

DEVELOPMENT CONTROL COMMITTEE

23 May 2013 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Williamson

Vice-Chairman Cllr. Miss. Thornton

Cllrs. Mrs. Ayres, Brookbank, Brown, Clark, Cooke, Mrs. Davison, Mrs. Dawson, Dickins, Edwards-Winsler, Gaywood, McGarvey, Orridge, Mrs. Parkin, Piper, Miss. Stack, Underwood and Walshe

Apologies for Absence

Pages

1. **Minutes** (Pages 1 - 6)
Minutes of the meeting of the Committee held on 25 April 2013
2. **Declarations of Interest or Predetermination**
Including any interests not already registered
3. **Declarations of Lobbying**
4. **Planning Applications - Group Manager - Planning's Report**
 - 4.1. **SE/11/01878/FUL - Land North Of, Bouchier Close, Sevenoaks** (Pages 7 - 36)
Erection of a new Care home
 - 4.2. **SE/13/00481/FUL - New Beacon School , Brittain Lane, Sevenoaks Kent TN13 2PB** (Pages 37 - 44)
Proposed new vehicle crossover to Brittain Lane
 - 4.3. **SE/12/03388/HOUSE - Penryn Cottage, Milton Avenue, Badgers Mount TN14 7AU** (Pages 45 - 52)
Introduction of two rear dormer windows to serve games room in loft space. Retaining two rooflights within roofspace serving bathroom serving bathroom and store and replacement rooflights serving games room so they are obscure glazed and fixed shut.

- 4.4. **SE/13/00119/HOUSE - Crossways, 8 Greenlands Road, Kemsing Sevenoaks TN15 6PH** (Pages 53 - 64)
Construction of new roof
- 4.5. **SE/13/00139/HOUSE - 10 Springshaw Close, Sevenoaks, Kent TN13 2QE** (Pages 65 - 74)
Erection of a two storey side extension and ground floor front extension. Minor changes to windows on the ground floor
- 4.6. **SE/13/00574/FUL - Parking Area, St Botolphs Avenue, Sevenoaks TN13 3AL** (Pages 75 - 80)
Erection of a car port with flat roof in an existing car parking space (retrospective)

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

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, 20 May 2013.

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.

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 25 April 2013 commencing at 7.00 pm

Present: Cllr. Mrs. Dawson (Chairman)

Cllr. Williamson (Vice-Chairman)

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

Apologies for absence were received from Cllrs. Davison, Orridge, Piper,
Scholey and Walshe

Cllrs. Abraham, Ayres, Fleming, Neal, Raikes and Ramsay were also present.

138. Minutes

Copies of the minutes of the meeting on 18 April 2013 were tabled for Members' consideration.

Resolved: That the minutes of the meeting of the Development Control Committee held on 18 April 2013 be approved and signed by the Chairman as a correct record.

139. Declarations of Interest or Predetermination

No declarations of interest or predetermination were made.

140. Declarations of Lobbying

Cllrs. Mrs. Dawson and Dickins declared that they had been lobbied in respect of item 4.1 SE/13/00230/FUL - The Dyehurst Stud, Greenlands Farm, Uckfield Lane, Hever TN8 7LN

All members of the Committee, except Cllrs. Mrs. Ayres, Brookbank, Brown, Ms. Lowe and Underwood declared that they had been lobbied in respect of item 4.2 SE/13/00306/HOUSE - Fleetwith, 51A Mount Harry Road, Sevenoaks TN13 3JN.

Reserved Planning Applications

The Committee considered the following planning applications:

141. SE/13/00230/FUL - The Dyehurst Stud, Greenlands Farm, Uckfield Lane, Hever TN8 7LN

The proposal was for the conversion of the eastern part of an existing barn building to a two bedroom dwelling. The works required would be internal to separate the residential aspect from the stabling, with a residential curtilage to the northern and eastern sides of

Agenda Item 1 Development Control Committee - 25 April 2013

the building. the existing access to the south of the site would be utilised, with the existing hardstanding used for parking.

The site comprises a large open paddock, which lay directly adjacent to the rear boundary of Greenlands Farm house. It was generally bounded by mature hedging. It was situated within the Metropolitan Green Belt and the High Weald Area of Outstanding Natural Beauty.

On 1 August 2012 the Development Control Committee had previously approved an application for the same part of the building to be used for a holiday let.

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

The Committee was addressed by the following speakers:

Against the Application:	Jan Ryan
For the Application:	Mark Batchelor
Parish Representative:	Christine Thompson
Local Member:	Cllr. Neal

In response to a question Officers confirmed steps would be installed externally to the property, comparable to the application for the holiday let.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet, to grant permission subject to conditions be adopted.

Members were concerned that residential use would have an unacceptable impact upon the openness of the Green Belt.

It was suggested that, if allowed, the conversion to residential use would set a precedent for other local holiday lets.

The previous permission for conversion to a holiday let had been granted due to the very special circumstances of promoting the rural economy as encouraged by Policy SP8 of the Core Strategy. However no such circumstances existed for the present application.

The previously granted permission had also depended upon domestic paraphernalia being placed in the curtilage of the main house, Greenalnds Farm. Residential use would likely create much greater impact through patios, sheds and garages.

It was felt the residential amenities would be inadequate for the new residential property to be created.

Several Members added that were permission to be granted then it would be important for the residential property to be tied to the ownership of the main house, Greenalnds Farm.

The motion was put to the vote and the Chairman declared the motion to be LOST unanimously. It was MOVED by the Vice-Chairman and was duly seconded:

That planning permission be REFUSED on grounds of the harm to the openness to the Green Belt.

An alteration to the motion was agreed to include the reason that the application undermined the sustainability of the rural economy under Policy SP8 of the Core Strategy.

A further alteration was agreed that the reasons for refusal be specified by Officers taking into account the points raised in debate and following discussion with the Local Member and the Chairman and Vice-Chairman of the Committee.

The motion was put to the vote and it was unanimously –

Resolved: That planning permission be REFUSED. Reasons to be confirmed by Officers taking into account those matters raised in debate and following discussion with the Local Member and the Chairman and Vice-Chairman of the Committee.

142. SE/13/00306/HOUSE - Fleetwith, 51A Mount Harry Road, Sevenoaks TN13 3JN

The proposal sought the demolition of garage and erection of a two-storey side extension, loft conversion which involved raising the roof height; the replacement of the existing porch with a larger porch; and the widening of the driveway entrance.

The property was a large detached property situated within the built urban confines of Sevenoaks. The site elevated, sloped from north east to south west and was set back from the public highway. Two other applications had been made on the property in the previous year, both refused.

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 impacts on the amenities of nearby dwellings can be satisfactorily mitigated by way of the conditions imposed.

Members' attention was drawn to the tabled Late Observations sheet. 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:	Mr. Ockenden
For the Application:	Sean Edwards
Parish Representative:	-
Local Member:	Cllr. Fleming, Cllr. Raikes

In response to a question Officers confirmed the side extension would be 2.2m behind the principal elevation. The application would seek to increase the driveway from 3.5 to 4m.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

Agenda Item 1
Development Control Committee - 25 April 2013

Concern was raised at the effect development would have on the light received by No.49 Mount Harry Road. It had failed the light test and Members commented that on the Site Inspection they observed how the extensions would be overbearing on a property which was already dark.

It was felt that, as the extension was brought forward closer to the building line, the development would create a terracing effect on the street scene.

The motion was put to the vote and the Chairman declared the motion to be LOST unanimously. It was MOVED by the Vice-Chairman and was duly seconded:

“That planning permission be REFUSED for the following reasons:

1. The proposed extension would appear cramped on this relatively restricted plot. The extended dwelling would form an incongruous feature that would erode the spaciousness of the street scene to the detriment of the character of the area contrary to Sevenoaks District Core Strategy Policy SP1 and Sevenoaks District Local Plan Policy EN1.
2. Due to the increase in built form and height as a result of the proposal along the boundary between the two properties (the site and No.49 Mount Harry Road) the proposal is unacceptable as the development would have an overbearing impact on the private amenity space of the neighbouring property (No.49) and is therefore contrary to Policies EN1 and H6B of the Sevenoaks District Local Plan.”

Members felt the proposed changes from the previous planning applications for the site were inadequate to resolve the concerns which had resulted in their refusals.

The motion was put to the vote and it was unanimously –

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

1. The proposed extension would appear cramped on this relatively restricted plot. The extended dwelling would form an incongruous feature that would erode the spaciousness of the street scene to the detriment of the character of the area contrary to Sevenoaks District Core Strategy Policy SP1 and Sevenoaks District Local Plan Policy EN1.
2. Due to the increase in built form and height as a result of the proposal along the boundary between the two properties (the site and No.49 Mount Harry Road) the proposal is unacceptable as the development would have an overbearing impact on the private amenity space of the neighbouring property (No.49) and is therefore contrary to Policies EN1 and H6B of the Sevenoaks District Local Plan.

143. SE/12/03277/FUL - Chelsham, Church Road, Hartley DA3 8DN

The proposal was for the demolition of an existing bungalow and erection of one pair of semi-detached chalet bungalows with off-street parking for 4 cars accessed via a new access.

The site comprised a corner residential plot currently occupied by a detached bungalow set within an established residential area on the corner of Gresham Avenue and Church Road. There was a well planted boundary. Permission had previously been granted on appeal for a single 4-bed house on this part of the site.

The Case Officer advised that in terms of position on site and design the existing planning permission was for a building similar to the one now proposed. However the present application was for the building to be split into two semi-detached units, hardstanding would be in place of the proposed carport and the front doors would be placed on the side elevations of the building.

Members' attention was drawn to the tabled Late Observations sheet. The Officer recommended an amendment to condition 4 to add that it be in accord with a time scale to be approved by the LPA.

The Committee was addressed by the following speakers:

Against the Application:	Steve Watkins
For the Application:	Paddy Miller
Parish Representative:	-
Local Member:	Cllr. Abraham, Cllr. Ramsay

It was MOVED by the Chairman and was duly seconded that the recommendation in the report, as amended by the Late Observations Sheet and with the additional wording advised by the Officer, to grant permission subject to conditions be adopted.

It was noted that there was a small decrease in built form over the application previously granted permission. There would be the same number of bedrooms though there could be a small increase in traffic resulting. Members expressed support for smaller properties to allow residents to downsize.

There was concern that having two properties would result in an intensification in the use of the gardens.

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.

Agenda Item 1

Development Control Committee - 25 April 2013

2) No development shall be carried out on the land until samples 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 enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) Before the occupation of the development hereby permitted the car parking and turning areas shown on the approved plans shall be provided and shall be kept available at all times for the parking of cars.

To ensure adequate off street parking for future residents.

4) No development shall take place until full details of both hard and soft landscape works including any tree planting have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

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

5) The development hereby permitted shall be carried out in accordance with the following approved plans: P01A, P03, P021B, P031, P041, P051, P061, P071

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

6) 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 surrounding area in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

THE MEETING WAS CONCLUDED AT 8.58 PM

CHAIRMAN

4.1 - SE/11/01878/FUL Date expired 5 November 2012

PROPOSAL: Erection of a new Care home

LOCATION: Land North Of, Bouchier Close, Sevenoaks

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillors Fleming and Dawson on the grounds of loss of important green space, bulk and scale of the proposed building, traffic generation, loss of amenities to neighbours, and drainage issues within a water catchment area.

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 samples of the materials to be used in the construction of the external surfaces of the development 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 and Policy SP1 of the Sevenoaks Core Strategy.

3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors loading and unloading of plant and materials storage of plant and materials used in constructing the development the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate wheel washing facilities measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and construction works

To protect the amenities of the area during development, in accordance with Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy

4) The development hereby permitted shall achieve a BREEAM "Very Good" rating, and shall include at least a 10% reduction in total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources. Evidence shall be provided to the Local Authority

-i) Prior to the commencement of development, of how it is intended the development will achieve a BREEAM "Very Good" rating and a 10% reduction in total carbon emissions or

Agenda Item 4.1

alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a BREEAM "Very Good" rating and a 10% reduction in total carbon emissions 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 by Policy SP2 of the Sevenoaks Core Strategy

5) Before development commences, details of tree protection measures for all trees to be retained on site shall be submitted to and approved in writing by the local planning authority. The details shall be submitted in accordance with advice contained within BS5837:2012 - "Trees in relation to design, demolition and construction - Recommendations" Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the approved tree protection measures shall be carried out in full and be maintained on site until all equipment, machinery and surplus materials have been removed from the land. Within a retained tree protected area -Levels shall not be raised or lowered in relation to the existing ground; No roots shall be cut, trenches cut, or soil removed; No buildings, roads, or other engineering operations shall be constructed or carried out; No fires shall be lit; No vehicles shall be driven or parked over the area;-No materials or equipment shall be stored unless agreed otherwise in writing by the Local Planning Authority

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and Policy SP1 of the Sevenoaks Core Strategy.

6) Before development commences, full details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. The details shall include; full details and surface finishes of all hard surfaces proposed within the development, including access roads and car parking areas- full details of any retaining walls or structures required as part of the development- full details of any boundary enclosures The development shall be carried out in accordance with the approved details

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and Policy SP1 of the Sevenoaks Core Strategy.

7) No development shall commence until full details of soft landscaping works have been submitted to and approved in writing by the local planning authority. The details shall include -Soft planting plans, identifying existing planting, plants to be retained and new planting, and a schedule of new plants, (noting species, size of stock at time of planting and proposed number/densities). This shall include a detailed landscaping scheme for the area of land to be provided as public open space and shall include landscaping measures to deter access to the boundaries of the site shared with neighbouring residential properties and landscaping measures to improve biodiversity on the site.-a programme of implementation for the landscaping works. The development shall be undertaken in accordance with the approved details. If within a period of 5 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 safeguard the visual appearance of the area, the amenities of neighbouring properties and to improve biodiversity, as supported by Policy EN1 of the Sevenoaks District Local

Plan and Policies SP1 and SP11 of the Sevenoaks Core Strategy.

8) 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. The remediation strategy shall be implemented as approved.

To ensure that any contamination discovered during development is assessed appropriately in line with the relevant planning guidance in the National Planning Policy Framework. The site lies within a sensitive area with regard to groundwater, being located within Source Protection Zone 2 for the public water abstraction on Oak Lane, and being located over a principal aquifer.

9) Before development commences, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority, and no building hereby permitted shall be occupied until such drainage works have been implemented in accordance with the approved details. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment shall be provided as part of the drainage scheme to the local planning authority. No infiltration of surface water drainage into the ground will be permitted other than for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

To prevent pollution of groundwaters, in accordance with the National Planning Policy Framework. The site lies within a sensitive area with regard to groundwater, being located within Source Protection Zone 2 for the public water abstraction on Oak Lane, and being located over a principal aquifer.

10) The care home development hereby permitted shall not be occupied until the parking spaces and accesses have been completed and made available for use. These spaces shall thereafter be maintained for vehicle parking only.

To ensure suitable parking provision is accommodated and maintained, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

11) The car parking area hereby permitted to the rear of the care home building shall be made available for use by staff and visitors to the care home at all times other than when required for parking by persons attending a religious service or event at St Nicholas Church for a period of up to one hour prior to the service or event and up to one hour and a half after the conclusion of that service or event.

To ensure suitable parking provision is accommodated and maintained, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

12) No development shall take place until details of a traffic management system for the site have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following - - measures to control access to the site via the existing church car park at all times other than when the additional church car park hereby approved to the rear of the care home is required in connection with a church

Agenda Item 4.1

service or event (under the terms of condition 11 above).- a scheme to provide access to the additional church car parking area hereby approved for staff and visitors to the care home via Bouchier Close- a scheme to enable emergency vehicular access and exit to the care home via Rectory Lane and the existing church car park. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

To control access to the site via Rectory Lane, and to provide a secondary access and/or exit from the site for emergency vehicles, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

13) No development shall commence until full details of the location, layout, design and specification of the children's play area, together with a scheme for the management and long term maintenance of the play area, have been submitted to and approved in writing by the Local Planning Authority. The details shall include the provision of at least five items of play equipment. The development shall be carried out in accordance with the approved details.

To provide a suitable play area in accordance with the terms of the application, and to help address a need for new sites, in accordance with Policy SP10 of the Sevenoaks Core Strategy.

14) The development shall be carried out in complete accordance with the Extended Phase 1 Habitat and Protected Species Survey dated April 2012 and the Reptile Survey dated October 2012. Details of the timescales for the provision of the mitigation measures as set out in the surveys shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development or as otherwise agreed in writing by the Local Planning Authority. The removal of scrub shall be carried out using a precautionary mitigation strategy, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to such works being undertaken on site.

To safeguard and enhance biodiversity on the site, in accordance with Policy SP11 of the Sevenoaks Core Strategy

15) The removal of scrub prior to the further Badger survey work required, as set out in the Extended Phase 1 Habitat and Protected Species Survey dated April 2012, shall be carried out using a precautionary mitigation strategy, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to such works being undertaken on site.

To safeguard and enhance biodiversity on the site, in accordance with Policy SP11 of the Sevenoaks Core Strategy

16) No development shall commence until further survey work relating to badgers and birds as set out in Section 7 of the Extended Phase 1 Habitat and Protected Species Survey dated April 2012, together with an assessment of the suitability of any trees proposed for removal to contain roosting bats, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To safeguard and enhance biodiversity on the site, in accordance with Policy SP11 of the Sevenoaks Core Strategy

17) No development shall commence until a management plan for the area of open

space within the development has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide details of how the land will be designed and managed to benefit biodiversity, and shall include measures for the long term management and maintenance of the land. The development and maintenance of the land shall be carried out in accordance with the approved details

To safeguard and enhance biodiversity on the site and to improve public access to open space, in accordance with Policies SP10 and SP11 of the Sevenoaks Core Strategy

18) The development hereby permitted shall only be used as a residential care or nursing home and such residents shall be aged 65 years or above.

To meet the terms of the application which demonstrates a shortfall in present and future accommodation for elderly persons and adds weight to the partial development of the site and loss of important green space. To control the levels of traffic and demand for parking within the site and surrounding area, that may increase were an unrestricted C2 use to be granted. In accordance with Policies EN1 and H8 of the Sevenoaks District Local Plan, and Policies SP1 and SP5 of the Sevenoaks Core Strategy.

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

Sevenoaks District Local Plan - Policies EN1, EN9, EN25A, H8

Sevenoaks District Core Strategy 2011 - Policies L01, L02, SP1, SP2, SP5, SP10, SP11

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

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

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

The scale, location and design of the development would not cause unacceptable impacts upon the character and appearance of the surrounding area

The site is within the built confines of Sevenoaks and in a sustainable urban location. Although the development would result in the partial loss of important green space, it would retain and make available an area of open space for public access, including provision of a play area, on land which is currently privately owned and unavailable for public use. The proposal would improve access to open space, as well as the quality of the space, and this is deemed to outweigh the policy presumption under EN9 of the Sevenoaks District Local Plan to safeguard the current site.

Description of Proposal

- 1 The application proposes to erect an 80 bed nursing home facility on the site. The care home would be designed as a single L shaped building, largely over three floors with the top floor located within the roof space of the building. Due to levels changes over the site, a lower fourth floor would be included on the western side of the building, and the eastern elevation would be constructed over two floors.
- 2 The building would be located in the north east corner of the site, and the two main wings of the building would measure approx. 43 and 46 metres in length. At

Agenda Item 4.1

its highest point, the west side of the building would be approx. 13.6 metres in height. At three storey level, the building would measure approx. 11.4 metres in height.

- 3 A vehicular access into the site would be created from Bouchier Close, and 26 car parking spaces provided around the building.
- 4 The application also proposes to extend the access and drive serving the care home through the site, to join with the existing St. Nicolas church car park, providing a one-way system for church traffic to exit through the site of the care home and via Bouchier Close, rather than the existing arrangement onto the High Street. This new access route from the church car park has been previously approved by the Council. In addition, 23 new car parking spaces for the church would be provided to the rear of the car facility, and the developer has confirmed that these spaces will be made available for use by the care home in periods when church traffic is low.
- 5 Finally, the application proposes to utilise the remaining undeveloped areas of the site as public open space, and includes proposals for play equipment on this part of the site. The land shown as open space would be approximately 40% of the site as a whole (including land adjacent to The Dene).
- 6 During the course of the application, a proposal to erect a further building containing close care residential units has been removed from the scheme.

Description of Site

- 7 The application site consists of an irregular shaped area of land measuring just under 1 hectare in size, sited between established residential areas of The Dene, Bouchier Close and Valley Drive, the existing Rockdale sheltered housing complex, and the car park and rectory to St. Nicholas Church.
- 8 The land is sited within the built confines of Sevenoaks, and is designated under Local Plan policy EN9 as an important area of green space within the built confines. A group of trees in the centre of the site are protected by a Tree Preservation Order. The site falls within the Homelands Catchment area which is an area where localised flooding can occur.
- 9 The site is currently undeveloped and consists largely of rough grassland with a group of trees sited in a central location on the plot. These trees are protected by a group Tree Preservation Order. The site slopes significantly in an upwards direction from west to east, with a change in land levels across the site in the region of 20 metres.

Constraints

- 10 Area or Archaeological Potential
- 11 Homelands Catchment Area
- 12 Trees in the central part of the site and on the northern boundary with the Rockdale Complex are protected by a TPO

Policies

Sevenoaks District Local Plan

13 Policies - EN1, EN9, EN25A, H8

Sevenoaks Core Strategy

14 Policies - L01, L02, SP1, SP2, SP5, SP10, SP11

Planning History

- 15 SE/90/02137 - Proposed new vehicular and pedestrian access – Approved
- 16 SE/96/0203 - New vehicular and pedestrian access.(Renewal of SE/90/2137) – Approved
- 17 SE/00/02563 - New vehicular and pedestrian access - renewal of permission – Approved
- 18 SE/05/01442 - Renewal of application SE/00/02563/RENEW- New vehicular and pedestrian access land adjoining rectory car park/Bourchier close – Approved
- 19 SE/10/00937 - Application to extend the time limit of and extant planning permission approved under SE/05/01442/RENEW - New vehicular and pedestrian access land adjoining rectory car park/Bourchier close - Approved
- 20 SE/11/02321 - Erection of boundary fence – Refused. Appeal Dismissed. Currently subject to an Enforcement Notice

Consultations

Sevenoaks Town Council

- 21 Unanimously recommended refusal on the following grounds:
- The proposed development is contrary to saved policy EN9 of the Sevenoaks District Local Plan; the site in question has been identified as an important area of green space within the built confines of Sevenoaks Town.
 - The development is out of keeping with the area; and due to its prominent overbearing and intrusive nature will be damaging to the amenities of all neighbouring properties in the area.
 - The mass and bulk of the development would constitute overdevelopment of the site
 - The development would result in inappropriate levels of traffic on inadequate and narrow roads, with difficult egress onto Oak Lane.
 - No environmental impact assessment has been submitted with the application.

Agenda Item 4.1

Further comments following amendments:

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

- Over intensive use of site in this residential neighbourhood
- Excessive mass and bulk
- Detrimental to the street scene
- Loss of majority of valuable 'green lung' in town centre
- Detrimental impact of traffic flow in High Street

Kent Highways

Original Comments

23 My initial comments regarding this application are outlined below:

Could the Applicants please say if they have any plans to enable reliable access in ice and snow, when the hill in Bouchier Close may not have been cleared? Are there any plans for an emergency access route? There is an argument for saying that the proposed new road to Rectory Lane should be designed as an emergency access.

24 Use of the proposed new road to Rectory Lane as an emergency route would raise several issues

- It would require the land owner's agreement
- It might rule out mechanical means such as "plates" on the road to enforce a one-way system, and other means would need to be found to ensure that the route was not used as a short cut for general traffic;
- If the route is single-track as proposed, it would require intervisibility along its entire route, so that a vehicle would not enter if another vehicle was travelling on it in the opposite direction.

25 The Transport Statement (19 July 2011, section 6.1.6) mentions pedestrian access to the site from Rectory Lane. Has the Applicant obtained the landowner's agreement? Are there any plans for securing this route by dedicating it as a public right of way?

26 Tracking diagrams suggest that an HGV turning around would require to over-run a parking space. Could this be investigated please, and demonstrated to work without overrun.

27 It is not clear on the application form, but apparent in the Planning Statement, that the application is for an 80 room care facility and 10 flats for other elderly people (In fact, the Transport Statement section 6.1.2 describes the proposal as a 90-bedroom care home). It is possible that any residents of the flats may require parking spaces for their own cars?

Agenda Item 4.1

- 28 It is noted that the Transport Statement (paragraph 6.1.2) suggests that 30 staff may be working on site at any one time, although they would have only 8 allocated spaces (according to drawing 11-13-02 "Site context access block plan".) By reference to other care homes, could the Applicants please substantiate the proposed level of staff car parking and the assertion in paragraph 4.3.1 of the Transport Statement that "most staff will chose not to drive" Kent Vehicle Parking Standards SPG4 of July 2006, imply a higher level of staff parking would be permissible, though less parking for visitors would apply, and a space needs to be reserved for an ambulance. The Applicants appear to have been using out-of-date parking standards from 2003.
- 29 The Applicant may be required to fund No Waiting restrictions in Bourchier Close, in particular at (and on the approaches to) the bends in Bourchier Close and around the proposed entrance to the site.
- 30 Could the Applicants please provide a plan of the proposed site entrance showing visibility splays and stopping sight distances?
- 31 Could the applicants please specify the gradient of the access route along Bourchier Close; is it greater than the maximum specified in the Department for Transport's "Inclusive Mobility" best practice guide (2002)?
- 32 Appendix A (TRICS) of the Transport Statement is empty. The TRICS analysis would be better if based on more than one site, and to additionally look at the issue of good vehicles traffic.

Further comments following amendments

- 33 I note residents' concerns and have the following comments about highway issues;
- The width of the carriageway in Bourchier Close and The Dene is 5.5m, which is adequate room for a lorry to pass a car. (The minimum would be 4.8 metres).
 - Some residents have expressed concern about the junction of Oak Lane and The Dene. Although the visibility of oncoming traffic at this junction is far from ideal, it broadly complies with the "stopping sight distances" set out in Manual for Streets, provided that drivers obey the 30mph speed limit.
 - I have checked the crash record for this location on our database. This showed a total of one personal injury accident occurring there in the ten years to 30th June 2012. This appears to have been a "shunt" type accident which took place on Sunday 12th December 2004, involving a vehicle waiting to turn right from Oak Lane into The Dene.
 - I have visited this junction in the morning peak period and note it is used by parents dropping off children to walk up Oak Lane to school. Some of these parents subsequently carried out a U-turn to drive back westward along Oak Lane. Another driver carried out a 360-degree turn at the junction in order to post a letter at the post box. The actions of these drivers suggest they did not regard this junction as particularly dangerous even in the morning peak period.

Agenda Item 4.1

- It is not clear how much car parking is to be provided on the application site. The Site Context Access Block Plan (drawing 11-13-02 Rev D) submitted July 2012 appears to show only 26 marked parking bays (excluding those in the church parking area). The same drawing labels a small area near the kitchen (where two parking spaces are marked out) as parking for 8 cars, although there does not appear to be sufficient room to allow 8 cars to be independently accessible or to allow them to turn around easily. The Highway Report (Consultants response to Mr P Boorman and Mr J Brown representation) says in section 3.1.37 that there will be 35 spaces, though this probably refers to the previous version of the proposals with a close care accommodation. Since this change in the application it is not clear how many staff would be working at the site at any one time. I would recommend that this is clarified.
- Assuming the application only provides the parking spaces marked out on the application drawings, i.e. 26 spaces, I would expect approximately half to be required by staff. It is worth noting that the application to increase the size of a care home in Edenbridge resulted in a travel and parking survey which appears to show peak staff parking totalling 9 vehicles at this 47-bed home. The overall maximum number of parked cars on the day of the survey was 14. It is worth noting that one of the busier periods for parking at the Edenbridge home was before 10am, which would coincide with the existing parking restrictions on Bouchier Close (7am - 10am). You may wish to review whether the proposed parking provision is likely to be fully adequate, to avoid overspill parking on Bouchier Close - an amenity issue. You may also wish to consider whether commitment should be secured from the applicant that staff should be permitted to use at least half the total parking spaces.
- I do not object to the visibility splays proposed for the site exit onto Bouchier Close, i.e. 64 metres downhill and 33 metres uphill, as specified in the consultants response to Mr P Boorman's and Mr J Brown's representation (the "Highway Report"). It would be possible for vehicles to approach this access from the east in excess of 15mph (perhaps at up to 20mph), but nevertheless the proposed visibility splays are compatible with the stopping sight distances in the DfT's Manual for Streets.
- Several residents' consultation responses have pointed out that Bouchier Close has on occasions been impassable due to snow and ice. Unfortunately it is not possible for any highway authority to keep all roads open in all weathers. This prompts the question of how emergency services could access the care home if Bouchier Close is closed. I do not regard this as an issue of highway safety, as the presence of the care home would not be likely to cause the emergency services to use Bouchier Close in any way that would cause danger to other road users. However, it should be borne in mind that the proposed emergency access route to Rectory Lane and the High Street would need to be accessible in both directions, not simply in one direction as implied in the application.

34 To conclude, I do not intend to object to this application on any highway grounds. However, I would suggest the standard condition for means to prevent mud, grit etc being brought onto the highway during construction.

- 35 Informative; the proposed exit onto Bouchier Close would need to be built to designs to be agreed in writing with the highway authority. A vehicle-crossover type exit would be appropriate.

SDC Tree Officer

Original comments

- 36 Following a walk of this site and assuming that the stakes located at various points throughout are a true representation of the main structural points of the proposed buildings. It does appear that although this is a large development. In general the buildings can be constructed whilst retaining the important trees in good order.
- 37 Having said this, there are some issues with this scheme that cause concern for me. The central group of trees, which are protected by TPO 4 of 2003 are an important visual feature for this site and can be clearly seen from across the valley. I consider this group of trees will continue to be important to offer mature screening to the proposed buildings should consent be provided. The proposals for this scheme show construction works of some description or another on all sides of this group. The two roads to the South and the West of this group appear a suitable distance away so as not to cause concern. The proposed block shown to be located between this central group of trees and the northern boundary appears very close to the northern aspect of this group. There are issues with the actual build process being so close and post development issues with living area windows directly looking out onto the trees. It is reasonable to expect that harm will befall the nearby trees because of the build process. It is also reasonable to expect post development pressure being placed upon these trees due to them being this close to living areas. This group as they currently exist are suitable for the current location as it is. Should consent be provided for this scheme. It is expected that a tidy up along with formal pruning proposals to ensure that this group of trees fit into the new situation as proposed will be required. A more thorough survey with proposals will be required perhaps as a condition would be expected. I also consider that the close proximity of this building to these trees is not acceptable and needs to be addressed.
- 38 There is a group of trees located on the Northern boundary that have a number of problems with them. I would expect to see a fuller survey of these trees with proposals for pruning. I would also like to see assurances that should any of these trees need to be removed that suitable replacements will be planted.
- 39 The proposal for the open space shown to be located to the North West of the site is located on a higher point than the nearby dwellings in Valley drive. Due to the higher level of this land views from this location are down into the first floor bedrooms and garden areas. This will directly have an affect on the residents' privacy and as such I do not consider this an appropriate public space

Further comments following amendments

- 39 I refer to the tree survey as supplied by Duramen Consulting Ltd dated 16th of December 2012 as well as our recent site visit to assess the proposal to develop. I do not share fully the suggestions within the tree report. Having now gained access to the trees that are closest to the part of the block proposed to be constructed nearest to this group, I suggest the following. There is a small Elder that will need to be removed. Tree number 261 could also be removed due to the

Agenda Item 4.1

multi stemmed nature of this tree. I also suggest that 262 could also be removed due to the amount of included branch structure within it. I also suggest the removal of 263, which has limited value. The removal of these trees will allow a greater divide between the proposal and the trees to be retained. I do not suggest the removal of these trees to accommodate the proposal but due to the potential for future failure of parts of the trees due to their condition. The remainder of the trees will need to be assessed to consider their integration into the proposed scheme. This will include acceptable pruning and internal landscaping. I would also expect to see replacement planting elsewhere upon the site to negate the losses.

- 41 The proposed public areas adjacent to the existing residential areas need to be thought through quite carefully to ensure their continued privacy and security. There should be no large planting that would block sunlight to the rear of the properties. Such planting should however be tough enough to discourage foot traffic into it. The footpath should be routed further away to discourage walkers at this end of the site.

SDC Planning Policy team

Protected Open Space

- 42 The proposal is to build a new care home on a greenfield site, which is designated as an area of important green space within the built confines, under Saved Policy EN9. The site also includes a tree, approximately in the centre of the site, which is protected by a Tree Preservation Order (TPO). Pursuant to the EN9 designation, the Council would normally ensure that this green space is safeguarded and kept free from development.
- 43 EN9 sites were designated based on the contribution they provide to the visual amenity of the locality, informal play and wildlife habitats. This site was originally designated as it was considered to provide 'a visual break and green lung'.
- 44 There are limited public views into the site as it is bounded by residential properties and the Rockdale development to the north and west, St Nicholas's church car park and a tree screen to the east and fencing on Bouchier Close to the south. The site is likely to have been visible from Bouchier Close before the erection of the fencing, although it is noted that this is a small cul-de-sac and the applicant has stated that a hedge also obscures the view from this location. There are long views of tree cover on the site from higher ground further to the north. A visual assessment document has now been submitted by the applicant which concludes that the development will not be visible from any viewpoint except Bouchier Close, and therefore will not have a significant townscape impact on this area of Sevenoaks.
- 45 The site is not currently accessible to the public. However, it is likely to provide a function in relation to the provision of wildlife habitats, and a Phase One habitat and ecological survey has now been submitted by the applicant.
- 46 The National Planning Policy Framework (NPPF) states (paragraphs 73-74) that: *'access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or*

Agenda Item 4.1

qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required'.

- 47 The NPPF then clarifies that existing open space should not be built on unless:
- *the open space is surplus to requirements; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - *the development is for alternative sports and recreational provision*
- 48 It is noted that the open space in this location is currently categorised as natural/semi-natural open space in the Sevenoaks Open Spaces Study (2009). Because there are no major quantitative concerns for this typology in Sevenoaks, the Study recommends that the Council should focus upon accessibility and quality improvements to existing natural/semi-natural sites rather than additional provision of this type of open space.
- 49 It is understood that the revised proposal retains the TPO tree and includes additional public open space on the western portion of the site, including a children's playground. The western portion of the site is approximately 0.3ha of the 0.9ha site (a third) and if the playground and area around the TPO tree are included in the open space calculation, this amounts to approximately 0.4ha of the site.
- 50 The area with the TPO tree is separated from the main area of open space by an access road to the service vehicle drop-off point and staff car-park. This roadway is hatched green on the plans and it is queried how this road is surfaced. The area would better integrate with the open space to the west if some form of soft surfacing as opposed to tarmac is used for the roadway. Equally, further details are requested on the layout of the children's playspace and how this area would integrate with the other areas of open space, as currently it appears to be located on an island surrounded by the access roads.
- 51 If suitable public access to these elements of the scheme is secured (via a S106 agreement), it is suggested that the scheme will improve access to the green space, albeit to an area of reduced size. It is also suggested that biodiversity enhancement should be included in any scheme, or a contribution to off site enhancement to other sites that form part of the GI Network in the vicinity, to improve wildlife habitats and compensate for the loss of any green space. See Core Strategy policies SP10 (GI and Open Space) and SP11 (Biodiversity) and South East Plan policy CC8 (GI).
- 52 The public open space should be designed to contribute to the GI Network by investigating linking it to the open space to the north (the southern portion of the approved Rockdale House scheme) as a wildlife corridor or public access route, joining the open spaces. This area is annotated on the plans as 'area available for restricted public access' and this level of access should be clarified with the applicant.
- 53 The applicant has annotated on the submitted plans that the open space will have 'controlled public access' and that the 'gate will be kept open during daylight

Agenda Item 4.1

hours'. Conditions / obligations should be imposed to ensure that this land remains accessible to the public.

Housing for Older People

- 54 In relation to the proposed type of housing, adopted Core Strategy Policy SP5 (Housing Size and Type) acknowledges the need to meet the requirements of the ageing population in the local area and provide housing specifically designed for older people. The policy states that sheltered housing/extra care housing will be encouraged on suitable sites in areas close to a range of services. South East Plan Policy CC5 also relates to supporting an ageing population by making suitable housing provision. The site is located within the urban confines of Sevenoaks and within close proximity to the town centre. If the applicant's needs assessment demonstrates sufficient need for this type of housing, the site appears to be a suitable location in relation to access to the town centre and the range of services that provide for the needs of future occupants.
- 55 The applicant has now submitted a sequential assessment of sites suitable for care homes within Sevenoaks (considering size, location, site characteristics and availability) and this assessment concludes that there are very limited site options for such a development within the area.
- 56 It is also noted that a care home scheme has recently been approved on the site immediately to the north, which was also designated as EN9.

Conclusion

- 57 On balance, although the Council would normally ensure that green space designated under EN9 is safeguarded from development, in this instance, it appears that the proposed development could improve public access, provide play-space and enhance biodiversity, on a site that is currently largely hidden from view and not currently accessible to the public. The Council's evidence base, the Open Space Study (2009) does not identify a deficit of natural / semi-natural open space in Sevenoaks, but recommends that the Council should focus upon accessibility and quality improvements to existing natural/semi-natural sites rather than additional provision. Combined with the policy support for housing for older people in sustainable locations, it is suggested that these factors in this instance could outweigh the continuation of the EN9 designation on the whole of the site. If a scheme is permitted, we would insist that the remaining green space continue to be safeguarded under Policy EN9 or equivalent, and that public access to this open space / play-space is secured.
- 58 KCC Families and Social Care Directorate – I have read through the needs analysis report that you provided and it is very comprehensive. I wouldn't disagree with the analysis presented but to check I would need to request a report on demand and supply over the past few years to get a true sense of voids and our system doesn't yet have the capability to capture and report on this.
- 59 We don't have anything yet for the Sevenoaks locality that is as detailed as this report as we are the process of developing our accommodation strategy.
- 60 I would make the comment that we do need to ensure that the type of care provided by this care home is able to cater for the full range of residential and nursing care and evidently dementia care

KCC Ecology

Original comments

- 61 We have reviewed the phase 1 survey submitted with the application and we do not feel that sufficient information has been submitted with regard to the potential of protected or notable species being present on the site.
- 62 Further information must be supplied assessing the suitability of the site for protected/notable species must be carried out. The assessment must also provide details of any specific protected species surveys are recorded.
- 63 As a result of reviewing photos submitted with the planning application and reviewing the information on our GIS system we feel there is suitable habitat for the following species:
- 64 Badgers - The phase 1 survey detailed that there was thick scrub on site which the surveyor was unable to penetrate. It is possible that a sett may be present within the scrub or badgers use the site for foraging.
- 65 Bats - Bats have been recorded roosting within the surrounding area as a result it is possible that the site is used by foraging bats.
- 66 There are trees present on site but no assessment has been made on the trees to establish if they contain features suitable for roosting bats. We do acknowledge that only one tree is proposed to be lost - however the proposed development can still have a direct impact on any roosts due to the increase in lighting.
- 67 Reptiles - The phase 1 survey indicates that there is a mosaic of habitats present on the site – this habitat is ideal for reptiles.
- 68 Breeding Birds - Although the phase 1 report has given recommendations with regard to the timing of the work no consideration has been given to the impact the proposed development will have on breeding birds.
- 69 All surveys and any necessary mitigation strategies must be submitted prior to determination of a planning application.
- 70 Enhancements- 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. No enhancements have been suggested within the phase 1 survey. An ecological enhancement and management plan must be produced and submitted for comments.

Further comments

- 71 We have reviewed the information submitted with the planning application and we are satisfied with the information that has been provided. We require no additional information to be provided prior to determination of the planning application.
- 72 Reptiles – we are satisfied with the results of the reptile survey. No reptiles were recorded during the reptile survey; however we recommend that the enhancements recommended within the phase 1 survey are still incorporated into the site if planning permission is granted.

Agenda Item 4.1

- 73 Badgers – Evidence of badgers foraging have been identified on the site, however no setts were located during the survey. However we are aware that due to the denseness of the scrub it was not fully examined during the survey. The ecological report details that a further survey is required once the scrub has been removed. This must be a condition of planning permission.
- 74 The scrub must be removed using a precautionary mitigation strategy. The precautionary mitigation strategy must be produced as a condition of planning permission.
- 75 Bats – the survey has identified that there is minimum potential for the buildings or trees on site to be suitable to contain roosting bats. Please confirm that all trees to be removed were assessed for their suitability to contain roosting bats.
- 76 Bats may use the site for foraging and commuting. The lighting should be designed to minimise the impact on any foraging and commuting bats. We advise that the Bat Conservation Trust’s “Bats and lighting in the UK” guidance is adhered to in the lighting design.
- 77 Enhancements – One of the principles of the NPPF is that “opportunities to incorporate biodiversity in and around developments should be encouraged”.
- 78 We are aware that an area of the site is to be managed to benefit biodiversity. However no management plan has been submitted with the application. If planning permission is granted a management plan must be produced to ensure that the area is managed to benefit biodiversity within the site and surrounding area.

Natural England

- 79 Knole Park SSSI – The application site lies close to the Knole Park SSSI. Having considered the information provided and the potential environmental impacts arising from the proposal on the above designated site, Natural England considers this application is unlikely to have implications for the SSSI. Consequently we have no comments to make on this application in respect of the designated site at present.
- 80 Landscape Impacts – Natural England has considered the landscape and visual impacts of this proposal and concluded that this application does not meet our criteria for involvement with casework. We would stress that this should not necessarily be taken to indicate that the effects on landscape and visual amenity are appropriate, but are a matter for the Local Planning Authority to consider.
- 81 Protected Species – while information on the protected habitats present on site has been submitted as part of the application, the possible effects upon protected species may not have been fully considered. For example, the presence of scrub and grassland on the site may mean that the habitat is suitable for widespread reptiles and the scrub and tree lines could offer good foraging and commuting routes for bats. Therefore Natural England considers that further clarification on the potential direct and indirect effects that this proposal may have upon protected species is provided by the applicant before determination of the application.
- 82 Biodiversity Enhancements – This application has many opportunities to incorporate features into the design which are beneficial to wildlife such as the

incorporation of roosting opportunities for bats, the installation of bird nest boxes or the use of native species in the landscape planting, for example. As such we would recommend that should the council be minded to grant planning permission for this application, measures to enhance the biodiversity of the site are secured from the applicant. This is in accordance with Paragraph 14 of Planning policy Statement 9. Additionally we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act 2006 which 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 purposes of conserving biodiversity”. Section 40(3) also states that “conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat”.

Environment Agency

Original Comments

- 83 We have no objection to the proposed development as submitted, subject to the imposition of the 2 conditions set out below.

Further comments

- 84 Thank you for consulting us on the above planning application, which we received on 26 September 2012. Further to our previous letters, reference KT/2011/113404/01-L01 and KT/2011/113404/02-L01 we would also like to make the following comments.

- 85 The access road drainage strategy appears acceptable from a groundwater protection perspective, provided that the proposed soakaways allow for an unsaturated zone to be maintained in the rock between the bottom of the soakaway and the groundwater table in the underlying aquifer.

- 86 We request confirmation of the proposed pollution prevention features that will be used to prevent hydrocarbons discharging direct to ground from the car parking areas, as the submitted document does not make this clear.

Further comments following further amendments

- 87 Thank you for consulting us on the above planning application, which we received on 11 February 2013. Further to our previous letters, reference KT/2011/113404/01-03 we would also like to make the following comments.

- 88 We have reviewed the Surface Water Drainage Report, (January 2013, SKM). The report indicates that the detailed design of the surface water drainage will take place at a later date. We have no further comments to make at this stage.

Advice to applicant

- 89 The site is located at a geological boundary between the Hythe formation and the Sandgate formation. The use of soakaways in the Hythe Beds can promote instability of the geology via washout of the sandier horizons, leading to the opening and enlargement of fissures. Additional guidance for the design of soakaways in the Hythe Formation can be found in The Soakaway Design Guide.

Agenda Item 4.1

Thames Water

- 90 Original comments - Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.
- 91 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. 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.

South East Water

- 92 No comments received

Representations

- 93 73 letters received in objection to the development, including a petition with 17 signatures on it and a letter from the Sevenoaks Society. The objectors have raised the following concerns
- Impact upon character of residential area
 - Traffic issues exiting The Dene
 - Difficulties in accessing the site during snow
 - Drainage issues
 - Lack of parking
 - Scale of proposed building
 - Noise / pollution from additional traffic
 - Impact of additional church traffic as proposed
 - Loss of wildlife
 - Loss of protected open space
 - Impact of traffic on safety of children
 - The gradient of Bouchier Close is greater than recommended in the Kent Design Guide
 - Loss of privacy to neighbouring properties

Agenda Item 4.1

- Impact on property prices
- Conflict with Local Plan Policy H8 through a concentration of care homes in the area
- Pressure on local services
- The future need for care homes set out in the application is questioned
- The provision of open space for use by the public is limited
- Impact upon protected trees
- Impact from construction traffic
- Harm arising to outlook of surrounding properties
- Overspill parking on local roads would occur
- Loss of light
- Potential increase in overlooking / crime arising from opening land to public use
- The development should be on brownfield rather than green field land
- The fencing proposed around neighbours gardens would be oppressive and harmful to outlook
- The proposed playground is unwanted
- The matter of alternative sites has not been properly investigated
- The ecology report is insufficient
- Lack of proper notification to residents
- Presence of bats in the area
- Inadequate publicity / consultation
- 2 objectors have also commissioned a transport consultant to report on the Transport Assessment submitted with the application. The consultant criticises the application on the following grounds –
 - steepness of gradient of Bouchier Close, and narrowness of road
 - Impact of additional traffic on road junctions
 - the transport assessment is insufficient
- 2 letters received in support of the application
 - The land is unused wasteland

Agenda Item 4.1

It would be of benefit to put the land to good use

It would relieve pressure from Rectory Lane from church traffic

It would provide public use opportunities

It would meet the needs of older people in the area

Group Manager Planning Services Appraisal

94 Main Issues

- The principle of development
- Impact of the proposal on the character and appearance of the area
- Impact on matters of highways safety and provision of parking.
- Impact upon neighbouring amenities
- Impact upon wildlife / biodiversity
- Other matters

Principle of development

- 95 This application is for a major development proposal on land within the town confines and in close proximity to the defined town centre of Sevenoaks. Planning policy as set out in the National Planning Policy Framework supports and places a presumption in favour of sustainable development. The NPPF defines sustainable development as having three strands – an economic role (to build a strong and competitive economy), a social role (to provide housing to meet present and future generations), and an environmental role (to protect and enhance, natural, built and historic environments).
- 96 Policies LO1 and LO2 of the Council's Core Strategy recognise the role of Sevenoaks as the main focus for development in the district. The pre-amble to Policy SP5 of the Core Strategy recognises that the proportion of elderly people in the population is forecast to rise, and that as such housing will need to be designed to adapt to this, including increased provision for housing specifically designed for older people.
- 97 Policy H8 of the Local Plan states that residential care homes should be on land suitable for such purposes with off street parking and close to local services. Such care homes should not be concentrated in one area where cumulative impacts would be harmful to character or amenity.
- 98 Put broadly, the proposal would provide accommodation for a sector of the community that is forecast to rise in number. The application includes a needs assessment which reports that there is an undersupply of 96 beds in the District at present, and that the shortfall by 2026 will be in the region of 622 beds. Kent County Council (Families and Social Care section) accept that the assessment is

very comprehensive and do not disagree with the findings. The site is located in a sustainable urban location and close to surrounding services and infrastructure.

- 99 Balanced against this, the application site is on undeveloped greenfield land which is currently designated under policy EN9 of the Local Plan as an important area of green space within built confines. The pre-amble to this policy states that such designated areas were selected on the basis that the land is of public visual amenity and visible from public rights of way, including roads and footpaths, that the area is prominent in the street scene and makes a positive contribution to the visual amenities of the area, including, where relevant, enhancing the outlook and amenities of nearby properties. I am advised by the Planning Policy team that this site was originally designated as it was considered to provide ‘a visual break and green lung’.
- 100 The National Planning Policy Framework (NPPF) (paragraphs 73-74) recognises the importance of open space and states that: *Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required’.*
- 101 The NPPF then clarifies that existing open space should not be built on unless:
- *the open space is surplus to requirements; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - *the development is for alternative sports and recreational provision*
- 102 This site is currently categorised as natural/semi-natural open space in the Sevenoaks Open Space, Sport and Recreation Study (2009), which forms a background document to the Local Development Framework. Because there are no major quantitative concerns for this typology in Sevenoaks, the Study recommends that the Council should focus upon accessibility and quality improvements to existing natural/semi-natural sites rather than additional provision of this type of open space. Section 6.42 of the study rates the application site lowly in terms of quality and accessibility.
- 103 The land is privately owned with no public access, and has been screened in recent years by an unauthorised 2 metre high fence, which the Council is currently taking enforcement action against. As part of the proposal, a proportion of the site would be opened to public use. The area of the application site retained as open space would be in the region of 0.4 hectares – which would be over 40% of the total site area. In addition, a 0.1 hectare triangular shaped area of land immediately to the west of the site would remain undeveloped and retained as open space. Taking into account the vehicular access to the care home, and the need to provide a landscaped buffer area on those boundaries of the site adjacent to residential properties, I have calculated that the “usable” open space available to the public would be in the region of 0.35 hectares.

Agenda Item 4.1

- 104 In addition the application proposes to provide play equipment within the public space, shown to be on the smaller island of land adjacent to the site entrance and access road. The provision of a play area would help towards addressing a shortfall in the provision of playgrounds within the District and the Sevenoaks town area, as evidenced in the Councils Open Space, Sport and Recreation Study (2009).
- 105 The need to increase children's play areas in the District, and to improve access to some areas of open space, forms part of the pre-amble to Policy SP10 of the Core Strategy.
- 106 Taking these factors into account, it is my opinion and that of the Council's Planning Policy team that partial redevelopment of the site could bring benefits to the provision of publicly accessible open space within the area, as well as increasing the provision of equipped play areas. The question is whether such benefits would outweigh the policy presumption under EN9 against the development of protected green space. Given the findings of the Open Spaces Study, which identifies that there is no quantitative shortfall of this type of green space in Sevenoaks, and that accessibility and quality improvements to such sites should be sought, I consider that on balance, a case exists for this particular type of development, which would provide specialised residential accommodation which is expected to grow in demand as the elderly population increases. The improvements would be in accordance with the pre-amble to Policy SP10 of the core Strategy.
- 107 With regard to the new access provision through the site for users of the church, it is noted that permission has existed for numerous years for an access to be provided through the site for such purposes, and remains intact following the grant of planning permission in 2010. As such this principle has been accepted by the Council for many years.

Impact upon the character and appearance of the area

- 108 The site is generally surrounded by two storey conventional detached dwellings, with some terraced three storey units on Valley Drive. The Rockdale housing complex is also sited immediately to the north of the site and a 48 bed nursing home is under construction on this site. The BT building further afield within the town centre is also visible from the site.
- 109 The proposed development would take place in the north east corner of the site. As a result, in approaching the site from The Dene and Bouchier Close, the retained area of open space would still give an impression of openness and greenery from the site entrance, albeit that the access to the site would be proposed in this location. Notwithstanding this, the building, at 4 storeys in part and up to 13.6 metres in height, together with the proposed footprint, would clearly be of a scale that would not be representative of the surrounding area, and could not be totally screened from its surroundings.
- 110 The applicant has submitted a Visual Impact Assessment which concludes that the site is not visible from surrounding areas, other than from Bouchier Close. I do not necessarily agree with this conclusion, and I do not consider the Visual Impact Assessment to hold significant weight as it does not provide any visual data to superimpose the development onto the site. In my opinion, due to the topography of the area, the building would be at least partially visible from wider

areas than Bouchier Close. However it would be sited comfortably within the plot, visually separated from surrounding buildings, and the footprint of the building covering approximately 1400sqm, would occupy around 15% of the area of the application site. The site is not in a visually sensitive landscape, and is surrounded by built form. As such I do not consider that wider views of the development would necessarily be harmful.

- 111 The building would be sited 45 metres and 55 metres respectively from the nearest residential properties at 14 and 24 Valley Drive, around 37 metres from No. 1 Bouchier Close, 52 metres from the dwelling at Downsview and 50m from the new nursing home under construction at Rockdale. I consider these distances to be sufficient to enable a building of the size proposed to be sited on this plot without appearing cramped or upsetting the domestic scale of surrounding residential properties. The development would clearly be larger scale and different to the existing domestic nature of the surrounding area, but such difference does not in itself equate to harm. In my opinion, the size of the plot, position of the building on the plot, and distances to surrounding properties is such that the development could be accommodated without having a significant impact upon the character of this primarily residential area. The building has been designed with varying roof and eaves lines, set backs and projections, and with a palette of materials to include bricks, tile hanging, render, and timber detailing, all of which would help break up the scale and mass of the building.
- 112 The proposal would involve the removal of a number of trees adjacent to the church car park, although this is to the satisfaction of the Council's tree officer and larger trees within this area would be retained. The copse of trees in the centre of the site is protected by a TPO and would form a "feature" to the front of the building. These are considered as a group to offer high visual amenity value. Having inspected this group, the tree officer is satisfied that the important trees within the group can be retained. Whilst he recommends that some tree removal takes place within this group, the trees in question are of limited value or low health. Further tree management and new landscaping works are also recommended by the tree officer across the wider site.
- 113 The site forms part of the Rectory Lane Character Area within the Sevenoaks Residential Character Area Assessment. It includes the land within Rockdale where a care home is under construction, and describes the type of buildings in the area as "residential and institutional", typical building heights as two storeys, and emphasises the importance of tree screening on the boundary of the church car park. From Rectory Lane, it is important to note that the proposed building would be set down considerably, due to the topography of the land which rises to the east. As a result, the ground floor of the building would be around 9 metres lower than the level of the car park at St. Nicholas church, and the ridge of the rear elevation facing towards the church would be lower than the height of the two storey rectory building adjacent to the car park – and would itself appear as two storeys in height from this direction. The belt of trees adjacent to the church car park would largely be retained. When taking this into account, I do not consider the proposal would be prominent or harmful to the character of Rectory Lane. Nor do I consider the proposal to be contrary to the Residential Character Area Assessment for Rectory Lane.
- 114 Policy EN1 of the Local Plan requires all development to be compatible with its surroundings in terms of scale, height, site coverage and density, and to retain important features such as trees, and Policy SP1 of the Core Strategy similarly

Agenda Item 4.1

requires new development to be well designed and responsive to distinctive local character. For the reasons set out above, whilst the development would clearly be of a different scale to its surroundings, I do not consider this in itself to be harmful, and overall I consider that the proposal would not cause harm to the character of the area and would not be in conflict with the above policies.

- 115 Policy H8 of the local plan is specific to care homes and states that sites should be located close to services and facilities. In this instance the site is in close proximity to the town centre, at a walking distance of around 200 metres to the High Street via Rectory Lane. The policy states that the character of the area should be appropriate – and this has been considered in detail above.
- 116 Policy H8 also states that the concentration of care homes will not be permitted where the cumulative impact would be harmful to the character and amenities of the area. In this instance, the site is located next to the Rockdale housing complex, although this is well shielded from The Dene and Bourchier Close due to changes in land levels and screening, and importantly the fact that access to Rockdale is via Rockdale Road and South Park. Some dwellings on Valley Drive would be close to both Rockdale and the application site, although at the same time they would be separated from the proposed care home by the proposed area of open space, and would be physically separated from these buildings by some distance. As such I do not consider this to be in conflict with Policy H8 of the local plan.

Highways safety and parking

- 117 The proposal makes provision for 26 car parking spaces to be used directly by the care home. Access to and from these spaces would be via Bourchier Close. The Council has no adopted parking standards for care homes, although Kent Highways have compared the scheme to traffic movements associated with another recent care home proposal in Edenbridge and have not raised objection to the parking provision as proposed. It should also be noted that the location of the site makes it accessible via public transport services to the town centre.
- 118 The scheme also proposes to provide additional parking spaces in connection with the church, to the rear of the care home. These spaces are required by the church to help alleviate existing parking problems at the church during periods of heavy use. I understand that this forms part of the terms for development of the site, which is at least partly owned by the church. Whilst I do not consider that additional parking for the church in this sustainable location is an absolute necessity, I understand that Rectory Lane is heavily congested at times due to church services, to the detriment of local residents and users. The impact in planning terms of these additional spaces is limited, given their position behind the care home.
- 119 The applicant has agreed that these spaces can be used by the care home when not required by the church. Whilst I do not consider such dual use of these spaces to be essential, given the lack of objection to the parking for the care home by Kent Highways, the availability of these spaces may help alleviate concerns of members and local residents over perceived parking issues.
- 120 In terms of traffic generation, Kent Highways have confirmed that the width of the roadway on Bourchier Close is suitable and that the junction of The Dene and Oak Lane is sufficient to accommodate the likely traffic arising from the development.

Agenda Item 4.1

- 121 A number of objectors have raised concern over the gradient of Bouchier Close, and accessibility problems in poor weather. Such occurrences would be infrequent and it is noted by Kent Highways that emergency access to the site could also be gained via Rectory Lane if necessary. Whilst the access on the application site has been designed for one-way use only, such emergency use would not be common, and I do not consider that passing places as suggested by Kent Highways would be necessary, given the small length of the access road and likely infrequency of use by emergency vehicles. No objection to the gradient of Bouchier Close has been raised on highways safety grounds.
- 122 Members will note that the highways officer raised a number of other queries in their comments and I would comment on these as follows –
- As already stated, Rectory Lane can be used as an emergency route for vehicles to access the site. The relevant part of the lane is owned by St Nicolas Church who are agreeable to such use.
 - The mechanisms to restrict use of the access road from Rectory Lane, and control over one-way use of the access would be subject to control via a planning condition.
 - There are no plans to secure pedestrian access via Rectory Lane as a public right of way.
 - The tracking / turning area for HGV movements has been amended following the submission of amended plans, to the satisfaction of the highways officer.
 - Visibility splays from the site Bouchier onto Bouchier Close have been provided to the satisfaction of the Highways Officer
 - There do not appear to be any set national or local standards for staffing levels at care homes – each home is considered on the basis of its particular facilities and needs of residents. The Royal College of Nursing has produced a document which sets out existing nursing levels for care homes. Using these for an 80 bed home as proposed, staffing levels would be in the region of 18 staff during the day and 9 staff at night. The Highways Officer raises no objection to the parking provision as proposed for the development.
- 123 Taking the above into account, I consider the development to be acceptable in terms of traffic generation and parking provision, and in accordance with the terms of Policy EN1 of the Local Plan.

Impact upon neighbouring amenities

- 124 The site is generally surrounded on all boundaries by existing residential development. Members will note in the sections above that the distances between the proposed building and the closest surrounding residential properties is between 37 and 55 metres. Even when taking into account the levels changes on site and the raised height of the proposed building, these distances are such that loss of light, privacy or outlook would be unlikely to arise.

Agenda Item 4.1

- 125 The proposed access road would run close to the boundary with No. 1 Bouchier Close which has recently been extended. An access in this approximate location to serve the church car park has previously been considered acceptable by the Council. The care home would clearly add to the use of the access, although it is noted that the access and main car park to the care home would be sited some 15 metres from No. 1, with a belt of landscaping proposed in between. I consider this distance to be sufficient to avoid any undue impacts upon this property from noise associated with car use. Although staff car parking spaces are provided closer to the boundary with No. 1, these are limited in number and I do not consider the more limited use of these spaces would be likely to cause harm to the living conditions of No. 1.
- 126 Whilst the care home would contribute to increasing traffic movements in the local area, I do not consider the number of associated movements would be so significant to cause any undue harm to neighbouring properties through noise or fumes.
- 127 A number of concerns have been raised over the relationship between the proposed public open space and surrounding properties, particularly those on The Dene and Valley Drive, which are at a much lower level than the area of open space. I agree that this relationship has the potential to cause harmful impacts on the amenities of these properties, particularly through overlooking, if not properly controlled. Having consulted with the Council's tree officer, it is my view that the proposal would need to be subject to a comprehensive landscaping scheme to make this relationship acceptable. Such a scheme would need to be carefully designed to avoid any landscaping from becoming too dominant and overbearing to neighbouring properties. At the same time, the landscaping would need to effectively restrict access to certain parts of the site near the boundary. This can be achieved through the particular choice of shrubs and planting, as suggested by the tree officer. I am of the opinion that such use of landscaping to restrict access should apply to a 10 metre deep area adjacent to the northern boundary of the site, and a 5 metre deep area adjacent to the western boundary. This would also help alleviate concerns raised by local residents over potential crime issues, although it is not unusual for residential properties to border parks or areas of open space.
- 128 The proposed play area would be sited in excess of 30 metres from the closest existing dwellings at Nos. 1 and 11 Bouchier Close, separated by landscaping and, in the case of No.11 by the road itself. As such I do not consider any undue harm would arise from the play area.
- 129 Taking the above into account, the care home would clearly result in impacts on the surrounding area, with resultant visual impacts and additional traffic and vehicle movements. In addition to this we have also requested a construction method statement to be submitted and approved by the LPA to ensure that the amenity of residents is also protected as far as possible during construction. However I do not consider that this would necessarily result in unacceptable impacts on the living conditions of surrounding residential properties, and overall I consider the development would not conflict with Policy EN1(3) of the Local Plan, nor Policy H8(4) of the Local Plan.

Ecology

- 130 The application has been submitted with an Ecology Report. This identifies the current habitat of the site as consisting of scrub, ruderal grassland and poor semi-improved grassland, with some tree groupings. The report states that there is minimum potential for bat roosting opportunities, and that there is no evidence of badger setts or reptiles on the site, although further survey work on the presence of badgers will be required at a later date due to the current inaccessibility of parts of the site that are covered in scrub.
- 131 The findings of the Ecology Report and the survey work undertaken, which has been amended during the course of the application, are acceptable to the County Ecologist. The opportunity also exists to improve biodiversity on site through a management plan for the remaining open space. This has the potential to enhance the biodiversity of the site, which would accord with the aims of the Council's Open Spaces Study (2008) document, as well as advice within the NPPF and policy SP11 of the Core Strategy.

Other Matters

- 132 Drainage a number of objections have been raised to the potential of storm water flooding increasing in The Dene, where such problems currently exist. The application has been submitted with a Surface Water Drainage Strategy, and this lists potential methods to drain water from the development to avoid discharge rates from being any greater than existing. The detailed drainage design would be subject to control by planning conditions, and no objection has been raised by the Environment Agency, Thames Water or any other utilities provider to the proposal.
- 133 Safety of children some objectors have commented that the proposal would jeopardise the safety their children when playing in the road. As the road is a public highway, designed for use by vehicular traffic, I would suggest that these objections are not justified grounds in planning terms.
- 134 Availability of other sites the applicant has submitted a list of alternative sites that have been discounted in the surrounding area. The assessment is fairly limited, and as a result I would not normally attach significant weight to this. However in this instance, the site is in a sustainable location close to the town centre and would be generally suitable for development if it were not for the protection afforded under Policy EN9 of the Local Plan. The proposal would bring benefits relating to the management, ecological value and ability to provide public access to that part of site to remain as green space. It is this benefit that leads me to consider that the principle of the development on this site can be accepted.
- 135 Topography of site some objectors have commented that the topography of the site and surrounding area would make it difficult for elderly persons to walk or travel to local services and facilities. It is clear that land levels differ significantly in this area, and the proposed footpath link to the existing church car park would have a gradient in the region of 6.5%. The DCLG Publication "Manual for Streets" recommends that gradients for pedestrians should ideally be no more than 5%, (1 in 20) but recognises that topography may make this difficult to achieve. Highways Agency guidelines recommend that an 8% (1 in 12) slope is the maximum that can be used, and anything greater would cause difficulties for wheelchair users. In this instance I do not consider that a 6.5% gradient would be unacceptable taking into account the above guidance and the topography of the

Agenda Item 4.1

site. Furthermore, the applicant has stated that the Care Home would accommodate elderly people and those with dementia in need of high levels of care, and who would not be in a condition to leave the site. This is a different scenario to the adjacent Rockdale Housing complex, much of which provides sheltered housing to sectors of the elderly population who live independent lifestyles.

- 136 The Town Council has queried why an Environmental Impact Assessment has not been submitted with the application. The Council has carried out a screening opinion on this site and determined that the scheme would not be EIA development.

Conclusion

- 137 The proposal would provide accommodation of a type that is forecast to grow in need and demand terms in future years, to cater for a growing elderly population. The site is located within the built confines of Sevenoaks and close to the town centre, and as such is in a sustainable location. I do not consider that the development would cause any undue harm to the character of this primarily residential area, nor to the amenities of surrounding occupants. The levels of parking and traffic generation are acceptable to Kent Highways.
- 138 The proposal would lead to the development of part of this site as important green space, and this would normally be precluded under Policy EN9 of the Local Plan. However as detailed earlier in this report, the remainder of the site would be retained as green space and would be afforded public access. The application also proposes to include a playground within the site to help address the shortfall in such provision within Sevenoaks. The ecological value of the site can be improved through biodiversity enhancements secured by a management plan. Such proposals are supported by the Council's Open Space studies in 2009, and the pre-ambule to Policy SP10 of the Core Strategy. On balance, I consider that these benefits are sufficient to outweigh the policy presumption against the development of important green space, and that the development would accord in all other respects with national and local development plan policies.
- 139 Subject to the completion of a S106 agreement to secure the land as public open space, together with a scheme for the management and maintenance of this space (including the play area), I would recommend that planning permission be granted.

Background Papers

Site and Block plans

Contact Officer(s):

Mr A Byrne Extension: 7225

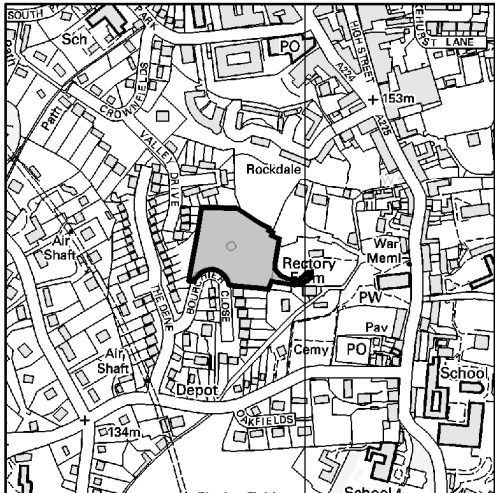
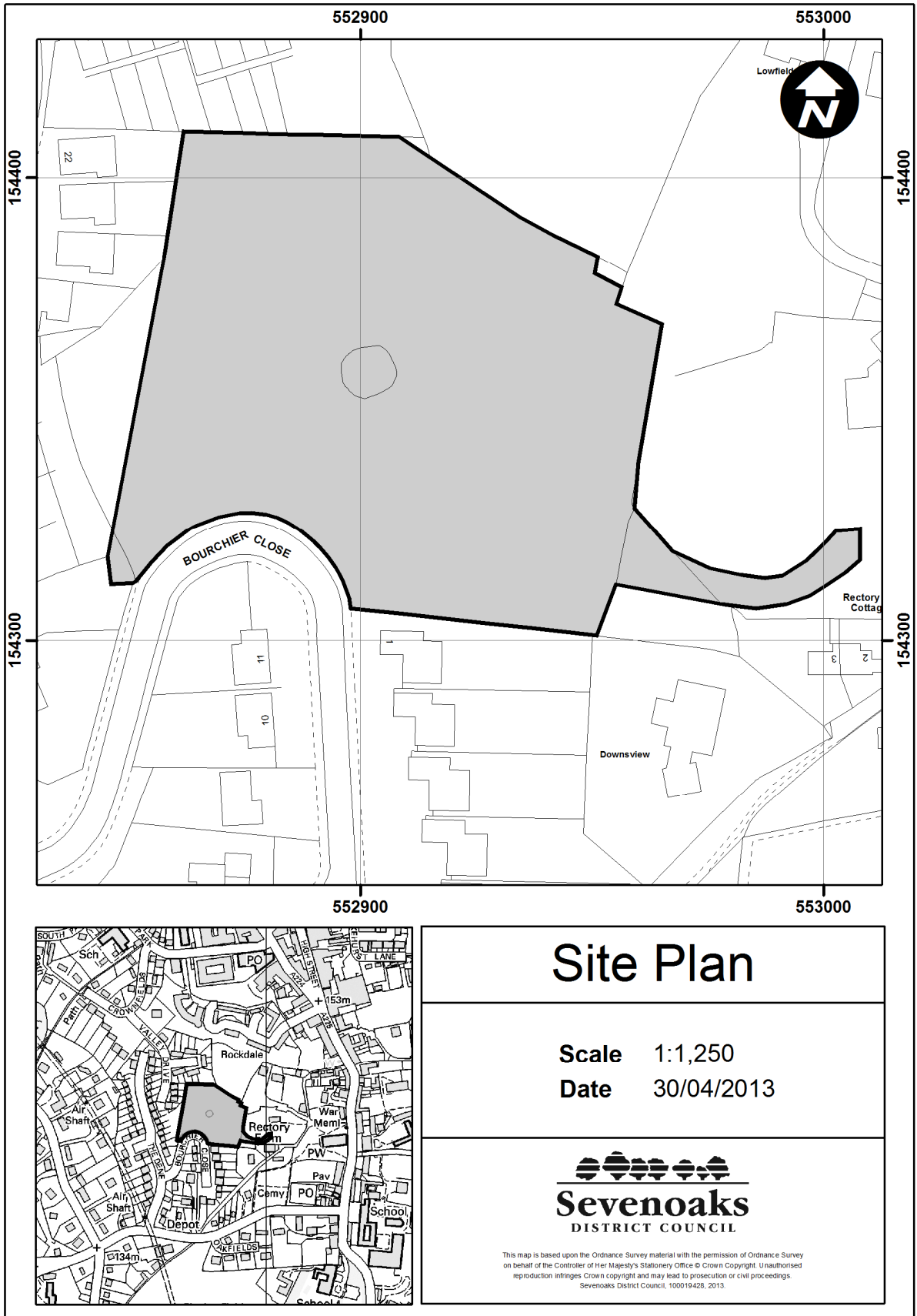
Pav Ramewal

Chief Executive Designate

Link to application details: <http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LOQ3K6BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LOQ3K6BK8V000>



Site Plan

Scale 1:1,250
Date 30/04/2013



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Agenda Item 4.1



4.2 - SE/13/00481/FUL Date expired 23 April 2013

PROPOSAL: Proposed new vehicle crossover to Brittain's Lane.

LOCATION: New Beacon School, Brittain's Lane, Sevenoaks TN13 2PB

WARD(S): Sevenoaks Kippington

ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillors Avril Hunter and Andrew Eyre who have concerns regarding the possible detrimental impact of the development upon highway safety.

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 gradient of the access should be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.

In the interests of highway safety.

3) No development shall take place until details of the automated barrier have been submitted to and approved by the Local Planning Authority. The automated barrier with key pad/card swipe operation shall be placed at least 5m back from the carriageway edge in order to minimise backing up on Brittain's Lane and interruption to through traffic. The approved scheme shall be implemented before the use of the access commences.

In the interests of highway safety

4) The development hereby permitted shall be carried out in accordance with the following approved plans: 11-006BEA-SP(60)601/602.

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:

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.

Agenda Item 4.2

Any potentially significant impacts relating to highway safety can be satisfactorily mitigated by conditions.

Informatives

- 1) The applicant will need to enter into a Section 278 agreement with the Highway Authority so that this authority can satisfactorily obtain appropriate construction details and integration with Brittain's Lane.

Description of Proposal

- 1 Following recent developments on site, the school wish to open up a new vehicle access to Brittain's Lane, to provide access to the existing staff car park located between the teaching blocks and chapel. The new access will be located on the eastern side of the site, in between the two existing accesses to the site.
- 2 Use of the new access will be controlled by automatic barrier featuring card swipe/key pad protection, will involve the removal of a grass verge and close boarded fence and will be constructed of tarmac.

Description of Site

- 3 New Beacon School is located along Brittain's Lane on the outskirts of Sevenoaks, within the Green Belt.
- 4 The school is in the process of implementing a number of improvements to the facilities. Part of this involves the creation of a more efficient parking layout.

Constraints

- 5 Metropolitan Green Belt

Policies

Sevenoaks District Local Plan

- 6 Policies - EN1, VP1

Sevenoaks Core Strategy

- 7 Policy - SP1

Others

- 8 Supplementary Planning Documents Sevenoaks Character Area Assessment'
- 9 NPPF

Planning History

- 10 A number of historic applications for new school building, none particularly relevant.

Consultations

KCC Highways

- 11 *Thank you for inviting me to comment on this application. I write to confirm that I have no objection to this proposal. The visibility splays proposed are appropriate and acceptable. If this application is approved I would be grateful if you could add as a condition that the applicant will need to enter into a Section 278 agreement with the Highway Authority so that this authority can satisfactorily obtain appropriate construction details and integration with Brittain's Lane.*
- 12 *Gradient of the access should be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.*
- 13 *I note that it is intended to provide an automated barrier with key pad/card swipe operation.*
- 14 *This feature will need to be placed at least 5m back from the carriageway edge in order to minimise backing up on Brittain's Lane and interruption to through traffic.*
- 15 *I hope the above is helpful but if I can be of any further assistance, please do not hesitate to contact me.*

Further comments:

- 16 *Thank you for your enquiry. I can confirm that there have been no injury crashes on this section of Brittain's Lane for at least the last 10 years. The new access proposed is in a more prominent position with better visibility than that currently used.*
- 17 *Whilst there is no accounting for all the actions of all individuals, it is a fundamental principle that Kent Highways and Transportation would not favour any arrangement that is regarded as unsafe. Counter intuitively whilst there may be congestion, this condition is one that is conducive to slow speeds and is relatively safe. Despite fears, injury crash records outside schools are often very good.*
- 18 *I reconfirm that I am satisfied with the safety aspects of this proposal but consider that more design work will be required to ensure that appropriate gradients can be attained between Brittain's Lane and the existing car park.*
- 19 *I hope the above is helpful but please do not hesitate to get back to me if I can be of any further assistance*

Sevenoaks Town Council

- 20 *Sevenoaks Town Council recommended refusal unless the Highways Officer confirms that the proposals will improve highway safety.*
- 21 *Informative: The Town Council requested that a more holistic view of the site be taken when rethinking current access/egress arrangements.*

Representations

- 22 *Four letters of objection were received, which are summarised as follows:*

Agenda Item 4.2

- Ways of reducing vehicle movements should be explored before expanding car parking and yet more vehicle movements in this very narrow part of Brittain's Lane.
- The new access is being proposed at the brow of a hill close to a junction so good sight lines will be very difficult to achieve.
- This proposal will generate queuing traffic on an already very busy stretch of road. As far as I can see this is just going to cause a bottleneck and further congestion.
- The lane is dangerous and isn't designed for the level of traffic that it is now supporting. The proposal will cause more queues and traffic misery.
- The proposal is likely to slow down the process of vehicles entering and leaving the school.

Group Manager Planning Services Appraisal

23 The main considerations of this proposal are:

- The impact upon the character and appearance of the area
- Impact upon highway safety
- Impact upon residential amenity of neighbours
- Impact of the proposal on the character of the area and upon highway safety

The impact upon the character and appearance of the area

24 Policy EN1 states that development should ensure satisfactory means of access for vehicles and pedestrians and provides parking facilities in accordance with the Council's approved standards. It also states that the proposed development should not create unacceptable traffic conditions on the surrounding road network and is located to reduce where possible the need to travel.

25 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'.

26 In terms of the impact of the development on the visual amenity of the street scene, the siting of the proposed access is over a shallow grass verge with an unattractive 1.5m close boarded fence.

27 One tree will have to be removed, however on balance; it is not considered that the removal of this one tree will detract from the open, verdant character of the road.

Highway safety

28 Turning to highway safety, the proposed access will be sited between the two existing accesses to the school, and will provide for teachers and staff only

(access controlled by a barrier). This is intended to relieve existing pressure on the schools main entrance (southern) and will not serve extra traffic.

- 29 The KCC Highways Officer has concluded that the *new access proposed is in a more prominent position with better visibility than that currently used*, and that he has no objection to the proposal (subject to conditions/informatives regarding integration, gradient, and a 5m set back of the barrier from the highway).
- 30 As such therefore, it is not considered that the proposed development will have a detrimental impact upon highway safety or traffic conditions on the surrounding road network, and will comply with the above policies.

Impact on the amenity of adjacent properties

- 31 *Policy EN1 from the Sevenoaks District Local Plan states that the proposed development 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.*
- 32 The nearest residential properties are opposite along St Julians Way, separated by Brittain's Lane and the highway of Julians Way, as well as the substantial tree screening along this side of Brittain's Lane. It is not considered that the new access will have a detrimental increased impact in terms of noise upon these properties.

Other Issues

- 33 Four letters of objection were received, the relevant issues pertaining to which have been addressed above. As detailed in the comprehensive comments of the KCC Highways Officer, the proposal as submitted is acceptable, subject to details.

Conclusion

- 34 In conclusion, it is considered that the proposed new vehicle crossover to Brittain's Lane complies with the provisions of Policy EN1 of the Sevenoaks District Plan and Policy SP1 from the Sevenoaks Core Strategy, will not have a detrimental impact upon the existing street scene and is not considered to have an unacceptable impact upon highway safety or traffic conditions.
- 35 The proposal therefore complies with the advice given in the Supplementary Planning Document 'Residential Extensions' and with Policies EN1 and H6B of the Local Plan and SP1 of the Core Strategy.

Background Papers

Site and Block Plans

Agenda Item 4.2

Contact Officer(s):

Ben Phillips Extension: 7387

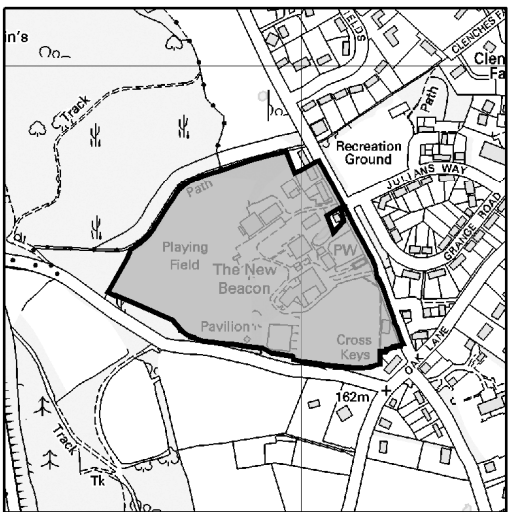
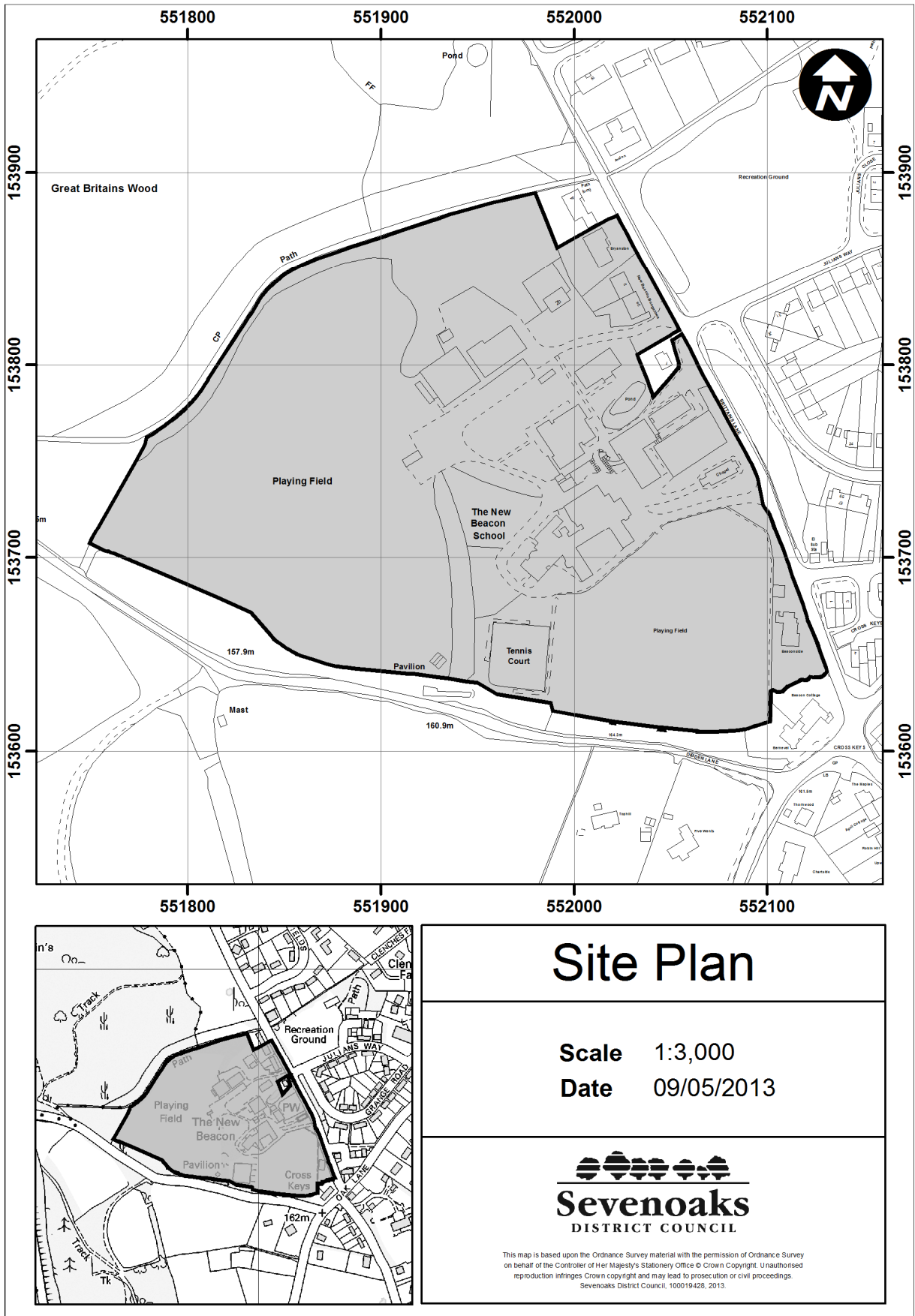
Pav Ramewal
Chief Executive Designate

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MIEOXZBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MIEOXZBK8V000>

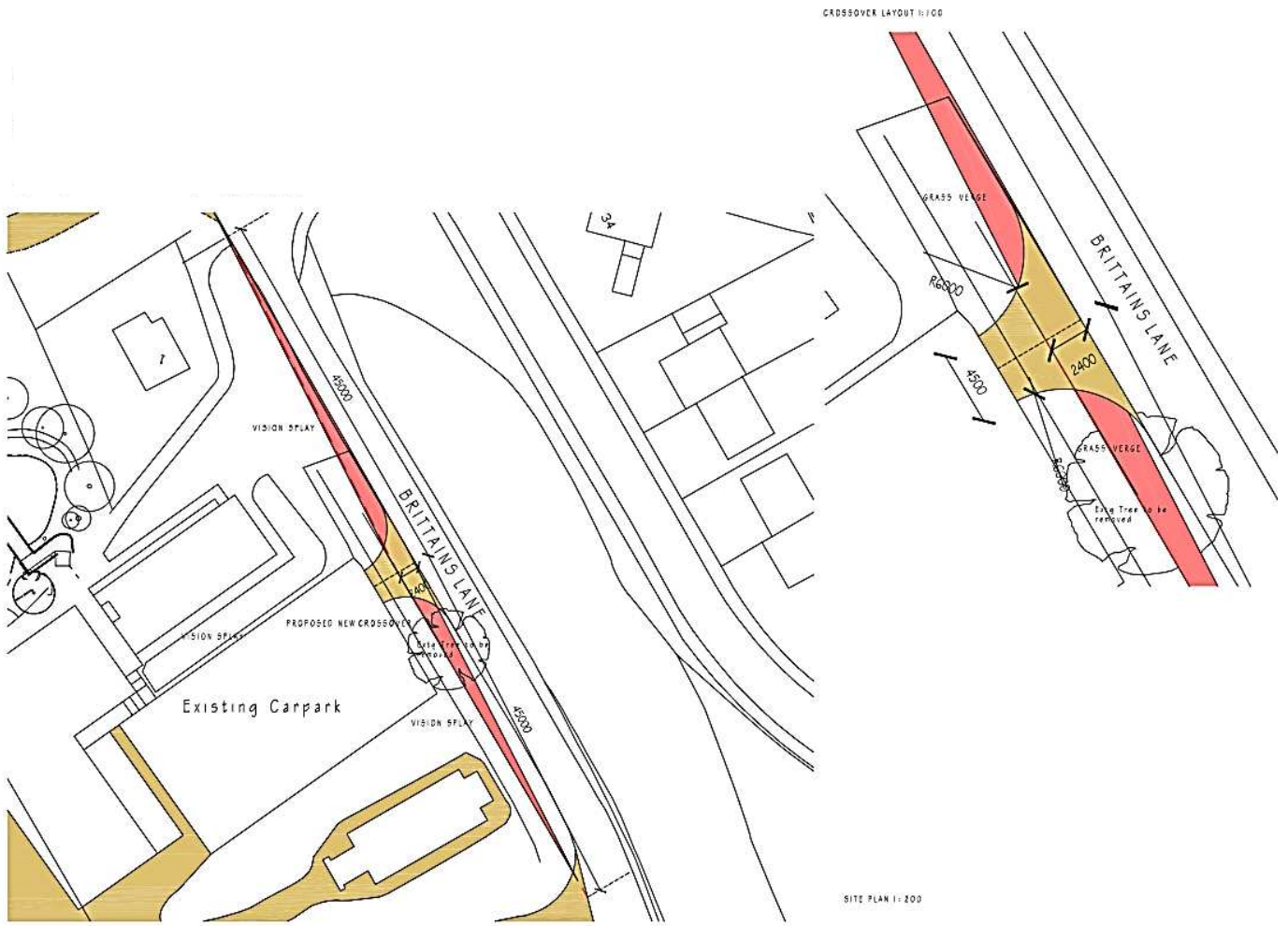


Site Plan

Scale 1:3,000
Date 09/05/2013



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Agenda Item 4.3

4.3 – SE/12/03388/HOUSE

Date expired 21 March 2013

PROPOSAL:

Introduction of two rear dormer windows to serve games room in loft space. Retaining two rooflights within roofspace serving bathroom serving bathroom and store and replacement rooflights serving games room so they are obscure glazed and fixed shut.

LOCATION:

Penryn Cottage, Milton Avenue, Badgers Mount TN14 7AU

WARD(S):

Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

This matter has been referred to the Development Control Committee by Councillor Grint to discuss the issue of the impact of the proposed works upon the amenities of the neighbours.

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 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 existing house 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: 79648/10A, Unnumbered existing rear elevation and unnumbered existing attic plan.

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:

Sevenoaks District Local Plan- Policies EN1 VP1 H6B

Sevenoaks District Core Strategy 201 - Policies SP1 SP2 L07 L08

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

The scale, location and design of the development would preserve the character and appearance of the Area of Outstanding Natural Beauty.

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

Any potentially significant impacts on the amenities of nearby dwellings can be satisfactorily

Agenda Item 4.3

mitigated by way of the conditions imposed.

Description of Proposal

- 1 A partially retrospective application for the installation of 4 rooflights in the flank roofspace (retrospective) and two dormer windows in the rear elevation.
- 2 The rooflights would illuminate a 2nd floor bathroom, store room and games room/bedroom. The two rooflights to the games room would be fixed shut and obscure glazed. All windows are at eye level rather than high level.
- 3 Also proposed are two pitched roof dormer windows in the rear elevation. The dormer would each accommodate a casement window some 90cm square. The dormers would be tile hung in materials to match the existing roof.

Description of Site

- 4 The site comprises a rectangular plot sited within the built confines of Badgers Mount. The road at this point slopes downhill from east to west and the garden of this property is terraced with the rear garden being at a lower level than the front garden. Accordingly the bungalow to the west sits at a lower level than the application site whilst the bungalow to the east sits at a higher level.
- 5 The house approved in the 2009 application has now been completed with a number of amendments to the roof comprising 4 rooflights in one flank roofslope and two in the opposite roofslope. The rear window to bedroom 1 has been replaced by a set of glazed doors.
- 6 The general streetscene is fairly mixed with both single and two storey dwellings in the road, of a mixture of designs and ages.
- 7 The flank boundaries have a mixture of planting – both hedges and trees – which following the redevelopment of the site now largely lie in the adjacent gardens.

Constraints

- 8 Built confines of Badgers Mount and Kent Downs AONB

Policies

Sevenoaks District Local Plan

- 9 Policies - EN1, VP1, H6B

Sevenoaks Core Strategy

- 10 Policies - L07, L08, SP1, SP2

Relevant Planning History

- 11 SE/12/02286/CONVAR Variation of condition 1 seeking to change approved plans to include one dormer in the front elevation, two in the rear, Juliet balcony on the rear elevation and rooflights - Refused as the proposed additional fenestration would permit additional views across neighbouring properties to an

extent that would be considered harmful to their amenities and contrary to the provisions of policy EN1 of the SDLP.

- 12 SE/12/01506/NMA Seeking to insert a condition with a drawing number: drawing 79648/6A.
- 13 SE/09/00578/FUL Demolition of ex house and erection of replacement house with integral garage - Granted

Appeal lodged and allowed against the imposition of Conditions 9,10 and 12 removed relating to permitted development rights for extensions, windows, dormers and glazed openings as permitted development and obscure glazed window in flank elevation.

Consultations

Shoreham Parish Town Council

- 14 Objects to the proposed development: the rear dormers are not acceptable due to overlooking of neighbouring properties.

Representations

- 15 3 letters of objection including one from the Badgers Mount Residents Association raising the following issues:
- The house is significantly larger than others within Badgers Mount and the additional dormers would add to the mass of this dwelling to the detriment of the character of the surrounding area
 - Harm to neighbours amenities from overlooking, loss of privacy and the increased physical dominance of this house resulting from its bulk and mass
 - Incremental development that is harmful to the character of the area.
- 16 One letter raising no objection to the rooflights

Group Manager Planning Services Appraisal

Principal Issues

- 17 The impact of the proposed changes are:
- design, character and appearance of the scheme
 - impact upon the AONB
 - impact upon the neighbours amenities.

Design

- 18 Policy SP1 of the Core Strategy expects all new development to be designed to a high quality and to respond to the local character of the area in which it is situated. Policy LO8 expects that the distinctive character of the Kent downs and High Weald Areas of Outstanding Natural Beauty and their setting will be conserved and enhanced.

Agenda Item 4.3

- 19 The Residential Extensions SPD - Policy H6b advises that new dormers
- will not normally be allowed to front elevations in streets where there are none already
 - large dormers which are disproportionate to the house will not be allowed
 - any dormer that results in unacceptable overlooking of a neighbouring property will not be allowed.
 - the number and size of roof windows should not visually dominate the roof plane.
 - roof windows should be designed and installed to have a minimum projection from the roof plane.
- 20 The proposed scheme would make some amendments to the roofscape that are not permitted development i.e. the dormers and 4 flank rooflights (could be pd if higher off the floor and obscure glazed). Residents have expressed concerns about the impact of these changes in terms of exacerbating the general bulk and scale of the development compared to those houses and bungalows around it. Rooflights could be inserted subject to certain conditions without needing permission. However, as these are small scale compared to the size of the roof and are flush to the roof slope, I do not consider they would increase the bulk of the property to an unacceptable level.
- 21 The dormer windows are modest in size, well designed and sit comfortably within the roofslope. Dormer windows and rooflights are a common feature in modern development and would not appear out of character within Badgers Mount. The rear dormers may just be visible from Milton Avenue although at a very oblique angle and are likely to have a negligible impact upon the streetscene. They will of course be visible to residents from their rear gardens. This is a substantial sized house and the dormers will emphasise that a second floor is in existence but it is not considered that they would emphasise the bulk so much as to make this scheme unacceptable, as they are set well down from the ridge and are in proportion to the development.

Impact upon AONB

- 22 Policy LO8 expects that the distinctive character of the Kent downs and High Weald Areas of Outstanding Natural Beauty and their setting will be conserved and enhanced.
- 23 The Inspector previously referred to the fact that permitted development rights within the AONB would prevent the automatic right to build the type of development for which permission is sought here. It is officers view that this does not mean that where permission is sought that it should be rejected, unless obviously of poor design and harmful to the character of the wider area.
- 24 The house sits comfortably within the settlement of Badgers Mount (washed over by the AONB) and the addition of two modest dormer windows would not harm the character of the house to such a degree as to make these harmful to the general character of the area. There are other examples of dormer windows within the Badgers Mount settlement.

Neighbours Amenities

- 25 Policy EN1 of the Sevenoaks District Local Plan seeks to ensure that any new development protects existing resident's amenities from harm by reason of form, scale, height, outlook, noise or light intrusion or activity levels.
- 26 The Council withdrew permitted development rights in respect of extensions and new windows when this house was approved, but an appeal was lodged seeking to remove those conditions. The appeal was upheld and this house now benefits from permitted development rights in respect of both elements. However since the site lies within an AONB the dormer windows are not permitted development. The Inspector concluded that *I do not consider that the siting of the new house or its relationship to the neighbouring properties are such that there would be serious adverse effects on amenity or the environment if it were to be extended, particularly bearing in mind that Badgers Mount is within the Kent Downs AONB where more limited permitted development rights would apply.* In respect of the issue of overlooking of neighbouring properties by a proposed bedroom window the Inspector compared the proposed house to the fact that the original house had 5 windows to the first floor to the side of the house and that it was possible to see from the hall, toilet and bathrooms windows across the neighbouring garden of Merligen.
- 27 In terms of loss of privacy and overlooking the rear dormer windows would overlook the rear garden of the house itself and both adjacent gardens. Without a concerted effort to look sideways out of these windows at neighbouring houses, these dormers would not facilitate intrusive views of the neighbouring dwellings or gardens.
- 28 Of the rooflights in the flank elevations the two first floor en suite rooflights were approved as part of the original permission. The additional four rooflights now proposed are to a bathroom, store room and two to the top floor games room/bedroom. The rooflights to the games room are proposed to be fixed shut and obscure glazed. The remaining two rooflights are it is considered, sited sufficiently towards the front of the building to enable views over the roofs of the adjacent houses rather than direct views over the patios and those areas of the dwellings that are generally regarded as more private.
- 29 Overall it is not considered that these works would either result in an unacceptable loss of privacy nor would be visually intrusive to the adjacent neighbours and policy EN1 is therefore complied with.

Access Issues

- 30 Dealt with as part of the building regulations application.

Conclusion

- 31 This application seeks permission for the addition, partially retrospectively, for 4 rooflights in the flank roofspace of this house and two rear facing dormer windows. It is not considered that any of these changes would adversely affect either the streetscene or surrounding AONB or the amenities of nearby residents and that this scheme therefore accords with established policies.

Agenda Item 4.3

Background Papers

Site Plan

Contact Officer(s): Lesley Westphal Extension: 7235

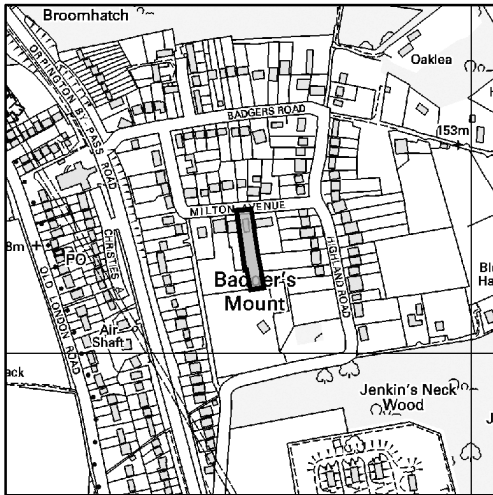
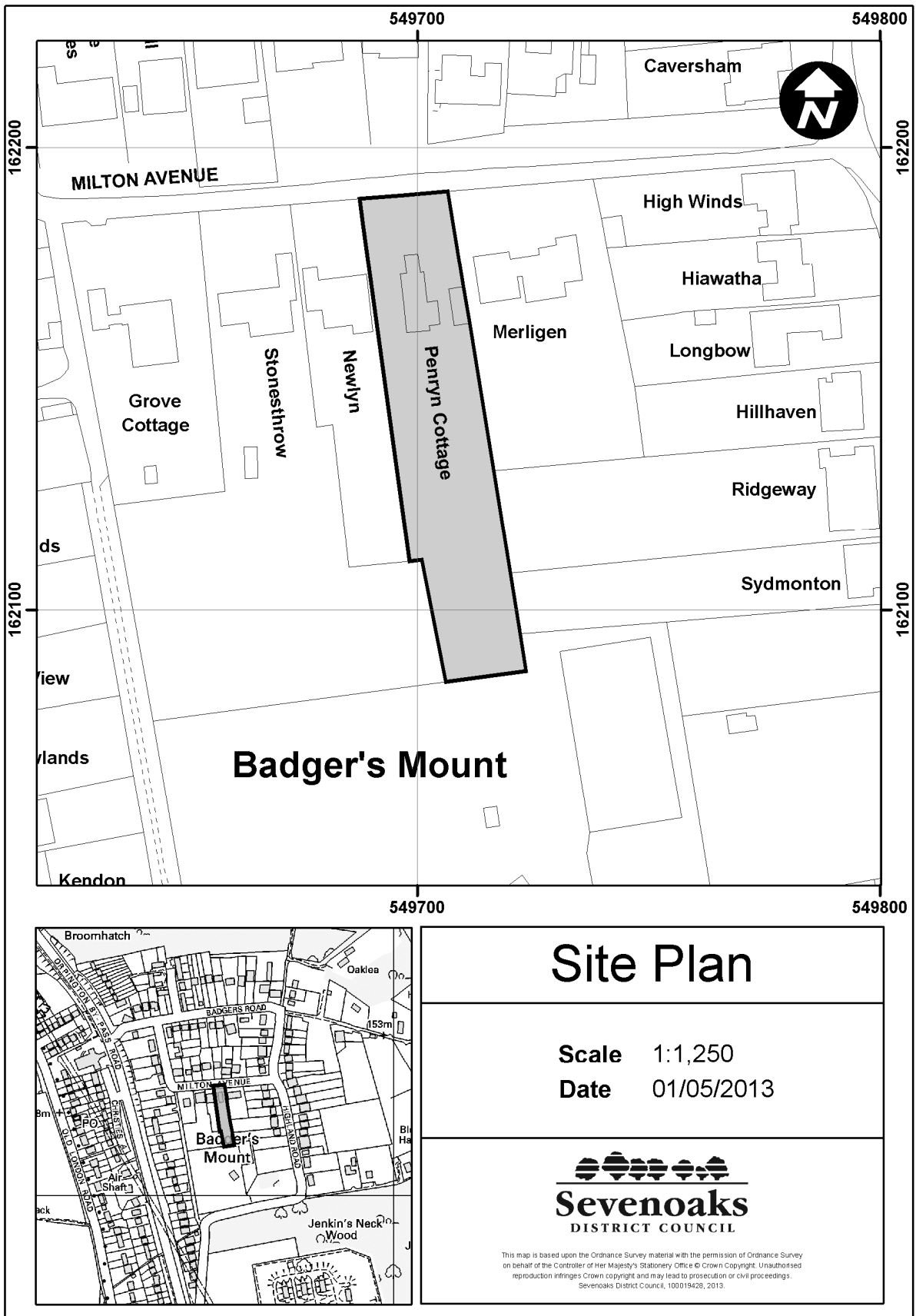
Pav Ramewal Chief Executive Designate

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MFBY90BK0FZ00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MFBY90BK0FZ00>

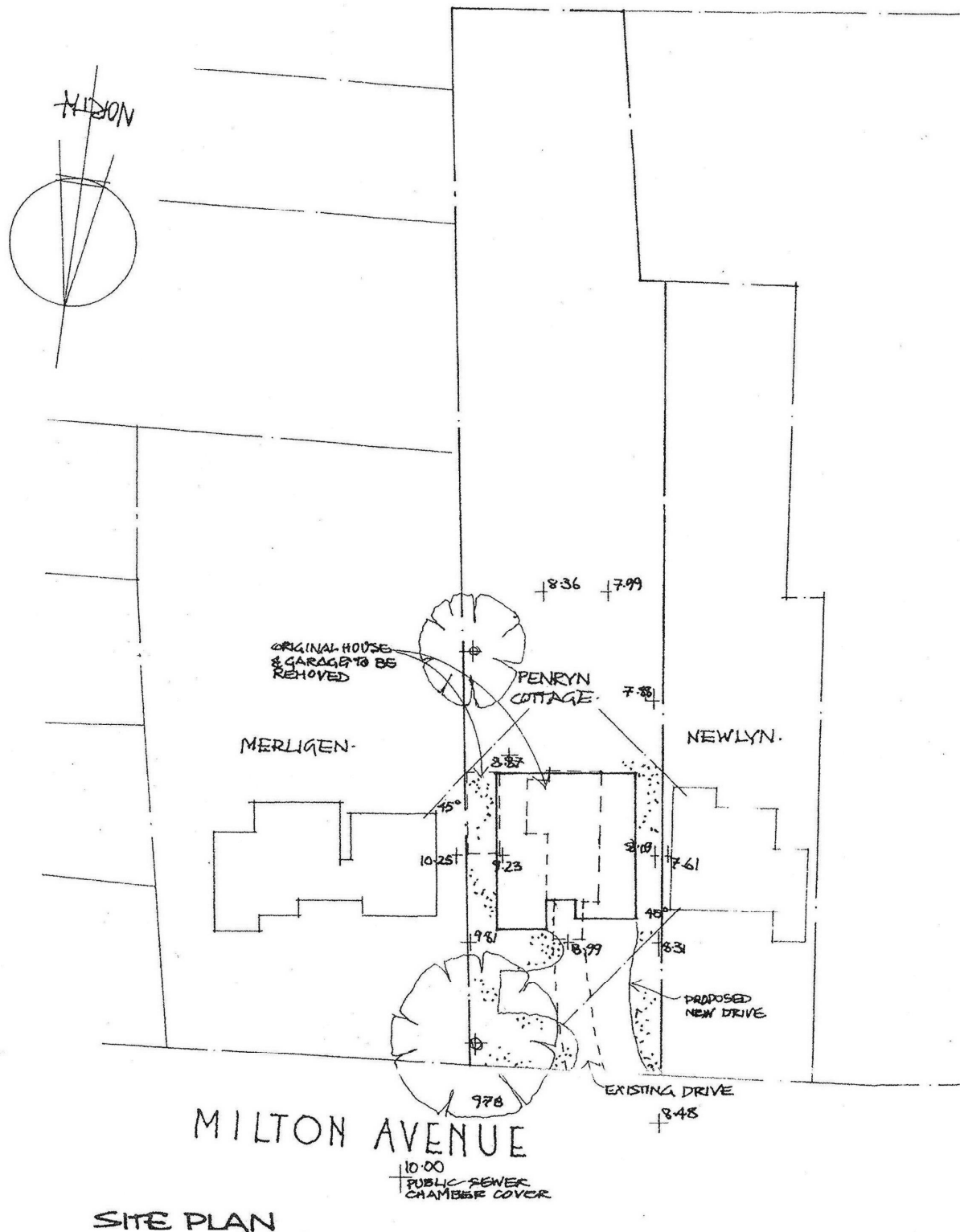


Site Plan

Scale 1:1,250
Date 01/05/2013



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Sevenoaks District Council, 100019426, 2013.



SITE PLAN

4.4 SE/13/00119/HOUSE Date expired 18 March 2013

PROPOSAL: Construction of new roof.

LOCATION: Crossways, 8 Greenlands Road, Kemsing Sevenoaks
TN15 6PH

WARD(S): Kemsing

ITEM FOR DECISION

This application has been called to Development Control Committee at the request of Councillor Stack in order for the views of the Parish Council who consider that the extension does not conflict with policy EN1 of the SDC Local Plan by way of size and scale and that its bulk does not have a detrimental impact on the street scene to be considered.

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 would be inappropriate development harmful to the maintenance of the character of the Green belt and to its openness contrary to policy H14A of the Sevenoaks Local Plan, LO8 of the Core Strategy and the National Planning Policy Framework.

The proposed development, by reason of its, scale, bulk and massing would represent a disproportionate addition to the building which would fail to respect the character and appearance of the existing and neighbouring dwellings to the detriment of their design character and appearance and would therefore represent an incongruous addition which would be harmful when viewed within the context of the street scene of Greenlands Road and which would fail to maintain the present open appearance of the site to the detriment of the character and appearance of Green Belt. As such the proposal would be contrary to policies EN1 and H6B of the Sevenoaks Local Plan, SP1 and LO8 of the Core Strategy, the Councils Residential Extensions Supplementary Planning Document 2009 and the National Planning Policy Framework.

Description of Proposal

- 1 The application seeks permission for the construction of a new roof.
- 2 The proposal is to alter the roof form and raise the height of the property, by introducing a new crown roof that would extend across the full depth of the building, raising the height of the ridge by 600mm from 4.89 metres to 5.49 metres.

Description of Site

- 3 The site the subject of this application is a detached bungalow set in a ribbon development in a rural location outside of the settlement boundary of Kemsing as defined on the proposals map to the Sevenoaks District Local Plan.
- 4 The original dwelling has been extended, to the front and rear and a detached replacement garage added.

Agenda Item 4.4

5 The site is located in the Green Belt.

Constraints

6 Green Belt

Policies

Sevenoaks Local Plan

7 Policies: - EN1, H6B, H14A, Appendix 4 Residential Extensions

Core Strategy

8 Policies: - SP1, L08

Others

9 SDC Residential Extensions SPD 2009

10 National Planning Policy Framework (NPPF)

Planning History

11	07/01953/FUL	Extension to front of bungalow measuring 7.93m ² to bring in line with existing front wall.	GRANT	07/09/2007
12	05/03083/FUL	Single storey front extension and extension to roof to provide accommodation at first floor level.	REFUSE	25/01/2006
13	01/01329/FUL	Demolition of existing garages and construction of new double garage.	GRANT	30/07/2001

Consultations

Parish / Town Council

14 Kemsing Parish Council recommends approval.

Representations

15 2 representations received objecting to the application on the following grounds:

- Proposed changes are out of keeping with the property
- Previous similar applications have been refused
- Would result in a loss of sunlight to their properties
- No need for the development
- Increase in bulk will be detrimental to surrounding properties

Group Manager Planning Services Appraisal

Principle Issues

- 16 The principle issues to consider in the determination of this application are:
- Whether the proposal would amount to inappropriate development in the Green Belt;
 - Whether there would be any other harm to the Green Belt;
 - The impact of the proposal on the visual amenity of the locality;
 - The impact of the proposal on the amenity of neighbouring properties; and
 - Highway implications.

Background

- 17 On 25 January 2006 planning permission reference SE/05/03083/FUL was refused at the property for a single storey front extension and extension to the roof to provide accommodation at first floor level. Two reasons for refusal were given as follows:
- The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposal when taken together with previous development on the land, would cumulatively add to the built form to a degree that would be harmful to the openness of the green belt, and the character and appearance of the area. This conflicts with the rural settlement policies of the Kent Structure Plan and policies GB2, GB4 and H14A of the Sevenoaks District Local Plan.
 - The development and use of the building would harm the residential amenities presently enjoyed by the occupants of no. 7 Greenlands Road because of a significant reduction in sunlight and daylight levels. This conflicts with policy ENV15 of the Kent Structure Plan and EN1 and H6B of the Sevenoaks District Local Plan.
- 18 An appeal against the Council's decision was subsequently lodged and dismissed by the Planning Inspector on 6 December 2006. The Inspector concluded that *"the harm which would be caused to the openness of the Green Belt, together with the harm to the living conditions of the occupiers of number 7 Greenlands Road would not be outweighed by any other material consideration....."*
- 19 With the exception of proposing habitable accommodation at first floor, the extensions to the roof proposed in 2005 were similar in terms of overall scale, bulk, height and design to the scheme currently submitted for consideration by the Council.

Green Belt

Policy Criteria

- 20 Government advice contained in the National Planning Policy Framework (NPPF) states that there is a general presumption against inappropriate development

Agenda Item 4.4

within the Green Belt. The NPPF makes clear that the most important attribute of Green Belts is their openness and that inappropriate development, by definition, is development that is harmful to the Green Belt because it detracts from its openness. The NPPF advises that, such development should not be approved, except in very special circumstances and that very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 21 Having regard to inappropriate development in the Green Belt, paragraph 89 of the NPPF, states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:
- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- 22 Having regard to the above criterion, at local level, policy H14A of the SDLP sets out the criterion against which applications for extensions to dwellings in the Green Belt need to be assessed in order to establish whether they are proportionate and thus appropriate development. Amongst other things, policy H14A seeks to restrict the amount of floor space which can be added to any dwelling within the Green Belt, to no more than 50% stating that:
- *The “gross floor area” of the existing dwelling plus the “gross floor area” of the extension does not exceed the “gross floor area” of the “original” dwelling by more than 50%;*
- 23 The design of the extension should also be sympathetic and well articulated to the existing dwelling so that it does not result in a large, bulky or intrusive building in the landscape.
- 24 Having carried out a search of the planning history, based on the evidence available at this time, it is the Councils view, that the total gross floor area of the original dwelling as first built is approximately 77.3 metre square.
- 25 This gives a 50% limit of 38.65 metre square.
- 26 Having regard to extensions to the original dwelling, in 1997 the dwelling was extended to the rear which added a further 34.79 metre square.
- 27 In 2001 planning permission was granted and implemented for a double garage to serve numbers 7 and 8 Greenlands Road. The part of the garage apportioned to number 8 is calculated to be approximately 19.789 metres square. Based on submitted drawing number AC/GR/2012/06 the garage is located 5 metres from the dwelling and is therefore classed as an extension to the dwelling for the purpose of applying policy H14A.
- 28 In 2007 the property was extended to the front to add an additional 7.475 metre square.
- 29 As such the total number of extensions to the original dwelling amounts to 62.054 metre square.
- 30 It should be noted that the figure for the original floor area differs to that cited in the officer’s report in 2005, as does the figure for the rear extension and the

Agenda Item 4.4

distance of the garage from the house all of which were subsequently agreed by the Planning Inspector at the time. In 2005 the original floor area was calculated to be 84.23 metre square, the rear extension 27.3 metre square and the garage was perceived to be in excess of 5 metres from the house and thus discounted for the purpose of applying policy H14A. However, it is feasible that these variances are due to the fact that different architects were used for the drawings and different surveying methods may have also been used.

- 31 To clarify, the current position in terms of the floor area of the dwelling in its current form is calculated as follows:

	<u>M²</u>	<u>cumulative %</u> <u>increase</u>
Original dwelling	77.3	
1997 rear extension	34.79	45.01
2001 Garage within 5m	19.789	70.61
2007 front extension	7.475	80.28

- 32 Therefore, at present, and as set out in the table above, the current extensions to the dwelling already represent a 80.28% increase in the total gross floor area of the original dwelling, contrary to policy H14A.
- 33 Even if the garage is excluded from the calculations, the rear and front extensions would still represent a 54.67% increase in the floor area of the original dwelling. The current proposal does not show first floor accommodation on the plans, but does show a hatch to a large loft. Planning permission would not be required to install an internal staircase and convert the loft to habitable accommodation at a later stage, though planning permission may be required to provide natural light.
- 34 For this reason, we have not included the floor space figures for the loft in the above table. However, the area of the loft is approximately 119.564 metre square and this extent of floor space would amount to a cumulative increase in the floor area of the original dwelling of 234%.

Extent of Harm from the Additional Extension

- 35 It is my view that extensions to the dwelling are already disproportionate and that any further extensions to the dwelling would serve to compound this issue resulting in additional harm and further inappropriate development in the Green Belt.
- 36 The application proposal is to provide a new roof. At paragraph 5.2 of the Planning Design and Access Statement submitted with the application its states that the applicant acknowledges the restrictive nature of Green Belt Policy and therefore proposes no increase to the existing floor area. The roof is identified on the proposed floor plans as loft space and no windows are proposed.
- 37 However, notwithstanding the above, the proposed elevation drawings indicate adequate head room for habitable accommodation and thus useable space. In my view therefore, the assessment should not exclude its floor area on the

Agenda Item 4.4

assumption that it is currently proposed to be used as storage, as if permitted, whilst conditions could be imposed to restrict alterations and extensions to the roof, it would be difficult to resist its conversion to living accommodation at a later date should an application be submitted for conversion with roof lights which did not alter the form of the roof and were appropriately positioned to prevent any adverse impact on neighbouring amenity.

- 38 As such, it follows that if all (or even part) of the proposed new roof were used for habitable accommodation in the future the proposed extension would represent an overall increase in the floor space that would be significantly more than the 50% limit set out in criterion (2) of policy H14A and would therefore be unacceptable in terms of this policy.
- 39 To clarify, the proposed new roof could potentially increase the floor area of the dwelling by 119.564 metre square. If added to the floor area of existing extensions to the original dwelling the total amount of extensions would amount to a gross floor area of 181.618 metre square which would represent a 234% increase in the total gross floor area of the original dwelling.
- 40 Furthermore, whilst at present no additional habitable space is shown, it should be noted that the NPPF is not prescriptive about floor space, the test in terms of the NPPF is whether or not the proposed extension would be a disproportionate addition over and above the size of the original building. This is not solely a matter of floor space calculations, but must also take into consideration the size, bulk and mass of the proposed extension and its relationship with the original dwelling.
- 41 This approach was supported at a recent appeal, when a Planning Inspector placed more emphasis on the test set out in the NPPF than the percentage increase referred to in policy H14%.
- 42 The existing bungalow has a modest pitched roof with a lower double pitched roof to the front elevation. As stated previously, the proposal is to alter the roof form and raise the height of the property, by introducing a new crown roof that would extend across the full depth of the building, raising the height of the ridge by 600mm from 4.89 metres to 5.49 metres. A larger dwelling would result and the overall scale and consequently bulk and massing in comparison to the original dwelling will substantially increase. This arrangement would contrast with the modest scale and proportions of the existing dwelling.
- 43 Furthermore, the additional built form of No 8 would be evident from various public vantage points along Greenlands Road. In these views, the proposed extended building would appear more substantial in built form than the immediate adjacent dwellings (also bungalows of a similar design), which would be accentuated by the scale and bulk of the new roof form. As such the property would have a greater visual impact on the amenities of the locality appearing unduly large, bulky and intrusive.
- 44 The proposal would therefore constitute inappropriate development in the Green Belt and would represent a disproportionate addition to the building which would fail to maintain the present open appearance of the site to the detriment of the character and appearance of Green Belt.
- 45 There are no very special circumstances put forward which would outweigh such harm.

- 46 These alterations could not be carried out under permitted development.

Visual Impact

- 47 The NPPF states that the Government ‘attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’ (paragraph 56).
- 48 Policy LO8 of the Core Strategy requires development to respect the countryside by having no detrimental impact upon the quality of the landscape character.
- 49 Policy EN1 of the Local Plan indicates that, amongst other criteria, 'the form of the proposed 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 and landscaping of a high standard'.
- 50 Policy H6B of the Local Plan states that residential extensions shall be subject to the principals in Appendix 4. Amongst other things, Appendix 4 states that the extension itself should not be of such a size or proportion that it harms the integrity of the design of the original dwelling or adversely affects the street scene.
- 51 Regard should also be had to the Councils Residential Extensions Supplementary Planning Document (RESPD).
- 52 The Councils Residential Extensions SPD, at paragraph 4.8 states that:
“An extension should not have a detrimental visual impact or overbearing effect on the original building or the street scene. No proposal should be of such a size or proportion that it harms the integrity of the design of the original dwelling”.
- 53 By reason of the scale, bulk and massing of the new roof the proposed extended dwelling, would bear no relation to the modest form of the original dwelling, nor indeed the existing dwelling in its extended form, which is a relatively modest and unobtrusive structure. Furthermore, the proposed extended dwelling would gain prominence in the local street scene to which it belongs. In doing so, the rhythm to the scale and general appearance of bungalows amongst which number 8 is sited, and which are generally low profile with roofs that consistently step down in height to reflect the gentle change in ground levels, would be disrupted.
- 54 As such, the proposal would fail to respect the character and appearance of the existing and neighbouring dwellings to the detriment of their design character and appearance and would therefore represent an incongruous addition which would be harmful when viewed within the context of the street scene of Greenlands Road contrary to policy EN1 and H6B of the Local Plan, LO8 of the Core Strategy, guidance contained in the RESPD and the National Planning Policy Framework.

Impact on Amenity

- 55 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Agenda Item 4.4

- 56 Policies EN1 and H6B of the Sevenoaks District Local Plan require that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 57 The most immediate affected neighbours are numbers 7 and 9 Greenlands Road.
- 58 Both neighbouring dwellings are located in line with the application property.
- 59 The current scheme does not propose any windows and as such neighbours privacy is maintained.
- 60 At the time of the previous refusal to extend and increase the height of the roof one of the windows in the side elevation of no 7 was clear glazed and said to serve a kitchen.
- 61 Daylight and sunlight reaching the windows in the side of number 7 is already restricted by the scale and proximity of the properties to one another. As such, the Inspector concluded that due to the relationship of the two properties a roof extension over the existing rear extension of the scale and height proposed together with the increase in the height of the roof at the front would cause a significant reduction in the levels of daylight and sunlight reaching the side window given the proximity and orientation of the properties to one another. He subsequently dismissed the appeal in this respect.
- 62 In terms of the current scheme, due to the similarities in the form, scale and height of the proposed replacement roof and its extension over the entire depth of the property, it is considered that the proposal would have a similar impact in terms of loss of sunlight and daylight to the side facing windows of number 7 Greenlands Road. However, since the refusal of the previous application to extend and increase the height of the roof, all of the ground floor windows in the side elevation of number 7 Greenlands Road have been replaced and obscurely glazed. It would appear that at least two of these windows continue to serve non habitable rooms and the third (formerly considered to be a kitchen window) also now appears to serve a non habitable space or be either a secondary kitchen window or utility room window. In either case the fact that this window is now obscurely glazed is material to the consideration of the current application.
- 63 Since the refusal of the previous scheme the Council has published its Residential Extensions SPD adopted in 2009. Paragraph 5.7 of this, identifies habitable rooms as lounges, dining rooms, kitchen diners and bedrooms. To clarify, at a local level, a kitchen alone is no longer considered to be a habitable space. As the windows in the side elevation of number 7 are now all obscurely glazed, and the former clear glazed window now appears to be secondary and serve a non habitable space limited weight can be given to any additional shadow cast over these windows as in the circumstances any additional shadow cast over these windows is unlikely to result in any significant harm to neighbouring amenities. As such, it is no longer considered that a ground of refusal in this respect can be sustained.
- 64 As such, it follows that the proposal would not harm the immediate outlook from the side facing windows of number 7.
- 65 In relation to sunlight, daylight and outlook from number 9, number 9 does not have any side windows, therefore, it is not considered that a reduction in light will result and outlook will remain unaffected.

Highways

- 66 With regard to highway safety, this is a category of development which does not require consultation with Kent Highways Services.
- 67 The existing access is not proposed to be altered and the number of bedrooms is not proposed to increase.
- 68 Therefore, the proposal would not interrupt the safe flow of traffic and is not perceived to result in an intensification of vehicle movements.

Conclusion

- 69 The land lies within the Green Belt where strict policies of restraint apply.
- 70 Existing extensions to the dwelling already exceed 50% of the floor area of the original dwelling.
- 71 The proposed new roof is of a sufficient height to accommodate habitable floor space which if calculated alongside existing extensions to the dwelling would further exceed 50% of the floor area of the original dwelling.
- 72 The proposal would therefore constitute inappropriate development in the Green Belt.
- 73 The proposed development, by reason of its, scale, bulk and massing would represent a disproportionate addition to the building which would fail to respect the character and appearance of the existing and neighbouring dwellings to the detriment of their design character and appearance and would therefore represent an incongruous addition which would be harmful when viewed within the context of the street scene of Greenlands Road and which would fail to maintain the present open appearance of the site to the detriment of the character and appearance of Green Belt.
- 74 The proposal would result in additional shadow cast over the ground floor windows in the side elevation of number 7 Greenlands Road, but given that these windows are obscurely glazed and appear to serve non habitable rooms it is not considered that the additional shadow cast would result in any significant harm to the amenities of the occupants therein such as to justify refusing planning permission.
- 75 In conclusion, for the reasons set out in the report, the proposal is considered to be contrary to policies EN1, H6B and H14A of the Sevenoaks Local Plan, SP1 and LO8 of the Core Strategy, the guidance contained in the RESPD and the National Planning Policy Framework.

Background Papers

Site and Block plans

Contact Officer(s): Claire Baldwin Extension: 7367

Pav Ramewal
Chief Executive Designate

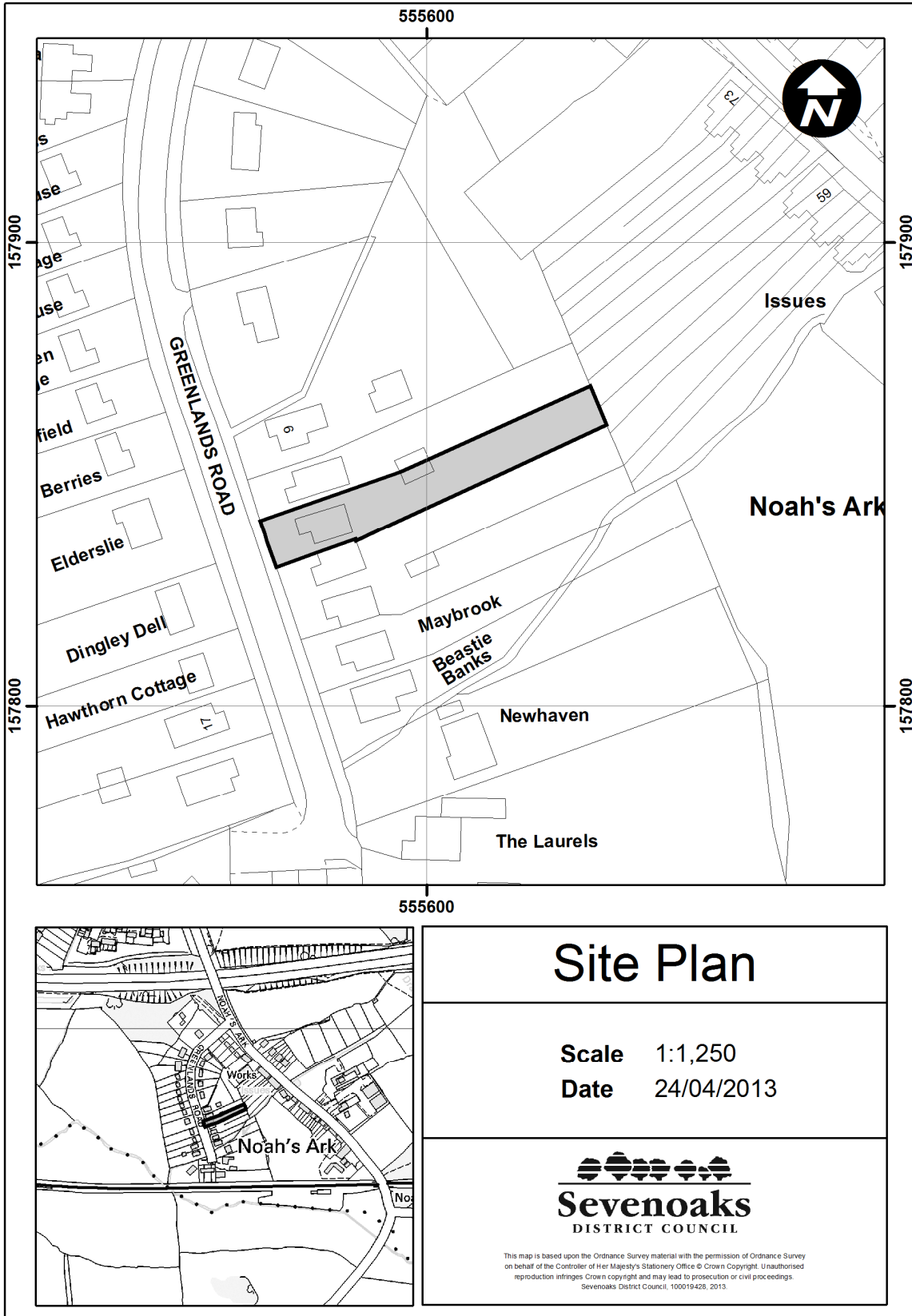
Agenda Item 4.4

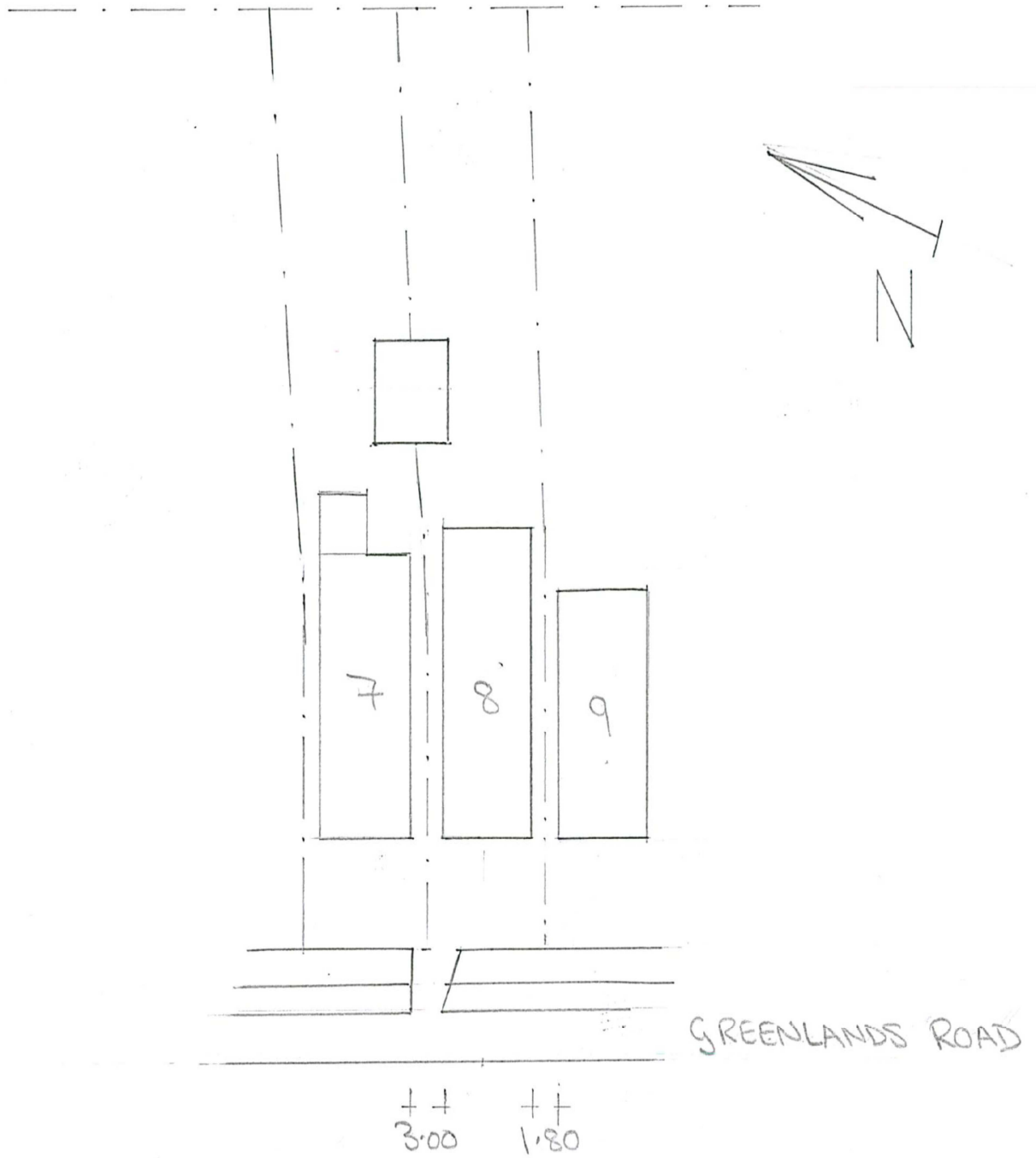
Link to application details:

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Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MGRFLOBK8V000>





Agenda Item 4.5

Description of proposal

- 1 The two storey side extension extends from the west of the original house by 4.1m with a total depth of 8.1m replacing a single storey attached garage.
- 2 The rear wall of the extension matches the depth of the existing house and the extension rises to a height of 7.4m with a hipped roof.
- 3 A single storey ground floor extension serving the garage extends forward from the two storey extension for a distance of 0.8m with a tiled angled roof above rising to 3.4m.
- 4 The first storey extension would serve two bedrooms with integral bathrooms.
- 5 The development would comprise of mixed red wall tiles, brown plain concrete roof tiles and a white plastic double glazed windows all to match the existing house.
- 6 As laid out in paragraph 19, the works have taken place on site, but have not been completed

Description of Site

- 7 10 Springshaw Close is a detached property located at the end of a cul de sac within the urban confines of Sevenoaks. The road comprises of detached two storey houses set back from the roads with plots of different widths.

Constraints

- 8 Urban Confines of Sevenoaks

Policies

Sevenoaks District Local Plan

- 9 Policies - EN1, H6B and Appendix 4

Sevenoaks Core Strategy

- 10 Policy - SP1

Other

- 11 Sevenoaks District Council (SDC) Residential Supplementary Planning Document (SPD)
- 12 National Planning Policy Framework
- 13 SDC Residential Extensions SPD

Planning History

- 14 SE/12/02478/HOUSE The erection of a two storey side extension REFUSED 11.01.13

Agenda Item 4.5

- | | | | | |
|----|--|---|-------|----------|
| 15 | SE/11/00039/EXTLM | Application to extend the time limit of an extant planning permission approved under reference SE/08/00823/FUL - Demolition of existing garage and link to house, erection of two storey extension. | GRANT | 04.03.11 |
| 16 | SE/08/00823/FUL | Demolition of existing garage and link to house, erection of two storey extension. | GRANT | 08.05.08 |
| 17 | SE/03/01410/FUL | Demolition of existing garage and link to house. New two storey side extension, as amended by revised plans received 8.8.03 reducing ridge height of extension from 8.2m to 7.2m. | GRANT | 26.08.03 |
| 18 | SE/00/01430/FUL | First floor side extension (built off existing ground floor side extension). | GRANT | 27.07.00 |
| 19 | On the site visit for this application it was noted that the works that had been carried out on site did not match the planning application SE/11/00039/EXTLMT that had been approved or the plans for this current application. The alterations that took place on site that differed from the approved plans included a change to the roof design and the fenestration. The amendments are as described in paragraph 24 of the report, but for clarification they are no closer to the neighbouring property (11 Springshaw Close). | | | |
| 20 | The owner was advised to stop work and amended the current application to match the works that had taken place on site, but which had not been completed. | | | |
| 21 | The Good Practice Guide on Enforcing Planning Control paragraph 3.7 states that:

'Whenever it is appropriate, the usual alternative to taking formal enforcement action is to invite a retrospective application. In approaching this possibility, the LPA should consider the merits of granting planning permission for unauthorised development in the same way as they would approach a planning application for proposed development. The fact that the development has already taken place should make no difference to the LPA's consideration of its merits.' | | | |

Consultations

Chevening Parish Council:

- 22 'Objection for the following reasons:

Agenda Item 4.5

The Parish Council notes with concern that the garage is already under construction, without Planning Consent. The garage is projected forward by 1 metre and the adverse effect on the neighbouring property is self-evident. This addition is somewhat less than 1 metre from No 11 in places and creates overshadowing which is detrimental to the amenities of that property. The projection is in front of the building line and higher than the fence and so creates an unacceptable impact on No 11. Due to the orientation of No 10 on its plot, any projection will come closer to No 11. There are no plans showing the proposed development within the boundary of the plot but there remains doubt that the two storey extension is less than 1 metre from the boundary.

Representations

- 23 Two letters received objecting that the proposal is not in keeping with the proportionality of surrounding properties, that the protrusion of the garage beyond the front of the property will impact upon the amenities of the adjacent property, would be within one metre of the boundary and would overshadow the adjacent property.'

Group Manager Planning Services Appraisal

- 24 In considering this application note is made of planning application SE/08/00823 which was granted permission for the demolition of the existing garage and link to house and the, erection of a two storey extension. The time limit for this application was extended for a further three years in 2011 (SE/11/00039/EXTLMT) and accordingly is an extant planning permission. This permission differs from that now under consideration in that the garage is projected forward by an additional 0.8m with a width of 2.35m resulting in the loss of a ground floor window on the properties front elevation. The fenestration on the front and rear elevations has also moved.

Principal Issues

- 25 The principal issues are:
- Impact on the character of the area and the street scene;
 - Impact on residential amenity;

Impact on the character of the area and the street scene

- 26 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criteria 1 states 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. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. Policy H6B of the SDLP states that residential extensions shall be subject to the principles of Appendix 4. Amongst other things, Appendix 4 states that the extension should not be of such a size or proportion that it harms the integrity of the design of the original dwelling or adversely affects the street scene. The extension itself should not be of such a size or proportion that it harms the integrity of the design of the original dwelling. In addition Appendix 4 also states that a minimal distance of 1m is normally necessary for two storey extensions where extensions which extend to the side boundary of the property could lead to visual terracing.

Agenda Item 4.5

- 27 The Sevenoaks Residential Character Area Assessment SPD, which was adopted in April 2012 states that Springshaw Close comprises of detached two storey houses set back behind unenclosed or partially enclosed front gardens on plots with different widths. The houses are individually designed with hipped or gabled roofs, some with forward facing symmetric or asymmetric gables or roofs extending down to ground floor level.
- 28 In reviewing the properties within Springshaw Close they comprise a variety of different designs with some properties located within the middle of their plots whilst others are set against the border. 10 Springshaw Close is set back from the road at a distance of approximately 12m from the road with a hedge lying on the front boundary. The single storey garage which previously was located on the plot lies on the site of the two storey extension and accordingly the proposal does not bring the built form of the house any closer to the boundary.
- 29 The distance between the extension and 11 Springshaw Close is 1m, adjacent to the front of the garage, widening towards the back to a distance of 1.7m. Accordingly the extension would not result in visual terracing as viewed from within the street scene. The extant planning permission would enable a two storey extension to be built within 1m of the boundary. No 11 has a first floor side extension and ground floor extension that abuts the boundary and has already enclosed this gap to some extent under a 2003 permission.
- 30 The proposed two storey side extension would be well proportioned and presents a satisfactory composition with the house with a subservient ridge height which minimises the bulk of the development. Whilst the proposal does increase the bulk of the property, Springshaw Close comprises of a variety of different styled properties and the development would not in my view be of such a scale that it would be detrimental to either the house or the street scene. The development would incorporate materials and fenestration in keeping with the existing house.

Impact on residential amenity

- 31 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criteria 3 of policy EN1 of the SDLP states that the proposed development must 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. Appendix 4 to H6B also states that proposals should not result in material loss of privacy, outlook, daylight or sunlight to habitable rooms or private amenity space of neighbouring properties, or have a detrimental visual impact or overbearing effect on neighbouring properties. Sevenoaks District Councils Residential Extensions Supplementary Planning Document states that an extension should not cause any significant loss of daylight for a significant part of the day to habitable rooms in neighbouring properties.
- 32 The proposed development would be set back from the road at a distance of approximately 12m and from the rear boundary of the house by approximately 13m. The property behind, No. 20 Woodfields lies approximately 18m from the boundary which comprises of mature trees and in light of the distance and trees on the boundary the impact of the proposal upon this property would be minimal.
- 33 The only property potentially impacted upon would be No. 11 Springshaw Close located to the west of the property. No. 9 to the east is screened from the proposal by the bulk of the existing dwelling.

Agenda Item 4.5

- 34 The proposed development would result in a two storey side extension adjacent to No. 11. This property possesses a first storey bedroom window which would directly overlook the extension; however the impact to this room would be minimised as a consequence of the room possessing a second window overlooking the rear garden.
- 35 No. 11 possesses two ground floor windows which according to our historical records serve a utility room and a sitting room and lie adjacent to the boundary which comprises of a 1.8m close boarded fence. From visiting the site the sitting room is used as a study. These windows face south and east respectively of which only the upper part of the window is visible above the fence from 10 Springshaw Close. The south facing window is obscure glazed. The principal elevation of the two storey extension is set back from both of the windows however the proposal does incorporate a 0.8m single storey ground floor extension extending the length of the garage. The single storey extension would be set forward from the south facing window and would be set back from the east facing window.
- 36 Due to the single storey aspect being set forward of the south facing utility room, whilst there would be some loss of daylight to the utility room this would be minimised by the impact of the adjacent fence. Due to the utility room not being a habitable room, (defined as a lounge, dining room, kitchen/diner or bedroom) this would not warrant refusal of the proposal.
- 37 In respect to the sitting room, the east facing window would be set forward from the single storey aspect of the development and accordingly this window would not be affected by a loss of light.
- 38 Due to the height of the adjacent fence the outlook from both these windows would not be detrimentally impacted upon.

Conclusion

- 39 It is unfortunate that this development has not been carried out in accordance with approved plans. However, a breach of planning control is not in itself justification for refusing permission for retention of the completed development and the application has to be considered on its merits.
- 40 The proposal protects the character and appearance of the street scene and the amenity of residents. The development complies with policies EN1 and H6B of the Sevenoaks District Local Plan and Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

Background Papers

Site and Block Plans

Contact Officer(s):

Guy Martin Ext: 7351

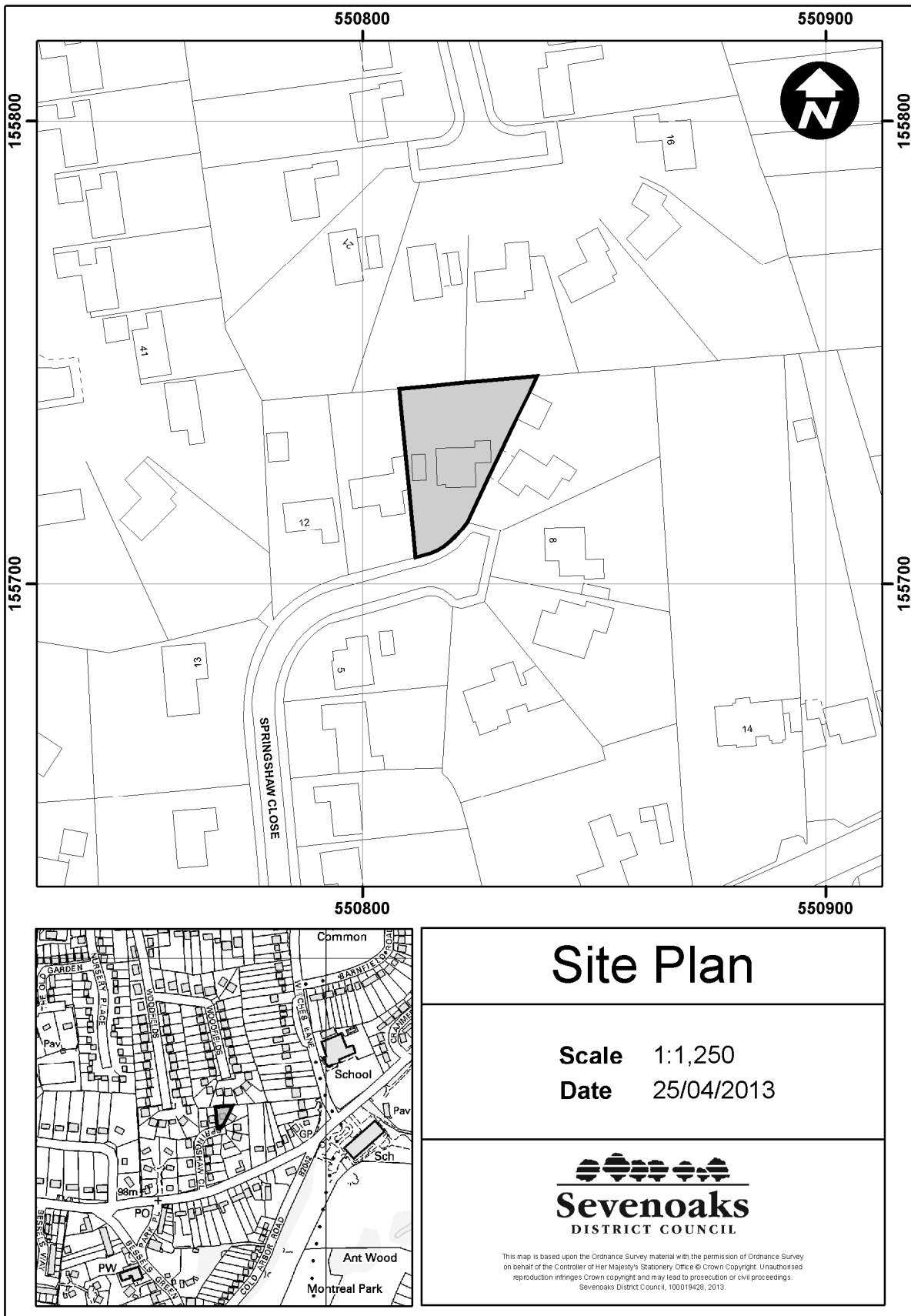
Pav Ramewal
Chief Executive Designate

Link to application details:

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Link to associated documents:

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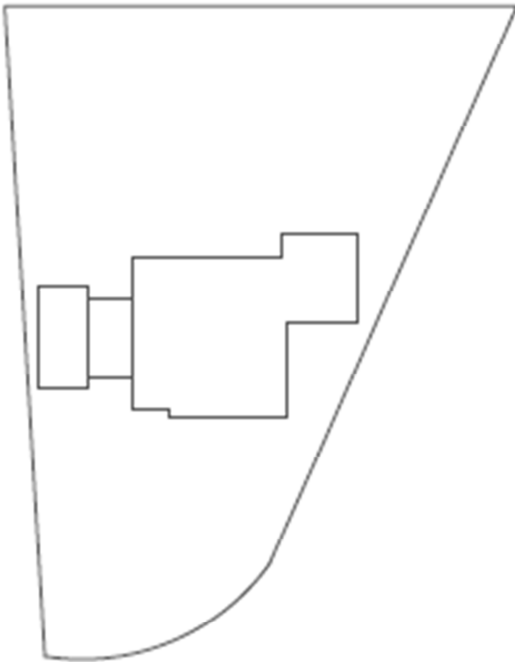


Site Plan

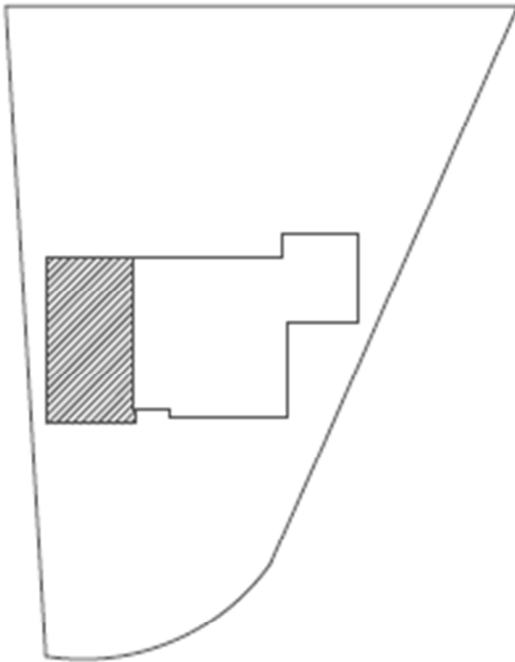
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Existing Block Plan



Proposed Block Plan

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4.6 - SE/13/00574/FUL Date expired 1 May 2013

PROPOSAL: Erection of a car port with flat roof in an existing car parking space (retrospective)

LOCATION: Parking Area, St Botolphs Avenue, Sevenoaks TN13 3AL

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application has been referred to Development Control Committee as the applicant is related to a member of staff at Sevenoaks District Council

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

1) The development hereby permitted shall be carried out in accordance with the following approved plans: Unnumbered elevation plan and ordnance survey block plan received by the Council on 22nd February 2013 and 6th March 2013.

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:

Sevenoaks District Local Plan - Policies EN1, EN25A, EN25B

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 This application seeks retrospective planning permission for the erection of a car port structure over part of an existing parking space within a private parking courtyard off St Botolph's Avenue.
- 2 The structure measures 3 metres in length, 2.8 metres in width and 1.8 metres in height. It is constructed in metal framework with a corrugated metal roof.
- 3 It is understood that the structure has been erected as a measure to protect the applicant's car from bird droppings, due to the presence of nearby trees which overhang the car parking space.

Agenda Item 4.6

Description of Site

- 4 The application site forms part of a communal private parking area to the rear of St. Botolph's Avenue. It contains a number of pre-fabricated garages and marked car parking spaces. It is also characterised by fencing which marks the boundary of surrounding residential gardens on St Botolph's Avenue, and shed structures within gardens that are visible from the parking area. The land to the south of the parking area forms the retail and commercial buildings at Station Parade on London Road.
- 5 The land falls within the built confines of Sevenoaks. It is within an area of archaeological potential but otherwise there are no particular planning restrictions on the site.

Constraints

- 6 Area of Archaeological Potential

Policies

Sevenoaks District Local Plan

- 7 Policies – EN1, EN25A/25B

Sevenoaks Core Strategy

- 8 Policy – SP1

Planning History

- 9 SE/97/02124 - Formation of hard standing for parking in existing garden area - Approved

Consultations

Sevenoaks Town Council

- 10 Sevenoaks Town Council recommended approval.

Representations

- 11 None received

Group Manager Planning Services Appraisal

- 12 This application is for a minor form of development that is being reported to committee because the applicant is related to a member of staff at Sevenoaks District Council.
- 13 The car port is a modest structure that forms part of a private car parking area, and is well screened from public view to the rear of the dwellings on St. Botolph's Avenue. Whilst the structure is of functional design and appearance, it is contained within an area characterised by the presence of other similar functional buildings and structures, including the pre-fabricated garages, sheds, fences and large areas of hard-standing. The building has been designed with open sides and relates well in scale to other buildings in the courtyard. It causes no wider impact

on the character or appearance of the area, such impact is essentially limited to the parking courtyard itself.

- 14 The structure is of very limited height and of open sided design, sited well away from surrounding neighbouring properties, and screened from the houses and gardens to the north by fencing and trees. As such I do not consider it has any harmful impact upon the living conditions of these properties.
- 15 The frame of the car port has been installed along the edges of the existing parking space, and at 2.8 metres in width it would not cause any difficulty or obstruction to persons using this space. Likewise it does not obstruct the use of the adjacent parking space within the courtyard.
- 16 Although within an Area of Archaeological Potential, the ground works undertaken to install the framework of the structure are very limited and I do not consider that any implications in this respect would arise.
- 17 Taking the above into account, I consider the car port to be well related to its immediate surroundings within the communal parking area. It would not cause any harm to the character and appearance of the wider area or to the living conditions of neighbouring properties, nor would it obstruct existing parking facilities within the courtyard. On this basis I consider the application to be in accordance with Policies EN1 and EN25A/B of the Local Plan, and Policy SP1 of the Sevenoaks Core Strategy.

Conclusion

- 18 This modest development would not be in conflict with local development plan policies and I recommend that permission be granted.

Background Papers

- 19 Site and Block plans

Contact Officer(s): Mr A Byrne Extension: 7225

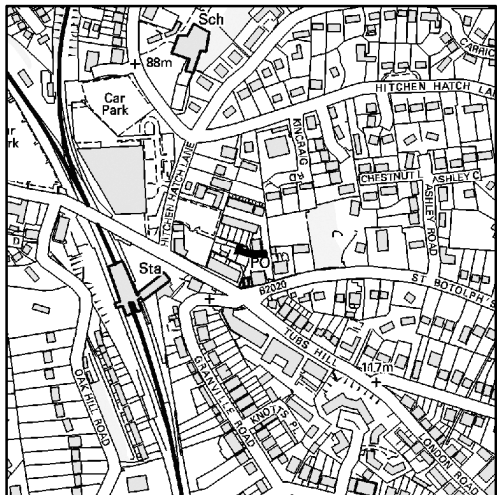
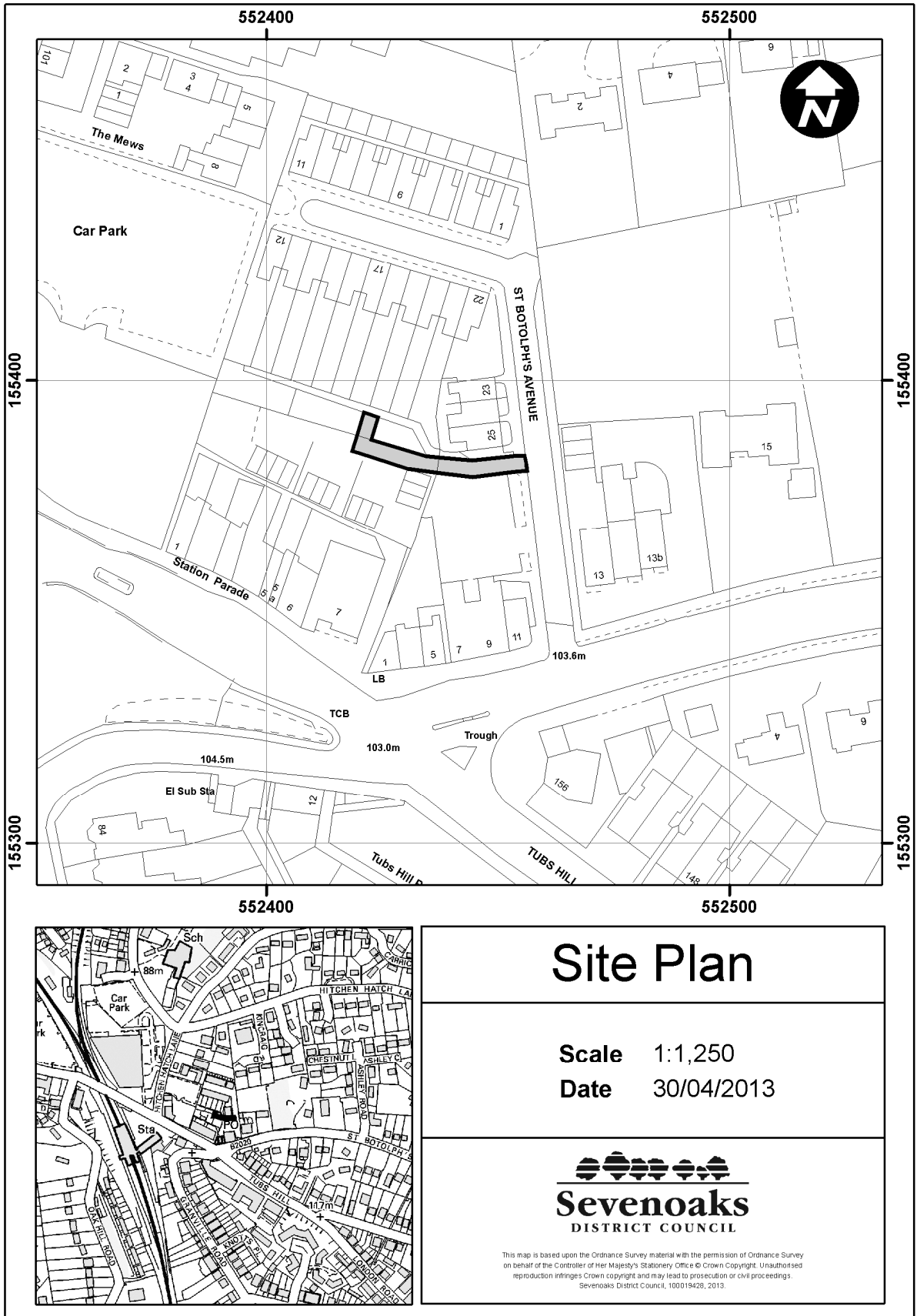
Pav Ramewal
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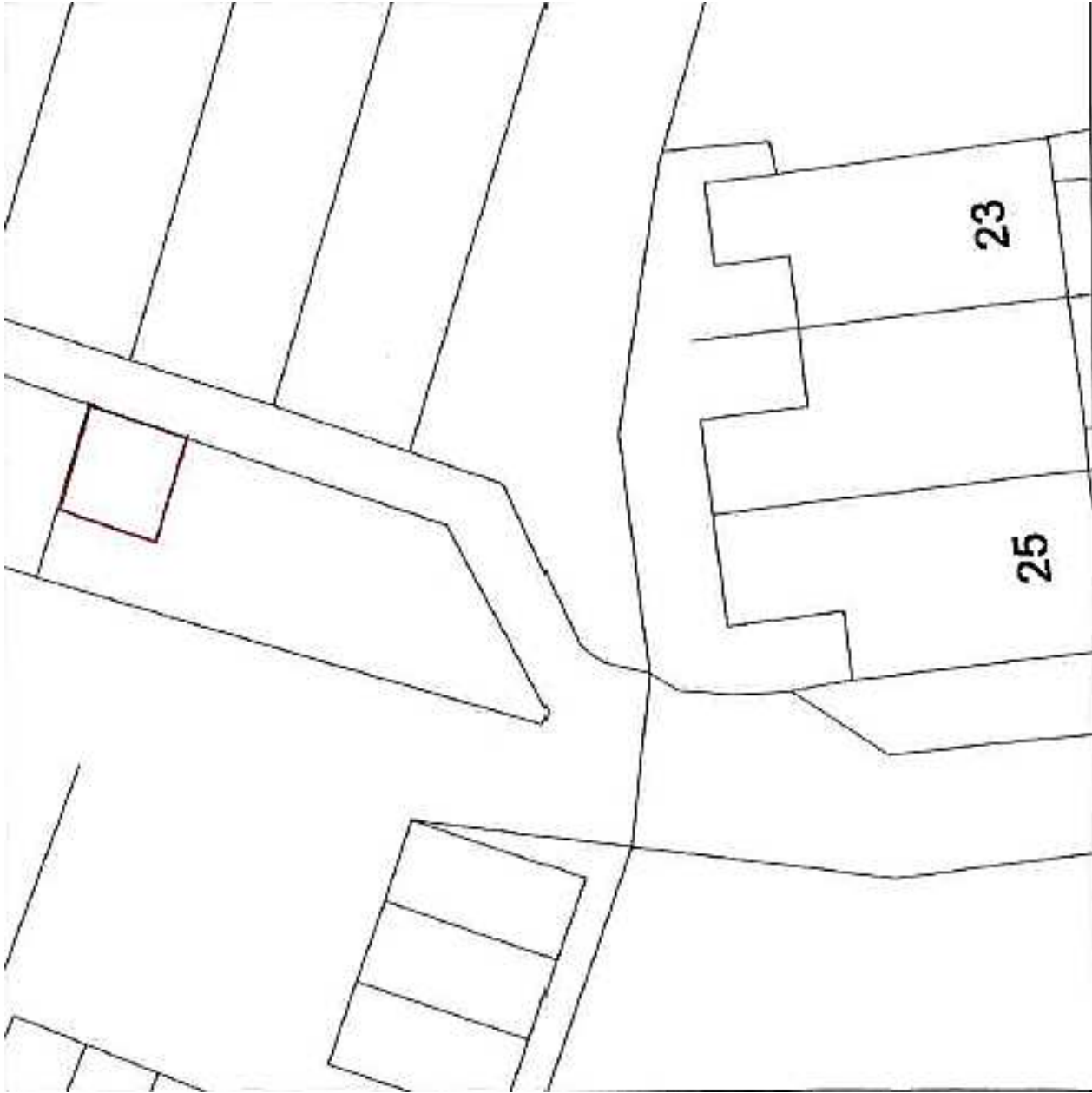
Site Plan

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Date 30/04/2013



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BLOCK PLAN



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