

4.2 – SE/13/00787/HOUSE Date expired 29 May 2013

PROPOSAL: The erection of a new detached single car garage.

LOCATION: Sealcot, Seal Hollow Road, Sevenoaks TN13 3SH

WARD(S): Sevenoaks Eastern

ITEM FOR DECISION

This application has been referred to the Development Control Committee since the officer's recommendation is at variance to the view of the Town Council and at the request of Councillor Purves who has concerns that the proposal could potentially have a detrimental impact on the character of the area and have a detrimental impact upon highways safety.

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

3) No development shall be carried out on the land until full details of both hard and soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-layout of areas of hard standing (identifying existing areas of hard standing to be retained, new hard standing and the finish of new hard standing);-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 extent of the hard standing shall be sufficient to enable vehicles to turn and exit the site in a forward gear and to provide for a second parking space.

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

4) Hard and soft landscape works shall be carried out before first use of the outbuilding. The landscape works shall be carried out in accordance with the approved details.

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

5) 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 preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

6) No development shall be carried out on the land until full details of the tree protection measures for the existing trees along the front of the site have been submitted to and approved in writing by the Council. The development shall be carried out using the approved details.

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

7) No development shall be carried out on the land until a plan indicating the positions, design and materials of all means of enclosure to be retained and erected has been submitted to and approved in writing by the Council.

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

8) The garage and area of hard standing to the front of the site shall be provided and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the garage and area of hard standing to the front of the site.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

9) Notwithstanding the information submitted, no development shall take place until details of the proposed slab level of the approved garage and any changes in levels on the front of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To safeguard the amenities of the occupiers of properties adjacent to the site as supported by Policy EN1 of the Sevenoaks District Local Plan.

10) The development hereby permitted shall be carried out in accordance with the following approved plans: SEALC/G1 and SEALC/R/10B (not including the house).

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

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

Sevenoaks District Local Plan - Policies EN1 and VP1

Sevenoaks District Core Strategy 2011 - Policies L01, L02 and SP1

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.

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

Description of Proposal

- 1 The application seeks the approval of the erection of a detached single bay garage outbuilding. The building would be located to the front of the site, in the south-east corner, adjacent to the boundary of the neighbouring property to the south, Thornwood. The outbuilding would have dimensions of 5.5m by 4m and would have a pitched roof to a height of 3.9m.
- 2 Consent has already been granted for a detached garage building to the front of the site. However, after work commenced on an approval for a replacement dwelling on the plot, SE/12/00307/FUL, it became evident that an error had occurred in the site survey previously taken, which meant that the house and the garage could not be built out in the position approved. Hence, the submission of this application to amend the approved scheme and correct the errors that have occurred. The result of this is that the width of the site has now been measured at about 0.5m less than was previously shown and the length of the site is about 2m shorter.

Description of Site

- 3 The site is currently vacant after the detached bungalow that previously stood on the site was demolished following the grant of consent for a replacement two storey detached dwelling, application number SE/12/00307/FUL. The site is located just to the north of the junction with Blackhall Lane and is one of a row of sites which faces those which define the edge of the Wildernessee Estate.
- 4 The plot is similar in size and shape to that of Thornwood, the adjacent plot to the south, and other properties along Hillborough Avenue and Seal Hollow Road to the south. The majority of properties to the north of the site are accessed from Wildernessee Mount and front onto this street scene context rather than Seal Hollow Road. There is generally a mature and established tree and vegetation screen to Seal Hollow Road and the land generally rises up beyond this to meet Wildernessee Mount. Opposite these houses are much larger properties defining the western edge of the Wildernessee Estate. These properties are generally more open to views from the street due to the frontage of some plots comprising of well maintained hedgerows.
- 5 There is a shared driveway access which runs between the application site and Dawning House, which also serves Salterns and Summerhill to the rear. Hillborough Avenue further to the south serves a range of properties to the west of the application site which visually step up the rising topography. The network of roadways of Hillborough Avenue, Wildernessee Mount and Seal Hollow Road provide a varying character of plot shapes, sizes and orientation surrounding Sealcot. There is variety in the size of property from single storey and split level properties at Thornwood, to more imposing three storey traditional properties of Hill House and Salterns.
- 6 Thornwood is predominantly a single storey property, which has a two storey central section. The property has a mono-pitch roof to the two storey element of the building with a height of about 6m. Thornwood is sited approximately 2m from the shared boundary with the application site and projects to within about 6m of

the plot frontage. To the north of Sealcot is Dawning House, which is currently a large two storey detached property and is divided from the application site by the shared access track and approximately 38m separation to the boundary of the application site. To the west of the plot is Salterns, a large three storey semi-detached dwelling, which shares a boundary with the site mainly treated with mature screening of trees.

- 7 The levels of the area are such that both Sealcot and Thornwood are slightly higher than the highway to the front, Sealcot is set slightly higher than Thornwood, and both Salterns and Dawning House are higher than Sealcot.
- 8 Garages in the locality generally appear to be integral to the main house, with some detached garages standing slightly forward of the main house (for example 109 Seal Hollow Road) and one located adjacent to the frontage of the plot (Timbertop).

Constraints

- 9 The site lies within the urban built confines of Sevenoaks.

Policies

Sevenoaks District Core Strategy

- 10 Policies – L01, L02 and SP1

Sevenoaks District Local Plan

- 11 Policies – EN1 and VP1

Other

- 12 The National Planning Policy Framework (NPPF)
- 13 Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SPD)

Planning History

- 14 SE/12/02799 Demolition of existing dwelling and associated development (retrospective), and erection of replacement 1 x 2 storey detached dwelling with parking facilities. Pending consideration (see previous item on agenda)

SE/12/00308 Erection of a new detached single car garage. Granted 18.04.12

SE/12/00307 Demolition of existing dwelling and associated development, and erection of replacement 1 x 2 storey detached dwelling with parking facilities and associated works. Granted 02.07.12

SE/11/00776 Demolition of existing dwelling and associated development, erection of replacement 1 - 2 storey detached dwelling, with garaging and parking facilities; associated works. Granted 01.07.11

Consultations

Sevenoaks Town Council – 25.04.13

15 'Sevenoaks Town Council recommended refusal on the following grounds:

- To date, the only valid, accurate and buildable permission for the site is that from 2011, which forbids any building in the front garden of the house that replaces Sealcot (condition 14).
- Loss of amenity to the neighbouring property Thornwood, through obstruction of light to main living rooms.
- The detrimental impact on the street scene due to the proposed garage's close proximity to the road.

16 If Sevenoaks District Council is minded to approve the construction of a garage, it should be no higher than the part of Thornwood which is closest to the road, be single storey with a flat roof, and be set on a lower slab level so it can be easily screened.'

Highways Engineer – 27.06.13

17 'I would agree that reversing out onto Seal Hollow Road would be undesirable and that entering and exiting in a forward gear should be sought and specified as part of this garage proposal.

18 I have studied drawing SEALC/R/10B – scaled 1:200 at A3. This drawing is about the only overall site plan submitted and what is needed with it is a landscape plan and/or a plan defining the extent of hard landscaping or turning area. If approved I would recommend an appropriate condition is included which preserves turning space for that purpose.

19 It appears under 13/00787/HOUSE (still to be determined) that the house is potentially to be 5 bedroom. A minimum of two car parking spaces are therefore required to meet standards. Looking at the plan (SEALC/R/10B) and broadly using the standard aisle width of 6m used for large car parks as a guide for turning, I envisage i) forward entry into the site, ii) forward entry into the garage, iii) reversing (westwards) towards the property and iv) forward exiting; without difficulty. However this is subject to the full area between garage and house being available for turning. I would recommend as described above that the applicant specifies an area which can be reserved for hard standing and turning and that this shows car parking for at least a second vehicle. I would suspect that a condition may also be needed to preserve the use of the garage for car parking (i.e. not degenerate to storage with time and become unavailable for car parking, increasing the need/risk/occasion to reverse out onto Seal Hollow Road).'

Representations

20 Six letters of representation have been received each objecting to the proposed scheme. Three of these representations have been received from the owners of the adjacent neighbouring property Thornwood. The concerns raised by the other three representations are listed below –

- Size of the proposed house;

- Impact on street scene;
- Overlooking;
- Loss of light;
- Loss of privacy;
- Loss of trees;
- Overdevelopment of the site;
- Highways safety;
- Proximity to the front boundary;
- Previous condition controlling development to the front of the site;
- Parking provision; and
- Inaccuracies in the plans.

21 The concerns raised by the three representations received from the owners of Thornwood are listed below. The issues raised that relate specifically to the application for the new dwelling that is currently being considered have not been referred to here –

- How the application was considered by the Town Council;
- Parking provision;
- Highways safety;
- Previous condition controlling development to the front of the site;
- Loss of trees;
- Impact on street scene;
- Inaccuracies in the topographical survey;
- Differences in levels;
- Overdevelopment of the site;
- Dominant appearance of the garage;
- Ability to replace trees removed;
- Outlook;
- Loss of light;
- Loss of privacy;
- Loss of visual amenity;
- Overshadowing;
- Increase in noise;
- Appearance of the garage;
- Layout; and
- Density.

Group Manager Planning Services Appraisal

- 22 Members should note that what has gone before has no relevance to the consideration of this application and that only the content of this current proposal should be the focus of their assessment.
- 23 The main issues in this case are the potential impact on the character and appearance of the street scene, the potential impact on neighbouring amenity, the potential impact on highways safety and parking provision. Other issues include impact on trees and sustainable development.

Principal Issues

Impact on the character and appearance of the area –

- 24 The NPPF also 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.’ (paragraph 56)
- 25 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. 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. I therefore consider that these policies are broadly consistent with the NPPF.
- 26 The Sevenoaks Residential Character Area Assessment SPD identifies several locally distinctive positive features for the area including individually designed mostly two storey detached houses, set back from the road with gaps between buildings, and hedged and tree boundaries, along with other features. Design guidance within the document states that development should be set back from the road, should retain space between buildings and mature trees and hedged boundaries which contribute to the character of the area should be retained.
- 27 The Residential Extensions SPD states that garages and other outbuildings should be subservient in scale and position to the original dwelling and not impact detrimentally on the space surrounding buildings or the street scene by virtue of their scale, form or location. Garages or outbuildings set in front of the building line will not normally be allowed.
- 28 The proposal involves the erection of a detached garage building to the front of the site, set back a minimum of 4m from the front boundary. The building would be orientated to face in a northerly direction, towards the entrance of the site and would provide parking for one vehicle. The garage would have a length of 5.5m and would have a maximum height of 3.9m. The bulk and built form of the building is proposed to be kept down through the use of a cat-slide roof design.
- 29 I would argue that the building line along this part of the street is varied with properties to the south set quite close to their respective plot frontages. In particular, Thornwood, the adjacent neighbouring property projects forward to

about 6m from the frontage of its plot. The proposed garage is proposed to project only 0.7m to the front of Thornwood.

- 30 In addition, 109, 111 and 113 Seal Hollow Road all stand about 7.5m back from their respective frontages and each have a prominent appearance in the street scene. To the north of Sealcot properties are set a little further back. One example of a garage set forward of the main house exists to the south of the site at Timbertop. I would acknowledge that this property falls within a different area of the Residential Character Area Assessment SPD. However, this property is in close proximity to Sealcot and is seen in a similar context to the application site. An outbuilding positioned to the frontage of the site would therefore not be detrimental to the character of the area.
- 31 The front of the site banks up steeply from the highway and possesses a line of mature trees, which provides a partial natural screen for the site from the street. From the north the site is more open due to the existence of the access onto the property. As noted above mature trees and hedged boundaries contribute to the character of the area and to ensure that the character is preserved a condition can be included on any approval of consent requiring a soft frontage to the site to be retained. This will mean that suitable replacements of the trees and plants lost to the frontage will need to be proposed. The natural screen would therefore continue to break up the side elevation of the garage that would face onto the street and would continue to preserve the character of the area.
- 32 To ensure that the levels of the site are appropriately treated when building out the garage, a condition could be included on any approval of planning permission requiring proposed levels to the front of the site to be confirmed. This would prevent levels to the front of the site increasing significantly and any impact resulting from these possible level changes.
- 33 Representations made refer to overdevelopment of the plot and the scale, layout and density of the development. When considered along side the approved (SE/11/00776/FUL) and proposed replacement dwelling currently under consideration (SE/12/02799/FUL), I believe that the plot provides sufficient space for a detached outbuilding in addition to a dwelling. It is also the case that the dimensions of the single bay garage are modest and so would be appropriate in terms of its scale to both developments. I do not believe that the proposals represent overdevelopment of the plot or that the scale, layout and density of the development is out of keeping with the surrounding area.
- 34 A condition does exist on planning approval SE/11/00776/FUL requiring the integral garage and area to the front of the house to be retained for parking. However, this consent has not been implemented and so the condition does not apply to the site. In addition, the aim of the condition is to control future development, not preclude it. The condition therefore has no bearing on the consideration of this application.
- 35 In this instance, given the front boundary treatment, the location of the outbuilding tucked into the south-east corner of the plot and the varied building line of the street, I consider that the proposal would preserve the character of the street scene.

Impact on neighbouring amenity –

- 36 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.
- 37 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.
- 38 The immediate neighbour to the south is Thornwood and would be the property potentially most affected by the proposed garage building. To the north of Sealcot is Dawning House, which lies a significant distance away from the site of the proposed garage and is divided from the application site by the shared access track. A generous distance of separation would also be preserved if the approved planning permission for two houses on the site are built out. To the west of the site are Salterns and Hill House, which are located to the rear of the site, some distance from the location of the proposed garage.
- 39 Thornwood possesses several windows at ground floor level which have a north facing aspect onto the application site. One of these windows is located to the front of the property adjacent to where the garage is proposed to be sited. This window serves a kitchenette/utility room and is just over 3m from the shared boundary and would be over 5m away from the rear of the garage. I would acknowledge that the outlook from this window would be slightly affected by the proposed garage since this part of Thornwood is set down slightly lower from the Sealcot site.
- 40 However, the garage would have a cat-slide roof to the rear, reducing the height of the garage to 1.5m to the rear elevation. This drop in height will assist in reducing any impact experienced on the outlook from the window to the front of Thornwood. Mature planting was previously found on this part of the shared boundary reducing the outlook from this window. It is also the case that a 2m high fence could be erected along this boundary without the need for planning permission, which in itself would have more of an impact than the proposed garage.
- 41 To ensure that appropriate boundary treatment is retained along the boundary a condition can be included on any approval of consent requiring details of any proposed boundary treatment.
- 42 Along from the kitchenette/utility room window are windows that serve an open plan dining area, adjacent to the kitchen. These are high level windows and in my opinion the outlook from these windows would not be significantly impacted upon.
- 43 The design of the garage building would also ensure that no significant loss of daylight and sunlight would occur to the adjacent windows in Thornwood. Applying the 45 degree angle test, laid out in the Residential Extensions SPD, clearly shows that in both plan and elevation not significant loss would occur. In addition, no windows are proposed in the flanks of the outbuilding or the rear and so no overlooking would occur and there would be no loss of privacy.

- 44 I would also argue that the design of the garage would create no significant overbearing effect on the amenities of the occupiers of the neighbouring property since the roof would pitch away from the shared boundary and the eaves height at the southern end of the building would be at a modest height.
- 43 Finally, any noise produced from the use of the garage would be no greater than would be anticipated from the use of the frontage of the site for the parking and manoeuvring of vehicles and so would not lead to a detrimental impact.
- 44 In conclusion, I consider that the proposed garage building would preserve the amenities currently enjoyed by the occupiers of the neighbouring properties.

Parking provision and highways safety –

- 45 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development should provide parking facilities and should ensure satisfactory means of access for vehicles. Policy VP1 of the Sevenoaks District Local Plan requires that vehicle parking provision in new developments should be made in accordance with adopted vehicle parking standards.
- 46 Current parking standards require that a minimum of two parking spaces be provided for houses with four or more bedrooms in them, in a location such as the location Sealcot is found within. The plans clearly show that this minimum level of parking would be provided as a result of the development.
- 47 In terms of highways safety, the Highways Engineer has assessed the proposal and concluded that, subject to confirmation of the layout of hard and soft landscaping to the front of the site, it would be possible to retain sufficient space on site to park vehicles and turn them so that they leave in a forward gear. Confirmation of the precise extent of the layout of the front of the site can be requested by way of a condition on any approval of planning permission.
- 48 It is therefore considered that the proposal is acceptable in terms of parking provision and highways safety.

Other Issues

Impact on trees –

- 49 The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland (para. 118).
- 50 As noted above, several trees have been removed from the site but appropriate replacements could be sought by way of a condition on any approval of planning permission. In addition, these could be protected for five years to ensure their retention.

Size of the proposed house –

- 51 This is a matter which relates specifically to the separate replacement house application and has not been assessed due to the fact that it does not relate to the consideration of this application.

Inaccuracies in the plans –

- 52 Having visited the site and taken measurements both on the Application site and Thornwood I am happy that the plans submitted are now wholly accurate. The topographical survey does show the site prior to works commencing on site. However, it is still possible to use the plan to assess the relative heights on the site and the adjoining properties.

How the application was considered by the Town Council –

- 53 The Town Council would have been provided with all the information submitted to the Council as part of the planning application. I also explained to at least one member of the Town Council what the situation was regarding the site and the application. Other than providing the Town Council the necessary information the Council has no control over how the Town Council consider an application.

Sustainable development –

- 54 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 (para. 14). For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies out of date, granting of permission unless:-

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;
- specific policies in this framework indicate development should be restricted; or
- material considerations indicate otherwise.

- 55 In my opinion, the proposed scheme fully accords with the development plan, and I have explained this in detail above. It follows that the development is appropriate and there would be no adverse impact in granting planning permission for the development.

Access Issues

- 56 None relating to this application.

Conclusion

- 57 It is considered that the proposed garage building would preserve the character and appearance of the area, neighbouring amenity and highways safety, and would provide sufficient parking. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background Papers

Site and Block Plan

Contact Officer(s):

Mr M Holmes Extension: 7406

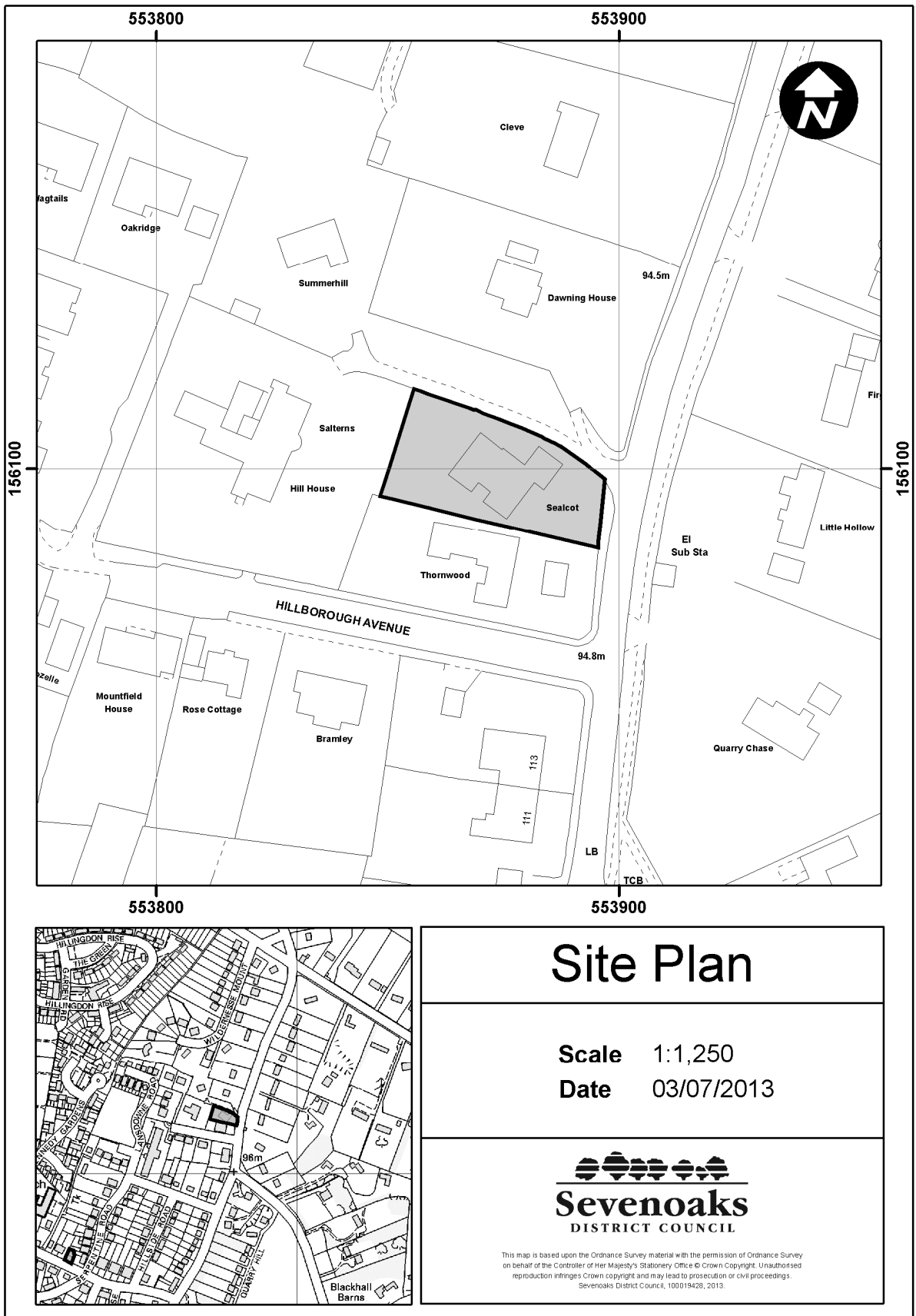
Pav Ramewal Chief Executive Designate

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MJN4X6BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MJN4X6BK8V000>



BLOCK PLAN

