

4.2 19/00853/HOUSE

Revised expiry date 17 June 2019

Proposal: Proposed demolition of existing rear extension at ground floor; proposed new rear extension at ground floor with rooflight; proposed first floor rear extension; proposed garage conversion and rear ground floor extension with rooflight.

Location: 61 The Moor Road, Sevenoaks, Kent TN14 5ED

Ward(s): Sevenoaks Northern

#### Item for decision

This application has been referred to the Development Control Committee by Councillor Canet, who feels that the proposal will set a precedent for the terrace as it would be the only double height rear extension in The Moor Road.

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 and details: Block Plan Rev A, SP1225-19-PL02 Rev C and the red edged site location plan

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 following approved plans and details: Block Plan Rev ASP1225-19-PL02 Rev B Red edged site location plan

To ensure that the appearance of the development is in harmony with the existing character of the property as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) The four first floor windows in the southern side elevation of the approved extension and the house shall be obscure glazed and non-openable at all times, unless above 1.7m above the internal floor level.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

## National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

### Description of site

- 1 The subject property is a two-storey end-terraced property of brick construction with a hipped roof, mono-pitched front extension and front porch projection. The property benefits from a paved front driveway and a rear garden. The properties that are located in the vicinity are of a similar size and architectural style. All of the properties along The Moor Road back on to an access road serving a line of garages and outbuildings belonging to the residents of both The Moor Road and Cramptons Road. The dwelling is located in a residential area within the urban confines of Sevenoaks.

### Description of proposal

- 2 The proposal is for the demolition of the existing rear extension in order to facilitate the erection of a two-storey rear extension. The proposed first floor element of the proposal is to be set in from the boundary with 59 The Moor Road. The proposed rear extension will allow for the creation of a new kitchen/dining room, bathroom, utility and TV area on the ground floor and for a new master bedroom, en-suite bathroom and enlarged fourth bedroom on the first floor. The proposal also allows for the conversion of the existing garage to an office and playroom and for its extension towards the rear site boundary.

### Relevant planning history

- 3 N/A

### Policies

- 4 Sevenoaks Core Strategy (CS)
  - SP1 Design of New Development and Conservation
  - LO2 Development in the Sevenoaks Urban Area
- 5 Allocations and Development Management Plan (ADMP)
  - EN1 Design Principles

- EN2 Amenity Protection
- SC1 Presumption in Favour of Sustainable Development
- T2 Vehicle Parking

6 Other

- National Planning Policy Framework
- Residential Extensions Supplementary Planning Document (SPD)
- Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SPD)

**Relevant constraints**

7 Urban Confines

8 Source Protection Zone

**Consultations**

Sevenoaks Town Council

9 Recommend approval.

**Representations**

10 Ten representations have been received, four of which are in favour of the proposal and six of which object to the proposal on the following grounds:

- Excessive scale/mass/density
- Loss of privacy
- Loss of daylight/sunlight
- Harm to the character and appearance of the area
- Outlook
- Concerns relating to the potential impact upon access to the existing neighbouring garages
- Concerns relating to the impairment of existing easements/rights of way over the rear access road

**Chief Planning Officer's appraisal**

11 The main planning considerations are:

**Impact on the design and the character of the area**

12 Policies LO2 and SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

- 13 According to the Sevenoaks District Council Residential Character Area assessment, the property is located within area K12. The properties in this area and in the road are described as being of uniform character and design. The rear access road is described as being of informal character and accessible via a network of footpaths and alleyways, which are part of the distinctive character of the area. Any new development is expected to respect the regular building lines and to ensure that mature trees and open spaces are retained.
- 14 As mentioned above, the property in this case has been previously extended at the rear by 5.8 metres x 2.2 metres at ground floor level and this is to be replaced with a two-storey extension measuring approximately 5 metres x 5.8 metres. The first floor element of the proposal is slightly less wide and set in from the boundary with 59 The Moor Road so that it measures approximately 3.8 metres in width and 4.5 metres in depth. The proposal also includes the conversion of the existing garage to an office/playroom and its extension at the rear by approximately 1 metre.
- 15 As far as the potential impact upon the character and appearance of the property is concerned, the proposed extension would project to the rear of the house and would only be viewed at an oblique angle from the street, through the gap between the application site and the neighbouring property at 63 The Moor Road. Consequently, it is unlikely to have a negative effect upon the character and appearance of the street scene since it would not be largely visible from The Moor Road.
- 16 The roof of the proposed extension has been designed to sit below the ridgeline of the existing property so that it appears subservient to the main property. The length of the first floor element of the extension has been reduced by 0.5 metres to reduce its bulk and visual impact as well as its potential impact upon the neighbouring buildings.
- 17 The materials proposed would be in keeping with those used in the construction of the existing property and they should help to ensure that the extension does not look out of place. The proposed new windows along the side and rear elevations also appear to follow the line and style of the existing fenestration.
- 18 I note that some concerns have been expressed as to the potential for establishing a precedent for two-storey rear extensions in the road. However, the subject property can be set apart from the neighbouring plots by virtue of the fact that the title includes the grass track, which runs between 61 and 63 The Moor Road. Consequently, the property is situated on a larger plot than the neighbouring houses where the additional land between 61 and 63 The Moor Road allows the proposed development to meet the requirements of the 45-degree test. Most of the other properties in the road do not benefit from the additional land to the side. Consequently, I do not consider that the proposal is likely to set a precedent for two-storey development in the road. In addition, each application is assessed on its own merits.

- 19 With regards to the proposed conversion of the existing garage to an office and playroom and the proposed extension towards the rear site boundary, the proposal adds a rear projection of approximately 1 metre. The height of the garage is to remain the same and whilst the garage is sizeable and would sit forward of the other garages, the proposed extension would only increase its size by 1 metre. Therefore, the proposed alterations are not considered to be so extensive as to make the proposal unacceptable in terms of the resultant bulk and scale of the building. In addition, the informal nature of the roadway is such that the existing development does not appear to be uniform along the road.
- 20 The Sevenoaks District Council Residential Extensions SPD states that the scale and form of an extension should respond positively to the features of the area, which contribute to the local distinctive character and sense of place in terms of its scale, proportion and height. It should also fit unobtrusively with the existing property and its setting and not have an overbearing effect on the original building or the street scene.
- 21 With regards to rear extensions, it states that the acceptable depth and height of a rear extension will be determined by the ground levels, distance from the boundaries and the size of the neighbouring garden and that on average in the case of terraced properties they should generally extend no more than 3 metres from the rear elevation. In the case of outbuildings, it states that they should be clearly ancillary to the property and sit behind the front building line.
- 22 In this case, the proposed two-storey extension would be set back from the neighbouring boundaries on both sides at first floor level and it is not considered to have such an overbearing effect upon the subject property as to render the proposal unacceptable. It would also be sited at the rear so would not impact the character and appearance of the road as it would not be largely visible from the front of the property. The existing outbuilding remains ancillary to the main dwelling even though it would be 1 metre longer at the rear and it would remain at the rear of the property.
- 23 Taking the above into account, it is considered that the proposed two-storey rear extension and rear extension and conversion of the existing garage meet the requirements of Policy EN1 of the ADMP.

#### **Impact on the neighbouring amenity**

- 24 Policy EN2 of the ADMP requires proposals to safeguard the residential amenities of existing and future occupants of any properties that are situated in the vicinity. Consequently regard must be had to and excessive noise, odour, overlooking or visual intrusion. The Residential Extensions SPD recommends that a 45-degree test is undertaken for a loss of light to neighbouring dwellings, based on BRE guidance.
- 25 The dwelling has been erected on a rectangular plot and the property sits approximately 17 metres from the rear site boundary.

- 26 With regards to the potential for overlooking and a loss of privacy, three new windows and a set of bi-fold doors are to be added along the rear elevation and six new windows are to be added along the side elevation.
- 27 The proposed new windows and bi-fold doors along the rear elevation would all face directly towards the rear garden of the subject property and towards the existing garage building. Whilst the proposed new first floor glazing may afford oblique views to the gardens of the neighbouring properties, the potential views afforded are considered no more harmful than the views afforded from the existing windows at first floor level.
- 28 In terms of the proposed new glazing along the side elevation, all of the new proposed windows would face directly on to the access road and on to the boundary with 63 The Moor Road. However, the plans indicate that three of the four windows at first floor level and both of the proposed ground floor windows are to be obscure glazed. The plans provided indicate that the fourth window at first floor level would serve the stairs leading down to the ground floor so it would not serve a habitable room.
- 29 I believe that all new windows along the side elevation should be obscure glazed, fixed shut and maintained as such thereafter. This can be controlled by way of condition and would result in no loss of privacy to neighbouring properties.
- 30 With regards to the proposed garage conversion, the design proposal includes the addition of a new window and door along the eastern elevation and the addition of two rooflights. However, the window and door replace an existing window and door in a similar location and both face directly on to the rear garden of subject property. Owing to the existing boundary treatments in place, they should not result in an unreasonable degree of overlooking. With regards to the proposed rooflights, these will be located at a high level on the roof of the outbuilding and should not present any opportunity for affording views to neighbouring properties.
- 31 In terms of the potential for a loss of daylight, the proposal fails the 45-degree test on plan but it passes on elevation. Consequently, as it must fail on both plan and elevation in order to fail the test, the proposal is considered to pass the 45-degree test. With regards to the potential for a loss of sunlight, owing to the site orientation and the sun's trajectory it is not anticipated that the proposal will result in an unreasonable loss of sunlight to neighbouring properties.
- 32 As a result of the above, I am satisfied that the alterations should not result in overlooking, unreasonable loss of light or create privacy issues for those occupying the neighbouring properties and that the proposal accords with policy EN2 of the ADMP.

#### **Impact on highways safety and parking provision**

- 33 Policy EN1 of the ADMP states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide

adequate parking. Policy T2 of the ADMP states that parking provision should be in accordance with KCC guidance. KCC guidance states that dwellings in this location with four bedrooms require two parking spaces.

- 34 Noting the concerns expressed regarding the potential access issues, I have measured the distance between the rear wall of the proposed garage and the nearest neighbouring garage opposite. The distance measures approximately 5 metres. The Kent County Council Vehicle Crossing Guidance recommends a distance of 6 metres where the parking area is in front of a garage.
- 35 However, the applicant is not intending to use the garage for the parking of a vehicle. The application proposes its conversion to an office and playroom and so, for the purpose of this planning assessment, highway safety issues would not apply, as I would only be able to reference the guidance if the applicant was intending to use it as a garage.
- 36 The existing driveway provides parking for two vehicles on an area of hardstanding in front of the property. In accordance with Policy T2, the proposed development allows for the retention of the two parking spaces at the front of the property and the proposal therefore allows for compliance with the policy requirements.
- 37 Any resultant issues with regards to easements and access to neighbouring plots are civil matters and would need to be pursued outside of the planning arena. It is also the case that the works would be carried out on private land, where we are not able to control matters of access.
- 38 Overall, the development complies with policies EN1 and T2 of the ADMP.

#### **Source Protection Zone**

- 39 The footprint of the development is modest in nature compared with the footprint of the existing house and so it is not considered that the works to create the extension would impact the Source Protection Zone.

#### **Community Infrastructure Levy (CIL)**

- 40 The proposal is not CIL liable.

#### **Conclusion**

- 41 The application proposal for a two-storey rear extension and garage extension and conversion to an office/playroom at the rear of the site are considered to meet the requirements of the development plan.

#### **Recommendation**

- 42 It is therefore recommended that this application is granted.

#### **Background papers**

Site and block plan

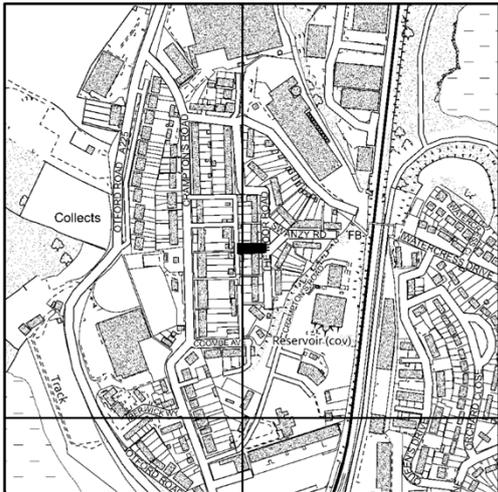
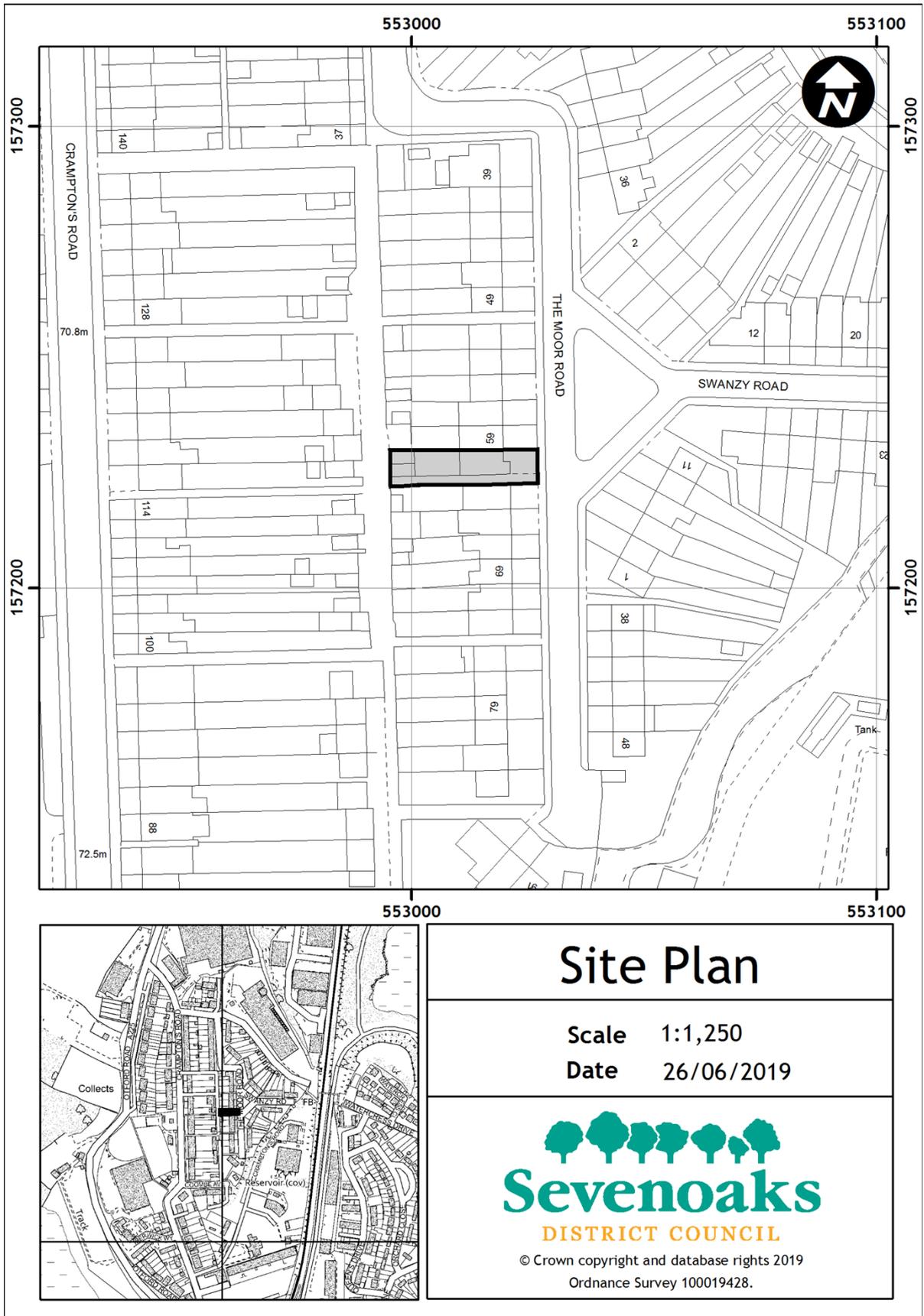
Contact Officer(s): Alexis Stanyer Extension: 01732 227000  
**Richard Morris - Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=POOCNLBKKRI00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=POOCNLBKKRI00>



# Site Plan

Scale 1:1,250

Date 26/06/2019



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Ordnance Survey 100019428.

# Block Plan

