

4.5 20/02439/HOUSE Revised expiry date 20 November 2020

Proposal: Rear first floor extension.

Location: 23 Eardley Road, Sevenoaks, KENT TN13 1XX

Ward(s): Sevenoaks Town & St Johns

Item for decision

The application has been called in to committee by Councillor Fleming in relation to the impact of the development upon neighbouring 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

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

3) The window in the second floor window in the proposed east facing 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 residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

4) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1 unnumbered 1:1250 scaled location plan, SP1264-20-PL03, SP1264-20-PL04 and SP1264-20-PL05 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 application site is located along the southern side of Eardley Road, within the confines of Sevenoaks Town, and features a singular semi-detached dwelling house (No.23).
- 2 No.23 Eardley Road is a Locally Listed Building with an attractive frontage of a distinct architectural style, and was previously occupied by the historical figure H.G.Wells. The combination of both these factors is why the dwelling has been designated as a Locally Listed Building. The other semi-detached dwelling to which the proposal site adjoins (No.25) is not a Locally Listed Building.
- 3 The proposal site falls within the Granville Road and Eardley Road Conservation Area, and abounds a Locally Listed Asset in the form of paving which stretches from No.17 to No.29 Eardley Road.

Description of proposal

- 4 Rear first floor extension.

Relevant planning history

- 5 20/01696/HOUSE Rear first floor extension. - WITHDRAWN
- 6 08/00485/FUL First floor side extension. - GRANTED
- 7 02/00841/FUL Single storey side and rear extension. - GRANTED

Policies

- 8 National Planning Policy Framework (NPPF)
- 9 Core Strategy (CS)
 - SP1 Design of New Development and Conservation
- 10 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles

- EN2 Amenity Protection
- EN4 Heritage Assets
- T2 Parking

11 Other:

- Sevenoaks Residential Extensions SPD

Constraints

12 The following constraints apply:

- Conservation Area - Granville Road and Eardley Road
- Locally Listed Asset - House

Consultations

13 Parish/Town Council - Sevenoaks Town Council:

“Sevenoaks Town Council recommended refusal on the grounds of overshadowing of neighbouring properties.”

14 Other Consultees - SDC Conservation Officer:

15 “Significance

16 Number 23 is a locally listed building of the late 19th Century. It is part of an attached pair of symmetrically detailed villas which front the southern side of Eardley Road in the Granville/Eardley Road Conservation area, and it makes a positive contribution to the special qualities of the designated area.

17 The subject building has been locally listed due to its association with an important historical figure and the attached dwelling is not included in the designation.

18 Impact on Significance

19 The intention to construct a substantial addition to the rear is regretted from the conservation perspective. However the presence of the new work does not diminish the important historic associations for which the building was locally listed. The late Victorian character of the Villa as a whole remains clearly evident when viewed from Eardley Road and it continues to make a positive contribution to the street scene. Although bulky, the new addition is largely contained to the rear and it does not intrude into any locally distinctive conservation area views.

20 Policy Context

21 Paragraphs 193 & 194 of the NPPF require great weight to be given to the conservation of designated areas and while local listing provides no

additional planning controls, the fact that a building is on a local list means that its conservation as a heritage asset is an objective of the NPPF, and a material consideration when determining the outcome of a planning application.

22 While the proposed development may not actively enhance or better reveal the significance of either the locally listed building or the conservation area (NPPF paragraph 200), it does not cause harm to the extent that would justify refusal in terms of paragraph 195. In consequence, refusal cannot be justified in terms of

23 Policy EN4 and the proposal is condoned.”

Representations

24 1 letter of objection has been received relating to the following issues:

- Significant loss of light to neighbouring property
- Outlook from neighbouring window
- Design and form of the proposed extension

Chief Planning Officer's appraisal

25 The main planning consideration are:

- Heritage and Design - Impact to the Conservation Area, Locally Listed Building and impact on the character of the area
- Impact to neighbouring amenity

Heritage and Design

26 Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

27 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

28 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.

29 The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).

30 Policy EN1 of the ADMP and Policy SP1 of the Core Strategy 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.

- 31 The property is located within the designated Eardley Road Conservation Area, which is predominately characterised by Victorian architecture.
- 32 The proposed development being a first floor extension is to feature to the rear elevation of No.23, and would remain largely unobservable from public view along Eardley Road. Part of the roof of the proposed extension would be visible from the front elevation of the property, however due to the relatively minimal amount of roof visible, the impact that this would have on the overall character of the dwelling is minimal. This is further accentuated by the use of matching face brickwork in the construction of the extension to that of the existing dwelling (alongside the other materials proposed), further mitigating any adverse visual impact.
- 33 The proposed works would all be contained within the footprint of the existing dwelling, and would not be seen to lead to an over-development of the site nor would it appear overly prominent.
- 34 It is noted, that rear first floor extensions are featured on the adjacent dwellings at No.29, No.27, No.21 and No.19 Eardley Road, providing precedent to first floor rear extensions being an acceptable form of development within this Conservation Area and some weight is attributed to this, however it is not determinative factor.
- 35 The Council's Conservation Officer states that although the proposal would not lead to an enhancement of the Conservation Area or to the significance of the Locally Listed Building, the lack of harm caused as a result means that there is no justification for refusal based on paragraph 195 of the NPPF.
- 36 Overall, the development being proposed is seen to conserve the character of the Granville Road and Eardley Road Conservation Area, as well as the Locally Listed Building itself (No.23), and is therefore in-keeping with the surrounding area. The proposal would be considered compliant with policy related to the design of development and its impact on a heritage assets. As a result the proposal would comply with Policies EN1, EN4 of the ADMP.

Impact to neighbouring amenity

- 37 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 38 No.25 Eardley Road is the semi-detached dwelling connected to No.23, and sits directly west of the proposal site.
- 39 No windows are to feature on the western side elevation of the proposed extension facing onto No.25, and in doing so confirms that the proposal would not result in No.23 being able to have a direct overlooking effect into the neighbouring windows of No.25. The privacy of the habitable rooms on the ground floor of the neighbouring dwelling are considered to remain protected for current and future occupiers of the dwelling.
- 40 The window featured on the rear elevation of the proposed extension would be situated at a distance of approximately 6-7m from the rear private amenity space of No.25. Whilst there may be some concern of the harm to

this rear amenity space for the neighbouring dwelling, the combination of the ground floor rear extension of No.25 and the boundary fencing separating the two properties, alongside trees and other vegetation along this fence, would provide adequate screening to ensure that the proposal would not result in any detrimental harm to this neighbouring amenity space, thus ensuring neighbouring privacy is protected.

- 41 Weight is given to the possibility of the additional bulk of the proposal resulting in a tunnelling effect for the outlook from the ground floor window on the southern elevation of No.25 Eardley Road. It is considered that the 3.6m depth of the first floor extension is of a short enough distance compared to the ground floor extension on which it will be placed that the staggered effect given off would prevent an overwhelming feeling of enclosure when viewing from inside the ground floor of No.25. This is also assisted by the 3.5m separation distance between the rear extensions of both properties, ensuring the proposal would not lead to the harmful tunnelling effect.
- 42 Concerns have been raised with regards to loss of light and overshadowing of the neighbouring property at No.25. In this instance a daylight/sunlight assessment has been submitted.
- 43 This assessment highlights how the proposed first floor extension at no.23 will impact the amount of daylight & sunlight received at either of the neighbouring properties at no.21 and no.25 Eardley Road. Whilst the daylight and sunlight assessment shows that there are indeed some variations in the light levels received at the neighbouring property (No.25) from the proposed extension, the majority of light received from existing windows aren't affected at all. Of those habitable rooms that are deemed to be affected (specifically the kitchen and dining room), none of the windows would receive reductions in light of above 20%, with the highest amount of light reduction being 14% for window 4 at No.25 Eardley Road. The majority of windows that would receive reduced light levels range from 1-10%, well below the BRE criteria for significantly harmful reductions in light levels, and overshadowing. In terms of loss of light to No. 21, the assessment shows that no loss of light over 20% would occur for any of the windows.
- 44 Furthermore, No.23 Eardley road and its neighbours all have rear elevations facing south. As a result, even with the proposed first floor extension, both neighbours would still receive a significant amount of light into their properties throughout the day as a result of the east-west movement of the sun.
- 45 The eastern facing window on the proposed first floor extension serves a non-habitable room in the form of an ensuite bathroom. This will be obscure glazed and a condition is recommended to ensure the amenity area of the adjacent neighbouring property is protected.
- 46 The rear window of the proposed first-floor extension would be situated at a far enough distance from the rear private amenity space of No.21 that the proposal would not be seen to lead to any significant harm of such amenity space. Any harm is further reduced as a result of the boundary fencing and

vegetation separating the two dwellings from one another. As such, the direct impact from overlooking, is considered to be minimal to justify a reason to object.

- 47 It is considered that the proposed first floor rear extension of No.23 would not result in any significant harm to the amenity space of either neighbouring property. The proposal would therefore safeguard the outlook, privacy and light levels of adjacent dwellings, and complies Policy EN2 of the ADMP.

Parking

- 48 Policy EN1 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 a 4+ bed house in this location requires a maximum of 1.5 spaces.
- 49 At present the property has no off-street parking provision and utilises the existing on street parking facility. As such, given the location of the property being close to nearby shops/services and that it is within a designated Conservation Area, it is considered that an additional bedroom to this property would not require additional demand for off-street parking provision nor will it have an adverse impact upon highway safety.

Community Infrastructure Levy (CIL)

- 50 The proposal is not CIL liable

Conclusion

- 51 Upon considering this application as set out above, the development proposed, would not have a detrimental impact on the character and appearance of the area and would not have a significant impact on neighbouring amenity
- 52 It is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

Contact Officer(s): Michael Clawson 01732 227000

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=QFKSCBKL2Y00>



Site Plan

Scale 1:1,250

Date 04/11/2020



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Ordnance Survey 100019428.

BLOCK PLAN

