

5.6 SE/12/00803/FUL

Date expired 18 May 2012

PROPOSAL: Demolition of existing buildings, and erection of detached two storey building for B1 purposes with 6 parking spaces, and one detached and two semi-detached dwellings with 6 parking places.

LOCATION: The Old Wheelwrights, The Green, Brasted TN16 1JL

WARD(S): Brasted, Chevening and Sundridge

ITEM FOR DECISION

This application has been referred to Development Control Committee by the Local Member in order to examine if the access and parking proposed is acceptable

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

The proposal would lead to a requirement to contribute towards affordable housing provision. In the absence of a completed Section 106 obligation or undertaking to secure an appropriate level of affordable housing provision, the development would be contrary to policy SP3 of the Sevenoaks District Council Core Strategy

Background

- 1 The current application has been submitted following an earlier submission which is presently the subject of an appeal against non-determination. The principle of re-development remains largely as previously proposed, though the layout has been amended, particularly with regard to the office block. The scale of the proposals has also been reduced. Further detail is provided below.

Description of Proposal

- 2 The proposals seek wholesale re-development of the site to provide a pair of semi-detached, 3 bed houses directly to the rear of Swaylands House, a detached 3 bed house and a small office block located on the northern portion of the site.
- 3 For the purposes of clarification, the proposed office building would be located at the rear (northern) portion of the site. It would be orientated along a north-south axis, sited approximately 2m from the northern boundary of the site. The building would face east onto a parking area for 6 cars with access from the Jewsons driveway. This building would be 5.2m to eaves, with the hipped roof above rising to 7.7m. Windows are proposed in the northern and eastern elevation, with ground floor windows in the west elevation adjacent to Plot 1. The materials are described as simple, including brick and vertical painted boarding.
- 4 To the east of the office block it is proposed to erect a single, 2 storey, 3 bedroom, detached house, with 2 parking spaces in front. This dwelling would be 5.2m high to eaves and 7.7m high to ridge of the pitched roof. To the rear (north) of this house would be a garden area, the eastern boundary of which would be formed by a 2m high brick wall. Set some 1.5m the far side of this would be the

flank wall to the office block. The garden area would extend to the west of the house, adjacent to a neighbouring private garden.

- 5 Located roughly centrally within the southern portion of the site, with parking and turning in front, it is proposed to erect a pair of semi-detached, 2 storey, 3 bedroom houses, fronting westwards with gardens to the rear. These houses would be 4.4m to eaves and 7.35m to ridge. The houses would have a fully hipped roof form. Four parking spaces are proposed to the south of the houses.
- 6 The houses are also described as being constructed using simple materials to include brick and tile hanging.
- 7 For convenience, I provide a list below of the main differences to the recently refused scheme:

Semi-detached houses

- Total floor area reduced by 74m².
- Depth reduced.
- Fully hipped roof with no accommodation in roof (previously 3 storeys of accommodation).
- Ridge 1m lower than refused scheme (1.75m lower than as originally submitted on first application).
- Eaves approximately 0.8m lower & first floor served by dormers.
- Smaller chimneys & reduced pallet of materials.
- Section shows ridge level marginally lower than adjacent Listed Building fronting The Green.
- Houses set comfortably within plot with gardens.

Detached House

- House re-sited slightly to north-east of site/plot.
- Marginally reduced in size (approx. 11m², mostly in width).
- Ridge lowered approximately 1m.
- Reduced overall scale, house sits centrally within its plot surrounded by gardens.

Office

- Building rotated 90°.
- Now minimum 2m from rear (northern) boundary for 5m end portion of building only.
- Conifer planting to be retained.
- Reduction in total floor area by nearly 30m².
- Basically narrower building, very marginally longer.
- Ridge dropped by 1.4m with significant reduction in overall roof bulk.
- Improved design, less glazing.
- Better office layout.
- No overlooking of residential properties.
- Greater separation from Plot 1 (detached house).

Description of Site

- 8 The application site, which presently accommodates a large, vacant, former commercial building, together with a second building with attached lean-to and hardstanding, is located to the rear of Brasted Village Stores, the Grade II Listed Swaylands House and The Old Forge which front The Green. The site is level. There are 2 accesses to the site via the A25 High Street. One is a narrow driveway which passes between 4 and 5 and 6 and 7 The Green. It is proposed that this serve the residential element of the proposals. A second access takes the form of a spur off the driveway which leads to the Jewsons builders merchants. This runs directly to the east of The Hollies.
- 9 Directly to the north of the site is the Jewsons yard (and one of their large commercial warehouses). To the west is an area of private garden belonging to the properties fronting The Green.

Constraints

- Within built confines of Brasted
- Adjacent (immediately to the north) of the Brasted Conservation Area,
- Immediately adjacent to a number of listed buildings (particularly Swaylands House directly to the south of the site),
- Area of Outstanding Natural Beauty,
- Zone of Archaeological Potential,
- Flood Zone (2 and 3).

Policies

SE Plan

- 10 Policies - SP3, CC1, CC4, CC6, C3, C4, BE5, BE6, H3, H4, H5, NRM4, NRM10

Sevenoaks District Local Plan

- 11 Policies - EN1, EN23, EN25A, VP1, NR10, EP8, EP11A, NR2

Core Strategy

- 12 Policies - SP1, SP2, SP3, SP7, SP8, L01, L07, L08

Other

- 13 The recently adopted National Planning Policy Framework (NPPF) also provides guidance relevant to the proposals. However this document does not change the statutory status of the development plan as the starting point for decision making. Furthermore, whilst it introduces a presumption in favour of sustainable development this should not be the case where the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate development should be restricted. With regard to the conservation and enhancement of the historic environment, Section 12 in particular is relevant to the proposals.

- 14 In summary, the Regional and Local Plan policies most relevant to the current appeal generally seek to ensure development is sustainable and is of high quality design which preserves the distinctive character of the local area. Development should protect and conserve historic character with nationally designated historic assets receiving the highest levels of protection.

Planning History

- 15 SE/11/01909/FUL: Demolition of existing buildings, and erection of detached two storey building for B1 purposes with 7 parking spaces, and one detached and two semi-detached dwellings with 6 parking places. Appeal against non-determination within the statutory time period pending.
- 16 In the event that the appeal had not been submitted the Council would have recommended refusal on the following grounds:
- The layout of the site and the siting, size and design of the office building would represent a cramped form development, which would also adversely impact the amenities of potential occupiers of the proposed dwellings and which would fail to provide a satisfactory working environment for potential occupiers of the premises.
 - The siting, size and design of the proposed semi-detached dwellings in particular would represent an unduly dominant and overbearing form of development which would adversely affect the setting of the adjacent Listed Buildings, particularly Swaylands and Swaylands House located immediately to the south, and the character and appearance of the locality and the adjacent Conservation Area.
 - The proposal would lead to a requirement to contribute towards affordable housing provision. In the absence of a completed Section 106 obligation to secure an appropriate level of affordable housing provision, the development would be contrary to policy SP3 of the Sevenoaks District Council Core Strategy.

Consultations

Brasted Parish Council

- We consider the bulk of the development to be excessive in the context of the conservation area and surrounding buildings,
- We consider the number of properties proposed is excessive on this site,
- We consider that not enough parking is provided and the arrangement of spaces is not satisfactory given the size of the houses,
- We consider that an office of this size will employ in excess of 6 people who will travel to the site by car as public transport is inadequate. This is reduced as one space is for disabled and there is no provision for visitors to the offices. Parking space in the locality is already limited.
- We understand that the access proposed is owned privately and without this being regularised this development would be impracticable,
- Despite confirmation of the right of access we are still concerned about the suitability and adequacy given the proximity of listed buildings nearby and access across the Green.

- We are concerned by the effect that increased use of this access road would have on the flow of traffic in the High Street. The position of the road already creates congestion with the current very limited use.

Environment Agency (In summary)

- 17 No objection subject to a condition relating to the development being carried out in accordance with the Flood Risk Assessment submitted (including height of finished floor levels) and a condition relating to contamination investigation and remediation.

Thames Water (In summary)

Waste Comments -

- 18 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.
- 19 Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Water Comments -

- 20 On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.
- 21 Thames Water recommend an informative be attached to this planning permission relating to water pressure. Thames

Conservation Officer See main report below.

Kent Highways See main report below.

Representations

- 22 Two letters have been received from local residents raising the following objections:
- Access to residential element is unsatisfactory and unsuitable for use by any vehicle larger than a car.
 - Noise and disturbance to houses adjacent to the vehicular access throughout day and night
 - Overdevelopment of site.
 - Proposals would dominate adjacent listed building.
 - Detached house would overlook private gardens.
 - Site is within a flood plain and will adversely affect flood run off.
- 23 A letter of support has also been received from a local resident.

Group Manager - Planning Appraisal

Principal Issues

Principle of re-development for mixed use

- 24 As mentioned above, the recently introduced NPPF introduces a presumption in favour of sustainable development. The core planning principles include encouraging the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value and promoting mixed use developments, whilst achieving high quality design and conserving heritage assets.
- 25 Policy SP3 of the SE Plan states that the prime focus for development in the South East should be urban areas, in order to foster accessibility to employment, housing, retail and other services, and avoid unnecessary travel. It states that Local planning authorities will formulate policies to, amongst other things, concentrate development within or adjacent to the region's urban areas and ensure that developments in and around urban areas, including urban infill/intensification and new urban extensions are well designed and consistent with the principles of urban renaissance and sustainable development.
- 26 Policy LO1 of the adopted SD Core Strategy seeks to focus development within the built confines of existing settlements and lists the main urban areas. The smaller Service Villages are listed in Policy LO7.
- 27 LO7 relates to Development in Rural Settlements. The policy states that within the settlement confines of Brasted, redevelopment on a small scale only shall be permitted taking into account of limited scope for development to take place in an acceptable manner and the limited range of services and facilities available.
- 28 Policy SP1 states, amongst other things, that account should be taken of guidance adopted by the Council in the form of supplementary guidance including Conservation Area Appraisals. In areas where the local environment lacks positive features new development should contribute to an improvement in the quality of the environment.
- 29 This policy adds that the District's heritage assets including listed buildings, conservation areas, archaeological remains, ancient monuments, historic parks and gardens, historic buildings, landscapes and outstanding views will be protected and enhanced.
- 30 In summary, the site is located within the built confines and is a previously developed site. Thus there is a presumption in favour of development. It is also evident from the current state of the existing buildings, which are run-down, and their long term vacancy, which is supported by evidence regarding the past marketing of the building, that a fully commercial re-development of the site is unlikely to be viable.
- 31 Policy SP8 of the Core Strategy states that redevelopment for mixed use purposes may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business. Whilst the proposals would result in a reduction of commercial floorspace on the site, in light of the evidence submitted regarding the long history of vacancy and difficulty attracting purchasers, the commercial floorspace proposed is considered to be acceptable. By definition, a light industrial (Class B1) type use should be compatible in within a residential area. No objection is raised in principle to the

introduction of a residential use of part of the site as part of a comprehensive redevelopment.

Layout, Size and design

- 32 As touched on above, one of the core planning principles of the NPPF includes always seeking to secure high quality design and good standard of amenity;
- 33 Policy H5 of the SE Plan also promotes the use of high quality design, stresses the need to make good use of land and encourage more sustainable patterns of development and services.
- 34 Policy SP1 of the Core Strategy states that 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.
- 35 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. Criteria 2) states that the layout of the proposed development should respect the topography of the site, retain any important features including trees, hedgerows and shrubs.
- 36 Because of the significant footprint of the existing buildings, the proposals would actually reduce site coverage by some 86m², or approximately 25%. This is most apparent in the siting of the houses on Plots 2 and 3, which would be sited partly on the footprint of the main building, though the rear portion as proposed would be provided as open garden space. The counter to this is the increased height of the buildings. However, Plots 2 and 3 have been reduced slightly in depth with relatively low eaves and ridge levels. This represents a considerably reduced height and overall bulk since the original submission. These building would now, in my view, be far more modest in form and far more in scale with the surrounding built form. Plots 2 and 3 would be set a minimum 12m from the rear of Swaylands House (which fronts The Green). This would be the same distance as the existing building, but in my view, considerably reduced bulk and massing compared to the substantial bulk of the large 1½ storey form which presently fills the full depth of this part of the site (i.e. the proposed houses are slightly less than ½ the depth of the existing building). Hence I consider this relationship to be acceptable. Plots 2 and 3 would have sufficient private amenity space with 2 parking spaces for each unit.
- 37 The house on Plot 1 would be set within the north-western portion of the site. This house has been reduced in size, height and overall scale whilst retaining a genuine hipped roof (avoiding use of flat top sections). This house would be sited comfortably within its plot surrounded by gardens with forecourt parking for 2 vehicles in front.
- 38 Turning to the office building, this has been re-orientated compared to the refused scheme and would follow a north-south axis similar to the houses on Plots 2 and 3. However this block would have a relatively modest footprint and height. It would be set on the portion of the site furthest from the residential properties (fronting The Green) and adjacent to the large warehouse to the neighbouring

Jewsons site. Parking is provided to the front (east) of the offices, with access from the east (Jewsons site entrance), which already serves the site. Six parking spaces are provided. The office block would be set some 2m from the northern boundary which would allow for the retention of the existing boundary screening.

- 39 In light of the above, though without doubt a neat fit on the site, I do not consider this at odds with the general character of the area and I do not consider the layout would represent a cramped overdevelopment of the site.
- 40 In terms of size, I consider the proposed houses to appear more “cottage” in scale, with modest height and overall bulk, particularly Plots 2 and 3. The Plot 1 house is slightly larger, but would sit reasonably comfortably within its own plot. Overall, I consider the houses would sit comfortably on site and reflect the wider context of the site adjacent to the conservation area and the scale of the neighbouring residential buildings.
- 41 The office building is more functional in design and its slightly greater height in terms of eaves and ridge reflects this. However, the ridge level would be akin to the house on Plot 1. Furthermore, this building would be set furthest from the residential properties fronting the Green and separated by the proposed houses. It would also be set within the context of the neighbouring warehouse located immediately to the north of the northern boundary. In the circumstances, I consider this building to be of an acceptable size and design and to sit reasonably comfortably within the site.

Impact on conservation area and listed buildings

- 42 Policy BE6 of the SE Plan relates to the management of the historic environment. It explains that when developing and implementing plans and strategies, local authorities and other bodies will adopt policies and support proposals which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place. The region's internationally and nationally designated historic assets should receive the highest level of protection.
- 43 Policy EN23 requires proposals for development or redevelopment within or affecting Conservation Areas to be of positive architectural benefit by paying special attention to the desirability of preserving or enhancing the character or appearance of the area and of its setting. The design of new buildings should reflect local character.
- 44 The relationship with the adjacent Conservation Area and Listed Buildings, particularly Swaylands House immediately to the south and nos. 4, 5 and 7 The Green, is a key consideration for the present proposals.
- 45 With regard to the wider visual impact on the street scene and the adjacent Conservation Area, whilst the impact from close quarters from The Green may not be readily apparent, the relationship between the proposed buildings and neighbouring Listed Buildings would be visible from other vantage points, for example on entrance to the adjoining builders merchants and also from the bridge on Rectory Lane, located approximately 80m to the north-west, which is considered to be an important “entry point” to the village and the Conservation Area. From the latter position, the present 1 ½ storey workshop building is conspicuous against the backdrop of the rear elevations of the cottages. For this

reason, the previous scheme, because of the height and bulk of the proposed buildings, was considered to have an unacceptable impact.

- 46 However, I consider the present proposals to represent a significantly reduced scale of development. The Conservation Officer has examined the proposals and comments as follows:
- 47 “This site is close to the Brasted High Street Conservation Area, which adjoins to the south and west. It is also visible from an important vantage point to the north, at the entrance to the village by the bridge over the River Darent. There are also listed buildings nearby in The Green and Rectory Lane. My concern is primarily with the pair of cottages backing onto the listed properties in The Green. These have now been reduced in scale to an acceptable degree as regards conservation concerns, on the assumption that the elevation showing the relationship between existing and proposed accurately reflects the floor levels required to deal with flooding issues. Subject to this and to conditions relating to materials, which should be of a high quality, I have no objections.”
- 48 I can confirm that the proposed floor levels meet the relevant Environment Agency requirements and hence that the ridge level of the proposed houses on Plots 2 and 3 would be marginally below that of Swaylands House.
- 49 In the circumstances, I consider the relationship between the proposed buildings and the existing built form to reflect the sensitive context of the site and subject to suitable conditions consider the proposals to have an acceptable impact on the adjacent conservation area and the neighbouring listed buildings.

Highway Implications

- 50 Criteria 6) of SDLP policy EN1 states that the proposed development must ensure satisfactory means of access for vehicles and pedestrians and provides parking facilities in accordance with the Council’s approved standards. Criteria 10) states that the proposed development does not create unacceptable traffic conditions on the surrounding road network and is located to reduce where possible the need to travel.
- 51 It would appear that both vehicular accesses into the site are existing. The proposals would utilise the western access (via residential properties) for the residential proposals only, with the office development using the existing commercial access via Jewsons (and other commercial properties).
- 52 The Highway Authority has examined the proposals and comment as follows:
- 53 “This proposal would have no greater highway impact than the previous proposal to which no highway objection was raised and, indeed, a potential lesser impact as a result of the reduced floorspace and there are therefore no highway objections subject (as previously required) to an appropriate wheel wash facility being secured by condition on site for the duration of the construction works to prevent mud being transferred from the site to the public highway.
- 54 It is worth noting in respect of the office use that the KCC (SPG4) Parking Standard recommends a MAX of 9 spaces for this floor area but taking into consideration factors such as the location of the site in a local centre and

potential impact of previous use, I would not feel justified in recommending an objection as a result of that maximum level being unachievable in this case.”

- 55 In light of the above and bearing in mind the potential re-use of the site for commercial purposes, I consider the present proposals would have an acceptable impact in highway terms.

Impact on Area of Outstanding Natural Beauty

- 56 The SE Plan policy C3 states that high priority will be given to conservation and enhancement of natural beauty in the region’s Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals for development should be considered in that context. Within AONBs the emphasis should be on small scale proposals that are sustainably located and designed.
- 57 The site is set within an urban context and clearly seen within the context of neighbouring built form. As such, I do not consider the proposals would significantly affect the character of this part of the Area of Outstanding natural Beauty.

Impact on residential amenity

- 58 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.
- 59 The key issues in terms of the impact on residential amenity, in my view, are whether the proposals would appear overbearing, result in overlooking and loss of privacy or undue noise and disturbance, including from vehicular activity.
- 60 The houses on Plots 2 and 3 have been designed to have main windows facing east and west. Though I have some concern regarding the potential for overlooking from the first floor windows of Plots 2 and 3 over the rear garden of no.6 The Green (which is located to the west of the house on Plot 1), bearing in mind the fact this garden is separated from the house and already overlooked by other neighbouring dwellings, it is not considered that a refusal could be sustained on these grounds. Furthermore, though the properties would overlook the rear gardens to properties to the east, these gardens are already overlooked by east facing windows in the flank of existing buildings. The proposals would move the buildings further from the boundary and increase the separation from these neighbouring properties and on balance, therefore, I do not consider the proposals would appear unduly overbearing or result in undue levels of overlooking.
- 61 The other main area for potential overlooking would be from the front of the house on Plot 1 towards the rear of the properties fronting the Green, particularly the rear of The Old Forge, which has large French windows at first floor level facing rearwards (north) over the site. These windows would directly face the house on Plot 1. However, there is already a clear view of these windows from the

application site and they are relatively exposed to view. Furthermore, the distance between these windows and the Plot 1 house would be just 21m. This is the minimum distance recommended in the former Kent Design Guide as being acceptable. In the circumstances, bearing in mind the distance, though a somewhat uncomfortable relationship, I do not consider the degree overlooking would be so significantly greater than potentially exists as to warrant refusal on such grounds. The 2 storey flank the house on Plot 3 would be readily visible from the rear of Swaylands House, however, as mentioned above, compared to the existing situation, I do not consider the proposals would appear unduly overbearing. Indeed, I would also note that the occupier of Swaylands House, who also directly overlooks the site at close quarters, strongly supports the proposals as an improvement to the existing situation.

- 62 The office building is set away from the neighbouring residential properties and would be screened by intervening houses. I do not consider this element of the proposals would directly affect the amenities of the neighbouring occupiers.
- 63 With regard to the issue of noise and disturbance resulting from vehicular activity, I would note that some neighbouring occupiers have expressed concern that the right of way allowing passage of vehicles along the driveway past nos. 4 and 5 and 6 and 7 presently limits this to day time only, hence use from residential vehicles through out the night would result in additional noise and disturbance. The applicant, on the other hand, has written confirming that they have an unencumbered right of way. However the matter of legal passage over the access is a private matter for the applicants and adjacent owners to resolve. I would note that this access is to be restricted to the residential portion of the site only (with no potential for the office premises to utilise it). This would limit the use to the 3 dwellings.
- 64 In the circumstances, whilst I acknowledge that the relationship between the driveway and the existing houses is a sensitive one and is likely to result in some noise and disturbance, not least because of the close proximity between the two, this relationship appears to be a long-established one. Bearing in mind the use of the driveway would be limited to the residential part of the site, it is my view that the potential noise and disturbance specifically from night-time use of this access would be relatively limited. Thus, it is my conclusion that a refusal on the grounds of loss of amenity to the neighbouring occupiers would be difficult to sustain. I would add that the grant of permission would not override any other legal constraints over the use of this access, but would re-iterate that this remains a private matter.
- 65 In the particular circumstances, it is my view that the proposals would not have an unacceptably overbearing or unneighbourly impact and thus represents an acceptable form of development in this respect.

Flooding implications

- 66 The NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific flood risk assessment.

- 67 I would note that the proposals would result in a reduction in site coverage by buildings, which would represent a benefit in terms of the capacity of the flood plain.
- 68 A flood risk assessment has been submitted in support of the application and examined in detail by the Environment Agency. No objection is raised subject to a condition relating to finished floor levels. The plans submitted include details of floor level and confirm that this requirement can be met.
- 69 I therefore consider the proposals to be acceptable in this respect.

Affordable Housing

- 70 Section 6 of the NPPF is entitled “Delivering a wide choice of high quality homes”. At paragraph 50 it explains that where LPA’s have identified that affordable housing is needed, policies should be set for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock).
- 71 Policy SP3 of the Council’s Core Strategy is relevant to the proposals. In this instance the policy requires a financial contribution based on the equivalent of 10% affordable housing towards improving affordable housing provision off-site. The onus is on the appellant to ensure the requirements of this policy can be met. Though the appellant has confirmed they are agreeable to making a contribution, notwithstanding the fact that there is a standard template on the Council’s web-site, the relevant legal agreement has not been submitted to ensure compliance with this policy.
- 72 In light of the above, the lack of a contribution warrants refusal of the application. I would add that this also formed a reason for refusal on the previous submission, which is presently the subject of an outstanding appeal.

Other issues

- 73 The site is located within a Zone of Archaeological Potential. It is clear that the site has been largely developed already, though there may be some potential for archaeological evidence in the event of new and deeper foundations. I consider an appropriate condition could be attached to any permission to ensure further investigation.

Conclusion

- 74 In light of the above, it is my view that the scale of the proposed buildings is now appropriate to their sensitive context, adjacent to the Conservation Area and neighbouring Listed Buildings. I consider the layout to be acceptable, with sufficient space around the building to ensure that they would sit reasonably comfortably within the site. The office building would be located towards the north-eastern portion of the site and access via the Jewsons drive. The residential portion of the site would be served by the existing driveway to the west. I consider this would limit the potential noise and disturbance to neighbouring occupiers. Thus I conclude that the impact on the amenities of the neighbouring occupiers in terms of size, scale and noise and disturbance would, on balance, be acceptable.

- 75 There are no Highway Authority objections to the proposals. It is considered that there is acceptable parking within the site and that the relevant standards are met and that the proposals would not have an adverse impact on highway conditions on the main highway.
- 76 Though within the flood plain, the Environment Agency raise no objection to the proposals subject to suitable conditions. That relating to the finished floor level can be complied with without raising the height of the buildings, particularly the houses on Plots 2 and 3.
- 77 In the above respects, I consider the proposals to represent an acceptable form of development and to address the objections advanced to the previous application.
- 78 However, the matter of an affordable housing contribution has not been satisfactorily resolved. Although the applicant has expressed willingness to contribute, no agreement has been submitted with the application and this matter remains outstanding. I would add that the matter of an affordable housing contribution has been policy prior to the submission of the application and indeed has formed a reason for refusal on the previous submission.
- 79 In the circumstances, I would recommend refusal on the grounds of the lack of any signed formal agreement to ensure an affordable housing contribution.

Background Papers

Site and Block plans

Contact Officer(s): Mr J Sperryn Extension: 7179

Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M1HJ8KBK0FZ00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M1HJ8KBK0FZ00>

BLOCK PLAN

