

4.6 - SE/13/01599/HOUSE

Date expired 5 December 2013

PROPOSAL:

Erection of a part two storey, part single storey side extension, two storey and single storey rear extension. Single storey front extension to include a front porch. Loft extension with 4 velux windows in front elevation and 3 in rear roof elevation.

LOCATION:

4 Hillside Road, Kemsing TN15 6SG

WARD(S):

Kemsing

### **ITEM FOR DECISION**

This application was referred to Development Control Committee by Councillor Miss. Stack as the Parish Council strongly feel that the previous reasons for refusal based on policy EN1 of the Local Plan have not been adequately addressed. Therefore Councillor Stack would like the Committee to debate and come to a final decision.

**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 2013/35 and proposed rear and front elevation drawing date stamped received 10.10.13.

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

3) 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 building and the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) The development hereby permitted shall not be used or occupied until details have been submitted to and approved in writing by the Council showing adequate provision for the parking of 2 vehicles on a permeable surface within the front of the site. The parking shall be provided in accordance with the approved details and retained for parking purposes is association with the dwelling at all times.

To ensure adequate provision for off road parking in accordance with policy VP1 of the Sevenoaks Local Plan.

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

Sevenoaks District Local Plan - Policies EN1, H6B, H14A, Appendix 4 Residential Extensions

**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.

**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](http://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 applicant/agent had the opportunity to speak to the committee and promote the application.

**Description of Proposal**

- 1 The application seeks permission for the following:
  - Erection of a part two storey, part single storey side extension;
  - Two storey and single storey rear extension;
  - Single storey front extension to include a front porch; and
  - Loft extension with 4 roof lights in the front roof slope and 3 roof lights in the rear roof slope.

## Description of Site

- 2 The site the subject of this application is a semi-detached house located in Hillside Road within the settlement boundary of Kemsing as defined on the proposal map to the SDC Local Plan where there are no site specific constraints restricting residential development.
- 3 The site is currently occupied by the house which has a single storey addition to the side and by a detached garage which would be removed to facilitate the current proposals.

## Constraints

- 4 Airfield Safeguarding Zone
- 5 Area of Special Control of Adverts

## Policies

### *Sevenoaks District Local Plan*

- 6 Sevenoaks Local Plan: EN1, H6B, H14A, Appendix 4 Residential Extensions

### *Sevenoaks Core Strategy*

- 7 Sevenoaks Core Strategy: SP1

### *Other*

- 8 SDC Residential Extensions SPD 2009
- 9 National Planning Policy Framework (NPPF)

## Planning History

- 10 13/00768/HOUSE Erection of a part two storey, part single storey side extension, two storey and single storey rear extension. Single storey front extension to include a front porch and front garage, loft conversion with 4 velux windows in front elevation and 3 in rear roof elevation. Refuse 07/05/2013.

## Consultations

### *Parish / Town Council*

- 11 Kemsing Parish Council objects to this application for the following reasons:

*Recommend REFUSAL for the following reasons:*

*The scale of the proposed development is greatly excessive and will totally unbalance the appearance of this pair of semi-detached dwellings, adversely affecting the street scene.*

*The introduction of a third floor will seriously dominate the area to the detriment of the visual amenities of the neighbouring properties.*

*The proposed development is totally out of keeping with the area.*

*The added accommodation may result in additional parking on the highway in an area which already has problems in that respect, to the detriment of vehicular movement.*

*The wording contained in this application's proposal does not mention the garage, although this is still clearly shown on the latest plan.*

*In the event of Sevenoaks District Council being of a mind to approve this application, the Parish Council wishes it to be presented to the Development Control Committee for a decision.*

## Representations

12 2 representations received objecting to the proposal and raising concerns regarding:

- Overshadowing
- Design
- Parking
- Impact on trees

## **Chief Planning Officer's Appraisal**

### *Background*

13 On 7 May 2013 planning permission was refused for the erection of a part two storey part single storey side extension and a two storey and single storey rear extension. The proposal also included a single storey front extension to include a porch and garage and a loft conversion with 4 roof lights in the front roof slope and 3 the rear. One ground of refusal was given as follows:

*"The proposed extensions by reason of their overall, size, scale and bulk would fail to appear subservient and thus would visually dominate the original building, substantially altering its character to the detriment of the street scene of Hillside and Collet Road contrary to policies EN1 and H6B of the Sevenoaks Local Plan, the National Planning Policy Framework and the guidance contained in the Councils Residential Extensions Supplementary Planning Document 2009".*

### *Principal Issues*

14 The principal issues to consider in the determination of this application are:

- Policy;
- Impact on the street scene;
- Impact on amenities;
- Highways; and
- Whether the previous ground of refusal has been overcome.

## Policy

- 15 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).
- 16 Policy EN1 of the Local Plan indicates that, amongst other criteria, ‘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’.
- 17 Policy H6B of the SDLP states that residential extensions shall be subject to the principals 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 affects the street scene. Regard should also be had to the Councils Residential Extensions Supplementary Planning Document (SPD).
- 18 The published guidance set out in the Councils Residential Extensions SPD states at paragraph 4.8 that:
- “An extension should not have a detrimental visual impact or overbearing effect on the original building or the street scene. No proposal should be of such a size or proportion that it harms the integrity of the design of the original dwelling”.*
- 19 At paragraph 4.20 it states that:
- “A side extension should not dominate the original building. This can be helped by reducing the bulk of the extension and setting it back from the front elevation of the original house and introducing a lower roof on the extension”.*
- 20 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.
- 21 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.

## Impact on the Street Scene

- 22 The current proposal is a revision of the previous refused scheme reference 13/00768/HOUSE.
- 23 Dwellings located in Collet Road which form part of the area’s established character and which also form part of the street scene of Hillside Road include what appear to be two storey additions to the side. Due to their subservient nature (as a result of their lower ridge heights and set back from the front building line), these additions have the appearance of later extensions to the buildings.
- 24 The proposed part two storey part single storey side extension has been amended in an attempt to part replicate the side additions to properties in Collet Road and

in an attempt to comply with the guidance contained in the Councils Residential Extensions SPD particularly at paragraph 4.20. Amendments to the scheme include a reduction in the height of the side extension by approximately 300mm so that it sits below the existing ridge height. It is also proposed to set the side extension back from the front building line above ground floor by approximately 500mm. In addition, it is no longer proposed to extend the garage and dining room 1100mm forward of the front building line, instead they will be flush with the front building line. The overall width of the extension to the side is approximately 6.05 metres, which is less than the overall width of the existing dwelling when you include the existing single storey addition which will be removed.

- 25 The relatively modest mono pitch roof which forms part of the side extension and wraps around the extension where it extends up above ground floor level would appear as an adjunct and is not dissimilar in style (in fact far more modest) than the extension to the property directly opposite the site.
- 26 The two storey rear extension is set below the existing ridge height by approximately 700mm to appear subservient. The proposed extensions to the rear of the property, although relatively substantial, would not be viewed within the context of the street scene and as such I consider it would be difficult to argue that these have a harmful visual impact.
- 27 Only the porch will extend forward of the existing dwelling and this measures 1100mm by 2700mm. It should be noted that with only a minor reduction in the height and floor area of the porch a similarly designed porch could be constructed under permitted development.
- 28 The remainder of the scheme comprises the extension of accommodation up into the loft. The Parish Council consider that the *“introduction of a third floor will seriously dominate the area to the detriment of the visual amenities of the neighbouring properties”*. It should be noted that planning permission would not be required to install an internal staircase and convert the existing roof space to living accommodation. The roof lights shown in the front and rear existing roof slopes would also be permitted development. As such I would consider it unreasonable to refuse permission on grounds relating to the introduction of accommodation in the roof. Although the accommodation will be extended across into the roof of the proposed extension, given that the overall form and scale of the roof would be relatively modest due to the insertion of roof lights rather than dormer windows, I do not consider this would cause any adverse visual harm. When viewed within the context of the street scene the dwelling would retain the appearance of a two storey property with a basic conversion to its roof.
- 29 The materials to be used are proposed to match those used in the construction of the existing dwelling and are sympathetic to those which predominate locally in type.
- 30 It is acknowledged that the proposed development would unbalance a semi detached pair, however, there are various other examples nearby where this has already occurred. As such, in this instance I do not consider the extension would harm the appearance of the street scene or the prevailing pattern of development.

- 31 Overall, for the reasons set out above, although the rear extensions are not necessarily subservient, their scale and proportions would not harm the integrity of the design of the original house. The extensions which are visible in the street scene are sufficiently subservient and have been reasonably well articulated in a way which is sympathetic to the character of the existing and neighbouring properties, it is proposed to use matching materials and in my view the appearance of the property to the front would retain that of a two storey dwelling. As such, on balance, in this instance, it is my view that a ground of refusal in respect of the impact of the proposal on either the host or neighbouring dwellings, street scene or visual amenity would not be justified.
- 32 Consequently I consider that the previous reason for refusal has been adequately overcome.

#### *Impact on Amenity*

- 33 The most immediately affected neighbour is number 2 Hillside Road. The two storey and single storey rear extension will have the greatest impact upon number 2.
- 34 The two storey rear extension would comply with the 45 degree test set out in the Councils residential extensions SPD which seeks to safeguard against loss of light and overshadowing to habitable rooms. Furthermore, due to the orientation of number 2 to the south of the application site it would not have a harmful impact by reason of overshadowing.
- 35 In relation to outlook, the window of number 2 most immediately affected by the extensions appears to serve a lounge/dining room window. The District Council is primarily concerned with the immediate outlook from neighbours main windows and whether the proposal significantly changes the nature of the normal outlook and is likely to lead to a loss of light. The single storey rear extension would fail parts 1 and 2 of the 45 degree test set out in the residential extensions SPD it is therefore considered that the small single storey infill extension would change the nature of the normal outlook. Whilst the extension would impact upon outlook, by reducing the width of the extension by 500mm, the applicants could construct a similar scale extension under permitted development and could increase the overall height to 4 metres. As such, the current proposal is not considered to have any significant additional impact over and above an extension constructed to maximum size under permitted development and therefore, I would consider it unreasonable to refuse the application on grounds relating to impact on outlook and loss of light from the single storey rear extension.
- 36 The extension would have little significant impact on overshadowing due to the orientation of number 2 to the south of the application site.
- 37 Having regard to the impact of the proposal on the properties adjoining the northern boundary of the application site. The proposed two extensions would maintain a distance of 3 metres from the common boundary with the nearest property to the north (number 4a). They would maintain a distance of approximately 10 metres from 4a's rear elevation and rear facing windows. Furthermore the application site is on lower ground. As such, due to the topography of the site and distances maintained the proposal is not considered to have any adverse impact upon amenity by reason of loss of light, overshadowing, loss of outlook or by being overbearing by reason of form and scale.

- 38 Concerns have been raised that the proposal will result in the loss of some views from windows in neighbouring properties. To clarify, impact on immediate outlook is a material consideration. For the reasons set out above the proposal is not considered to have any significant adverse impact on immediate outlook. However, when assessing any planning application the loss of a view cannot be taken into account as a material consideration and is not a justifiable reason for refusal.
- 39 In relation to overlooking, those windows proposed in the front and rear (east and west) elevations would only allow views out over the rear garden and street. The window in the north elevation at first floor would serve an en-suite and could be conditioned to be obscure glazed and fixed shut. As such, there would be no inter-look into windows or overlooking of the neighbours private amenity space. Clear glazed first floor windows in the north and south elevations may allow unacceptable views into neighbouring properties, however, as these would require planning permission in their own right, it is not considered necessary to apply any condition restricting further openings.

### *Highways*

- 40 With regard to highway safety, this is a category of development which does not require consultation with Kent Highways Services.
- 41 The existing access is not proposed to be altered.
- 42 The number of bedrooms is proposed to increase from 3 to 5 which in accordance with KCC Residential Parking standards set out in interim guidance note 3 would require sufficient off street parking for 2 vehicles.
- 43 The preferred garage size for a single car is 5.5m x 3.6m. As such the garage is of an insufficient width to accommodate a vehicle and the remaining space on the driveway would be of sufficient size to accommodate 1 vehicle only. However, there is scope within the application site to increase parking on the frontage to accommodate a second vehicle and it is considered reasonable in accordance with Circular 11/95 Use of Conditions in Planning Permissions to secure this by condition.

### *Other Matters*

- 44 Concern has been raised regarding the impact of the proposal on trees.
- 45 The nearest tree is located to the rear of the existing garage adjacent to the boundary of the site and approximately 4 metres away from the site of the planned extension. This is an evergreen tree with relatively low amenity value.
- 46 It is not protected by a Tree Preservation Order neither is the site located in the Conservation Area and as such consent is not required for its removal or for works to be carried out to the tree.
- 47 The removal of the tree would not alter the impact of the proposal on neighbouring amenities which would still be considered acceptable for the reasons set out above.
- 48 Given the above I would consider it unreasonable and unjustified to refuse the application on grounds relating to impact on the tree. One neighbour states that



the trees should be attended to as soon as possible but this is outside the local planning authority's control.

### **Conclusion**

49 The proposals have been amended to ensure that the extensions are sufficiently subservient and reasonably well articulated in a way which is sympathetic to the character of the existing and neighbouring properties, it is proposed to use matching materials and in my view the appearance of the property to the front would retain that of a two storey dwelling. As such, on balance, in this instance, it is my view that the proposal is acceptable and a ground of refusal in respect of the impact of the proposal on either the host or neighbouring dwellings, street scene or visual amenity would not be justified.

50 The proposals would not result in any significant harm to neighbouring amenities.

51 Additional parking provision can be secured through means of a condition.

### **Background Papers**

Site and Block plans

Contact Officer(s): Claire Baldwin Extension: 7367

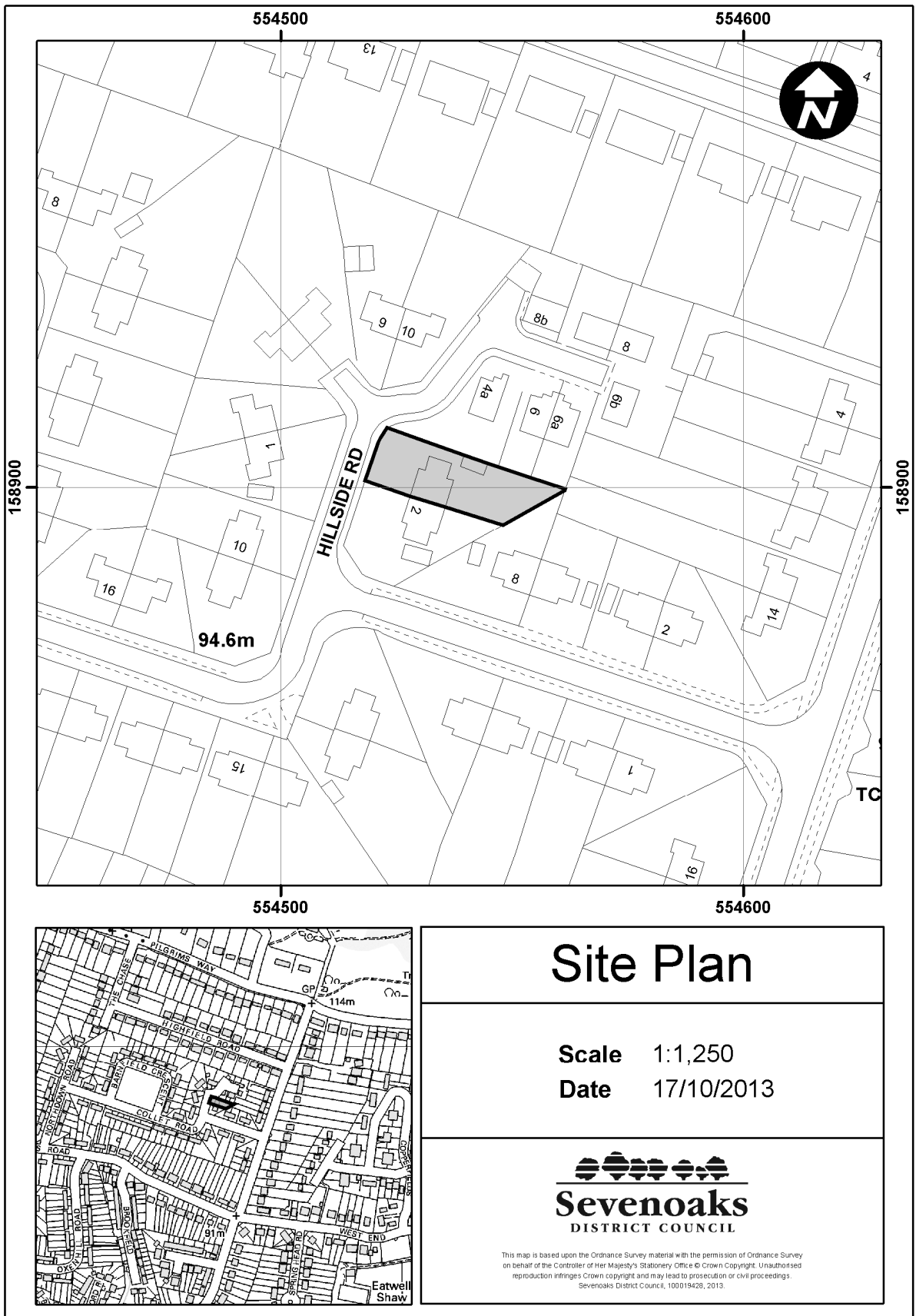
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MNK2GRBK0L000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MNK2GRBK0L000>



# Site Plan

Scale 1:1,250  
 Date 17/10/2013



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 Sevenoaks District Council, 100019428, 2013.

Block Plan

