



Despatched: 11.01.12

DEVELOPMENT CONTROL COMMITTEE

19 January 2012 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Mrs. Dawson

Vice-Chairman

Cllr. Williamson

Cllrs. Mrs. Ayres, Brookbank, Brown, Clark, Cooke, Davison, Dickins, Gaywood, Ms. Lowe, McGarvey, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

Apologies for absence

1. Minutes of the meeting of the Committee held on 15 December 2011 (Pages 1 - 16)
2. To receive any declarations of interest or predetermination in respect of items of business included on the agenda for this meeting.
3. To receive any declarations of lobbying in respect of items of business included on the agenda for this meeting.
4. Ruling by the Chairman regarding Urgent Matters
5. Planning Applications – Head of Development Services' Report
- 5.1. SE/11/00282/FUL: The Oast House, Underriver, Sevenoaks TN15 OSB (Pages 17 - 26)

Retention of a concrete pad measuring 7.2m x 5.4m and a timber field shelter. The shelter is for use by up to 3 horses. It is mobile. Retrospective

- 5.2. SE/11/02684/FUL: Land to the Rear of Lynchets, Clarendon Road, Sevenoaks TN13 1EU (Pages 27 - 56)
Erection of two dwellings on land to the rear of Lynchets, Clarendon Road, Sevenoaks TN13 1EU
- 5.3. SE/11/02379/FUL: 1 Harrison Way, Sevenoaks TN13 3LF
Replacement of 4 (No.) windows at the application site from brown timber to white upvc (Pages 57 - 62)
- 5.4. SE/11/02034/FUL: East Wing Paddock, Knotley Hall, Chiddingstone Causeway, Tonbridge TN11 8JH
Erection of stock fencing (wooden posts and wire in between) in existing paddock, to create 3 separate areas (Pages 63 - 68)
- 5.5. SE/11/01874/FUL: The Red Barn, Stack Road, Horton Kirby, Dartford DA4 9DP
Conversion of barn to residential use, with demolition of some associated structures as amended by plans received 5th December 2011 (Pages 69 - 86)
6. Tree Preservation Orders
- 6.1. Objection to TPO/14/2011: The Old Parsonage, 23 High Street, Otford, Kent (Pages 87 - 90)
- 6.2. Objection to TPO/16/2011: 39 Wickenden Road, Sevenoaks, Kent (Pages 91 - 94)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

If you wish to speak in support or against a planning application on this agenda, please call the Council's Contact Centre on 01732 227000

For any other queries concerning this agenda or the meeting please contact:
The Democratic Services Team (01732 227241)

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227350 by 5pm on Monday, 16 January 2012.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.

- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

This page is intentionally left blank

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting of the Development Control Committee
held on 15 December 2011 commencing at 7.00pm

Present: Cllr. Mrs. Dawson (Chairman)

Cllrs. Mrs. Ayres, Brookbank, Clark, Davison, Dickins, Gaywood, Ms. Lowe, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe.

Apologies for absence were received from Cllrs. Brown, Cooke, McGarvey, Ryan and Williamson

Cllrs. Ayres, Edwards-Winsor, Fittock and Miss. Stack were also present.

48. MINUTES

Cllr. Piper clarified that he had given his apologies for the last meeting of the Committee.

Resolved: That the minutes of the meeting of the Development Control Committee held on 17 November, as amended, be approved and signed by the Chairman as a correct record.

49. DECLARATIONS OF INTEREST OR PREDETERMINATION

Cllrs. Brookbank and Underwood declared personal interests in item 5.03 - SE/11/02120/CONVAR: Land South West Of, Déjà Vu Nightclub , London Road Swanley Kent as dual hatted members of both the District Council and Swanley Town Council, which had already expressed views on the matter.

Cllrs. Mrs. Dawson and Piper declared personal interests in items 5.01 - SE/11/02351/FUL: 25 Camden Road, Sevenoaks and 5.08 - SE/11/02554/FUL: Sevenoaks Outdoor Bowls, Hollybush Close, Sevenoaks as dual hatted members of both the District Council and Sevenoaks Town Council, which had already expressed views on the matters.

Cllr. Mrs. Dawson clarified that she did not have a further personal interest in 5.01 - SE/11/02351/FUL: 25 Camden Road, Sevenoaks as although she lived in that street, she lived a significant distance from the application site.

Cllr. Scholey declared a personal and prejudicial interest in item 5.05 - SE/11/02127/FUL: 6th Sevenoaks Kemsing Scout Group, Scout Hut, Heaverham Road, Kemsing as the recently retired Chairman of the Sevenoaks District Scout Council. He left the room during consideration of the item.

50. DECLARATIONS OF LOBBYING

All Members of the Committee except Cllr. Piper declared that they had been lobbied in respect of item 5.01 - SE/11/02351/FUL: 25 Camden Road, Sevenoaks.

Agenda Item 1
Development Control Committee – 15 December 2011

Cllr. Dickins further declared that he had been lobbied in respect of items 5.05 - SE/11/02127/FUL: 6th Sevenoaks Kemsing Scout Group, Scout Hut, Heaverham Road, Kemsing and 5.07- SE/11/01877/FUL: The Coppice, Pilgrims Way, Kemsing, Sevenoaks.

51. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Chairman ruled that additional information received since the despatch of the agenda be considered at the meeting as a matter of urgency by reason of the special circumstances that decisions were required to be made without undue delay and on the basis of the most up-to-date information available.

52. UNRESERVED PLANNING APPLICATIONS

There were no public speakers against the following item and no Member reserved the item for debate. Therefore, in accordance with Part 7 3.5(e) of the constitution, the following matter was considered without debate:

5.08 - SE/11/02554/FUL: Sevenoaks Outdoor Bowls, Hollybush Close, Sevenoaks

It was MOVED by the Chairman that the recommendation in the report be adopted.

Resolved: That planning permission be GRANTED subject to the following conditions:-

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

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The materials to be used in the construction of the development shall be those indicated on the approved proposed elevations and floor plans.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and block plan submitted on 03.10.11, and the Proposed Elevations and Floor Plans submitted on 25.10.11.

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

53. RESERVED PLANNING APPLICATIONS

The Chairman noted two Planning Officers were unavailable because they were unwell. She thanked those who were filling-in.

The Committee considered the following planning applications:

5.01 - SE/11/02351/FUL: 25 Camden Road, Sevenoaks TN13 3LU

The proposal sought to demolish the existing garage at the application site and construct a two storey side and rear extension to the existing dwelling, a two storey side extension and a single storey rear extension.

Officers commented that there were windows in the front (north) and rear (south) elevations of 23 Camden Road at the basement, ground floor and first floor levels. As the front elevations would be unaffected it was felt Members should not refuse on grounds of a loss of daylight provision.

Officers considered that the development would respect the context of the site and would not have an unacceptable impact on the street scene. Any potentially significant impact on the amenities of nearby dwellings could be satisfactorily mitigated by way of the conditions recommended.

Members' attention was drawn to further submissions from the Applicant in the tabled Late Observations sheet and Officers' comments on them.

It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application: Anna Du Prey

For the Application: -

Parish Representative: Cllr. Hogarth

Local Member: -

A Member asked whether Officers had relative measurements for light from the south and north windows. Officers confirmed they did not but the property could be seen through and windows on the north and south sides were of equal size.

Several Members were concerned that the proposal would have a significant impact upon the daylight provision at 23 Camden Road in habitable rooms. They considered that the assessment in the Officers report of loss of daylight to 23 Camden Road gave insufficient weight to the failure of the proposal against the 45 degree test. The impact was particularly significant because the affected light to the ground floor and basement was from the south and also the natural light to the basement was already limited. A Member suggested that a condition be added for the side elevation of the extension to be white in order to help reflect light towards 23 Camden Road.

Members noted the comments of the neighbour and Town Council representative that there had already been extensions to the property and the proposal could be considered an overdevelopment of the application site. It would be out of keeping with some parts of the road.

It was MOVED and duly seconded that the recommendation in the report be adopted.

Agenda Item 1
Development Control Committee – 15 December 2011

A Members proposed an amendment that a condition be added that the materials for the side elevation of the extension be submitted to and approved by the Council, with an informative to be added that a white rendering was to be expected. This amendment was accepted by the mover and seconder of the original motion.

The motion, as amended, was put to the vote and there voted –

6 votes in favour of the motion

7 votes against the motion

The Chairman declared the motion to be LOST.

It was then MOVED by Cllr. Dickins and was duly seconded:

“That planning permission be REFUSED for the following reason:

The proposed extensions would result in a loss of amenity to residents of the adjoining property no 23 Camden Road by reason of loss of light to rear south facing windows contrary to Policy EN1 of the Sevenoaks District Local Plan.

The proposed extensions by reason of their scale and bulk would represent an overdevelopment of the application site to the detriment of visual amenity contrary to Policy SP1 of the Sevenoaks District Core Strategy and Policy EN1 of the Sevenoaks District Local Plan.

The motion was put to the vote and there voted –

8 votes in favour of the motion

6 vote against the motion

Resolved: That planning permission be REFUSED for the following reason:

The proposed extensions would result in a loss of amenity to residents of the adjoining property no 23 Camden Road by reason of loss of light to rear south facing windows contrary to Policy EN1 of the Sevenoaks District Local Plan.

The proposed extensions by reason of their scale and bulk would represent an overdevelopment of the application site to the detriment of visual amenity contrary to Policy SP1 of the Sevenoaks District Core Strategy and Policy EN1 of the Sevenoaks District Local Plan.

5.02 - SE/11/02590/FUL: 3 Coombe Road, Otford TN14 5RJ

The proposal was for the creation of a loft conversion with rooflights to the front, side and rear. It would erect a part two storey and part single storey rear extension. There would also be internal alterations. The application was in the confines of Otford and an Area of Outstanding Natural Beauty.

Officers stated that the proposal was not thought to have a negative impact on the character of the dwelling or of the streetscene. Although there was a potential for loss of privacy to the neighbouring dwellings this could be mitigated by way of

condition. There would not be a loss of light and outlook as a result of the proposal. It was clarified that the site was within the Area of Outstanding Natural Beauty but that the impact on the AONB would be minimal.

Members' attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application:	Evelyn Hubner
For the Application:	Mark Sumner
Parish Representative:	Martin Whitehead
Local Member:	Cllr. Edwards-Winser

Officers confirmed the parking space provided could allow parking for 4 vehicles. Although not adopted by Sevenoaks District Council, the Kent County Council Interim Guidance Note stated the minimum for a house this size was 2.

Members noted the comments from the Parish Council representative that the development would be covered by the Otford Village Design Statement and this limited the total of extensions to 50% on top of the "original" building. Officers reminded Members that the Design Statement preceded the adoption of the Sevenoaks District Core Strategy; applications should not be considered just on size, but design also. Officers were unable to confirm the total floorspace of extensions on top of the "original" building.

A Member moved and it was duly seconded, that the report be deferred until Officers had commented fully on the application regarding the Area of Outstanding Natural Beauty and the Otford Village Design Statement.

The motion was put to the vote and there voted –

7 votes in favour of the motion

7 votes against the motion

In accordance with paragraph 24.2 of Part 2 in the Council's Constitution, the Chairman used her casting vote against the motion. The Chairman declared the motion to be LOST.

It was MOVED and was duly seconded that the recommendation in the report be adopted. The motion was put to the vote and there voted –

9 votes in favour of the motion

2 votes against the motion

Cllrs. Mrs. Parkin, Piper and Walshe abstained from the vote.

Resolved: That planning permission be GRANTED subject to the following conditions:-

Agenda Item 1

Development Control Committee – 15 December 2011

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

In pursuance of section 91 of the Town and Country Planning Act 1990.

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 dwelling as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The proposal will be carried out in accordance with the following plans; 9076/005 Rev A, 9076/0006. REV A, 9076/018 REV A, 9076/014 REV A, 9076/017 REV A, 9076/003 REV A, 9076/009 REV A, 9076/016 REV A, 9076/007 REV A, 9076/001 REV A, 9076/002 REV A, 9076/011 REV A, 9076/012 REV A, 9076/013 REV A, 9076/019 REV A, 9076/015 REV A, 9076/008 REV A, 9076/020 REV A

In the interests of proper plans.

4) No window(s) or other opening(s) shall be inserted at any time in the side elevation(s) of the extension hereby approved, despite the provisions of any Development Order.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) The windows on both side elevations of the extension hereby approved shall be fixed shut and obscure glazed.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

5.03 - SE/11/02120/CONVAR: Land South West Of, Déjà Vu Nightclub , London Road Swanley Kent

The proposal was for consent for the permanent use of the land for a gypsy and traveller caravan site including the amenity buildings or to vary condition 1 of planning permission SE/07/03543 to extend the existing temporary time period. The proposed scheme would provide three static mobile homes and 2 touring caravans with two amenity buildings. The application site was inside the Green Belt and outside the Swanley urban confines.

Officers considered very special circumstances exceptionally outweighed any harm by reason of inappropriateness and any additional harm to the Metropolitan Green Belt. These were that: the applicants were considered Gypsies; there was a clear and immediate need for appropriate accommodation within Sevenoaks District and a backlog of unmet need as established by the Gypsy and Traveller Accommodation Assessment; and a temporary permission would not result in a permanent adverse impact on the openness and character of the Green Belt.

The Committee was addressed by the following speakers:

- Against the Application: -
- For the Application: Teresa Nolan
- Parish Representative: -
- Local Member: Cllr. Fittock

In response to questions Officers further stated that this approach would be consistent with that adopted in some other cases where the gypsy status of the applicant had been established, including Station Court, Halstead (SE/11/01510/FUL) considered at the previous September committee. Conditions included would restrict not only the time period of the consent but also the occupants on site and the numbers of caravans.

It was MOVED and was duly seconded that the recommendation in the report be adopted. The motion was put to the vote and there voted –

11 votes in favour of the motion

0 votes against the motion

Resolved: That planning permission be GRANTED subject to the following conditions:-

1) This planning permission is granted for a temporary period of three years only, from the date of this permission. By the date this permission expires, all caravans, utility building, structures, hardstanding, materials and equipment brought on to the land in connection with the use hereby approved, shall be removed and the site shall be restored to its previous condition, or restored in accordance with a scheme that has been submitted to and approved in writing by the Council.

In order that any other proposal for the use of the land for a longer period is the subject of a separate application, to be determined on its merits, having regard to the harm to the Green Belt, the status of the Local Development Framework and the allocation of sites for Gypsies and Travellers.

2) The occupation of the site hereby permitted shall be carried on only by Mrs E O'Donahue and her dependants, Mrs T B Nolan and her dependants and Mrs J Casey and her dependants and whilst they comply with the definition of gypsies and travellers set out in paragraph 15 of ODPM Circular 01/2006. When the land ceases to be used the residents and their dependants, or at the end of the expiry of temporary permission, whichever is the sooner, the use hereby permitted shall cease to all caravans, utility building, structures, hardstanding, materials and equipment brought on to the land associated with the use hereby permitted.

Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm.

Agenda Item 1

Development Control Committee – 15 December 2011

3) No more than 5 caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 3 shall be a static caravan or mobile home) shall be stationed on the site at any time.

Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm, in accordance with Policy EN1 of the Local Plan.

4) No commercial activities shall take place on the land, including the storage of materials for the duration of this permission.

To preserve the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

5) No building, enclosure or temporary structures other than those shown on the approved block plan Rev. A received on 15th August 2011 shall be erected or placed on the site.

To preserve the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

At 9.20 p.m. the Chairman adjourned the Committee for the convenience of Members and Officers. The meeting resumed at 9.30 p.m.

5.04 - SE/11/01350/FUL: Terrys Farm, Rectory Lane, Hever TN8 7LH

The proposal was for minor design alterations to the conversion scheme, previously granted, for the conversion of the barn and outbuilding into a three bedroom dwelling with garage/storage area. The amendments would include the addition of a total of 6 small windows, to change the use of the land adjacent to the barn from agricultural to residential so as to provide a new access to the barn along with parking and turning areas and also to convert the existing outbuilding to the rear of the barn to a garage/storage structure.

Officers stated that the proposed change of use of agricultural land to residential use together with new access drive was inappropriate development within the Green Belt and an Area of Outstanding Natural Beauty. The very special circumstances put forward did not clearly outweigh the conflict in principle with PPG2 and the identified harm. The proposed conversion of the outbuilding, by virtue of its scale and design, also represented inappropriate development in the Green Belt.

The Committee was addressed by the following speakers:

Against the Application: -

For the Application: Tim Duncan

Parish Representative: -

Local Member: -

During the debate several Members agreed in particular that the applicants had failed to make out very special circumstances which outweighed the conflict in principle with PPG2 and the identified harm.

It was MOVED and was duly seconded that the recommendation in the report be adopted. The motion was put to the vote and it was unanimously:-

Resolved: That planning permission be REFUSED for the following reasons:-

The proposed change of use of agricultural land to residential together with new access drive represents inappropriate development within the Green Belt and an Area of Outstanding Natural Beauty. The proposal is therefore contrary to the provisions of Policies EN1 and GB3A of the Local Plan, SP1 of the Core Strategy, PPG2 and PPS5.

It is considered that the proposed conversion of the outbuilding, by virtue of its scale and design, represents inappropriate development in the Green Belt, contrary to the provisions of Policy GB3A of the Local Plan.

Informatives

1) The applicant is advised that there is the potential for protected species impacts in the area of land take (the extension to the residential curtilage) from the field to the West of the barn. It is considered that this information should be included in any further applications.

5.05 - SE/11/02127/FUL: 6th Sevenoaks Kemsing Scout Group, Scout Hut, Heaverham Road, Kemsing TN15 6NE

Members' attention was drawn to the tabled Late Observations sheet.

The application proposed the removal of the existing old scout hut located at the western side of the village recreation ground and its replacement with a new purpose-built facility located at the eastern side of the recreation ground close to the pavilion and tennis club. The Officer commended the attractive design and the good facilities the new building would provide.

Officers stated that the proposal would result in a new building located within the green belt and AONB in a much more prominent position than the existing facility. It was not considered that the very special circumstances advanced were so special as to outweigh the harm that would be caused to the green belt as a result of harm to its openness and visual amenities. The special circumstances were not "special" to this particular scout group.

The Committee was addressed by the following speakers:

Against the Application: -

For the Application: Chris Arnold

Parish Representative: -

Agenda Item 1
Development Control Committee – 15 December 2011

Local Member: Cllr. Miss. Stack

It was noted that a Members' Site Inspection had been held for this application.

Officers clarified there was no dedicated parking for the Scout hut in its current position.

One Member was particularly concerned by the representation from Sport England regarding the loss of a sports playing field.

Members noted the new site would be prominently visible from the Kent Downs AONB and thought that it would not be adequately screened by landscaping. They recognised the importance of a new hut but believed that it was the right building in the wrong place.

At 10.27 p.m. it was MOVED by Cllr. Davison and duly seconded that, in accordance with rule 16.1 of Part 2 of the Constitution, Members extend the meeting until 11.00 p.m. to enable the Committee to complete the business on the agenda. The motion was put to the vote and it was:–

Resolved: That the meeting be extended for past 10.30 p.m. to enable the Committee to complete the business on the agenda.

It was MOVED and was duly seconded that the recommendation in the report be adopted. The motion was put to the vote and there voted –

9 votes in favour of the motion

1 votes against the motion

Resolved: That planning permission be REFUSED for the following reasons:-

The proposed development by virtue of its inappropriateness and position within the recreation ground would be harmful to the openness and visual amenities of the green belt contrary to the provisions of PPG2 Green Belts, policy SP5 of the South East Plan and policies LO1 and L07 of the Core Strategy.

The proposed scheme would result in further sporadic development within this part of the Kent Downs AONB which would be harmful to the rural character of that land contrary to the provisions of policy C3 of the South East Plan and policy SP1 of the Core Strategy.

The proposed development would result in the loss of open recreation space contrary to the provisions of policy S5 of the South East Plan and policy SP10 of the Core Strategy.

5.06 - SE/11/02180/FUL: 28, 30 and 32 Bowers Road, Bowers Road, Shoreham Sevenoaks TN14 7SS

The proposal was for the demolition of numbers 30 and 32 Bowers Road and their replacement with one block of 3 x 2-bedroom houses each with its own amenity

space and with a car parking area in front of the block that would provide 6 spaces. The adjacent property, number 28 which forms one part of a pair of semi-detached houses would have part of its side garden utilised for the provision of 4 further parking spaces.

Officers believed that the scheme was considered to be acceptable in terms of its design, nor would it have an unacceptable impact on the residential amenities of nearby dwellings. Traffic movements generated by the development could be accommodated without detriment to highway safety.

Officers notified the Committee that there had been an amendment to diagram O4B which had been replaced by O4C.

The Committee was addressed by the following speakers:

Against the Application:	Sarah Parkes
For the Application:	-
Parish Representative:	Ralph Abbot
Local Member:	Cllr. Edwards-Winser

Members enquired whether it would be possible to add an informative regarding additional parking. Officers believed it was possible but there was little available space on the application site and they also reminded Members that Kent County Council Highways did not believe there was any justification for refusing permission on the basis of inadequate parking provision.

It was **MOVED** and was duly seconded that the recommendation in the report be adopted. The motion was put to the vote and there voted –

8 votes in favour of the motion

4 votes against the motion

Resolved: That planning permission be **GRANTED** subject to the following conditions:-

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

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

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 District Local Plan.

Agenda Item 1

Development Control Committee – 15 December 2011

3) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The scheme shall be implemented in accordance with the approved details.

To protect the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

4) No development shall be carried out on the land until full details of the hard surfacing have been submitted to and approved in writing by the Council. The scheme shall be implemented in accordance with the approved details.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

5) If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To ensure a satisfactory appearance upon completion in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

6) Prior to first occupation details shall be submitted in writing to and approved by the Local Planning Authority of the proposed means of boundary enclosure. The scheme shall be implemented in accordance with the approved scheme.

To protect the character and amenities of the area in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

7) Prior to first occupation the parking spaces shown on the approved drawing shall be provided and shall be kept permanently available thereafter for residents parking.

In the interests of highways safety and to ensure adequate off street parking.

8) No extension or external alterations shall be carried out to the dwellings hereby approved, despite the provisions of any Development Order.

To protect the character and amenities of the area.

9) No development shall take place until details of the proposed finished levels of the ground, the ground floor slab level of each building, and the finished levels of any access road and driveway showing their relationship with the existing levels of the immediately adjoining land and buildings have been

submitted to and approved, in writing, by the Planning Authority and the development shall be carried out in accordance with the approved levels.

To protect the amenities and privacy of adjoining properties in accordance with policy EN1 of the Sevenoaks District Local Plan.

10) No construction/building work shall be carried out on site unless there is available within the site in accordance with details approved by the Local Planning Authority, provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the building or other operations on the site throughout the period of work required to implement the development hereby permitted.

Reason: In the interests of road safety and to accord with Policy T4 of the Mid Sussex Local Plan and Policy DEV4/DEV5 of the adopted West Sussex Structure Plan 2001-2016.

11) No work shall be carried out on site unless provision is available within the site (or other adjacent land within the applicants control) in accordance with details approved by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site.

In the interests of the amenities of the surrounding residents.

12) Prior to commencement of the development hereby permitted, a Stage 1 Bat survey shall be undertaken. If necessary any further survey work and mitigation works identified shall be carried out and implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority in consultation with the Kent County Council Ecology Unit.

To protect the ecology and bio diversity of the site in accordance with the aims and objectives of PPS9 Biodiversity and Geological Conservation

13) No work shall be carried out on the site unless and until an effective vehicle wheel cleaning facility has been installed in accordance with details approved by the Local Planning Authority and such facility shall be retained in working order and operated throughout the period of work on the site.

To ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality and to accord with Policy T1 of the Sevenoaks District Local Plan.

14) The development hereby permitted shall be carried out in accordance with the following approved plans: K11-0013/100,104B. 110,140, 150

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

The scale, location and design of the development would respect the context of the site and protect the visual amenities of the locality.

Agenda Item 1

Development Control Committee – 15 December 2011

The traffic movements generated by the development can be accommodated without detriment to highway safety.

5.07- SE/11/01877/FUL: The Coppice, Pilgrims Way, Kemsing, Sevenoaks TN15 6TE

The proposal was for permission for the sub-division of the plot with a detached 2 ½ storey house being located broadly adjacent to the existing house. Vehicular access would be shared between the two houses with existing trees removed to provide a new drive and turning area for the proposed house with a re-positioned drive extending along the northern boundary to the existing house/garage.

Officers stated that the plot and others in Chalkways had a spacious semi-rural character with good sized plots good set back from the highway and plenty of mature planting. Although the site is considered capable of being sub-divided with the creation of a new plot, the proposed house was considered too large, bulky and too close to the site boundary. As a result it was considered harmful to the generally spacious character of the area. In addition the development had failed to make a contribution to affordable housing as required under the Core Strategy policy.

Members' attention was drawn to the tabled Late Observations sheet as the applicants had now indicated that, if the application were approved, a financial contribution would be made to the Council's Affordable Housing Strategy.

The Committee was addressed by the following speakers:

- Against the Application: -
- For the Application: Mark Garland
- Parish Representative: -
- Local Member: Cllr. Miss. Stack

At 10.56 p.m. it was MOVED by Cllr. Davison and duly seconded that, in accordance with rule 16.1 of Part 2 of the Constitution, Members extend the meeting past 11.00 p.m. for so long as is necessary to enable the Committee to complete the business on the agenda. The motion was put to the vote and it was:-

Resolved: That the meeting be extended past 11.00 p.m. for so long as is necessary to enable the Committee to complete the business on the agenda.

It was noted that a Members' Site Inspection had been held for this application.

Members acknowledged that the Parish Council and Local Members were in support of the application. However the application would be visible from the highway.

It was MOVED and was duly seconded that the recommendation in the report be adopted subject to the amendments set out in the Late Observations sheet. The motion was put to the vote and there voted –

8 votes in favour of the motion

3 votes against the motion

Resolved: That planning permission be REFUSED for the following reasons:-

The proposed development as a result of its design, height, bulk and proximity to the highway would result in a cramped form of development that would be harmful to the character and visual amenities of the surrounding area contrary to the provisions of policy SP1 and L07 of the Sevenoaks Core Strategy and policy EN1 of the Sevenoaks District Local Plan.

The proposed scheme fails to make a financial contribution towards the Councils Affordable Housing Strategy contrary to the provisions of policy SP3 of the Sevenoaks Core Strategy.

THE MEETING WAS CONCLUDED AT 11.07 P.M.

CHAIRMAN

5.01 – SE/11/00282/FUL Date expired 3 November 2011

PROPOSAL: Retention of a concrete pad measuring 7.2m x 5.4m and a timber field shelter. The shelter is for use by up to 3 horses. It is mobile - RETROSPECTIVE

LOCATION: The Oast House, Underriver, Sevenoaks TN15 0SB

WARD(S): Seal & Weald

ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Thornton who supports the objections of the Parish Council on the grounds that the field shelter is a stable, that it is very visible from public footpath SR158 and located within a prominent position and the requirement for the concrete base for the field shelter which is a moveable structure.

RECOMMENDATION: That planning permission be GRANTED.

Description of Proposal

- 1 Retention of a concrete pad measuring 7.2m x 3.6m and a timber field shelter. The shelter is for use by up to 3 horses. It is mobile – RETROSPECTIVE.

Description of Site

- 2 The site consists of the Oast House which is located within the rural confines of Underriver. The lane is characterised by residential properties which are set within plots of varying size and shape.
- 3 The site is located wholly within the Kent Downs Area of Outstanding Natural Beauty and the Metropolitan Green Belt.

Constraints

- 4 Metropolitan Green Belt
- 5 AONB – Kent Downs
- 6 A Public Right of Way runs along the northern boundary of the property and through part of the property to the south of the dwelling located on the site.

Policies

South East Plan

- 7 Policies – SP1, SP5, CC1, CC6, C3, BE4

Sevenoaks District Local Plan

8 Policies - EN1, SR9

Sevenoaks Core Strategy

9 Policies – SP1, L08

Other

10 Planning Policy Guidance 2, Planning Policy Statement 4, Planning Policy Statement 7

Planning History

- 11 06/01614/FUL - Retention of existing sand school (granted 24.07.06)
- 12 94/01698/HIST - Construction of sand school for horse exercising surrounded by timber post and rail fencing (granted 07.12.94)
- 13 94/00822/HIST - Construction of sand school for horse exercising surrounded by timber post and rail fencing (granted 12.07.94)

Consultations

Seal Parish Council

- 14 Comments received 30.09.11. Seal Parish Council objects to the proposal.
- 15 The installation of a concrete pad is fundamental in the building becoming a permanent structure.
- 16 The Parish Council considers this to be a stable block and not a field shelter as stated. A field shelter is an open structure on at least one side.
- 17 The stable block is prominent in the open countryside, part of the MGB and AONB. It can be clearly seen from footpath SR158. There is no screening.
- 18 This is demonstrated by the attached photo, taken from the Underriver Recreation Ground and footpath, and clearly shows the structure detracting from the open countryside.
- 19 Comments received 28.04.11. Objection and reasons:
- 20 The installation of a concrete pad is fundamental in the building becoming a permanent structure.
- 21 The Parish Council considers this to be a stable block and not a field shelter as stated. A field shelter is an open structure on at least one side.
- 22 The stable block is prominent in the open countryside, part of the MGB and AONB. It can be clearly seen from footpath SR158. There is no screening.
- 23 The Underriver Village Design Statement says:

SE/11/00282/FUL Item No. 5.01

"Where practicable domestic stabling and field shelters should be sited in natural hollows, behind existing or new natural screening or close to existing buildings."

- 24 Appendix 3 of the Local Plan stipulates no more than 2 stables per site and this building provides 3 bays.

The application site already has existing stabling in the barn.

Representations

- 25 None received

Head of Development Services Appraisal

Principal Issues

Background

- 26 This application was originally reported to Development Control Committee in 2011. However, the application was withdrawn from debate as the Site Plan submitted was incorrect. A correct Site Plan has now been received and the application reported to Development Control Committee.

Impact upon the Metropolitan Green Belt

- 27 As detailed within the site description, the site is located within the Metropolitan Green Belt. As such, Planning Policy Guidance 2: Green Belts (PPG2) relates to this application. PPG2 states that the 'fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open' and that 'the most important attribute of Green Belts is their openness'. In order to safeguard the openness of designated Green Belts, there is the presumption against inappropriate development. Consequently, inappropriate development, is by definition, considered harmful to the Green Belt.
- 28 Under PPG2, new buildings within the Green Belt are considered to be inappropriate unless they are for either agriculture or forestry; essential facilities for sport or outdoor recreation, for cemeteries or for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of including land in it.
- 29 The concrete pad measures 7.2m x 5m and is 450mm thick. This results in the surface of the pad being level with the surrounding field surface at its northern side, and is approximately 75mm above the surrounding field surface on its southern side where the ground falls gently way to the south. The Agent states that the reason for the concrete pad is to reduce the damage to the land from the horse and cattle on the site during feeding times.
- 30 The field shelter is existing on site and measures 7.2m x 3.2m in size with a ridge height of 3.1m. The field shelter is a moveable structure which is designed to be moved around the fields, which in itself would not require planning permission. However, as detailed within the submitted Design and Access Statement, whilst the field shelter was originally designed to be moved

SE/11/00282/FUL Item No. 5.01

around the fields, due to the horses congregating in and around the field shelter and the damage to the ground by moving the field shelter around the fields, the concrete pad was constructed as a permanent base for the field shelter. The field shelter is therefore not a moveable structure and thereby requires planning permission.

- 31 The design of the field shelter and its location upon the concrete pad would imply that there is the potential for such to easily be utilised as stables and therefore the application has been assessed accordingly. The field shelter details the use of two bays upon submitted plan KL_0550_001 with a total "gross floor area" of 19.44 metres squared covered by the currently immobile field shelter. Part 1 of Appendix 3 of the Sevenoaks District Plan details that individual stables should not exceed 13.4 square metres. The field shelter, should this be utilised as a stable, complies with this and the further guidance that there should be no more than 2 stables per site as recommended by the British Horse Society. The existing barn is not used for stabling, which has been confirmed by the applicant.
- 32 Part 1 of Appendix 3 further details that stables should not exceed in height 2.7-3.4 metres (depending on the height of the horses). At an overall height of 3.1 metres, the field shelter complies with this part of Appendix 3.
- 33 Part 2 of Appendix 3 states that associated structures such as tack rooms, food stores and manure bays should be appropriate to the size of the stable. None are proposed as part of the application.
- 34 In accordance with Part VI of Appendix 4, the field shelter building is of a standard design and construction as, as far as practicable, has been sited so as to blend in with the surroundings. The total site area of 4.65 hectares within the control of the applicant provides for sufficient land for the exercise of the horses.
- 35 It is therefore considered that the retention of the field shelter complies with policy SR9 of the Sevenoaks District Local Plan and Appendix 3 to which policy SR9 refers.
- 36 The concrete pad will extend for a further 2.7 metres forward of the front of the field shelter and will match the width of the existing field shelter. This will ensure that the area immediately in front of the field shelter will not be churned up by the horses and accordingly would not be inappropriate in respect to the use of the field shelter. Therefore, in terms of the concrete pad, given the small size, scale, and location with regards to the existing ménage at the application site, it is considered that it is consistent with the purposes of including land in the Green Belt, as required by Planning Policy Guidance 2: Green Belts (PPG2). Therefore it is accepted that this constitutes appropriate development in the Green Belt.

Impact upon the Kent Downs Area of Outstanding Natural Beauty

- 37 Policy LO8 of the Sevenoaks District Core Strategy states that the countryside and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible.

SE/11/00282/FUL Item No. 5.01

The distinctive character of the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings, will be conserved and enhanced.

- 38 It is noted that the field shelter and concrete pad are small in size and scale and are set within rural surroundings where such features are commonly associated with farm buildings. Furthermore, the concrete pad itself is set into the ground and views of such are limited from the outside of the application site, particularly given the mature trees surrounding the site. The field shelter itself is akin with other forms of field shelter and stabling exhibited within the surrounding area in terms of its scale and design. For these reasons, it is not considered that it will have a detrimental impact on the distinctive character of the Kent Downs Area of Outstanding Natural Beauty.

Public Rights of Way

- 39 It is noted that there are public footpaths in the vicinity of the application site, however it is considered unlikely that the concrete pad will be visible from these.

Underriver Village Design Statement

- 40 Policy R8 of the Underriver Village Design Statement states that *'[w]herever possible, non-residential agricultural buildings, domestic stabling and field shelters should be located away from neighbouring properties. This would be especially important if they were likely to be used for activities that could cause a nuisance (for example by noise or smell) or lead to clutter in the countryside. Where practicable, they should be sited in natural hollows, behind existing or new natural screening or close to existing buildings. Road access to new agricultural buildings should have good sightlines'*.
- 41 It is noted that this is one of the concerns with the proposal raised by the Parish Council. This policy relates predominately to the field shelters rather than to associated features e.g. the concrete pad. The submitted Design and Access Statement outlines the rationale for chosen site of the concrete pad and thereby field shelter to which the pad now supports. The location for the pad was originally selected as being a convenient location to serve the applicant's three fields, that it is located beside the existing sand school, benefits from access by an existing path and gate, and that the land slopes away from the site meaning that the ground would be relatively drier than that of other land within the control of the applicant. The location of the concrete pad and field shelter has therefore been selected as appropriate in terms of the day to day activities which are undertaken by the applicant with regards to the existing ménage, path and gate at the application site.
- 42 In terms of the location of the concrete pad and field shelter, such are located away from the neighbouring property of High House (to the north of the application site) and are not considered to cause nuisance to the residents at this property. The design of the proposed field shelter is small in scale and bulk and not considered to result in clutter within the countryside.

Impact upon residential amenity

- 43 Policy EN1 of the Local Plan and policy SP1 of the Sevenoaks District Core Strategy require all new development to ensure that it will not have a detrimental impact on the amenity of neighbouring properties.
- 44 The concrete pad is located in a position where it is surrounded by existing fields. It is located approximately 50m from the nearest residential dwelling. As such the proposal is not considered to have a detrimental impact upon the residential amenities currently enjoyed by residents at nearby properties.

Conclusion

- 45 As a result of the above discussion, it is concluded that the concrete pad proposed constitutes appropriate development in the Green Belt, will not have a detrimental impact on the Kent Downs Area of Outstanding Natural Beauty or on the amenity of neighbouring properties. The proposal is therefore in accordance with policy EN1 of the Sevenoaks District Local Plan, policies SP1 and LO8 of the Sevenoaks District Core Strategy, policies SP1, SP5, CC1, CC6, C3 and BE4 of the South East Plan, PPG2, PPS4 and PPS7.

Background Papers

Site Plan

Contact Officer(s): Helen Tribe Extension: 7136

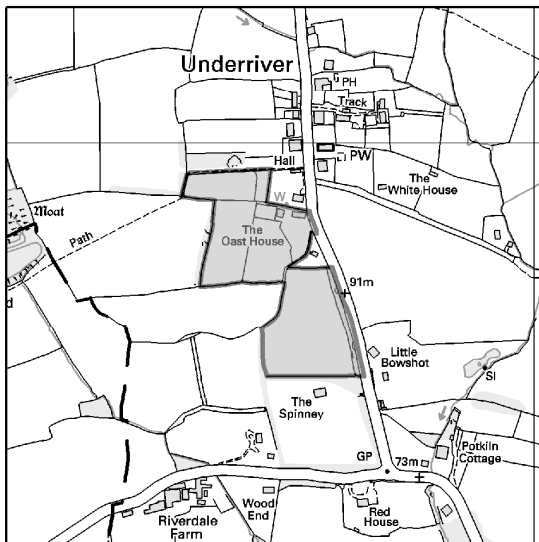
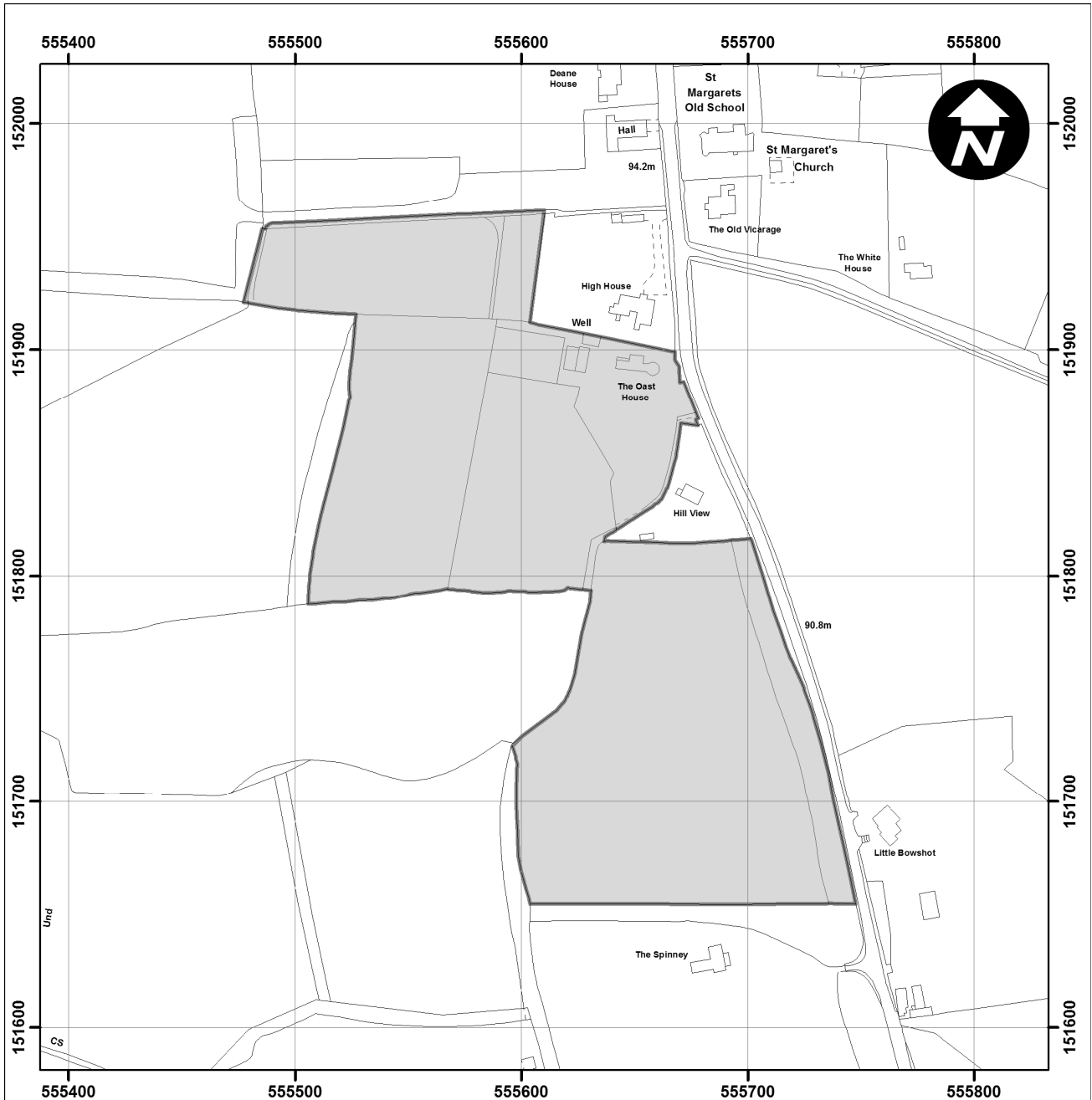
Kristen Paterson
Community and Planning Services Director

Link to application details:

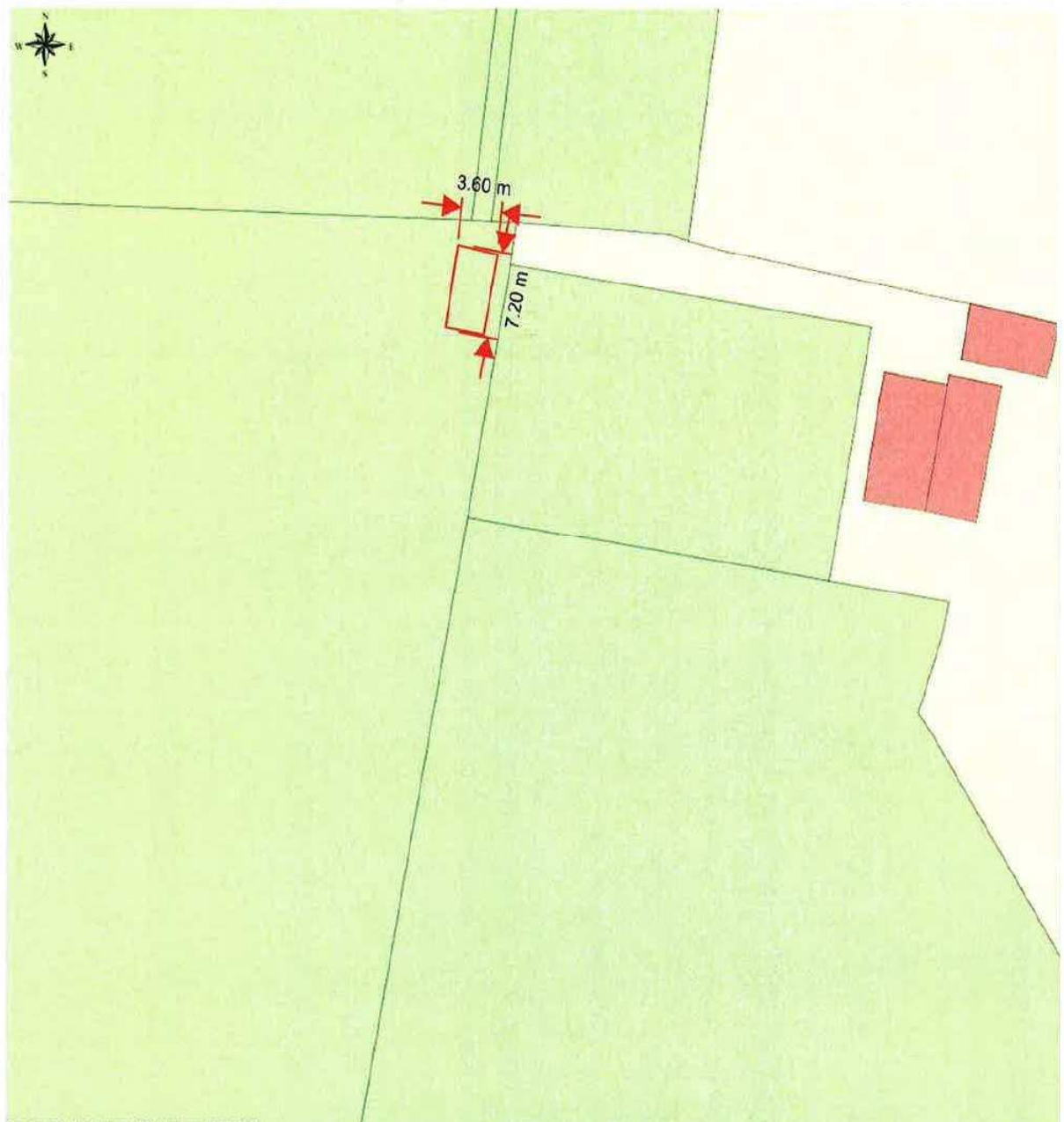
<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LG328OBK8V000>

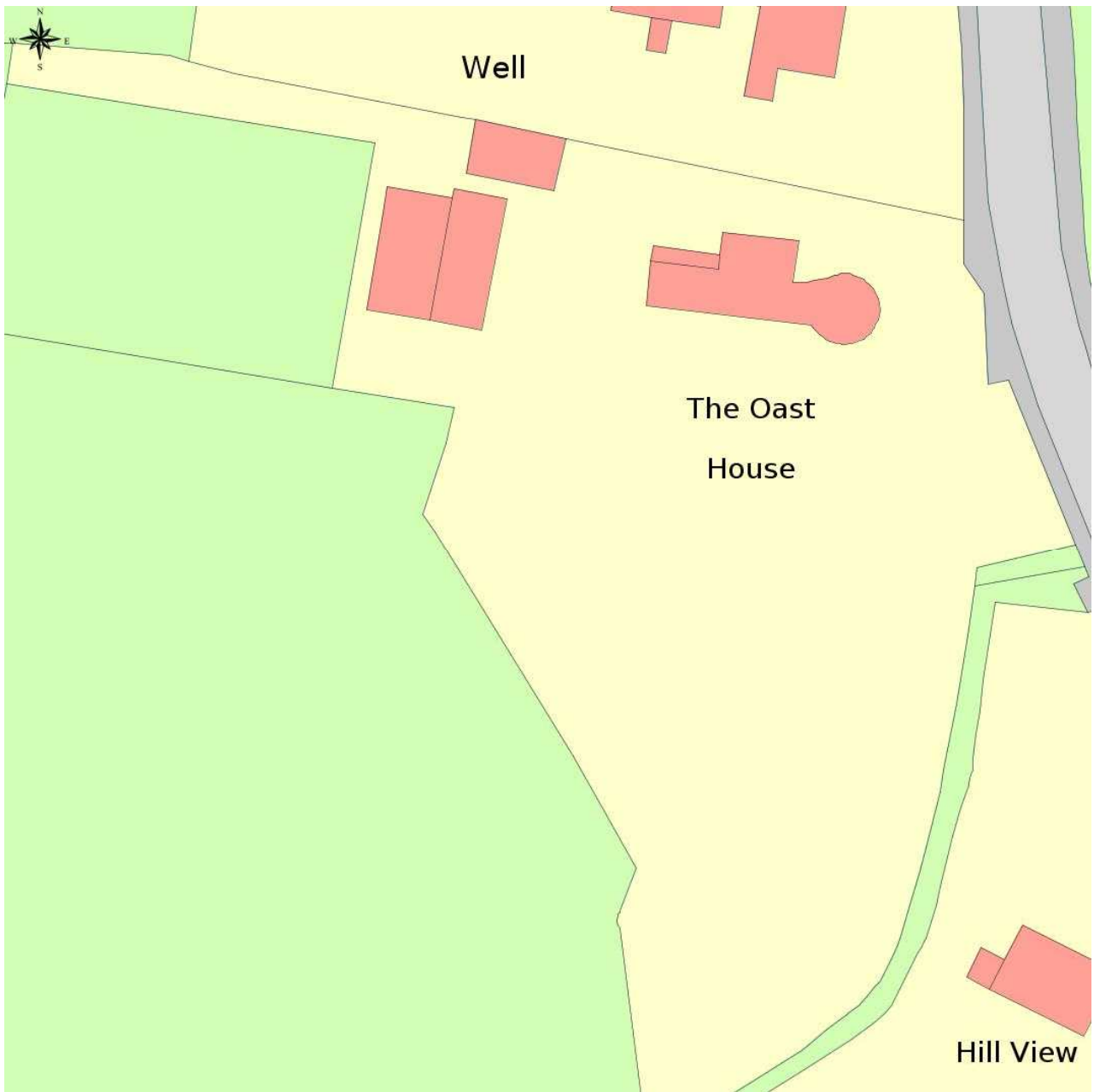
Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LG328OBK8V000>



<h1>Site Plan</h1>	
Scale	1:2,500
Date	04.01.2012
	
<small>This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sevenoaks District Council, 100019428, 2011.</small>	





5.02 - SE/11/02684/FUL Date expired 23 December 2011

PROPOSAL: Erection of two dwellings on land to the rear of Lynchets, Clarendon Road, Sevenoaks TN13 1EU

LOCATION: Land To Rear Of Lynchets, Clarendon Road, Sevenoaks TN13 1EU

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application has been referred to Development Control Committee at the request of Councillors Fleming, Dawson and Raikes who raise concern over the access and overlooking.

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

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

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) No development shall be carried out on the land until details and samples of the materials to be used in the construction of the external surfaces of the dwellings and the driveway retaining wall hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development enhances the character and appearance of the conservation area as supported by Policy EN1 and EN23 of the Sevenoaks District Local Plan.

3) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Prior to the occupation of the development, evidence shall be provided to the Local Authority that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported in Planning Policy Statement 1, policies CC2 & CC4 of the South East Regional Plan & Policy SP2 of the Sevenoaks Core Strategy 2011

4) Ecological mitigation measures shall be carried out in complete accordance with the recommendations of chapter 5.1 of the 'GreenLink Ecology Ltd' Ecology Report dated 3rd August 2011.

In the interests of biodiversity in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation.

5) Prior to the commencement of the development, full details of soft landscaping works, including details of tree management, shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include:- planting plans (identifying existing planting and trees, plants and trees to be retained and new planting);-a schedule of new plants and tree planting (noting species, size of stock at time of planting and proposed number/densities); -details of tree pruning and a programme for the protection and enhancement of existing and proposed trees; and-a programme of implementation. Landscaping, tree planting and management shall be carried out in complete accordance with the approved details. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved landscaping details die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by EN1 and EN23 of the Sevenoaks District Local Plan.

6) Tree protection measures, including the use of a 'no-dig' construction method, shall be carried out in complete accordance with the 'Quaife Woodlands' Arboricultural and Planning Integration Report dated 19th April 2011 and as updated by an addendum dated 3rd August 2011.

To ensure the retention and long term health of trees in accordance with EN1 of the Sevenoaks Local Plan 2000.

7) Prior to the commencement of the development, details of acoustic insulation and noise mitigation to ensure a satisfactory internal living environment for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

To ensure a satisfactory living environment for future occupants in accordance with EN1 of the Sevenoaks Local Plan 2000.

8) Prior to the commencement of development, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the provision of privacy screening along the western side the retained dwelling 'Lynchets'. The boundary treatments and screening shall be provided prior to the first occupation of either of the dwellings hereby approved and shall thereafter be maintained as such, despite the provisions of any Development Order.

To safeguard to the visual appearance of the site and protect the privacy of residents in accordance with EN1 of the Sevenoaks Local Plan 2000.

9) The proposed driveway works, including the widening and regrading of the existing upper driveway and the provision of the extended driveway, shall be fully completed in complete accordance with the submitted details prior to the first occupation of either of the dwellings hereby approved.

To ensure an adequate access and egress to the site in accordance with EN1 of the

Sevenoaks Local Plan 2000.

10) Prior to the commencement of the development, details of the nature and extent of the 'high friction surfacing' to be applied to the existing access driveway shall be submitted to and approved in writing by the Local Planning Authority. The surfacing shall be applied in accordance with the approved details prior to the first occupation of either of the dwellings hereby approved and thereafter maintained as such.

To ensure an adequate access and egress to the site in accordance with EN1 of the Sevenoaks Local Plan 2000.

11) Prior to the commencement of the development, details of the position and appearance of the proposed bin store (in the form of scaled drawings) shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be provided in complete accordance with the approved details prior to the first occupation of either of the dwellings hereby permitted.

To safeguard the visual appearance of the area and to ensure adequate refuse collection arrangements in accordance with EN1 and EN23 of the Sevenoaks Local Plan 2000.

12) The north facing first floor 'en-suite' and 'guest annexe' windows of Plot 2 shall be obscure glazed and fixed shut at all times with the exception of any high level light(s) (above 1.7m above internal floor area).

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

13) No additional window(s) or other opening(s) shall be formed or inserted in the north facing flank elevation of Plot 2 nor the south facing flank elevation of Plot 1, despite the provisions of any Development Order.

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

14) The development hereby permitted shall be carried out in accordance with the following approved plans: 3598/01Rev2, 02Rev3, 03Rev2, 04/1of4Rev3, 04/2of4/Rev3, 04/3of4Rev3, 04/4of4Rev3, 05Rev2 and 07Rev1

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

The South East Plan 2009 - Policies SP1, CC6, BE6, LF1, H3, H4, H5

Sevenoaks District Local Plan - Policies EN1, EN4B, EN23

Sevenoaks District Core Strategy 2011 - Policies SP1, SP2, SP3, SP5, SP7, LO2

The following is a summary of the main reasons for the decision:

The density of the proposed development layout and the mix of unit sizes is satisfactory.

The development would preserve those trees on the site which are important to the visual amenities of the locality.

The development would preserve the special character and appearance of the Conservation Area.

The development makes adequate provision for the parking and turning of vehicles within the application site.

The development makes provision for the safe means of vehicular access to and from the site.

Other environmental impacts have been assessed and there are not any which are potentially significant which cannot be satisfactorily controlled by way of the conditions imposed.

Informatives

1) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Description of Proposal

- 1 Planning permission is sought for the erection of two detached two storey dwellings with second floor accommodation and attached double garages with habitable floor space above. The proposed dwellings are positioned within the existing garden area of Lynchets which is accessed by a steep driveway leading from the cul-de-sac end of Clarendon Road. The proposal includes the continuation of this driveway to the west of Lynchets and bending round to the front of the properties on the lower garden portion of the site. The dwellings are set into the slope of the site to the western portion of the site.
- 2 The application is essentially a resubmission of refused planning application SE/11/01316/FUL. This application includes the following amendments to the previous scheme:

A realigned / repositioned shared access extending further to the south and east of the site.

SE/11/02684/FUL Item No. 5.02

An increase in the width of parts of the existing access road from the Clarendon Road Spur.

Increased turning space in front of Lynchets

The application of a high friction surface to the existing access road.

The provision of a bin store at the Clarendon Road end of the existing driveway.

Works to even out the gradient of this existing access road to provide an even access.

Description of Site

- 3 The application site consists of the access, house and garden of the existing dwelling Lynchets, a dwelling dated from the mid-1980s and accessed by a steep private driveway (approximately 50m in length) from the private cul-de-sac of Clarendon Road. The site area, including the driveway, is approximately 0.5ha and has a steep fall away from the level of Clarendon Road to the lower portion of garden adjacent to western boundary of the site. Land continues to fall away steeply to the west into the adjacent railway cutting. The site is well treed, particularly to the steep slope of the site adjacent to the western boundary of Lynch House adjacent and around the southern and northern parts of the site.
- 4 The site, because of its lower position in relation to Clarendon Road is not largely visible within the vicinity. Clarendon Road at this point, however, is characterised by large irregularly spaced and arranged dwellings on reasonably large plots. The adjacent dwelling to the north of the existing access drive, Lynch House, is a Grade II listed dwelling.

Constraints

- 5 The application site is located within the Granville Road / Eardley Road Conservation Area. Lynch House to the north, adjacent to the site is a Grade II listed building. There are no Tree Preservation Orders in force on the site.

Policies

Sevenoaks District Local Plan 2000

- 6 Policies – EN1, EN4B, EN23

South East Plan 2009

- 7 Policies – SP1, CC6, BE6, LF1, H3, H4, H5

Sevenoaks Core Strategy 2011

- 8 Policies – SP1, SP2, SP3, SP5, SP7, LO2

Others

- 9 Sevenoaks Affordable Housing Supplementary Planning Document 2011
- 10 Planning Policy Statement 1: Delivering Sustainable Development
- 11 Planning Policy Statement 3: Housing
- 12 Planning Policy Statement 5: Planning and the Historic Environment
- 13 Planning Policy Statement 9: Biodiversity and Geological Conservation
- 14 Planning Policy Guidance 14: Development on Unstable Land
- 15 Planning Policy Guidance 24: Planning and Noise
- 16 Kent Design Guide 2006 (adopted as Supplementary Planning Document 2007)

Planning History

- 17 SE/11/01316/FUL - Erection of two residential dwellings with integral garages. - Refused
- 18 SE/06/00115/WTCA - Reduction of Chestnut tree and Maple tree. – No objection lodged.
- 19 SE/82/01026 – Erection one detached house and a double garage – Granted

Consultations

Highways Officer

- 20 I confirm that the highway authority would not wish to object to this proposal. Whilst I would recommend that subsoil investigations are undertaken, this is a matter for the applicant as there is now less of a need that the access road is serviceable to Kent Design standards. [on confirmation of the refuse collection arrangements].

Environmental Health Officer

- 21 The proposed dwellings will be exposed to noise from the busy main railway line. An acoustic assessment has been undertaken and the consultant reports that the site falls into NEC 'B' of PPG24 guidance. Sites in this category require some noise protection. If therefore you are minded to approve this application please condition requiring a scheme of noise protection.

Tree and Landscape Officer

- 22 I have previously stated that there appears to be adequate space for the construction of the new builds as shown. The existing trees located upon the embankment to the East of the proposed build location are in part Forest type planting that resembles a small plantation. It provides greenery and screening to the immediate area but in the longer term I suspect that a number of these

SE/11/02684/FUL Item No. 5.02

trees will outgrow their situation. I recommend that a full planting proposal for this bank should be put together for the longer term. This could either be as a fell and plant or a plant and fell later as the new trees reach semi maturity. Should this scheme meet approval, it is important that the landscaping surrounding it is suitable and provides full benefit to all within the area. A suitable planting scheme would need to be agreed with the planting taking place as soon as possible and not at the completion of the build process.

- 23 The new road into the site is shown to retain most of the trees adjacent to its route. Tree numbers 2, 3, 10 and 11 are shown to be retained as part of the proposed scheme. I consider these 4 trees to be of poor quality and expect that they will not reach their full potential due to inherent weaknesses within their structure. Regardless of this application, I suspect that they will need to be removed in due course or at the very least drastically reduced. As these trees form part of the boundary vegetation and therefore possibly visually beneficial to the nearby neighbours. I again recommend that should this proposal meet with approval that these trees are replaced at the earliest possibility to provide full benefit in the longer term as opposed to the shorter term, which currently exists. Tree number 4 is a large mature specimen that appears in good health. The presence of a fork at 4 metres could present a weakness. I would not recommend any action with the current situation. I do however recommend a light reduction on this tree should this application meet with approval. This would lessen any pressure on this fork given the proposed close proximity of a possible residential area that would be used more frequently. This may also be more relevant should the adjacent Beech trees be removed as they would no longer protect T 4 from southerly winds.
- 24 In conclusion, I am generally of the view that this proposal is achievable. The implementation of a thorough and detailed landscaping scheme is crucial to its success or failure. Such a scheme should be agreed prior to the start of any works and should be completed at the very earliest opportunity.

SDC Recycling Manager

- 25 Following your e-mail about the erection of two dwellings on land to the rear of Lynchets, Clarendon Road, Sevenoaks TN13 1EU, please note that the revised plan, wherein it is proposed to build a storage area at the top of the drive for the weekly collection of refuse and recycling is acceptable to our department.
- 26 It should therefore be understood that SDC collection crews will remove refuse, recycling, and garden waste for composting generated by the two proposed new homes from the proposed collection area just at the border of Clarendon Road.

Thames Water

Waste Comments

- 27 Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Surface Water Drainage

- 28 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

English Heritage

- 29 The application should be determined in accordance with national and local planning policy guidance, and on the basis of your specialist conservation advice.

Natural England (Summary only)

- 30 No objection is raised. The mitigation and enhancement measures identified in the ecological survey are welcomed. Advice is given on potential biodiversity enhancements.

Kent Ecology Officer

- 31 This application has been supported by the submission of the *Ecology Report*, which details the findings of the ecological surveys / assessments and provides recommendations for mitigation and enhancement.
- 32 We are satisfied that there is sufficient ecological information, undertaken to a suitable standard, provided to enable Sevenoaks DC to make an informed decision in relation to potential ecological impacts.
- 33 We advise that the mitigation measures detailed in section 5.1 and the enhancement measures details in section 5.2 of the *Ecology Report* must be implemented to ensure adherence to planning policy and guidance.

Others

- 34 No response was received from Kent Wildlife Trust, Network Rail nor South-East Water.

Representations:

Sevenoaks Town Council

- 35 Sevenoaks Town Council recommended refusal on the following grounds:

SE/11/02684/FUL Item No. 5.02

- The proposal would be detrimental to the neighbouring listed building and garden
- The proposal would result in parking and access issues to the new site, due to the very steep drive elevation.
- New dwellings will be completely overlooked by Lynch House, deciduous trees will provide some screening in summer, but in winter there is concern for loss of amenity due to the land being 24 metres lower in elevation than Lynch House.
- The new dwellings would be completely overlooked by the occupants of Lynchets.
- The proposed access would not only be dangerous for fire tenders, ambulances, and refuse collection but would also be dangerous for access by the disabled unless by car and could in bad winter weather isolate the occupants of the new houses.

Neighbours and Local Residents

36 Letters have been received from eleven neighbours and local residents (including the Clarendon Court Management Company. The following is a summary of the issues and concerns raised:

- The proposal does not overcome the previous issues relating to the difficulties with the access. The proposal includes the provision and use of a steep driveway. This would result in difficulties with construction works, the need for rubbish to be collected at the top of the drive, noise and disturbance from cars using the driveway. Concern is also raised over the 'useability' of the driveway, particularly in the winter months, and the possible need of occupants to use cars to exit the site.
- The access would be closer to the boundary with Hazeldene House and may impact on stability of the wall.
- The bin store and driveway widening along with the increase in traffic would harm the amenities of Full Point.
- The proposal would result in additional traffic on the Clarendon Road Spur.
- Living conditions in the new houses would be unacceptable because of the railway and lack of direct sunlight.
- Construction works would cause unacceptable disturbance.
- The proposal would not preserve or enhance the character and appearance of the Conservation Area. The proposed buildings are taller than surrounding buildings, the layout and density is not in keeping and the proposal represents overdevelopment.

- The proposal would result in additional parking and traffic harmful to the use of Clarendon Road.
- The proposal would result in loss of privacy.
- The proposal would impact upon wildlife present on the site.
- The proposal would result in the loss of trees.
- The proposal would impact upon the outlook from adjacent properties and would lead to a loss of privacy and general harm to neighbouring amenity.
- The living conditions of future occupants of Lynchets would be compromised because of the development.
- The development does not constitute sustainable development.

Head of Development Services Appraisal

- 37 This application is effectively a resubmission of refused planning application SE/11/01316/FUL which similarly proposed two dwellings of the same scale, appearance and siting. Planning permission SE/11/01316/FUL was refused 26 July 2011 for the following reasons:

The access arrangements to the proposed dwellings utilise an unacceptably steep gradient constituting poor design and creating a substandard living environment for future occupants. The driveway, by virtue of its gradient and length, would inhibit access for disabled persons and pedestrian users and would result in significant problems with vehicular access. To permit the application would therefore be contrary to Policy EN1 of the Sevenoaks Local Plan 2000, guidance contained in the Kent Design Guide 2006 and guidance contained in Planning Policy Statements 1 and 3.

The application fails to make an appropriate provision for affordable housing contrary to the requirements of Policy SP3 of the Sevenoaks Core Strategy 2011.

- 38 There have been no material changes to the nature of the site or its surrounds since this application was determined. Similarly, there has been little change to the relevant policies of the Development Plan. The previous decision is a material consideration in the determination of this application and the main issues in this case are whether the amendments to this previous scheme overcome the previous reasons for refusal and whether there are any other additional issues arising from these changes.
- 39 The Officer's Delegated Report for SE/11/01316/FUL has been attached as Appendix A for reference.

Access

- 40 The first issue is whether the amendments to the scheme overcome the first reason for refusal stated above relating to the quality of the access arrangements serving the proposed dwellings.
- 41 The concerns raised in the first reasons for refusal of SE/11/01316/FUL relate to the steepness of the gradient 'constituting poor design and creating a substandard living environment for future occupants'. Importantly the access arrangements would have had an unacceptable impact upon disabled occupiers, pedestrians and that the gradient would lead to problems with vehicular access. The issues raised relate to the quality of the design of the development and the living environment for future occupants and the reason for refusal does not relate to the impact of the development upon the public highway itself.
- 42 Policy EN1 of the Sevenoaks Local Plan requires that in the consideration of planning applications, several criteria will be applied that relate to the quality of the development and its design. Importantly, EN1(6) indicates that the proposed development should ensure a 'satisfactory means of access for vehicles and pedestrians...'. Similarly, Planning Policy Statement 3: Housing, paragraph 16, indicates that when assessing new residential development, the LPA should consider the extent to which the development 'is easily accessible and well-connected to public transport and community facilities and services, and is well laid out so that all the space is used efficiently, is safe, accessible and user-friendly'.
- 43 The Kent Design Guide, adopted as a Supplementary Planning Document by the Council, indicates a maximum recommended gradient of 10% for a 'shared private drive'. Similarly, government guidance contained in the Manual for Streets recommends a maximum gradient of 1:10 or 1:8 (12.5%) if the physical circumstances of the site don't allow for this. It is important to note that these gradient figures are recommended figures for guidance.
- 44 This application proposes two main changes to the access arrangements in comparison to the previously refused scheme. Firstly, it is proposed to regrade the existing access road to Lynchets to provide a more consistent gradient and to even out any particularly steep sections. According to the information submitted, the average gradient achieved would be around 18%, with a less steep portion adjacent to the Clarendon Road spur. Additionally, the works to the existing drive include the widening of this drive along much of its length to provide a width of up to 5m in places and the application of a 'high friction' surface to aid grip. Secondly, the plans submitted show a greater sweep around to the south-east and south of the site to allow for a shallower gradient which, according to the submitted details, would have an approximate gradient of 12.5%.
- 45 It is the Officer's view that these amendments constitute a significant improvement in terms of the design of the development and the living environment for future occupants. In this regard, the following issues have been taken into account:

SE/11/02684/FUL Item No. 5.02

- The proposal constitutes an improvement to this existing access through the levelling out of the gradient to create a consistent 18% gradient rather than the more variable gradient currently existent. Additionally, the widening of this part of the driveway along much of its length would allow for additional space for cars to easily pass or for cars and other vehicles to pass pedestrians. The potential conflict of traffic movements is thereby significantly reduced. The existing access has been in use serving Lynchets since its construction in the early / mid 1980s. Planning permission was given for the development in this form under SE/82/01026/FUL. The applicant has indicated that the dwelling has been in occupation since its construction and that the access has been used for its purpose since without issue.
- It is indicated in the proposal that a 'high friction surfacing' would be applied to the existing drive. This is likely to significantly improve grip particularly in less favourable weather conditions for both vehicles and pedestrians. A condition could be applied to ensure that this surface is applied.
- The proposal shows the provision of a bin store at the Clarendon Road end of the driveway. This eliminates the need for refuse vehicles to enter the site. The Council's refuse manager has indicated that this arrangement is acceptable. A condition could be applied to ensure that this structure is of an appropriate design and appearance. The bin store is an adequate distance and is adequately separated by vegetation and boundary treatment from both Lynch House and Full Point so as to avoid an unacceptable impact on residential amenity. Adequate turning and manoeuvring space has been provided on site for other vehicles requiring access to the development (such as delivery vehicles).
- Significantly, the amendments to the path of the lower driveway allow for a less steep gradient along this portion. The gradient along this section (from Lynchets to the lower level of the dwellings) is no greater than 12.5% according to the information submitted and importantly this accords with the recommended maximum gradient stipulated in the Kent Design Guide (for sites that because of their physical characteristics can't provide for a driveway of no greater than 10%). The lower access road continues to include a 5m wide passing place to allow vehicles to pass one another.

46 With the above in mind, the proposed amendments to the previously refused scheme constitute a significant improvement to the proposed access arrangements. The new section of lower driveway appears to meet the relevant design criteria as set out in the Kent Design Guide. Whilst the existing length of access to Lynchets would remain steep, the more even gradient, improved high grip surfacing and widening of the road would significantly improve the practicality of this section for both pedestrians and vehicular traffic.

47 It is acknowledged that some users, such as the disabled, would continue to have some issue with the use of the access without the use of motorised transport. Policy EN4B of the Local Plan indicates that the 'Local Planning

SE/11/02684/FUL Item No. 5.02

Authority will seek to negotiate agreements with developers to construct new homes to take account of the special needs of these groups [persons with disabilities], except where overriding physical factors would prevent their attainment on site'. In this case the gradient of the site is considered to be 'an overriding physical factor' that would reduce accessibility for disabled persons. It is the Officer's view, however, that the dwellings would now offer a good general standard of living for future occupants generally.

- 48 In addition to the above, consideration is given to the fact that nearby Crownfields, an adopted highway, has a steep gradient, possibly similar or greater than the existing access and that this highway serves a good number of dwellings.
- 49 The amendments to the access are considered to overcome the first reason for refusal of SE/11/01316/FUL .

Affordable Housing

- 50 Policy SP3 of the Core Strategy indicates that for developments that result in a net gain in residential units of between one and five units, 'a financial contribution based on the equivalent of 10% affordable housing will be required towards improving housing provision off-site'. Detail on how this is to be delivered is included within the Council's Affordable Housing SPD
- 51 The Applicant has provided information of a method of calculation and an assessment of development costs to demonstrate that a contribution could be provided by the development, but that this would be less than that expected if the calculation in the SPD was used. Of particular issue in this case is the likely additional costs involved in the construction of the development because of the works required in constructing the access. This method and the resultant contribution offered (£15,420) was previously accepted in the consideration of SE/11/01316/FUL. At this time, however, an undertaking under s.106 had not been completed before the determination of the application and as such the application was refused.
- 52 A unilateral undertaking has now been signed and completed to provide the above figure prior to the sale or occupation of the new dwellings or within 12 months of the completion of development.
- 53 It is therefore the Officer's view that the second reason for refusal of SE/11/01316/FUL has now been overcome.

Other Issues

- 54 As indicated above, SE/11/01316/FUL related to a highly similar development and was refused for the two reasons stated above. All considerations discussed in the attached Officer's Delegated Report remain relevant to the consideration of this application and I draw your attention to this. The physical form and position of the dwellings is unchanged as is the nature of the site and its surrounds. With this in mind, consideration need only be given to any additional impact arising from the amended driveway arrangement.

- 55 Firstly, with regards to the visual impact of the amendments, it was previously considered that the proposal would have an acceptable impact upon the character and appearance of the conservation area and the setting of Lynch House. The amended access road itself would require some additional engineering works, such as additional retaining works to the south-east section. Whilst this would increase the perception of built form from within the site, it would not be widely visible within the surrounding area and would be largely obscured by planting and trees. The widening of the existing driveway would reduce the amount of planted verge, though this would be minimal and would not be a prominent change in the conservation area because of the position of the drive at the end of the cul-de-sac and the drop in land level at the access point. The amended driveway layout would continue to preserve the character and appearance of the conservation area and the setting of Lynch House.
- 56 An updated tree survey has been provided giving details of the existing trees on the site and the likely impact of the development in terms of removed trees and retained trees. As a result of the development some trees around the site would need to be removed, however it is indicated that the trees most worthy of retention could be saved and preserved. The Council's Trees Officer has assessed the proposal in this regard and has generally concluded that the proposal has an acceptable impact upon existing planting. Some comments were made, however, about the need to ensure an adequate landscaping scheme to be agreed prior to commencement and in particular to secure the replacement of removed planting. Provided that this is imposed as a condition, it is my view that the proposal will allow for the retention of the better quality trees on the site will continue to benefit from a well greened and treed character.
- 57 It was previously considered that the development would not have an unacceptable impact upon the amenities enjoyed by neighbours. The proposed amendments bring the driveway approximately 13 – 14m closer to the south and east boundaries of the site. There remains, however, a reasonable spacing between the driveway and Hazeldene House, Cliff House and Westlands (approx. 33m, 60m and 42m respectively) so as to avoid a significant impact in terms of noise from vehicles using the driveway. In any case, there would only be very light traffic arising from two dwellings and intervening trees and planting could be retained or replaced in accordance with an appropriately worded condition.
- 58 Overriding concern was not previously raised over the impact of the development upon the living environment of Lynchets itself. Whilst the proposed access road would loop around to the west of Lynchets, I note the sub-ground floor at this point is recessed and there do not appear to be habitable rooms that would be unacceptably affected by the small number of vehicles passing past the property. Because of the gradients and the position of the dwelling, there would not be any significant view possible into the ground floor / first floor windows. The amended proposal would continue to allow for an adequate amenity to the rear of this property with some privacy and a condition could be imposed to ensure some screening along the western side of the dwelling.

SE/11/02684/FUL Item No. 5.02

- 59 The site is adjacent to the railway and the submitted noise assessment demonstrates that the site falls within Noise Exposure Category A during the daytime and B during the night time. The Environmental Health Officer has again confirmed that sites within this category require some noise mitigation (e.g. acoustic standard glazing). This could be ensured by condition.
- 60 The previous application SE/11/01316/FUL was found to be acceptable in terms of the impact of the development upon the general amenities of neighbours (access to light, privacy and a pleasant outlook). It was previously considered that there would be an acceptable separation and relationship between the proposed dwellings and neighbouring properties. In this regard, Members are referred to subsection (d) of the attached Officer's Report for SE/11/01316/FUL. The impact of the driveway amendments are discussed above.
- 61 Some question has been raised as to whether a geotechnical or subsoil investigation should be provided in relation to the stability of the land. PPG14: Development on Unstable Land suggests that the physical characteristics of a site should be adequately considered in the planning process. Land stability was not previously raised as an issue in the consideration of SE/11/01316/FUL. No specific evidence has been provided to demonstrate that the land is unstable in nature, though the applicant has provided information indicating that the sub-stratum is Lower Greensand and that stable rock is located fairly near to the surface. The provision of adequate foundations and specific structural stability issues are controlled separately by the Building Regulations. The Building Control Officer has informally indicated that there are no general issues relating to the stability of land in this area.
- 62 Concern has been raised over the potential impact of the development upon adjacent boundary walls, particularly that between the existing driveway and Full Point. The application does not proposed any works to this wall specifically and Conservation Area Consent is likely to be required if it was to be removed in the future. Any damage to the property of other parties during the construction of the development would be a private matter and not relevant to this consideration.
- 63 With regards to the above, it is the Officer's view that the proposed development overcomes the previous reasons for the refusal of SE/11/01316/FUL. The amended proposal is acceptable in all other regards subject to appropriate conditions.

Conclusion

- 64 For the reasons stated above, the proposal is in accordance with the Development Plan and overcomes the previous for refusal of SE/11/01316/FUL. I therefore recommend approval of the application subject to the appropriate conditions.

Background Papers

Site and Block Plan

Contact Officer(s): Patrick Reedman Extension: 7451

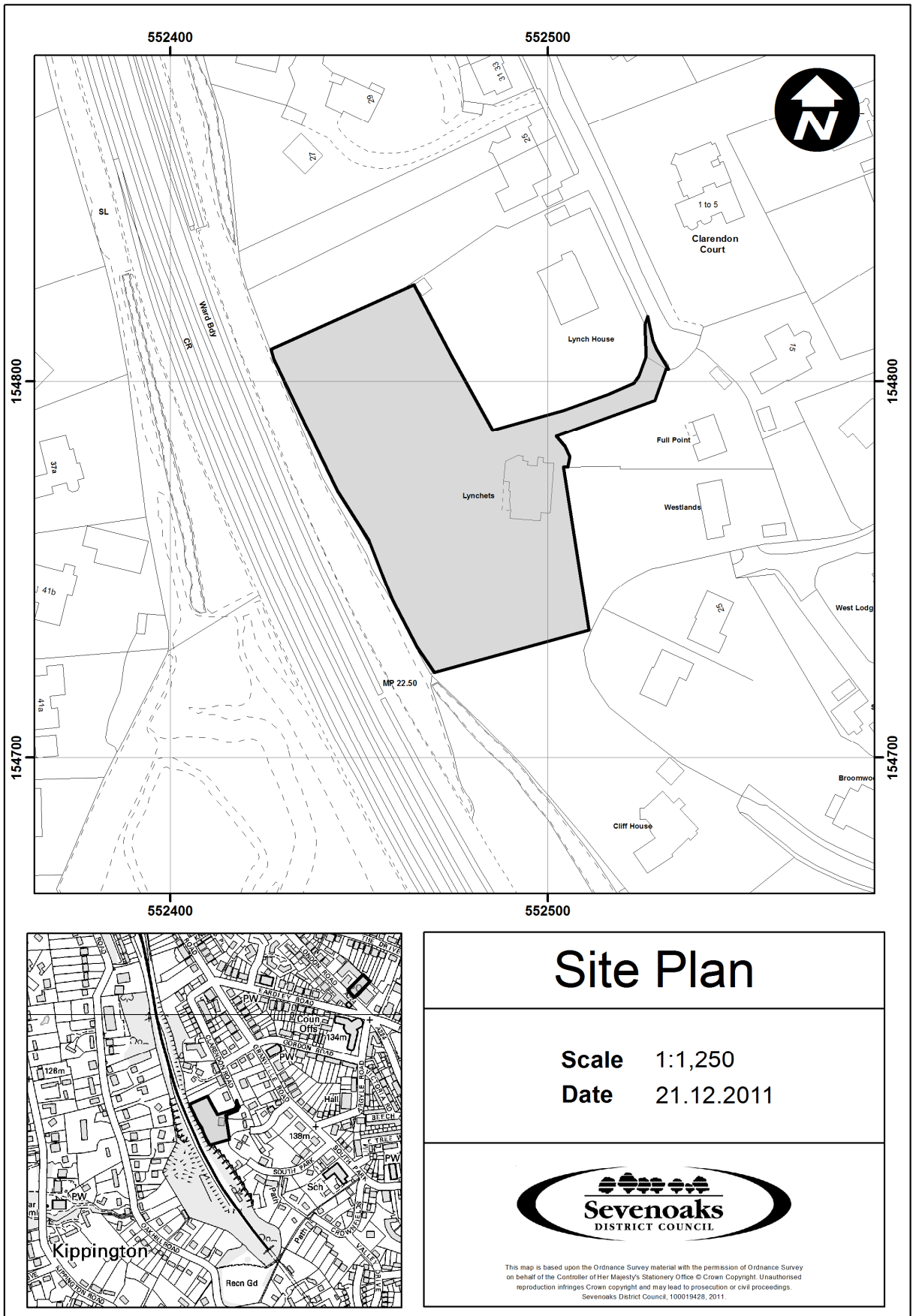
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LTAWUMBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LTAWUMBK8V000>



Site Plan

Scale 1:1,250
Date 21.12.2011



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Sevenoaks District Council, 100019428, 2011.



RECOMMENDATION NOTE

REFERENCE:	SE/11/01316/FUL	DATE:	25 th July 2011
SUBJECT:	Appraisal	NAME:	Patrick Reedman
ADDRESS:	Land to rear of Lynchets, Clarendon Road, Sevenoaks		

Application Description

Erection of two residential dwellings with integral garages.

Description of Proposal

Planning permission is sought for the erection of two detached two storey dwellings with second floor accommodation and attached double garages with habitable floor space above. The proposed dwellings are positioned within the existing garden area of Lynchets which is accessed by a steep driveway leading from the cul-de-sac end of Clarendon Road. The proposal includes the continuation of this driveway to the west of Lynchets and bending round to the front of the properties on the lower garden portion of the site. The dwellings are set into the slope of the site to the western portion of the site.

Description of Site

The application site consists of the access, house and garden of the existing dwelling Lynchets, a dwelling dated from the mid-1980s and accessed by a steep private driveway (approximately 50m in length) from the private cul-de-sac of Clarendon Road. The site area, including the driveway, is approximately 0.5ha in area and has a steep fall away from the level of Clarendon Road to the lower portion of garden adjacent to western boundary of the site. Land continues to fall away steeply to the west into the adjacent railway cutting. The site is well treed, particularly to the steep slope of the site adjacent to the western boundary of Lynch House adjacent and around the southern and northern parts of the site.

The site, because of its lower position in relation to Clarendon Road is not largely visible within the vicinity. Clarendon Road at this point, however, is characterised by large irregularly spaced and arranged dwellings on reasonably large plots. The adjacent dwelling to the north of the existing access drive, Lynch House, is a Grade II listed dwelling.

Planning History -

06/00115/WTCA - Reduction of Chestnut tree and Maple tree. – No objection lodged.

SE/82/01026 – Erection one detached house and a double garage – Granted

Policies

Sevenoaks District Local Plan 2000 – EN1, EN4B, EN23
South East Plan 2009 – SP1, CC6, BE6, LF1, H3, H4, H5
Sevenoaks Core Strategy 2011 – SP1, SP2, SP3, SP5, SP7, LO2

Sevenoaks Supplementary Planning Document: Affordable Housing (Consultation Draft) 2011

Planning Policy Statement 1: Delivering Sustainable Development

\\Client\SS\SDC\Planning & Transportation\Development Control\Patrick Reedman\PR Del Reps\Reports 2011\11-01316 del rep



Planning Policy Statement 3: Housing
Planning Policy Statement 5: Planning and the Historic Environment
Planning Policy Statement 9: Biodiversity and Geological Conservation
Planning Policy Guidance 24: Planning and Noise

Kent Design Guide 2006 (adopted as Supplementary Planning Document 2007)

Constraints

The application site is located within the Granville Road / Eardley Road Conservation Area. Lynch House to the north, adjacent to the site is a Grade II listed building. There are no Tree Preservation Orders in force on the site.

Publicity Expires:

3rd July 2011

Representations:

Letters have been received from the occupiers of 14 properties neighbouring the site and within the local area. Letters have also been received from the Clarendon Court (Sevenoaks) Management Company and the Clarendon Road Maintenance Fund. All of these letters raise objection to the proposal. I summarise the main points raised below:

- The proposal includes the provision and use of a steep driveway. This would result in difficulties with construction works, the need for rubbish to be collected at the top of the drive, noise and disturbance from cars using the driveway. Concern is also raised over the 'useability' of the driveway, particularly in the winter months, and the possible need of occupants to use cars to exit the site.
- The proposal would impact upon wildlife present on the site.
- The proposal would not preserve or enhance the character and appearance of the Conservation Area. The proposed buildings are taller than surrounding buildings, the layout and density is not in keeping and the proposal represents overdevelopment.
- The proposal would result in the loss of mature trees.
- The proposal would result in parking and traffic harmful to the use of Clarendon Road because of a lack of on-site parking and the steep driveway.
- The proposal would impact upon the outlook from adjacent properties and would lead to a loss of privacy and general harm to neighbouring amenity.
- The living conditions of future occupants of Lynchets would be compromised because of the development.
- The adjacent railway line would result in poor living conditions.
- Construction works would cause unacceptable disturbance.

Parish / Town Council:

Sevenoaks Town Council - Although this amendment does address some of the concerns raised by the Town Council originally (service corridor, construction materials, and storage problems) not all concerns have been addressed. Therefore Sevenoaks Town Council continues to recommend refusal on the following grounds.

- The proposal would be detrimental to the neighbouring listed building and garden.
- New dwellings will be completely overlooked by Lynch House, deciduous trees will provide some screening in Summer, but in Winter there is concern for loss of amenity due to the land being 24 metres lower in elevation than Lynch House.



\\Client\SS\SDC\Planning & Transportation\Development Control\Patrick Reedman\PP Del Reps\Reports 2011\11-01316\del rep



SDC Ward Members:

SDC Ward Members were given the appropriate period to call in the application to DC Committee for determination. All indicated that the application may be determined with delegated powers in accordance with the Officer's Recommendation.

Consultations:

County Ecologist – (following contact with Applicant's Ecologist):

I have spoken to the ecological consultant regarding their visit to this site and they advise that there is potential for impacts on breeding birds and reptiles as a result of the proposal. They also identified a mammal burrow on the site. We can agree to the following approach:

Scrub removal to be carried out outside of bird nesting season (bird nesting season is March to August, inclusive), unless preceded by an inspection for active bird nests carried out by a suitably experienced ecologist;

The area to be impacted by the development has potential for reptile presence, particularly along the railway line side of the site. A reptile survey is to be carried out to confirm whether they are present. Given that the area of land to be lost is relatively small, it is anticipated that if reptiles are present they can be encouraged to move away using habitat manipulation techniques.

The scoping survey found an unidentified mammal burrow on the site, over 30m away from the development footprint. Monitoring of the hole is to be undertaken to identify the species using it, although it is thought more likely to be a fox rather than a badger.

You said that you would be writing your report this week, is the decision going to committee next week? I would ordinarily expect all surveys to be available prior to determination but I think that in this case, while there is potential for protected species being present and affected by the proposals, the likelihood of significant impacts that can't be mitigated for is minimal.

We therefore advise that the ecological constraints for this proposal can be overcome, in planning terms, by the implementation of conditions that:

- Restrict the timing of scrub/tree removal to avoid nesting birds;
- Require the submission, approval and implementation of a mitigation strategy for protected species, informed by necessary surveys (*this will cover the reptiles, if present, but by being non-specific will also cover the slim potential for badgers being identified as using the mammal hole*)

We also recommend that, in drafting the landscaping condition, you ensure that provision for biodiversity enhancements are incorporated.

Thames Water –

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water.



\\Client\SS\SDC\Planning & Transportation\Development Control\Patrick Readman\PR Del Reps\Reports 2011\11-01316 del rep



Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

South East Water - No response

Highways Officer -

Although the application does not have any highway implications you have requested additional guidance and I would offer the following :

As we have discussed the proposed gradients are in excess of those recommended in Kent Design Guide where shared and individual private drives should not normally have a longitudinal gradient steeper than 1 in 10 although they may be increased to a maximum of 1 in 8 on sites where level differences make it impractical to use less steep gradients but with a requirement for a maximum of 1 in 10 for at least 1.5m from back of highway . I note that not only is the existing driveway significantly in excess of these recommendations but this will continue into the new link.

The recommended maximum gradients are employed to ensure safe access for all pedestrians and vehicles in all conditions.

English Heritage -

The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Planning Policy Officer -

As the Affordable Housing SPD is at consultation stage the use of an alternative assessment method to calculate the requirement for 10% affordable provision off site in accordance with Core Strategy Policy SP3 is not unacceptable in principle. However, the outcome of the calculation is a contribution that is substantially less than 10% and in reality this should be seen as an argument that 10% is not viable rather than an alternative way of calculating the 10% requirement.

In reviewing viability, consideration should be given to the GDV of £850,000 per unit which is very low for houses of this size in Sevenoaks, even allowing for the proximity of the railway. Research we carried out using Hometrack showed that a price of £1m plus was more typical for 4 bed plus houses in the area. The Adams Integra Viability Study showed value points for 4 bed houses varying from £2,500 to £5,500/sq m across the District (fig 1) whereas this equates to £2,367/sq m, below the lowest value point identified. Additionally the build costs of £1,500/sq m are substantially higher than the £1,100/sq m recommended by Adams Integra (para 2.9.3). Some further costed justification would seem to be needed for this high figure rather than accepting the general comments about costs in the letter.

Environmental Health Officer -

Thank you for the additional information. I am happy to accept the acoustic report and have no objection to the development proceeding as proposed.



\\Client\SS\SDC\Planning & Transportation\Development Control\Patrick Readman\PP Del Reps\Reports 2011\11-01316 del rep



Trees Officer –

The Arboricultural Survey appears to have dealt with my earlier concerns regarding this site. I had noticed that there were surface roots visible within the application site from trees growing on the track side bank. The no dig construction method for the new road should limit any harm caused. Any consent provided should therefore condition the process as described within the report. The new drive as shown is to be 565mm deep. The edges are to be battered back to slope down and be integrated into the surrounding area. The drive is shown to be very close to the rail way boundary and therefore this battering cannot take place. The result will be the depth of the edge of the drive of over half a metre immediately adjacent to the boundary fence. Such a structure will have to be engineered according to the surrounding land to avoid deterioration of the bank.

There are two further issues that I have not had adequate responses to, which now need answering.

Utility and drainage routes have not been identified. I consider these to be a major factor in the successful integration of the new builds with the retention of the trees. I now require these details for further comment.

The bank of trees shown on Arboricultural Survey AR/2426/ci Appendix B & C. Shows G51 on the hillside immediately north east of proposed Unit 1. This group of trees softens and screens the proposed development from neighbouring nearby properties. It is in affect a small forestry plantation. The trees have grown up in competition with each other. Its future is probably limited post development. I suggest that a planting scheme is devised to ultimately replace what is currently there. Something that will be able to compliment this area for the longer term. such a scheme should include a good mix of species of both evergreen and deciduous plants. Any such scheme should be agreed in detail and such planting should be carried out at the earliest possible opportunity within any consented to development. This will then ensure that the new scheme flourishes and benefits the scheme at the earliest stage.

Network Rail – No response.

SDC Building Control – Informally indicate that a condition relating to drainage would be appropriate.

SDC Waste and Recycling –

Following your questions about refuse and recycling collections from the new development proposed on the land below Lynchets, please be advised of the following:

The refuse vehicles, (two full size freighters, 26 tonne when fully laden) will not be able to enter the development. As a rule, we do not reverse such long distances, nor can the vehicle turn once at the site, as we do not drive onto the driveways of private dwellings. And from what I can see from the drawing, that would be the only means by which to turn on that site. Further, the development is too far from the road, and the road too steep, for the crews to walk the material out from the homes to the road.

The only viable option is for the future residents to place their refuse and recycling on the pavement at the top of the drive as it exits onto Clarendon Road (see below). Note however that those future residents will not wish to put their refuse and recycling directly in front of other homes, such as Lynchets, Lynch House, or Full Point, so perhaps the development could include - and you accommodate - a small refuse and recycling area at the top of the shared drive for that purpose.





APPRAISAL

Consideration

With regards to the relevant policies of the Development Plan, the main considerations in this case are:

- a) The principle of residential development and the appropriate density.
- b) The impact of the development upon the special character and appearance of the Conservation Area, including the impact of the removed trees and landscaping works.
- c) The impact of the development upon the setting of the adjacent listed building, Lynch House.
- d) The impact of the development upon the amenities enjoyed by neighbours adjacent and surrounding the site.
- e) The impact of the development upon future occupants and occupants of Lynchets, including the accessibility of the site and the impact of the steep gradient driveway and the impact of the adjacent railway line.
- f) The impact of the development upon Clarendon Road itself and upon highways safety and convenience.
- g) The impact of the development upon ecology and protected species.
- h) The requirement for affordable housing.
- i) Other issues – surface run off and drainage, impact of construction works.

I deal with each of these issues in turn below:

a) The principle of development and density..

The site is located within the urban confines of Sevenoaks in a position that is within proximity (within 1000m) of the Sevenoaks railway station and the main town centre area of Sevenoaks. In relation to its physical position, the site is sustainably located in proximity to public transport links and to local retail and services.

Relevant policies of the Development Plan continue to place an emphasis on providing high quality design of development which responds to its context. With the removal of garden land from the definition contained within PPS3 (2010), I do not consider that there is any longer a presumption towards developing the land for residential use, though such development may remain possible where it is appropriate to its surroundings.

Housing policies of the plan promote a mixture of housing types and sizes and an overall target of 40 dwellings per hectare with the Sevenoaks Town Area. Given that the site is approximately 0.5ha in area, this would equate to an expected provision of 20 homes within the site. The proposed scheme provides for three dwellings (along with Lynchets, to be retained) at a density of around 6 dwellings per hectare.

Considering the fairly spacious layout of surrounding properties within the surrounding conservation area, the topographical form of the site and the apparent access issues (all explained below) it appears unlikely that a higher density than that proposed could be practically provided whilst taking into account the prevailing character of the are.

b) The impact of the development upon the Conservation Area

The Granville Road / Eardley Road Conservation Area covers a predominantly residential area between the station and the town centre (to the east of the railway line). This area was largely



\\Client\SS\SDC\Planning & Transportation\Development Control\Patrick Readman\PR Del Reps\Reports 2011\14-01316.del rep

developed with Italianate villas and large town houses as a commuter suburb of the market town after the arrival of the railway in the 19th Century. This built up character is most evident along Granville Road and Eardley Roads themselves, though the conservation is extended across most of Clarendon Road to cover a different grain of development at this point.

The spur of Clarendon Road from which the access is taken for Lynchets (and the proposed development) is a privately maintained road serving 6 / 7 dwellings. Buildings within the part of the Conservation Area are generally well spaced, but fairly irregular in their layout. Other than the subdivided properties, the buildings sit as detached dwellings within their settings and the area has a generally well greened and trees feel at this point (in contrast to the tighter arrangement of terraced dwellings and flats to the north end of the street).

When assessing the prevailing grain of development in the immediate vicinity in plan form only, the garden of Lynchets appears as a larger than expected area of open garden. The proposal includes the provision of two detached dwellings situated on the lower garden area of Lynchets to the east of the railway. On division of the site between the three dwellings, each would be apportioned a curtilage generally commensurate with the layout of the surrounding area.

It is likely that this area remained undeveloped because of the significant slope from this lower garden area to the higher level of Clarendon Road to the north-east. The existing driveway to Lynchets is located at the end of the cul-de-sac arrangement and falls steeply away. Currently, because of the position of the drive and Lynchets itself, there is little view of the existing dwelling from the highway even when standing at the top of the driveway. It is proposed that the driveway would be extended in a curve to the west of Lynchets to access the dwellings on the lower garden area. The position of this driveway and the fact that the dwellings would be cut into the existing slope of the site, would mean that there would be no significant direct views from Clarendon Road of the proposed development. Because of the position of the dwellings and the access road and the use of the existing slope of the site, the development would not be prominent when viewed from any public vantage point within the conservation area (or from the private Clarendon Road).

Nonetheless, there remains the test of whether the proposal 'preserves or enhances' the character of the Conservation Area and this is related partly to the intrinsic, rather than publicly visible, characteristics of the area. As above, it is my view that the proposed dwellings respect the prevailing grain of the surrounding area and that the footprints and spacing of the dwellings are generally in keeping with surrounding properties. I do not consider that the dwellings themselves are excessive in scale or height (being of 2 ½ storeys to the west elevations and set in to the bank at the rear). The dwellings are designed in a modern vernacular style with the incorporation of some characteristic features such as front projecting gables, rounded roof dormers and port hole windows. The general impression is of buildings designed to have some regard to the traditional appearance of some of the surrounding properties. The buildings, whilst possibly a little uninspired, are generally of an attractive appearance and in keeping with surrounding properties.

The access road itself would require some engineering works, such as a fairly substantial retaining wall to its western edge. Whilst this would increase the perception of built form on the site, it would not be widely visible within the surrounding area and would be largely obscured by planting and trees (this could be improved through the inclusion of a landscaping condition if allowed).

A tree survey has been provided giving details of the existing trees on the site and the likely impact of the development in terms of removed trees and retained trees. As a result of the development some trees around the site would need to be removed, however it is indicated that



the trees most worthy of retention could be saved and preserved. The Council's Trees Officer has assessed the proposal in this regard and has generally concluded that the proposal has an acceptable impact upon existing planting. Some comments were made, however, about the routes for services (e.g. water / electricity) and the management of an area of trees. An additional plan was later received to show that servicing runs could be installed largely along the driveway or through an area not populated by trees. It also appears possible that conditions relating to trees management and landscaping would be adequate to overcome issues relating to management of retained trees.

For these reasons, it is my view that the proposal would continue to preserve the special character and appearance of the Conservation Area.

English Heritage was consulted and has raised no objection to the proposal.

c) Impact on the setting of Lynch House

As noted above the proposed dwellings and access drive would not be visibly prominent within the surroundings because of the location of the site and its topographical aspects.

Similarly, the proposal allows for a clear separation of the proposed dwellings and the access from the curtilage of the adjacent Lynch House. Lynch House itself would be approximately 48m from the nearest of the proposed dwellings and separated by a steep bank and a strip of mature trees to be retained as part of the proposal. The main view of Lynch House from Clarendon Road of its front elevation would be largely unaffected by the proposal.

Clearly the addition of two dwellings to the site would result in some increased vehicle movements utilising the driveway running to the south of the curtilage of Lynch House. This would however continue to be light in nature and I do not consider that this increased activity would affect the setting or surroundings of the listed building adversely.

d) Amenities of surrounding neighbours

The site is surrounded to the north, east and south by residential properties and their curtilages. To the west of the site runs the deep railway cutting and dwellings on Oakhill Road are a considerable distance (70 – 75m) away across this cutting so as to prevent any significant direct impact.

Directly to the north of the site are the gardens of nos 23 and 25 Clarendon Road. Any opportunity for overlooking of these gardens is limited to the northern dwelling only, having two small windows only on the first floor. These would look to retained trees or the most rearward parts of the long gardens of these properties (approximately 70m in length).

The northern proposed dwelling (Plot 1) would be approximately 48m from the rear elevation of Lynch house to the east. As evidenced by the sections provided, Lynch House sits at a considerably higher land level than this dwelling. A band of mature trees, desirable for retention, would remain on the site along this boundary and would reduce much of the view between the properties. In any case, at this distance, I do not consider that any intervisibility would be particularly harmful. I note that a general standard of 21m is often used as a minimum spacing distance between facing habitable windows.

Some concern has been raised by the occupants of Lynch House that the increased traffic would cause noise disturbance as the existing steep driveway and the proposed driveway would result in cars over revving to climb the hill. Whilst the proposal would result in additional



\\Client\SS\SDC\Planning & Transportation\Development Control\Patrick Readman\PR Del Reps\Reports 2011\11-01316 del rep

vehicular traffic, this would remain fairly light (serving only three dwellings). The vehicle movements would probably be perceptible from the garden area, though I do not consider that they would be significantly harmful to general amenity. Lynch House itself is spaced approximately 20m from the existing driveway. I note also that an improved solid fence could be provided up to a height of 2m to reduce this impact if necessary.

The nearest property to the south, Hazeldene House, would be approximately 45m from the proposed extended driveway as it loops around the site. There would, however, be some retained trees and vegetation on both sides of the boundary to reduce any noise impact and I consider this distance appropriate so that there would not be a significantly harmful impact.

e) Living conditions of future occupants

Policy EN1(parts 5, 6 and 7) of the Local Plan indicates that the proposed development should a 'satisfactory living environment for future occupants, including adequate provision for daylight, sunlight, privacy, garden space, storage and landscaped amenity areas' as well as providing for a satisfactory means of access for vehicles and pedestrians and 'appropriate facilities for those with disabilities'. Similarly, Planning Policy Statement 3: Housing, paragraph 16, indicates that when assessing new residential development, the LPA should consider the extent to which the development 'is easily accessible and well-connected to public transport and community facilities and services, and is well laid out so that all the space is used efficiently, is safe, accessible and user-friendly'.

The proposed dwellings themselves clearly accommodate a generous and well arranged living space and it is clear that they would benefit from an appropriate outside garden area (albeit somewhat limited by the topography of the site). A condition would be required, if granted, to demonstrate how the garden areas would be divided to allow private amenity spaces. The dwellings face roughly west by south-west and, although surrounded by a large number of trees, will benefit from some direct sunlight and a reasonable amount general daylight particularly to their front elevations.

The proposed dwellings are arranged flank-to-flank where it is indicated that any windows in the facing flank of plot 2 would be obscured. It also appears that a reasonable gap is provided between these properties so that there would not be any significant overlooking between the dwellings. In any case, a condition could be applied to ensure that no further windows are inserted and that those permitted windows are maintained as obscure glazed. With regards to the relationship between Lynchets and the dwelling at Plot 2, this spacing is slightly smaller (approximately 17m), however the drop in the levels of the site and the fact that the dwelling at Plot 2 would be set-in to the slope would mean that the west facing windows of Lynchets would look out over this property and not directly into rear facing habitable rooms.

Whilst the proposed access road would loop around to the west of Lynchets, I note the sub-ground floor at this point is recessed and there do not appear to be habitable rooms that would be unacceptably affected by the small number of vehicles passing past the property. Because of the gradients and the position of the dwelling, there would not be any significant view possible into the ground floor / first floor windows. The proposal would continue to allow for some privacy to the rear of this property and a condition could be imposed to ensure some screening along the western side of the dwelling.

The site is adjacent to the railway serving Sevenoaks Station. This is a fairly busy line linking London and Sevenoaks with Tunbridge Wells and Hastings (amongst other destinations). The railway at this point is within a cutting adjacent to the western boundary of the site. A noise assessment, compiled by Acoustic Surveillance and Testing Ltd has been provided with the application which concludes that the site falls within Noise Exposure Category A during the daytime and B during the night time.



Planning permission is not normally withheld within these categories, nonetheless conditions may be appropriate to ensure a good level acoustic insulation. The Environmental Health Officer has assessed this information and raised no objections to the proposal.

Of significant concern, however, with regards to EN1 (6 and 7) relating to the quality of access and the provision of facilities for those with disabilities, is the steep drive access. The proposed dwellings would utilise the existing driveway leading to Lynchets and this would be extended in a long loop to the south of the site leading to the dwellings. The average gradient indicated for the existing driveway to Lynchets is approximately 1:4 (25%) for a section of approximately 45m. The new access road would continue around the west of Lynchets with a gradient of approximately 1:5.5 (approx. 18.2%). The overall length of the driveway, if accessing Plot 1, would be approximately 180m from the end of Clarendon Road.

The Kent Design Guide, adopted as a supplementary Planning Document by the Council, indicates a maximum recommended gradient of 10% for a 'shared private drive' and measures may be needed to prevent vehicle grounding. Similarly government guidance contained in the Manual for Streets recommends a maximum gradient of 1:10 or 1:8 (12.5%) if the physical circumstances of the site don't allow for this.

The Highways Officer has indicated that these maximum gradients are requested to allow for safe access for pedestrians and vehicles in all conditions.

It is my view that the access arrangements to the site would not constitute good design and would not be appropriate so as to allow for acceptable living conditions for future occupants for the following reasons:

- The steep gradient and length of the drive would inhibit access for disabled persons, particularly those requiring use of a wheelchair, where the steepness of the driveway and the fact that this gradient runs for a long portion of the drive would result in an impractical access without the use of motorised transport. Similarly those occupants with push chairs or children, would likely find pedestrian access and egress impractical because of the extent of the gradient.
- The steep gradient would likely be impassable during cold (icy or snowy) conditions by private motor vehicle or by foot given the gradient and length of the driveway. This may result in the occupants being isolated for a significant time.
- The steep gradient, layout of the access and the length of the driveway would likely prevent large vehicles, such as refuse vehicles or delivery vehicles, from accessing and manoeuvring on site thus increasing the isolation of the occupants of the properties. It is likely that refuse collection would need to be carried out from the Clarendon Road end of the drive.

For this reason, it is my view that the proposal constitutes poor design and poor living conditions for future occupants, contrary to Policy EN1 of the Local Plan.

Whilst some argument can be made that the driveway to Lynchets was previously approved and is currently in use by its occupants, I do not consider this alone a reason to accept its intensified use or an additional long and steep section of driveway for the above reasons.

f) Impact upon highways safety and convenience

Notwithstanding the above concerns which relate to the 'usability' of the site by future occupants, I note that no particular concerns have been raised by the Highways Officer with regards to highways safety or convenience. The access is directly from Clarendon Road, a privately maintained road



\\ClientSS\SDC\Planning & Transportation\Development Control\Patrick Readman\PR Del Reps\Reports 2011\11-01316 del rep

which at this point has the form of a cul-de-sac. The road at this point is wide enough to accommodate the parking of a small number of vehicles one side without detriment to general access to properties. Nonetheless, this is not to be encouraged and wherever possible there should be a desire to ensure that all parking may take place on-site.

In this case, at least two on-drive parking spaces can be provided for the new dwelling and Lynchets in addition to those spaces within the garages provided. These spaces appear to be easily accessible with appropriate turning and manoeuvring space provided. The provision of two spaces for the dwellings (the new dwellings having 5 / 6 bedrooms) in this location is considered appropriate in accordance with the Highways Authority's Interim Parking Guidance. It is likely that the on-site parking will be sufficient so as to prevent the need to park up on Clarendon Road.

Nonetheless, Clarendon Road is a quiet residential street with no significant amount of traffic at this point. The proposed development is unlikely to result in any significant conflict between highways users and is considered acceptable in terms of highways safety and convenience in relation to the surrounding road network.

g) Ecology and protected species

Some concern was raised by neighbours that the site had the potential to accommodate significant ecology, particularly that there may be the possibility of badgers on the site, a protected species.

The County Ecologist has assessed the proposals and an informal assessment of the site has been carried out by the Applicant's Ecologist. It is indicated that the site has the potential for breeding birds and reptiles and that there is a mammal sett on the site.

Notwithstanding this, it is indicated by the County Ecologist that the ecology on the site could be mitigated against through the use of conditions relating to the timing of the works and through the submission of a detailed mitigation strategy. On this basis, I do not consider that the proposal would have a detrimental impact on ecology that couldn't be mitigated against by way of a condition.

h) The requirement for Affordable Housing

Policy SP3 of the Core Strategy indicates that for developments that result in a net gain in residential units of between one and five units, 'a financial contribution based on the equivalent of 10% affordable housing will be required towards improving housing provision off-site'. Detail on the expected calculation of this figure is included within the Council's Affordable Housing SPD, though this document is at consultation stage only and has not been formally adopted.

The Applicant has provided information of a method of calculation and an assessment of development costs to demonstrate that a contribution could be provided by the development, but that this would be less than that expected if the calculation in the SPD was used.

Given the status of the SPD, I do not consider that a differing approach to achieve the 10% contribution is unacceptable. I also consider, on the receipt of further information, that the expected sales value of the properties and the build costs and associated costs appear probably. With reference to the information provided, it is likely that the values of the houses should include an 'blight' component as they will be devalued slightly as a result of the adjacent railway line. I also find it probable that the likely build costs of this development would be well in excess of average costs given the engineering operations required in the construction of the access. The contribution offered is lowered accordingly to ensure that the scheme remains viable, and this is a reasonable approach.



Notwithstanding all of this however, I note that only a draft unilateral undertaking under s.106 has been provided along with the application and I have not received a valid undertaking to ensure that the contribution is made.

The proposal therefore does not provide an appropriate contribution in accordance with SP3 and I therefore recommend refusal on this basis.

i) Other Issues

Significant concern has been raised about the impact of the construction operations required at the site. I note, however, that this is normally not to be considered a material consideration in the determination of a planning application. The reason for this is that the control of construction operations is under environmental health (control of pollution) and other legislation which allows for such operations to be controlled. Construction is, by definition, a part of all operational development and I see no reason to take building operations exceptionally into account in this case.

No comments have been received from Network Rail over the impact of the development upon the adjacent railway.

The Council's Building Control Officer has advised me that adequate drainage and sewerage can be provided on the site and this could be controlled by way of a condition. No objection has been raised by Thames Water relating to foul water drainage.

Some concern was raised that a small portion of the site was within the ownership of an adjacent neighbour and that they had not been notified under the statutory procedure. I have, however, been provided with a land registry document which appears to show that this is not the case. Land ownership issues or disputes are not for consideration within the remit of the Planning Act, other than to ensure the statutory consultation process has been correctly undertaken.

An assessment has been provided to show that the proposed dwellings could meet Code for Sustainable Homes Level 3, as required by Policy SP2 of the Core Strategy.

Conclusion

For the reasons stated above, the proposal is not in accordance with the Development Plan for the reasons set out in (e) and (h) and I therefore recommend refusal.

Recommendation

Refused.

Signed:

Case officer:

Date:

Signed:

Team Manager:

Date:



\\Client\SS\SDC\Planning & Transportation\Development Control\Patrick Readman\PR Del Reps\Reports 2011\11-01316 del rep

5.03 - SE/11/02379/FUL Date expired 1 December 2011

PROPOSAL: Replacement windows

LOCATION: 1 Harrison Way, Sevenoaks TN13 3LF

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillors Fleming and Raikes with regards to the impact of the proposal upon the character of the existing building.

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

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

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The materials to be used in the construction of the development shall be those indicated on the approved plan as detailed on the application form.

To ensure that the appearance of the development is in harmony with the existing character of the building as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Block Plan, Drawing Nos. 20943.003 and 20943.004, received 06.10.11.

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

The South East Plan 2009 - Policies SP1, CC1, CC6

Sevenoaks District Local Plan - Policies EN1

Sevenoaks District Core Strategy 2011 - Policies SP1

The following is a summary of the main reasons for the decision:

The development would respect the context of the site and would not have an unacceptable impact on the street scene.

The development would not have an unacceptable impact on the residential

amenities of nearby dwellings.

Description of Proposal

- 1 Replacement windows. The application seeks to replace 4 (No.) windows at the application site from brown timber to white upvc.

Description of Site

- 2 The site consists of 1 Harrison Way which is located within the built urban confines of Sevenoaks. The site comprises a residential flat which is located within a building comprising 4 (No.) flats.
- 3 The site is not located within a Conservation Area, an Area of Outstanding Natural Beauty or the Metropolitan Green Belt.

Constraints

- 4 None

Policies

Sevenoaks District Local Plan

- 5 Policy – EN1

Sevenoaks District Core Strategy

- 6 Policy– SP1

South East Plan

- 7 Policies– SP1, CC1, CC6

Planning History

- 8 No relevant planning history

Consultations

Sevenoaks Town Council

- 9 Sevenoaks Town Council recommended refusal as the proposed designs are out of keeping with the rest of the building.

Representations

- 10 None received

Head of Development Services Appraisal

Design

- 11 Policy EN1 of the Sevenoaks District Local Plan states that proposals for all forms of development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials of a high standard.
- 12 The application site is located within a residential area with dwellings exhibiting a mixture of materials to their external surfaces. Whilst at present Nos. 1-20 Harrison Way exhibit brown timber windows, other dwellings within Harrison Way (and that of the neighbouring Bradbourne Park Road and Chancellor Way) exhibit white upvc windows. Consent is required as the property is a flat rather than a dwellinghouse, as such a proposal would not require planning permission.
- 13 The application site is not located within a Conservation Area and the use of white upvc is not unacceptable in principle. Whilst the proposed windows will be different in external appearance to those at the other flats within Harrison Way (Nos. 1-20), the proposed change is not considered to be detrimental in terms of the impact upon the character and appearance of the existing building, or that of the area, to the point where a refusal of planning permission would be warranted.
- 14 It is therefore considered that the change in material of 4 (No.) existing windows at the application site is acceptable in terms of the impact upon the character and appearance of the area.

Impact upon residential amenity

- 15 Policy EN1 of the Sevenoaks District Local Plan details that proposals should not have an adverse impact upon the privacy or amenities of a locality by reason of form, scale or height.
- 16 As the proposal relates to the replacement of existing windows, the proposal will not result in a different situation to that exhibited at present. The proposal will therefore have no detrimental impact upon the privacy or amenities of the locality or neighbouring properties.

Conclusion

- 17 It is therefore considered that the proposed replacement windows are in accordance with policy EN1 of the Sevenoaks District Local Plan, policy SP1 of the Sevenoaks District Core Strategy and policies SP1, CC1 and CC6 of the South East Plan.

Background Papers

Site Plan

Contact Officer(s): Helen Tribe Extension: 7136

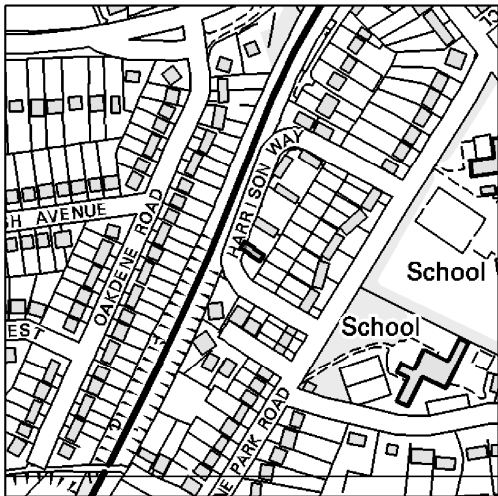
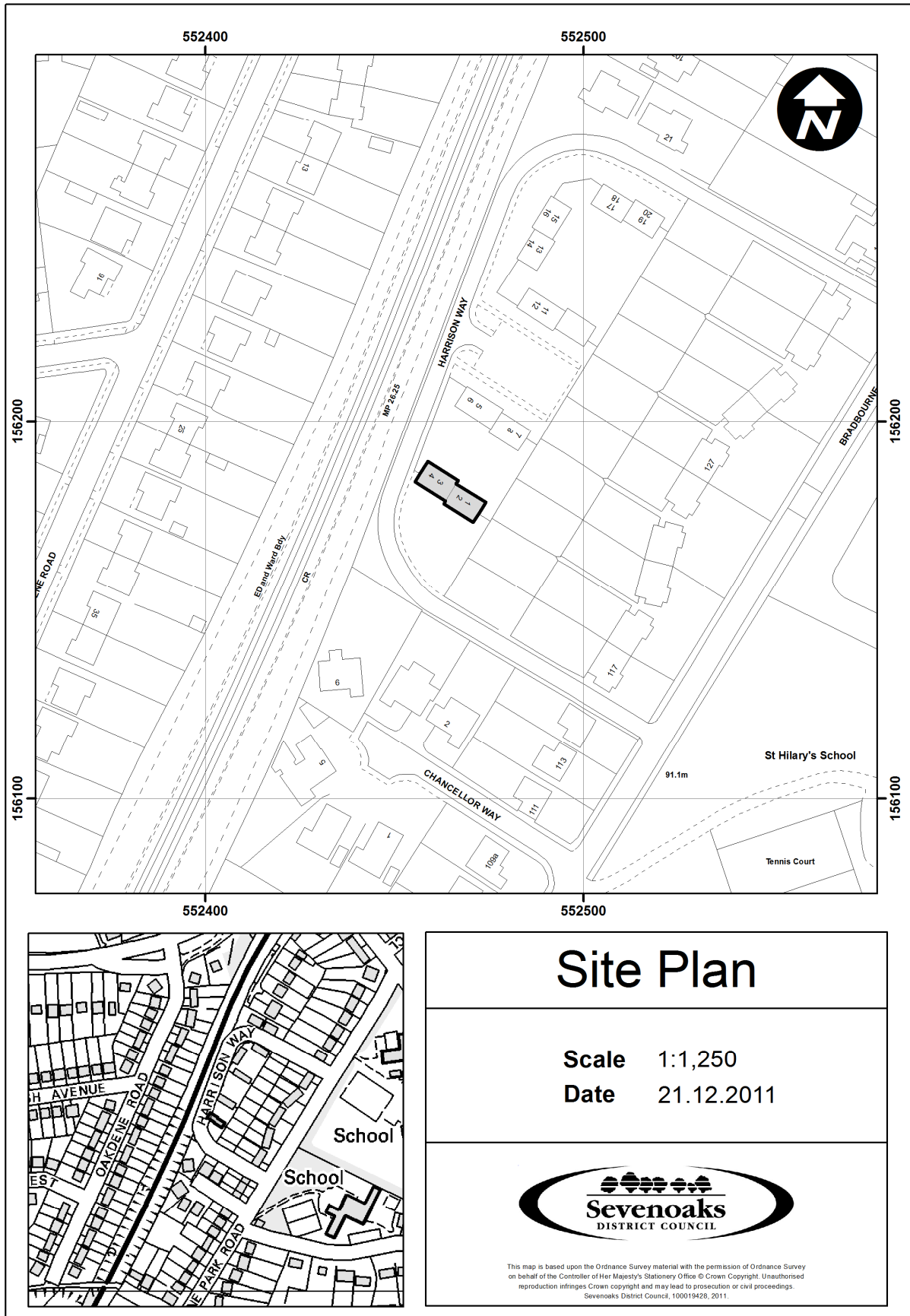
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LRIFCNBK0CR00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LRIFCNBK0CR00>



Site Plan

Scale 1:1,250
 Date 21.12.2011



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 Sevenoaks District Council, 100019428, 2011.



5.04 - SE/11/02034/FUL Date expired 27 October 2011

PROPOSAL: Erection of stock fencing (wooden posts and wire in between) in existing paddock, to create 3 separate areas

LOCATION: East Wing Paddock, Knotley Hall, Chiddingstone Causeway Tonbridge TN11 8JH

WARD(S): Leigh & Chiddingstone Causeway

ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Alison Cook, who considers that the proposal complies with Policy L08 of the Core Strategy and will not harm the openness of the Green Belt or the overall setting of Knotley Hall.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The proposed fencing would harm the open character and appearance of the land and would conflict with the provisions of Policy EN1 of the Sevenoaks District Plan and Policy SP1 from the Sevenoaks Core Strategy

Description of Site

- 1 The application site is located to the rear (south) of the Knotley Hall estate, Chiddingstone Causeway, on land currently used as a paddock.

Description of Proposal

- 2 It is proposed to divide the north western part of the paddock by using new fencing. The divided part will create a separate paddock for the 'head masters' house, and the 'S Wing' house.
- 3 The proposed fencing will be 1.1m timber posts (sited 3.4m apart) with single wire and mesh. Two gates will also be located along the southern boundary fence.
- 4 The applicants have indicated that the fencing is intended to enable them to keep sheep and hens on the land. They have no plans for any structures on the paddock land.

Constraints:

- 5 Metropolitan Green Belt

Policies

Sevenoaks District Local Plan

6 Policy– EN1

South East Regional Plan

7 Policy - CC6

Sevenoaks District Core Strategy

8 Policies - SP1, L08, SP10

Planning history

9 SE/10/03519/FUL Erection of fencing following division of paddock at rear of Knotley Hall. Refused

10 95/00206/HIST Conversion of Knotley Hall into 3 dwellings and erection of garages, as amended. Granted

11 94/00821/HIST Conversion of hall, north wing, science block, classroom and stables to form 9 dwellings as amended plans received with letter dated 1.8.94 Granted.

Consultations

Leigh Parish Council

12 Leigh Parish Council has no objection to this application.

Representations

13 None received.

Head of Development Services Appraisal

14 The main considerations of this application are the impact upon the character and appearance of the landscape.

The impact upon the character and appearance of the landscape.

15 Policy EN1 (from SDLP) and CC6 from (SEP) state that 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. This policy also states that the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard and that the proposed development should not have an adverse impact on the privacy and amenities of a locality.

16 Also relevant is policy SP1 from the Sevenoaks Core Strategy which states 'All new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated'.

SE/11/02034/FUL Item No. 5.04

Policy L08 of the Core Strategy states that the 'countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible.'

17 Policy LO8 of the Core Strategy states that 'The countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible.'

18 Finally, Policy SP10 of the Core Strategy addresses open space provision, and states that 'A Green Infrastructure Network will be developed of accessible multi functional green space, primarily based on maintaining and linking existing areas of open space.'

19 Open space, sport and recreation facilities, including indoor sports facilities of value to the local community will be retained'.

(For the purposes of this policy 'open space' includes 'natural and semi natural open space')

20 The land in question was originally designated as 'pasture land to be retained as open space under s106 agreement' on the approved plans of 94/00821/HIST. A condition on this approval stated that no boundary walls or fences shall be erected on the site without the written approval of the Local Planning Authority.

21 This is reinforced by paragraph 5 of the section 106 legal agreement which stated that '*The applicants have agreed that....they will maintain the openness of the amenity area to the south of the main complex of buildings..*'

22 The intention is therefore clear that the land in question is of value and should maintain an open character.

23 In 1995 the s106 agreement was varied through an alternative permission, which granted a fence to be erected from the northern side of the site to the boundary at the southern end. The case officer concluded that the proposal would not materially affect the open character or appearance of the land.

24 The current application proposes to further divide the land into small paddocks (approx 19m x 36 and 39m x 35). It is considered that the creation of these proposed small paddocks is materially different from the above approval and will alter the open character of the land. It will also set an unwelcome precedent for the further erosion of the open appearance of the land.

25 This application is a re-submission of a previous similar application (SE/10/03519/FUL) which was refused under delegated powers for the following reason:

The proposed fencing would harm the open character and appearance of the land and would conflict with the provisions of Policy EN1 of the Sevenoaks District Plan and Policy SP1 from the Sevenoaks Core Strategy.

- 26 This application has amended the design of the fencing, from the previous proposed timber fencing 1.25m posts (at a gap of 2.75m) to the proposed wire and mesh design.
- 27 Whilst it could be argued with that the current design of fence is less solid and therefore less obvious visually in the landscape, it is not considered that the design of fence is the issue. Rather, it is the principle of the subdivision of the paddock into small areas that will alter the open character of the paddock to its detriment, and that would be contrary to the reason for the condition and s106 agreement above.
- 28 The applicant intends to use the land to enable them to keep sheep and hens on the land. Whilst they have no plans for further structures, there is potential for additional structures/pens which again would detract from the open character of the land and setting of Knotley Hall.
- 29 It is therefore considered that the proposal would not comply with the provisions of the above policies.

Conclusion

- 30 In summary, it is considered that the proposed fencing would harm the open character and appearance of the land and would conflict with the provisions of Policy EN1 of the Sevenoaks District Plan and Policy SP1 from the Sevenoaks Core Strategy. I therefore, recommend refusal of this application.

Background Papers

Site and Block Plans

Contact Officer(s): Ben Phillips Extension: 7387

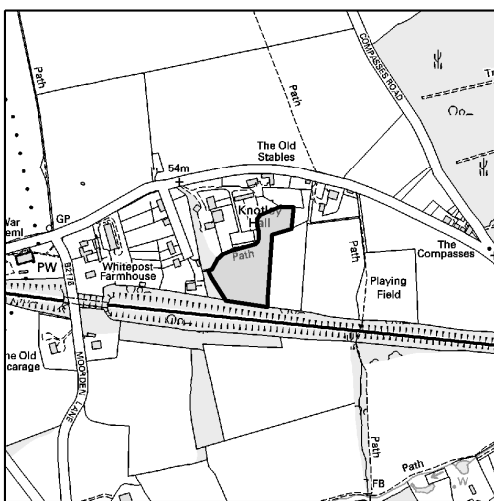
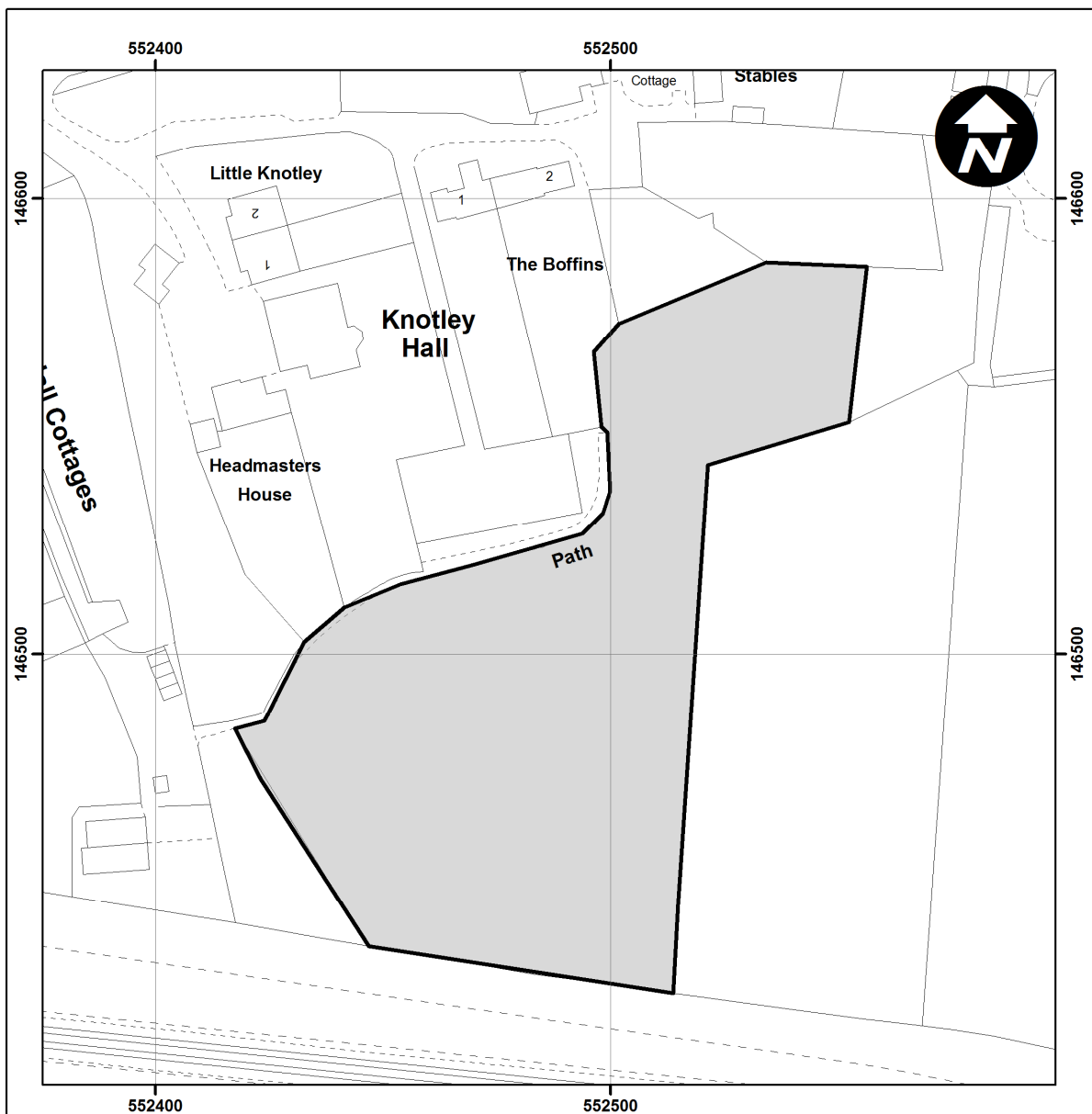
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LPLKVPBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LPLKVPBK8V000>

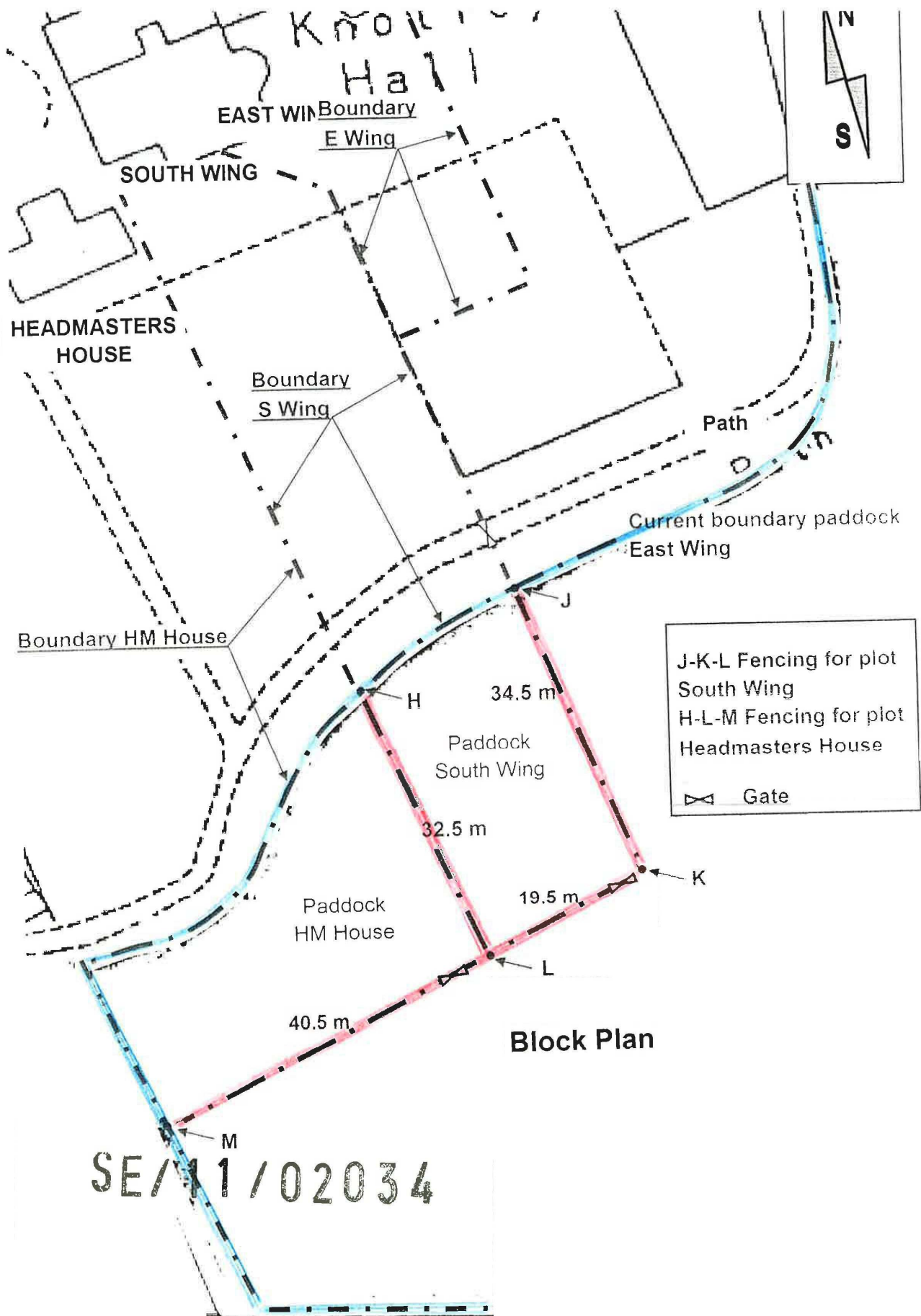


Site Plan

Scale 1:1,250
Date 21.12.2011



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Sevenoaks District Council, 10/01/19/28, 2011.



5.05 – SE/11/01874/FUL Date expired 11 October 2011

PROPOSAL: Conversion of barn to residential use, with demolition of some associated structures as amended by plans received 5th December 2011.

LOCATION: The Red Barn, Stack Road, Horton Kirby, Dartford DA4 9DP

WARD(S): Farningham, Horton Kirby & South Darent

ITEM FOR DECISION

This application has been referred to Development Control Committee at the request of Councillor McGarvey, on the grounds that the proposal would have no greater harm on the Green Belt and that the proposal would represent a visual improvement to the site.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The land lies within the Green Belt where strict policies of restraint apply. The proposal by virtue of the extent of reconstruction work/new extensions would be inappropriate development harmful to the maintenance of the character of the Green belt and to its openness. This conflicts with policy GB2 of the Sevenoaks District Local Plan, policy SP5 of the South East Plan, policy L08 of the Sevenoaks Core Strategy and the government advice contained within Planning Policy Guidance Note 2.

This submission provides no affordable housing contribution contrary to policy SP3 of the Core Strategy and H3 of the South East Plan.

Description of Proposal

- 1 This application seeks permission for the conversion of an existing barn to residential use, with demolition of some of the associated structures. It is proposed that the new residential dwelling would contain four bedrooms. In addition to this it is also proposed that the building would contain the main farm office and a music room for one two one music tuition.
- 2 It is proposed that the following works are proposed:-
 - To remove the corrugated iron staging at the south of the building
 - Remove the Dutch Barn structure at the east end of the building
 - Remove the corrugated iron structure at the south east end of the building
 - Expose the traditional brickwork of the historic barn

- Reuse the lean to structure on the south side of the existing building, improving its appearance
 - Add an extension to the existing brick barn within the existing footprint of the Dutch Barn.
- 3 It is proposed that vehicular access to the site will be gained from the private road that runs to the north of the barn as existing. 2 parking spaces will be provided to the east of the barn providing space for personal and farm vehicles. A small private garden is proposed to the west of the barn.
- 4 There are also a number of solar panels proposed on the rear of the building.

Description of Site

- 5 The application site relates to a large agricultural building located on the corner of Stack and Forge Road. The site lies in a semi rural location on the edge of the village of Horton Kirby and South Darenth. The site is accessed off Stack Road which is a private right of way.
- 6 The application site relates to three main elements. The first is a 19th century two storey masonry barn building. The building is constructed from yellow stock brick with a purple slate roof. In addition to this the building has a number of later precast agricultural extensions/lean-tos. The building to the east of this is a 1950s precast agricultural shed extension. There is also a two storey timber extension to the west gable and a lean to extension to the south elevation. The building was used in hop production in particular hop picking and drying. It appears that it is still used for agricultural purposes today.
- 7 The building forms part of Court Lodge Farm a large family run farm with a variety of operations. The farming operations remains diverse producing hops, lavender, wheat and also farms sheep.
- 8 The site is located in the Metropolitan Green Belt and the Area of Local Landscape Importance.

Constraints

- 9 Metropolitan Green Belt

Policies

South East Plan

- 10 Policies – SP5, C3, C4, NRM5

Sevenoaks District Local Plan

- 11 Policies – EN1, GB3A

Sevenoaks Core Strategy

- 12 Policies– LO8, SP1, SP11

Other

- 13 Planning Policy Guidance 2

Planning History

- 14 10/01790/FUL Conversion of barn to mixed residential and business use.
REFUSE 12/08/2010.

Consultations

Parish/Town Council

- 15 The Parish Council supports this revised application on the grounds that the proposed architectural detailing is in keeping with the existing barn and the impact on the green belt will be less as parts of the barn are to be demolished and the floor plate will be less. Many of the existing materials such as the slates will be re-used.
- 16 The Parish Council endorses this development because it is a 'betterment' of the current situation where the existing barn is in a very dilapidated condition. The proposal will result in an improvement to the street scene.

KCC Highways have made the following comments:-

- 17 No highway objection subject to an appropriate condition being attached requiring the applicant to install appropriate wheel wash facilities during construction to prevent materials being deposited on the highway.

The Environment Agency have made the following comments:-

- 18 We have no objections to the proposal so long as the following two planning conditions are imposed to any planning permission granted.

Drainage

- 19 We understand from the application documents that the foul drainage from the site will pass to a main sewer. We have no objections to this. Any surface water drainage from the new buildings (such as roof water) may be able to drain to soakaway provided that there is no discharge direct to groundwater, and that there is no discharge to land affected by contamination (including made ground). The downpipes for the soakaways should be sealed at ground level to prevent any potentially contaminating spillages from entering the system.
- 20 Condition one: No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To ensure that site drainage does not present a risk to groundwater. The site is underlain by head deposits over the Seaford Chalk formation. This situation represents a secondary aquifer over a principal aquifer. The site also

lies within the Source Protection Zone for the Horton Kirby public water abstraction. The site is consequently in a highly vulnerable location with regard to groundwater.

Land Contamination

- 21 Condition two: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure development is in accordance with PPS 23: Planning and Pollution Control. The site is underlain by head deposits over the Seaford Chalk formation. This situation represents a secondary aquifer over a principal aquifer. The site also lies within the Source Protection Zone for the Horton Kirby public water abstraction. The site is consequently in a highly vulnerable location with regard to groundwater.

Storage of fuels/chemicals

- 22 Informative: Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials should be stored (for example in bunded areas secured from public access) so as to prevent accidental/ unauthorised discharge to ground. The areas for storage should not drain to any surface water system.
- 23 Informative: Where it is proposed to store more than 200 litres (45 gallon drum = 205 litres) of any type of oil on site it must be stored in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.

KCC Ecology have made the following comments:-

- 24 Under the Natural Environment and Rural Communities Act (2006), "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". In order to comply with this 'Biodiversity Duty', planning decisions must ensure that they adequately consider the potential impacts of a proposed development on protected species.
- 25 Planning Policy Statement 9: Biodiversity and Geological Conservation states that "the aim of planning decisions should be to prevent harm to biodiversity".
- 26 Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System states that 'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted

SE/11/01874/FUL Item No. 5.05

otherwise all relevant material considerations may not have been addressed in making the decision.'

- 27 Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice.
- 28 The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.
- 29 We are satisfied that the Ecological Assessment report has adequately considered the potential for impacts on protected species as a result of the proposed development; the potential for impacts on bats, breeding birds and badgers have been identified and the report makes several recommendations (discussed below).

Bats

- 30 The emergence surveys have identified that bats are roosting within the building. The survey has suggested some mitigation however sufficient detail has not been provided with in the report. A detailed mitigation strategy must be submitted for comment.

Badgers

- 31 An active outline badger sett was identified on the site and as a result the proposed development will result in the loss of the badger sett. Sufficient information has not been submitted on the proposed mitigation - a detailed mitigation strategy must be submitted for comment.

Birds

- 32 Suitable habitat is present on site for breeding birds. The mitigation detailed in paragraph 5.2.2 and 5.2.3 must be carried out.

Enhancements

- 33 The key principles of PPS9 are not only to avoid, mitigate or compensate for harm to biodiversity but also to incorporate ways to enhance and restore it. An ecological enhancement strategy must provide details on the enhancements to be incorporated in to the proposed development. Suggestions for enhancements include the use of native local species in any landscaping or sections of rough grassland around the edge of the site.

Representations

- 34 1 letter of objection has been received in connection with this application, the main objections include the following:-

Impact on the Green Belt

Impact on the countryside

Precedent the proposal would set

Head of Development Services Appraisal

Principal Issues

- 35 The principal issues relate to;
- Principle of re-use
 - Impact of the development on the Green Belt-
 - Impact of the development on the street scene
 - Highway Implications
 - Impact on protected wildlife
 - Impact on the amenities of neighbouring properties

Principle of re-use

- 36 The most relevant up-to-date advice for re-using rural buildings is contained within PPS7. In addition PPG2 and GB3A of the local plan set out the criteria for assessing such proposals. PPS7 states that Govt is supportive of the re-use of appropriately sited and suitably constructed buildings in the countryside, that re-use for commercial purposes is preferred, but that residential conversions may be more appropriate in some locations and for some types of building.
- 37 With regard to the above it is clear that the re-use of rural buildings in the countryside and green belt can be an appropriate form of development and is encouraged by Government, subject to the impact of the proposed use on the local environment.

Green Belt

- 38 The proposal seeks permission for the conversion of the existing building including an associated shared curtilage for the building. The site is located within the MGB where strict policies of restraint apply.
- 39 New buildings within the Green Belt are considered as inappropriate development and by definition harmful. PPG2 however does state in such locations the conversion of existing buildings can be permitted subject to satisfying a number of criteria. PPG2 accepts conversion of existing buildings subject to no greater impact on the openness, and control over extensions and new buildings. Buildings should be capable of conversion without major or substantial reconstruction and the development in keeping with the surroundings.

SE/11/01874/FUL Item No. 5.05

- 40 Policy GB3A permits the re-use of buildings within the Green Belt providing that the proposed new use will not have a materially greater impact than the present use on the openness of the Green Belt.
- 41 Criteria 2 of policy GB3A states that buildings should be of permanent and substantial construction and capable of conversion without major or substantial reconstruction. In addition to this policy GB3A states that the conversion of existing rural buildings to dwellings will not be permitted where such buildings are unsuitable for conversion without re-building and/or extension, or extensive alteration.
- 42 PPS7 is also relevant to this application, it states that new house building should be strictly controlled and isolated new dwellings require special justification. In addition to this it also supports the reuse of existing buildings where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. The landscape should be preserved or enhanced.
- 43 In the application case, the brick built building is considered to be of some architectural merit as it has some character/charm and the other buildings are utilitarian appearance, not uncommon to many 20th Century farm buildings. Such buildings are these are normally accepted as functional agricultural buildings required to aid agriculture despite the impact they have (in this instance) on the openness of the Green Belt. It is important to highlight that the buildings are appropriate within the Green Belt.
- 44 The first criteria is whether the new use would have a materially greater impact than the use of the present building.
- 45 As stated above notwithstanding their appearance and current form, it is important to highlight that the existing buildings are appropriate development in the Green Belt.
- 46 As stated above, it is proposed to convert the existing building to residential use. Two lean two elements are to be removed, so there will be a reduction in the overall footprint, however these elements are not considered to be suitable for conversion, given their current form.
- 47 The policy states that the building has to be of permanent and substantial construction and would be capable of conversion without major or complete re-construction.
- 48 The structural statement states the following:-
- Main Barn*
- 49 As stated above, the main brick built barn is a late 19th century barn building. The building is constructed from yellow stock brick with a purple slate roof.

- 50 The structural survey concludes that the main barn structure is a well built robust structure typical of buildings of its age and type. The report confirms that once the sources of movement are have been addressed it would only require some minor straight-forward masonry repairs. The report states that the loadbearing masonry walls need to be stitched with a Helibar type repair where cracks are apparent. It is considered that the existing footings arrangements are adequate and will not require further strengthening due to the changed of use.
- 51 In view of the conclusions from the structural survey, the brick built element of this building is considered to be capable of conversion.

South extension

- 52 The report states that the existing timber structure of the southern lean to is to be retained and re-used. The infill block work will also be retained as far as is possible and insulation standards allow. The corrugated iron, plastic and fibrous cement panels cladding and roofing this structure are not fit for insulated domestic enclosure and will be replaced with a stained horizontal timber board cladding to reflect the local agricultural and domestic vernacular, which can be insulated to the required standard. This approach of highly insulated timber clad timber frame construction will also be adopted for the east extension. These two structures will be further unified with standing seam metal roofs, which will suit the lower pitch of the lean to roof and make them apiece in contrast to the materials of the original barn.
- 53 The structural survey states in relation to this element of the scheme that the existing frame will require some repair and replacement of decayed and damaged elements. In both the walls and roof, the existing framing will be augmented with additional frame members within the existing envelope to provide support at close centres for the insulation and finishes required for the domestic purposes and to suit proposed opening arrangements. All of the main existing frame elements will be retained and reused.
- 54 It also states that the ground floor level will be raised with a new slab cast on top of the existing on insulation to meet the levels within the main building.
- 55 In view of the above I consider that it would be possible to convert the south extension.
- 56 The report also sets out how the integrity of the building would be affected, after the proposed alterations had taken place and concludes that this will be acceptable. In conclusion the structural report also confirms that the existing structures to be retained are in fair condition for buildings of their age and type although they will inevitably require some minor repair and maintenance works in order to bring them up to current standards.
- 57 As stated above, it is considered that sufficient information has been submitted with regards to the brick element and rear extension to establish that these particular elements of the building can be satisfactorily converted without major reconstruction.

SE/11/01874/FUL Item No. 5.05

- 58 In addition to the elements that are being converted the existing machinery shelter is being removed and a new element is proposed on the side of the building. The new eastern wing would measure, approximately 3.6 metres by 9.2 metres.
- 59 Policy GB3A of the Sevenoaks Local Plan, states that the conversion of existing rural buildings to dwellings will not be permitted where an extension is proposed. Given the size and scale of the new wing on the eastern elevation, it is considered that the proposal would conflict with the goals and objectives of policy.
- 60 Although it is acknowledged that some elements of the building are to be removed such as the machinery shelter and the element to the west, the current structures are deemed appropriate development in the Green Belt and so by definition are accepted agricultural development that does not harm its openness as they are intrinsic to it. There is little to be gained from taking away structures that are appropriate and potentially re-constructing new elements that are in policy terms inappropriate in the Green Belt. Proposals that involve domestic extensions would be inappropriate development in the Green Belt and therefore more harmful in principle and to openness.
- 61 In view of the above, I consider that taken as a whole, the proposal involves major reconstruction of key elements of the proposed new use through the proposed extension even though the main barn could have potential for conversion. As the submitted scheme depends on the space provided by the elements that would involve major re-construction through the proposed extension, the scheme as a whole cannot comply with the requirements of GB3A or PPG2 and is therefore inappropriate development in the Green Belt harmful to its openness.

Impact on the Openness of the site

- 62 PPG2 confirms that the most important aspect of Green Belts is their openness and the fundamental aim of Green Belt Policy is to maintain the openness of the land. It states that the open character must be maintained as far as can be seen ahead. At the same time the visual amenities of the Green Belt should not be injured by development proposals.
- 63 As stated above one aspect of a scheme like this is the impact from the creation of a residential curtilage. In some cases, it is considered that a curtilage could harm the open character of the land due the maintenance of the land which would result in a change in its character (which is considered to be harmful to the open character of the land) and the associated residential paraphernalia which results with a residential use of this nature (such as tables and chairs, washing lines, play equipment – which the council would have no control over). It is considered that the use of planning conditions would not control satisfactory control the harm.
- 64 In this particular case the building is located on a prominent corner location at the end of Stack Lane. The size of the curtilage has however been reduced in size to mitigate any visual harm. In this respect the size and shape of the curtilage is considered to be acceptable.

- 65 The final element of the policy GB3A of the Sevenoaks District Local Plan is that the form, bulk and general design of the buildings should be in keeping with their surroundings and respect local building styles and materials. The form, bulk and general design of the buildings are in keeping with their surroundings and respect local building styles and materials.
- 66 The proposed external changes to the brick built structure are considered to be acceptable and are considered not to adversely undermine the integrity of the existing agricultural building.
- 67 The west wing is also considered on balance to be visually acceptable. The new extension would be built in different materials to the existing building and would contrast with the existing brick built structure. With appropriate material conditions, it is considered that an extension of this nature would work from a visual perspective as it would appear as separate element in contrast to the existing built structure.
- 68 I have concerns over the visual impact of the rear elevation of the building. The south extension has been designed with a number of windows and doors within it that are considered to be at odds with the character and style of the existing building. On balance given their location in the new extension at ground floor level, they are not considered to undermine the character and style of the building significantly to warrant an objection on planning grounds.
- 69 Revised plans have now been sought which reduces the number of solar panels and the number of roof lights on the rear elevation. On balance given the reduction in the number of openings and solar panels within the roof space, the proposal is considered to be acceptable. A balance has to be struck in this case, with the desirability of utilising sustainable energy and the need to maintain the character and integrity of the agricultural building. I am of the view that a balance between the number of solar panels and the visual impact of the building has been met.

Very Special Circumstances

- 70 PPG2 states that, very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The applicant refers specifically to the following:-
- The family owns substantial land in Horton Kirby, currently farmed by my mother and me in partnership. My mother is approaching 70 years old and while likely to carry on for some time will not be around forever. I believe her current plans are that she will bequeath the current farmhouse to my brother and the land to me. I hope and plan to carry on farming the land after my mother dies but to do that we need a farmhouse. I do not believe that, following any sale, a new owner or owners (likely to be a commercial landowner and/or land speculators), will consider the interests of the village in the same way we do.
 - The overall openness of the Green Belt is increased by reason of the substantial reduction in both footprint and volume of the buildings and

SE/11/01874/FUL Item No. 5.05

structure present at the site if the development proceeds, increasing views across the Green Belt. Another way of making the same point is, in the words of paragraph 3.8 of PPG2, that the impact of the site on the openness of the greenbelt as a whole is reduced if the development proceeds. The development actually increases the openness of the greenbelt, which is the aim of the Green Belt policy.

- As well as reducing the bulk of the buildings and structures at the site, the proposals improve the appearance of an otherwise undistinguished locality by removal of ugly corrugated iron structure and reinforced concrete agricultural structures on the one hand and by and exposing the historic brick barn in the context of a sympathetic modern development on the other.
- That improvements to the overall openness and appearance in the Green Belt are capable of being very special circumstances is shown in the appeal decision for Kennels Farm, Otwood Lane, Otwood, Tandridge. In this particular case the application sought permission for the for the conversion of a disused agricultural building.
- The development if it proceeds will make a net contribution of carbon free energy to the national grid, over and above electricity consumed by the development.
- The redevelopment of the buildings for use ancillary to the family farm materially assists in securing the family farming operation (including in particular the specialised hop operation historically associated with Kent) and associated employment.

71 An assessment of whether these circumstances are very special, and if they are, whether they clearly outweigh the harm in principle to the Green Belt and any other harm, will be made later in this report, once all of the potential areas harm have been considered and assessed.

Affordable Housing

72 Policy SP3 of the Core Strategy additionally indicates that the Council will expect the provision of affordable housing in all types of residential development. In the case of development that result in the net increase of less than five units 'a financial contribution based on the equivalent of 10% affordable housing will be required towards improving affordable provision off-site'. The Council's Affordable Housing SPD gives guidance on the calculation and delivery of the necessary contribution. Policy SP3 itself is adopted for the purposes of decision making and, on several occasions, the Council has been found on appeal to correctly be giving weight to its contents.

73 The applicant has submitted no agreement or an affordability appraisal to establish money required for the affordable housing contribution at the current time.

- 74 As no contribution has been offered at the time during the duration of the application I am of the view that this should form a separate reason for refusal.

Highway Issues

- 75 The access is already in situ, in view of this and the existing use of the site, I consider that there would be no adverse access issues to warrant an objection on planning grounds.

Ecological Issues

- 76 Another key issue in respect of this application is whether the activities proposed can take place without undue harm to the potential wildlife within the application site.
- 77 Section 40 of the Natural Environment and Rural Communities Act (2006) states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.
- 78 PPS9 and circular 06/2005 are also critical in assessing an application of this nature. The documents relate specifically to the importance of protecting wildlife. The guidance states "that the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat".
- 79 Circular 06/2005 specifically states that *"it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted."*
- 80 Policy NRM5 of the South East Plan 2009 and policy SP11 from the Sevenoaks Core Strategy are applicable. These policies specifically states that the Local Planning Authority will "ensure that site evaluation is undertaken to establish the nature conservation value of proposed development sites"
- 81 As KCC Ecology have confirmed that it would be appropriate in this case, if the application were to be approved, to impose a conditions requesting that a bat mitigation strategy would need to be approved by the LPA prior to works starting. In this strategy they have said that it would need to provide details of the methodology proposed to carry out the works and details of replacement roosts. In addition to this a badger mitigation strategy detailing the methodology and timing for the loss of the sett would also be required.

SE/11/01874/FUL Item No. 5.05

- 82 In view of KCC comments, the proposal complies with the above aforementioned policies and is considered to be acceptable.

Impact on neighbouring amenity

- 83 Policy EN1 from the Sevenoaks District Local Plan states that the proposed development including any changes of use does should not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements.
- 84 The nearest residential properties are 51 Forge Lane and 1 and 3 Churchill Road. There is approximately 47 metres between these and the application site. Given this distance it is considered that there would be no adverse impact to warrant an objection.
- 85 In this respect the proposals would not adversely affect that amenities of neighbouring occupiers or the street scene and I therefore consider it would comply with policy **EN1** of the SDLP.
- 86 No other properties are considered to be affected by the proposal.

Very Special Circumstances

- 87 PPG2 states that very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The applicants refers to the following:-
- The family owns substantial land in Horton Kirby, currently farmed by my mother and me in partnership. My mother is approaching 70 years old and while likely to carry on for some time will not be around forever. I believe her current plans are that she will bequeath the current farmhouse to my brother and the land to me. I hope and plan to carry on farming the land after my mother dies but to do that we need a farmhouse. If we are not able to get one it we will have to reconsider our plans, and as Cllr McGarvey says a sale at some point most certainly cannot be ruled out. I do not believe that, following any sale, a new owner or owners (likely to be a commercial landowner and/or land speculators), will consider the interests of the village in the same way we do.
- 88 The personal situation of the application is acknowledged but the issues raised are not considered to be unique, or moreover, considered to overcome the harm to the openness of the Green Belt, bearing in mind the harm in principle and harm to the openness and character of the Green Belt that would be caused by this proposal, especially considering that there may be potential for the conversion of the main barn, without the need to include elements that involve major reconstruction.
- The overall openness of the Green Belt is increase by reason of the substantial reduction in both footprint and volume of the buildings and

SE/11/01874/FUL Item No. 5.05

structure present at the site if the development proceeds, increasing views across the Green Belt. Another way of making the same point is, in the words of paragraph 3.8 of PPG2, that the impact of the site on the openness of the greenbelt as a whole is reduced if the development proceeds. The development actually increases the openness of the greenbelt, which is the aim of the Green Belt policy.

- As well as reducing the bulk of the buildings and structures at the site, the proposals improve the appearance of an otherwise undistinguished locality by removal of ugly corrugated iron structure and reinforced concrete agricultural structures on the one hand and by and exposing the historic brick barn in the context of a sympathetic modern development on the other.

89 It is acknowledged that some elements of the building are to be removed such as the machinery shelter and the element to the west, (the ground floor area of the wing is 48 metres squared). The current structures are however deemed appropriate agricultural development in the Green Belt and so by definition are accepted development that does not harm its openness as they are intrinsic to it. There is little to be gained from taking away structures that are appropriate and potentially re-constructing new elements that are inappropriate in the Green Belt. Proposals that involve major re-construction would be inappropriate development in the Green Belt and therefore more harmful in principle and to openness. The same argument can however be made for the visual impact of the proposal. The buildings are agricultural in their character and are appropriate within the landscape in which they sit, and as such I do not consider that this in itself would outweigh the harm to the Green Belt.

- That improvements to the overall openness and appearance in the Green Belt are capable of being very special circumstances is shown in the appeal decision for Kennels Farm, Otwood Lane, Otwood, Tandridge. In this particular case the application sought permission for the for the conversion of a discussed

90 The applicants have drawn attention to the following appeal decisions:-

Other appeal decision, which include:-

Application at Kennels Farm, Outwood Lane, Outwood

I have read the decision on these. It is however considered that they do not set a precedent.

For the appeal at Kennels Farm the inspector concluded that “I have little doubt that the milking barn is of permanent and substantial construction”. In this case, the proposal did not involve construction of an extension, and as such the case cannot be used as a direct comparison.

91 Case law/previous decisions are not normally a very special circumstance, as it is rarely possible to replicate very special circumstances applicable

SE/11/01874/FUL Item No. 5.05

elsewhere on a different site, in a different location, with a different set of circumstances and policies.

- The development if it proceeds will make a net contribution of carbon free energy to the national grid, over and above electricity consumed by the development.

92 Many applicants try to argue that the net contribution to the national grid would be a very special circumstance. As this is something that could be put forward across the District, I do not consider that it would be a very special circumstance that would overcome the harm to the Green Belt.

- The redevelopment of the buildings for use ancillary to the family farm materially assists in securing the family farming operation (including in particular the specialised hop operation historically associated with Kent) and associated employment.

93 As concluded with the first point the personal situation of the application is acknowledged but the issues raised are not considered to be unique, or moreover, considered to overcome the harm to the openness of the Green Belt, bearing in mind the harm in principle and harm to the openness and character of the Green Belt.

94 In this case I consider that the very special circumstance case presented does not overcome the harm to the Green Belt.

Other Issues

95 There are considered to be no other issues that need to be addressed.

Conclusion

96 In conclusion it is considered that the proposed development, goes beyond what is considered to be a conversion and would amount to major reconstruction due to the extension. Therefore the proposal conflicts with policy GB3A of the Sevenoaks District Local Plan, and the advice contained within PPG2 and is inappropriate development in the Green Belt. There are no very special circumstances to clearly outweigh their harm.

Background Papers

Site and Block Plans

Contact Officer(s): Vicky Swift Extension: 7448

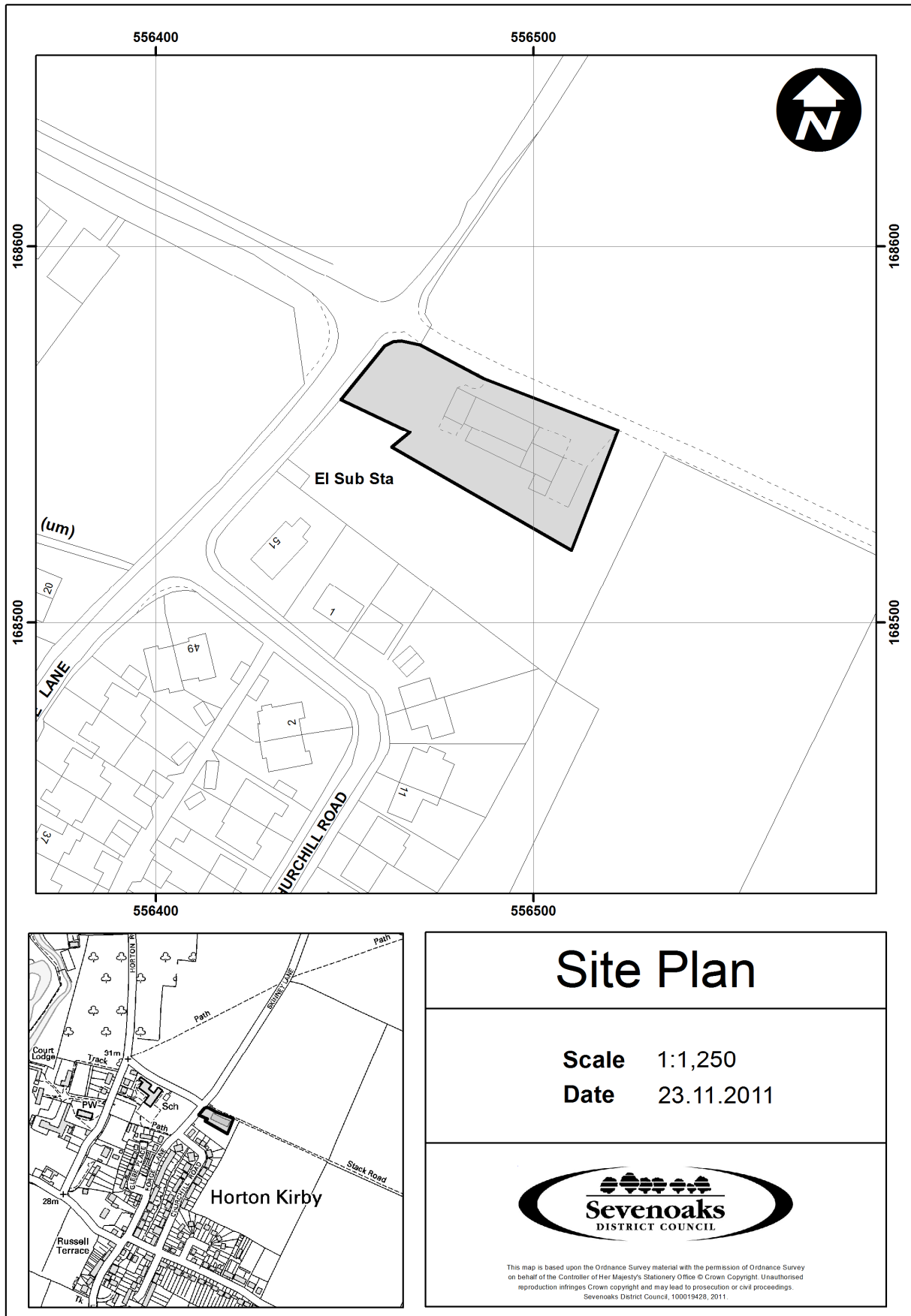
Kristen Paterson
Community and Planning Services Director

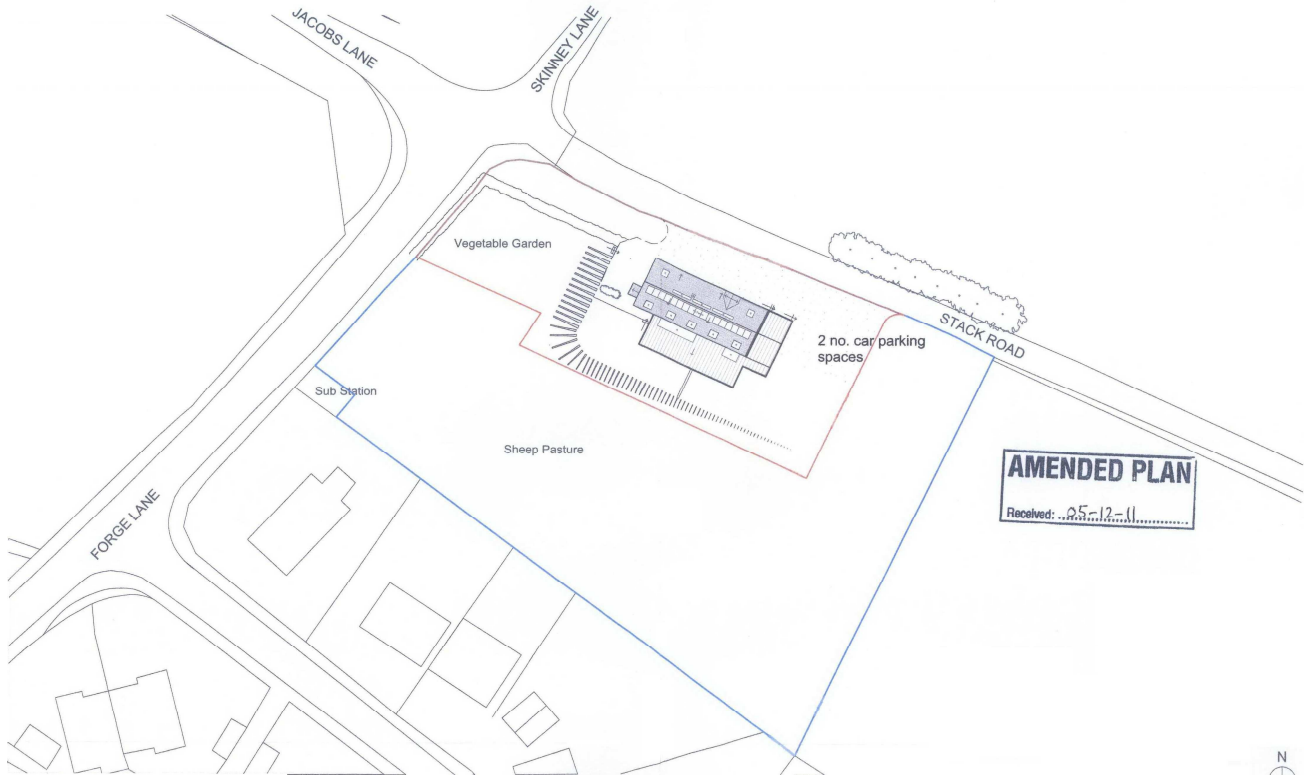
Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LOOX0KBK0CR00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LOOX0KBK0CR00>





6.01 - **Objection to Tree Preservation Order number 14 of 2011**

Located at The Old Parsonage, 23 High Street, Otford

ITEM FOR DECISION

This report sets out details of objections received to this order.

RECOMMENDATION:

That the Tree Preservation Order No 14 of 2011 be confirmed without amendments.

The Site and Background

- 1 Tree Preservation Order (TPO) No. 14 of 2011 relates to two Maple trees situated at The Old Parsonage.
- 2 This order has been served following a notification (SE/11/02276/WTCA) to remove the Maple trees situated to the front of the property. Their loss would have a negative impact on the amenity of the local area. TPO 14 was served in order to afford them continued protection.

Representations

- 3 An objection to the TPO has been received from Mr & Mrs Rowe of 25 High Street, Otford. Mr & Mrs Rowe object on the grounds that these trees offer little in the way of amenity. They claim that the roots of these trees have damaged their concrete driveway and have blocked and damaged their drains which will now have to be replaced. Mr & Mrs Rowe also object on the grounds that the Maples overhang their garage and property and have damaged the roof of the garage due to the movement of the branches in the wind. They also object on the grounds that the leaf litter shed by these trees, blocks their gutters and obstruct the floor vents. They also claim that the seeds shed by these trees are responsible for damaging their car. Mr & Mrs Rowe also complain that the canopies of both trees restrict sunlight reaching their sitting room.
- 4 In response to the objection, these trees can be clearly seen from the High Street. With regards to the damage to the drains and driveway of the neighbouring property, no evidence has been provided to support this statement. Tree roots normally only enter drains where there is an existing fault such as a crack or hole. With regards to the damage to the driveway, this could be rectified by carrying out a repair using tarmac or a similar flexible material. With regards to the overhanging branches and shedding of leaf litter, this could be overcome by the cutting back of any overhanging branches, back to a suitable growing point and the thinning of the canopy to allow more light to reach the property. It appears that no maintenance surgery has been carried

TPO/14/2011 Item No. 6.01

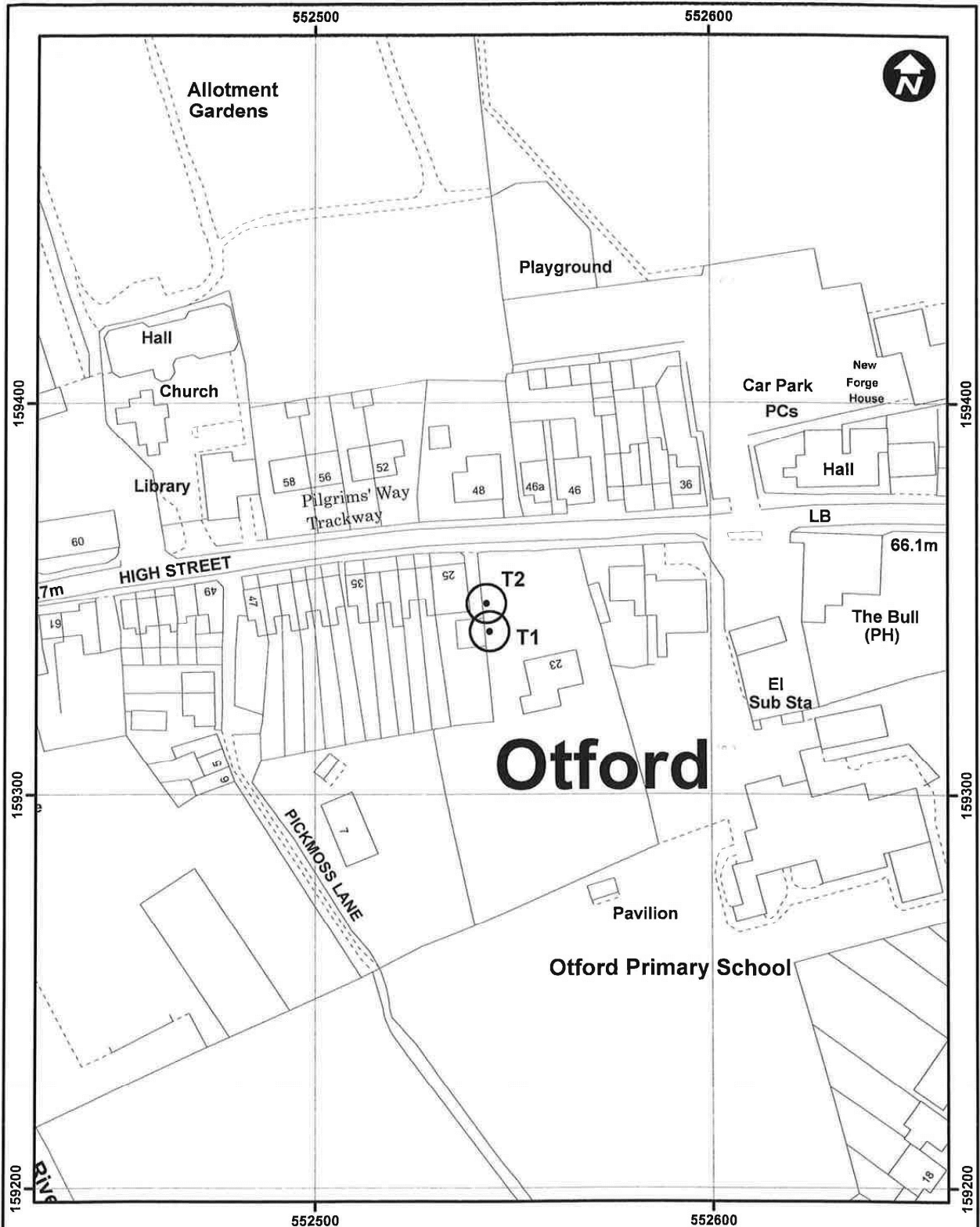
out to these trees in many years and as such is now overdue and indeed recommended. An application to carry out reasonable pruning works would be looked upon favourably. The problem of falling leaves and seeds can normally be controlled by regular maintenance. This is usually a seasonal problem and so can be controlled.


In conclusion

- 5 Given the aforementioned information. It is suggested that the details as provided within the objection to this TPO are not founded. It is my recommendation therefore that TPO 14 of 2011 should be confirmed without amendments. Please find attached TPO/14/2011 (Appendix 1).

Contact Officer(s): Mr L Jones Arboricultural & Landscape Officer
Extension 7289

Kristen Paterson
Community and Planning Services Director



 <p>Sevenoaks DISTRICT COUNCIL</p> <p><small>This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction is prohibited. Crown copyright and any other rights reserved. Sevenoaks District Council, 100019428, 2011</small></p>	<p>Tree Preservation Order</p>	
	<p>TPO 14 (2011)</p>	<p>Scale: 1:1,250 Date: 09/09/2011</p>
	<p>The Old Parsonage, 23 High Street, Otford</p>	

Produced by the GIS Team, Sevenoaks District Council

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
T1	Maple	Situated on the western boundary of The Old Parsonage, 23 High Street, Otford.
T2	Maple	Situated on the western boundary of The Old Parsonage, 23 High Street, Otford.

Trees specified by reference to an area
(within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Groups of trees
(within a broken black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Woodlands
(within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

* complete if necessary to specify more precisely the position of the trees.

6.02 - **Objection to Tree Preservation Order number 16 of 2011**

Located at 39 Wickenden Road, Sevenoaks

ITEM FOR DECISION

This report sets out details of objections received to this order.

RECOMMENDATION:

That the Tree Preservation Order No 16 of 2011 be confirmed without amendments.

The Site and Background

- 1 Tree Preservation Order (TPO) No. 16 of 2011 relates to an Oak tree situated at 39 Wickenden Road, Sevenoaks.
- 2 A written request that this tree be protected by a preservation order has been received. A visit has revealed a mature Oak tree located at the rear and between various properties. Fairly severe pruning has previously been carried out to the side of the tree that faces towards to the objector. Further pruning or even removal would have a negative affect on the amenity that this tree currently offers to the local area. TPO 16 was therefore served in order to afford it continued protection as it is situated outside of a Conservation Area.

Representations

- 3 An objection to the TPO has been received from Mr and Mrs Smith of 72 Hillingdon Rise, Sevenoaks. Mr and Mrs Smith object on the grounds that this tree overhangs their garden. They are concerned that this tree could damage their garden shed which is situated beneath it. They also object that falling acorns prevent their children from playing in the garden as their son was hit by falling acorns last year. They are concerned that falling limbs could harm their children or their property situated beneath. Mr and Mrs Smith also object on the grounds that the shade cast by this tree causes them to turn their lights on during the afternoon which results in higher energy bills. Finally, they object on the grounds that the serving of this order prevents them from cutting back the overhanging branches.
- 4 In response to the objection, at the time of my inspection this tree appeared to be in a sound and healthy condition. Providing this tree is in a sound and healthy condition it should not pose a threat to neighbouring persons or property. The responsibility of this tree lies with the owner, who informs me that this tree is inspected by a reputable contractor on a regular basis. With regards to the matter of falling acorns, this occurs on a seasonal basis. The amount of acorns produced varies from year to year, a good mast year is normally followed by a poor one the following year. The problem of shade

TPO/16/2011 Item No. 6.02

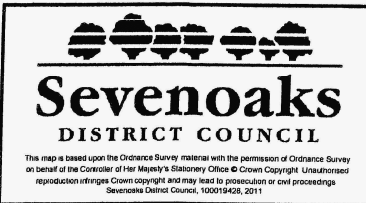
could be overcome by sensible and professionally guided pruning of the canopy to allow more light to the property and garden. Previous harsh pruning has led to the stimulation of this tree, resulting in a stronger flush of growth, which in turn has exacerbated the problems referred to. An application to carry out reasonable pruning works would be looked upon favourably.

In conclusion

- 8 Given the aforementioned information. It is suggested that the details as provided within the objection to this TPO are not founded. It is my recommendation therefore that TPO 16 of 2011 should be confirmed without amendments. Please find attached TPO/16/2011 (Appendix 1).

Contact Officer(s): Mr L Jones Arboricultural & Landscape Officer
Extension 7289

Kristen Paterson
Community and Planning Services Director



Tree Preservation Order

TPO 16 (2011)

39 Wickenden Road, Sevenoaks

Scale: 1:1,250
 Date: 24/10/2011

Produced by the GIS Team, Sevenoaks District Council

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
T1	Oak	Situated within the rear garden of 39 Wickenden Road, Sevenoaks.

Trees specified by reference to an area
(within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Groups of trees
(within a broken black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Woodlands
(within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

* complete if necessary to specify more precisely the position of the trees.