

4.3 – SE/14/00744/HOUSE Date expired 16 May 2014

PROPOSAL: The erection of two storey side and part rear extension.
Pitched roof to porch to replace existing flat roof.

LOCATION: 48 Willow Park, Otford, Sevenoaks TN14 5NF

WARD(S): Otford & Shoreham

ITEM FOR DECISION

This application has been referred to Development Control Committee at the request of Councillor Lowe who agrees with the objections raised by Otford Parish Council in response to the application and states that in this instance although the rear elevation is lower than the existing roof-line, the front elevation has the same roof-line as the existing house, thereby impacting on the visible bulk of the building. The width of the building has increased by 50% of the original building and would be the only building in that vicinity to have undergone such a transformation/extension.

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: 1402/01

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

3) The materials to be used in the construction of the development shall be those indicated on the approved plan 1402/01.

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) At the time of development, the first floor window in the side elevation shown as serving the bathroom 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 safeguard the privacy of neighbouring residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) The extensions hereby permitted shall not be used or occupied until adequate provision has been made within the front of the application site for the parking of 2 vehicles on a permeable surface or on a surface which has adequate run off to a permeable surface. The parking shall be retained for parking purposes in 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.

Informatives

1) With regards to the removal of the existing garage, the applicant is advised that the Party Wall Act 1996 which provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavations near neighbouring buildings may apply.

Note to Applicant

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

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

In this instance the applicant/agent:

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

Description of Proposal

1 The application seeks planning permission for the erection of two storey side/rear extension together with the construction of a pitched roof to the porch to replace the existing flat roof.

Description of Site

2 The site the subject of this application is a semi detached two storey dwelling with a modest flat roof porch and detached garage. The property has been extended to the rear with a single storey flat roof extension.

- 3 The dwelling forms part of a wider estate comprising dwellings of a similar design and appearance.
- 4 The site is located in the village of Otford within the settlement boundary as defined on the proposals map to the Sevenoaks District Local Plan where there are no site specific constraints restricting residential development of the nature proposed.

Constraints

- 5 N/A.

Policies

Sevenoaks District Local Plan

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

Sevenoaks Core Strategy

- 7 Policies - SP1

Other

- 8 Allocations and Development Management Plan – EN1, EN2, T2

Following the recent examination of the emerging Allocations and Development Management Plan (ADMP), policies contained within the ADMP are in the final stages of preparation and can now be attributed some weight in decision taking. The relevance of these policies to the proposals and the degree of weight to be attributed to them are considered below. Limited weight is given to policies which may be subject of main modifications. Moderate weight can be given to those policies where there are objections but no main modifications are proposed. Significant weight is given to policies where there are no objections and no modifications are proposed.

Emerging policies EN1, EN2 and T2 of the ADMP are relevant to the assessment of this planning application. The table below identifies the weight to be given to each of these policies in the assessment of the planning application.

ADMP Policy	Policy Title	Weight
EN1	Design Principles	Moderate
EN2	Amenity Protection	Moderate
T2	Vehicle Parking	Significant

Emerging policy EN1 (Design Principles) of the ADMP will in part replace adopted policy EN1 (Development Control: General Principles) of the Local Plan. Emerging policy EN1 requires high quality design and lists a number of criteria against which proposed development will be considered, including requiring the layout of proposed development to respect the topography and character of the site and

the surrounding area and requirement for landscaping and good levels of accessibility. The emerging policy is similar to the adopted policy and does not alter the existing recommendation.

Emerging policy EN2 (Amenity Protection) of the ADMP will also in part replace adopted policy EN1 of the Local Plan. Emerging policy EN2 seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements. The proposed development is considered to be acceptable in terms of impact on residential amenity and this policy does not alter the existing recommendation.

Emerging policy T2 (Vehicle Parking) of the ADMP will in part replace policy VP1 of the Local Plan. Emerging policy T2 requires vehicle parking provision, including cycle parking, in new residential development to be provided in accordance with the current KCC vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide. It is considered that the proposed development can comply with this requirement and therefore this policy does not alter the existing recommendation.

- 9 SDC Residential Extensions SPD 2009
- 10 Otford Village Design Statement (VDS)
- 11 National Planning Policy Framework
- 12 Planning Practice Guidance

Relevant Planning History

- 13 None

Consultations

Parish / Town Council

- 14 Otford Parish Council objects to the application for the following reasons:

Contrary to RESPD paragraph 4.18 regarding the symmetry of a pair of semi detached properties.

Further comments:

- 15 First storey bathroom side window to be obscured glass.

Representations

- 16 None received

Chief Planning Officer's Appraisal

Principal Issues

- 17 The principal issues to consider in the determination of this application are:
 - Visual Impact

- Impact on the amenities of neighbouring residents; and
- Highways

Visual Impact

- 18 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).
- 19 Policies SP1 of the Core Strategy and Policy EN1 of the Local Plan indicates that *“all new development should be designed to a high quality and respond to the distinctive local character of the area in which it is situated.....”* and that *‘the form of the proposed development ... should be compatible in terms of scale height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard’*.
- 20 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 and extensions which extend to the side boundary and could lead to visual terracing are not acceptable. A minimum distance of 1m is normally necessary for two storey extensions and, in some areas of spaciousness, this may need to be greater.
- 21 Regard should also be had to the Councils Residential Extensions Supplementary Planning Document (RESPD). The section of the SPD dealing with side extensions is reproduced as Appendix 1 to this report.
- 22 The existing garage and single storey extension to the rear would be removed to accommodate the proposed development.
- 23 Firstly, the proposed pitched roof to the front porch would be of an appropriate form in relation to the existing dwelling and in comparison to the existing flat roof would be an improvement aesthetically.
- 24 The proposed side/rear extension would have a width to the side of the dwelling of approximately 2.8 metres narrowing to 2.6 metres towards the rear. Similarly to the existing single storey rear extension, the proposed extension would extend beyond the rear of the dwelling by approximately 2.6 metres. The proposed extension would then wrap around the rear of the dwelling leaving a gap of approximately 2.4 metres between the extension and the common boundary with the adjoining neighbour number 50 Willow Park.
- 25 The proposed development would extend directly off of the side elevation of the existing dwelling at the same ridge height and would extend up to the existing front building line. The ridge to the proposed extension would drop below the existing ridge height by approximately 700mm to the rear of the property.
- 26 The proposed development where it extends to the side would have a roof which reflects the scale and form of the existing and the width of the extension would be

less than the width of the existing dwelling. In addition, the extension has been articulated with materials, detailing and fenestration to match the existing dwelling and reflect neighbouring dwellings.

- 27 The extension would be located approximately 1.6 metres from the common boundary at the front, narrowing to a minimum of 800mm from the boundary towards the rear. Given that the extension steps in beyond the proposed dining room the minimum gap of 800mm would not be significantly notable in the street scene. Consequently, in my view, when viewed within the context of the street scene the gap between the extension and the common boundary with the neighbouring property would appear relatively spacious, and would not in my view result in terracing. Therefore the proposal would not appear at odds with the regular pattern of development or enclose the gap between dwellings in a way which would cause demonstrable harm to the character and appearance of the street scene.
- 28 As stated previously, it is also acknowledged that the proposed development would be built flush with the existing front elevation, however, given the appropriateness of the overall scale, proportions and articulation, it is not considered to unbalance this semi detached pair in a way which would cause significant harm to their character and appearance or the character and appearance of the street.
- 29 Overall, in my view the proposed extension would continue a common theme of design and would appear proportionate in scale to the existing and neighbouring buildings and has been articulated in a way which is sympathetic. Consequently, it would not appear over dominant, out of context, at odds or alien in the street. It would also maintain a satisfactory distance from the boundary to adequately maintain the established pattern of gaps. On balance, I therefore consider that in this instance the nature of the proposed development is acceptable.

Impact on the Amenities of Neighbouring Residents

- 30 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.
- 31 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. No objections have been received from neighbours.
- 32 The most immediate affected neighbours are numbers 50 and 46 Willow Park.
- 33 Having regard to outlook, the District Council is primarily concerned with the immediate outlook from neighbours windows and whether the proposal significantly changes the nature of the normal outlook. Generally the field of vision from a window is drawn at a 90 degree angle from the centre of the window. In this instance, from the nearest neighbouring ground floor windows the extension would fall outside this field of vision. As such, the proposed extension is not considered to significantly alter the nature of either neighbour's normal outlook.

- 34 Due to the orientation of number 50 to the south of the application site, the proposal would not result in any significant shadow cast over the rear elevation or garden of number 50 which would cause undue loss of light or overshadowing. Furthermore, in respect of both neighbouring properties, the proposed extension would comply with part 1 and part 2 of the 45 degree test set out in the Councils Residential Extensions SPD which aids the Council in ensuring that the proposal would not result in any unacceptable overshadowing or loss of light. It is possible that the proposed extension will provide some shadow cast towards number 46 in the late afternoon, however, in order to justify a ground of refusal in this respect, a significant change in the amount of daylight entering the neighboring property would need to be demonstrated. In this instances due to the distance maintained from number 46 which would be approximately 4.7 metres at its closest point, the fact that the rear of the properties are north west facing and would therefore experience natural loss of light at this time of day and the fact that the proposal complies with the Councils 45 degree test, the proposal is not considered to result in any significant change in light entering the neighbouring property or overshadowing which would I consider would significantly harm the amenities of residents.
- 35 Having regard to privacy, proposed windows have been located to prevent any unacceptable overlooking of neighbours windows or private rear amenity space. Those windows proposed in the rear and front elevations would only allow views out over the garden of the application site, towards the rear of properties located in Darnets Field, at a distance, and out over the street of Willow Park. As such, there would be no inter-looking into windows or overlooking of the neighbours private amenity space at close quarters. There is a small first floor window proposed in the side elevation of the extension shown to serve a bathroom and I would recommend that this is obscurely glazed to maintain the neighbour's privacy and the privacy of the occupiers of the application site. This can be secured by condition in accordance with Planning Practice Guidance. Consequently, neighbouring privacy would be maintained.
- 36 With regards to further windows, in order to constitute permitted development windows installed at first floor in the side elevation would need to be obscure glazed and fixed shut up to 1.7 metres above the internal finished floor level. As such, a condition restricting additional windows is not considered necessary in this instance.
- 37 Overall for the reasons outlined above that the proposal would comply with aforementioned policy criteria.

Highways

- 38 With regard to highway safety, this is a category of development which does not require consultation with Kent Highways Services. .
- 39 The number of bedrooms is proposed to increase from 3 to 4 which in accordance with KCC Residential Parking standards set out in interim guidance note 3 would require sufficient off street parking for 2 vehicles.
- 40 The proposal would result in the loss of the existing garage space and it appears on site that the existing hard standing is only sufficient size to accommodate 1 vehicle in accordance with KCC guidance which requires the size of a parking bay to be 2.5 metres x 5 metres. However, there is scope within the application site to

increase parking on the frontage to accommodate two vehicles and still maintain a significant area of landscaping. I therefore consider that it is reasonable to secure the provision of two parking spaces by condition and to secure their maintenance in accordance with Planning Practice Guidance.

- 41 Subject to the imposition of the recommended condition I have no overall objection to the proposed parking arrangements which are sufficient to accommodate the proposal and would not adversely impact on highway or pedestrian safety.

Other Matters

- 42 It is noted that the applicant's garage immediately adjoins the neighbouring garage at number 46. The demolition of the garage alone would not require formal planning permission. It is the responsibility of the applicant to ensure that the garage is appropriately demolished.
- 43 The Local Planning Authority (LPA) cannot offer any assurances about the state of the party wall. This is not material to the consideration of the planning application and is a civil matter for discussion between the applicant and the third party involved. This is something which is likely to be covered by the Party Wall Act 1996 which provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavations near neighbouring buildings.
- 44 I consider it would be expedient apply an informative to any permission granted advising the applicants to refer to the requirements of the Party Wall Act 1996 to ensure the demolition of the garage is carried out in the appropriate manner.

Conclusion

- 45 Having viewed the application site in the context of the street scene, while the side extension is flush with the existing front elevation, in my view, it is of a scale and form which is appropriate to the dwelling, and has been articulated in a way which is sympathetic, continuing the existing theme of design, and would maintain a satisfactory distance from the boundary to adequately maintain the established pattern of gaps. On balance, I therefore consider that in this instance the nature of the proposed development is acceptable.
- 46 The development would not adversely impact upon the amenities of neighbouring residents.
- 47 Subject to the imposition of the recommended condition I have no overall objection to the proposed parking arrangements which are sufficient to accommodate the proposal and would not adversely impact on highway or pedestrian safety.
- 48 No amendments or changes to the recommendation to grant planning permission are proposed in light of the progress of the ADMP.

Background Papers

Site and Block plans

Contact Officer(s):

Claire Baldwin Extension: 7367

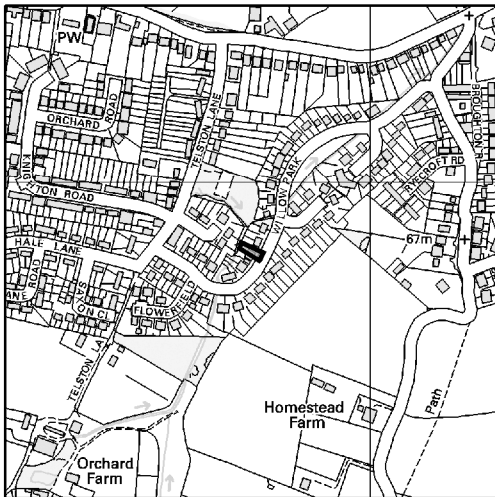
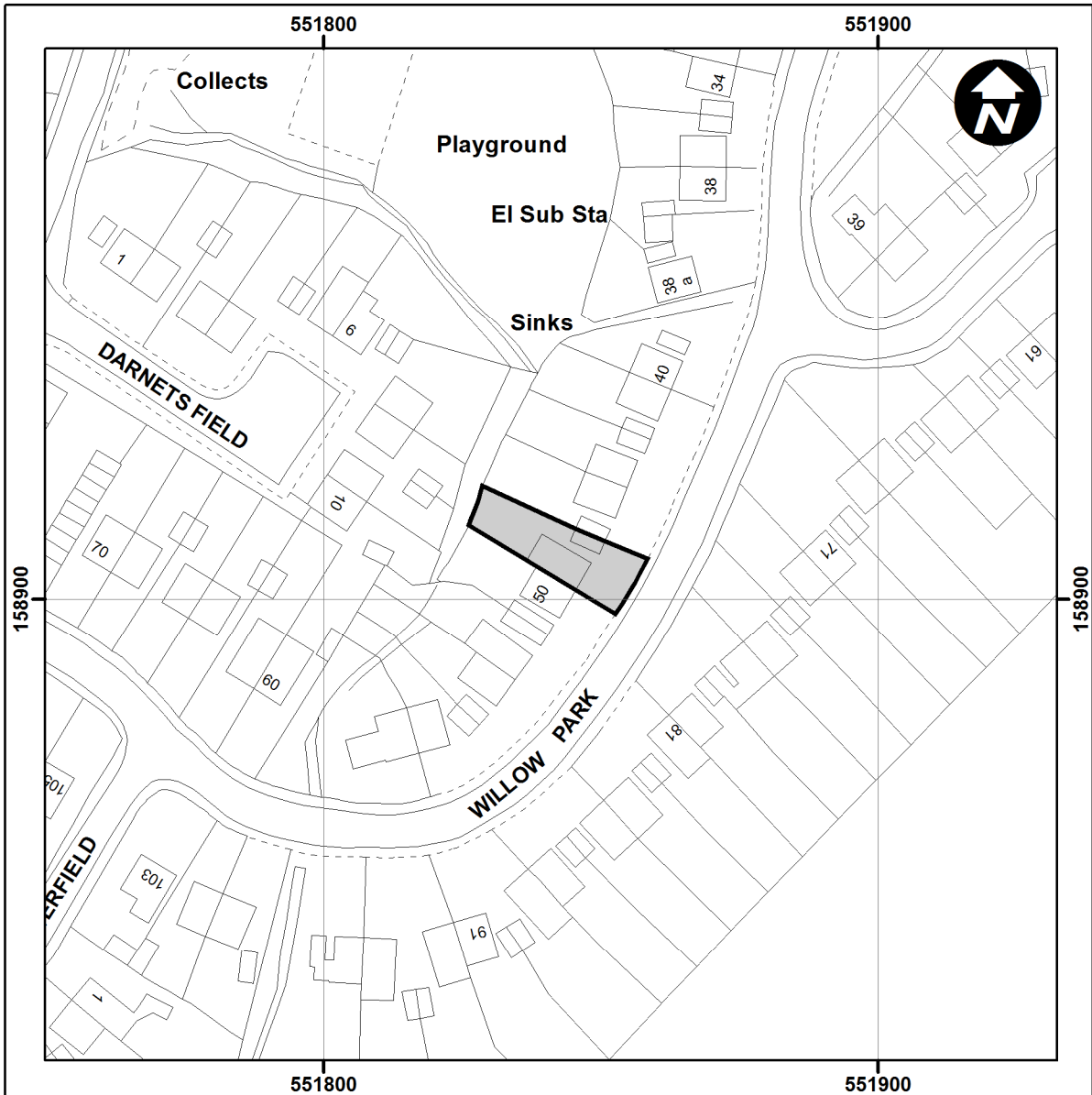
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N2D7MBBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N2D7MBBK8V000>



Site Plan

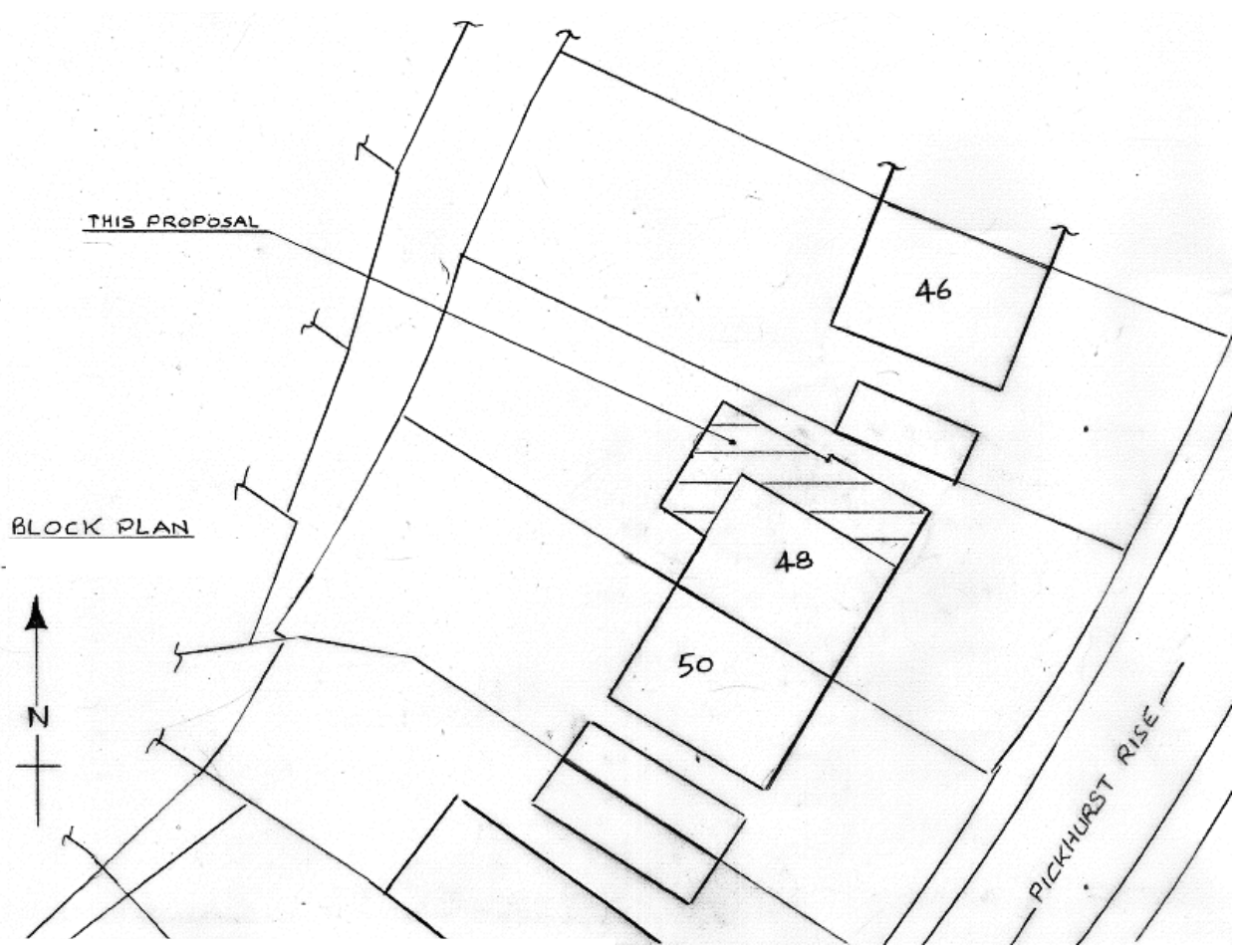
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Date 02/06/2014



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Sevenoaks District Council, 100019428, 2013.

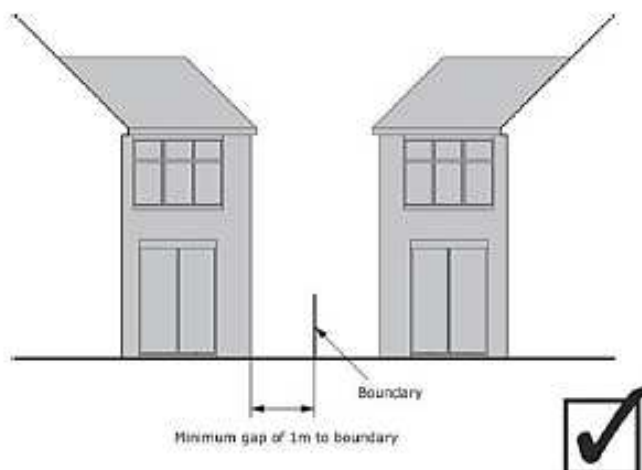
Block Plan



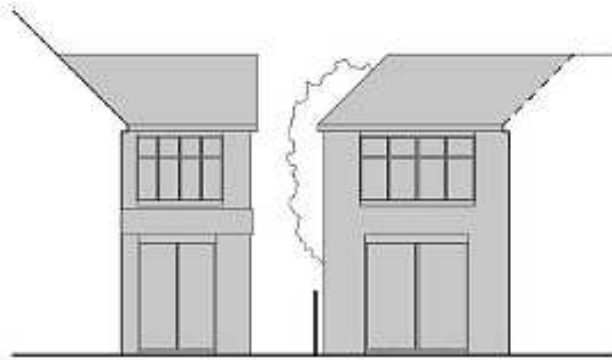
Extract from the Residential Extensions Supplementary Planning Document - Appendix 1

Side Extensions

- 4.16 The acceptable height of a side extension will be determined by the ground levels and the distance from the boundaries.
- 4.17 Providing the guidance on the form of the extension set out below is followed, a single-storey extension to the side of a property should normally be acceptable if it does not have a significant adverse impact on the nature of space between buildings. The Council will also seek to retain adequate off-street parking spaces (see Parking section).
- 4.18 When the proposal is for a two-storey extension, the loss of space will be more apparent. 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 odds with the regular pattern of development when viewed from the street when the gaps, often with associated landscaping or allowing longer views, are important elements. A side extension built flush with the existing front elevation of the house may also affect the symmetry of a pair of semi-detached properties resulting in a detrimental impact on the appearance of the street scene.
- 4.19 Where there is a pattern of gaps between properties within a street, as a guide, a minimum of 1 metre between the side wall of a two storey side extension and the boundary for the full height of the extension is normally desirable. This will allow a continuation of the pattern of gaps when viewed from the street. This gap may need to be wider depending on the context.
- 4.20 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.



continued ..



Insufficient gap between properties
and roof forms incompatible



Summary:

The pattern of gaps in a street scene should be maintained.

There should normally be a minimum gap of 1 metre between the side wall of a two storey side extension and the adjoining property for the full height of the extension. This gap may need to be wider depending on the context.