



Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
28 June 2012 at 7.00 pm

Late Observations

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DEVELOPMENT CONTROL COMMITTEE

28 JUNE 2012

LATE OBSERVATION SHEET

5.01 SE/12/00444/FUL Woodland Chase, Blackhall Lane, Sevenoaks TN15 OHU

The occupant of the neighbouring property at Godwins has submitted further comments in objection to the application. In summary, these are as follows

- That the distance between the proposed dwelling and the road referred to in the report as 20 metres is incorrect and is in fact 12 metres.
- That the house is larger than the appeal scheme referred to in the report, and the plot now proposed is smaller than the appeal scheme.
- That there is a fundamental difference between this application and the appeal scheme insofar that this scheme would result in three dwellings being built on a single plot, whereas the appeal scheme resulted in 5 new dwellings being constructed across 3 plots.

The main report states that the dwelling would be sited approximately 20 metres from the road frontage. I have double checked this and can confirm this distance is correct (to be precise, the dwelling would be sited between 19.2 and 22.2 metres from the road).

The proposed dwelling would be very similar in size to the appeal scheme, and this is specified in the main report. The proposed house is marginally longer in footprint than the appeal scheme (by around 2.5 metres through the two single storey projections on each side). However it is lower in height and bulk than the appeal scheme. Overall though, it is very similar to the size and scale of the appeal scheme.

I have measured the proposed plot size to be 0.13ha, compared to the appeal scheme which was 0.14ha.

The differences between the appeal scheme (set over 3 plots) and the current scheme (which would result in 3 dwellings on one plot) is set out in the main report.

Recommendation: Had the Council been able to determine the planning application, my recommendation remains that planning permission should have been granted.

5.02 SE/10/02625/OUT – Summerhill and Dawning House, Seal Hollow Road, Sevenoaks TN13 3SH

Since completing the main report and recommendation further comments have been received by the Town Council and three further representations have been received.

The Town Council comments request that the original objections submitted by them, as noted in paragraph 40 of the officer's report, be considered by the Committee.

The representations received highlight concerns regarding the proposed affordable housing contribution, the time within which the Council grant consent for development to commence,

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ownership of the shared access to the site, previously developed land, highways safety, impact on trees, the character of the area and conditions attached to the officer's recommendation.

Officers are satisfied that the matters raised relating to the time within which the Council grant consent for development to commence and ownership of the shared access to the site are satisfactorily dealt with within the officer's report.

In terms of the issue of the affordable housing contribution, officers remain satisfied that the content of the independent viability assessment, including valuations and all costs, is wholly acceptable. An update to this assessment, carried out in July 2011, has also been provided by the applicant, which confirms that house prices in the Sevenoaks area are at a similar level to those during July of last year.

The independent viability assessment has been assessed by Adams Integra on behalf of the Council who have advised that the assumptions and calculations in the independent viability assessment are reasonable. The conclusion therefore remains that the development would be rendered unviable if the level of contribution required by policy was sought and that the level proposed is acceptable in this case.

The officer's view regarding the matter of previously developed land is clearly set out in paragraph's 52 to 54 of the officer's report. It is acknowledged that the proposal represents development of a Greenfield site but the conclusion drawn is that it is a suitable site for the development proposed and is appropriate in all other material considerations. The fact that it is considered to be a Greenfield site does not therefore prevent support for the development in accordance with the NPPF.

The application includes provision for on-site turning of larger vehicles to allow them to leave the site in a forward gear. Subject to slight amendments, required by way of condition, the Highways Engineer is satisfied with this proposal. The proposed widening of the access driveway would allow for larger vehicles to pass along the driveway safely and again has been supported by the Highways Engineer.

In addition to the comments provided by the Tree Officer, he has confirmed that he has also taken into consideration the need to widen the mouth of the entrance and is satisfied that these works, as well as the provision of a visibility splay, would not have a detrimental impact upon the important, mature trees covered by the woodland Tree Preservation Order to the front of the Dawning House plot.

An assessment of the character of the area is a subjective one. The officer is of the view that the area is suburban given the close proximity to the centre of the town and the fact that it lies within the built confines of Sevenoaks. Members would have had the opportunity to visit the site themselves and draw their own conclusions of the prevailing character of the area.

Finally, condition 12 of the recommended conditions means that the Council retains control over any future development of the site relating to outbuildings, enclosures and swimming pools. Any proposal to erect an outbuilding, enclosure or swimming pool would therefore need to be considered in full via the submission of a planning application, which would provide neighbours to the site the opportunity to comment on any scheme submitted.

For the reasons above there is no requirement to amend the recommendation held within the main papers.

5.03 SE/12/00307/FUL Sealcot, Seal Hollow Road, Sevenoaks TN13 3SH

SE/12/00307/FUL

Since completing the main report a Right of Light Analysis has been submitted by the applicant, further comments have been received by the Town Council and further representations have been received.

The Right of Light Analysis relates to the potential impact the proposed development would have on the neighbouring property Thornwood. The results of the analysis show that based on the methodology used to assess right to light cases, all rooms at Thornwood will remain above 50% well lit following the proposed development. The report therefore concludes that the rooms in the neighbouring property are unlikely to suffer an injury as a result of the proposed development.

Paragraphs 36 and 37 of the officer's report covers this issue in detail and the proposed house passes the 45 degree angle test in terms of the relationship between the proposed house and Thornwood.

The Town Council comments request that the original objections submitted by them, as noted in paragraphs 18 and 19 of the officer's report, be considered by the Committee.

Again, these are comments that are dealt with in detail as part of the officer's report.

Finally, representations received make comments regarding a loss of light at Thornwood, the ability to turn a vehicle on-site and the findings of the Right of Light Analysis.

The Right of Light Analysis and the BRE daylight and sunlight test are useful tools to assist in the consideration of the potential impact on the neighbouring amenity. However, the 45 degree angle test is the only one referred to by Council policy and so it the test that the proposal should be considered against. Since the proposed house passes this test it would not cause a detrimental loss of light to the internal spaces of Thornwood.

As stated in paragraph 41 of the report officers are satisfied that the site would retain sufficient space to provide turning for vehicles on site. This would continue to be the case if the approved garage building was also built.

For the reasons above there is no requirement to amend the recommendation held within the main papers.

5.06 SE/12/00803/FUL The Old Wheelwrights, The Green, Brasted TN16 1JL

Background:

Since the application was originally referred to Committee, the applicant has submitted a draft Unilateral Undertaking. In accordance with Council Core Strategy policy SP3, this Undertaking would secure the provision of an off-site contribution towards affordable housing of £44, 620. The draft Undertaking has been passed to the Council's Legal Services section to finalise the details.

In light of the above, it is proposed to amend the recommendation as follows:

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RECOMMENDATION:

RECOMMENDATION A: That subject to the receipt of a satisfactory Unilateral Undertaking within 28 days of the date of this Committee and the imposition of appropriate conditions, the decision to grant planning permission be delegated to the Director of Community and Planning Services.

RECOMMENDATION B: In the event that a satisfactory Unilateral Undertaking is not received within 28 days of the date of this Committee, that planning permission be refused as per the original recommendation.

Head of Development Control Appraisal:

At paragraph 4 of the report (Description of Proposal), the first sentence should be amended to read "To the west of the proposed office block..."

Consultations:

Further correspondence has been received from Kent Highways as follows:

"I am familiar with the site and have specifically visited it on at least 3 occasions since taking over the development planning role in this area as well as passing by the site on a number of other occasions. I would also comment that whilst general location and access to public transport may not be at a standard that you would expect within, say a town centre environment, it must be taken into account that the previous permitted use of the site related to a GFA of much greater area than the proposed office and was thus potentially a significantly more intensive use from a highway perspective.

With regard to the residential use I can confirm that the proposed parking provision is equivalent to the maximum guidance level for properties of this size in this context (i.e. 2 spaces per 3 bed unit). It is noted that spaces are recommended within the guidance to be independently accessible which is achieved for one unit but not for the remaining 2. However, it must be considered that the parking guidance is, as it says, a guidance document and in the context of the overall proposal I would not consider it appropriate to recommend a highway ground of refusal on the basis alone of 2 spaces out of 6 not being independently accessible. Access to the residential parking facilities is quite constrained but achievable and not untypical of the type of parking arrangements often seen within village centre sites. Visitor parking guidance for such residential units is indicated as 0.2 spaces per unit (i.e. no more than a single space in total) provided locally on street and there are parking bays and on-street parking opportunities locally within Brasted which adequately provide this facility to the recommendations of the guidance.

With regard to the guidance parking level for the existing premises at 400sqm floor area, assuming that the existing permitted use is B1 then this would be a maximum of 20 parking spaces (i.e. 1 space per 20sqm)."

Representations:

Further correspondence has been received from the applicant which, in summary, states as follows:

- The applicant purchased the site in 2004.
- Access from the Green (between the residential houses) was used daily by about 12 employees for access every morning and every night in addition to delivery vehicles using

the access on a daily basis, together with site based and maintenance staff returning after their days work.

- The access via the drive to Jewson was used by numerous site staff, visitors, bulk deliveries and some employees on a daily basis including regular large deliveries to the workshop and storage facility.
- Both accesses are still regularly used to access the site for maintenance and inspection.
- The applicant has allowed the local residents to use the car parking facility on a daily basis.

A letter has been received from the owner of no.6 The Green raising concerns regarding:

- Loss of privacy to the gardens adjoining the site.
- Increased noise from use of the use of the western access in the evening and at work.
- Increased accident risk along this access road,
- Damage to drainage system under the road.
- Questioning access rights over the road.

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