



Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
05 March 2014 at 7.00 pm

Late Observations

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5 March 2014

LATE OBSERVATION SHEET

Item 3.1 SE/13/03559/HOUSE 51A Mount Harry Road, Sevenoaks TN13 3JN

- 1 The Council has recommended the following condition if Members are minded to approve planning consent:

Condition 7

The first floor window in the eastern elevation, at all times, shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the bathroom.

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

The applicant has highlighted that the window for an east facing bathroom is no longer sought (it was sought under refused planning application SE/13/00306/HOUSE). The only remaining window on the eastern flank of the property facing Number 49 Mount Harry Road is an existing bedroom window, which will not overlook the adjacent occupiers.

The Council respectfully requests that if Members are minded to approve consent that this condition is removed.

- 2 Paragraph 62 of the Officers Report states that the garage will be lost as part of the proposals. It is highlighted however that a garage remains at the property (although smaller than the existing).

Amend Recommendation

Delete condition 7

Item 3.2 SE/3/03557/FUL Hillway, Pilgrims Way East, Otford, Sevenoaks TN14 5RX

- A letter has been received by the applicant and which the applicant states has been brought to the attention of Councillors.

Chief Planning Officers Comments

The following comments are made in response to the applicant's salient points:

- Officers disagree with the applicants calculations. It is common practice for submitted plans to be scaled manually to verify the size of a proposal. In this instance, in light of the planning history and difference in calculations submitted by the applicant in comparison to the officer, prior to drafting the Committee Report the submitted plans

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were scaled and calculated by both the case officer and a second Senior Planning Officer. It is officer's view that the calculations set out in the Committee Report at paragraphs 70-88 provide an accurate representation of the size of the proposed replacement dwelling. The figures are for the external measurements of the proposed dwelling.

- Officers disagree with the applicants' interpretation of Sevenoaks Local Plan policy H13 for the reasons set out in the Officers report. It is noted that the applicant further argues that the size of the original dwelling should be calculated from the time Hillway was designated within the Green Belt which according to the applicant was in 2000. In response to this, it is officers view that just because a dwelling was constructed on a site prior to the inclusion of the land in the Green Belt does not necessary imply that it should be regarded as 'original' from the date it became formally designated. No such distinction is made in development plan policies relating to the Green Belt or in the NPPF or indeed in former PPG2. Furthermore, the definition of 'original' dwelling in relation to policy H13 is clear and unambiguous. Furthermore, this view has previously been supported by Inspectors in appeal decisions. The proposal is not compliant with policy H13, as the original dwelling has already been extended by more than 50%.
- The applicant argues that the proposed dwelling will be less conspicuous/visually prominent. Members' attention is drawn to paragraph 90 of the Officers report which states that the test of openness is not reliant upon degree of visibility.

Recommendation

That permission be refused, as per the main papers.