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**Report of 13 June 2007**

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**Borough Green**                      **560471 157004**                      **3 April 2007**                      **TM/07/01125/FL**  
Borough Green And  
Long Mill

Proposal:                      Two storey and single storey side extensions and replacement conservatory  
Location:                      18 Staleys Road Borough Green Sevenoaks Kent TN15 8RL  
Applicant:                      M J Fancett

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**1. Description:**

- 1.1 This full application proposes to construct two storey and single storey side extensions and replacement conservatory on the site at 18 Staleys Road, Borough Green. The proposal includes a replacement, integrated garage. At ground floor level the proposed extensions will consist of a new kitchen, utility room, playroom, and replacement garage and conservatory, with one additional bedroom and ensuite bathroom at first floor level. A foundation pier is to be sited right up to the boundary, whilst the remainder of the ground floor of the side extension is offset 200mm from the north west boundary, with the first floor extension sited 150mm from the boundary at the front of the site, but at the rear, due to the angled boundary, the first floor element would be approximately 3.25m away from the boundary.
- 1.2 The applicant has provided Certificate B and served notice on the owners of the adjoining site, 19 Staleys Road since part of the upper structure above the front foundation pier would overhang the boundary with that property.
- 1.3 The proposal contained in this application is broadly similar to that approved under ref. TM/06/03474/FL. It has been reduced in size to overcome discrepancies in the width of the site, that came to light after that permission was granted. It is understood that the applicant has also sought to minimise the degree of encroachment over the neighbouring property.

**2. The Site:**

- 2.1 18 Staleys Road is a semi-detached property located at the end of a cul-de-sac. The site is a rather irregular, elongated pentagon shape, being very narrow at the road boundary and widening to the rear. The site slopes gently down from front to back. The property contains the existing semi-detached dwelling with detached garage, and several garden sheds. The site is located within rural settlement confines as defined in the TMBLP 1998. To the south east and north west the site adjoins other residential properties, and to the south and west the site adjoins Green Belt / Green Wedge / Area of Local Landscape Importance / Area of Outstanding Natural Beauty / Special Landscape Area. The site is fully fenced,

with some landscaping and hedging along boundaries and to the south of the site is a coppice of woodland trees.

### 3. Planning History:

TM/81/10999/FUL Grant with conditions 13 May 1981  
(TM/81/392)  
Demolition of existing conservatory and provision of new conservatory.

TM/86/11743/FUL Grant with conditions 16 May 1986  
(TM/86/485)  
Porch extension at front.

TM/06/03474/FL Grant with conditions 15 January 2007

Two storey and single storey side extensions and replacement conservatory

- 3.1 It is noted that this application is similar to the previously approved TM/06/03474/FL, with the key difference being that the proposed extensions in the current application have been offset from the north west boundary.

### 4. Consultees:

- 4.1 PC: It is strongly considered that this development should not go ahead if it impinges on the adjacent property no. 19 Staleys Road in any way.
- 4.2 Kent Highways: No objection. The submitted plans show proposals to provide a two level extension, creating a new bedroom and attached garage with kitchen and playroom. The additional bedroom could require the provision of a further parking space. The proposed garage is slightly shorter than the 5.5m recommended and the width is less than would be required for use by disabled drivers. However, in this instance the garage is similar to other nearby existing garages and suitable alternative curtilage parking is available.
- 4.3 Private reps: (5/0X/1R/0S) + Art 8. One objection received raising the following issues:
- The size of the structure and its obtrusive impact on our property in particular and upon this corner of Staleys Road in general seems inappropriate bearing in mind the character of the Valley View Estate.
  - This estate was planned and built on the basis of semi-detached properties without the overcrowding impact of buildings between each pair of houses. Whilst there are several properties with smaller side extensions they do not dominate the immediate surroundings as this proposal appears to do.

- We feel that the houses in this corner of Staleys Road were built closer together than elsewhere as there is no vehicle turning circle at the end of the cul-de-sac. All driveways in the vicinity are small and ours in particular is of minimal dimensions for parking and access. The street scene which already resembles a car park would seem likely to deteriorate further by the proposals which will reduce sunlight and introduce a totally urban impression, particularly from our lounge window.
- We feel also that the proposed extension is an over-intensification of bricks and mortar on the site.
- Whilst the single storey is approximately only 20 centimetres from our southern boundary, it is a 10 metre long and 3 metre high brick wall with a double storey on the boundary at the front. There is almost certainly an issue of light and sunshine restriction to our property.

## **5. Determining Issues:**

- 5.1 Members will note what is said in paras 1.3 and 3.1 above regarding the similarities between this proposal and that for which planning permission has already been granted. That permission clearly establishes the acceptability in terms of the Planning Acts of an extension of this nature. The material considerations relating to this proposal are very similar to those that appertained to the previous one, and these are set out below. Members are reminded that land ownership issues are not material to the determination of a planning application so long as the legal processes have been followed (service of notice and the relevant Certificate B). The correct procedure has been followed with respect to this application.
- 5.2 The site is within a residential area and the principle of an extension is acceptable. The main issues are whether the proposal will unacceptably harm the amenities of neighbouring residents and the street scene in general. Policy P4/12 and its Annexes are thus of relevance, particularly in regard to the issues of visual dominance and outlook from neighbouring properties, effect on daylight and sunlight to neighbouring properties, effect on the street scene and car parking.
- 5.3 While the proposal will result in the two storey portion of the dwelling being located very close (150mm) to the adjacent boundary, I do not consider it to be detrimental to the character of the street scene. The proposal does not maintain a 1 metre gap between the whole length of the extension and the boundary. However, due to the site boundary being angled, and the existing dwelling and first floor extension being sited square to the street, a visual gap will remain at first floor level. In my opinion this meets the intention of PA4/12 (1) which is to decrease the effect of "terracing" and retain visual separation between dwellings. For the reasons discussed above, I consider that the proposal will not detract from the visual amenity of the street scene and surrounding area.

- 5.4 With regard to visual dominance of the proposed extension for neighbours, although the front of the two storey portion will be located close to the boundary, the majority of the building will be set back and meet the intention of PA4/12 (1). I also note that the extension is located adjacent to the driveway and garage of the neighbouring dwelling (No.19) and is located away from the main living areas and garden area of that dwelling.
- 5.5 The proposal will not result in the loss of privacy to adjoining properties as the only window proposed on the flank elevation is a high level window in the garage. I also note that on the adjoining property to the north west, No.19, located directly against the boundary, is a driveway and garage which effectively screens views into the garden. The proposed windows in the rear and front elevations of the extension will not have a greater impact on privacy than the existing windows in these elevations, typical of semi-detached dwellings.
- 5.6 With regard to loss of daylight and sunlight, the proposed extension would not cause an unacceptable loss of either daylight or sunlight to the flank windows at No.19 Staleys Road. The ground floor utility window at No.19 would receive over 27% daylight and over 25% of sunlight if the extension was built. These levels meet the BRE recommendations in terms of minimum levels of light available to habitable room windows.
- 5.7 KCC Highways has assessed the proposal with regard to parking and access and, although there are issues to be balanced with regard to car parking, no objections are raised and sufficient on site parking is provided.
- 5.8 Overall it is considered that the proposal would not have an adverse impact on the character of the area, the residential amenities of the surrounding properties or the traffic / parking of the area. On this basis the proposal is considered to be acceptable in terms of P4/12 and its Annexe of the TMBLP 1998.

## 6. Recommendation:

- 6.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 03.04.2007, Block Plan dated 03.04.2007, Location Plan dated 23.03.2007, Elevations 06/03/09/R2 dated 23.03.2007, Elevations 06/03/09/R1 dated 23.03.2007, Floor Plan 06/03/09/R dated 23.03.2007, Floor Plan dated 24.05.2007, Elevations FRONT – REVISED 23/05/2007 dated 24.05.2007, Letter dated 24.05.2007 subject to compliance with the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. All materials used externally shall match those of the existing building.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the north west flank elevation of the building other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

Informative:

- 1 This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners. (Q040)

Contact: Kathryn Stapleton