

4.3 20/01603/HOUSE Revised expiry date 11 September 2020

Proposal: Demolition of garage, utility room and conservatory.  
Erection of a two storey side extension and single storey rear extensions and a new garage.

Location: 42 Chipstead Park, Sevenoaks, KENT TN13 2SN

Ward(s): Brasted, Chevening And Sundridge

#### Item for decision

The application has been called to the Development Control Committee by Councillor London on the grounds of overdevelopment, loss of light and loss of privacy.

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 materials to be used in the construction of the development shall be those indicated on the approved plan 1006-P-002 (Rev B).

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

3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1006-P-002 (Rev B) and site plan

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

4) The window in the proposed first floor West Side Elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

To safeguard the privacy of the occupants of adjoining properties in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

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### **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 site comprises of a detached two-storey dwelling located within the urban confines of Sevenoaks and the parish of Chipstead. The dwelling is set back from the road by approximately 16 metres with neighbouring properties situated to the front and side of the dwelling.
- 2 The surrounding area comprises of a mixture of detached single-storey and two-storey dwellings which are set back from the road by front gardens. The properties lack visual unity in terms of their design and materials.
- 3 The northern boundary of the site is located within the Metropolitan Green Belt and a Biodiversity Opportunity Area. The existing dwelling and the proposed extensions would lie outside of the Green Belt and the Biodiversity Opportunity Area and therefore it would not appropriate to apply policies relating to these two constraints.

#### **Description of proposal**

- 4 Demolition of garage, utility room and conservatory. Erection of a two storey side extension and single storey rear extensions and a new garage.
- 5 The application has been amended with the two first floor side windows which were located on the proposed east side elevation providing additional outlook to master bedroom four of the two storey extension being removed. Alternatively, two roof lights have been added to provide additional light to this bedroom.

#### **Relevant planning history**

- 6 20/00475/HOUSE Demolition of existing garage, utility room and conservatory and erection of a two storey side extension, single storey rear extension and new garage - WITHDRAWN 09.06.2020

## **Policies**

- 7 National Planning Policy Framework (NPPF)
- 8 Core Strategy (CS)
  - SP1 Design of New Development and Conservation
- 9 Allocations and Development Management Plan (ADMP)
  - EN1 Design Principles
  - EN2 Amenity Protection
- 10 Other:
  - Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
  - Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SPD)

## **Constraints**

- 11 The following Constraints apply:
  - Metropolitan Green Belt (rear of site)
  - Biodiversity Opportunity Area (rear of site)

## **Consultations**

- 12 Chevening Parish Council - First round of consultation:

“The proposal will almost touch the boundary, leaving no room for access and its size will overshadow the neighbouring property. It will from some angles create a terracing effect. Object.
- 13 Second round of consultation following amendment:

No comments received.

## **Representations**

- 14 First round of consultation:

1 letter of objection received relating to the following issues:

  - Eastern first floor windows of the two storey extension would result in overlooking and have a detrimental impact on privacy

15 Second round of consultation following amendment:

No comments received.

### **Chief Planning Officer's appraisal**

16 The main planning consideration are:

- Impact on the character of the area
- Impact on neighbouring amenity

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

17 The property is located in Chipstead Park. The surrounding area consists of a number of detached single storey and two storey dwellings which vary in terms of their architectural design, appearance and palette of materials. The roofs of properties are generally shallow and gabled, however there are also instances of hipped and mansard roofs. The properties are set back from the road on a curved building line behind front gardens which are open plan or partially enclosed by hedges and dwarf walls.

18 The Sevenoaks Residential Character Area Assessment identifies Chipstead Park as an area which lacks visual unity and local references as a result of the design, form and appearance of properties within the close.

19 The proposed development would include a two storey side extension, a single storey rear extension and a new garage. The application represents a revised scheme to the previously withdrawn application 20/00475/HOUSE. The previous application proposed a two storey side extension that would have been built up to the western boundary of the site. This would have resulted in a cramped appearance at odds with the pattern of development within Chipstead Park.

20 The projection of the two storey side extension has been reduced. Under this current application, the extension would project beyond the side elevation of the existing property by 5 metres, rather than 6 metres under 20/00475/HOUSE. The extension would have a similar roof design to the existing dwelling and would incorporate a gable roof which would sit slightly below the main roof of the property. This would result in a cohesive design which would reduce the visual impact of the extension on the street scene and ensure that the extension does not appear unduly prominent.

21 In addition, the two storey extension would be set back from the front elevation of the property by 3 metres and set back from the road by approximately 19 metres. In this regard, the visual primacy of the original dwelling would be maintained and the extension would not dominate the dwelling nor appear visually intrusive in the street scene.

22 At its nearest point to the angled boundary the proposed extension would still retain a minimum gap of 1 metre between the side wall of the two storey extension and the western boundary of the site and this would be in accordance with the guidance set out in the Residential Extensions SPD to

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prevent visual terracing. It is therefore considered that the two storey extension would not have an overbearing appearance and would not have an adverse impact on the nature of space between properties in Chipstead Park. Nor would it create a sense of overdevelopment as gaps between properties would be retained and the proposed extension would be of a subservient design, scale and bulk.

- 23 The proposed single storey rear extension would extend beyond the rear elevation of the dwelling by approximately 3.8 metres and would have a flat roof with the inclusion of a roof lantern. The rear extension would not be publically visible and therefore would not have an impact on the character of the surrounding area. The scale and form of the extension would also fit unobtrusively with the existing dwelling and would be a modest and subordinate addition which would not appear cramped or overdeveloped.
- 24 The new garage would extend beyond the front elevation of the existing property by 3.2 metres, with a total depth of 6.3 metres and width of 4.1 metres. The garage would be visible in the street scene. However, it is noted that houses within Chipstead Lane typically have garages set within the dwelling or beyond the front elevation. Therefore the proposed garage would not appear incongruous with the street scene and would be a positive addition to the property.
- 25 Cumulatively, it is acknowledged that the proposed extensions would increase the size and width of the existing property when viewed from the street however this would not have a harmful impact on the character of the locality nor result in overdevelopment of the site. The front and rear garden of the site and the curved alignment of properties within Chipstead Park would be maintained. Furthermore, the scale, form and sitting of the extensions would be seen in the context of other homes in the street which exhibit similar extensions and alterations. 20 Chipstead Park, located to the south east of 42 Chipstead Park, has recently been granted planning permission for a two storey side extension. Furthermore, 60 Chipstead Park, located to the south west of 42 Chipstead Park, has been granted planning permission for a first floor side extension.
- 26 With regards to materials, the entire property, including the proposed extensions, would be rendered with the original brick skirting and timber roof edging being maintained on the front elevation. The roof of the property would be constructed of grey roof tiles and the windows would have grey-green window frames.
- 27 It is acknowledged that the use of render and grey roof tiles would alter the appearance of the existing property. However, properties within the surrounding area are constructed of various shades of brick with white weatherboard, hung concrete tiles and painted render. Furthermore, the immediate neighbouring property 44 Chipstead Park is constructed of a similar palette of materials to those proposed, such as white render, timber roof edging and grey roof tiles. Therefore, the proposed materials would show consideration towards the design approach of properties within the surrounding area and would also create a visual link between 42 Chipstead Park and 44 Chipstead Park. This would enhance the character of the street scene.

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- 28 Overall, the development would preserve the character and appearance of the area in accordance with the NPPF and policies SP1 of the Core Strategy and EN1 of the ADMP.

### Impact on neighbouring amenity

29 Light

- 30 The Parish Council has raised concern that the development would result in a loss of light to neighbouring properties.

- 31 The Sevenoaks Residential Extensions SPD seeks to ensure that a significant loss of daylight should not occur and the 45 degree test is used, whereby a significant loss of light would only occur if the proposal fails in both plan and elevation in line with BRE guidance. In terms of the loss of sunlight, the Residential Extensions SPD seeks to ensure that the proposed will not result the cutting out of sunlight for a significant part of the day to habitable rooms in neighbouring properties or private amenity space.

- 32 The applicant has provided a 45 degree plan and elevation test within the submitted Design and Access Statement. The 45 degree test has also been conducted by the planning officer.

33 40 Chipstead Park

- 34 The proposed single storey garage extension failed the loss of light test on its floor plan but passed on its elevation in relation to the patio doors which serve the living room of the neighbouring property. Therefore, as per the Residential Extensions SPD, the extension passes the test overall and would not result in a significant loss of light to 40 Chipstead Park.

35 44 Chipstead Park

- 36 The proposed extensions passed the 45 degree test on both floor plan and elevation. This is because there are no windows located on the eastern side elevation of 44 Chipstead Park and the extensions would not extend far beyond the rear elevation of the neighbouring property to result in a loss of light.

- 37 In light of the above, both daylight and sunlight levels afforded to the neighbouring properties would not be adversely affected by the extensions because the 45 degree test demonstrates that light would continue to be received.

38 Privacy

39 40 Chipstead Park

- 40 During the first round of consultation for the application, the occupier of 40 Chipstead Park raised concern that the eastern first floor side windows of the two-storey extension providing additional outlook to master bedroom four of the two storey extension would result in overlooking and would have a detrimental impact on privacy. The application has been amended with these windows removed and alternatively two roof lights have been inserted on the

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roof slopes of the extension to provide additional light to this bedroom. The roof lights would not result in any downward views towards 40 Chipstead Park or 44 Chipstead Park and there would be no loss of privacy in this regard.

- 41 The proposed development would also include two ground floor windows on the side elevation of the rear extension which would face towards 40 Chipstead Park. These windows would be set back from the boundary between the two properties in similar fashion to the windows of the existing conservatory which would be demolished as a result of the development. Any views from these windows of 40 Chipstead Park would be obscured by the existing fencing and tall hedging along the eastern boundary of the site and would have a similar outlook to the existing conservatory. As such, it is considered that the privacy of 40 Chipstead Park would not be harmed as a result of the development.
- 42 44 Chipstead Park
- 43 The eastern side elevation of the neighbouring property, which faces 42 Chipstead Park, does not contain any windows. Therefore, the development would not result in overlooking.
- 44 It is noted that there would be one ground floor window and one first floor window on the side elevation of the two storey extension facing 44 Chipstead Park. These windows would serve a utility room and bathroom and are shown on the plans to be obscure glazed. The first floor window due to its location at a higher level could result in some potential overlooking and this can be secured as obscured glazed by an appropriate planning condition. In any event, the development will include a condition that stipulates that the development should be carried out in accordance with the approved plans which will be referenced on the decision notice. The plans submitted indicate that the both the ground and first floor windows are to be obscure glazed.
- 45 Additionally, there would be ground floor and first floor windows located on the rear elevation of the two storey extension and single storey rear extension, however, these would not result in any further loss of privacy to 44 Chipstead Park. There are already windows in this elevation of the existing property and the direction of outlook from these windows would be towards the rear garden of the application site.
- 46 Other properties
- 47 The proposed windows on the front elevation of the two storey extension would not harm the neighbouring properties situated to the front of 42 Chipstead Park as they are situated a sufficient distance away from the proposals not to be affected. In addition, there are already windows on this elevation.

- 48 Visual intrusion
- 49 The proposals would not result in visual intrusion or loss of outlook from the neighbouring properties 40 Chipstead Park and 44 Chipstead Park. The normal outlook from the main windows of these properties would not change.
- 50 40 Chipstead Park
- 51 The garage extension may be visible from a ground floor side window of the neighbouring property 40 Chipstead Park. However, it is considered that the garage would not be visually intrusive or a dominant addition to the property. Furthermore, the existing boundary treatment along the eastern boundary of the site would soften any views of the garage.
- 52 44 Chipstead Park
- 53 There are no windows located on the eastern side elevation of 44 Chipstead Park and therefore the property would not look directly at the proposed extensions. Views of the extensions from the rear garden of 44 Chipstead Park would be softened by the existing boundary treatment along the western boundary of the application site.
- 54 Other properties
- 55 The proposed extensions would be set back from the road and would not appear visually intrusive in the street scene. Therefore, the outlook from the main windows of the neighbouring properties situated to the front of 42 Chipstead Park would not be adversely affected by the development.
- 56 Notwithstanding the above, it is important to note here that as per the Residential Extensions SPD the planning process cannot protect a view from a private property.
- 57 Overall, the development would safeguard the amenities of existing and future occupants of nearby properties and would provide adequate residential amenities for existing and future occupiers in compliance with the NPPF and Policy EN2 of the ADMP.

#### **Other issues**

- 58 Parish Council comments
- 59 The Parish Council have raised concern that the two storey extension would almost touch the boundary leaving no room for access and create a terracing effect. As discussed within this report, the two storey extension would be set back a minimum of 1 metre from the western boundary of the site in accordance with the guidance set out in the Residential Extensions SPD. The existing access along the side of 42 Chipstead Park and 44 Chipstead Park would remain as a result of the proposals.
- 60 The Parish Council have also stated that the size of the extension would overshadow the neighbouring property. The loss of light test was conducted

and the extensions passed the test overall for both neighbouring properties located to the side of 42 Chipstead Park.

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

- 61 The proposal is CIL liable and the applicant has not submitted a claim form or submitted all the declarations required for an exemption.

### **Conclusion**

- 62 The proposal would be an acceptable form of development because it would not have a detrimental impact on the character of the original dwelling or the surrounding area. Furthermore, it would not have a harmful impact on neighbouring amenities. As a result, the proposal complies with our policies.

- 63 It is therefore recommended that this application is APPROVED.

### **Background papers**

Site and block plan

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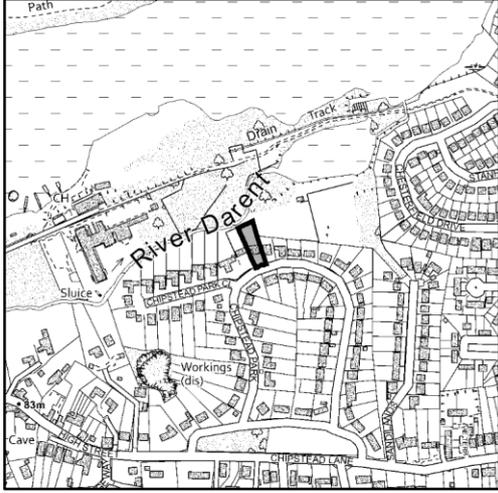
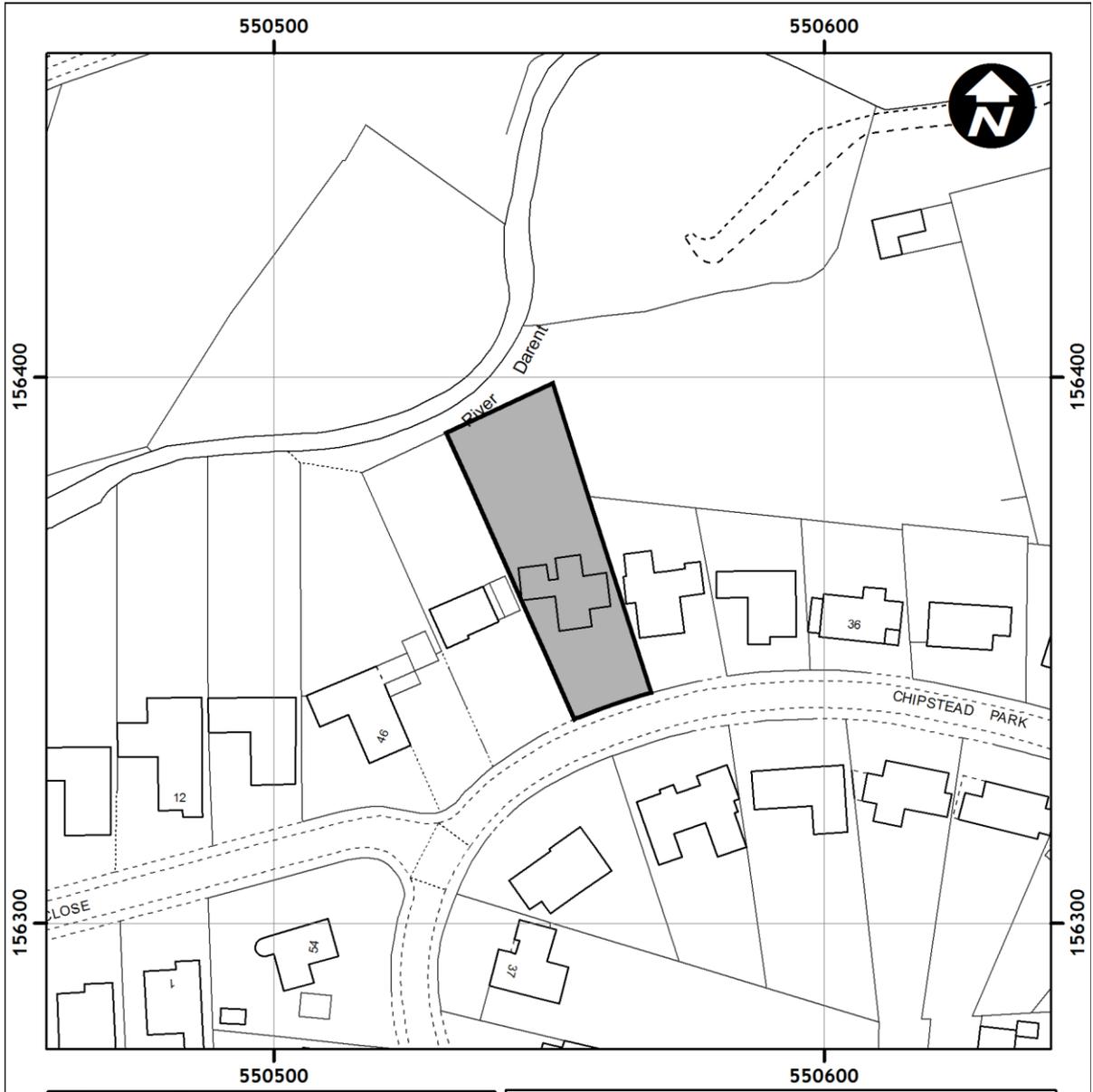
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QBO1MFBKLF200>



# Site Plan

Scale 1:1,250  
 Date 11/08/2020



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 Ordnance Survey 100019428.

BLOCK PLAN

