



Late Observations Sheet  
**DEVELOPMENT CONTROL COMMITTEE**  
**30 June 2011 at 7.00 pm**

**Late Observations**

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DEVELOPMENT CONTROL COMMITTEE

30 JUNE 2011

LATE OBSERVATION SHEET

Item 5.01 SE/11/00776/FUL Sealcot, Seal Hollow Road, Sevenoaks TN13 3SH

Since completing the report comments have been received from the Highways Engineer which read as follows:-

'I can confirm no highway objections to a replacement dwelling. I would recommend conditions to secure the parking and turning as shown and also appropriate wheelwashing facilities during the course of construction so as to avoid the spread of debris to the highway during the course of construction.'

Parking has been secured by condition 7 of the recommendation held within the papers but it is possible to recommend a further condition to secure the turning area. Wording for such a condition is below.

Since wheelwashing is covered by other legislation it is not deemed to be necessary in this instance to condition this matter as part of any approval of planning permission.

Finally, reference is made in the officer's report to six letters of representation having been received. This was a typographical error as only five letters have been received – three in support and two raising the objections and concerns listed in the officer's report.

Officer's response

Amend recommendation to add the following condition -

The turning area to the front of the house shown on the approved drawing number 10120-PL02 Rev B shall be provided and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the turning area.  
*Reason - To ensure a permanent retention of a turning area for the property as supported by policy EN1 of the Sevenoaks District Local Plan.*

Item 5.02 SE/11/00966/FUL Stag Cottage Ryewell Hill Chiddingstone Hoath Chiddingstone TN8 7BN

Representations: One additional letter received objecting on the following grounds:

- Loss of privacy and amenity to the adjoining property – contrary to policy EN1;
- The French doors serving the master bedroom are not at oblique angle to the neighbouring property;
- The height of the French window is higher than the hedge;
- Garden will be totally overlooked;
- Planning history lists a number of applications withdrawn or refused. Conservatory and conversion of loft space undertaken without planning permission?
- Dispute that structures existed in 1948 and figures must be disregarded – contrary to policy H13;

## Supplementary Information

- Shed should not be included as build without foundations
- Concern over the use of floor-space figures on the basis that they are “*reasonable and on balance*”

The majority of these concerns have been previously addressed in the main committee papers. However, I will provide further commentary on these matters, as well as addressing the new issues.

**Impact on Squirrels** – The proposed replacement dwelling will not extend any further back into its plot than Squirrels. The proposal will lie to the north of Squirrels and therefore will not result in any loss of sunlight or overshadowing. Squirrels has a single window facing towards the proposed new dwelling, however, this is hallway/staircase and not a habitable window. Therefore the proposal will not result in the loss of background daylight to Squirrels.

Concern has also been raised that the first floor French doors facing the rear garden will result in overlooking. Given that the replacement dwelling has been dropped into the ground and is also at lower ground level than Squirrels. The eaves height of the first floor accommodation is similar on the ground floor eaves height of Squirrels. In reality, the first floor French doors are at a similar height to ground floor windows at Squirrels, which are separated by a 1.8m high hedge. Whilst the top part of the French doors are higher than hedge, this is a not an unusual arrangement. In addition, the normal angle of vision from a window or door is looking down the garden, with a 45 degree splay either side. Given that the proposal will be constructed along the same rear building, the proposal will not result in interlocking between windows. Also given that the proposal will not overlook the private amenity area directly to the rear of Squirrels, as the angle of vision will be very acute. The proposal will have views over the rear portion of Squirrels garden, which the existing Stag Cottage does already, again this is a typical arrangement for all properties. This proposal could not be refused on the basis that it has a line of sight over rear portion of the neighbours garden.

**Planning History** – The loft conversion currently installed at Stag Cottage, simply involved the insertion of a window in the gable end of the rear elevation and some rooflights. Such works would not have required the submission of a planning application. The conservatory may possibly have been constructed as permitted development under the previous version of the GPDO. Notwithstanding this, if the conservatory has been erected for more than 4 years it would now be a lawful structure regardless of whether or not it required a planning application in the first instance.

**Policy H13 - (2)** requires the existing dwelling to have been built on permanent foundations on the site. Policy H13 goes on to say that outbuildings and garage within 5m of the dwelling can be included as part of the gross floor area of the original dwelling subject to them existing on site on the 1 July 1948. There is no criteria that the garages or outbuildings should also be built on permanent foundations, just the existing dwelling.

Therefore the test is not what currently stands on site today, but what stood on site on the 1 July 1948.

The applicant has submitted historical maps from 1936-37 which show a large number of outbuildings within 5m of the dwelling. The Council’s own historical maps from 1922-1969 also show the large number of outbuildings, which tallies up the applicant’s submission.

An objector has submitted a hand drawn from a former owner, which is not to scale. It appears to show roughly a similar number of outbuildings but of differing approximate sizes. The inference being that they were smaller. This drawing is not dated and no indication has been given either to its approximate date.

The next set of planning records relates to our ordnance survey planning plotting sheets from approximately the late 1960s/early 1970s, but certainly prior to 1974, which shows the majority of the outbuildings existing, apart from the outbuilding directly behind the dwelling. Thereafter there have been array of planning applications, which show slightly different arrangements for the outbuildings.

Therefore it appears from a large number of outbuildings appear to have existed from around the mid 1930s, it is backed up by our own maps from between 1922-1969 and to a large extent support by a former owner hand drawn recollection of the site at some unknown date. The first instance the Council has any record which changes the arrangements of the site, date from around the late 1960s/early 1970s, when one outbuilding had been removed. The Council has no evidence to dispute the applicant's claim that the large number of outbuildings existed on site in 1948, as our own records appear to back this up.

The Officer's recommendation remains unchanged.

Item 5.03 SE/11/01277/FUL Longmynd Greenlands Road Kemsing SE15 6PG

Additional photographs

1 Aerial view of demolished garage



## Supplementary Information

2 View of demolished garage from rear



Item 5.04 SE/11/01105/PART11 Eynsford Railway Station Station Road Eynsford DA4 OHP

### Additional comments:

The following additional comments have been received from Network Rail;

**Siting** – Part 11 states that Prior Approval is not to be refused unless the Council are satisfied that the development ought to be and could reasonably be carried out elsewhere on the land.

Whilst it is regrettable that there will be a loss of trees on the site the location of the bridge has been chosen giving consideration to constraints of the site. The proposed location keeps the bridge on Network Rail land and within reasonable distance of the ticket office. It could not be accommodated to the north of the site because due to the existing station buildings and length of the platforms there is not sufficient space to install the bridge. Alternatively if the bridge were to be located further south of the proposed location it would encroach outside of Network Rail's land boundary and also be further from the ticket office.

Whilst the proposed plan did show the loss of 4 parking bays these will be reallocated within the car park next to the proposed bridge and can be seen on the attached plan, which has had the annotation removed so should now be what you were requesting. (*Block Plan 1 of the presentation*)

The bridge has been positioned to ensure that there is minimum disruption on all grounds including parking, access during the works, future access in and around the station, access to maintain and compliance with British Standards, Network Rail operational standards and

good practice. If, for example the location of the bridge were to be moved closer to the station building this would necessitate introduction of a different access point and it is likely that there may be loss of bays to accommodate a revised access route to the station.

**Design** – Part 11 states that Prior Approval is not to be refused unless the Council are satisfied that the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

The scale and size of the footbridge understandably seems unnecessary when compared to the existing footbridge however there are reasons for both the height and scale of the proposed footbridge.

Firstly the height of the bridge will allow for the future installation of electric overhead lines (OHL) along this section of railway without the need to replace the footbridge again. This is because the OHL cables are required to go underneath the footbridge rather than over the top for safety reasons and therefore to accommodate the clearance required between the train and cables and then to the top of the footbridge span the footbridge is required to a certain height.

Also the footbridge has been designed with passive provision for the future installation of lifts. Whilst there isn't currently funding for lifts at the station if this were to become available then they could be attached to the footbridge rather than demolishing another none compliant structure and building an entire new bridge which could accommodate lifts.

In both cases the design allows Network Rail to 'future proof' the footbridge, which is the practice for all new footbridges across the network. Network Rail wants to ensure that infrastructure schemes are value for money and have a reasonable design life and therefore bridges are designed to allow for future enhancements without the need for them to be replaced again, which would cause a significant increase in costs.

The length of the footbridge (span to bottom of the staircase) is notably longer than the existing, the reasons for this is because given the height of the footbridge the staircase going up to the bridge span must include landings which is a requirement as set out in accessibility guidelines. To reduce the length of the staircase the gradient of the staircase would need to be increased which would also be unacceptable from an accessibility perspective.

The width of the footbridge staircase again follows accessibility guidelines as set out by the Department for Transport and allows for passengers using the footbridge to go both ways passing each other on the staircase without being too congested.

With regards to the colour of the footbridge, the grey proposed is commonly used on footbridges and is a lot more subservient than it may sound or appear on the plans. If the bridge were to be painted green or black it would be a lot more noticeable within its setting.

Whilst I accept that the footbridge is significantly larger in scale and height to the existing bridge it has been designed to meet current design standards and to last for a number of years before needing any further work. Although there are residential properties adjacent to the proposal site they are a sufficient distance away to avoid overlooking.

The officer's recommendation remains unchanged.

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