

Proposal: Split plot and construct new 3 bed chalet bungalow style dwelling with new drop kerb/access from Dynes Road and suspension of current parking bays.

Location: 41 Park Hill Road, Otford TN14 5QH

Ward(s): Kemsing

### ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillors Reay and Stack, on the loss of amenity to the local shops as result of the loss of parking spaces with regard to policy EN1 and T2 of the Sevenoaks District Council Allocation Development 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) To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted, and details of the materials to be used in the rear paving area, have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

3) Prior to commencement of development a scheme to show the provision of an electric vehicle charging point, including the proposed location, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging point shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan.

4) No development shall be carried out on the land until details of how the development will enhance biodiversity have been submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented.

To enhance the biodiversity of the site in accordance with policy SP11 of the Sevenoaks District Council Core Strategy. 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.

5) The landscaping shall be carried out in accordance with plan 5986-PD-006 A. If any part of the approved landscaping scheme is removed, dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.

To enhance the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: 5986-PD-005 A date stamped 6/04/2018, 5986-PD-004 A, 5986-PD-006 A date stamped 12/04/2018.

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

### **Informatives**

1) It appears that the proposal involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact Kent Highway Services, Network Operations on 01474 544068.

### **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 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 updated on the progress of the planning application.

## Description of proposal

- 1 The construction of a new 3 bed chalet bungalow style dwelling with new access from Dynes Road.
- 2 The dwelling would be detached, with an overall ridge height of approximately 6.4m. The overall width of the proposed dwelling would be 11.3m, with a depth of approximately 11.7m. The dwelling would have a two floors, with the first served by a gable and dormer windows. The dwelling would be set back from the road, and would have modest rear garden.

## Description of site

- 3 The application site is located within the rear garden of 41 Park Hill Road. The site fronts Park Hill Road; however the rear of the site lies adjacent to Dynes Road. A layby is located against the rear boundary on Dynes Road. The site is situated between previous residential developments to the rear gardens of dwellings along Park Hill Road. Opposite the site, along Dynes Road is a row of shops housing a number of commercial units.

## Constraints

- 4 N/A

## Policies

### *Core Strategy (CS)*

- 5 Policies:
  - SP1 Design of New Development and Conservation
  - SP2 Sustainable Development
  - SP3 Provision of Affordable Housing
  - SP7 Density of Development
  - SP11 Biodiversity
  - LO1 Distribution of Development
  - LO7 Development in Rural Settlements

### *Allocations and Development Management (ADMP)*

- 6 Policies:
  - EN1 Design Principles
  - EN2 Amenity Protection
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking
  - T3 Provision of Electrical Vehicle Charging Points

## Other

### 7 National Planning Policy Framework (NPPF)

Para 14 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11, 12, 13 of NPPF).

Para 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

### 8 Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

#### Relevant Planning history

9	17/01627/HOUSE	Demolition of existing kitchen and garage to facilitate the erection of a single storey rear extension. Demolition of existing chimney. Erection of a dormer window and alterations to roof to create a habitable room within loft space.	GRANT	14/07/2017
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#### Consultations

##### *Kemsing Parish Council:*

##### 10 Objects:

- The size, scale, and bulk of the proposed development would represent overdevelopment of the site,
- Plans do not indicate off street parking spaces,
- Vehicles parked on layby would restrict sight lines (poor and unsafe egress on to the highway),
- Loss of parking to shops, which would lead to further congestion.

##### *KCC Highways:*

11 No comment - see standing advice.

##### *Thames Water:*

12 No response.

##### *South East Water:*

13 No response.

## Representations

14 No representations have been received.

## Chief Planning Officer's appraisal

### Principal issues

15 The main planning considerations are:

- Impact to the character of the area,
- Impact to neighbouring amenity,
- Parking and Highways,
- Other

### *Previously developed land - part of residential curtilage:*

- 16 Whilst the NPPF places an emphasis on development on previously developed land, it does not preclude other land, including garden land, from being developed for residential use, provided such development is in suitable locations and relates well to its surroundings. Residential gardens outside built up areas can be defined as previously developed land. Land in built up areas such as private residential gardens is excluded from the definition of previously developed land (Annex 2 NPPF).
- 17 As discussed above, land within built up areas, such as residential gardens are excluded from the definition of previously developed land. While there is a focus on utilising previously developed land, Policy LO1 of the Core Strategy states that “development will be focused within the built confines of existing settlements”. The site subject of this application is located within the built confines of an existing settlement. Therefore, it is considered that there is potential to develop the site subject to preserving the character of the area. In addition to this, the proposal would provide additional housing for the district in a sustainable location, which supports the aspirations of the NPPF.

### *Impact on the character of the area:*

- 18 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP. The Residential Extensions SPD is also applicable.
- 19 The proposed dwelling would be located to the rear of 41 Park Hill Road. It would front Dynes Road and follow the layout established by 73a-73c Dynes Road. There is no discernible architectural style in this area of semi-detached and detached dwellings.
- 20 The proposed chalet style dwelling is designed with two storey gables and dormer windows to facilitate the first floor. The siting of the dwelling maintains a 1 metre gap to 73a Dynes Road to the west and a similar gap to the proposed dwelling to the east.

- 21 The new dwelling sits slightly lower than 73a and provides a visual stepped link between this property and the one approved to the east. The size of the new dwelling and the use of materials reflect the area and neighbouring dwellings. The latter can be conditioned to ensure appropriate details.
- 22 The plans show the provision of refuse storage facilities to the front of the property. Parking is accommodated within an integral garage with parking spaces in front.
- 23 The proposed works would be in keeping with the character of the area and would comply with policy EN1 of the ADMP.

*Impact to neighbouring amenity:*

- 24 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application.

*73A Dynes Road:*

- 25 Located to the west of the site the dwelling is two storeys. The proposed dwelling would not have any openings along the western elevation. The proposed windows to the rear would have a northerly outlook. The dormer window to the rear would serve a bedroom. The outlook test suggests that the outlook would clip the 5m rear amenity space of 73A. Due to the set back of the dormer, its main direction of outlook, and the pattern of development in the area any loss of privacy would not be considered significant.
- 26 73A has two windows on the upper floor, from the plans submitted for the dwelling under reference 07/03927/FUL, indicates one serves a bedroom and the other an en-suite. The design of these windows corresponds with this position. The en-suite is non-habitable; the bedroom window is the only window serving this room. The window is elevated above eaves level. The proposed roof of the dwelling has a barn hip, which reduces the overall bulk. Due to the height of the window, a view of skyline would still be visible. In addition, a 25° test in accordance with BRE guidance was conducted, which passed on elevation.
- 27 At ground floor, two windows face towards the development. From the floor plans, one serves a dining room, the other acts as a secondary source of light to the living room. The window to the dining room is the only source of outlook from this space. There would be an approximate separation of 3.5m between the proposed dwelling and 73A. A separation between the window and the boundary fence would be maintained allowing an outlook from the window.
- 28 An existing high close-boarded fence runs between the dwellings. Due to the fencing, a 25° test fails as existing. The window faces east, due to the trajectory of the sun a small portion of sunlight would be lost during the summer months. This would not be significant enough to result in a detrimental loss of light or the enjoyment of the dwelling as a whole.

*Proposed dwelling to the rear of 39 Park Hill Road:*

- 29 The proposed dwelling to the rear of 41 would not have any windows facing east towards the approved dwelling to the rear of 39. The new dwelling would have one door at ground floor would be located along the west elevation, serving a utility room. This would be non-habitable space. The proposed window in the gable to the rear would not have an extensive view of private amenity space. As the windows have a general outlook to the north and private amenity space is considered 5m to the rear of the dwelling. The works would not result in a significant loss to privacy.
- 30 The approved plans for the dwelling to the rear of 39 Park Hill Road do not indicate any openings to the side elevations, other than two roof-lights serving bathrooms, which are no habitable. A 45° light test was conducted the plans passed. A significant loss of light and outlook would not occur to the enjoyment of the dwelling as a whole.

*41 Park Hill Road:*

- 31 41 Park Hill Road would be located to the north of the plot. A high close-boarded fence runs along the shared boundary. The view from ground floor windows of the proposed dwelling would not result in a significant loss of privacy. At first floor, a distance of approximately 22.8m extends between 41's dormer window (serving a bedroom) and the proposed dwelling window in the gable, this is an acceptable distance given the pattern of development in the vicinity.
- 32 The proposed dwelling would be located approximately 11.7m from the rear boundary. Due to the distance between the dwellings, a significant loss of light would not be experienced. The degree separation between the dwellings would not result in significant visual intrusion.

*Proposed dwelling:*

- 33 The proposed dwelling would benefit from dual aspect windows to the north and south. The distance from other dwellings would allow for adequate natural light and outlook to the proposed dwelling. The site would have provision for a family patio to the north and a rear lawned amenity area, which provides sufficient space for family activities.
- 34 Other dwellings are located at a sufficient distance and orientation that they would not be subject to a detrimental loss of amenity as a result of the proposed works. The proposed works would have adequate amenity for future occupiers of the proposed dwelling. The proposed works would comply with policy EN2 of the ADMP.

*Highways and Parking:*

- 35 Policies T1, T2, and T3 of the ADMP and the KCC Interim Guidance Notes are relevant in the consideration of this application.
- 36 The proposed dwelling would have sufficient hardstanding for the parking of two vehicles (not including the garage). The distance between the garage

and the highway would be in excess of the 6m required. Sufficient parking would therefore be provided.

- 37 The proposed cross over would have an approximate width of 3.7m, which exceeds the guidance of 2.4m. No walls or gates are proposed that would prohibit visibility. The access would be in keeping with existing residential accesses onto Dynes Road.
- 38 The Parish Council has raised objection with regard to the loss of parking to the existing layby. Dynes Road is not a classified road. The creation of an access thus would comply with permitted development rights. The loss of a parking space within the layby could be achieved without the requirement for planning permission. Dropped kerbs are a matter for Kent County Council highways.
- 39 A row of local convenience shops is located to the south of the site. Due to the size and purpose of the local shops, the same level of parking is not required as out of town commercial premises. Due to the central location of the shops to residential dwellings in the vicinity sustainable means of access are available. In addition as the surrounding roads do not have parking restrictions it is considered that sufficient capacity exists to absorb additional demand should it arise from the loss of space from the layby.
- 40 The Highways Officer provided no comment as part of the original consultation. After further correspondence with the highways team it was advised that due to the previous planning permission for a dwelling to the rear of 39 Park Hill Road, which provided access onto Dynes Road through the layby, and the lack of parking restrictions in the area, no objection would be raised by the highways team.
- 41 The proposal would result in the addition of a new dwelling. In accordance with policy T3 of the ADMP, it would be reasonable to condition any grant of permission to require the inclusion of an electrical socket with suitable voltage and wiring for the safe charging of electrical vehicles.

## CIL

- 42 This proposal is CIL liable and there is no application for an exemption.

## Other issues

### *Soft and Hard Landscaping:*

- 43 Plan 5986-PD-006 A indicates both hard and soft landscaping treatments. To the front of the dwelling, a portion of grass would adjoin the highway; some planting would also be included to the southeast portion of the driveway including native seeding such as hawthorn. A new Cherry tree would also be planted to the southeast, which would help soften the development and contribute to the characterful vegetation along Dynes Road. The tree would be planted with a girth of 12-14cm, which is a heavy standard tree and appropriate for its location adjacent to a highway.
- 44 To the rear, the garden will comprise of formal lawn, which will be re-seeded as required and will be seeded in March - October and prior to



occupation. Some of the hedging to the east and west of the site will be retained along side 4 trees to the rear of the site.

- 45 The driveway would be comprised of Tarmacadamn (DBM) with a rolled gravel finish within a granite set boarder. The paths surrounding the property will be comprised of a sandstone-paving slab, with a warm quality finish. The slabs would sit on top of a sand cement base, which will create a porous surface. The hardstanding would be in keeping, porous, and provision would be made for surface water run off.
- 46 The landscaping is considered appropriate.

#### *Biodiversity:*

- 47 The site has abundant vegetation and planting within its boundaries, due to the provision of a dwelling on the site, it would be reasonable in accordance with policy SP11, to condition the application to require ecological enhancements.

#### **Conclusion**

- 48 The proposed dwelling would be in keeping with the character of the area by virtue of the scale, height, and form. The works would not result in a significant loss of light, privacy, or represent visual intrusion. The proposed works are considered to comply with policy and is recommended for approval.

#### **Background papers**

Site and block plan.

Contact Officer(s): Emma Gore Extension: 7206

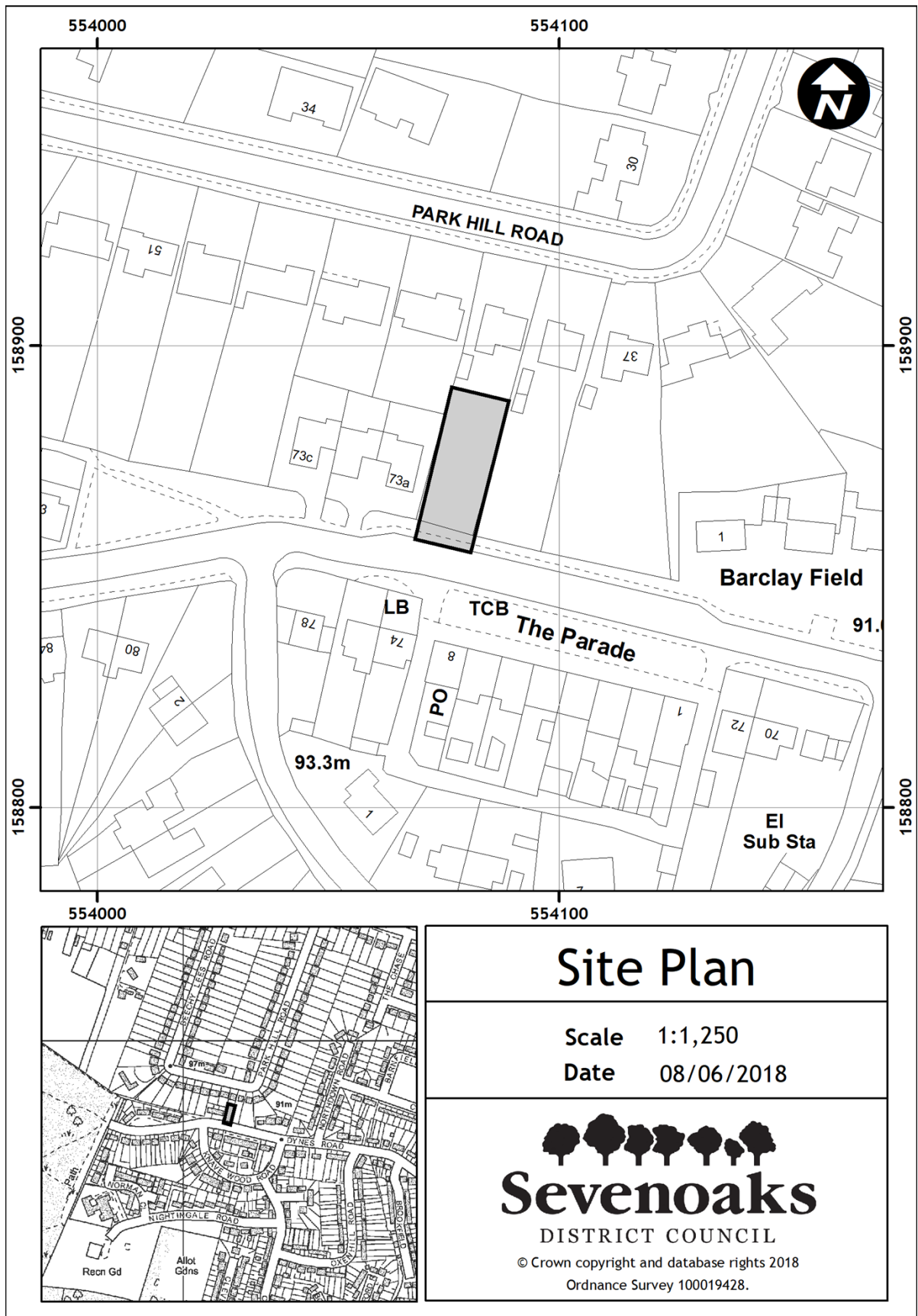
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P6D0MDBKLCE00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P6D0MDBKLCE00>



# Block Plan

