

4.1 – SE/14/00493/HOUSE Date expired 20 May 2014

PROPOSAL: Retention of dormer roof extension on side (eastern) roof slope comprising second floor bathroom (retrospective).

LOCATION: 22 St. Botolphs Avenue, Sevenoaks TN13 3AL

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This planning application has been referred to Development Control Committee at the request of Councillor Fleming and Councillor Mrs Dawson on the basis of possible Enforcement implications and the peculiar arrangement of the property.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The retention of dormer roof extension, by virtue of its siting, large box appearance and scale has a detrimental impact upon the character and appearance of the existing dwelling and wider street scene. The development therefore conflicts with the provisions of saved Policy EN1 and H6B of the Sevenoaks District Plan, Policy SP1 from the Sevenoaks Core Strategy, the Sevenoaks Residential Character Area Assessment and the Sevenoaks Residential Extensions Supplementary Planning Document.

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 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:

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| 1) Working in line with the NPPF, the application was refused as the proposal failed to improve the economic, social or environmental conditions of the area. |
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Description of Proposal

- 1 This is a retrospective planning application to retain flat roof dormers on the front eastern roof slopes of an end of terraced property. The dormers provide for additional accommodation through the provision of a third bedroom and a bathroom on the second floor of the property.
- 2 The dormers include two windows in the south elevation, as well as a window in the east elevation, which will be obscured glazed, as it serves the bathroom.
- 3 The cheeks of the dormers have been finished in dark brown vertical hanging tiles.
- 4 The application follows enforcement investigations and a refused Lawful Development Certificate application to retain the dormers, as the works required planning permission.

Description of Site

- 5 The application site lies within the built confines of Sevenoaks, midway down St Botolphs Avenue, as it turns the corner. The properties in this road are two storey Edwardian terraced houses. The application property is the corner house. The front door lies onto the eastern elevation of the house and faces directly onto St Botolphs Avenue.

Policies

Sevenoaks District Local Plan

- 6 Policies - EN1 & H6B

Sevenoaks Core Strategy

- 7 Policy - SP1

Other

- 8 Allocations and Development Management Plan – EN1
- 9 NPPF
- 10 Supplementary Planning Guidance ‘Residential Extensions’
- 11 Sevenoaks Residential Character Area Assessment

Planning History

- 12 SE/14/02001/LDCEX: Extension and conversion of attic into bedroom and bathroom with rooflight and window to East elevation and dormer to South

Elevation, part removal of chimney stack on East elevation. Refused on the 18th September 2014. Appeal pending

SE/14/02002/LDCPR: Proposed loft conversion with dormer either side of main roof, removal of part of chimney stacks. Refused on the 9th September 2013.

SE/97/02124/HIST: Formation of hard standing for parking in existing garden area. Approved on the 9th December 1997.

Consultations

Sevenoaks Town Council:

13 Recommended approval.

Representations

14 Four letters of support have been received from local residents covering the following matters:

- Development is not intrusive;
- Will not detract from the visual amenity of the locality;
- Works are not visible from the rest of the street;
- Constructed from sympathetic materials;

Chief Planning Officer's Appraisal

15 The main issues for Members to consider with this application are whether the development has resulted in harm to the character and appearance of existing property and street scene and whether the development has resulted in the loss of residential amenity to nearby dwellings.

Impact upon the character and appearance of the area

16 Policy SP1 from the Sevenoaks Core Strategy which states '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'.

17 Saved Policy EN1 of the Sevenoaks District 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: "*the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard and that the proposed development should not have an adverse impact on the privacy and amenities of a locality.*"

18 Saved policy H6B of the Sevenoaks District Local Plan requires development to be subject the principles of Appendix 4. The Appendix states in relation to loft and roof space extensions that they "*should not exceed the ridge height of the existing building or create the appearance of an extra storey which would be unsympathetic to the character of the area*".

- 19 In addition, draft policy EN1 of the Sevenoaks Allocations & Development Management Plan now has moderate weight. It states that the form of the proposed development would respond to the scale, height, materials and site coverage of the area.
- 20 As such these policies require that new development to be in harmony with the locality. The large box dormers on the property are not in keeping with the simple and clearly defined character of the existing building or indeed the street scene. The dormers are highly visible from the street and quite clearly create the appearance of an extra storey to the detriment of the character of the existing dwelling and local area and as such are contrary to the above policies.
- 21 The Sevenoaks Supplementary Planning Document 'Residential Extensions' provides advice on dealing with dormers, stating "*large dormers/roof extensions requiring planning permission, which are disproportionate to the house, will not be allowed*" and "*new dormers will not allowed to front elevations in streets where there are none already.*"
- 22 The flat roofed box dormers are extremely large and extend to within 0.3m of the ridge and to within 0.2m of the eaves line. They completely dominate the roof profile of the house. They are entirely disproportionate and significantly detract from the character and appearance of the original end of terrace Edwardian property, as well of the wider visual amenity of the locality. The former roof is completely lost under the dormers.
- 23 The document also states that dormer windows should be *set in line with existing doors and windows in the original house*. The large window on the southern elevation does not match the existing first or ground floor fenestration or alignment.
- 24 The Supplementary Planning Guidance document Sevenoaks Residential Character Area Assessment (SRCAA) states that, in proposing new development within the St Botolphs Character Area: "*Regular building lines and unified simple roof lines presented to the street should be respected. The harmonious palette of red brick or render and original tile roofs should be respected.*"
- 25 Given the location of the dwelling on the corner of St Botolphs Avenue, the dormers are very prominent within the street scene. Their scale dominates the roof and the once simple roof line, which is highlighted in the SRCAA has been completely lost, to the detriment of the character of the local area in such a prominent position.
- 26 It should also be noted that the SRCAA states the palette materials in this location is red brick, render or original roof tiles. None of these materials have been used on the dormers as constructed, as brown vertical hanging tiles have been used, which do not match the original roof tiles used on the properties in Botolphs Avenue.
- 27 Reference has been made to dormers that have been approved within the street scene, for example at No's 13 and 10 St Botolphs Avenue, both of which were permitted development as single rear dormers and not visible the street. A further single dormer was approved at No.5, but again this was a rear dormer which was not visible from the street or public vantage points. None of these cases are comparable as to their location or visual presence within the street.

Nor were they of the size or scale, as just single dormers, rather than the double dormers that have been erected at 22 St Botolphs Avenue.

- 28 Therefore it quite apparent that the dormers do not comply with saved policies EN1 & H6B of the Saved SDLP, the Residential Extensions SPD and the Sevenoaks Residential Character Area Assessment.

Impact upon residential amenity

- 29 Policy EN1 from the Sevenoaks District Local Plan states that the proposed development does should 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.
- 30 Given the position of the dormers in the roof they will not result in the loss of any background daylight, sunlight or outlook to neighbouring properties.
- 31 The east elevation of the dormer has a window serving a bathroom which will be obscure glazed and in any event does not look over any private amenity space of neighbouring properties.
- 32 The south elevation features two sets of windows serving the bathroom and a bedroom which will look onto the flank wall of 23 St Botolphs Avenue. There are no windows habitable rooms on the neighbours flank wall, so there will be no direct inter-looking between the two properties.
- 33 I do have concerns that these dormers will overlook the private amenity space of No.23 St Botolphs Avenue, which is defined as the 5m closest to the rear elevation of the property. Whilst the dormers will clearly overlook this private garden area, I acknowledge that the existing first floor windows in the south elevation already overlook this private area and are marginally closer. So even though there will be more windows overlooking the private garden area, on balance given this garden is already overlooked, it is not considered that the dormers will not result in a significantly greater harm to the privacy of 23 St Botolphs Avenue than the existing situation.
- 34 Therefore this development does not result in the loss of residential amenity to neighbouring properties of any neighbour, and as such complies with saved policy EN1 (3) which deals with residential amenity.

Highways

- 35 The development results in the provision of additional bedroom, taking the number of bedrooms up to three. In this edge of centre location, there is no requirement to provide any additional parking spaces when the number of bedrooms increases from 2 to 3. Therefore the development does not result in any hazardous highway conditions.

Other Issues

- 36 Members will note that there is a pending appeal against the existing Lawful Development Certificate for the retention of the dormers. The applicant does not consider the eastern elevation to be the front and principal elevation of the property, rather they consider it to be north elevation.

- 37 Whilst this is a matter for the Planning Inspectorate to consider, I would point out, that the main front entrance door to the property lies on the eastern front elevation, ie, the same as the dormers. At the time when the dormers were erected the house sign/number was also erected on the east elevation and the pedestrian access to the front door was also directly to the east. This east elevation also features a bay window and quite clearly is the front elevation of this property. Photographs will be reproduced in the officers' presentation to clarify this matter.
- 38 I note that the applicant has since blocked up the pedestrian access to the east as well as removing a section of hedgerow which previously connected to the north elevation of the house, so there was no previous direct access. The applicant has also erected a gate and relocated the house sign/number on the north elevation. This does not change the fact that the east elevation is still the principal elevation and fronts onto the road.
- 39 Should this application be refused, further enforcement investigations and action will recommence.

Conclusion

- 40 In light of the above considerations, the development results in significant harm to the appearance of the dwelling as well as detracting from the visual amenity of the local area. As such the development is contrary to saved policies EN1 and H6B of the Sevenoaks District Plan, policy SP1 from the Sevenoaks Core Strategy, the Residential Extensions SPD and the Sevenoaks Residential Character Area Assessment.

Recommendation

- 41 That Planning Permission is refused.

Background Papers

Site and Block plans

Contact Officer(s): Aaron Hill Extension: 7399

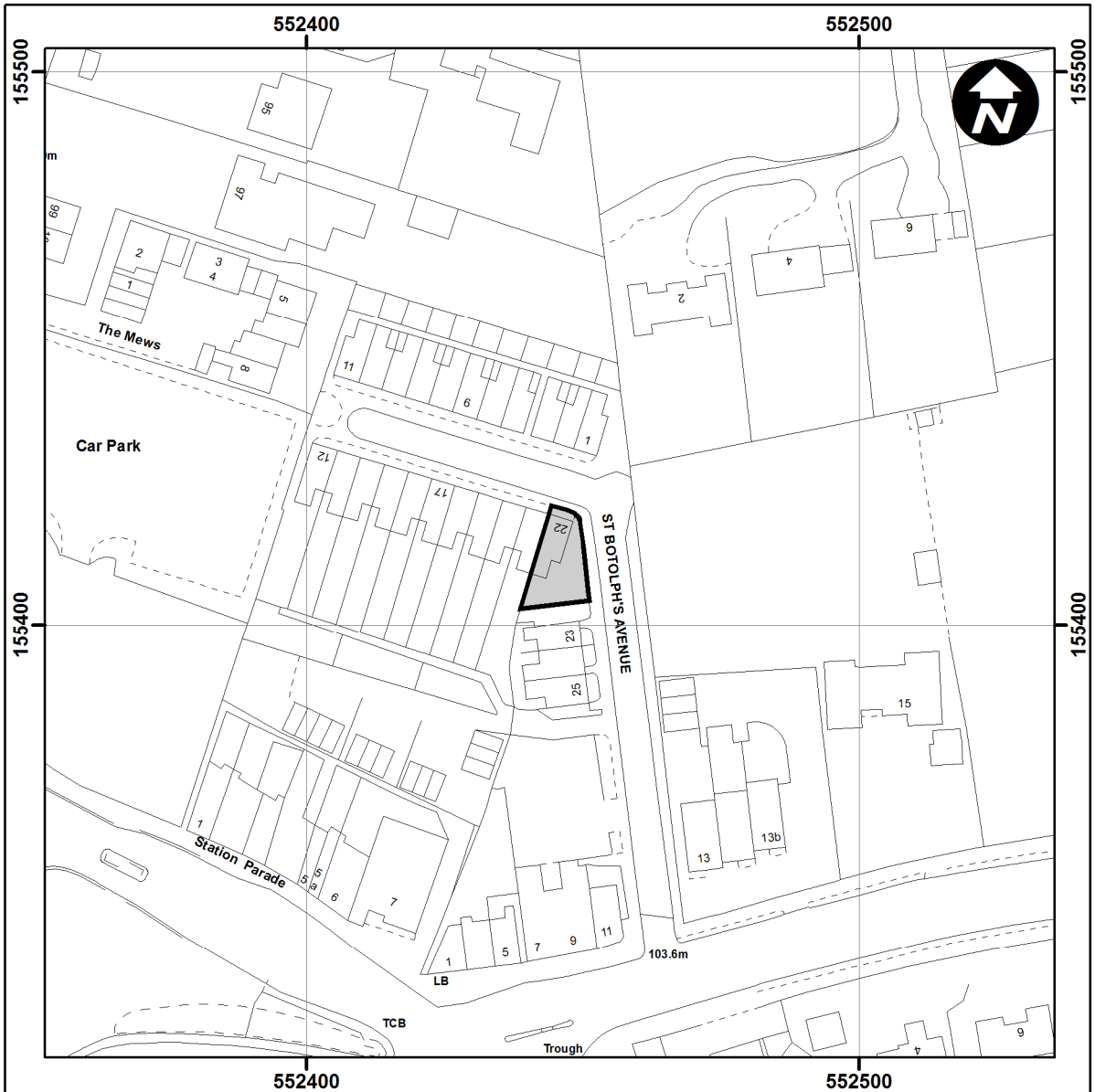
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N18H5KBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N18H5KBK8V000>



Site Plan

Scale 1:1,250

Date 17/06/2014



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Sevenoaks District Council, 100019428, 2013.

Block Plan

