

4.3 19/01058/HOUSE Date expired 3 June 2019

Proposal: First floor rear extension and internal alterations

Location: Merryn, Orpington Bypass Road, Badgers Mount, Kent
 TN14 7AG

Ward(s): Halstead, Knockholt & Badgers Mount

Item for decision

This application has been referred to the Development Control Committee by Councillor Grint on the grounds that he is of the view that the proposal would impact residential amenity.

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: 6927-PD-02A.

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 6927-PD-02A.

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

4) The new roof light window in the southern side elevation of the approved extension 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.

5) Prior to the first occupation of the development details of ecological enhancements to be implemented within the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.

To ensure that the development enhances ecology locally in accordance with the National Planning Policy Framework and policy SP11 of the Sevenoaks Core Strategy.

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 proposal

- 1 The application seeks the approval of the erection of a first floor extension over the existing single storey rear projection and various internal alterations to the property.
- 2 The extension would tie into the roof of the existing dwelling, replicating the height and barn hip feature of the existing main roof form.
- 3 Materials would match the existing chalet bungalow and first floor windows would be installed to the rear and southern flank elevation of the extension.
- 4 The existing access and parking provision for the property would remain unaltered.

Description of site

- 5 The application site comprises a chalet style bungalow set on a rectangular shaped plot on the western side of Orpington Bypass Road.
- 6 The street is lined by residential development on the western side and the site backs onto properties on Old London Road.
- 7 The levels of the site drop away towards the rear of the building.

Constraints

- 8 The site lies within the built urban confines of Badgers Mount and a Biodiversity Opportunity Area.

Policies

- 9 National Planning Policy Framework (NPPF)

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

10 Sevenoaks Core Strategy (CS)

- LO1 Distribution of Development
- LO7 Development in Rural Settlements
- SP1 Design of New Development and Conservation
- SP11 Biodiversity

11 Allocations and Development Management (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- T2 Vehicle Parking

Other

12 Residential Extensions Supplementary Planning Document (SPD)

Relevant planning history

13 07/01304/FUL - Roof extension to provide accommodation at first floor level, with dormer windows at rear - Granted.

14/02140/HOUSE - Demolition of existing garage. Erection of a single storey rear extension, roof alterations to include front and rear dormers and enclosure of entrance porch - Granted.

Consultations

Parish Council

14 Badgers Mount Parish Council - 17.05.19

“Adjacent property owners are concerned that there will be increased overlooking of the rear gardens affecting their amenity. At present the parapet wall around the flat roof of the ground floor restricts such overlooking.”

Representations

15 We have received two letters of objection relating to concerns regarding overlooking and loss of privacy from the proposed first floor windows.

Chief Planning Officer’s appraisal

Principal issues

16 The main planning considerations are:

- Design and impact on the character and appearance of the area
- Impact on residential amenity
- Impact on highways safety and parking provision
- Impact on biodiversity and
- The Community Infrastructure Levy (CIL).

Design and impact on the character and appearance of the area

17 Policy 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.

18 The street has a varied character because it possesses properties with a varied appearance. Bungalows and chalets bungalows stand side-by-side with two storey properties, each with varying architectural features and external materials.

19 The front elevation would remain unaltered, retaining the appearance of the existing chalet bungalow.

20 The first floor rear extension would project away from the street, with only fleeting views available from the public vantage points of the flank elevations of the property.

21 As noted above, the proposed extension would tie into the existing height and form of the roof, matching the height of the roof and incorporating the small pitched roof along the length of both flanks of the extension.

- 22 The materials proposed to be used to finish the exterior of the extension would also match those on the exterior of the existing property.
- 23 I am satisfied that the design approach is acceptable since it is of a bulk, mass and scale that respects the varied character of the area. The proposed development would therefore fit in its setting and would be in keeping with the character of the wider area.
- 24 I also believe that the proposal does not comprise an overdevelopment of the site since the extended property would sit comfortably within the plot.
- 25 I am therefore of the opinion that the proposal would preserve the character and appearance of the area in accordance with the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.

Impact on residential amenity

- 26 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 27 The neighbouring properties potentially most affected by the proposed development would be those that are adjacent to the site. These include Halcyon Daze to the north, Star House to the south and 68 and 70 Old London Road to the west.
- 28 All other neighbouring properties would be sufficiently separated from Merryn not to be affected.
- 29 The proposed extended bungalow would be situated approximately 35m from 68 and 70 Old London Road. At these distances of separation I am satisfied that the amenities of the existing and future occupiers these adjoining properties would also be safeguarded.
- 30 Turning to Halcyon Daze and Star House, the extension would not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements by these adjoining properties.
- 31 Windows are proposed to the rear and to the southern side elevation of the proposed extension. The rear facing windows would serve bedrooms and would be more in line with the rear elevations of the two neighbouring properties. It is therefore the case that views directly down onto Halcyon Daze and Star House would be at an oblique angle. The main aspect out of these windows would be looking down the rear garden of Merryn and the rear section of the neighbouring gardens. These areas of the neighbouring gardens are not within the private amenity space, as defined by the Residential Extensions SPD.
- 32 The side-facing window would serve a bathroom and so can be controlled by condition. No overlooking or a loss of privacy would occur to either Halcyon Daze or Star House.

- 33 With the rear of the first floor extension proposed to project no further than the existing ground floor projection, and the two neighbouring properties, the extension would not cause a visual intrusion on outlook from either adjoining house.
- 34 Finally, the proposal would pass the 45-degree light tests and so daylight to Halcyon Daze and Star House would not be detrimentally impacted upon. Star House is located to the south of the site and so the sunlight received would be uninterrupted. Halcyon Daze is to the north. However, since the extension would not project beyond the rear of Halcyon Daze, and any side-facing window to the south-eastern corner of the building appears to be either non-habitable or secondary, any potential loss of sunlight would not be detrimental.
- 35 Due to the situation proposed for Merryn I am satisfied that the existing and future occupiers of the development would be provided with adequate residential amenities.
- 36 Overall, I would therefore conclude that the proposed development would be in accordance with the NPPF and policy EN2 of the ADMP.

Impact on highways safety and parking provision

- 37 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 dwellings in this location with four or more bedrooms require two parking spaces.
- 38 The continued use of the existing vehicular access that serves the site is wholly acceptable. In addition, the development would not affect the existing parking arrangements, which provide for a minimum of two parking spaces.
- 39 The proposal would therefore preserve highways safety and provide sufficient parking in compliance with the NPPF and policies EN1 and T2 of the ADMP.

Impact on biodiversity

- 40 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity.
- 41 The site lies within a Biodiversity Opportunity Area and so ecological enhancements can be sought by way of condition.
- 42 Therefore, the development would be in accordance with the NPPF and policy SP11 of the ADMP.

Community Infrastructure Levy (CIL)

- 43 This proposal is not CIL liable.

Conclusion

44 I consider that the proposed development wholly complies with the development plan.

Recommendation

45 It is therefore recommended that this application be approved.

Background papers

Site and block plan.

Contact Officer(s): Mike Holmes Contact: 01732 227000

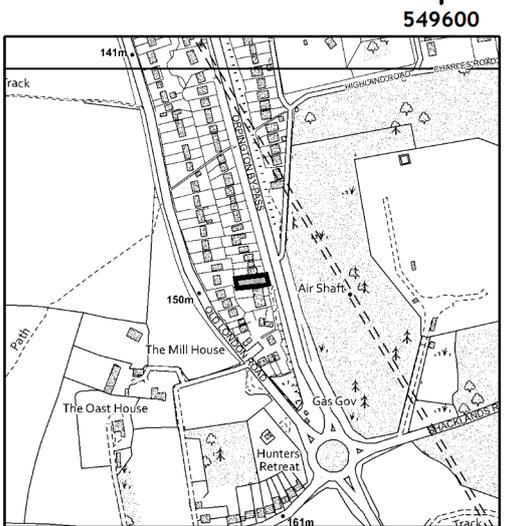
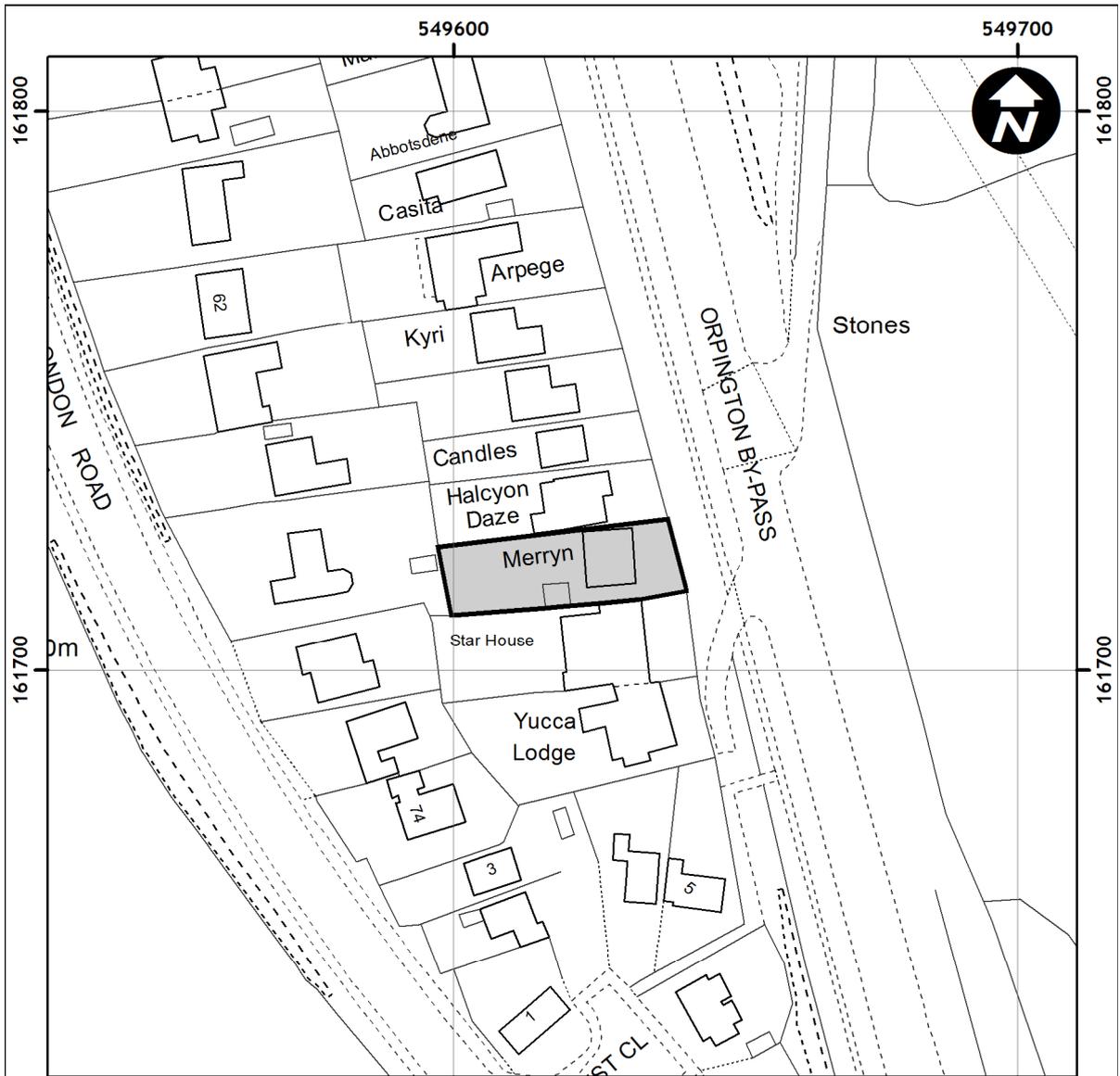
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PPNGJYBKMB400>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PPNGJYBKMB400>



Site Plan

Scale 1:1,250
 Date 26/07/2019

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 Ordnance Survey 100019428.

Block Plan

