

4.4 - 23/02958/HOUSE

Revised expiry date 8 March 2024

Proposal: Demolition of garage. Single storey side and rear extension and loft conversion with alterations to roofline including removal of chimney. Two rear dormers and one front dormer. Three roof lights to front roof slope. Alterations to fenestration.

Location: 2 Turnpike Drive, Pratts Bottom, Orpington Kent BR6 7SJ

Ward(s): Halstead, Knockholt & Badgers Mount

#### **Item for decision**

The application was referred to Development Control Committee by Councillor Grint due to concerns that the proposals are out of keeping with the character and style of the area.

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

1) The rear dormer windows, hereby permitted, shown serving the bathroom and bedroom number three, shall be obscure glazed to a minimum grade level three and fixed shut below 1.7m above the finished floor level, as indicated on drawings 205 Revision C and 206 Revision C and shall be maintained as such thereafter

To preserve the privacy of existing and future occupiers of 3 Turnpike Drive as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 206 REV C; 205 REV C; 207 REV C; Application form

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 comprises of a detached bungalow set on the southern side of turnpike drive near to the junction shared with Stonehouse Road. Numbers 1-4 Turnpike Drive fall within the Sevenoaks District Council boundary. All other properties to the west are within Bromley Borough Council.

## Description of proposal

- 2 The proposal seeks permission for the demolition of the existing garage and the construction of a single storey side and rear extension and loft conversion with alterations to roofline including removal of the chimney. Two rear dormers, one front dormer and two roof lights to front roof slope are also proposed with alterations to the fenestration.
- 3 Works have already commenced on the extensions and alterations, which are now nearing completion. Therefore, this is a retrospective application.

## Relevant planning history

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23/02958/HOUSE	Demolition of garage. Single storey side and rear extension and loft conversion with alterations to roofline including removal of chimney. Two rear dormers, one with juliette balcony. Three roof lights to front roof slope. Alterations to fenestration	REFUSE	09/08/2023
SW/5/54/131	Site for six dwellings	Outline approved	16/06/1954
SW/5/54/131	Layout of roads and sewers	APPROVED	25/10/1954
SW/5/54/131	Proposed bungalows (Plots 1-3. 26-28)	APPROVED	06/04/1955
SW/5/54/131B	Erection of 7 dwellings in lieu of 6 approved	APPROVED	27/10/1955
SW/5/54/131C	Erection of 7 bungalows	APPROVED	23/02/1956
SW/5/54/131D	Erection of 7 garages	APPROVED	05/09/1956

## Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Core Strategy (CS)
  - SP1 Design of New development and Conservation
- 7 Allocations and Development Management Plan (ADMP)
  - SC1 Presumption in Favour of Sustainable Development
  - EN1 Design Principles

- EN2 Amenity Protection
- T2 Vehicle Parking

8 Other:

- Sevenoaks Residential Extensions SPD

### Constraints

9 The following constraints apply:

No relevant constraints

### Consultations

- 10 Two rounds of consultations were undertaken. The first expired on 07/11/2023. Following receipt of amended drawings to include the front dormer a second round of consultation was sent out which expired on 27/12/2023.
- 11 Halstead Parish Council (second consultation only) – object: “HPC are concerned about the size and scale of this development and that it may exceed the permitted 50% development. Additionally, we have concerns regarding the uniformity with neighbouring properties and that the front elevation may appear out of character. The proximity of the development to neighbouring properties raises privacy concerns.”
- 12 SDC Environmental Health (first consultation only – support: “No objection to this application. Due to the proximity of other residential properties, it's recommended that a condition requiring a Construction Environmental Management Plan to be submitted for approval is attached to any planning consent. The CEMP should include measures to deal with noise, dust, site working hours, deliveries and waste. There should be no burning whatsoever on site”

### Representations

- 13 Four letters of objection from two addresses have been received over the course of the two consultation periods relating to the following issues:
- Design and impact to the character of the area
  - Impact on neighbouring amenity, i.e., loss of privacy and loss of light

### Chief Planning Officer's appraisal

- 14 The main planning considerations are:
- Impact on the character of the area
  - Impact on neighbouring amenity
  - Impact on parking

### Planning Assessment

- 15 This application is a resubmission of 23/02958/HOUSE which refused permission for the same development on the grounds that the development would result in overlooking of number 3 Turnpike Drive and would fail to comply with Policy EN2.

- 16 This application seeks permission for the same development with the following changes:
- A smaller rear dormer window that would be obscure glazed and fixed shut thereby overcoming the reason for refusal of the original application, and;
  - A small dormer to the front to provide another means of outlook for this room in order to allow the rear dormer window to be obscure glazed and fixed.

#### **Impact on the character 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 roof and side extension would be visible within the street scene. The existing dwelling is a modest bungalow which was granted planning permission in 1954 along with a number of its neighbours.
- 19 Whilst similar in design to other properties within Turnpike Drive, they are not wholly uniform and there is visual variety in the area. Many of neighbouring properties of a similar design within the road have had later alterations including extensions at the ground floor and at roof level with the benefit of planning permission. Most of the properties within the road retain their permitted development rights and, although it was not built out, number 24 Turnpike Drive was granted a Lawful Development Certificate for similar roof extension works proposed at number 2. It is therefore likely that a hip to gable roof extension with one small rear dormer would not require planning permission and the development is not too dissimilar to what can be undertaken lawfully as permitted development.
- 20 Within the street scene many properties have had of the first floor roof extensions, some with roof alterations and ridge extensions. Within the immediate and wider area, some of these alterations have been substantial. Number 19 Turnpike Drive for example, which was nearly identical to number 2 prior to its renovation, was granted planning permission for works that that included a hip to gable roof extension at the front to create a visible first floor and two side dormers. There are also numerous examples of prominent side flat roof side dormers. Within the wider area, the architectural character, scale and form is more varied still and a dwelling of the design proposed here would not be considered out of keeping with it.
- 21 The ground floor extension is subservient and proportionate to the existing dwelling and the works at the first floor retain the existing height of the building thereby preserving the existing low lying scale of development within the street scene which is its unifying character. At the roof level, the development would also retain the characteristic visual gaps and spacing that would allow the extended dwelling to still sit well within the street scene.
- 22 Although some of the detailing at the roof level, such as the small flat roofed section, would appear unusual, this would have a negligible visible impact as it would be viewed at street level and therefore would not appear visually harmful within the street scene. Within the wider area there are a number of modern dwellings of modern and non-traditional design including varied roof forms, particularly within Stonehouse Road to the south and number 19 Turnpike Drive. Therefore, a more modern design would sit well within the context of the wider area.

- 23 The only element of the roof works that would not be permitted development is the pitched roof front dormer which has been proposed in order to secure the privacy of number 3 Turnpike Drive. Dormer windows are very common within the area. Although there are no front dormer windows within Turnpike Drive, there are a number of prominent side dormers which are clearly visible, some of which are much larger and less sympathetic in scale and design to the one proposed here. There are also many rear and front dormers visible within long views through the gaps between the dwellings. Similarly, there are examples of small modest dormers within the Stonehouse Road similar to the one proposed at number 2 Turnpike Drive. One of these is located on a property opposite the junction and can be seen within the same views with the application site. In this case, the pitched roof front dormer is very modestly scaled with a traditional design. It would sit subserviently within the roof plane and, as it would be seen in context with other dormers in the area, would not harm the character of the street scene.
- 24 The development is therefore considered to constitute a modest development, with modest visual impact reflecting the existing architectural character and design precedents within the immediate and wider area in accordance with Policy EN1 of the ADMP and the Sevenoaks Residential Extensions SPD.

#### **Impact on neighbouring amenity**

- 25 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development. When ascertaining whether development would result in an adverse loss of light, The Residential Extensions SPD recommends that a 45 degree test is undertaken for a loss of light to neighbouring dwellings, based on BRE guidance. The 25 degree light test applies to side windows that would face the proposed development.

#### **Light**

- 26 3 Turnpike Drive
- 27 3 Turnpike Drive is the western neighbour. There is approximately 6m distance between the side elevations and this property is set lower than the application site. Due to the distance between the properties the development would pass the 45 degree light tests to the rear and front windows of this dwelling.
- 28 There are two side windows on this elevation facing the dwelling. As the two buildings are set in line with each other these windows look out directly onto the existing dwelling boundary treatments therefore the proposed extension would not be located in close proximity of them. As such, the proposed rear extension would have very limited daylight that these windows receive. The proposed roof extension would fail the 25 degree light tests to these windows however, as number 3 is set lower than the application site and the windows already look directly onto the standard height fencing, planting and neighbouring building beyond, the light tests would fail in the existing situation. Any impact to light received to these windows therefore would be modest.
- 29 One of these windows serves a kitchen, and another a bathroom. The latter is not a habitable room and therefore the impact to this window would be considered acceptable in planning terms. The side window serving the kitchen is secondary with other windows located on the rear elevation. The rear elevation is south facing and would receive uninterrupted direct daylight. The side window, due to its location,

would only receive direct daylight for a couple of hours of the day when the sun passes the gap between the two properties.

- 30 The existing properties, neighbour's garage and boundary treatments would also block daylight in the normal situation in the mornings before midday and mid-afternoons onwards. As this window would receive limited direct light, and the room it would serve benefits from other south facing windows, the impact with regard to loss of light and overshadowing would not be so severe as to result in significant loss of daylight to this room contrary to Policy EN2.
- 31 1 Turnpike Drive
- 32 1 Turnpike Drive is the eastern neighbour. This property is located closest to the ground floor extension and is set on a higher level than the application site. Due to the distance and siting of the properties the proposals would pass the 45 degree light tests to the front and rear windows of this neighbour. This property has two side windows, one serving and kitchen and the other, a lobby. The latter is not a habitable room therefore the impact to these windows would be acceptable. The kitchen window is secondary and there is another window on the rear elevation. As such, the impact to daylight to the kitchen would not be severe as to result in significant loss of light and overshadowing contrary to Policy EN2.

#### Overlooking and loss of privacy

- 33 The proposed dormers would introduce overlooking at the first floor which does not exist already. Policy EN2 of the ADMP protects the privacy of habitable rooms and the private amenity spaces of the gardens (defined as the first five metres from the rear elevation of a dwelling).
- 34 As above, the previous application was refused due to the overlooking of number 3 turnpike Drive that a dormer in this location would allow. However, this instance it is proposed that both rear windows would be obscure glazed and fixed shut which would entirely prevent overlooking of the neighbours from this aspect. This would be achieved through the introduction of a small front dormer window to the front that would provide this bedroom with an alternative source of outlook.
- 35 Windows that face onto the street, and the fronts of other properties, would not be considered to result in overlooking in this instance as the fronts of properties in this arrangement are already overlooked by each other.
- 36 The proposed amendments would therefore overcome the reasons for refusal and would comply with Policy EN2. Obscure glazed and fixed windows can be secured by planning condition.

#### Outlook

- 37 The building line would not be extended any closer to number 3 Turnpike Drive therefore, whilst visible, the nature of normal outlook would be preserved. Whilst the building would be extended closer to number 1 Turnpike Drive there is a good gap between the two with direct views of this neighbour's windows being onto the existing boundary treatments with the dwelling beyond. As such, the normal outlook of number 1 Turnpike Drive would also be preserved.

38 All other neighbours are located a good distance away and the development would not be located in close proximity of the direct outlook of their windows providing primary outlook to habitable rooms.

39 The proposals comply with EN2 of the ADMP.

#### **Other issues**

40 We have received a request from SDC's Environmental Health Officer for a Construction and Environmental Management Plan should the application be granted. At the time of the site visit it was noted that the works were nearly complete. For this reason, it is not considered necessary or appropriate to secure a plan by way of planning condition in this instance.

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

41 The development is not CIL liable.

#### **Conclusion**

42 The development is considered to have overcome the original reason for refusal and now complies with all relevant national and local planning policies.

43 It is therefore recommended that this application is approved.

#### **Background papers**

44 Site and block plan

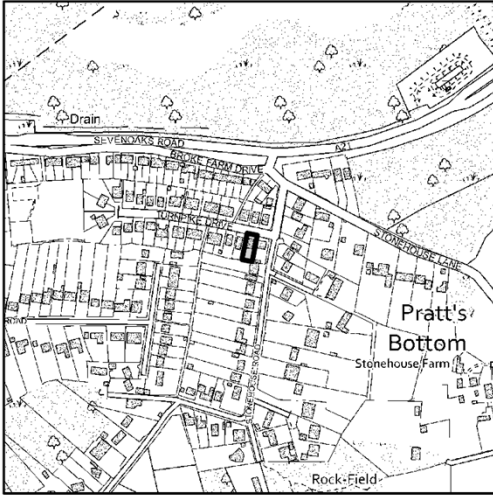
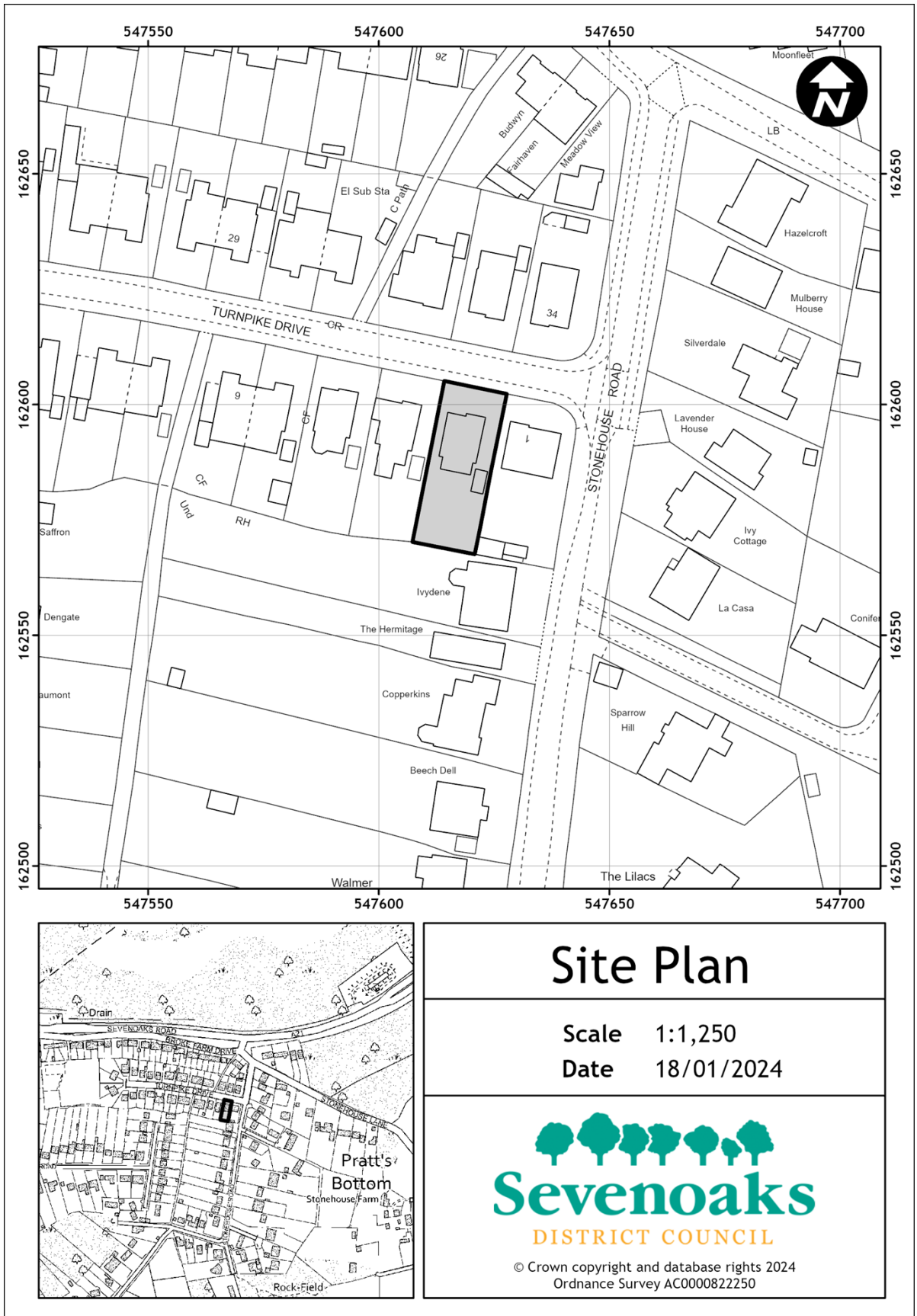
Contact Officer(s):

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

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

Scale 1:1,250  
 Date 18/01/2024



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 Ordnance Survey AC0000822250



# PROPOSED BLOCK PLAN

