

4.2 23/00901/HOUSE

Revised expiry date 26 June 2023

Proposal: Two storey side and garage extension with steps.

Location: Twin Oaks, 3 Kilnwood, Halstead Sevenoaks Kent TN14 7EW

Ward(s): Halstead, Knockholt & Badgers Mount

### **Item for decision**

Councillor Grint called the application to Development Management Committee due to concerns regarding overdevelopment and impact on the neighbouring properties in Meadway.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

1) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 3147L, 3147P, 3147A and 3147B

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

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 area as supported by Policy EN1 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 application site relates to a detached two storey dwelling with several off road parking spaces, both on its drive and in the garage.
- 2 The property is located at the end of a close, known as Kilnwood whereby the architectural style is significantly different to the adjacent street of Meadway and the spacing between the dwellings is fairly regular. The north of the site, are two storey flat development that back onto the application site. The north facing elevation of Twin Oaks can be seen from Meadway.
- 3 The site is located with the village of Halstead.

## **Description of proposal**

- 4 Planning permission is sought for the construction of a two storey side extension that includes a single storey garage extension to the property.

## **Relevant planning history**

- 5 22/03505 - Two storey side & garage extension - WITHDRAWN
- 6 21/01760 - Proposed two storey side extension and garage extension - GRANTED
- 7 86/01001/OUT - Erection of 5 Detached Dwellings and 3 detached Garages and formation of Access Road- REFUSED - Allowed at Appeal

## **Policies**

- 8 National Planning Policy Framework (NPPF)
- 9 Core Strategy (CS)
  - SP1 Design of New Development and Conservation
  - LO7 Development in Rural Settlements
- 10 Allocations and Development Management Plan (ADMP)
  - EN1 Design Principles
  - EN2 Amenity Protection
  - T2 Vehicle Parking

- 11 Other:
- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

### Constraints

- 12 No relevant constraints

### Consultations

- 13 *Parish Council Objection:*
- 14 “This is retrospective application to try and obtain permission for a building which is in breach of previous permission granted. It was confirmed by Ronald Tong of enforcement in November 2022 that it did not conform to the approved plans. The building continued and is within 30 cm and 15 cm of the site boundary. We feel this is overdevelopment and contravenes policy EN1 in bulk, scale and form. It is detrimental to neighbouring properties in Meadway and is already causing run off and flooding in neighbouring gardens, lifting large patio paving slabs and leaving pooling water. Due to the site boundary being so close, the applicant removed fence panels without permission and encroached on the neighbour’s garden in order to erect scaffolding in connection with building works.
- 15 The removal of the fence panels is causing significant distress and impact on day to day life, as the owner’s garden is no longer private or secure for pets or children. HPC mentioned this in our previous response to the following application on 24.02.23 which was later withdrawn by the applicant (22/03505/HOUSE). The fencing to this date has still not been reinstated, and the garden is regularly entered by builders without permission, damaging plants and leaving litter.
- 16 If the council decides to approve the application, we urge them to ensure that the applicant removes the newly built structure and reinstates the fence as it was. Also, we would like Permitted Development rights on the property to be removed.”

### Representations

- 17 Letters of objection have been received relating to the following issues:
- High water level and drainage issues
  - Trespass into neighbouring property
  - 50% uplift/overdevelopment

- Loss of privacy
- Loss of light

## **Background**

18 Planning permission reference 21/01760/HOUSE allowed for a proposed two storey side and garage extension onto an existing dwellinghouse and works have already been started. This application has been submitted as there has been changes made to the existing permission that has been partially constructed and the purpose of this application is to regularise the situation and to assess the impact of a revised scheme.

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

- 19 The main planning considerations are:
- Design and impact on the character of the area
  - Impact on neighbouring amenities
  - Highways

## **Design and impact on the character of the area**

- 20 Policy EN1 of the ADMP requires that development respects and takes opportunities to enhance the character and distinctiveness of the locality. The form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality.
- 21 The properties on Kilnwood are characterised by a harmonious form and design with matching external materials along the street scene. Twin Oaks is located at the end of the close and only offers limited views onto the street scene.
- 22 The proposed two storey side extension would have a sympathetic design with a matching roof form that remains subservient to the existing dwelling. The integrated garage is considered to be a large single storey projection. However this revised scheme has a reduced roof height and considered to be more sympathetic in its form and design than the previously approved scheme (21/01760/HOUSE).
- 23 It is acknowledged that the proposals does add bulk to the site and would extend beyond the front building line of the property, however due to the siting of the development being at the end of Kilnwood, the proposal would not appear unduly prominent.

- 24 Concerns have been raised that the scheme results in over development of the site, however due to generous spacing at first floor is being retained between properties and that is would not be unduly prominent within the street scene, it is considered the harm to the street scene is not significant to justify a reason to object.
- 25 Notwithstanding the above, it is noted that the previously approved permission allowed for an extension that was greater in terms of its scale and built form. This this proposal constitutes an overall reduction in terms of development and when compared to the previously approved plans, as such, significant weight must be attributed to this consideration in support of this proposal.
- 26 On considering the above, the proposed development would comply with policy EN1 of the ADMP and policies SP1, LO7 of the Core Strategy.

#### **Impact on neighbouring amenities**

- 27 Policy EN2 of the ADMP policy seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements.
- 28 Several representations have raised concerns regarding impact on privacy as a result from the proposals. No windows are proposed on the northeast facing elevation that face onto the properties on Meadway. The first floor element of the side extension would have a front and rear window, however these windows would not have a direct outlook onto any area of private amenity or habitable window of surrounding residential properties. As a result, there would be no overlooking of any areas of private amenities or habitable windows and the impact on privacy would be limited.
- 29 In terms of loss of light and overshadowing issues, a loss of light analysis has been undertaken, in accordance with the adopted Residential Extensions SPD. The results show that the extensions would not adversely impact the adjoining neighbouring properties of nos.33, 34, 35 Meadway.
- 30 With regards to outlook, the proposed development would not be directly visible to no. 4 Kilnwood due to the location of the proposed extension. No. 2 Kilnwood has a window facing towards the application site, however due to its position it would not directly overlook the proposal. In relation to the neighbours located in Meadway, there would be no windows on their side elevation facing the proposal. The conservatory at the rear of no.33 would face the proposals, however, the pre-existing outlook from the conservatory

is on the built form of Twin Oaks and considered that the degree of visual intrusion would be limited.

- 31 No.38's front windows would also not directly overlook the proposal and would continue to provide a sufficient level of outlook from both the ground and first floor windows. The proposal would therefore not detrimentally harm their outlook due to the oblique relation between the neighbouring windows on Meadway and the siting of the extension. It is noted that planning policy does not guarantee maintaining existing views from properties. The outlook from the neighbouring properties on Meadway would not directly face the proposed side extension and garage. The limited height of these proposals would also further limited the visual intrusion resulting from the proposals as these would not appear unduly prominent.
- 32 Upon considering the above, the development would not have an adverse impact upon the existing residential amenity of occupiers of adjoining properties. This development would comply with Policy EN2 of the ADMP.

### Highways

- 33 The proposals would not result in any additional bedrooms. In addition, there would be significant off-road parking spaces retained on site, both on the drive and in the proposed garage. The parking amenities on site would therefore be well within policy guidelines.

### Other issues

- 34 It is noted that pre-existing fencing between Twin Oaks and no.33 has been removed. There is no evidence of encroachment of the development into the neighbours property and that the relevant landownership certificates have been declared. The trespassing concerns and boundary disputes raised in the representations is a civil matter between the respective parties and not a material planning consideration.
- 35 With regard to drainage and surface water run-off, the site is not within a designated flood risk zone nor an area that is high at risk from surface water flooding. As such, due to the small scale nature of the development, the matter with regards to drainage is considered is by the Building Regulation regime.
- 36 A condition removing permitted development rights, as requested by the Parish Council, would be not be considered reasonable nor necessary in this instance as the site is neither in a prominent location within the street scene. The site being located at the end of the close would limit the prominence of future proposals and a condition removing permitted

development rights would not be relevant to the development to be permitted as per the Planning Practice Guidance.

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

37 The development is not CIL liable.

### **Conclusion**

38 The proposed development would not have an adverse impact on the amenities of adjacent properties and minimal impact upon the character and appearance of the street/original dwelling. This proposed scheme is an improvement upon the extant planning permission.

39 On considering the above, it is recommended that this application should be granted, as it conforms to the relevant Development Plan policies and that there are no other overriding material considerations to indicate otherwise.

### **Background papers**

Block Plan of the Site  
Proposed and Existing Elevations  
Proposed Floor & Roof Plans

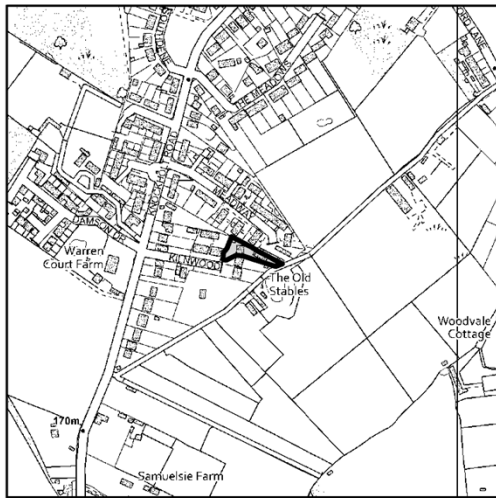
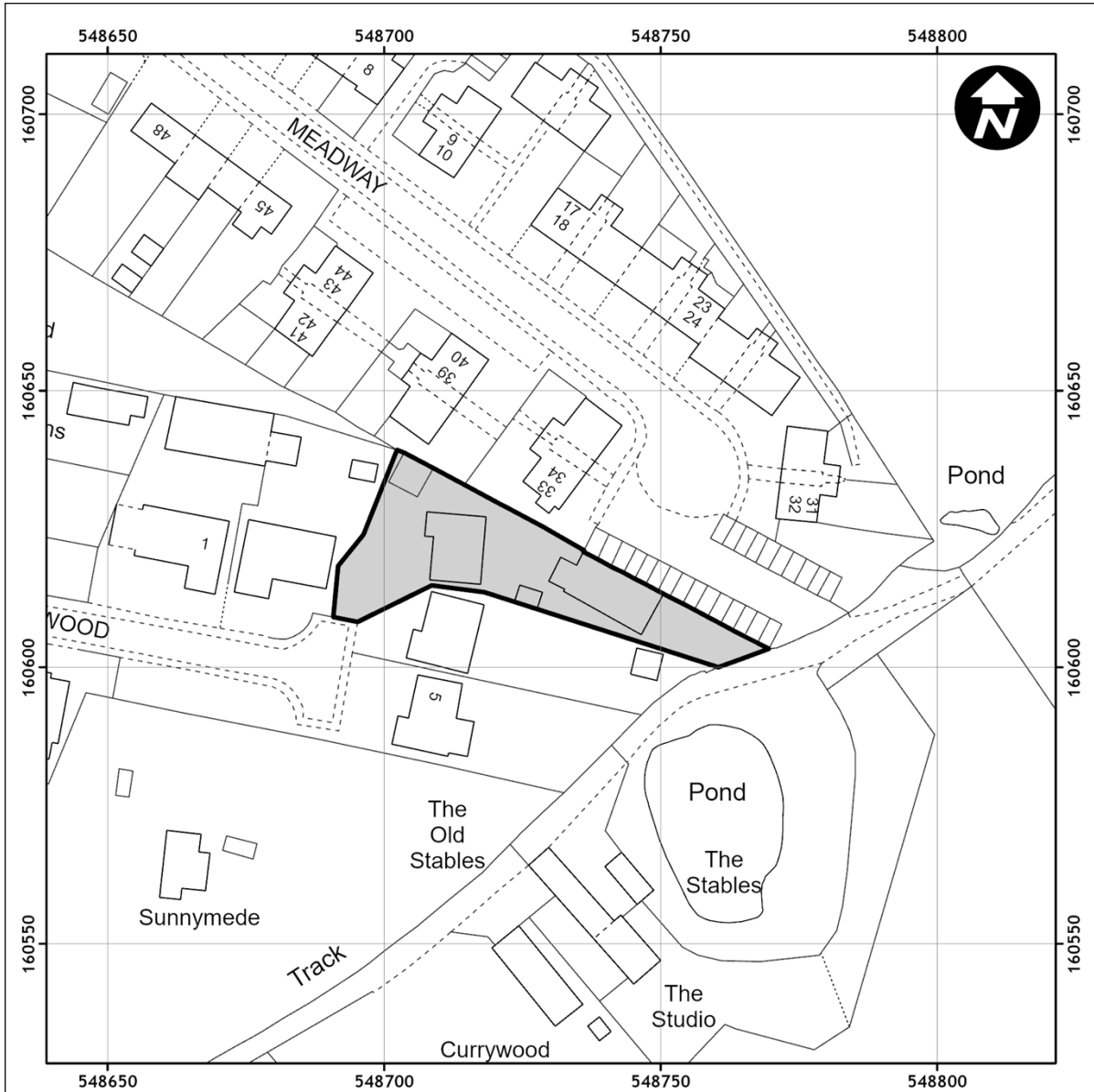
Contact Officer(s): Eliot Froment

Extension: 01732227000

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

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

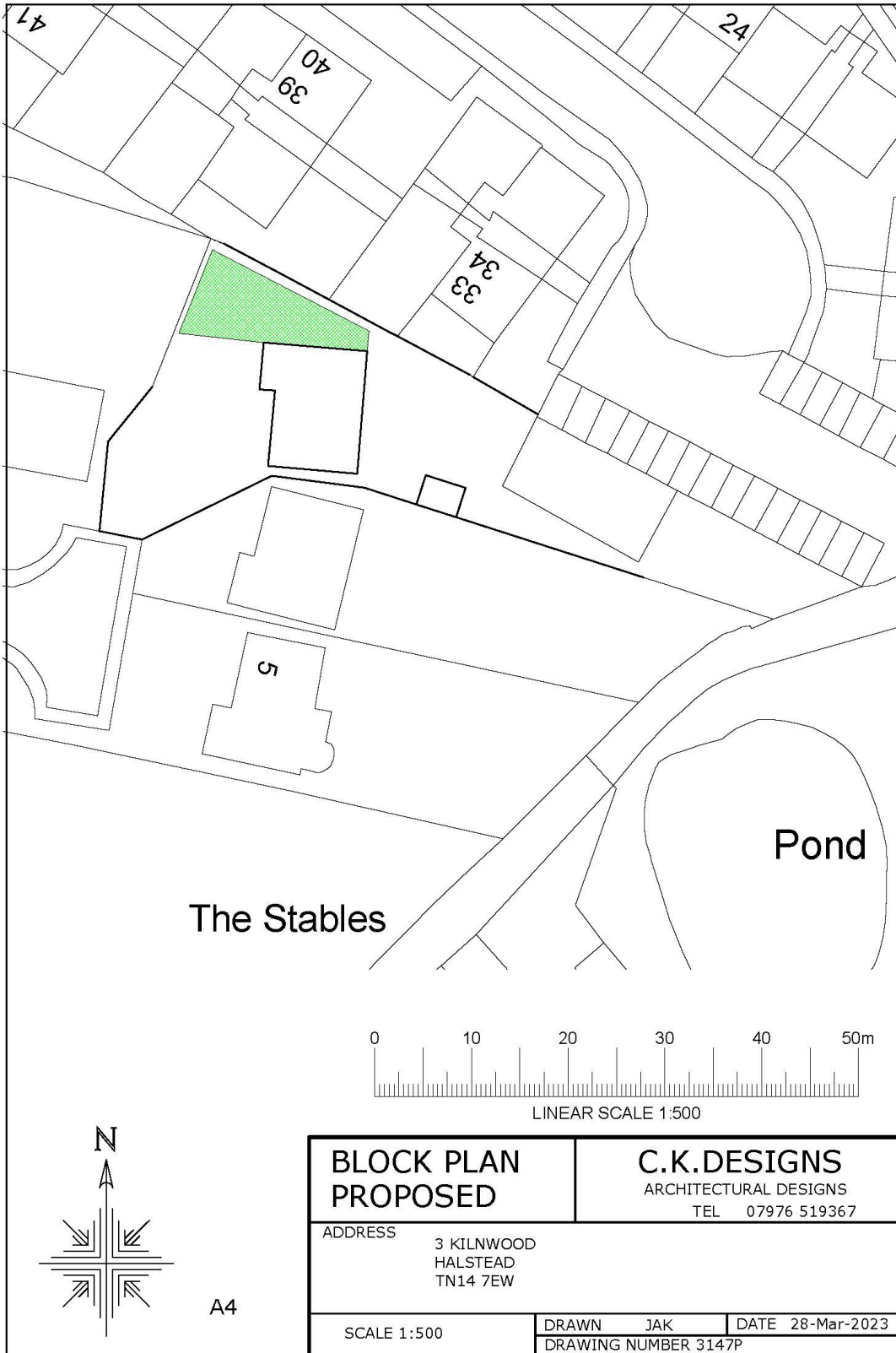
Scale 1:1,250  
Date 03/06/2023



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Block Plan





<b>BLOCK PLAN PROPOSED</b>		<b>C.K.DESIGNS</b> ARCHITECTURAL DESIGNS TEL 07976 519367	
ADDRESS 3 KILWOOD HALSTEAD TN14 7EW			
SCALE 1:500	DRAWN JAK	DATE 28-Mar-2023	
DRAWING NUMBER 3147P			