

4.4 - SE/13/00628/HOUSE Date expired 21 May 2013

PROPOSAL: Demolition of conservatory and detached single garage, erection of a single storey rear extension and two storey side extension

LOCATION: White Gables , High Street, Farningham Dartford DA4 0DB

WARD(S): Farningham, Horton Kirby & South Darenth

ITEM FOR DECISION

This application is referred to the Development Control Committee at the request of Councillor McGarvey as he considers that issues raised in regard to the application namely that the proposal would be an overdevelopment of the cramped site, that it would affect the amenities of existing neighbours and future occupants of the site and on the grounds of highway safety should be discussed by the committee.

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

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

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

2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

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

3) The development shall be carried out in accordance with the following plans, 02 A, Design and Access Statement, Heritage Statement

In the interests of proper planning

4) At the time of development, the proposed first floor window(s) on the rear; elevation shall be fitted with obscured glass of a type that is impenetrable to sight and shall be non opening up to a minimum of 1.7 metres above the internal finished floor level and shall be so retained at all times.

To minimise overlooking onto adjoining properties and maintain privacy in accordance with policies EN1 and H6B of the Sevenoaks District Local Plan.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order (and any Order revoking and re-enacting those Orders) (with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed in the south elevation of the extension hereby permitted.

To safeguard the privacy of the occupants of adjoining dwellings in accordance with

Description of Proposal

- 1 Demolition of conservatory and detached single garage, erection of a single storey rear extension and two storey side extension

Description of Site

- 2 The site is a two storey detached property within the village boundary of Farningham. The building is set back from the road, and at a slightly higher level. The majority of the front garden is hard standing although there is some mature planting to the front boundary on either side of the access road.
- 3 To the rear the property has a detached garage and a conservatory, both of which will be removed as part of the application.

Constraints

- 4 Conservation Area
- 5 The site is opposite a Grade 2 Listed Building
- 6 Area of Archaeological Potential
- 7 Area of Outstanding Natural Beauty

Policies

Sevenoaks Core Strategy

- 8 Policies - SP1, LO8

Sevenoaks District Local Plan

- 9 Policies - EN23, EN1, H6B

Other

- 10 National Planning Policy Framework
- 11 Farningham Conservation Area Appraisal
- 12 The Sevenoaks District Council Supplementary Planning Document for Household Extensions

Planning History

- 13 97/01000/HIST - Conservatory. GRANTED.

Consultations

SDC Tree Officer

- 14 The proposed side extension is clear of any vegetation and as such there are no tree issues to address. The proposal for the rear extension is again void of trees

within the immediate area of the garden. There is a neighbouring Pine tree, but due to the existence of the substantial boundary wall between this proposal and the neighbouring tree, I am not concerned with regards to tree root issues.

Parish / Town Council

15 Objection and reasons:

It was agreed the Parish Council object to this Planning application within the Green Belt and the Conservation Area of Farningham's High Street; the 50% rule should be checked out as this property was constructed in the late 1980s. The proposals would reduce the light and open feel of the street scene and build two floors up at the extreme edge of the property, overbearing the adjacent garden. It would mean a loss of parking spaces to White Gables and the narrow garage that is proposed could remain unused by cars as there is no comfortable route from the street. Councillors expressed concern regarding the materials to be used in the Conservation Area and the difficulty for future owners of White Gables to maintain suitable materials which may overhang the neighbouring garden.

16 Further comments:

Councillors request the Building Control Officer checks the plans as it appears as if the single wall skin on the ground floor of the garage has a double cavity wall above.

Representations

17 Site notice posted: 08.04.2013

18 Press notice published: 11.04.2013

19 7 neighbours were consulted

20 2 representations have been received which raise the following objections,

- The design of the proposal does not reflect the character of the original dwelling
- The proposal will not be subservient to the main dwelling
- The proposal will result in a narrower access to the proposed garage than currently exists
- A single skin structural wall is used on the ground floor of the side extension but not on the first floor
- There will be little room for opening the doors of the garage
- The balance of the house will be offset within the uniformity of its curtilage
- No allowance for the overhang of eaves or guttering has been made with relation to 1 Hillside
- No information is provided regarding how the proposal will be built and maintained without access to 1 Hillside
- 1 Hillside will be overlooked as a result of the proposal

- The proposal will have a detrimental impact on the Conservation Area and AoNB as it is out of scale and context with the surrounding area
 - An unacceptable impact on South Hall, the Grade 2 listed building opposite
- 21 A further representation was received from the owners of 1 Hillside which states the following,

My husband and I are the owners of 1 Hillside

Our earlier objections were submitted in a letter dated 12 April 2013 from Thomas Ogden of Bloomfields, Chartered Town Planners, ref TWO/872.

- *I have a comment on a point which has not been addressed hitherto. I am Secretary of the Kent Group of Plant Heritage (the National Council for the Conservation of Plants and Gardens) and have long experience of gardening and the conditions which affect gardens.*
- *The new side elevation of White Gables will have an “overbearing effect” (see para 39 of Planning Officer’s report to the Development Control Committee) on the adjacent part of our garden.*
- *Instead of a 6 foot fence there will be a 26 foot wall only 8 inches from the boundary*
- *This will seriously affect the microclimate of the area concerned, making it hotter and drier in summer and colder and windier in winter.*
- *This will affect current planting and what can be grown in future.*
- *This will materially affect the amenity value and our use and enjoyment of our property every bit as much as the effect of the proposed extension on our house.*

Group Manager Planning Services Appraisal

- 22 The principle issues in this case are the impact of the proposal on the character of the existing building; the wider street scene, including any impact on the Conservation Area, the setting of the Listed Building (South Hall), Area of Outstanding Natural Beauty and the amenities on the neighbouring dwellings in terms of loss of light, outlook or daylight.

Impact on the Conservation Area and setting of the Listed Building

- 23 The principle issues in this instance are whether the proposal meets the policy criteria set out in Section 12 of the National Planning Policy Framework (NPPF). A heritage asset is defined in the NPPF as a building, monument, site, place area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest and includes Conservation Areas.
- 24 Paragraph 132 of the NPPF states that ‘when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the assets conservation’ and ‘that any harm or loss should require clear and convincing justification.’

- 25 The Listed Buildings and Conservation Area Act 1990 states that proposals should protect the historic character and the setting of the listed building. It is also the duty of the Local Planning Authority to ensure that the character of the Conservation Area should be preserved or enhanced. Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 26 Policy EN23 of the Sevenoaks District 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 of its setting*
- 27 The application site is situated on the eastern edge of the Farningham Conservation Area and is directly opposite South Hall, a Grade 2 listed building.
- 28 As the current proposal does not seek to alter the fabric of the listed building the SDC Conservation Officer was not formally consulted, however the application has been discussed and informal comments have been received.
- 29 The Farningham Conservation Area Appraisal states the following with regard to the character of the immediate area,
- The Pied Bull, the Village Club and the terraced houses opposite provide a brief sense of an enclosed space until the larger gardens of The Croft and South Hall are reached and the vista widens as the High Street rises to the eastern edge of the conservation area.*
- 30 Although the larger buildings on the opposite side of the road are mentioned the existing gap between White Gables and Hillside is not mentioned as making a specific contribution to the character of the Conservation Area.
- 31 South Hall, the Grade 2 Listed Building, is set back from the road and within a large plot, it is noted above that the gaps surrounding this building contribute to this part of the Conservation Area. White Gables is on the opposite side of the road to South Hall and is partially screened by mature trees on the front boundary which will not be removed as part of the current proposal and can be conditioned to remain. Given this there is felt to be a degree of separation between the two properties and no strong visual relationship. Therefore it is not felt that alterations to White Gables will have a negative impact on the setting of the Listed Building and that the proposal will meet the statutory test of protecting the setting of the building, set out in the Listed Building and Conservation Areas Act 1990.
- 32 It has been noted in a neighbour representation that the Conservation Area Appraisal also makes reference to two large buildings which have a detrimental impact,
- 'it is most unfortunate that the two new large houses built at the south east end of the Conservation Area draw attention to themselves by the low level boundary walls and lack of screen planting, in direct contrast to their more attractive and discreet neighbours.'*

- 33 The presumption in the neighbour representation is that one of these large buildings is White Gables, although the statement has not sought to identify the other. However, I would not consider White Gables to be a large house, when compared to the adjacent property, Pinehurst and the large buildings on the opposite side of the road. However it is more modern in appearance than the properties in the immediate area. White Gables is set at a higher level to the street scene and the shortness of the driveway and the lack of pavement does mean that it has a close relationship with the main road. However there is mature screening to either side of the access which will remain, and this does reduce the impact of White Gables on the wider area. The other public points that White Gables can be clearly seen from are outside the Conservation Area, where the side elevation is visible and from Hillside where the top of the roof can be clearly viewed over the garages.
- 34 The side elevation will be bought closer to the shared boundary with 1 Hillside, however as the shape of the roof is not being altered this view will not substantially change. From the rear the views into the Conservation Area are restricted and although the chimneys of South Hall can be seen it is not felt that the proposal will alter the existing situation due to its size, scale and the density of location.
- 35 Accordingly I am satisfied that the proposal would not result in harm to the Conservation Area and would therefore preserve its character and meets the statutory test set out in the Listed Building and Conservation Areas Act 1990 and the guidance in the National Planning Policy Framework./

Size, bulk, design and impact on street scene:

- 36 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criteria 1 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 and incorporate materials and landscaping of a high standard. Policy H6B of the SDLP states that residential extensions shall be subject to the principles in Appendix 4. Amongst other things, Appendix 4 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.
- 37 The shape of the roof at the front of the property is being maintained. The hips will assist in reducing the bulk of the proposal. The fenestration will also match that of the existing property. The Parish Council has raised concerns regarding the possibility of future owners to maintain these materials. However, this is always a risk with additions to dwelling houses, especially with regards to obtaining bricks that will match those of the existing property. The future maintenance of a property is not a material planning consideration.
- 38 The extension to the rear will span the entire rear elevation of the property. However it is single storey and will appear subservient to the main dwelling and consequently not have a negative impact on its character. This part of the proposal will not be visible from the street scene.
- 39 The proposed two storey side extension will be within one metre of the shared boundary with the neighbouring property, 1 Hillside. Appendix 4 of policy H6B states that a one metre gap is normally necessary for extensions of this nature.

However interpretation of this policy in the Sevenoaks SPD for Householder extensions shows that this policy was put in place to prevent visual terracing,

'In a street of traditional detached and semi-detached houses, the infilling of the spaces between with two storey extensions could create a terraced and cramped appearance at odd with the regular pattern of development.'

- 40 Given the different orientations between White Gables and 1 Hillside and the 13 metre gap between the flank elevations of the two dwellings it is felt that the development will not result in visual terracing within the street scene. In addition, although there are gaps between some of the houses in the immediate area these are not a regular characteristic of the street scene.
- 41 The neighbour representation relating to the resulting dwelling being offset within the site is noted, however as there are no regular gaps to be maintained within the street scene this is not a sustainable reason for refusal as it meets the criteria of the Sevenoaks District Council Local Plan

Impact on residential amenity:

- 42 Criteria 3) of policy EN1 of the SDLP 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. Appendix 4 to H6B also states that proposals should not result in 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.

Daylight/sunlight

- 43 There are a number of habitable rooms at Hillside which will face the proposed development at White Gables including bedrooms, kitchen and dining room. As mentioned above the flank elevation of 1 Hillside will be a distance of 13 metres from the proposed elevation of White Gables. It is also noted that there is a change in ground level between the ground level of 1 Hillside's garden and the application site (approximately 0.75 metres)
- 44 The proposal will pass the 45 degree test for light on both the plans and elevations and therefore there will be no unacceptable loss of daylight as it will meet the criteria set out in policy H6B and the Sevenoaks District Council Supplementary Planning Document for Householder Extensions.
- 45 With regard to sunlight it is not felt that the existing situation on site will be affected. The sun rises in the east and sets in the west; however the proposed two storey element of the extension will not extend to the front or the rear of the existing building on site. Given this the length of the built form of the dwelling which will block potential sunlight to the rear garden of 1 Hillside will not be altered.

Privacy

- 46 Concerns have been raised with regard to the first floor rear window proposed overlooking the rear garden of 1 Hillside, and affording views into the habitable rooms on their rear elevation. The proposed first floor window will serve an ensuite bathroom.

- 47 It is acknowledged in the SPD that oblique views from first floor rear windows which overlook neighbouring properties can be acceptable. Given the orientation of White Gables to 1 Hillside the first floor window will not result in direct overlooking of the rear garden. In addition, as the ensuite, is not considered to be a habitable room the window can be conditioned to be obscure glazed and fixed shut where the window is more than 1.7 metres above the internal floor area of the room.
- 48 Accordingly the proposal would not harm residential amenity and would comply with policies EN1 and H6B of the Sevenoaks District Local Plan.

Highways

- 49 Informal comments have been received from Kent Highways which state the following,

I can appreciate that there is a loss of parking facility at this location when compared to the existing arrangement and that the garage is reduced in size when compared to the existing. However, our adopted parking standards for a property of the proposed size (i.e. 4 + bedrooms in a village location) are for 2 independently accessible spaces which would still be available within the frontage of the proposed site even without counting the garage space and so there could be no justification in raising KCC Highways and Transportation objection to the proposal.

- 50 Therefore although it is acknowledged that the occupants of White Gables are unlikely to use the proposed garage due to the restricted entrance provided, the proposal will still meet the maximum KCC Highway Standards.

Trees

- 51 No issues with the trees on the site have been raised. There is a neighbouring Pine tree, but due to the existence of the substantial boundary wall between this proposal and the neighbouring tree, there are no concerns with regards to tree root issues.

Area of Outstanding Natural Beauty

- 52 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 53 The proposed design and materials of the extension will reflect those of the existing dwelling meaning that it conserves the existing character of the area, and due to the urban character of the area would have little impact on the natural beauty of the landscape. It is therefore considered to be in accordance with the statutory test.

Archaeology

- 54 The site is in an Area of Archaeological Potential and Roman remains have been found approximately 100 metres to the south west of the site. However the area proposed for development already appears to have been considerably built up.

Given this it is felt that the additional ground works involved do not require a condition in this instance.

Other issues

- 55 The property is not within the Green Belt (although the boundary is 78 metres to the east of the site) and therefore policy H14A and the guidance in the National Planning Policy Framework does not apply in this instance.
- 56 Building Control have been shown the plans for the proposal and have stated that the single skin wall of the garage could be reinforced with steel supports which would allow for a double skin wall at first floor level. This would be a matter that would be dealt with by Building Control under the Building Regulations.
- 57 Concerns are noted regarding the overhang of the guttering to 1 Hillside. The elevations and floor plans both show the development will be within the site boundary and therefore I am satisfied there will be no encroachment. With regard to access being required to 1 Hillside in order to construct the proposal consent must be required from the owners of the land prior work commencing. However this is a civil matter that does not fall within the remit of planning law.
- 58 Concerns with regard to the microclimate at 1 Hillside has been noted, however this is not something that justifies refusing permission in this case. Other issues regarding the amenities to this property have been discussed above.

Conclusion

- 59 Given the above discussion the proposal has been found to comply with the relevant policies at local and national level. The proposal is found to preserve the character of the Conservation Area, and would not have an unacceptable impact on the character and historic setting of the Listed Building. The proposal will not have an unacceptable impact on the street scene, AONB and the amenities of the neighbouring properties.

Background Papers

Site and Block plans

Contact Officer(s): Deborah Miles Extension: 7360

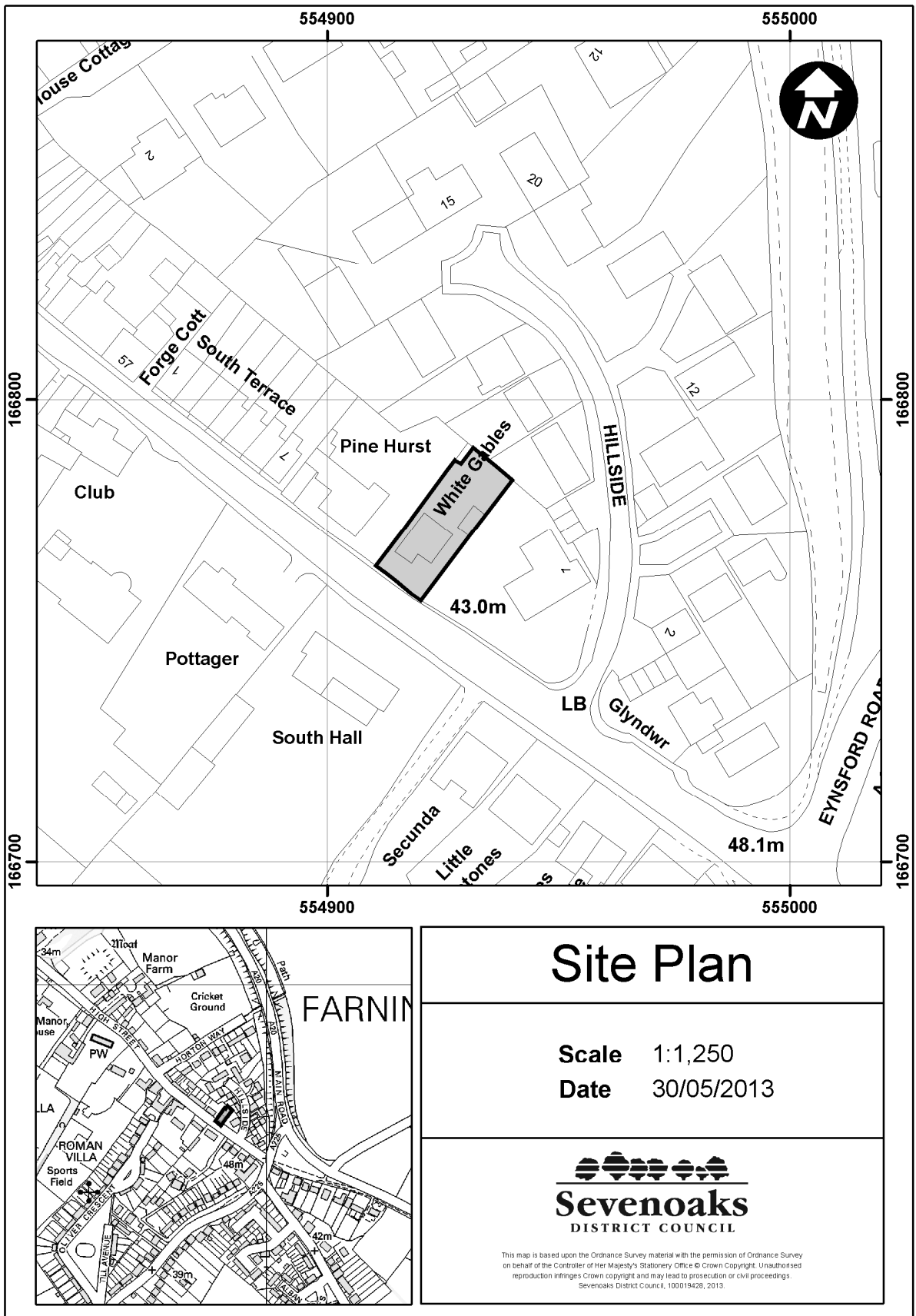
Pav Ramewal
Chief Executive Designate

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MIX7LFBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MIX7LFBK8V000>



BLOCK PLAN

