

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

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

LOCATION: 29 Vine Avenue, Sevenoaks TN13 3AH

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

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

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

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans:- Drawing Number 397/A1/12 Revision C, dated December 2012, stamped 26 February 2013;- Drawing Number 397/A1/10 Revision B, dated December 2012;- Drawing Number 397/A1/11 Revision B, dated December 2012; stamped 26 February 2013;

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

3) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

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

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

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

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and the Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

6) If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and the Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

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

B) Within a retained tree protected area:

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

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

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

Sevenoaks District Core Strategy: SP1

Sevenoaks District Local Plan: EN1, H6B

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

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

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

Description of Proposal

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

Description of Site

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

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

Constraints

- 10 No significant constraints associated with the site.

Policies

Sevenoaks District Core Strategy

- 11 Policy - SP1

Sevenoaks District Local Plan

- 12 Policies - EN1, H6B

Others

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

Planning History

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

Consultations

Sevenoaks Town Council

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

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

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

Representations

- 23 Two letters of objection were received:

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

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

- 24 One letter of representation was received

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

Group Manager Planning Services Appraisal

Principal Issues

Design, Scale and Bulk

- 25 Policy SP1 of the Sevenoaks District Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- 26 Policy EN1 of the SDLP states that the form of proposed development including extensions should be compatible in terms of scale and height with other buildings
- (Item No 4.3) 5

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

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

27 The Residential Extensions SPD states that for development on corner sites should respond sensitively to the character of the adjoining street created by a common building line, the scale, form and architectural features of development and the spaces around buildings.

28 The Sevenoaks Residential Character Area Assessment SPD states that the following criteria should be applied to new development:

- Development should be set back from the road and retain space between buildings;
- In Vine Avenue the regular building line should be respected;
- Mature trees and hedged boundaries which contribute to the character of the road should be retained;

29 Concern has been raised that the proposal will have a detrimental impact on the street scene. However the two storey side extension reflects the scale and design of approved planning permission SE/10/01281/FUL. This permission was approved in December 2010 and still could be implemented tomorrow if the applicant so wished. The design of the extension matches the existing roof pitch of the property and maintains the existing eaves height. In addition the new dormer window will match the other front elevation dormer windows in design. Whilst it is recognised that the proposal occupies a prominent position between Vine Avenue and Hitchen Hatch Lane, due to the acceptable design of the proposal (as outlined above) and the pre-existing planning permission (SE/10/01281/FUL) it is not considered that the character of the area will be affected. For this reason, it is considered that the side extension will not be of such a size or proportion that it harms the integrity of the design of the original dwelling which would result in a material harm to the street scene.

30 It must be noted however, that there has been a change of circumstances since the approval of planning permission SE/10/01281/FUL, specifically the adoption of the Sevenoaks Residential Character Area Assessment SPD. The specific criteria are outlined in paragraph 29. It is considered that the two storey side extension is set back from the Vine Avenue (6 metres) and retains space between the adjoining building (27 Vine Avenue). It is also deemed that the regular building line of Vine Avenue is respected, as it does not encroach in front of this adjoining property. Finally, it is worth noting that the side extension respects the building line in Hitchen Hatch Lane, as it is aligned with Number 13 Hitchen Hatch Lane (this is outlined in the Block Plan – drawing number 397/A1/10 Revision B). It is considered that this also addresses the criteria outlined in the Residential Extensions SPD. In terms of the final criteria of the Sevenoaks Residential

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

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

Residential Amenity

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

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

Daylight / Sunlight

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

Privacy

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

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

Outlook

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

Other Issues

Trees

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

Parking

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

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

Boundary Treatment

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

Excavation / Land levels

- 58 The 2010 permission requested the following condition:

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

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

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

Conclusion

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

Background Papers

Site Plan

Contact Officer(s): Neal Thompson Extension: 7463

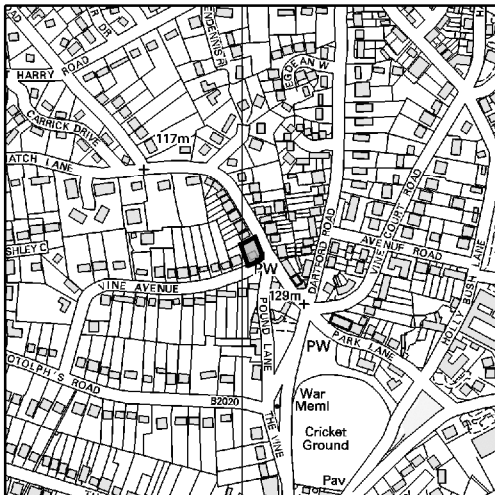
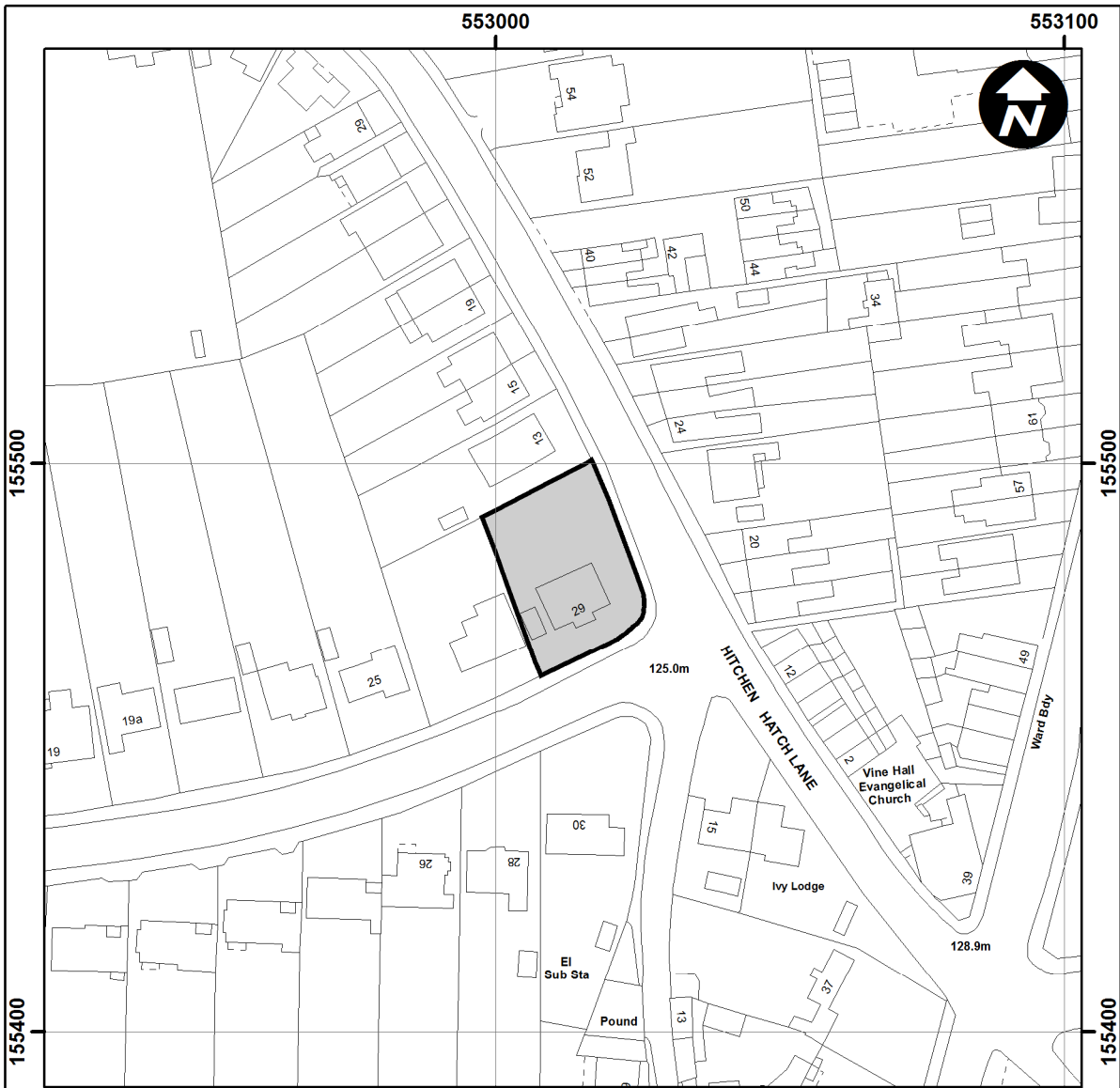
Pav Ramewal - Chief Executive Designate

Link to application details:

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

Link to associated documents:

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



Site Plan

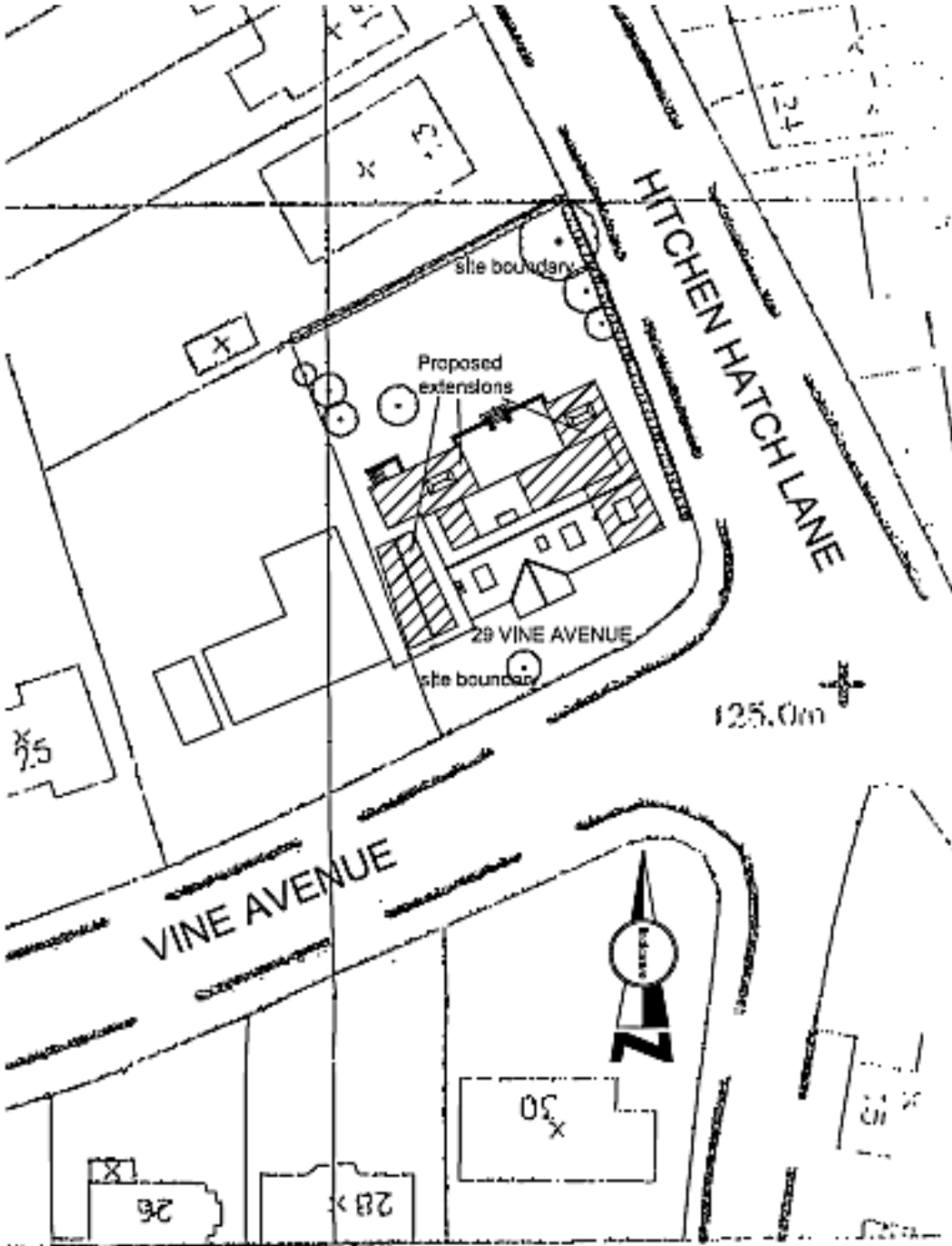
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Date 26/03/2013



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