

ITEM 5.2

Application: 2023/164

Location: 103 Paynesfield Road, Tatsfield, Westerham, Surrey, TN16 2BQ

Proposal: Conversion of double garage and erection of pitched roof over. Erection of single-storey rear extension, loft extension in association with gable roof extensions to the front and rear elevations, side dormers with high-level windows.

Ward: Tatsfield and Titsey

Decision Level: Planning Committee

Constraints – Defined Villages in Green Belt, Areas of Special Advertising Consent, Ancient woodland(s) within 500m, D Road Class

RECOMMENDATION: **PERMIT SUBJECT TO CONDITIONS**

1. This application is reported following a call-in from Cllr Allen.

Summary

2. Planning permission is sought for the erection of a new roof over the existing garage in association with its conversion to habitable accommodation and roof extensions including front and rear gable ends in addition to side dormer windows and a single storey rear extension. The design of the development would respect the character and appearance of the site and area and would not result in harm to neighbouring property amenities. It is considered necessary to restrict the glazing and opening of the side dormer windows in order to protect the amenity of neighbouring occupiers. There are no objections raised on any other ground and it is therefore recommended that planning permission be approved.

Site Description

3. The site comprises a detached bungalow located on the northwest side of Paynesfield Road within a defined village in Green Belt area in Tatsfield. The site slopes gently downwards towards the north and can accommodate existing off-street parking to the front of the existing garage. The frontage of the site is reasonably open where there is a small front garden adjacent to the driveway and the side boundaries are denoted by a combination of hedging and fencing. The surrounding area is residential.

Relevant History

4. No relevant history.

Key Issues

5. The site is located in a Defined village within the Green Belt. The key issues relate to the impact upon highway safety, amenities of neighbouring properties and character and appearance.

Proposal

6. Planning permission is sought for the erection of a new roof over the existing garage in association with conversion to habitable accommodation, roof extensions including front and rear gable ends and side dormer windows and a

rear extension. The proposed rear extension would replace the existing conservatory measuring a depth of 2 metres and extending no further than the existing footprint. The existing attached garage features a large expanse of flat roof running the depth of the dwelling, it is proposed to replace this with a gable end pitched roof with a maximum height of 4.6 metres and an eaves to remain the same as existing at 2.7 metres. The proposed roof over the dwelling would reflect the garage roof with gable front and rear elevations and recessed dormer windows to the side roof slopes. The proposed roof enlargements would also extend over the proposed single storey rear extension with one continuous ridge line. The proposed roof over the dwelling would have a maximum ridge height of approximately 6.3 metres which is no greater than the existing height and an eaves height also remaining the same at 2.7 metres. The inclusion of dormers to the side roof slopes would be set back 4.7 metres from the front elevation to increase the useable head room in bedroom 2 (left side) and the bathroom/stairwell (right side).

7. The plans have been amended following Officer comments and a roof light was included on the southwestern dormer to address comments with regards to the provision of a degree of outlook, albeit only upwards, in the scenario where a condition is imposed to require the use of obscured glazing.
8. A 14-day re-consultation was commenced and will be completed the day before the Planning Committee meeting, where any additional comments can be provided verbally.

Development Plan Policy

9. Tandridge District Core Strategy 2008 – Policies CSP1 and CSP18
10. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP7, DP10, DP12
11. Emerging Tandridge Local Plan 2033 – Policies TLP01 and TLP18

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

12. Surrey Design Guide (2002)

National Advice

13. National Planning Policy Framework (NPPF) (2021)
14. Planning Practice Guidance (PPG)
15. National Design Guide (2019)

Statutory Consultation Responses

16. County Highway Authority – As it is not considered that the likely net additional traffic generation, access arrangements and parking would have a material impact on the safety and operation of the public highway, the highway authority were not consulted on this application.
17. Tatsfield Parish Council – “Objection. Tatsfield Parish Council object to this application on the grounds of over-development of the existing plot. As a result of the proposals, an existing 3-bedroom bungalow (which is not set very far back

from the existing pavement) because a large 6 bedroom house that will lose existing garage and, as a result leave only one car parking space on the driveway. Under the TDC Parking Standards SPD, a house of this size, if permitted, would require 3 car parking spaces. The inclusion of this level of parking with the loss of the garage would then result in the paving over of the entire front garden of the house with a large dropped kerb which would be inappropriate in streetscape terms and result in the loss of existing on street parking.”

Other Representations

18. Third Party Comments – None received

Assessment

Procedural note

19. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

Defined Villages in the Green Belt

20. The site is within a Defined Village in the Green Belt as defined by the policies of the Tandridge Local Plan: Part 2 – Detailed Policies. Policy DP12 includes extensions to existing buildings in defined villages as one form of development that will be permitted provided that it is in character with the village, or that part of it, and subject to any other relevant Development Plan policies. This will be assessed below but, subject to the proposal being acceptable in those respects, there would be no objection to the principle of the development in the Green Belt.

Character and Appearance

21. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.

22. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.

23. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.

24. The site is located within an established residential area in Tatsfield where other properties are set at each side of the site. Ground levels vary naturally where the highway slopes gently downwards to the northeast and the site can accommodate for existing parking to the front of the dwelling and within the designated attached garage.
25. The development proposed is as described above, including a rear extension and the alteration and extension of the roof and the garage of the dwelling.
26. In terms of the roof extensions, the design would remain consistent where the garage would represent a subservient feature relative to the host dwelling. The proposed roof would replicate the pitched roof over the main dwelling. The inclusion of the gable frontages, whilst vastly different to the bonnet style roof to the existing dwelling, would not appear out of place within its setting given the varying design styles and roof forms within the surrounding area.
27. There is no set pattern of development or style within the northeastern parts of Paynesfield Road where the use of materials and visual appearance of dwellings significantly vary. To the northeast and southwest sides of the application site are similarly sized bungalows which also share a gable frontage design with accommodation in the loft space. The property adjacent at No.101 Paynesfield to the southwest also has a dormer to the side roof slope similar to those that are proposed by this application. The dwelling opposite has a barn end style roof to the frontage with curved dormer windows to the side. As such, it is apparent that there is a varied appearance to the dwellings in the immediate area. Other dwellings in the locality consist of traditional two-storey dual pitched roof dwellings. The usage of the gable roof design and flat roof side dormer windows is therefore considered acceptable in this location and would not result in significant harm to the character and appearance of the site, property, or area.
28. The proposed footprint would be marginally increased to the rear of the existing garage. When comparing between the existing and proposed, this would be an approximate increase of 10.8m². As such, given the contained form of development and generous scale of the site extending a total depth of 90 metres, the proposal is not considered to result in overdevelopment or a cramped appearance. The development would not alter the separation to boundaries which would be maintained as a result.
29. The proposal is not considered to be unacceptable in terms of scale and will not be detrimental to the existing design and style of the dwelling while the materials would reflect the existing appearance of the dwelling.
30. For the above reasons the proposal would not have significant impacts in terms of character and appearance and would therefore comply with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy.

Residential Amenity

31. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.

32. The above policies reflect the guidance at Paragraph 130 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
33. The site is located within an established residential area of Tatsfield where residential properties surround the plot. The site has a regular shape and is located directly adjacent to built form both sides of the boundary. With the exception of a small rear extension, the roof enlargements would be positioned above the footprint of the existing dwelling, thereby being contained within the marginally greater footprint of the dwelling. The development would also maintain the existing separation distances to side boundaries. It is noted that due to the falling gradient of the land from southwest to northeast, the neighbour to the left hand side (southwest) is located on a higher land level than the application site. Given the modest scale of the extensions and positioning in relation to neighbouring amenity, it is not considered to result in significant harm by reason of overbearing or overshadowing effects.
34. In order to protect privacy of neighbouring occupiers, it is considered necessary to impose a restriction on the glazing and opening of the side facing dormer windows in the event of an approval. Sufficient light would be provided by additional roof lights to serve bedroom 2 and an upwards outlook would still be available. As such, it is not considered that the development would result in overlooking or privacy concerns subject to the imposition of this condition and, in turn, such a condition would not unduly undermine the living conditions of future occupiers.
35. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

Parking Provision and Highway Safety

36. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
37. The proposed development includes the conversion of the existing garage to habitable accommodation and, therefore, the potential loss of one parking space. The site currently benefits from an off-street parking area to the front of the existing garage, this space would remain as a result of the development. However, the garage space (which is shown to measure 4.5 metres wide and 5.3 metres deep on the submitted plans) would be lost. Whilst the parking area would only be of sufficient size to accommodate one policy compliant parking space, photographic evidence has been provided by the applicant demonstrating that two cars can be parked on the area of hardstanding which measures 7.2 meters deep and 4.3 metres wide.
38. The dwelling would become a 6 bedroom dwelling and the Council's parking standards indicate that a dwelling of that size should be provided with 3 spaces. Whilst the level of parking provision would be lower than this standard, if parking were to migrate onto the street, it is considered that there is sufficient on-street

parking to accommodate for the shortfall in parking. The site is located in a residential area where there are no parking restrictions and, on balance, the loss of one parking space is not considered to result in significant parking pressures to justify a refusal of the development in this case. Moreover, it is noted that the garage could be converted to an alternative domestic use without needing planning permission.

39. The Parish Council have raised objections to this level of parking provision but, for the reasons set out above, it is not considered that the development should be refused for this reason. The Parish have identified that there is space to provide additional parking of up to 3 spaces at the frontage of the site but are of the view that the paving over the entire front garden would be inappropriate in the streetscene and also result in the loss of on-street parking. In this regard, it is noted that there may be scope to provide additional hardstanding, either through permitted development rights or through seeking a subsequent planning permission and, notwithstanding the comments of the Parish Council, it is noted that hardstanding is already prevalent to the frontage of many dwellings within the locality. Nonetheless, it is necessary to determine the application on the basis of the submitted plans and, in this instance, it is considered that the resultant level of parking would be acceptable and, despite not according with the abovementioned parking standards and policies, would not cause parking stress or a reduction of highway safety that would justify the refusal of the application.

Other Matters

40. There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics as described above.

Conclusion

41. The design of the development would respect the character and appearance of the site and area and would not result in harm to neighbouring property amenities. The modest scale of the development would be respectful to the scale and constraints of the site and therefore would not result in overdevelopment of a cramped appearance. Whilst the resultant situation would not accord with the Council's parking standards and associated policies, this would not cause harm in any respect to such a degree that an objection is raised. There are no objections raised on any other ground and it is therefore recommended that planning permission be approved.
42. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2021. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

43. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

PERMIT SUBJECT TO CONDITIONS

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings numbered 03, 04, 05, 06, 07, 08, 02 and the red-edged site location plan received on 8th February 2023. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

Reason: To ensure that the new works harmonise with the existing building to accord with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

4. The annexe accommodation shown on the plans hereby approved shall not be occupied at any time other than for purposes that are ancillary or incidental to the residential use of the dwelling known as 103 Paynesfield Road.

Reason: To ensure that the accommodation remains at all times ancillary or incidental to the main use of the property as a single family dwelling and ensure a satisfactory form of development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

5. Before the development hereby approved is occupied the side windows to the approved dormers shall be fitted with obscure glass and shall be non opening unless the parts of the windows which can be opened are more than 1.7m above the floor of the room in which the windows are installed and shall be permanently maintained as such.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

Informatives

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission.

Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.

2. The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP18, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP7, DP10, DP12 and other material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.
3. The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (2021), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.