local planning authority should take account of *'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'*.
- 37 Paragraph 132 states *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification"*.
- 38 Paragraph 133 states quite clearly that *"where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss"*.
- 39 Also relevant to the determination of this application are paragraphs 178 and 182 set out on page 48 of the PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide which relates to additions and alterations. A copy of the relevant extract is attached to the report for information.
- 40 At a local level, policy SP1 of the Sevenoaks Core Strategy states that the districts heritage assets including listed buildings and conservation areas will be protected and enhanced. Emerging policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset. The policy states that applications will be assessed with reference to a) the historic and/or architectural significance of the asset; b) the prominence of its location and setting; and c) the historic and/or architectural significance of any elements to be lost or replaced.
- 41 With regards to design, the NPPF states that the Government *'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'* (para. 56).
- 42 Policy L08 of the Core Strategy requires development to respect the countryside by having no detrimental impact upon the quality of the landscape character.

- 43 Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy 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.
- 44 Emerging policy EN1 of the ADMP requires high quality design and lists a number of criteria against which proposed development will be considered, including requiring the layout of proposed development to respect the topography and character of the site and the surrounding area and requirement for landscaping and good levels of accessibility.
- 45 Regard should also be had to the Councils Residential Extensions Supplementary Planning Document (RESPD).

Appraisal

- 46 Firstly, it should be noted that it is the view of SDC's Conservation Officer that the present structural condition of the chimney justifies the intended remedial works, which are considered 'like for like repairs' and do not require consent
- 47 With regards to the remainder of the scheme, as indicated previously, Threeways is a Grade II listed building dated 1783. The Conservation Officer's consultation response highlights the key features of the building.
- 48 Amongst other things, the present proposal seeks to demolish part of the attached Listed wall and attach a substantial, two storey addition to the southern gable of Threeways. SDC's Conservation Officer has been consulted on the proposal and has objected to the scheme, which from a conservation perspective is considered to be entirely unacceptable. She considers that due to its scale, bulk, massing, siting and overall design the new work would overwhelm the modest proportions of the listed building, resulting in a disproportionate and unsympathetic additions to the listed building which would substantially alter its character and increase its overall scale and consequently bulk and massing transforming all three elevations, the roof scape and obscuring the original proportions.
- 49 The Georgian Society share the concerns raised by SDC Conservation Officer stating that the proposed extension will nearly double the footprint of the listed building and will alter the vertical emphasis of the building to a horizontal one.
- 50 The consultation replies from the Conservation Officer and the Georgian Society have been considered and carefully reviewed, particularly in view of the conflict with the views of the previous Conservation Officer who found the proposals acceptable. Planning Officers however are firmly of the view that the assessment by the current Conservation Officer, supported by her job share partner and the independent comments of the Georgian Society are soundly based and accurately reflect the impact of the extension.
- 51 Issues arising from the pre application advice are considered further at the end of the report.
- 52 As a result of the proposal the extended building would bear little relation to the modest and simplistic form of the original building. The proposal would therefore

Agenda Item 4.1

be unacceptable and furthermore, damaging to the building's significant historic fabric and character.

- 53 In addition, the balanced, largely symmetrical treatment of the principal elevation fronting 'The Street' is an important characteristic of the listed building and would be diminished by the presence of the proposed side addition. This loss of symmetry would be emphasised by the poorly proportioned windows particularly at ground floor level to the front elevation and the dormer window in the rear roof slope where the windows fail to relate (in terms of their proportions) to existing windows to the detriment of the significance of the heritage asset and contrary to the aforementioned policy guidance and guidance contained in the RESPD which indicates that proposed windows should relate to the shape of existing windows and the proportion or ratio of solid wall to window should reflect that of the original house or buildings.
- 54 The simple form of the historic floor plan will also be obscured by the new work as amongst other things, the proposal would involve the removal of a section of the original external wall, fireplace and window openings at ground floor.
- 55 Attention has been drawn to the existing and unsympathetic addition at number 5 Wallace Terrace which appears to have been granted planning permission in the early 1980's. It is officer's view that not only has policy significantly altered since the time this application was determined, but poor precedents at adjacent properties do not justify further inappropriate work at Threeways, as an accretion of later additions only serves to further obscure the historic significance of the listed building. Paragraph 137 of the NPPF states that only proposals which better reveal the significance of designated heritage assets should be treated favourably.
- 56 Although minor interior alterations and remodelling of the existing unsympathetic garden room may be acceptable, overall, it is considered that the proposed two storey side addition results in substantial harm to the historic significance of the designated heritage asset.
- 57 It is therefore considered that the proposal would substantially harm the heritage asset contrary to the aforementioned policy criteria contained in the NPPF and at a local level.
- 58 In addition to the aforementioned policy criteria, the proposed development would also be contrary to paragraphs 178 and 182 of the PPS5 Practice Guide which indicates that it is not acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting and which seeks to preserve the original plan form of buildings.
- 59 In conclusion, whilst officers appreciate that the applicant will be disappointed that the formal response to the submitted applications contradicts the informal advice given at pre-application stage, it is considered that the later comments made by the Conservation Officer in response to formal detailed applications and supported by the Georgian Society should be afforded more weight. The applications are therefore recommended for refusal for the reasons set out in the preceding paragraphs.

Green Belt

Policy

- 60 Having regard to the Green Belt, inappropriate development, by definition, is development that is harmful to the Green Belt. Government advice contained within the NPPF makes clear that the most important attribute of Green Belts is their openness.
- 61 It is for applicants to demonstrate why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 62 Having regard to inappropriate development in the Green Belt, paragraph 89 of the NPPF, states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:
- “the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”;*
- 63 Having regard to the above criterion, the application is a householder application for works and extensions to a dwelling house, the proposal would therefore fall to be considered against the above criterion. With this in mind policy H14A of the SDLP sets out the criterion against which applications for extensions to dwellings in the Green Belt need to be assessed.
- 64 It should be noted that the term ‘*disproportionate addition*’ is not empirically defined in national policy. This means that the key comparison is between the ‘original’ dwelling and the dwelling in its extended form. The ‘50%’ test referred to in criterion 2 and 6 of Local Plan policy H14A provides guidance on how the Council will assess whether an extension is a disproportionate addition.
- 65 In this instance criterion 2 is relevant. Criterion 2 states ‘*The “gross floor area” of the existing dwelling plus the “gross floor area” of the extension does not exceed the “gross floor area” of the “original” dwelling by more than 50%*’. However, in assessing the impact on openness, site coverage is only one of the relevant considerations, the scale, height, bulk and massing of the extension will also be an important consideration in assessing the impact the extended dwelling has on the Green Belt.
- 66 *For the purposes of Policy H14A “gross floor area” of the “original” dwelling will be ascertained by external measurement and shall include any garage or domestic outbuilding (incidental to the enjoyment of the dwelling) within the curtilage of the dwelling, if any part of that building lies within 5m of any part of the dwelling. All habitable floorspace of the building will be included which is useable without major reconstruction.*
- 67 The term ‘original’ is also defined in policy H14A as being “*The dwelling and domestic outbuildings as existing on 1st July 1948; or if no dwelling existed on that date, then “original” means the dwelling as first built after 1st July 1948, i.e. excluding in either case any extensions or outbuildings built after 1st July 1948 or first completion*”.

Agenda Item 4.1

- 68 Emerging policy GB1 of the ADMP will in part replace policy H14A of the Local Plan. Emerging policy GB1 is similar to adopted policy H14A in that amongst other things it seeks to restrict extensions to dwellings which are lawful and permanent in nature, seeks appropriate design and seeks to ensure that the amount of floor space added to dwellings in the Green Belt does not exceed 50% of the floor area of the original dwelling.

Appraisal

- 69 I have undertaken a thorough search of the planning history for the site and can find no applications to extend the property. The only application relating to the property which could be found is an application for Listed Building Consent to replace the front door as detailed in the planning history.
- 70 Notwithstanding the above, historic mapping held on the Councils Geographical Information System indicates that the single storey addition to the rear labelled as the breakfast room is a later addition to the property and thus in the absence of any evidence to the contrary it is not deemed to be original. This concurs with the information contained in the Design, Access, Listed Building & Conservation Area Statement submitted with the application which states that the extension was added at a later date.
- 71 As such, based on the evidence available at this time it is my view, that the original gross floor area of Threeways amounts to approximately 193.9m². This is less than that calculated by the applicant. My calculations are based on submitted drawing number 419/A1/02. This gives a 50% limit to extend of 96.5m².
- 72 Based on drawing number 419/A1/02 it is my view that that the single storey addition to the rear labelled as the breakfast room would calculate 16.35m² as agreed by the applicant.
- 73 The proposed extension to the dwelling measures approximately 75.18m² based on drawing numbers 419/A1/05 and 419/A1/06. It should be noted that the alterations to the breakfast room would not result in any increase in gross floor area.
- 74 Together with the existing extension to the original dwelling extensions to the dwelling would therefore calculate 91.53m². This would represent a 47.20% increase in the total gross floor area of the original dwelling.
- 75 The table below is provided in order to clarify, the current position in terms of the floor area of the dwelling in its current form, and in its proposed form.

| | Floor Area (m²) | Total Extended Floor Area (m²) | Cumulative % Increase above Original Dwelling |
|--------------------------|-----------------------------------|--|--|
| Original Dwelling | 193.9 | | |
| Breakfast room Extension | 16.35 | 210.25 | 8.43 |
| Proposed Extension | 75.18 | 285.43 | 47.20 |

- 76 In view of this, it is considered that the proposal would comply with policy H14A of the Local Plan and emerging policy GB1 of the ADMP and therefore it is my view that the proposed extension would be a proportionate addition to the original dwelling in accordance with the guidance contained in the NPPF relating to Green Belts.
- 77 Consequently, it is my view that the proposal would be appropriate development in the Green Belt.
- 78 It should be noted that the fact that the extension is deemed to be a proportionate addition to the property in accordance with Green Belt policy criteria does not override the presumption against the development due to the identified harm to the heritage asset.

Impact on Neighbouring Amenity

- 79 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 80 Policies EN1 and H6B of the Sevenoaks District Local Plan require that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 81 Emerging policy EN2 of the ADMP seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements.
- 82 Threeways is located at the end of a terrace. The most immediate affected neighbour is the adjoining neighbour number 3 Wallace Terrace.
- 83 The proposed two storey extension would not extend beyond the original rear building line to Threeways or number 3 Wallace Terrace. Therefore, I do not consider there to be any greater harm to the amenity of the neighbouring occupier by reason of loss of light, overshadowing or outlook. Furthermore, the proposal would comply with the Council's 45 degree test set out in the RESPD which seeks to safeguard against loss of light and overshadowing.
- 84 Proposed new windows are positioned in the rear elevation overlooking the applicant's rear garden, the side elevation towards Pease Hill and front elevation towards The Street. Consequently, proposed new windows would avoid the immediate overlooking at close quarters of the neighbour's private rear amenity space and into the windows of habitable rooms. Consequently, privacy would be maintained.
- 85 Overall for the reasons outlined above the proposal would not adversely impact upon amenity and would comply with aforementioned local policy and the NPPF.

Impact on Trees

- 86 The proposal would impact upon a number of existing trees and hedgerow as detailed in SDC's Tree Officer comments. Although the vegetation is considered to

Agenda Item 4.1

be of low amenity value, as pointed out by the Tree Officer, the vegetation does provide an effective screen when viewing the property from Pease Hill. As such, whilst no objection has been raised to the proposal, in the event that members are minded to grant planning permission, it is considered appropriate in the interest of visual amenity, to apply conditions requiring tree protection and to secure the replacement of any trees lost as a consequence of the proposal.

Highways

- 87 With regard to highway safety, this is a category of development which does not require consultation with Kent Highways Services.
- 88 It should be noted that the application site does not benefit from any off street parking provision.
- 89 The property currently has 4 bedrooms. In accordance with KCC Residential Parking standards set out in interim guidance note 3, this would require 2 independently accessible parking spaces. The proposed development would increase the number of bedrooms to 5, however, in accordance with KCC's same guidance note a 4+ bedroom dwelling in a rural location such as this would also require 2 independently accessible parking spaces.
- 90 Consequently, as the increase in bedrooms would not require any increase in parking provision, I do not consider that a ground of refusal based on lack of parking provision could be justified.

Pre Application Advice

- 91 As set out at the beginning of the report, these applications are being reported to Development Control Committee at the discretion of the Chief Planning Officer as the recommendation is at odds with conservation advice obtained at pre-application stage by a former Officer of the Council.
- 92 It has been explained above why Officers do not consider the pre application advice to be appropriate.
- 93 It is however recognised that the applicant has spent time and money submitting a formal planning application based on the pre application advice and could reasonably have expected a favourable recommendation. Departmental procedures for dealing with pre application advice involving Conversation Officers have been strengthened to ensure there is always adequate internal liaison so that incidents of this nature are not repeated.
- 94 Given that the proposal is for works to a listed building that will have a permanent impact on its character it is not considered that the poor service provided to the applicant in this case should justify permitting the development.

Conclusion

- 95 The application is recommended for refusal as due to its scale, bulk, massing, siting and overall design, it is considered that the proposed extension would fail to respect the character, design and layout of the listed building and would overwhelm its modest proportions resulting in a disproportionate and unsympathetic addition which would cause substantial harm to the historic significance of this designated heritage asset.

Background Papers

Site and Block plans

Contact Officer(s):

Claire Baldwin Extension: 7367

Richard Morris
Chief Planning Officer

SE/14/00849/HOUSE

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N2S0Z8BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N2S0Z8BK8V000>

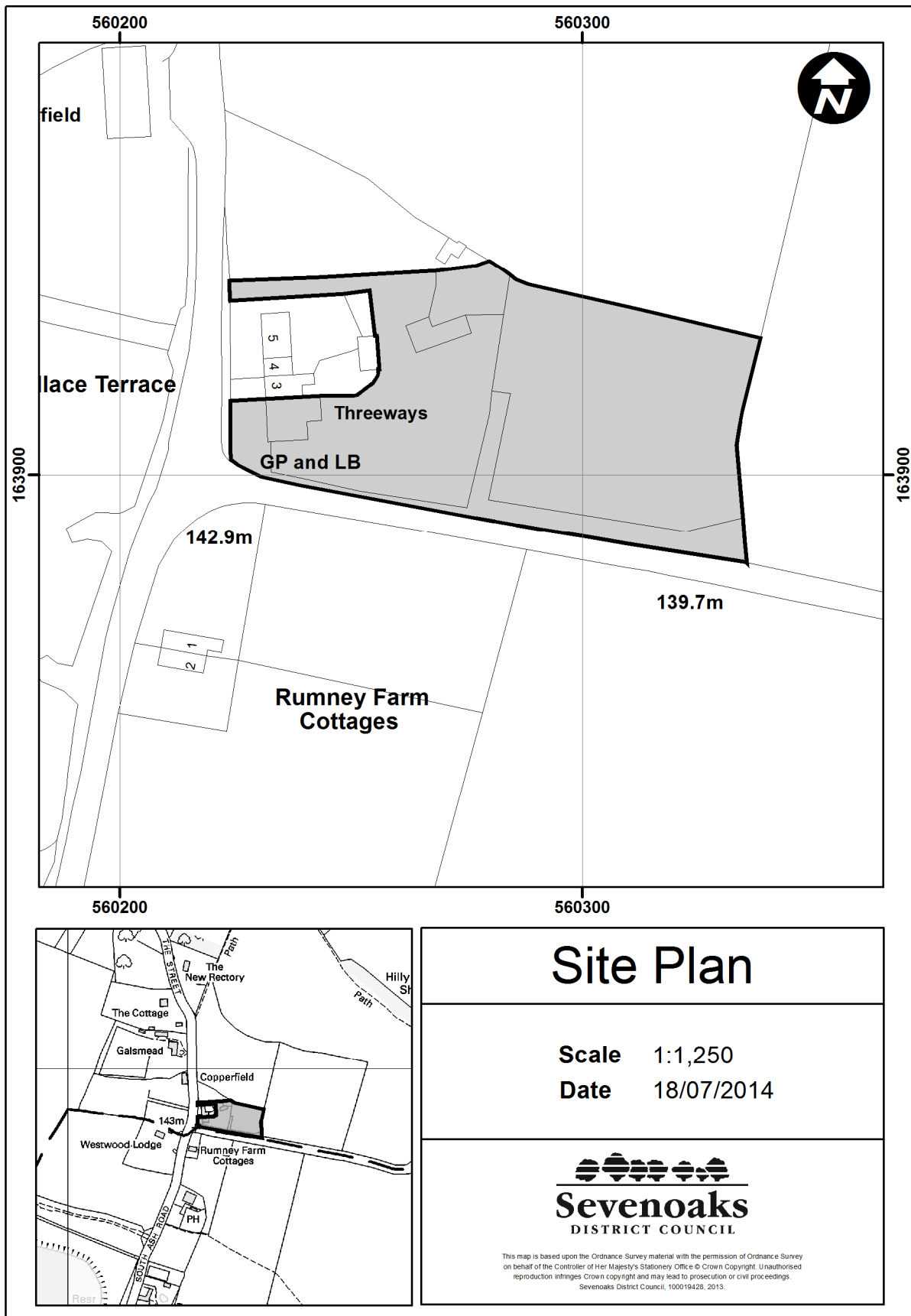
SE/14/00850/LBCALT

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N2S0Z9BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N2S0Z9BK8V000>



Site Plan

Scale 1:1,250

Date 18/07/2014



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

Block Plan



DEVELOPMENT CONTROL COMMITTEE

14 August 2014

LATE OBSERVATION SHEET

4.2 SE/14/00849/HOUSE & SE/14/00850/LBCALT Threeways, The Street, Ash TN15 7HA

An email has been received from Cllr Cameron Clark raising a number of issues regarding the accuracy of the report.

Firstly, the following is stated in connection with comments received by the Georgian Group:

"The principal area of concern appears to stem from the comments of the Georgian Group, set out in paragraph 23 of the report, whose views relating to the scale and massing of the proposed side extension have informed the subsequent appraisal and recommendation. The Group's views appear to be based on a fundamental misunderstanding of the scale of the extension because they state, "the proposed extension will nearly double the footprint of the listed building". This is clearly not the case as a two-storey extension of nearly twice the footprint could not fall below the 50% limit for extensions to properties in the Green Belt and it is set out later in the report (paragraph 76) that this criterion has been met".

For clarity, the Georgian Group considers that the extension is too great in terms of scale and massing. The Georgian Group states that it objects for these reasons. The Georgian Group then states that *"the proposed extension will nearly double the 'footprint' of the Listed Building, altering the vertical emphasis of the building to a horizontal one"*.

In response to the above, the Georgian Group comments on the increase in 'footprint' which is different to the increase in 'gross floor area'. Gross floor area forms the subject of discussion in which it is determined whether or not the proposal is regarded as inappropriate development in the Green Belt. This discussion is set out at paragraphs 60 - 78 of the officer's report.

With regards to the matter of the increase in the footprint, the footprint of the original building (excluding the breakfast room extension) is 77.28m² the footprint of the proposed extension is 41m² which is a 53.05% increase in the footprint. Including the breakfast room the existing footprint of the building is approximately 93.63m² the extension would represent a 43.79% increase in the existing footprint of the Listed Building. In each case it is acknowledged that the footprint is less than double the footprint of the original building and the building in its extended form.

However, it should be noted that it does not necessarily follow that the scale, mass and bulk of a proposal is acceptable in terms of its impact on a Listed Building just because it is regarded as appropriate development in the Green Belt. Neither is it considered that the proposal is acceptable just because the extension is less than double the footprint of the original and existing building. The reasons why the scale, mass and bulk of the proposed extension to this particular Listed Building are considered to be harmful is discussed at length in the officers report.

It is stated by Cllr Clark that *“the Georgian Group's comments refer to "a number of internal doors being relocated/removed" and that a study of the plans shows that no changes are proposed to existing doors in the property, only the creation of openings into the proposed extension”*. To clarify, with regards to alterations to existing openings, the plans indicate alterations to the cupboard doors at first floor and alterations in the roof space which indicate the provision of a new doorway.

Paragraph 88 of the officers report states that the property does not benefit from off street parking. It should be noted that this did not effect the officer recommendation. However, on behalf of the applicant, Cllr Clark clarifies that the property does benefit from off-street parking provision. A garage and parking area is located in the northern part of the curtilage, with access by a drive, as shown on the site plan, along the northern flank of 5 Wallace Terrace. This was not readily apparent at the time of the Officers site visit. However, since receiving confirmation of this the officer has been back to the site and can concur that paragraph 88 of the officers report is incorrect and that there is adequate off street parking provision.

Finally, Cllr Clark states that *“accepting that the advice of the previous Conservation Officer is not binding, the applicant believes paragraph 19 of the report does not do justice to the extensive discussions that took place, including a two-hour meeting and consideration by the Conservation Officer of the original plans and two subsequent revisions which were specifically intended to take account of her recommendations and ensure the extension appeared, through its set back and window detailing, as a subservient addition to the main dwelling”*. It is stated that this relates particularly to the views expressed in paragraph 53 of the officers report about the relationship of the windows in the proposed extension to those in the existing house. Cllr Clark considers that Members need to be made aware that the size of the windows is a direct consequence of the advice from the former Conservation Officer in order to emphasise the subservience of the extension.

For clarification:

It is confirmed that in assessing the proposal at the pre-application stage, that the conservation officer did visit the site and view the property internally as well as externally before making her comments.

Whilst the current conservation officer did not go in the property itself, her main objection was to the size and form of the proposed extension and that it would overwhelm the modest proportions of the listed property. It was also considered to unbalance and diminish the presence of the principle elevation and that the new works would obscure the simple form of the historic floor plan. As there was a fundamental objection in principle on these grounds and as all these elements could be seen from the public viewpoint and through looking at the plans, it was considered that there was not a need to go into the building.

Recommendation

That permission be refused, as per the main papers.

This page is intentionally left blank

4.2 - SE/14/02811/FUL Date expired 14 November 2014

PROPOSAL: Part demolition of front boundary wall to allow access to new garage and the sub division of the land and building of a new residence.

LOCATION: 96 Oakhill Road, Sevenoaks TN13 1NU

WARD(S): Sevenoaks Kippington

ITEM FOR DECISION

Councillor Hunter has referred the application to Development Control Committee on the basis of concerns about a cramped development out of keeping with the area and the Conservation Area

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

1) The development hereby permitted shall be begun before the expiration of 3 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: 13-12-P01, 13-12-P03, 13-12-P04, 13-12-P05

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

4) No extension or external alterations shall be carried out to the dwelling hereby approved, despite the provisions of any Development Order.

To safeguard the character and appearance of the conservation area as supported by EN23 of the Sevenoaks District Local Plan.

5) No development shall take place until details of all proposed engineering works including:

- existing and proposed levels;
- the proposed extent of any cut and fill;
- existing and proposed site sections;
- the method of construction and drainage; and
- details of the import or export of any soil have been submitted to and approved in writing by the Council.

The works shall be carried out in their entirety and in accordance with the approved

Agenda Item 4.2

details before the land is first brought into use for the development here permitted.

To safeguard the visual appearance of the area as supported by EN1 and EN23 of the Sevenoaks District Local Plan.

- 6) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority -
- i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and
 - ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority.

In the interests of sustainable construction as supported by policy SP2 of the Core Strategy.

- 7) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The details shall be implemented in accordance with the programme of implementation and retained thereafter.

To protect the visual appearance of the area as supported by EN1 and EN23 of the Sevenoaks District Local Plan.

- 8) If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved 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 protect the visual appearance of the area as supported by EN1 and EN23 of the Sevenoaks District Local Plan.

- 9) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors loading and unloading of plant and materials storage of plant and materials used in constructing the development the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate wheel washing facilities measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and construction works

In the interests of amenity

- 10) Full details of the proposed foul and surface water drainage systems shall be submitted to and approved in writing by the Council. Any approved scheme shall be completed to the written satisfaction of the Council prior to the occupation of the development.

To ensure the development site and other land does not suffer an unacceptable or

increased risk of flooding and/or pollution and to ensure that sustainability and environmental objectives are met.

Informatives

1) Please note that within six months of completing the home, the applicant must submit additional supporting evidence to confirm that the project is self build, being:

- A Self Build Exemption Claim Form - Part 2 (available on the Planning Portal website);
- The supporting evidence as set out in the form, to confirm that the levy exemption should be upheld.

If the evidence is not submitted to the Council within the 6 month time period, the full levy charge becomes payable.

2) Please note that in accordance with the information on your Self Build Exemption Claim Form Part 1 and the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you MUST submit a COMMENCEMENT NOTICE to the Council BEFORE starting work on site. Failure to do so will result in the CIL charge becoming payable in full.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

Agenda Item 4.2

In this instance the applicant/agent:

- 1) Was provided with pre-application advice that led to improvements to the acceptability of the proposal.

Description of Proposal

- 1 Part demolition of front boundary wall to allow access to new garage, and the sub division of the land and building of a new residence. The development would be partly submerged with much of the new building below grounds level.

Description of Site

- 2 The application site is located within the Urban Confines of Sevenoaks and within the Kippington Road Conservation Area. The site is on the Western side of Oakhill Road opposite the Kippington Meadow recreation ground. The site slopes upwards from the street and contains a two storey detached dwelling with a detached garage set to the side at the front of the site and extensive gardens to the side and rear.

Constraints

- 3 Kippington Road Conservation Area

Policies

Sevenoaks District Local Plan

- 4 Policies – EN1, EN23, VP1

Sevenoaks Core Strategy

- 5 Policies – LO1, SP1, SP2, SP3

ADMP –

- 6 Policies - EN1, EN2, EN4, SC1

Other

- 7 The Kippington Conservation Area Appraisal and Management Plan

Relevant Planning History

- 8 12/01402/FUL - Erection of dwelling. Provision of new parking and garaging to serve existing residence to include part demolition of existing boundary wall to allow access to new parking area. Dismissed at appeal

Consultations

Sevenoaks Town Council

- 9 ‘Sevenoaks Town Council recommended refusal on the following grounds:

1. *The proposal represents a cramped form of development which will result in a lack of amenity for future occupants including insufficient outside space and lighting*
2. *Overdevelopment of the site*
3. *The proposal is out of keeping with the character of the conservation area due to the insufficient outdoor amenity space'*

SDC Arboricultural

- 10 SDC Arboricultural officer has advised:

'A number of trees exist on the site and because of the nature of the development, all will be lost to the necessary excavation works. The trees on the land to the south of the main house are mainly mature Conifers of limited quality. None of these trees are of TPO quality and as such I offer no objections to this proposal. I suggest that a landscaping condition should be applied to any consent provided.'

KCC Highways

- 11 Kent Highways have advised:

'Thank you for consulting with us. I confirm that there do not appear to be any significant highway safety issues and that I have no objection to the proposals.'

Thames Water

- 12 Thames Water have advised:

'Waste Comments

- 13 *Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk*

- 14 *Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

Agenda Item 4.2

- 15 *Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.*

Water Comments

- 16 *With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, 3 Church Road, Haywards Heath, West Sussex. RH16 3NY. Tel: 01444-448200'*

Representations

- 17 15 notifications of objection have been received which raise the following comments:
- Development of the garden area is not appropriate and would erode the appearance of the conservation area
 - The proposal represents overdevelopment in a cramped space.
 - The principle of a dwelling on the site is unacceptable. There is no reason why the piece of land should be developed – contrary to the protection of garden land in the NPPF.
 - The proposal would not enhance the appearance of the conservation area and is contrary to the guidance contained within the Conservation Area Appraisal.
 - The retaining walls would be visible from the road and would detract from the character and appearance of the area.
 - It would destroy the open landscaped appearance of the area and would increase prominence and scale of development in the area.
 - The development is contrary to the previous appeal decision.
 - The loss of trees on the site is unacceptable.
 - The changing levels of the site are so fundamental that the character of the site and the surrounding area will be destroyed.
 - The proposal would result in unacceptable living conditions for occupiers of the development.
 - The proposal would result in an increase in traffic in the road
 - Inadequate visitor parking
 - The excavation work would negatively impact on the neighbouring plot.
 - Development works would be dangerous on the road
 - The proposal could result in an increase of surface water flooding

Chief Planning Officer's Appraisal

- 18 Permission is sought for the subdivision of the 96 Oakhill Road plot retaining approximately 0.47 acres for the existing residence and 0.23 acres for a new dwelling. The new plot would sit between the two existing properties of 96 and 100 Oakhill Road.

- 19 The proposal has been designed following dismissal of an appeal for a 2 storey dwelling on the site. It shows the reuse of the existing parking and garaging for the new residence along with the provision of new submerged parking and garaging for the existing property. Both are shown as being accessed from the same point, with a small section of the front wall removed to facilitate this. The new garaging for 96 Oakhill Road is hidden below ground floor level in front of the host dwelling and accessed from the slightly widened existing access. The parking for the new dwelling would be provided in the existing garage which is shown as refurbished
- 20 The property is shown as substantially designed below ground level. The site slopes at an approximate gradient of 1:4 and the proposed dwelling is shown as buried into the existing slope to hide the majority of it from public view. The walls which would be visible are shown as constructed of ragstone.
- 21 From the streetscene, the elements of the proposal that would be visible are a glazed atrium which would be set back approximately 30m from the front boundary and would stand 2m in height, along with the dining room window and a retaining ragstone wall of 1.5m in height. Some glazed panels are shown as set flush into the ground although these would largely be shielded by the existing garage. 1.5m high gates would stand adjacent to the existing garage. Behind these would be the passageway to the submerged entrance of the house
- 22 At the rear of the house, a garden area is shown as excavated into the slope of the land. Rooflights are laid flush into the land throughout the extent of the dwelling.
- 23 A number of trees are to be removed. The first are a group of conifers adjacent to the existing garage. To the rear of the garage are two recently planted beech trees, and further up the slope away from the road frontage is another group of conifers. It is proposed to replace these trees with appropriate new native trees and shrubs.
- 24 A 1m post and rail fence is proposed between the host dwelling and the application site.
- 25 The main issues for consideration are:
- Principle of development
 - Appearance and impact on the conservation area.
 - Impact on neighbouring amenity
 - Affordable housing
 - Other matters
 - CIL

Principle of Development

- 26 Policy LO1 of the Core Strategy states that development will be focussed within the built confines of existing settlements. Sevenoaks urban area is identified as one of the principal areas for focus for development in the District. As such, the location is an acceptable site in principle for residential development.

Agenda Item 4.2

- 27 Policy SC1 of ADMP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with policies in the LDF will be approved without delay unless material planning considerations indicate otherwise.
- 28 Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 29 Paragraph 53 of the NPPF states that *'Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'*
- 30 The Council does not have a policy which resists the development of residential gardens. Instead, it is considered sufficient to rely on an assessment of development on the basis of its location – within the urban confines - and its context – whether it accords with the criteria in other policies relating to appearance and impact. As such, the location of the development on current garden land is not considered objectionable for that reason alone. Subject to an assessment and compliance with other planning policies relating to appearance and impact, the presumption should be in favour of this development due to the sustainable location within the urban confines of Sevenoaks.

Appearance and Impact on the Conservation Area

- 31 Policy EN1 of the Local Plan contains a number of criteria including that all forms of development are compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. The layout of proposed development should respect the topography of the site and retain important features such as trees. The design of new buildings should incorporate measures to deter crime.
- 32 Policy EN23 of the Local Plan states that proposals for development or redevelopment within or affecting conservation areas should be of positive architectural benefit by paying special attention to the desirability of preserving or enhancing the character or appearance of the area and its setting
- 33 Policy SP1 of 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. In areas where the local environment lacks positive features, new development should contribute to an improvement in the quality of the environment. The Districts heritage assets and their settings will be protected and enhanced.
- 34 Policy EN1 of ADMP states that proposals which would create high quality design will be permitted subject to a number of design criteria including that the form of the development should respond to the scale, height, materials and site coverage of the area; the layout of the proposal would respect the topography and character of the site; the proposal would not result in the loss of open spaces that

would have an unacceptable impact on the character of the area; the design of new buildings should be permeable and provide connectivity with neighbouring areas; and would create a safe and secure environment.

- 35 Policy EN4 of ADMP states that proposals which affect a heritage asset or its setting will be permitted where the development conserves or enhances the character, appearance and setting of the asset, Applications will be assessed with reference to the historic and/or architectural significance of the asset, the prominence of its location and setting, and the historic and/or architectural significance of any elements to be lost or replaced.
- 36 Paragraph 57 of the NPPF states that *'it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'*
- 37 Paragraph 60 of the NPPF states that *'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'*
- 38 Paragraph 63 states that *'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'*
- 39 The Planning (Conservation Area and Listed Building) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 40 The Kippington Conservation Area Appraisal and Management Plan states:
- 'Landscape is crucially important in the Kippington Conservation Area. The entire area undulates spectacularly and distant views are often therefore crucial...*
- Trees and open space contribute strongly to the special character of The Kippington*
- Conservation Area. The trees and hedges throughout the Area are integral to the special interest.*
- Retaining mature trees and hedges is fundamental to preserving this character. Trees in conservation areas are protected and their removal will only be permitted where a clear case exists...*
- ...Oakhill Road meanders up a gentle rise from north to south. Like Kippington Road, it is a long road, although with fewer roadside trees. It is pleasantly undulating with interesting curves and good hedgerows. The feeling of enclosure is strong despite its extra width.*
- The area around the Recreation Ground (see below) is particularly noteworthy. This open area undulates in a very attractive way. As with all sub areas, Oakhill Road has an abundance of tree cover and many attractive long views.'*

Agenda Item 4.2

- 41 The proposal, by its very nature as an almost entirely subterranean development, would have very little impact on the appearance of the conservation area by reason of height, bulk, mass or scale. The development takes advantage of the natural steep slope of the site to accommodate the development beneath ground. The only elements that would protrude above ground and be visible from the streetscene and neighbouring plots would be the atrium, a retaining wall and a window as detailed above. The entrance gates would also be visible to the side and set back slightly from the existing garage. Glazing and rooflights are shown as set flush to the ground and as such would not be readily visible.
- 42 The above ground elements of the development would be set a significant distance away from the front boundary of the site. Although previously a two storey dwelling was considered to have a detrimental impact on the character and appearance of the conservation and the streetscene, this development would have an entirely different impact with a very small element of building works visible. The diminutive scale of the above ground works, along with the distance from the streetscene would ensure that the site would appear within the wider conservation area as a largely undeveloped and open, verdant plot.
- 43 The proposal would represent an innovative design solution to the development of the plot, which overcomes the previous concerns raised about scale and prominence of above-ground development of the site. It would be a high quality individual development which still respects local distinctiveness.
- 44 The Arboricultural Officer is satisfied with the loss of trees that are considered to be of a limited quality. Retention of existing landscaping and the provision of new landscaping can be conditioned by condition.
- 45 The use of the existing garage for the new development along with the new submerged garage which would utilise the existing access and only result in the removal of a small section of the front wall, would have a very limited impact on the appearance of the site and would maintain the verdant, undulating landscape as considered important in the Conservation Area Appraisal. Only a very small section of the end of the wall would be removed. The element removed sits adjacent to the open parking and garage area and so the visual impact would be minimal and is considered acceptable.
- 46 The proposal would respect and protect the character of the area and the setting of the site and its topography. It would be a high quality development that through its limited visibility would harmonise with the locality. The proposal would preserve the character of the conservation area.

Impact on neighbouring amenity

- 47 Policy EN1 of Local Plan states that 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.
- 48 Policy EN2 of ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that the development does not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and where the built form would not result in an

unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.

- 49 This proposal would have a minimal impact on neighbouring amenity as there would be no potential for overlooking and no significant increase in bulk on the site. The proposal would not have a detrimental impact on the amenity of adjoining occupiers.

Affordable Housing

- 50 Policy SP3 of the Core Strategy states that in residential development of less than 5 units that involve a net gain in the number of units, a financial contribution based on the equivalent of 10% affordable housing will be required towards improving affordable housing off site.
- 51 A legal agreement which makes a full contribution in accordance with policy SP3 has been completed and accompanies the application.

Other matters

Sustainable construction

- 52 Policy SP2 of the Core Strategy states that the District will contribute to reducing the causes and effects of climate change by promoting best practice in sustainable design and construction to improve the energy and water efficiency of all new development. New homes would be required to achieve at least level 3 of the code for sustainable homes. This can be dealt with by condition.

Flooding

- 53 One comment of objection has raised concern about increased surface water flooding from the development. The site does not fall with a designated flood zone and as such, no assessment of the flooding implication of the proposal is required. However, given the subterranean nature of the development, it would be appropriate to condition surface water runoff from the development to ensure that it is dealt with in an adequate manner

Construction works

- 54 Concerns have been raised about the impact of construction works on the road and also about additional civil consents required. Other consents are a separate matter from consideration of the planning merits of the scheme. These remain the responsibility of the landowner / developer. Given the location of the site on a road and adjacent to residential dwellings, it would be reasonable to impose a condition to require a development method statement to ensure adequate parking, hours of operation and storage of materials during the construction period.

Highway Impact

- 55 Concerns have been raised during the consultation period about inadequate visitor parking and an increase in traffic as a result of the development. Kent Highway Services have raised no concern with the parking arrangements or the impact on the road in terms of increased traffic.

Agenda Item 4.2

Living conditions of future occupiers

- 56 Although the development is located underground, a number of light sources would ensure that the living conditions of future occupiers of the development would be acceptable. The ground floor would benefit from a number of rooflights and atrium glazing which would be set into the ground level / roof. The first floor would be glazed through the glazed atrium, a rooflight, and the exposed dining room window at the front of the proposal, and lounge/study doors on to the garden at the rear. These lighting sources would enable the development to be sufficiently lit and ensure a satisfactory living condition for future occupiers of the scheme.
- 57 The garden that is dug into the rear of the site would be smaller than others in the locality. However it would provide an acceptable level of amenity space for the dwelling, and its size and appearance would accord with the unusual design of the dwelling. In addition to this, the rest of the subdivided land could still be used as amenity space (as is its current use) in connection with the dwelling. Therefore, the dwelling would benefit from a sufficient level of garden.

Previous appeal decision

- 58 A number of consultation responses have been received which make reference to the previous appeal decision. Permission was refused and dismissed at appeal for the erection of a two storey dwelling on the site. The Inspector dismissed the appeal on the basis that the development would detract from the existing appearance of the property and would increase the prominence and scale of development in this area to the detriment of its existing character. He found that although it would *not* appear as a cramped form of development on the plot, it would reduce the landscape setting of the two neighbouring properties. He considered the dominance of landscaping and the generally open setting of properties to be very important to the conservation area and that the proposal would not enhance or preserve the character or appearance of the conservation area.
- 59 He found that the proposal would significantly increase the amount of development at the expense of the openness of this particular area and that this would erode the existing character of the conservation area.
- 60 Of particular note is that the Inspector did not find that the principle of development of the site unacceptable. Nor did he find the proposal to appear as a cramped form of development. Where this application differs significantly from the one considered at appeal is that development would be introduced on to the site but, because of its subterranean nature, not at the expense of the openness of the site. Some limited form of development would be apparent above ground – the glazed atrium, retaining wall and dining room window - but these would be at a low level and set a significant distance back from the streetscene. In the context of the site, it would not have a significant impact on the landscape setting of the neighbouring properties or on the openness of the area or its character.
- 61 The orientation of the new driveway to the subterranean garage behind the existing wall would ensure that this element would have a minimal impact on the streetscene, unlike the proposal refused at appeal which necessitated the creation of a new access and had visible retaining walls to its parking area.

62 The proposal is CIL liable and a self build exemption has been claimed for the development.

Conclusion

63 That conditional permission is granted for the proposal.

Background Papers

Site and Block plans

Contact Officer(s): Joanna Russell Extension: 7367

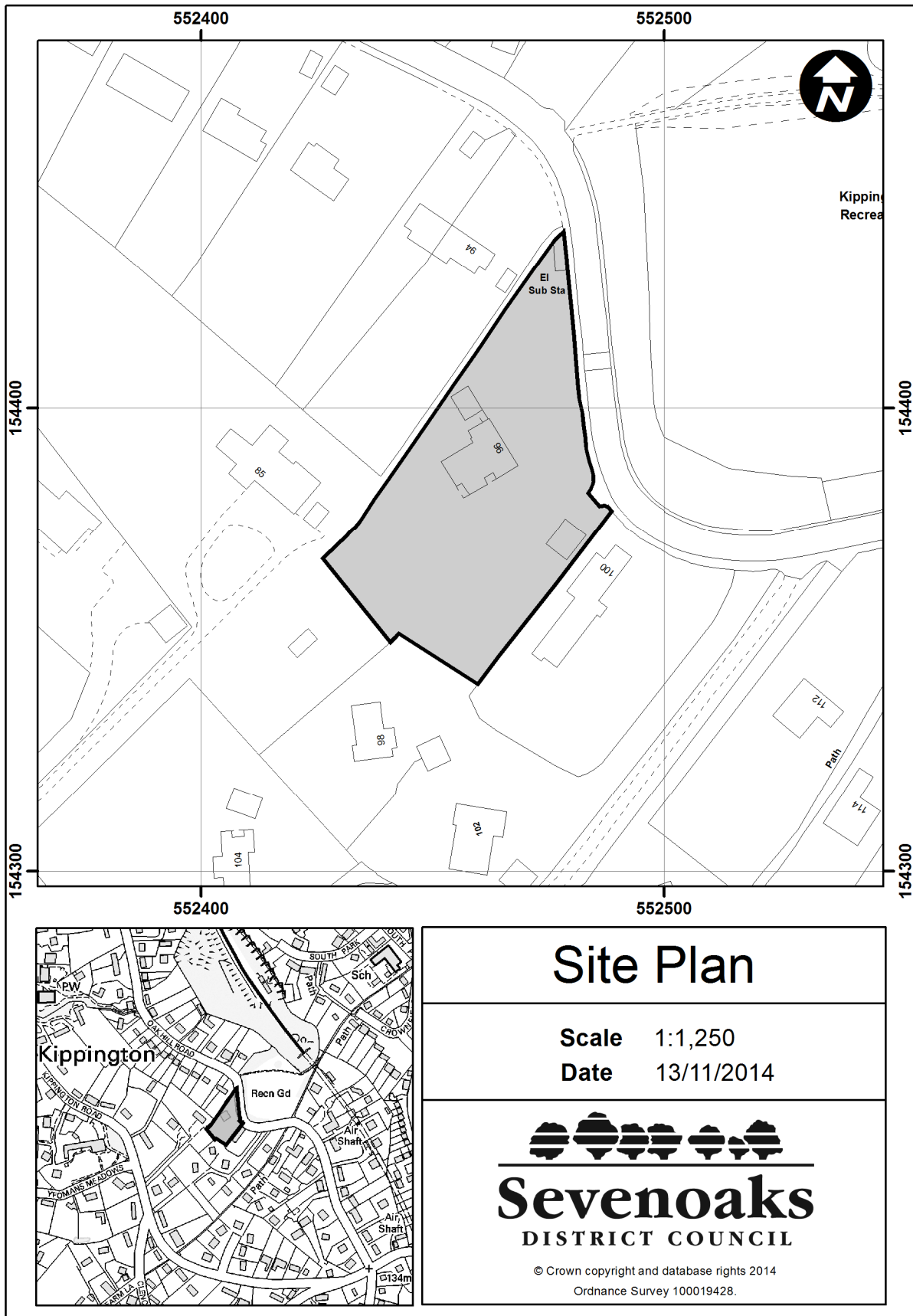
Richard Morris
Chief Planning Officer

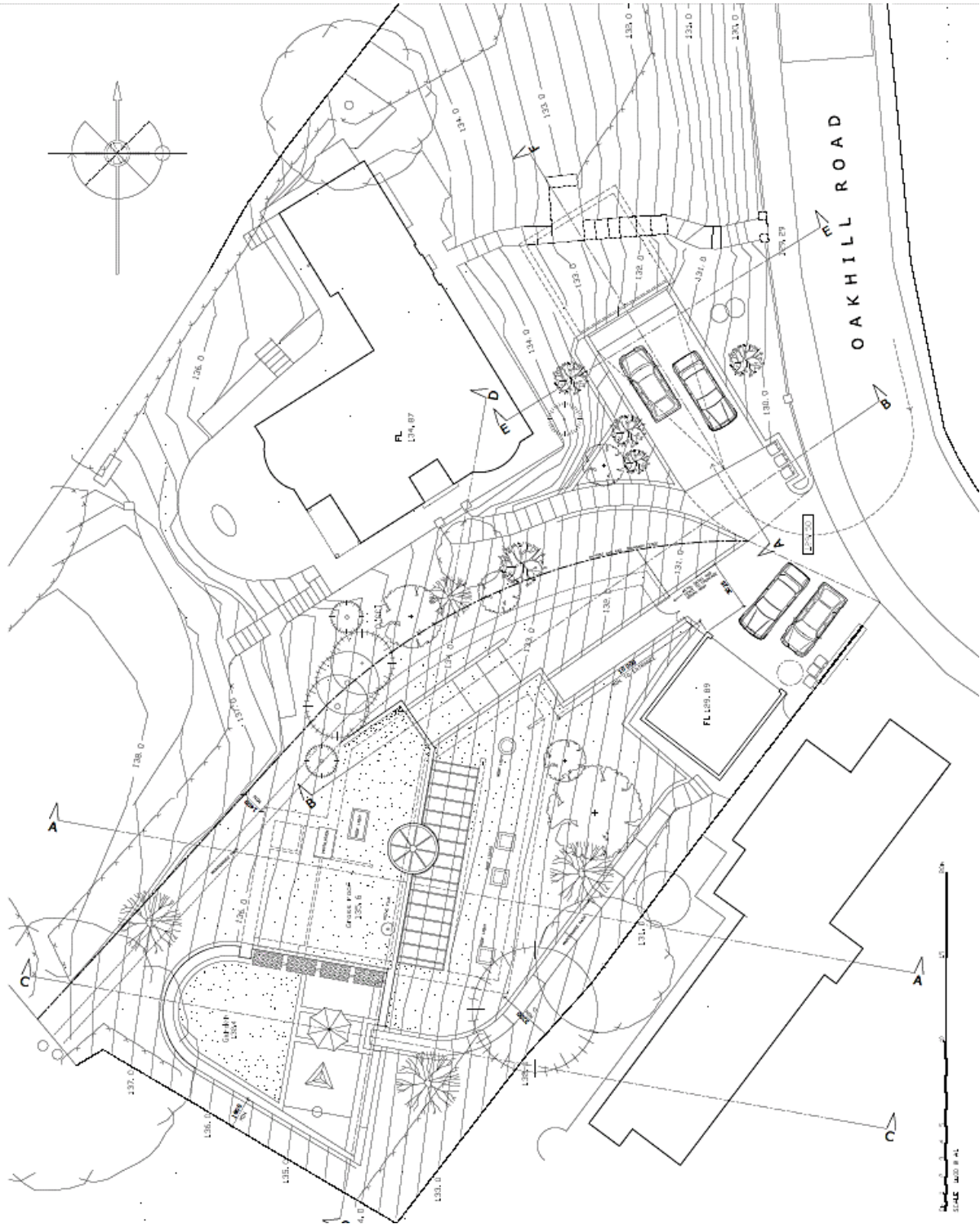
Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NB7P03BKGZL00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NB7P03BKGZL00>





This page is intentionally left blank

4.3 – SE/14/03055/FUL Date expired 17 November 2014

PROPOSAL: The erection of a stable block with a small manure store

LOCATION: Land East Of, Carters Hill, Underriver, Kent

WARD(S): Seal & Weald

ITEM FOR DECISION

This application has been referred to the Development Control Committee at the request of Councillor Thornton to consider the potential impact of the proposed development on the Metropolitan Green Belt.

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: 01 Revision A.

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

3) The materials to be used in the construction of the development shall be those indicated on the approved plan 01 Revision A.

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) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation.

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

5) Soft landscape works shall be carried out before first use of the approved stable building. The landscape works shall be carried out in accordance with the approved details.

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

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

Agenda Item 4.3

next planting season with others of similar size and species.

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

7) No development shall take place until a scheme for the disposal of manure from the land has been submitted to and approved in writing by the Council. The approved scheme shall be implemented when the stables are first brought into use, and thereafter maintained.

To protect the amenity of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

8) No external lighting shall be installed on the land until such details have been submitted to and approved by the Council. The installation of external lighting shall only be carried out in accordance with the approved details.

To protect the amenity of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

9) No part of the land shall be used for open storage including the storage of items associated with the use of the land for the keeping of horses.

To protect the openness of the Green Belt and the character of the landscape as supported by policy EN1 of the Sevenoaks District Local Plan.

10) No jumps, mobile or temporary structures, buildings or chattels shall be placed on the land outlined in red on drawing number 01 Revision A without the prior approval in writing of the Council.

To protect the openness of the Green Belt and the character of the landscape as supported by the National Planning Policy Framework.

11) The stables hereby permitted shall not be used for any commercial purposes.

To protect the openness of the Green Belt and the character of the landscape as supported by the National Planning Policy Framework.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),

- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was updated of small scale issues which arose during the process of the application and was given time to address it.

Description of Proposal

- 1 The application seeks the approval of the erection of a stable block with an attached manure store. The stable building would be L-shaped and would be sited in the north-west corner of the existing fenced-off section of the site as a whole.
- 2 The stable building would be made up of three stables and the building would be finished in stained timber shiplap cladding and a felt roof. The manure store would comprise a concrete floor and a 1m high fence.
- 3 The fencing that currently makes up the area around the proposed stable building comprises a 1.1m high post and stock proof fencing, and it is proposed to erect a 1.1m high post and rail fence either side of the gate adjacent to the lane. The fencing around the proposed stable building does not require planning permission, since it is less than 2m in height, but permission is sought for the post and rail fence adjacent to the lane.
- 4 Access to the site would continue to be provided from the existing vehicular access from the adjacent lane. Alterations to the surfacing of the area to the front of the gate, does not require planning permission.

Description of Site

- 5 The application site comprises a large field on the northern side of the lane that runs west-to-east from Carters Hill, to the north of The White Rock Inn in Underriver. The levels of the field rise from the south-east corner of the site to the north and west. A natural drain runs along the eastern boundary of the site.

Constraints

- 6 The site lies within the Metropolitan Green Belt and the Kent Downs Area of Outstanding Natural Beauty (AONB).

Policies

Sevenoaks District Core Strategy

- 7 Policies - - L01, L08 and SP1

Agenda Item 4.3

Sevenoaks District Local Plan

- 8 Policies – EN1 and SR9

Sevenoaks District Allocations and Development Management Plan (ADMP)

- 9 Policies – SC1, EN1, EN2, EN5 and LT2 (significant weight)

Other

- 10 The National Planning Policy Framework
- 11 Countryside Character Assessment Supplementary Planning Document (SPD)
- 12 Underriver Village Design Statement
- 13 Draft Green Belt Supplementary Planning Document (SPD)

Planning History

- 14 None relating to this application.

Consultations

Seal Parish Council – 14.10.14

- 15 'The proposed location for this permanent stable block is in the open countryside of an AONB and MGB. It is contrary to the thrust of the proposed Green Belt SPD which states:

Where stables or associated equestrian buildings are proposed they should be designed and constructed in materials appropriate to a rural area and should not be of a size and degree of permanence that they could be adapted for other use in the future.

- 16 Buildings would be appropriate in scale to their setting and would be closely related to existing farm buildings or other groups of buildings that are well screened from public view.
- 17 The application fails in that the buildings are neither closely related to existing farm buildings, or indeed any other buildings. The buildings would be prominent from public view from the immediately adjacent highway and footpath to the south.
- 18 The application is contrary to Policy R8 of the SPD Underriver Village Design Statement which states that domestic stabling should be located away from neighbouring properties or lead to clutter in the countryside.
- 19 The stable block will substantially impact upon neighbouring properties more than the applicant who doesn't live in Underriver contrary to the statement in the application documents.
- 20 The entrance to the site is located in a single track lane which is prone to flooding in winter.

- 21 There are a number of inaccuracies in the planning application documents which question the validity of the proposal, although these are not necessarily relevant to planning policy.
- 22 Contrary to an application statement, there has never been a hard standing or penning on the site and the current enclosure has only recently been erected.
- 23 The manure facility is immediately adjacent to a watercourse, and insufficient detail is shown to protect this from pollutant spill.
- 24 There is no electricity or water supply available to the site.'

Representations

- 25 Nine letters of representation have been received, one neither objecting to nor supporting the application, and eight objecting to the proposal on the following grounds:
 - Impact on the Green Belt;
 - Flooding;
 - Highways safety;
 - No provision of electricity or water;
 - Impact on the AONB;
 - Potential future development;
 - Impact on the character of the area;
 - Timing of the works to erect the fence within the site;
 - No presence of hard standing at the entrance to the site;
 - Contamination;
 - Contrary to the Underriver Village Design Statement;
 - Errors and inaccuracies contained within the submission;
 - The building is not proposed for agricultural purposes;
 - Impact on the conservation area;
 - Size of the field;
 - Parking provision; and
 - Noise, smell and disruption.

Chief Planning Officer's Appraisal

- 26 The main issues in the consideration of the planning application are the potential impact on the Metropolitan Green Belt and the potential impact on the character of the area. Other issues include impact on neighbouring amenity, contamination, flood risk, parking provision and highways safety.

Agenda Item 4.3

Main Issues

Impact on the Metropolitan Green Belt –

- 27 The NPPF contains a presumption against inappropriate development in the Green Belt. Development is only seen as appropriate if it falls into one of several categories. These categories include the provision of appropriate facilities for outdoor sport and recreation as long as the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it (para. 89).
- 28 Policy LT2 of the ADMP states that proposals for equestrian buildings, facilities and activities which would meet the following criteria will be permitted:
- a) buildings would be appropriate in scale to their setting and would be closely related to existing farm buildings or other groups of buildings that are well screened from public view;
 - b) for proposals that involve new facilities for the keeping of horses, sufficient grazing land and off road riding areas would be available and would not harm the amenities of surrounding residents;
 - c) the proposal would not have an unacceptable impact on the water environment and sewage disposal, and
 - d) the development would not result in harm to the character of the landscape or the ecological value of the area in which it is situated.
- 29 Proposals for equestrian development in the Green Belt will be permitted where the scale of the development is appropriate to a Green Belt setting, and where the cumulative impact of other buildings, does not harm the openness of the Green Belt.
- 30 Where stables or associated equestrian buildings are proposed they should be designed and constructed in materials appropriate to a rural area and should not be of a size and degree of permanence that they could be adapted for other use in the future.
- 31 Policy SR9 of the Local Plan states that proposals for the use of land for horses and the erection of stables and other associated facilities, will be subject to the principles set out in Appendix 3. Appendix 3 outlines several principles against which proposals will be judged. These include the size of the stables, the amount of land required for each horse and proximity to unrelated residential buildings.
- 32 The Underriver Village Design Statement states that wherever possible, domestic stabling should be located away from neighbouring properties. This would be especially important if they were likely to be used for activities that could cause a nuisance (for example by noise or smell) or lead to clutter in the countryside. Where practicable, they should be sited in natural hollows, behind existing or new natural screening or close to existing buildings. Road access to new agricultural buildings should have good sightlines.
- 33 Finally, the draft Green Belt SPD states that any proposal for equestrian development should comply with the other relevant general policies set out in the

ADMP in addition to policy LT2. The SPD has not been adopted and can only carry limited weight.

- 34 The proposed stable building would comprise three stables, two of which would comply with the minimum standard size currently recommended by the British Horse Society (3.66m by 3.66m). The third stable would be larger than this standard size only in length. However, this would be as a result of the L-shape design which has clearly been proposed to reduce the proposed bulk and built form of the building. The building would also fall within the height recommended for a stable building (3.56m to 4.27m). Given the size of the stable building the manure storage, with dimensions of 2.3m by 2m, would be appropriate to the scale of the overall building. The building would therefore be appropriate in scale to its setting.
- 35 I would acknowledge that the building would not be closely related to existing buildings. The buildings to which the applicant could most closely site the stable building to would be the properties that make up Forge View, to the west of the site. For the reason that these are residential dwellings, in separate ownership, the siting of the stable building adjacent to the houses would not be ideal in this instance. Instead, the stables are sited roughly centrally between the dwellings of Forge View and the agricultural barns that are situated adjacent to the far boundary of the adjacent field to the east, which is outside the application site.
- 36 The stable building would be visible from some local public views, mainly from the lane to the south of the site. However, these views would be restricted, to a certain extent, by the hedgerows that run along the southern and eastern boundaries of the site, and the undulating landscape to the north and east of the site. Any impact the building may have on the open character of the area would also be lessened by the fact that the building would be set 17m back from the lane. A soft landscaping scheme has been included as part of the above recommendation to further soften the appearance of the building where appropriate.
- 37 For pasture, the British Horse Society currently recommends 1 – 1.5 acres per horse. The site area totals about 7.5 acres, which is reduced down to roughly 7.3 acres with the removal of the area fenced off around the stable building. This, however, is still more than sufficient area to serve three horses for pasture. This would also be sufficient to exercise the horses.
- 38 As noted above a natural drain runs along the eastern boundary of the site. The proposed manure storage area would be sited some 15m from this drain. This would be sufficient distance not to result in an unacceptable impact on the water environment. To remove any doubt with regards the removal of manure from the site a condition can be attached to any approval of planning permission requiring further details of the proposed arrangements.
- 39 The proposed stable building would therefore, in my view, represent an appropriate facility for outdoor sport and recreation that would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. The proposal is therefore in accordance with the policies and guidance listed above.

Agenda Item 4.3

Impact on the character of the area –

- 40 Paragraph 11 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.
- 41 Policy LO8 of the Core Strategy states that the distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting will be conserved and enhanced. I therefore consider that this policy is broadly consistent with the NPPF.
- 42 The NPPF states that ‘Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’ (para. 56)
- 43 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- 44 Policy EN1 of the ADMP states that the form of proposed development should respond to the scale, height, materials and site coverage of the area. This policy also states that the layout of proposed development should respect the topography and character of the site and the surrounding area.
- 45 Policy EN1 of the Local Plan states 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.
- 46 The landscape of the area undulates down into an area of low land in the south-east corner of the site, where it is proposed to locate the stable building. Within the same views of the proposed stable building, views to the west towards the Forge View dwellings and other buildings on Carters Hill are also available.
- 47 This is a rural area where this type of modest development is typically found. The design and finish of the proposed building would reflect this rural character and be wholly appropriate for the area. The same is true of the timber post and stock fencing that has been erected around the site of the stable, the post and rail fence proposed to be erected adjacent to the access gate to the site and the small area of hard standing adjacent to the lane.
- 48 I would therefore conclude that the development would conserve the landscape and scenic beauty of the AONB and would be designed to a high quality and would respond to the distinctive local character of the area in which it is situated. The proposal therefore complies with the policies listed above.

Other Issues

Impact on neighbouring amenity –

- 49 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 50 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties.
- 51 Policy EN1 of the Sevenoaks District Local Plan requires that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 52 The proposed stable building would be sited some 200m from the Forge View properties, which would be the closest to the application site. This substantial distance would ensure that the residential amenities of the existing and future occupiers of nearby properties would be preserved. This would include any potential disturbance from noise and smells coming from the site. The proposal is therefore in accordance with the NPPF, policy EN2 of the ADMP and policy EN1 of the Local Plan.

Parking provision and highways safety –

- 53 Policy T2 of the ADMP states that vehicle parking provision, including cycle parking, in new non residential developments should be made in accordance with advice by Kent County Council as Local Highway Authority or until such time as non-residential standards are adopted.
- 54 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development should ensure the satisfactory means of access for vehicles and provides parking facilities in accordance with the Council's approved standards.
- 55 The site would continue to retain the existing, established, access from the lane, which would be wholly acceptable. In addition, there would be sufficient space on site for the parking and turning of any vehicle entering the site. The proposal therefore complies with policy T2 of the ADMP and policy EN1 of the Local Plan.

Contamination –

- 56 As noted above, the manure storage area would be 15m from the natural drain that runs along the eastern boundary of the site, which would be sufficient distance not to result in an unacceptable impact on the water environment. To remove any doubt with regards the removal of manure from the site a condition can be attached to any approval of planning permission requiring further details of the proposed arrangements.

Flood risk –

- 57 The site is not located within a flood zone and so there is no flood risk posed to the proposed development.

Matters raised by representations received –

- 58 A building does not have to be proposed for agricultural purposes to be deemed appropriate development in the Green Belt.
- 59 The site does not fall within a conservation area. Members will also note that there is no requirement in the relevant policies above for a site for stables to be supplied with water and electricity.

Agenda Item 4.3

- 60 It is not possible for the Council to consider any possible future development, only the proposal that is currently presented.
- 61 It is, however, possible to take account of the fencing proposed to be erected around the site of the stables since the fencing forms part of the proposed plans. It is also possible to take account of the small area of hard standing adjacent to the entrance gate for the same reason. The timing of these works is therefore not relevant since any planning permission would regularise the situation.
- 62 Finally, any errors and inaccuracies contained within the submission either do not relate directly to the proposed development or can be clarified by further information requested by way of condition. These errors do not prevent the Council from making a decision on this application.

Conclusion

- 63 I consider that the proposed development would be appropriate development in the Green Belt, would conserve the landscape and scenic beauty of the AONB and would be designed to a high quality and would respond to the distinctive local character of the area in which it is situated. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background Papers

Site and Block plans

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

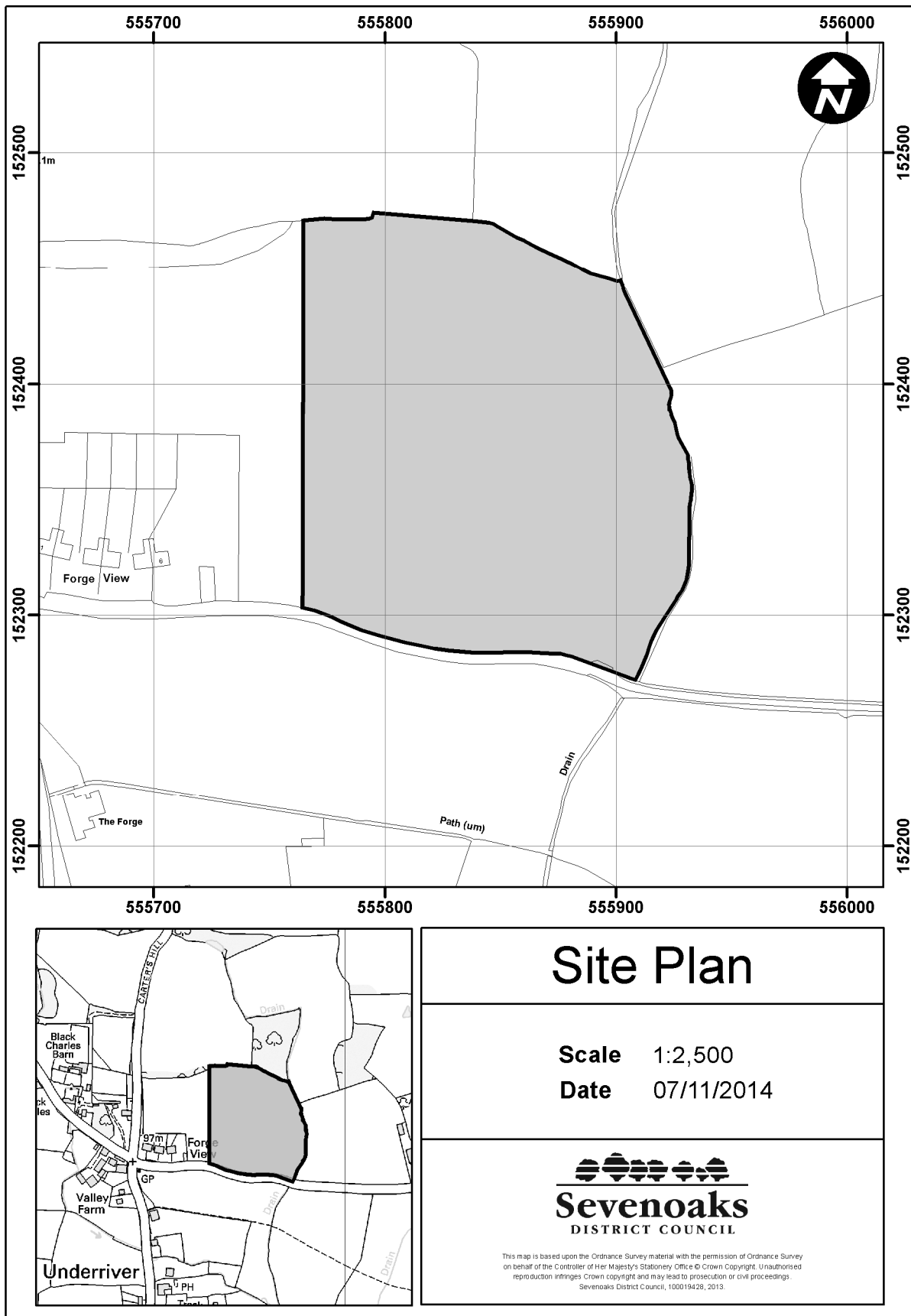
Richard Morris
Chief Planning Officer

Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NCCIWTBK0L000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NCCIWTBK0L000>



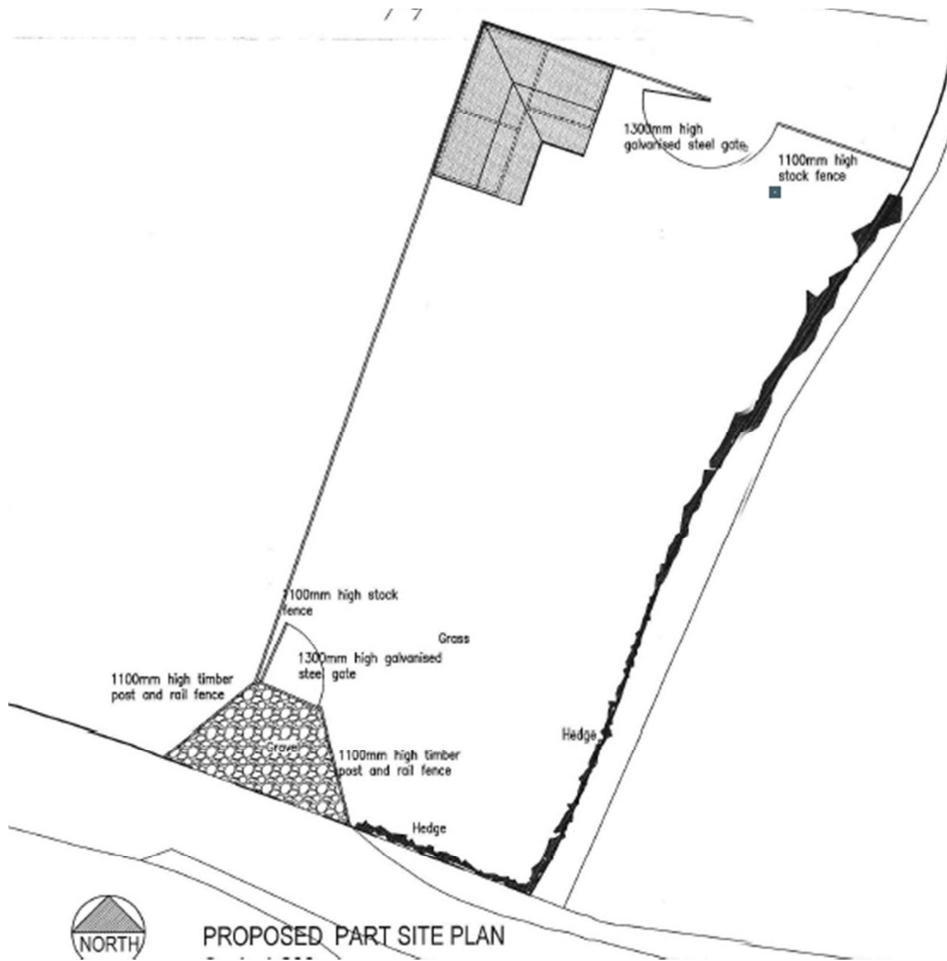
Site Plan

Scale 1:2,500

Date 07/11/2014



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



4.4 – SE/14/03006/HOUSE Date expired 13 November 2014

PROPOSAL: Extension to first floor including rooflights, infill existing porch, Juliet balcony to west elevation along with various internal alterations and a roof lantern to existing family room on west elevation.

LOCATION: 8 Dippers Close, Kemsing, Sevenoaks TN15 6QD

WARD(S): Kemsing

ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Stack so that the impact of the proposed development on the streetscene can be considered.

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

The proposed extension by reason of its excessive width at first floor level relative to the original dwelling is considered to be unduly dominant, resulting in a harmful impact on the host dwelling and the open character of the street scene. As such, the proposal is contrary to Saved Local Plan policies EN1 and H6b and Core Strategy Policy SP1.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) The application was considered by the Planning Committee where the

Agenda Item 4.4

applicant/agent had the opportunity to speak to the committee and promote the application.

Description of Proposal

- 1 Planning permission is sought for a first floor extension over the existing attached single storey garages with a number of elements including rooflights, infilling the existing porch, juliet balcony to the west elevation, alterations to the front elevation and a roof lantern to existing family room on west elevation. The extension would be set down from the main ridge of the main dwelling by 0.5 with a ridge height of 7.4m. The roof would be hipped at one end with an eaves height to match the main dwelling. The extension would be set back from the main elevation by 1.3m with a depth of approximate 6.3m and width of 7.1m. To the front elevation a canopy from is proposed at single storey level.

Description of Site

- 2 The site lies within the village of Kemsing within a residential cul-de-sac which stems north off West End Road. The property forms part of a pair of semi detached properties with an attached pair of garages to the side of the property and a rear single storey extension. Dippers Close bends close to the application site with the detached neighbour to the south 7 Dippers Close being set in part of the corner plot. To the north of the site lies the adjoining neighbour number 9 Dippers Close.

Constraints

- 3 The site lies in an area with no land constraints.

Policies

Sevenoaks District Local Plan:

- 4 Policies - EN1, H6B, Appendix 4 Residential Extensions

Sevenoaks Core Strategy:

- 5 Policy -SP1

Allocations and Development Management Plan, Draft submission (Nov 2013):

- 6 Policies - SC1, EN1, EN2 and EN4.

Other

- 7 National Planning Policy Framework (NPPF) and associated technical guidance
- 8 National Planning Practice Guidance (2013)
- 9 Residential Extensions SPD (2009)

Planning History

- 10 75/00038/HIST – The erection of first floor games room and bedroom extension at side over existing garage. Refuse 05/03/1975.
- 75/00609/HIST – Erection of single storey sun lounge/garden room extension at rear of existing garages. Grant 08/08/1975.
- 05/01026/FUL - Single storey rear extension. Grant 01/06/2005.
- 14/00637/HOUSE - Extension to first floor, infill to front elevation & changes to fenestration. Refuse 28/04/2014.

Consultations

Parish/Town Council

- 11 Kemsing Parish Council recommend approval (14.10.2014)

Councillors

- 12 Referred to Development Control Committee Committee by Councillor Lorraine Stack (4.11.2014)

Representations

- 11 None received.

Chief Planning Officer's Appraisal

Background

- 12 The proposal follows a revision of an earlier scheme '14/00637/HOUSE' which was refused over concerns with the design, form and scale of the proposal. Prior to this application the applicants undertook a pre-application meeting with the previous case officer. The revised scheme forms the proposal for this current application.

Principle of development

- 13 One of the core principles within the NPPF is achieving sustainable development and encouraging high quality design. Emerging policy SC1 (presumption in favour of sustainable development) seeks to ensure that there is a presumption in favour of sustainable development. Similarly, policy SP1 of the Core Strategy supports in principle new development subject to a number of requirements being met including design and ensuring that new development does not have any undue harm to neighbouring properties.
- 14 The remaining issues to consider in the determination of this application are:
- Visual Impact on the character of the area/streetscene and,
 - The impact upon amenity of neighbouring occupiers.

Agenda Item 4.4

Visual Impact on the character of the area/streetscene

- 15 The NPPF attaches great importance to and encourages good design due to its indivisible link with sustainability. Paragraph 56 seeks for development to 'contribute positively to making places better for people' through the implementation of high quality and inclusive designs. Policy SP1 of the Sevenoaks Core Strategy also seeks to ensure that all new development is designed to a high quality and reflect the character of the area in which it is located.
- 16 Saved Local Plan policy EN1 states that *'the form of the proposed development ... should be compatible in terms of scale height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard'* to receive support. This policy broadly conforms with the NPPF and therefore can be afforded weight in this assessment. Emerging policy EN1 (Design Principles) of the ADMP will in part replace adopted policy EN1 (Development Control: General Principles) of the Local Plan this policy also requires high quality design.
- 17 Within Dippers Close there is generally a relatively uniform streetscene composed of chalet bungalows set around the foot of the cul-de-sac and mainly semi detached two storey dwellings lining the straight section of road close to the application dwelling before the road bends to the south. It is noted that a number of properties within the streetscene have been extended and altered overtime including the application dwelling to the rear of the site however the pattern within the road and open spaces between the properties on the straight section of the road remain largely retained. Most semi detached two storey dwellings appear to have mainly have single storey garages to the side which allow open and spacious views between the dwellings which adds to the character of the area.
- 18 It is noted that there are a pair of dwellings opposite the site which have been extended to the side at two storey level 20 and 21 Dippers Close. These were granted planning permission in 1976 (number 20) and 1995 (number 21) respectively prior to policies and guidance we currently use. As such, whilst they are considered as part of the wider streetscene assessment they cannot set a precedent. In addition, whilst similar 20 Dippers Close has a two storey side extension, the width is less than the extension proposed and a single storey garage is retained at the side. Number 21 does extend close to the boundary in width, however, due to its position on the straight section of the road and the neighbouring property to the north having a single storey garage to the side, a sense of openness between the properties is retained.
- 19 The dwelling for this application is set approximately 5m from number 7 Dippers Close. However due to the position of this neighbour to the south which is set on the bend of the road the properties appear to be positioned visually closer.
- 20 The Council's Residential Extensions SPD guidance states that *'infilling of the spaces between properties with two-storey extensions could create a terraced and cramped appearance'* and continues to state that normally a minimum of 1m from the boundary should be retained however 'this gap may need to be wider depending on the context'. In this case there is more than 1m retained along the boundary of the site and between the neighbours and a hipped roof introduced closest to the neighbour. As such, it is not considered that the proposed extension would introduce an adverse terracing impact within the streetscene.

- 21 With regard to design, size and position proposals for extensions to residential dwellings are assessed against policies EN1 and H6B of the Sevenoaks District Local Plan. Appendix 4 of policy H6B states that extensions should relate well in design terms to the original dwelling in respect of bulk, height and materials.
- 22 The proposal includes a number of external alterations including alterations to the front elevation at ground floor level of the property to brick up and introduce a new window and introduce a canopy. Internal alterations are also proposed and the introduction of a roof lantern on the existing rear single storey extension and changes to the rear doors. These changes are considered to reflect the character of the host dwelling in terms of proportion and design.
- 23 The proposed extension has been designed to reflect the character of the host dwelling in terms of materials, use of fenestration and roof ridge and pitch to match the main dwelling. In addition, the extension has been designed to be set back by 1.3m from the main elevation of the property, have a hipped roof and a ridge height set 0.5m below the main dwelling's ridge to reflect the design of the property.
- 24 Notwithstanding the above, by reason of the width of the proposed extension (7.1m) it would introduce a considerable bulk above the full width of the existing double garage, which as a result would be more than double the width of the original dwelling at first floor level, as the existing dwelling width is 5.9m. As such, it is considered that the design would create a disproportionate addition to the host dwelling that would unbalance the pair of semi detached dwellings, of which the host dwelling forms part. The proposed extension is not subservient and dominates the existing dwelling and therefore is not considered to reflect the scale of the host dwelling.
- 25 With regards to streetscene due to the mass introduced by the extension at first floor level it would infill the existing open space between itself and the neighbouring property to the south number 7 Dippers Close. Whilst it is noted that the proposal would retain more than 1m of space between the shared boundary in line with the above guidance, within the wider streetscene significant gaps are visible between dwellings, retaining open spaces at first floor level between neighbouring properties. It is considered that the proposal would visually harm the open character of the streetscene within this area of the road.
- 26 In conclusion, the proposed extension by reason of its width is considered to have a detrimental impact on the character of the host dwelling by introducing a dominant extension which does not reflect the scale of the host dwelling. In addition by reason of the extensions depth, it is considered to infill the existing space between itself and shared boundary to the south which is considered to have a detrimental impact on the open spaces between the dwellings which create the character of the streetscene. In the circumstances of this case the set back and reduced height of the extension are not considered sufficient to mitigate the impact of the extension to an acceptable level within the streetscene or in relation to the host dwelling.

Impact on Neighbouring Amenity

- 27 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning

Agenda Item 4.4

should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 28 Saved Policies EN1 and H6B of the Sevenoaks District Local Plan require that proposals do not have an adverse impact on the amenity of the neighbouring properties and that new development ensures that a satisfactory environment of the original dwelling is maintained for future occupants. Both policies confirm in broad with the NPPF and therefore can be afforded some weight in the assessment of the proposal. Emerging policy EN2 seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements and can be given moderate weight in this assessment.
- 29 The property has two close neighbours, to the north the adjoining neighbour number 9 Dippers Close, and to the south the detached neighbour number 7 Dippers Close. The site slopes down to the rear of the site where is enclosed by mature vegetation where it adjoins the farthest part of the garden with numbers 3 and 5 Copperfields Orchard.
- 30 The host dwelling is set back in its plot with currently an attached double flat roof garage to the site and a lean to extensions with steps up to the rear doors and terrace set on a higher level. The adjoining neighbour number 9 Dippers Close also has a rear extension of a similar depth between the properties there is a mature hedge which also continues along the shared boundary with the adjacent neighbour number 7 Dippers Close set to the south of the site. This neighbour is set further back in its plot to the host dwelling with a projection to the front of the property. This adjacent neighbour also has a lean to rear projection on the rear elevation of its property and to the side elevation two high level windows at ground floor level facing into the application site.
- 31 The proposal seeks to undertake a number of alterations to the property in addition to the first floor extension due to the scale of the changes proposed it is not considered to have an adverse impact on the amenity of the neighbouring properties.
- 32 Due to the position of the extension over the single garages to the side of the dwelling and the alterations to the existing flat roof rear extensions being relatively minor it is not considered that the proposal would have an adverse overbearing impact on the adjoining neighbour to the north number 9 Dippers Close.
- 33 The closest neighbour to the extension would be the neighbour set to the south of the site number 7 Dippers Close. However due to the fact that this property is set back on its plot and the design of the first floor set back from the front elevation of the property, the extension would be in line with the flank elevation of the property which is served only by two high level windows at ground floor level which are thought to serve a habitable room. When carrying out the 45 degree test as set out in the Council's Residential Extensions SPD guidance the proposed extension would breach the floor plans but not the elevations due to the hipped roof design and separation distance between the properties (5m). The proposed extension is therefore not considered to have an adverse overbearing impact or introduce a detrimental loss of light to this neighbouring property's amenity.

- 34 With regard to overlooking the proposal seeks to introduce windows on the front elevation of the extension which would look over the road already visible from within public realm and as such are not considered to introduce an adverse overlooking impact. To the rear a Juliet balcony and first floor window are proposed and rear glazed doors are proposed to be altered. Due to the existing boundary treatment and overlooking it is not considered that the proposed windows would have a detrimental overlooking impact.
- 35 In conclusion, the proposed extensions and alterations are not considered to have a significant adverse impact on the amenity of the neighbouring properties.

CIL

- 36 The proposed development does not exceed 100m, as such the proposal is not CIL liable.

Conclusion

- 37 The proposed extension is not considered to have an adverse impact on the amenity of the adjoining occupiers.
- 38 Notwithstanding the above, by reason of its width the proposed extension is considered to have a harmful impact on the character of the host dwelling, unbalance the pair of semi detached dwelling it forms part of and harm open character of the streetscene. As such, the proposal is contrary to Saved Local Plan policies EN1 and H6b and Core Strategy Policy SP1.

Background Papers

Site and Block plans

Contact Officer(s): Erin Weatherstone Extension: 7290

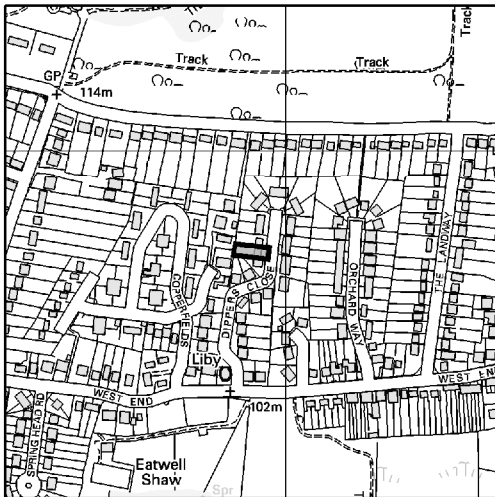
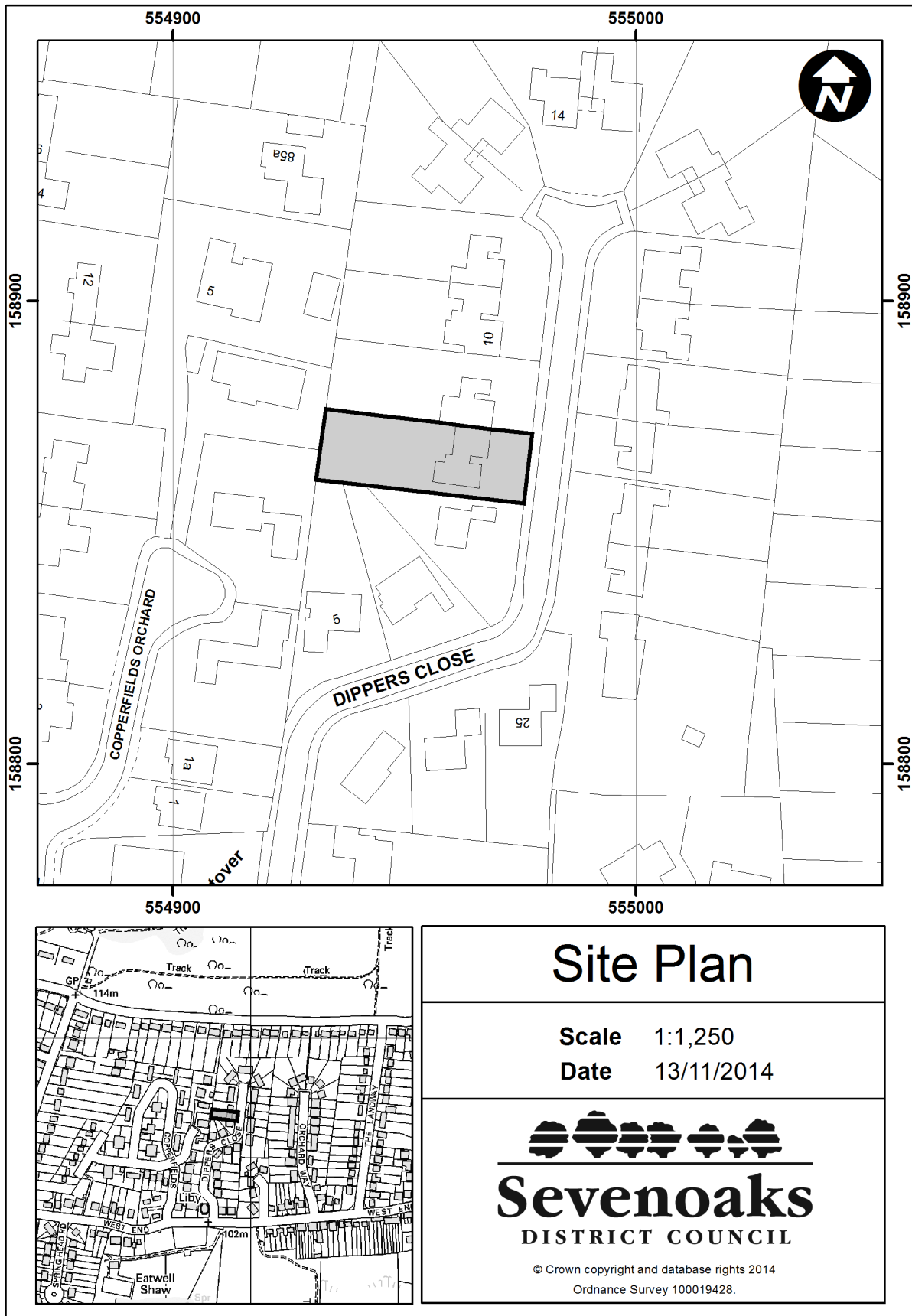
Richard Morris
Chief Planning Officer

Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NC34XTBKH5S00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NC34XTBKH5S00>



Site Plan

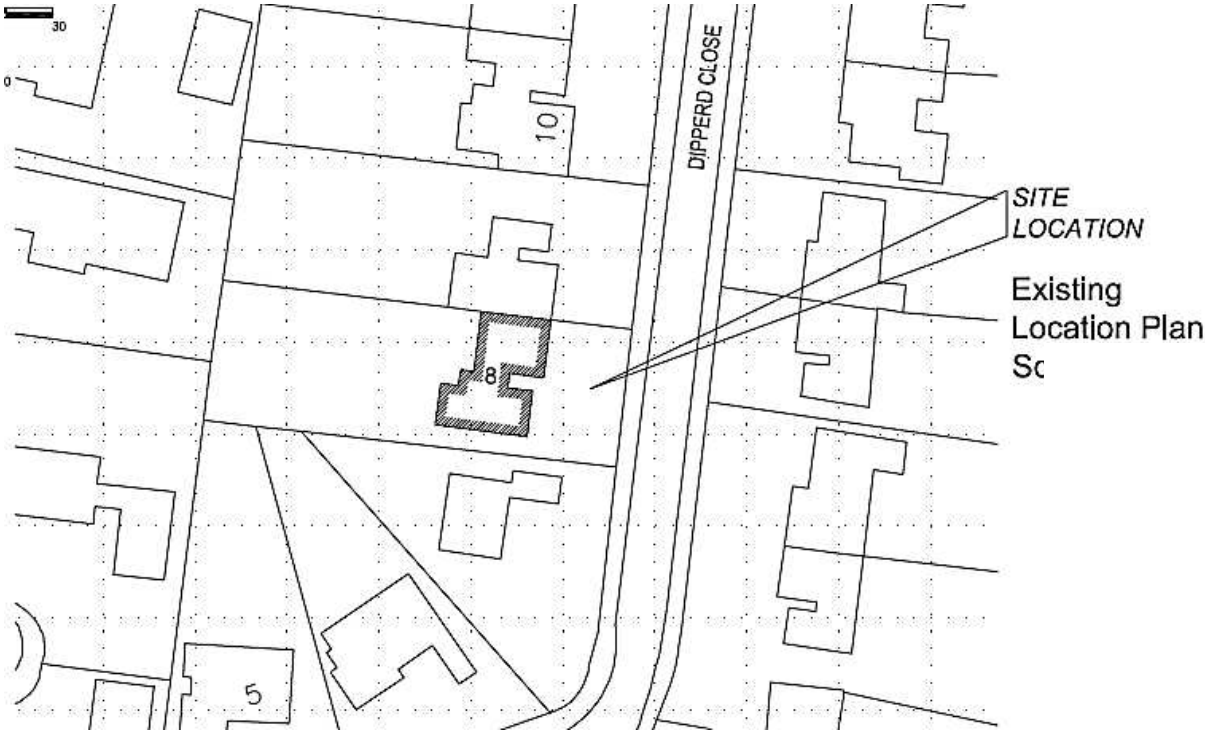
Scale 1:1,250

Date 13/11/2014



© Crown copyright and database rights 2014
Ordnance Survey 100019428.

Block Plan



This page is intentionally left blank

4.5 - SE/14/02140/HOUSE Date expired 29 October 2014

PROPOSAL: Demolition of existing garage. Erection of a single storey rear extension, roof alterations to include front and rear dormers and enclosure of entrance porch.

LOCATION: Merryn, Orpington By Pass, Badgers Mount, Sevenoaks TN14 7AG

WARD(S): Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Williamson so that the impact on the street scene and the planning history of the site can be discussed.

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 development shall be those indicated on the approved application forms received 3rd July 2014

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 shall be carried out in accordance with the following plans, site location plan dated 3rd July 2014, P8-003, P8-004, P8-006, P8-008/A, P8-001, P8-005, P8-002, P8-007

For the avoidance of doubt and in accordance with proper planning as supported by policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful

Agenda Item 4.5

outcome,

- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was updated on the progress of the planning application.

Description of Proposal

- 1 The proposal is to demolish the existing garage on site and build a single storey rear extension that will extend 5 metres from the rear elevation of the existing house. This will be 3 metres high and incorporate a roof lantern.
- 2 A single flat roof dormer is proposed on the rear facing roof slope. Two pitched roof dormers are proposed on the front facing roof slope.

Description of Site

- 3 The application property is a detached bungalow on the west side of Orpington Bypass. The property is one of three bungalows that are set back slightly from the main road behind mature trees (Yucca Lodge, Star House and Merryn). Halcyon Days to the north of the site is also a bungalow, but the street scene also includes two storey dwellings further to the north.
- 4 The street scene contains a mix of design styles and materials, and on the west side of the By Pass the properties are set back behind a grass verge.

Constraints

- 5 None.

Policies

Sevenoaks District Local Plan:

- 6 Policies - EN1, H6B

Allocations and Development Management Plan (ADMP):

- 7 Policies -EN1, EN2

Sevenoaks Core Strategy:

- 8 Policy - SP1

Other:

- 9 National Planning Policy Framework
- 10 The Sevenoaks District Council Supplementary Planning Document for Householder Extensions (RESPD)

Relevant Planning History

- 11 SE/07/00304/FUL - Roof extension to provide accommodation at first floor level, with dormer windows at front & rear. REFUSED
- 12 SE/07/01304/FUL - Roof extension to provide accommodation at first floor level, with dormer windows at rear. GRANTED

Consultations

Shoreham Parish Council

- 13 Shoreham Parish Council objects to this application. Whilst the proposed development at the rear of the property is acceptable, the proposed dormers at the front of the property are too obtrusive in the street scene.

Representations

- 14 Four neighbours were consulted. No neighbour representations have been received.

Chief Planning Officer's Appraisal

- 15 The principle issues in this instance are the impact of the proposal on the character of the existing dwelling, the wider street scene and the impact on the neighbouring properties.

Size, bulk, design and impact on street scene:

- 16 Policy EN1 states 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. The design should be in harmony with adjoining buildings. Appendix 4 of policy H6B states that the *extension itself should not be of such a size or proportion that it harms the integrity of the design of the original dwelling or adversely affect the street scene.* This is supported by policy EN2 of the Allocations and Development Management Plan (SPD).
- 17 The rear extension will not be widely visible from vantage points within the street scene. It will be subservient to the main dwelling. The external walls will be rendered. The existing dwelling is a mix of external materials including brick, white painted brick and render. Therefore the material proposed will not be out of place with the existing property.

Agenda Item 4.5

- 18 Para. 4.31 of The Sevenoaks District Council Supplementary Planning Document for Residential Extensions (RESPD) states that:
- Loft extensions should be below the ridge height of the existing building and should not create the appearance of an extra storey.*
- 19 The front and rear dormers will be below the ridge height of the existing dwelling.
- 20 The rear dormer window is centrally positioned within the existing roof slope, and there will be a gap of 0.5 metres maintained to the ridge of the dwelling. A gap of 1.5 metres will be maintained at either end between the flank elevation of the dormer and the edge of the main roof slope. The dormer does not dominate the rear roof slope and will appear subservient to the main dwelling.
- 21 A previous planning decision SE/07/00304/FUL refused two dormers on the front elevation of Merry on the following grounds:
- The proposed dormer windows because of their size, position and design, would create a prominent and inharmonious feature, of harm to the character of the existing building, the wider area and street scene. This conflicts with policies EN1 and H6B of the Sevenoaks District Local Plan and policy QL1 of the Kent & Medway Structure Plan 2006.*
- 22 Since the refusal of this application seven years ago there have been some changes in policy guidance. The Kent and Medway Structure Plan no longer applies. The proposal must still be assessed against policies EN1 and H6B of the Sevenoaks District Local Plan, but there is now additional guidance in the Sevenoaks District Council Supplementary Planning Document for Householder Extensions (RESPD). This has been quoted above. Emerging policies EN1 and EN2 of the Allocations and Development Management Plan (ADMP) need to be taken into account.
- 23 The two dormers currently proposed are similar in size to those previously refused, but these sit better in the roof slope than the previous scheme as although the dormers are not aligned with the ground floor windows they are more centrally positioned in the roof which results in a more symmetrical appearance to the property.
- 24 As with the dormer to the rear they are also set below the ridge of the main dwelling. They do not dominate the main roof slope and appear subservient to the main dwelling.
- 25 Regarding the street scene, there are no dormer windows on the front elevations of the other bungalows in the immediate area. However there are no strong design characteristics throughout the street scene. To the north of the application site bungalows are replaced by two storey dwellings. Given the increase in bulk and height of these two storey dwellings over the bungalows at the southern most end of the By Pass, it is not felt that the addition of dormer windows on the front elevation, which are subservient to the main dwelling, would result in a bulky or intrusive addition to the street scene.
- 26 There is no common roof shape to be maintained within the group of existing bungalows at the southern end of Orpington By Pass, of which Merry forms a part. Therefore alterations to the front in the form of dormer windows would not disrupt regular gaps or shapes within the street scene.

- 27 The RESPD offers a consistent approach to assessing extensions to existing dwelling houses. By applying this to the current scheme the proposal will comply with the current interpretation of local policy and the National Planning Policy Framework.

Impact on residential amenity:

- 28 Criteria 3) of policy EN1 states that the proposed development must 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. This is supported by Appendix 4 to H6B.
- 29 The two properties most likely to be affected by the proposal are Halcyon Daze to the north and Star House to the south. 68 London Road, to the rear of the site also needs to be considered.
- 30 There is a mature hedge along the shared boundary with Star House, and the property has a single storey rear extension. There will be a 2.8 metre gap between the flank elevation of the proposed rear extension at Merryn and the shared boundary with Star House. The 45 degree test for daylight as set out in para. 5.8 of the Sevenoaks District Council's Supplementary Planning Document for Householder Extensions (RESPD) has been carried out with regards to this property and it will pass on both the plans and the elevations.
- 31 Given the existence of the mature hedge on the shared boundary and there will be no loss of outlook to this property resulting from the proposal. No windows are proposed on the side elevation of the extension and therefore there will be no loss of privacy to Star House.
- 32 The property to the north is Halcyon Daze. This property also has an existing single storey rear extension. There will be a 0.65 metre gap between the flank elevation of the proposal and the shared boundary. The 45 degree test for daylight as set out in para. 5.8 of RESPD has been carried out with regards to this property and it will pass on both the plans and the elevations.
- 33 There is a window on the flank elevation of Halcyon Daze which will be obscured by the proposed extension. This is a high level window which is obscure glazed, and functions as a secondary window to the lounge, which is also served by a window on the rear elevation that will not be affected by the proposal.
- 34 A lounge is a habitable room as defined in para. 5.7 of the RESPD. The RESPD also states that an extension should not cause a significant loss of daylight (para 5.7).
- 35 However given that this is a secondary window to the habitable room, and the main window to the rear of the property will not be affected, the proposal would not result in a significant loss of daylight or outlook to the lounge and a refusal on loss of amenity cannot be sustained in this instance.
- 36 There is a window on the front elevation of Halcyon Daze which serves a dining room. This is set further back than the front building line of Merryn. The dormer windows on the front elevation of the proposal will not result in any additional loss of daylight to this window.

Agenda Item 4.5

- 37 The proposed rear extension at Merryn will not extend beyond the rear most wall of the rear extension at Halcyon Daze and therefore there will be no loss of outlook to the rear amenity space of this property.
- 38 The dormer window on the rear elevation is larger than those which currently exist. They will offer some oblique views into the neighbouring gardens, but the impact on privacy is not thought to be unacceptable.
- 39 No windows are proposed in the side facing elevations of the roof. Should any side facing windows be constructed at a later date, in order to comply with permitted development regulations these would need to be fixed shut and obscure glazed where the windows are less than 1.7 metres above the internal floor area of the room they serve. Given this there will not be an unacceptable loss of privacy resulting from any side facing windows that may be installed in the future and a condition would not be required.
- 40 The properties on London Road to the rear of the site are at a slightly lower level to the properties which face Orpington Bypass. There will be a distance of 26 metres from the dormer windows to the shared boundaries with the London Road properties. Taking into account the change in ground level, the new dormers will not result in an unacceptable loss of privacy to these properties.
- 41 The proposal will not have an unacceptable impact on the amenities of the neighbouring properties in accordance with policy H6B of the Sevenoaks District Local Plan and the National Planning Policy Framework.

Other issues

- 42 The proposal includes the demolition of an existing detached single garage to the rear of the site. The dormers will also facilitate the creation of an extra bedroom within the roof space. This will increase the number of bedrooms at the property from three to four.
- 43 The Kent Design Guide Review: Interim Guidance Note 3: Residential Parking requires a maximum standard of two parking spaces for a four bedroom property in this village location. These can be provided to the front and side of the property.
- 44 Therefore the proposal will comply with policy VP1 of the Sevenoaks District Local Plan and policy EN2 the Allocations and Development management Plan.

Conclusion

- 45 The proposal will comply with policy EN1 of the Sevenoaks District Local Plan, The Sevenoaks District Council Supplementary Planning Document and the National Planning Policy Framework.
- 46 The proposal will not have a detrimental impact on the character of the existing dwelling or the wider street scene. The proposal will not have an unacceptable impact on the amenities of the neighbouring properties.

Background Papers

Site and Block plans

Contact Officer(s):

Deborah Miles Extension: 7360

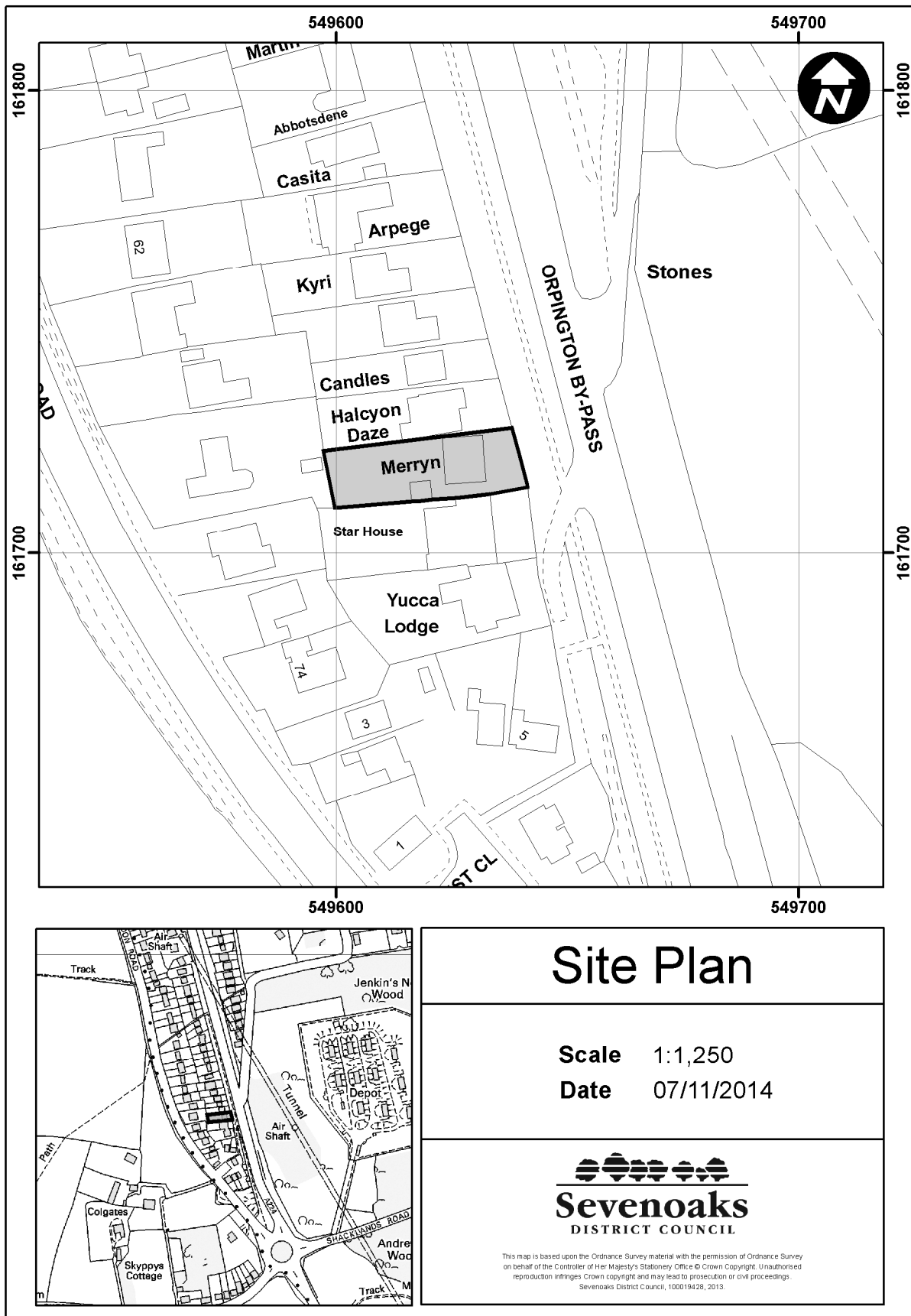
Richard Morris
Chief Planning Officer

Link to application details

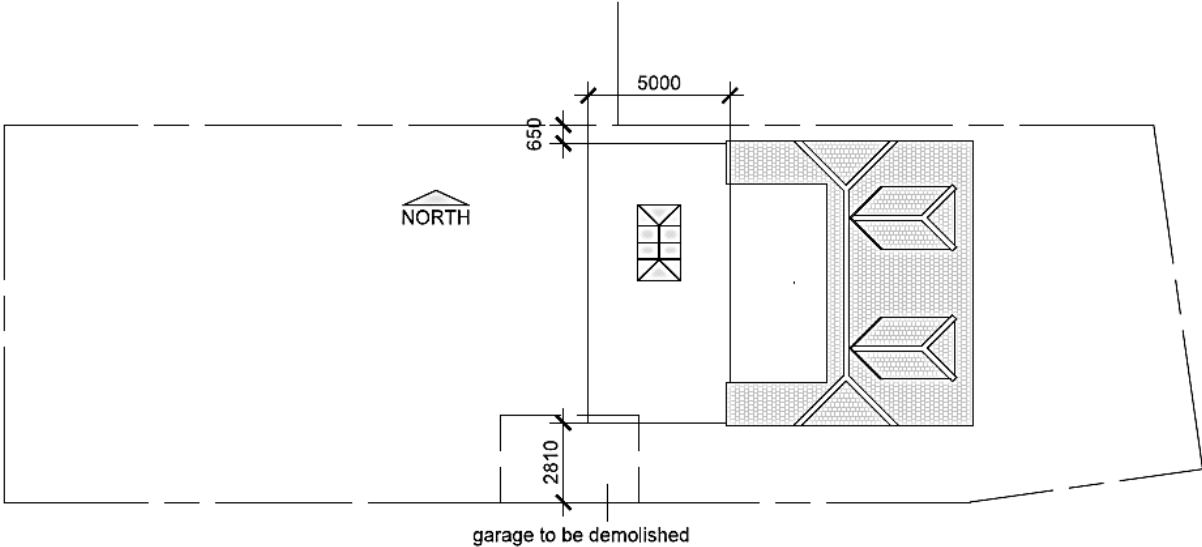
<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N84JM9BKGDR00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N84JM9BKGDR00>



Block Plan



This page is intentionally left blank