



Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
31 July 2014 at 7.00 pm

Late Observations

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DEVELOPMENT CONTROL COMMITTEE

31 July 2014

LATE OBSERVATION SHEET

3.1 SE/14/01679/FUL Land South of Roxburgh, Pound Lane, Knockholt TN14 7NA

The site location plan and block plan published at pages 18 and 19 of the Development Control Committee Agenda are incorrect as the red line boundary indicating the application site includes a parcel of land to the rear of number 8 which is proposed to be transferred to number 8 to increase the size of number 8's amenity area. As set out in paragraph 2 of the officer's report this land does not form part of the application site. The plans have since been amended to reflect the red line boundary on the plans submitted by the applicant. Copies are attached for information.

It should also be noted that the property addressed as Charlton on the applicants block plan at page 19 of the published Agenda (revised copy attached), is actually addressed as Santon and referred to as Santon throughout the Officers report. The footprint of the property is annotated incorrectly on the plans as set out at paragraph 76 of the officer's report. However, the Councils site plan published at page 18 an amended copy of which is also attached indicates the correct footprint to Santon.

A further letter has been received in respect of the application stating the following:

- There can be no objection on planning grounds to refuse the development of this site for a suitable infill dwelling i.e. a detached bungalow rather than the proposed house;
- The land was previously used for keeping of chickens and ducks on a commercial basis; and
- The site is a brownfield site suitable for residential development.

In response to the third bullet point above, attention is drawn to paragraphs 31-34 of the officer's report which indicates that when assessed against the wording of the National Planning Policy Framework the site of the proposed dwelling would not be considered as previously developed land. Notwithstanding this fact, the report goes on to explain the reasons why the proposed development is considered to be acceptable.

In addition to the above, two letters have been received objecting to the proposal on the grounds already contained at paragraph 15 of the Officers report.

Amongst the correspondence is a further letter from number 7 Bond Close stating that some of the land to which the application relates is not within the ownership of the applicant. It is stated that a copy of Land Registry Plans are enclosed, however, no Land Registry Documents were received. A copy of the applicants site plan has been received indicating the land in dispute, however, in the absence of formal documentation such as a Land Registry title, it remains the case that there is nothing to substantiate that the land within the red line boundary is not within the ownership of the applicant, and the occupant of number 8 Bond Close, upon whom notice has already been served.

Agenda Item

Since writing the report, the applicant's agent has been contacted by email regarding the accuracy of the block plan and land ownership. The following email from the agent was received in response to the Officers email:

"The submitted site plan is based on a professionally prepared topographical land survey, carried out in 2014 and the Land Registry title plans.

The plan supplied by the occupiers of no.7 is the proposed layout produced before building by the developers of the estate, which is not a true representation of the position today.

We have served notice on those who own land for this proposal, that is not owned by the applicants".

In light of the above and in the absence of any evidence to the contrary, the information provided by the applicant in relation to land ownership is taken in good faith. As set out at paragraph 78 of the officer's report, the Council does not involve itself in land related disputes. Consequently, should it subsequently come to light that some of the land to which the application relates is not within the ownership of the applicant, then this matter will need to be resolved between the applicant and the relevant third party(s) involved.

Since writing the report, an amended block plan has been received in response to comments received from Kent Highway Services which indicates two parking bays within the application site to the size required by KCC. As such, no objection is raised to the proposal on highway grounds.

However, in light of the above, should planning permission be granted, recommended condition number 2 should be amended as follows to take account of the revised plan:

The development hereby permitted shall be carried out in accordance with the following approved plans 79815/2A date stamped received 30.05.14 and 79815/1A date stamped received 08.07.14

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

Subject to amending condition 2 recommended condition number 8 would ensure the retention of the available parking spaces should planning permission for the proposal be granted.

An email has been received from Mr Slinn the owner of Santon accompanying his presentation which will be displayed at the meeting. In response, the annotated block plan shows the extent of extensions to the rear of Santon which are hatched in red. The furthest rear building line to Santon appears to be annotated correctly on the submitted block plan. It is from this building line that distances to the proposed new dwelling have been ascertained. Although the extensions either side of the rear projection identified on the block plan are not indicated on the block plan submitted by the applicants, the case officer has appraised the proposal taking the existing extent of these extensions into account as they are clearly visible on site. In addition the existing extensions are plotted on the Councils Geographical Information System from which measurements can also be scaled.

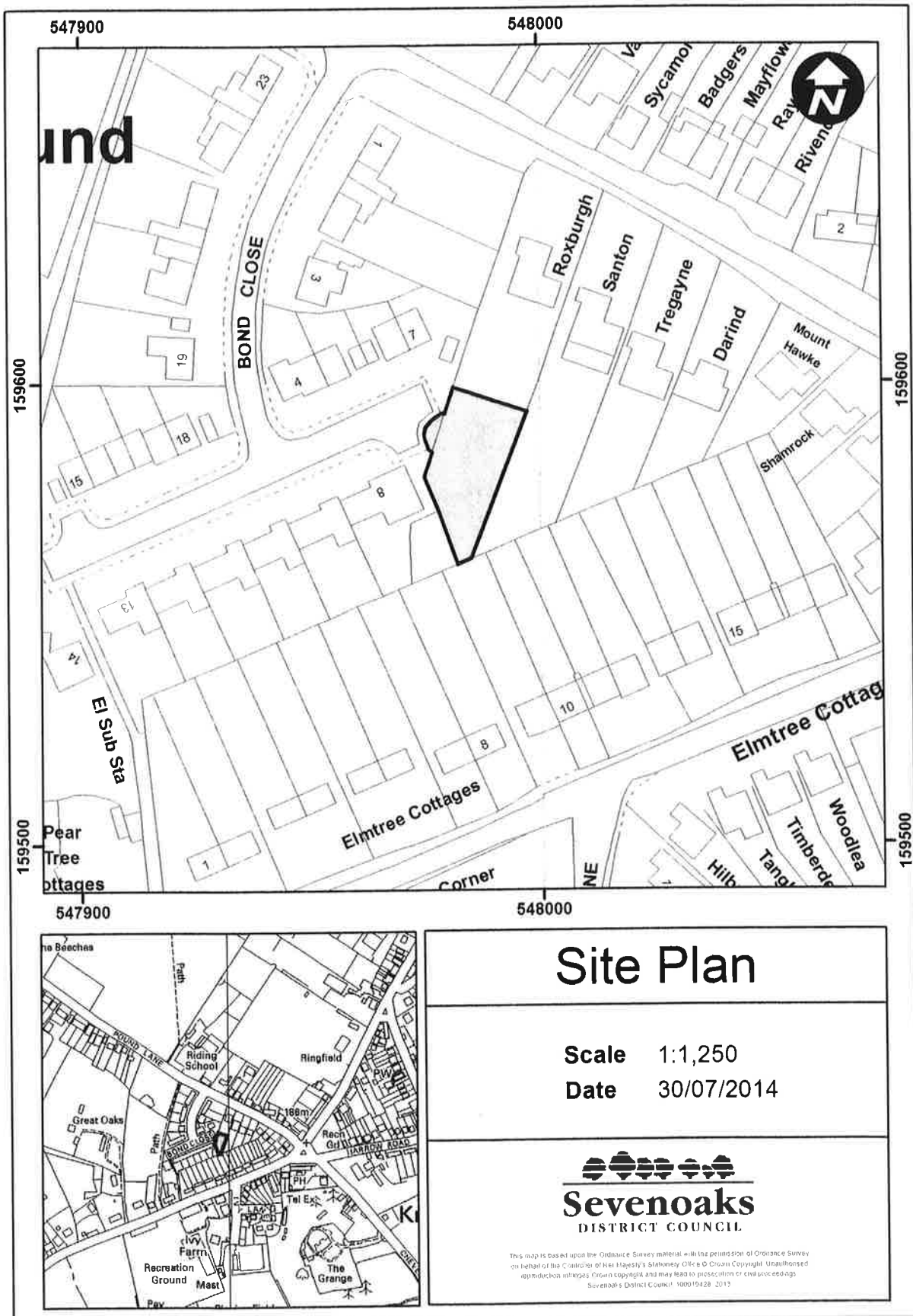
Mr Slinn states that the actual distance from Santon, to the proposed development site, is 13 metres and he has annotated this in his presentation. Mr Slinn's annotation is correct. However, the 22 metres referred to in paragraph 43 of the Officer's report to which Mr Slinn

refers is the distance from the rear of Santon to the nearest elevation of the proposed dwelling which is the north east elevation.

Mr Slinn has outlined the actual size of the development plot on copies of the site location and block plan published by the Council. As stated in the first paragraph of the late observations, the Council is aware that the published site and block plan are incorrect and amended plans are attached for information.

Recommendation

That permission be granted, as per the main papers, subject to the amendment outlined above to condition 2.



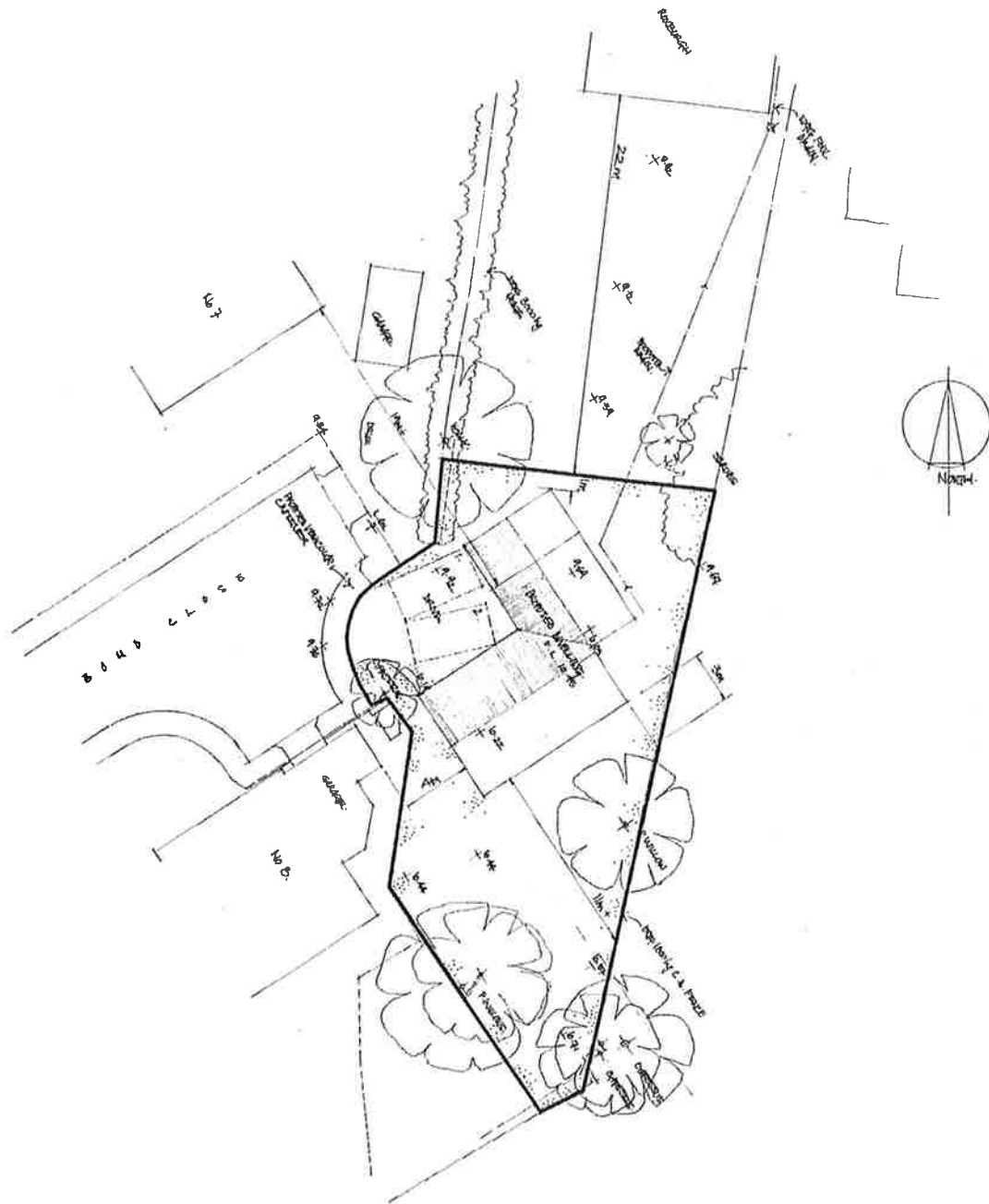
Site Plan

Scale 1:1,250

Date 30/07/2014

Sevenoaks
DISTRICT COUNCIL

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Agenda Item