

3.1 - SE/12/02319/CONVAR Date expired 29 October 2012

PROPOSAL: Variation of condition 8 (wheel washing facilities) and condition 12 (drawing numbers) of SE/12/00765/FUL (Demolition of fire damaged public house with ancillary out buildings, enabling the erection of three houses with rear garaging / parking court inclusive landscaping and new footway to High Street including alterations to existing footway to provide modified access) to allow revised garage design and location and approval of wheelwashing facilities

LOCATION: The Wheatsheaf , High Street, Kemsing Sevenoaks
TN15 6NA

WARD(S): Kemsing

ITEM FOR DECISION

This item has been called to Development Control Committee by Councillor Stack to consider issues of:

- impact upon neighbours amenities and their enjoyment of their outdoor amenity space as a result of the enlarged garage block; and
- the negative impact of the development upon the nearby listed buildings as a result of the bulk and size of the enlarged garage block

RECOMMENDATION:

A) That subject to the submission of an agreed and signed Deed of Variation in respect of the Affordable Housing Contribution by midday on 29th October 2012, planning permission be GRANTED subject to the conditions below:

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 occupation shall commence until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting);
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of new plants (noting species, size of stock at time of planting and proposed number/densities where appropriate); and
- a programme of implementation
- details of all materials proposed for hard landscaping.

The scheme shall be carried out in accordance with the approved plans. If within a period

of 5 years from the completion of the planting scheme any of the plants die, become diseased, are damaged or removed, the plants shall be replaced with a species, of a size and in a position to be agreed with the Local Planning Authority.

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

3) No occupation shall take place until the first floor bathroom window in the flank elevation of unit 1 has been fitted with obscured glass and fixed permanently shut. The window shall be retained permanently as such thereafter.

To protect the privacy and amenities of the adjacent residents in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan.

4) Notwithstanding the submitted drawings, no occupation shall take place until details have been submitted to and approved in writing by the Local Planning Authority of details of any repairs/replacement to the existing boundary wall between this site and the adjacent houses of St Ediths View, Well Cottage and Rose Cottage. The scheme shall be carried out in accordance with the approved plans before occupation and shall be permanently retained as such thereafter.

To ensure a satisfactory appearance within this conservation area in accordance with the provisions of policies EN1 and EN23 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

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

In the interests of the character and amenities of the surrounding Conservation area.

6) No window(s) or other opening(s) shall be inserted at any time in the houses or garages hereby approved without the prior approval in writing of the Local Planning Authority despite the provisions of any Development Order.

To protect the amenities of nearby residents and character and appearance of the surrounding conservation area in accordance with the provisions of policies EN1 and EN23 of the Sevenoaks District Local Plan and policy SP1 of the Core Strategy.

7) No occupation of the development hereby permitted shall take place until the access, garaging, car parking and turning areas shown on the approved plan have been provided. Thereafter no development shall take place that would prevent the permanent use of the access, garages and parking spaces for that purpose.

To ensure satisfactory levels of off street parking.

8) No occupation shall take place until the means of enclosure on the approved plans (and as approved pursuant to condition 4) have been implemented in accordance with the approved plans.

To safeguard the privacy of residents and the visual amenity of the area, as supported by Policy EN1 of the Sevenoaks District Local Plan.

9) No occupation shall take place until details have been submitted in writing to and approved by the Local Planning Authority of a scheme to demonstrate that the visibility splays shown on the approved drawing can be achieved. No occupation shall take place

until the visibility splays are formed in accordance with the approved scheme. Thereafter no development or planting shall obscure the visibility splays between a height of 0.6m above ground - 2m above ground.

In the interests of highways safety.

10) The scheme shall be constructed using the following materials unless otherwise agreed in writing by the Local Planning Authority: Wienerberger Bloomsbury Multi Stock Brick, Terca Baggeridge Warnham Red Stock, Keymer Traditional Elizabethan Tiles, Sandtoft Village Blend tiles, Redland Cambrian Natural Weathered Slates.

To ensure satisfactory appearance upon completion.

11) No building or enclosure other than those shown on the approved plans shall be erected within the curtilage of the dwelling hereby approved, despite the provisions of any Development Order.

In the interests of the character and amenities of the surrounding Conservation Area.

12) Wheelwashing facilities shall be provided on site for the duration of the development works and shall be provided in accordance with the details shown on drawing number PLK-104.

To ensure that no mud or other debris is deposited on the nearby public highway.

13) The scheme shall be carried out in accordance with the following plans: PLK-500, PLK-004C, 009C, 020A, 100, 101F, -103, 104, 010C, 1002B, 200, 202, 203, 204.

In the interests of the proper planning of the area.

Or,

B) If an agreed and signed Deed of Variation has not been submitted by midday on 29th October 201 permission shall be REFUSED because -

The proposed development makes no provision for a contribution towards the Councils Affordable Housing initiative and, nor has it been demonstrated that such a contribution would render the scheme unviable. This scheme is therefore contrary to the provisions of policy SP3 of the Sevenoaks Core Strategy and policy H3 of the South East Plan.

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

The South East Plan 2009 - Policies H1-H5, BE6, C3, T1, T4

Sevenoaks District Local Plan - Policies SP1 SP2 SP3 L07

Sevenoaks District Core Strategy 2011 - Policies EN1 VP1 EN23

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

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

The development would preserve the special character and appearance of the

Conservation Area.

The development would preserve the setting of the adjacent listed buildings

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

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

Description of Proposal

- 1 Variation of Condition 8 (wheelwashing facilities) and the variation of Condition 12 (drawing numbers) of planning application ref SE/12/00765/FUL (erection of three houses with rear garaging/parking forecourt with ancillary landscaping and a new footway) to revise the design and siting of the garage block approved and approve wheelwashing facilities.
- 2 The approved garage comprises a block of three single-width garages, 6m x 11.2m in size with an eaves height of 2.4m and ridge height of 3.879m. The block would be sited, broadly at right angles to the rear boundary of Well cottage towards the rear of the site. It would be set back from the boundary with Well Cottage by between 5 - 7m.
- 3 The scheme now proposed increases the depth of the garage block by adding storage areas at the rear of each garage – this results in a footprint of 11.2 x 9m. The eaves height would be 1.8m where facing towards Well cottage and 2.5 on the front of the garage block. The ridge height would increase to 4.039m and the block would now sit between 2m–4m off the rear boundary of Well Cottage.

	Approved Scheme	Proposed Scheme
Width	11.2m	11.2m
Depth	6	9
Eaves	2.4	1.8 & 2.5
Ridge	3.879	4.039
Distance – Well Cttge Boundary	5 – 7	2 – 4

- 4 The wheelwashing facilities would comprise an external tap and power supply to be located adjacent to the proposed access to the rear of the site.

Description of Site

- 5 The site comprises a part two part single storey unlisted building formerly in use as a public house. It has been partly burnt out and the site is now closed up.

- 6 It lies on land that rises from the adjacent highway and is set between St Ediths View, an attractive 2 storey house to the west and the access to the public car park at the rear to the east. Beyond the car park entrance lies the village hall. Opposite lie a range of two storey dwellings and commercial uses. Behind St Ediths View lies another residential property.
- 7 The site lies within the Conservation Area and the CA Appraisal identifies it and neighbouring buildings as forming part of an important group of buildings and as contributing to the character of the CA. In fact all buildings along this stretch of the High Street are considered to contribute to the character of the area.
- 8 The site has good levels of planting along its eastern edge – where adjacent to the car park and entrance. Some planting exists at the front of the site and along the western boundary with St Ediths View.
- 9 The building originally comprised a part brick, part stone, part rendered structure that had been extended to the rear with a timber clad pitched tiled extension running along the rear boundary with St Ediths View and then turned into the centre of the site. In terms of height it was a part two storey part 1½ storey part single storey building. The rear was used as a pub garden with parking at the front of the site.
- 10 An oval shaped area of grass lies between the front of the pub and the High Street. This area of hardstanding appears from photographs to have been used for parking, turning and seating at various stages in the history of the pub.
- 11 The village hall and the houses on the other side of St Ediths View, adjacent to the site, are all listed.

Constraints

- 12 Conservation Area, built confines of Kemsing, AONB, Area of Archaeological potential

Policies

South East Plan

- 13 Policies - BE6 C3 H1-H5

Sevenoaks District Local Plan

- 14 Policies - EN1 EN23

Core Strategy

- 15 Policies - SP1 SP2 SP3 L07

Other

- 16 National Planning Policy Framework

Relevant Planning History

- 17 SE/12/0766 Demolition of the existing public house

SE/12/00765/FUL Demolition of public house to enable the erection of three houses with rear garaging/parking court, landscaping and new footway. Granted

Consultations

Parish / Town Council:

18 Recommend approval

Representations

19 None received at time of writing report:

Group Manager - Planning Appraisal

Principal Issues

- 20 This application essentially seeks to grant permission for the whole development again, i.e. the three houses with access drive, albeit with a different design and siting of the garage block and approving details of wheelwashing facilities on site. These two elements are therefore the only aspects of the application that can be considered afresh. The original report is replicated below with additional comments relating specifically to the issue of the garage and wheelwashing facilities.
- 21 The main issues concern the design/appearance of the proposed houses and their impact upon the surrounding conservation area, impact upon nearby listed buildings, impact upon neighbours' amenities, impact upon adjacent highway, affordable housing and the acceptability of the wheelwashing facilities.

Design/Impact upon Conservation Area

- 22 The original pub comprised a part single, 1½ /2 storey building with elevations encompassing a number of materials/designs – bricks, first floor tile hanging, Kentish ragstone. It has been partially burnt out and Conservation Area Consent has been granted for its demolition. The pub lies at the apex of the bend and is set back to a point level with the front of the adjacent cottage St Ediths View. It sits some distance behind the line of the adjacent village hall St Ediths Hall. The vehicular access to the site curves around an oval landscaped area immediately adjoining the road.
- 23 The proposed new houses would face directly onto the High Street as did the pub but would be set further forward, closer to the High Street: by some 4m. As can be seen from the streetscene the total height of the proposed new houses would be partly higher and partly lower than the various ridge heights of the pub. The pub sits on higher land than the adjacent house and consequently will have a higher ridge height than that property. The proposed terrace will stretch further across the site than the pub.
- 24 It is this movement further forward on the site, in combination with the increased width of the building that would have the most impact upon the character of the surrounding village and Conservation Area, compared to the pub. The adjacent houses face onto the High Street with a set back of some 6-8m from the back edge of the road following the curve of the road at this point. This building needs to address the High Street 'squarely' rather than follow the line of the adjacent

houses because it lies at the apex of the bend in the road: any other position would expose a side elevation to the highway and would not reflect adjacent forms of development. The building would be set back from the pavement by 6.2-10.5m: a distance which is comparable to nearby buildings. It would project no closer to the road than the village hall to the east.

- 25 Whilst this will erode the sense of space around this part of the Conservation Area it is not considered that this in principle is unacceptable: at present part of the flank wall of St Ediths View is exposed as it projects beyond the pub (when viewed from the east) and this position will be reversed as part of the flank wall of the new terrace would be visible beyond St Ediths View when viewed from the west. Also it is considered that the general set back of this terrace from the highway will prevent this part of the High Street feeling cramped.
- 26 The design proposed is considered to be acceptable – taking enough leads from adjacent development to fit comfortably within the wider streetscene: this part of the village actually exhibits a quite diverse range of building styles – all of traditional design, albeit the houses closest are of a similar style and form and certainly utilise similar materials to each other. Local residents have previously suggested (as part of the previous application) that the scheme lacks a particular Kentish feel, and would be an inoffensive albeit bland design.
- 27 The materials proposed are a red multi stock brick with clay tile hanging, and clay tiles for the main roof. The roofs of the single storey rear extension and the garage block are a shallow pitch and an artificial slate is proposed.
- 28 To the rear of the site would lie the garage block – a brick structure with a relatively shallow pitched roof – to be finished in artificial slates. The approved scheme, reduced the size of the garage, as described above, following objections from the nearby residents, and was approved as a block of three single garages lying at right angles to the proposed houses at the end of the plot. That scheme resulted in a building that lay between 11-16m from the rear wall of the adjacent cottages, (5 - 7m from their rear garden walls) and with an eaves height of 2.4m and ridge height of 3.879m. The scheme now proposed would lie 3m closer to the adjacent cottages, as a result of the single storey storage areas attached to the rear of the garage block. The eaves height would be approximately 10cm higher and the ridge height would be 16cm higher than the approved scheme.
- 29 The approved scheme clearly results in a building with a smaller footprint for the garage block and one that sits further from the rear gardens of the neighbouring houses. This is clearly preferable in terms of the impact of the scheme upon the surrounding Conservation Area. Although preferable, that does not however make the impact of the scheme now proposed unacceptable. The design and impact upon the surrounding CA is considered acceptable.

Impact upon Setting of nearby Listed Buildings

- 30 The nearest listed buildings lie to the west of the site, adjacent to the rear boundary by the proposed garage block. Previously these cottages would have overlooked the rear of the site that contained a single storey extension stretching back into the site from the rear of the pub. As a result of this scheme a detached garage block of three garages is sited partially in the same position as the end of that original single storey extension.

- 31 The garage/store block in its revised position would lie between 2–4m from the rear boundary of the adjacent cottages (8.4–13.4 m from the rear of the dwellings). It would have a traditional design – with brick elevations and a pitched slate roof. The two sites are separated by a stone wall which forms the rear garden wall. It is approximately 1.75m high at the rear of Well Cottage. The eaves height of the garages would be 2.5m with a ridge height of just over 4m. With these respective heights and the distance between the cottages and proposed garage block it is not considered that the setting of the two cottages will be harmed by this garage block.
- 32 St Ediths view, next to the site is not listed although a very attractive house

Neighbours Amenities

- 33 The proposed scheme would have less impact upon the neighbours in terms of noise and disturbance compared to the original use of the site but will result in a different physical form that will impact differently upon the adjacent neighbours than the previous scheme.
- 34 The cottages at the rear of the site will overlook the rear of the site – looking at the proposed garage block. The block has been increased in size and moved closer to the shared boundary compared to the approved scheme. The rear garden of Well Cottage is some 7m in length with a 1.75 boundary wall. The garage block would lie some 8.4-13.4m from the rear wall of this cottage and 2-4m from the boundary of this cottage. With an eaves height of 2.5 and ridge height of 4m it is not considered that this would amount to a significant harm to the amenities of these residents – albeit they previously objected that they do not wish to look at the garage roof above their wall. The ability to see the development would not in itself be harmful.
- 35 Those residents to be most affected by this scheme would be the residents of St Ediths View, adjacent to the front of the site. Their garden lies at the side/rear of the site – most of their rear garden being taken up with an extension. The flank wall of the proposed terrace will lie closer to the shared boundary than the existing pub and will in total present a longer elevation to those residents – albeit more of this is positioned at the front of the site rather than at the rear: that element projecting to the rear of St Ediths View would be single storey.
- 36 The neighbour to this site previously objected on the grounds of the impact of a bathroom window in the flank wall at first floor of the nearest house being adjacent to their garden, the originally proposed gable end being adjacent to their garden with subsequent impact and concerns about the shared boundary wall being retained and repaired and the proximity of the site to a watercourse/stream. The plans have been amended to remove the gable end and hip the roof facing towards St Ediths View, the first floor bathroom window however remains: this can of course be subject to a condition to obscure glaze the window and ensure that the lower half of the window remains permanently shut.
- 37 The submitted streetscene shows that the proposed houses would be no higher than the ridge line of the pub where adjacent to St Ediths View albeit marginally closer. However the major impact would result from the forward projection of the terrace compared to the pub. The houses would sit some 3.6m further forward at two storey level than the pub with a ground floor bay projecting 0.6m further forward still. This will result in the loss of some sunlight and early morning

overshadowing of the front/side neighbouring garden. Certainly visually this will mark a significant change to the outlook from the front of the adjacent property. This site lies at the apex of a steep bend within the High Street where front building lines do move forward to maintain a broadly even distance from the public highway. The pub was set back to allow for parking in front so in building terms had less impact visually. However whilst a more significant impact upon the side/front garden of the neighbouring house would result, given a separation distance between the front elevation of over 11m it is not considered that the impact would be so significant as to be unacceptable.

Impact upon highways:

- 38 The original pub existing on this site had an in/out parking area at the front of the pub, so two potential exists onto the highway. This scheme proposes a single access for three houses lying on the eastern flank of the site adjacent to the entrance to the village car park at the rear of the site. Given the level of traffic that could previously have used the site no objections are raised to the location of the access – it lying in that part of the site giving most visibility around this corner.

Affordable Housing:

- 39 Policy SP3 of the Core Strategy requires an off site contribution towards the Councils Affordable Housing strategy. A contribution was offered via a signed S106 agreement with the original scheme. This needs to be subject to a Deed of Variation and subject to the receipt of an acceptable agreement this element of the policy is complied with.

Other Issues:

- 40 Wheelwashing Condition: The Councils standard wheelwashing condition was attached to the previous permission. The submitted drawing shows an external tap and power supply to provide wheelwashing facilities to be located adjacent to the proposed access to the rear of the site. This is considered acceptable and the drawing number can be amended to agree this provision.
- 41 Boundary Wall: Pre-application discussions had considered that a white picket fence to match that of the adjacent houses would be appropriate in front of the houses. Local residents have suggested that a ragstone wall would actually be more representative of the local vernacular and that should replace the picket fences proposed. The applicant has not agreed to change the plans to reflect this and it is considered that the picket fence would tie in this scheme with the adjacent properties that also have a picket fence. The scheme does not justify a refusal on this basis.
- 42 Car Park: Concern has been expressed that this application ignores the future of the adjacent village car park. The car park is leased by the Council and could therefore be brought back into the control of the applicant after a suitable period of notice to cease the car park use. Whilst it would have been preferable to deal with this site and the car park at the same time, ultimately the Council has to determine the application put in front of it. We are not aware at this stage of what is proposed for the car park or when such a proposal could come forward. In the meantime the car park remains in that use. It is not considered that the development of this site actually prejudices the future of the car park - just that a

different scheme could have evolved over a single larger site than the two sites individually.

Access Issues

43 Will be dealt with as part of any B Regs application.

Conclusion

44 This site lies at the heart of the village and comprises the burnt out shell of the former Wheatsheaf pub. Whilst previously an attractive building, Conservation Area Consent has already been granted for the demolition of the pub.

45 The proposed scheme would comprise a terrace of three houses sited forward of the existing position of the pub with a block of three garages sited towards the rear of the site. Access would be via an access at the side of the houses, adjacent to the vehicular access to the car park. No provisions are made for the existing car park at the rear of the site which remains outside the site.

46 The design is considered to be sympathetic to the local character and scale – although the building proposed would be significantly larger than the pub it would replace. However in conjunction with the use of good quality materials it is considered that this scheme would preserve and enhance the surrounding conservation area.

47 The garage block previously approved is now proposed for enlargement by the addition of three store rooms at the rear of the block. This would result in the block lying closer to the neighbouring residents with a higher eaves and ridge line. Overall it is not considered this, the only change from the previous grant of permission would warrant a refusal of permission.

48 The proposed wheelwashing facilities are considered acceptable.

Background Papers

Site and Block Plans

Contact Officer(s): Lesley Westphal Extension: 7235

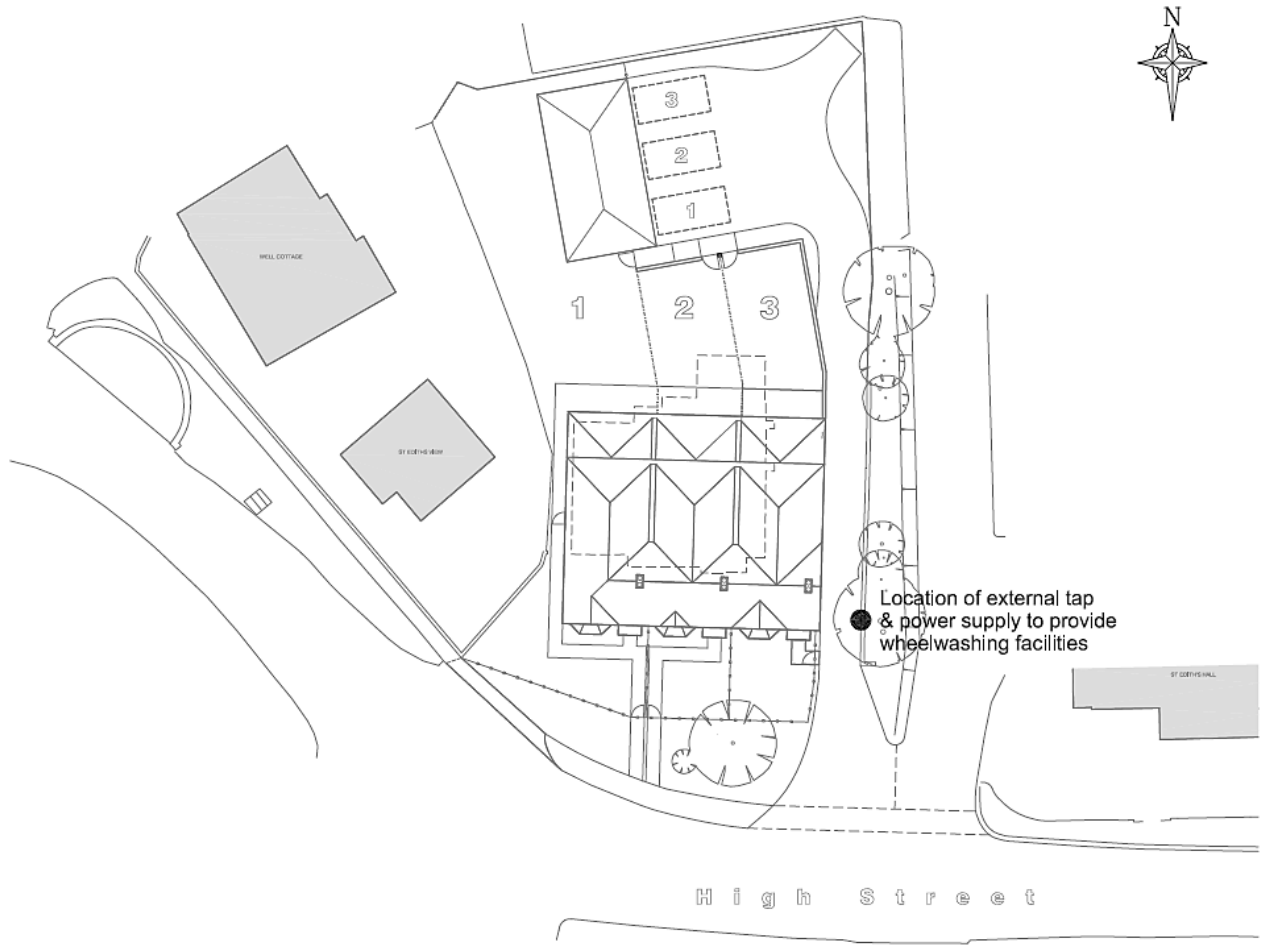
Kristen Paterson
Community and Planning Services Director

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M9RI79BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M9RI79BK8V000>

Block Plan



SITE PLAN - WHEEL WASH