4.4- <u>SE/15/03980/HOUSE</u> Date expired 2 March 2016

PROPOSAL: Demolition of single storey side double garage and

rear veranda roof. Erection of two storey extension

including attic rooms to west.

Erection of single storey extension with basement below, and indoor pool to north east. Erection of double garage. External and internal alterations.

LOCATION: Broomwood, Woodland Rise, Sevenoaks TN15 0HY

WARD(S): Seal & Weald

### ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Julia Thornton for the following reasons: The alterations proposed through their excessive increase in width, the garage projecting to the front and the use of slate roof tiles would be out of character with the area and would be detrimental to the building which is identified in the Wilderness Conservation Area Appraisal and Management Plan as a building contributing to the character of the area. Therefore the proposal is not in accordance with the NPPF, Policies EN1 and EN4 of the ADMP or the Wildernesse Conservation Area Appraisal and Management Plan.

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 extensions hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To maintain the integrity and character of the area as supported by EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 3) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection for the retained trees as shown on drawing 1504.122REVA shall be undertaken in accordance with the submitted arboricultural report 'Arb Consultancy limited 15 1098-. Also:
- A) The means of protection shall be maintained until all equipment, machinery and

surplus materials have been removed from the land.

B) Within a retained tree protected area:-Levels shall not be raised or lowered in relation to the existing ground level-No roots shall be cut, trenches cut, or soil removed -No buildings, roads, or other engineering operations shall be constructed or carried out -No fires shall be lit;-No vehicles shall be driven or parked over the area;-No materials or equipment shall be stored.

To preserve the visual appearance of the area as supported by policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: 1504.121 and 1504.122REVA

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

#### Informatives

1) Please note that in accordance with the information on your Self Build Annex or Extension Claim Form and the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you MUST submit a COMMENCEMENT NOTICE to the Council BEFORE starting work on site. Failure to do so will result in the CIL charge becoming payable in full.

# 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/65
  4.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) Was provided with pre-application advice and in light of the advice amended the application to address the issues.
- 2) Was updated on the progress of the planning application.

## **Description of Proposal**

- 1 'Erection of single storey extension with basement below, and indoor pool to north east. Erection of double garage. External and internal alteration'.
- The proposal seeks to alter the property through several extensions, a loft conversion, the creation of a basement, a change in roofing material and several other minor alterations. The proposed extensions include a large first floor extension to the south west elevation (above the existing garages) which would tie into a two storey rear extension on the southern elevation; and a single storey side extension to the north eastern elevation which would not only extend to the side but would also project to the front and the rear of the property.
- The proposed first floor side extension and two storey rear extension to the south western half of the property would extend the dwelling to the side for 6.8 metres, above the existing garages. The ridge height of the property on this side which currently steps down from the main ridge height of the property would be increased by 0.4 metres, to match that of the north eastern half of the dwelling, creating a uniform roof profile. The extension would measure 10.3 metres deep, 7.3 of which would be located above the existing garages, with a further 3 metre two storey extension to the rear. The proposed extension would incorporate two square bay windows, one to the front and one to the rear.
- The proposed single storey side extension to the north eastern side of the property would project 7 metres to the side. Towards the front of the garage would be a garage which would project 5 metres to the side of the property and would wrap around the front elevation, projecting for 6 metres to the front and measuring 10.2 metres wide in total. The proposed side extension would also project past the rear elevation of the property for a distance of 14.3 metres. The front portion of the side extension, which forms an attached garage, would have a hipped roof with an eaves height of 2.1 metres and an overall height of 4.4 metres. The remainder of the side extension would have a flat roof, measuring approximately 3.3 metres to the top and includes two pitched glazed sections to provide light to the proposed games room and swimming pool.
- The proposed loft conversion would only be visible through the creation of three rear facing dormer windows; these would measure 3 metres wide, 1.5 metres high and would project 2.5 metres from the rear roof slope. The dormer windows would be evenly spaced on the rear roof pitch set in from

- either side of the roof and set 0.3 metres below the ridge of the property. The dormer windows proposed would have flat roofs.
- The proposed basement would be located below the proposed side extension to the north east, underneath the proposed games room. The basement would be wholly subterranean measuring 7 metres wide by 11 metres long.
- The proposed external materials, in which both the existing property and the proposed extensions would be finished in are; matching brickwork to the external walls, natural slate to the roof, painted timber windows and powder coated aluminium guttering.
- 8 The final alterations proposed are the removal of the existing chimney stacks, fenestration alterations and the demolition of a rear veranda and its replacement with a rear facing balcony on the same footprint.

## **Description of Site**

The application site consists of a large two storey dwelling set on the southern side of Woodland Rise down a private entrance drive. The property is set a considerable distance back from the road at approximately 26 metres; this is a common feature of the area with some other properties in the vicinity set a considerable distance further away from the road. The property benefits from an extensive landscaped rear garden consisting of a lawn surrounded by many mature trees, particularly to the rear. The site is enclosed to the front by a tall mature hedge which obscures views of the property.

#### **Constraints**

10 Wildernesse Conservation Area.

#### **Policies**

Sevenoaks District Core Strategy

11 Policy - SP1

Sevenoaks District Allocations and Development Management Plan (ADMP)

12 Policies - SC1, EN1, EN2 and EN4

#### Other

- 13 The National Planning Policy Framework (NPPF)
- 14 Residential Extensions Supplementary Planning Document (SPD)
- 15 The Wildernesse Conservation Area Appraisal and Management Plan (SPD)

### **Planning History**

16 77/02557/HIST - DOUBLE GARAGE AND EXTENSION AT SIDE OF DWELLING - Granted, 31.01.1978

15/02160/HOUSE - Demolition of single storey side double garage extension and rear veranda roof. Erection of a single storey side extension with 2 flat glass skylights and raised rooflight and front double garage with store over. Erection of a westerly two storey side extension including attic rooms. Conversion of attic in to habitable space with three dormer windows. Alterations to fenestration, exterior elevational refurbishment and interior floor layout changes - Refused, 25.09.2015

## **Consultations**

Seal Parish Council - Objection.

This is an amended version of application 15/02160/HOUSE which was rejected on clear advice from the conservation. The District Council should ensure that it does not depart from the advice already received from the conservation officer unless that is justified by alterations in the proposal that adequately address the concerns raised. The clear view of Seal Parish Council is that those concerns have not been addressed, so this proposal should be refused. Furthermore, we understand that the gardens of the house have particular importance, having been designed by Vita Sackville-West, and we are concerned that this proposal will harm the original design of the gardens.

# SDC Arboricultural Officer -

I refer to my previous comments dated 11th August 2015. I have read through the Arboricultural Report, provided by Arb Consultancy Ltd. Providing the recommendations within the report are followed and those trees to be retained are adequately protected, I have no further objections.

### Representations

- 19 Six letters of representation were received regarding the proposal, all of which objected to it. The letters raised a variety of different objections outlined below:
  - The proposal would result in the loss of much of the significant Vita Sackville West designed garden
  - The proposal result in a total remodelling of the property in a 'regency' style, this is out of character with the area and the Conservation Area.
  - The proposal would significantly increase the size and footprint of the dwelling, out of keeping with the existing dwelling and the wider area
  - The proposal through its design would cause substantial harm to the Conservation Area, despite the applicants heritage consultants statements
  - The size of the proposed roof would be detrimental to the street scene
  - The use of slate to the roof would be out of character with the area
  - The proposed garage is out of character with the area, obscuring a large proportion of the house from view and extending in front of the established build line

- The proposal is substantially more harmful than the previously refused scheme, the removal of the render is not sufficient to overcome the harm to the area despite the advice given at Pre-Application stage
- It is not clear what the finish material to the external walls would be, render or brick
- The proposed iron gates are out of character with the area

## Chief Planning Officer's Appraisal

## Principal issues

Impact on the Wildernesse Conservation Area

- The NPPF, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act and Policy EN4 of the ADMP all place a requirement on the Council to ensure that proposals preserve or enhance the character of Conservation Areas.
- The Wildernesse Conservation Area Appraisal and management plan identifies the subject property as a building making a positive contribution to the character of the area. As such any harm to the property must be considered as harm to a designated heritage asset in the form of the Wildernesse Conservation Area in accordance with paragraphs 132, 133, 134 and 135 of the NPPF.
- The Wildernesse Conservation Area appraisal comments that 'Standards of excellence in design should be continued in any future developments with an emphasis on the use of good quality local materials, notably Kentish Brick and tile' (pp. 38).
- A previous application was refused as the property was to be rendered and extended in such a way to lose the important architectural style of the property.
  - Following this decision the applicants sought out pre-application advice for the current scheme following the refusal of the previous scheme. The Council's Conservation Officer was consulted at Pre-Application stage given the previously identified harm to the Conservation Area of the proposal and has commented that the current scheme is now acceptable.
- The two storey extension to the south west of the property would be located above an existing attached garage and as such it would not significantly alter the width of the dwelling, in fact the width of the dwelling on this side would be reduced by 1 metre over that existing. The extension to the north eastern side of the property would extend the width of the property by 7 metres; this is an increase of approximately a third when compared to the existing 22 metre wide dwelling. Furthermore a gap of 13.5 metres would be retained between the proposed north western side elevation of the dwelling and the boundary and the gap between the south eastern side elevation of the dwelling and the boundary would be increase from one metre to two. As such the increase in the width of the frontage of the dwelling is considered to be proportionate to the existing dwelling and

- would not negatively impact upon the considerable open spaces between dwellings that is characteristic of the Wildernesse Conservation Area.
- The proposal also seeks permission to extend to the front of the dwelling on the north eastern side. The property is set back from the front boundary of the site by approximately 26 metres; the proposed extension would bring the property to within 20 metres of the boundary. The properties along Woodland Rise are all set back a good distance from the road, however many are set between 19 and 20 metres from the road; Maple House, Coney Brake and Brambles are just a few examples. As such the build line evident in the area is varied with a minimum distance from front boundaries of approximately 19 metres, due to this extending the front elevation of the property to within 20 metres of the front boundary on this site is considered acceptable and would retain the considerable distance between property frontages and the road which is also characteristic of the Wildernesse Conservation Area.
- In summary the scale and bulk of the proposed alterations are considered to be proportionate to the existing dwelling and are able to be accommodated on the site without appearing cramped or out of character with the special interest of the area. As such the overall scale of the proposal although considerable would preserve the significance of the building which contributes to the Conservation Area and the wider character of the Wildernesse Conservation Area. They key important architectural style of the building would be maintained.
- In addition the harm previously identified under application 15/02160/HOUSE was mainly as a result of the proposal to render the existing property. This would have resulted in the loss of the original Kentish brick facing material used on the dwelling which is synonymous with the Wilderness Conservation Area and is highlighted as a key feature of the area in the Conservation Area Appraisal. As the proposed render has now been entirely removed from the scheme and the proposal seeks to finish the extensions in Kentish brickwork to match the existing dwelling the previously identified harm to the designated heritage asset has been overcome and the proposal is therefore now acceptable in terms of its impact upon the Conservation Area and the building contributing to the area.
- The combination of these changes overcome the previous grounds of refusal. As such the proposal is in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policy EN4 of the ADMP and the Wildernesse Conservation Area Appraisal and Management Plan. The development would preserve the character of the Conservation Area and the existing house.

Impact on character and appearance of the area

The NPPF and Policy SC1 of the Core strategy both express that a 'presumption in favour of sustainable development' should be used when deciding applications. Policy SP1 of the Core Strategy, Policy EN1 of the ADMP and the NPPF highlight that new developments should be of a high standard of design that responds to the character of the locality.

The *Residential Extensions SPD* provides detailed guidance on all elements that should be considered when deciding an application for an extension including amongst other things the; siting, scale, form, height, materials and amenity considerations.

First floor side extension / two storey rear extension (south west)

- The proposed first floor extension above the garages would extend the property at two storey level up to the existing front elevation and would tie into the existing roof at ridge height, this would include raising the top of the roof on the existing south western half of the property by 0.4 metres to bring it level with the ridge height of the property. Although the *Residential Extensions SPD* advises setting any two storey side extension back from the front elevation and down from the ridge in order to avoid creating an overbearing appearance, I do not consider that the proposed extension dominates the property. It extends the width of the property by approximately 50%, at first floor level; although this is substantial it is not an overbearing addition and respects the scale of the existing property.
- The rear element to the south western extension extends the property by 3 metres to the rear at two storey level. The Residential Extensions SPD states that 'On detached houses situated close to a neighbouring property, extensions should generally extend no more than 4 metres from the rear elevation' (pp. 12). The proposed rear element of the extension is within the advised limit, furthermore the subject property is not situated close to a neighbouring property and therefore the depth of the two storey rear extension to the south west is acceptable.
- 33 The garage doors to the front of the property would be replaced by a large bay window measuring 2.9 metres wide by 1 metre deep with a height of 3 metres. The bay window, although not a design feature currently evident on the property would be an attractive feature adding a degree of variety and detailing to the front of the building. It would also be largely obscured from view by the mature hedging surrounding the property and so would not have a significant impact on the character and appearance of the area. A similar bay window would be located on the rear elevation which would not be visible at all from the street.

Single storey side extension (north east)

The proposed single storey side extension to the north east would project to the front and the rear of the property as well as to the side. The front element of the extension would form the attached garages. The proposed extension would project 6 metres, to the font of the property, although this is a significant distance due to the mature hedges to the front of the property and the other mature vegetation located in the front garden of the site the single storey addition would be almost completely obscured from view and so its impact upon the street scene would be limited. For the reasons stated in the *Impact on the Wildernesse Conservation Area* section above the proposal would also accord with the general build line in the area.

- The design of the front element of the extension is also considered acceptable; it would have a hipped roof to mirror that of the main dwelling at a modest height and would be finished in materials to match those proposed on the rest of the property.
- Situated behind the front element of the proposed north eastern side extension, largely obscured from view by the hipped roof to the front of the extension would be a large expanse of flat roof incorporating two large glazed pitched sections serving the games room and swimming pool. Due to changes in the level of the land at the site the height above ground level varies, on average it is 3.3 metres high to the top of the flat roof; this is a modest height that is considered wholly acceptable.
- 37 The rear element of the proposed north eastern extension would project 14.3 metres to the rear of the property, although this is significantly over the 4 metres generally advised for rear extensions in the Residential Extensions SPD, as has been stated above, this limit is usually applied on dwellings situated close to neighbouring properties. The subject property is not considered to be close to a neighbouring property at over 85 metres from the neighbouring property on this side, Green Hailey and has an extensive rear garden which can easily accommodate the size of the proposed extension. Additionally due to the changes in land levels on the site which slope upwards to the south east the proposed extension would be situated below ground level for a large proportion of its depth, measuring just 1 metre above ground level to the top of the roof at the rear when viewed from the north east. Furthermore the proposed extension is screened by a 10.5 metre wide section of dense vegetation between the side wall of the proposed extension and the north eastern boundary of the site, this further helps to obscure the proposed extension from view. Therefore in this particular instance the size of the rear extension on the north east of the property is considered acceptable.
- The proposed side extension would have two sets of wooden garage doors on the front elevation, four windows and one door on the north eastern flank elevation and a set of bi-folding doors on the south western flank elevation of the proposed games room. All of the doors and windows would match those proposed on the rest of the property; they would also respect the ratio of windows to wall currently existing on the property.

## Loft Conversion

- The proposed loft conversion would only be visible through the addition of three rear facing dormers. The Residential Extensions SPD advises that 'Loft conversions are preferred to the back elevation in order to preserve the character of the street' (pp.17). It continues to state that 'Loft extensions should be proportionate in scale to the roof plane and be set in line with existing doors and windows in the original house. They should be below the highest part of the existing roof (the ridgeline) and should be set back a minimum of 20 centimetres from the eaves and sides to maintain the visual appearance of the roof line' (pp.17).
- The proposed loft conversion applies with the above guidance, all three of the propose dormers would be located on the rear elevation of the

property, and they would all be set in from the eaves and ridge of the property by more than 20 centimetres. Furthermore at 3 metres wide and 1.5 metres high they are considered to be proportionate to the roof plane.

#### Materials

The proposed extensions would be finished in facing brickwork to match the existing exterior of the dwelling; this would be in keeping with the character of the existing dwelling and therefore is wholly acceptable. The application also seeks to finish the roof in natural slate (including the existing property) and to use painted timber windows and doors. Painted timber windows and doors are a standard feature of the area, evident on the majority of properties along Woodland Rise. Natural slate however is not a material common to the immediate area and its use may appear incongruous within the street scene. This however does not constitute a reason for refusal, rather a condition will be attached to the application requiring samples of the proposed materials to be submitted to and approved in writing by the Council before any development commences. This will also help to ensure that the brickwork used matches that existing as closely as possible.

#### Other alterations

- The proposal seeks to remove the rear facing veranda and replace it with a balcony of similar proportions. This alteration would be to the rear of the property and would have a similar appearance to the existing veranda, therefore it is considered acceptable.
- The removal of the two existing chimneys on the property would not harm the character and appearance of the dwelling.
- There are some minor fenestration changes proposed including the replacement of two windows on the front elevation, one at ground floor and one at first floor level with a large feature window. The fenestration changes proposed are considered in keeping with the character of the dwelling and as such they are acceptable.
- In summary, for the reasons detailed above I consider that subject to conditions the proposal would not impact negatively upon the character and appearance of the area and consequently would be in accordance with the NPPF, policies SP1 of the Core Strategy and EN1 of the ADMP and the Residential Extensions SPD.

### Impact on neighbouring amenity

- The NPPF and Policy EN2 of the ADMP both require new developments to safeguard neighbouring amenity as well as to provide an adequate standard of residential amenity for the current and future occupiers.
- The subject property is located 80 metres from the nearest neighbouring property to the north east, Green Haley and over 40 metres from the nearest property to the south west, Melsetter. As such it is not considered

- that there would be any loss of light or outlook to either neighbouring property resulting from the proposal.
- In terms of privacy, due to the distances between the subject property and Green Hailey, the mature vegetation bordering the site to the north east, the fact that no new windows would be created at first floor level on the north east side elevation and as the proposed balcony would have much the same outlook as the existing side facing first floor window it is not considered that the proposal would result in a loss of privacy to the resident of the neighbouring property, Green Hailey.
- The proposal includes the creation of three new rear facing dormer windows, these have the potential to overlook the enclosed front garden of the neighbouring property Melsetter, however due to the orientation of the property which is such that the windows would face away from Melsetter making any views of the neighbouring garden very acute I do not consider that there would be any loss of privacy to Melsetter resulting from these windows. Additionally the site is bordered by mature vegetation on the south eastern side, completely obscuring any potential views of the neighbouring garden.
- Finally one new window would be located at first floor level on the south western flank elevation. Although this window may offer opportunities to overlook a small area of the front garden of Melsetter it is not considered that there would be an unacceptable loss of privacy resulting from the window. The mature vegetation bordering the site and the ample private space that Melsetter benefits from add further weight to this conclusion.
- In summary, it is not considered that the proposal would result in a loss of amenity to any neighbouring properties; consequently it is in accordance with the NPPF, policy EN2 of the ADMP and the Residential Extensions SPD.

#### **Access issues**

52 There are no changes to access proposed.

### Other issues

#### Trees

The Council's Arboricultural officer has been consulted on the proposal and has commented that; 'Providing the recommendations within the report are followed and those trees to be retained are adequately protected, I have no further objections'. In light of these comments subject to a condition requiring the recommendations and tree protection measures contained within the submitted arboricultural report to be implemented the proposal is considered acceptable in terms of its impact on the trees on site.

### Neighbour responses

Several issues have been raised by neighbouring residents regarding the proposal. Many of the issues brought up have been dealt with previously in this report but there are several outstanding issues.

- Firstly concern has been raised regarding harm to the Vita Sackville West designed garden. Although the proposal would indeed extend into the rear garden particularly on the north eastern side this would only impact upon a very small proportion of the extensive garden. Additionally the majority of the landscaped area of the garden is towards the rear of the site, with the area immediately to the rear of the house, which is the area to be affected by the proposal laid to lawn. In light of this I do not consider the proposal to cause considerable harm to the garden.
- Moreover the garden is not protected either through the Conservation Area or any other designation, as such it could be completely remodelled without planning consent and so only limited weight could be given to its protection. Of course the mature trees within the garden are protected through the Conservation Area designation but this would not extend to the shrubs and bushes which form the majority of the vegetation to the landscaped garden. Additionally the Council's Arboricultural officer has visited the site and has indicated that the trees to be removed, which are limited to the area to the north east of the house are not of high amenity value and therefore their removal is considered acceptable.

# Community Infrastructure Levy (CIL)

- 57 The proposal comprises additions to the house in excess of 100 m<sup>2</sup> and so the development is CIL liable.
- People who extend their own homes are exempt from the levy, provided that they meet the relevant criteria laid down in Regulations 42A and 42B of the Community Infrastructure Levy Regulations 2010 (as amended).
  - The main dwelling must be the self builder's principle residence, and they must have a material interest in it.
  - Residential extensions are exempt from the levy if they enlarge the principle residence and do not comprise an additional dwelling.
  - Residential extensions under 100 square metres are already exempt from the levy under the *minor development exemption*.
- The applicant has submitted a *Self Build Annex or Extension Claim Form* and has confirmed all of the declarations required. In addition to this the applicant has also assumed liability.
- The application is claiming exemption for a residential extension within the definition in Regulation 42A.
- The applicant has confirmed the declarations for exemption on the form required and the development has not commenced. I am therefore satisfied that Mr Lewis is exempt from CIL for the proposed development.

# Conclusion

I consider for the reasons detailed above and subject to conditions that the proposed development would be in keeping with the character and

appearance of the area, would not result in substantial harm the Wildernesse Conservation Area and would preserve neighbouring amenity. Consequently the proposal is in accordance with the development plan and therefore my recommendation is to grant planning permission.

# **Background Papers**

Site and Block Plans

Contact Officer(s): Paul Dadswell Extension: 7463

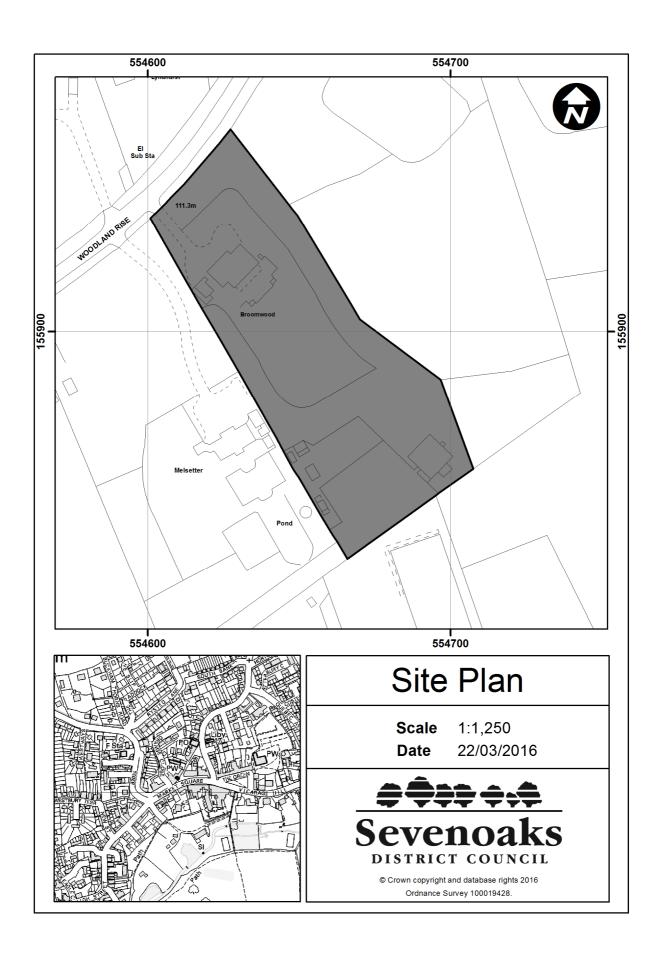
Richard Morris Chief Planning Officer

Link to application details:

https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NZKCNABKH9N00

Link to associated documents:

https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NZKCNABKH9N00



# **Block Plan**

