

4.3 22/00613/FUL

Revised expiry date 7 July 2022

Proposal: Proposed replacement detached dwelling with associated garage, parking and landscaping. New outbuilding.

Location: 73 Bradbourne Vale Road, Sevenoaks, Kent TN13 3DN

Ward(s): Sevenoaks Northern

Item for decision

This application has been referred by Councillor Canet, in line with the Town Council reasons for refusal, which area:

1. The large block garage and single storey outbuilding in the garden would constitute overdevelopment of the site
2. The design is not in keeping with the Residential Area Character Assessment
3. Loss of amenity to no.71

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) Prior to the erection of the rear outbuilding hereby approved, a tree protection plan shall be submitted to and approved in writing by the local planning authority. The tree protection plan shall include details of the schedule and implementation of protective measures (compliant with BS5837:2012) to protect the mature Birch Tree to the east of the site. The approved tree protection plan shall be implemented in accordance with the schedule of protection measures outlined in the approved plan.

To protect the mature Birch tree within the neighbouring site, to the east of the development, in the interests of the verdant visual amenity of the Lambarde Road Character Area, in accordance with Policy EN1 of the Sevenoaks ADMP

- 3) Prior to development above the damp proof course layer of the new dwelling hereby approved, a landscaping plan shall be submitted to and approved in writing by the local planning authority. The landscaping plan shall confirm details of the planting to be removed, planting to be introduced, and planting to remain, on site and include a schedule of landscape maintenance for a minimum period of 5 years. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved.

To conserve the verdant visual amenity of the Lambarde Road Character Area, in

accordance with Policy EN1 of the Sevenoaks ADMP

4) The first floor windows in the east and west facing elevation(s) 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.

5) Access to the flat roof area of the development hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not be used as a balcony, roof garden, patio or similar amenity area.

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

6) The driveway gate, as shown on drawing 3266 - 004 Rev B, shall open inwards into the site and shall not obstruct nor open onto the public highway.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) Prior to the completion of the garage, hereby approved, one electric vehicle chargepoint shall be installed within the garage.

To ensure the development helps to mitigate the effects of climate change and poor air quality across the district, in accordance with Policy T3 of the Sevenoaks ADMP

8) The materials to be used in the construction of the development shall be those indicated in the Application Form dated 10 March 2022 and in the Design and Access Statement dated 04 March 2022

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

9) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 3266-001 Rev F, 3266-002 Rev I, 3266-004 Rev B

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

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 contains a bungalow located along the south side of Bradbourne Vale Road, which is a busy arterial road (known as the A25) linking to the north of Sevenoaks.
- 2 The site is located within the built confines of Sevenoaks, and is located within the Lambarde Road residential character area. The site is bound by residential dwellings on its south, east and west sides.
- 3 Dwellings across the residential area are set along a grid of roads laid out in the 1930s and contain dwellings of predominantly one and two storeys, which vary in architectural design.
- 4 Dwellings generally have rectangular land plots and are set back from the highway behind enclosed boundary treatments. The site is typical of this arrangement, being a rectangular land plot with a deep set back from the highway and remaining enclosed by tall mature vegetation.
- 5 Dwellings along Bradbourne Vale Road are detached and are set back behind deep front gardens, with ample off-street parking.

Description of proposal

- 6 It is proposed to demolish the bungalow and erect a two-storey dwelling in the same position, in a contemporary design.
- 7 The dwelling would have a gable-end roof profile and incorporate two storey and single-storey rear additions with flat roofs.
- 8 The new dwelling would include a single-storey L-shaped garage of three bays to the front driveway of the site and a single-storey outbuilding in the rear garden.

Relevant planning history

- 9 None.

Policies

- 10 National Planning Policy Framework (NPPF)
- 11 Core Strategy (CS)
 - LO1 Distribution of Development
 - LO2 Development in Sevenoaks Urban Area
 - SP1 Design of New Development and Conservation

- SP2 Sustainable Development
- SP11 Biodiversity

12 Allocations and Development Management Plan (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

13 Other:

- Sevenoaks Residential Extension Supplementary Planning Document (SPD)
- Sevenoaks Residential Character Area Assessment SPD (SRCAA) - reference C01 Lambarde Road

Constraints

14 The following constraints apply:

- Urban Confines of Sevenoaks

Consultations

15 Sevenoaks Town Council - Objection lodged

16 Refusal is recommended on the following grounds:

- The large block garage and single storey building in the garden would constitute overdevelopment of the site
- The design is not in keeping with the Residential Area Character Assessment
- Loss of amenity to no.71

17 Arboriculture and Landscaping - No objection lodged, subject to condition

18 I can inform you that there are no protected trees located at this property and it is not situated within a conservation area.

19 Several trees and shrubs are located at this property. They are generally of low amenity value but do provide an effective screen from the neighbouring properties. The proposed garage would result in the loss of several trees and shrubs from the western boundary. These could be replaced as a part of an approved landscaping scheme.

20 The principle tree located at this site is actually situated within the neighbouring rear garden, beyond the eastern boundary. This is a mature Birch tree. I have estimated that it requires a RPA of 6.0m. According to the

plan provided, 3266-001, the proposed outbuilding would be constructed within 5.50m from the base of this tree. It can be seen any excavation would be taking place on the outer edges of the RPA. Providing it is adequately protected, I have no objection to the proposed development.

- 21 Details of protective measures to be used should be submitted for comment and should comply with BS5837:2012.
- 22 Kent County Council Archaeology - No Comment
- 23 Kent County Council Highways Authority - No objection lodged
- 24 The application proposes a replacement detached dwelling with no changes to the existing access. There is sufficient parking proposed and an electrical charging point will be provided within the new garage.
- 25 Consequently, I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.
- 26 Scotia Gas Networks - information only
- 27 To confirm the location of nearby gas lines, to inform the construction phase of the development, and avoiding disruption to this network.
- 28 UK Power Networks - information only
- 29 To confirm the location of cables and overhead lines owned by the network.
- 30 Zayo Group - Information only
- 31 To confirm the location of nearby fibre-optic lines, to inform the construction phase of the development, and avoiding disruption to this network

Representations

- 32 One letter of objection have been received relating to the following issues:
 - Overdevelopment of the site and impact on the street scene
 - Obtrusive development
 - Loss of outlook
 - Loss of daylight and sunlight
 - Loss of privacy
 - Removal of landscaping outside of the applicant's ownership

Chief Planning Officer's appraisal

- 33 Policy SC 1 of the ADMP, in line with paragraph 11 of the National Planning Policy Framework, highlights there is a presumption in favour of Sustainable Development and planning applications which accord with the policies in a Local Plan should be approved without delay, unless material considerations indicate otherwise.

34 The material planning considerations in this instance are as follows:

- Principle of Development
- Design and Impact on the character of the area
- Impact on neighbouring amenity
- Parking and Highways Safety

Principle of Development

35 Para 124 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change.

36 The site is located within the built confines of Sevenoaks. Location policies LO1 and LO2 direct development to this area stating the Sevenoaks urban area will be the principal focus for development.

37 Policy LO2 further states new development in such areas must protect the distinctive character of the local environment, and this is consistent with design policies SP1 and EN1, which 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.

38 The presumption in favour of sustainable development under the NPPF (paragraph 11) further states that for decision-taking, where policies may be out-of-date, permission should be granted for the development unless

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

39 As such, the principle of development must account for protected assets and any adverse impacts must be significant and demonstrably outweigh the benefits, to warrant refusal.

40 Assessment:

41 The site is located within the built confines of Sevenoaks and is therefore a focal point for development.

42 The site itself is not within a protected area and does not contain assets of importance. As such, there will be a presumption in favour of this development unless demonstrable harm is identified by other material considerations.

- 43 Material considerations in this instance relate to the development's impact on the prevailing character of the area as a whole, the impact on the amenities of neighbouring occupiers and on highway safety.
- 44 The planning assessment against relevant policy of the Sevenoaks Development Plan, related to these material considerations, is considered below.

Design and Impact on the character of the area

- 45 The site is located within the built confines of Sevenoaks, where Policy LO1 and LO2 of the Core Strategy directs development. The thrust of these policies has been outlined above.
- 46 Policy EN1 states the form of a development should be compatible with the scale, height, materials and site coverage of an area. The layout of the development should also respect the topography and character of the site and maintain important natural features such as trees.
- 47 In addition to the above, the Residential Extensions SPD states that garages and outbuildings should not have an unacceptable impact on the space surrounding buildings. These buildings should be smaller in scale and clearly ancillary to the property.
- 48 Character of the area:
- 49 Concern has been expressed by the Town Council and third parties, that the design of the proposed development does not respect the wider character of the area. This is assessed below.
- 50 In identifying the distinctive local character of the area, the site is situated within the Lambarde Road Character Area which consists of 1930s inter-war housing set out in a grid formation to the south of the A25 (Bradbourne Vale Road).
- 51 The Sevenoaks Residential Character Area Assessment SPD (SRCAA) highlights the spatial, architectural and verdant characteristics of the area.
- 52 With regards to spatial characteristics, the SRCAA describes the Lambarde Road area as consisting of bungalows and two storey dwellings, set on regular building lines on similar sized plots, creating an orderly, planned character. The low building height, long straight roads, set back of the houses and limited on-street parking contribute to an open, unenclosed character. Dwellings can have individual garages or communal parking blocks.
- 53 The SRCAA further observes that bungalows generally dominate the east side of the area, and two-storeys the west side of the character area. Dwellings facing the A25 are behind deep grass verges and/or deeper front gardens.
- 54 In terms of the areas architectural characteristics, the SRCAA observes that considerable alterations have taken place to dwellings across the area,

including many loft conversions with the introduction of dormer windows and other alterations to the roofline.

- 55 Dwellings across the area are of varied design and roof lines but many exhibit common design features such as hipped or gabled tiled roofs and wide casement windows. Many have curved bays and porches and are embellished with hung tiles and mock half-timber elevations. These traditional architectural details are highlighted as a positive feature of the character area.
- 56 The SRCAA outlines the verdant character area, created by the verges and belts of trees visible behind and between the houses, landscaped front gardens and boundary hedges. Sections of the A25 are also verdant with tall trees. The low building heights of the area allow views northwards towards the North Downs.
- 57 The SRCAA concludes by stating that new development should respect the area's regular building lines, materials palette and traditional details (for example brown roofing and white render / pebbledash and half-timbered elevational treatment). Characteristic roof profiles and mature vegetative boundary treatments should also be respected, as well as the area's heritage assets, and views towards the North Downs.
- 58 Assessment of impact:
- 59 Third party representations have expressed concern that the design of the new dwelling and outbuildings would not be in keeping with the Lambarde Road Residential Character area, and that the outbuildings would present an overdevelopment of the site. This is assessed below.
- 60 Spatial characteristics of the Lambarde Road area:
- 61 The new dwelling on site would replace the existing bungalow with a dwelling of a two-storey height. At present, the bungalow on site is atypical of the west side of the Lambarde Road area, where the dwellings situated along the southern side of the A25 are predominantly of two storeys, including the neighbouring dwellings immediately to the east and west.
- 62 As such, the proposed two-storey dwelling would be entirely compatible with neighbouring properties.
- 63 In addition, the siting of the dwelling would continue to respect the regular building lines of the area and retain spacing between dwellings.
- 64 In addition to the comfortable siting of the dwelling, two outbuildings are proposed to the site. These comprise one L-shaped garage sited to the front of the house and a rectangular outbuilding within the sites rear garden.
- 65 The site is typical to the area, in benefitting from a large and spacious rectangular land plot with the dwelling maintaining a significant set back from the highway (some 33 metres) behind a long front driveway. The dwelling also benefits from a long rear garden. Because of this, the proposed outbuildings, together with the dwelling would cover only a third

of the land plot and would not be considered to amount to an overdevelopment of the site, with the majority of the site remaining free from built form.

- 66 Both outbuildings would be inset from all surrounding site boundaries and would remain spaciouly located within the plot. As such I consider the scale of the site can comfortably accommodate the two single-storey outbuildings in addition to the replacement dwelling on site.
- 67 Furthermore, garages forward of the building line of dwellings are an existing feature of the streetscene. Whilst the footprint of the front garage would be large, it would be single-storey and well screened from the street scene by the brick wall and mature vegetation which lines the boundary and which screens other garages to the frontage of neighbouring dwellings. A planning condition can be secured to ensure the planting is retained on site.
- 68 In summary, the proposed development would remain discreet within the immediate streetscene where dwellings and garages are well screened by vegetative front boundary treatments. The dwelling and outbuildings as a whole would remain comfortably situated within the land plot and respect the scale of built form across the Lambarde Road character area.
- 69 Architectural characteristics of the Lambarde Road area:
- 70 Whilst taking legible design cues from the residential character area (including a front facing gable and a pitched gable roof), the design of the house is deliberately designed to provide a contemporary look and feel, utilising glass, brickwork, grey cladded elevations and render. Grey roof tiles are also proposed.
- 71 The Design and Access Statement confirms that the intention is to create a house which is legible to its period (2022) rather than copy a previous period, resulting in a pastiche design. The Lambarde Road area does not have a uniform architectural design and this allows for variation.
- 72 As such, whilst the contemporary design is not typical of the design palette and traditional detailing used across the Lambarde Road character area, I consider the contemporary design successfully blends old and new styles to introduce a distinctive design, which continues to respect the prevailing scale, siting and design of built form across the character area. The significant set-back of the dwelling from the highway and the compatible scale of the dwelling in relation to surrounding dwellings, further ensure the new dwelling would protect the prevailing visual amenity of the area, and I do not consider the difference in design to be of demonstrable harm to outweigh the presumption in favour of development.
- 73 Verdant characteristics of the Lambarde Road area:
- 74 The Arboriculture Officer has reviewed the proposal and accepted the loss of several trees and shrubs, provided that boundary vegetation is replaced as a part of an approved landscaping scheme. In addition, the Arboriculture Officer has highlighted that details of measures to protect one neighbouring

tree which is located within vicinity of the rear outbuilding on site, should be secured via planning condition.

- 75 Both existing vegetation and new vegetation can be secured via planning condition to ensure the prevailing verdant character of the Lambarde Road character area is duly preserved.
- 76 In conclusion, the proposed development would present a dwelling and outbuildings of a contemporary design which would remain discreetly positioned within the street scene and which would continue to respect the prevailing character and scale of built form across the wider Lambarde Road character area. I therefore consider the proposal accords with local design policy, taking due consideration of supplementary design guidance.

Impact on neighbouring amenity

- 77 Policy EN2 of the ADMP states that development should safeguard the amenities of existing and future occupants of a development and of nearby properties.
- 78 Development should not subject residents to excessive noise, vibration, odour, overlooking (unacceptable loss of privacy), visual intrusion (loss of outlook) nor loss of light.
- 79 Further details on the Councils' assessment of neighbouring amenity is outlined with the Residential Extensions SPD.
- 80 The Town Council and third party representations have raised concern that the proposed works would harm the amenities of surrounding neighbours. The two neighbours in proximity to the development are no.71 and no. 75 Bradbourne Vale Road, which directly flank the site on its east and west sides. No other neighbours would be affected due to the separation distances from the development. The impacts on neighbours are assessed below.
- 81 Daylight and Sunlight:
- 82 With regards to daylight, the proposed site plan confirms that the new dwelling would largely follow the existing building line to the front of the dwellings. As such, the new dwelling would pass the daylight test on the habitable rooms located along the principle, north-facing, side of neighbouring dwellings, and would safeguard acceptable levels of daylight to these rooms.
- 83 To the sides of neighbouring dwellings, no.71 has two ground floor windows, which are dual aspect and already receive impaired daylight due to existing mature vegetation which separates this neighbouring dwelling from the application site. This is an existing situation and the proposed new dwelling would not materially alter this existing situation.
- 84 To the side of no.75, one ground floor window serves a non-habitable room (a garage) whilst the first floor side-facing room is triple-aspect and receives daylight from windows to the north and south of the dwelling. As,

such the development would safeguard acceptable daylight to all habitable rooms served by side-facing windows.

- 85 To the rear of the neighbouring dwellings, the two-storey ranges of the house are recessed and as such, the proposed dwelling would pass the daylight test performed at plan view. Therefore, whilst the dwelling would fail at elevation view, the development would pass the daylight test overall and daylight levels would remain within acceptable limits under this policy. Conversely, the single storey extensions to the house would fail on plan view but pass on elevation. Consequently, whilst the development would result in some impact on daylight, the impact would not be considered demonstrably harmful and would continue to accord with local policy.
- 86 With regards to sunlight, the two-storey extent of the dwelling would not alter the sunlight received to no.75 due to its recessed position in relation to the rear built form of no.75. The single-storey rear addition would shade the garden of no.75 in the early morning hours, however sunlight would remain unaffected for the majority of the day and therefore the impact on sunlight would not be severe.
- 87 Furthermore, the rear gardens of dwellings have a south-facing orientation and benefit from the highest levels of sunlight throughout the year. Owing to this, the impact of overshadowing would be limited.
- 88 There is a mature hedgerow on the eastern boundary of the site, which already partially shades no.71. Thus the proposals would not have a significant impact on the levels of light currently enjoyed by the occupiers of this property.
- 89 In summary, the proposal would pass both the daylight and sunlight tests performed and would conserve acceptable levels of daylight and sunlight to neighbouring sites.
- 90 Outlook and overbearing development:
- 91 Owing to the rectangular land plots, with houses oriented in parallel to one another, the outlook from neighbouring dwellings of the proposed development would remain oblique and restricted, rather than a direct and immediate aspect from habitable rooms. Consequently, the development would not be considered to be sited such as to appear unduly overbearing or imposing. The planning process is unable to protect long-range views, however in this instance the development does not interrupt short nor long-range views.
- 92 In summary, the proposed outlook of neighbours would remain within the acceptable limits of this policy, and the siting of the development would not amount to an overbearing impact.
- 93 Privacy:
- 94 Bedroom 4 at first floor level, and the en-suite to the Master bedroom together with one east-facing en-suite window serving bedroom 2, all introduce a direct outlook towards neighbouring dwellings and would

require obscure glazing and being fixed shut to safeguard the privacy of neighbouring dwellings. This can be secured by planning condition.

- 95 In addition, owing to the flat expanse of roof adjacent to windows on the rear elevation of the site, a condition can be imposed to prevent use of the flat roofs as balconies, to safeguard the privacy of neighbours. This can also be secured by planning condition.
- 96 All other windows are not oriented to directly overlook neighbouring private amenity space, whilst site boundaries would protect the privacy of neighbours from the new outbuildings introduced at ground floor level.
- 97 In summary, subject to two privacy conditions, the development would conserve the amenities of surrounding neighbours. In addition, the new dwelling would meet the Nationally Prescribed Space Standards for new dwellings and is designed to provide good levels of daylight, ventilation and amenity space to future occupiers of the development.
- 98 In summary, the development is policy compliant.

Parking and Highways Safety

- 99 Policies EN1 and T2 of the Sevenoaks ADMP seek to ensure satisfactory means of access for vehicles and pedestrians, and to provide adequate parking facilities. Policy T3 requires electric vehicle charging infrastructure to be provided in new developments.
- 100 In suburban locations, local policy guidance on residential parking requires dwellings with four or more bedrooms to provide two parking spaces on site.
- 101 Parking provision would remain on the site for two vehicles as a result of the proposed development and as such would not be considered to materially affect any local parking issues, nor compromise the existing highways safety of the site.
- 102 The existing site access would remain unaltered, except for an amended design for the vehicular gate which provides entrance to the site. This gate can be conditioned to remain inward opening to preserving existing sightlines for vehicular movements. The driveway allows sufficient space for the turning of vehicles to ensure they can enter and exit the site in a forward gear.
- 103 As a result, the proposal would maintain satisfactory parking arrangements for the scale of development proposed, and maintain highways safety conditions.
- 104 Provision of one electric vehicle charging point can also be secured by planning condition. The Highways Officer has reviewed the proposals and raised no objection to the development.
- 105 In summary, the proposal would accord with local policy and policy guidance.

Other issues

- 106 Third party representation has referred to the loss of landscaping outside of the applicants ownership. Planning consent does not override any other consents which the applicant must obtain prior to works commencing. Discussions regarding boundary landscaping is a civil matter for discussion amongst land owners and does not have material bearing on this application. Notwithstanding this, as advised by the Arboriculture Officer, a landscaping scheme can be secured via planning condition, to ensure the removal and introduction of vegetation on site is managed, to safeguard the visual amenity of the area.
- 107 Third party representation has also highlighted Grade II Listed Buildings which lie to the north-west of the site (called Tadorna and Bradbourne Farmhouse). Given the significant separation distance from the site (over 80 metres) and the visual separation of the site by the busy A25 arterial road and surrounding vegetation, I do not consider the setting of these heritage assets would be harmed. As such, the proposal would comply with policy EN4 of the Sevenoaks ADMP.

Community Infrastructure Levy (CIL)

- 108 The proposal would create over 100m² of habitable internal space and is therefore CIL liable. There is no application for an exemption. As such, the development will be charged CIL.

Conclusion

- 109 Subject to a landscaping condition to protect the visual amenity of the Lambarde Road area, privacy conditions to safeguard neighbouring privacy, and an electric vehicle charging condition and driveway gate condition, the development would comply with all relevant policies of the Sevenoaks Development Plan and there are no material considerations, which would outweigh the presumption in favour of development.
- 110 It is therefore recommended that this application is GRANTED.

Background papers

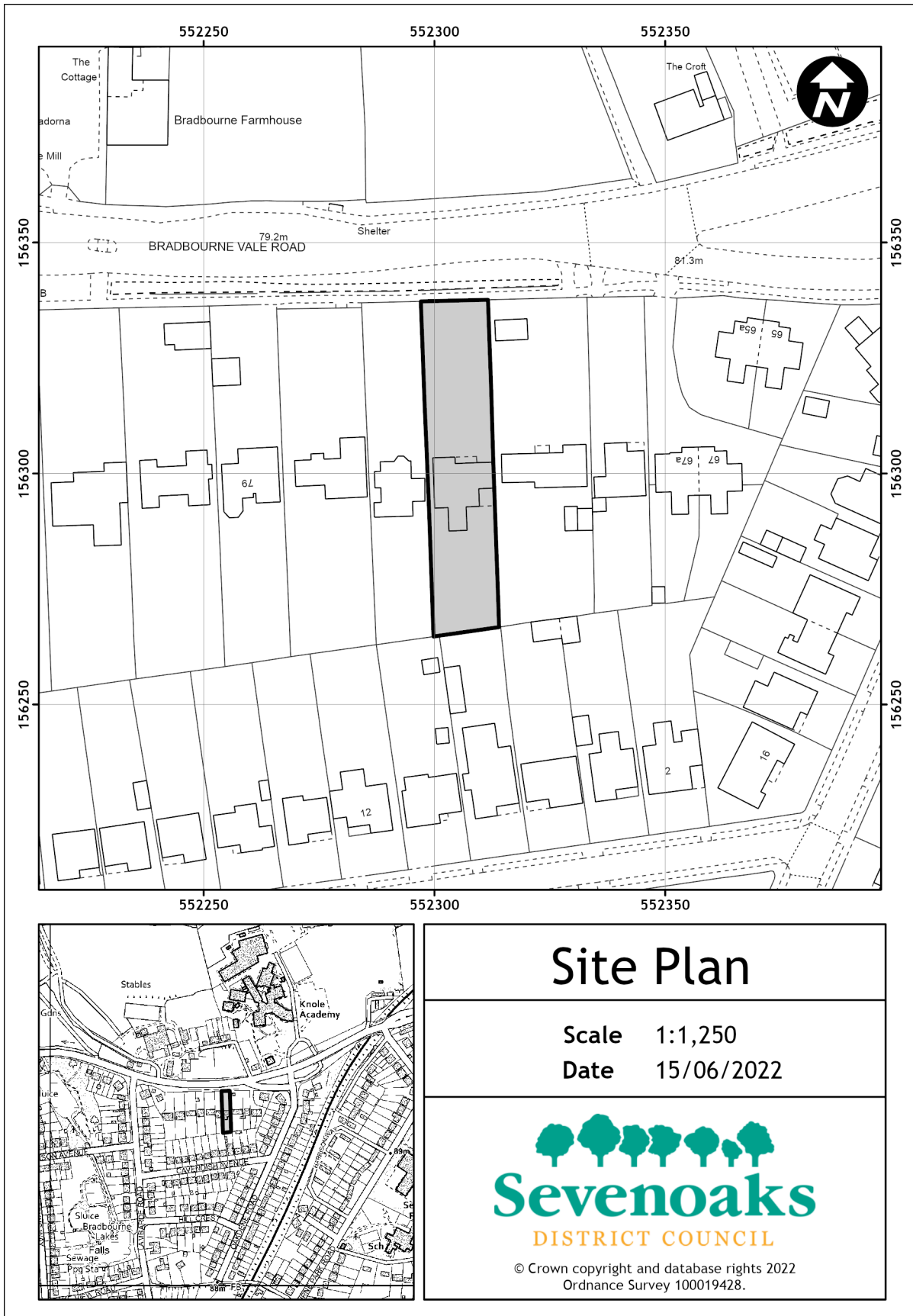
Site and block plan

Contact Officer(s): Samantha Simmons 01732 227000

Richard Morris
Chief Planning Officer

Link to application details:

Link to associated documents:



Site Plan

Scale 1:1,250
Date 15/06/2022



© Crown copyright and database rights 2022
Ordnance Survey 100019428.

BLOCK PLAN

