



Sevenoaks
DISTRICT COUNCIL

Despatched: 10.10.12

DEVELOPMENT CONTROL COMMITTEE

18 October 2012 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Mrs. Dawson

Vice-Chairman Cllr. Williamson

Cllrs. Mrs. Ayres, Brookbank, Brown, Clark, Cooke, Davison, Dickins, Gaywood, Ms. Lowe, McGarvey, Orridge, Mrs. Parkin, Piper, Scholey, Miss. Thornton, Underwood and Walshe

1. **Minutes** (Pages 1 - 8)
Minutes of the meeting of the Committee held on 20 September 2012
2. **Declarations of Interest or Predetermination**
3. **Declarations of Lobbying**
4. **Planning Applications - Group Manager - Planning's Report**
 - 4.1. **SE/12/00946/FUL - 1-8 Beckets Field, Penshurst, Tonbridge TN11 8DW** (Pages 9 - 28)
Demolition of garages and No. 6 Beckets Field and erection of 4 x 2 bed apartments and 2 x 2 bed houses
 - 4.2. **SE/11/02258/FUL - Land SW of Forge Garage, High Street, Penshurst, Kent TN11 8BU** (Pages 29 - 66)
Erection of Six Affordable Dwellings with associated access and landscaping works as amended by revised plans and documents received on 13.03.12
 - 4.3. **SE/11/03288/FUL - 18-19 The Row, Main Road, Edenbridge, Kent TN8 6HU** (Pages 67 - 82)
Demolition of existing shop and flat over (18 & 19 The Row) and construction of 4 no. new residential units with 3 parking spaces
 - 4.4. **SE/12/02072/HOUSE - 63 Redhill Wood, New Ash Green, Longfield DA3 8QP** (Pages 83 - 90)

The erection of a two storey side extension, alterations to fenestration including the insertion of a juliet balcony on the first floor

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

If you wish to speak in support or against a planning application on this agenda, please call the Council's Contact Centre on 01732 227000

For any other queries concerning this agenda or the meeting please contact:
The Democratic Services Team (01732 227241)

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227350 by 5pm on Monday, 15 October 2012.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 20 September 2012 commencing at 7.00 pm

Present: Cllr. Mrs. Dawson (Chairman)

Cllr. Williamson (Vice-Chairman)

Cllrs. Mrs. Ayres, Brookbank, Brown, Clark, Davison, Gaywood, Ms. Lowe, McGarvey, Orridge, Mrs. Parkin, Piper, Miss. Thornton and Underwood

Apologies for absence were received from Cllrs. Cooke, Dickins, Scholey and Walshe

Cllrs. Ayres, Mrs. Bracken, Mrs. Davison, Edwards-Winser and Mrs. Hunter were also present.

66. Minutes

Resolved: That the minutes of the meeting of the Development Control Committee held on 23 August 2012 be approved and signed by the Chairman as a correct record.

67. Declarations of Interest or Predetermination

No declarations of interest or predetermination were made.

68. Declarations of Lobbying

Cllrs. Mrs Dawson and Ms. Lowe declared that they had been lobbied in respect of item 4.2 SE/12/01031/HOUSE - 51 Greenhill Road, Otford, Sevenoaks TN14 5RR.

69. Order of the Agenda

The Chairman announced that, with the consent of the Members of the Committee, item 4.4 SE/12/01530/CAC - Cavendish House, Clenches Farm Road, Sevenoaks TN13 2LU would be considered before item 4.3 SE/12/01529/FUL - Cavendish House, Clenches Farm Road, Sevenoaks TN13 2LU.

Reserved Planning Applications

The Committee considered the following applications:

70. SE/12/01031/HOUSE - 51 Greenhill Road, Otford, Sevenoaks TN14 5RR

The proposal sought permission for the demolition of the existing garage, erection of a part two storey part first floor extension to the side of the property and the construction of a glazed link leading to a two storey structure. The application also sought permission to re-clad the first floor. The site was within the Village of Otford Area of Outstanding Natural Beauty

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Officers considered that the glazed link represented an inappropriate addition to the building to the detriment of its design, character and appearance. The proposed development would also result an uninterrupted built form across most of the application site and this would result in the site appearing cramped, contrary to the established spatial character of Greenhill Road.

Members' attention was drawn to the tabled Late Observations sheet. It was noted that a Members' Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application:	Graeme Mair
For the Application:	Steve Herbert
Parish Representative:	-
Local Member:	Cllr. Edwards-Winser

In response to a question Officers confirmed the main dwelling and garage would have footprints of 153m² and 79 m² respectively. Due to its angle the structure would be between 1m and 3m from the boundary fence with no. 53 Greenhill Road. The applicant clarified that he did not intend to remove foliage from that boundary.

It was MOVED by the Chairman and was duly seconded that the application be refused on two grounds. The first was that the proposed glazed link by reason of its overall design and materials failed acceptably to integrate with or relate to the character and design of the existing building. The second was that the proposed glazed link and two storey structure would create an uninterrupted extension of the built form across almost the entire width of the application site which when coupled with the overall size, scale and bulk of the two storey structure would represent a cramped and incongruous form of development.

An amendment to the motion was proposed and agreed that the second reason for refusal also include that due to its height, bulk and mass the development would have an adverse impact onto the visual amenity of the residents of no. 53.

A Member of the Committee noted that most of the properties in the area had built form across the width of the plot. Additionally Otford Parish Council had not objected to the proposal in principle. Several Members considered the link to be a positive addition to the site.

Other Members of the Committee noted the comments from the neighbour at no. 53 that the size of the property could seem dominating and overbearing due to the slope of the site.

The amended motion to refuse permission was put to the vote and there voted –

7 votes in favour of the motion

8 votes against the motion

The Chairman declared the motion to be LOST.

It was MOVED and was duly seconded:

“That planning permission be GRANTED with Officers given delegated authority to agree appropriate conditions including details of hedgerow treatment”.

The motion was put to the vote and there voted –

8 votes in favour of the motion

7 votes against the motion

Resolved: That planning permission be GRANTED with Officers given delegated authority to agree appropriate conditions including details of hedgerow treatment.

71. SE/12/00875/FUL - Little Grange, Duncans Yard, Fullers Hill, Westerham TN16 1AD

The proposal was for approval for the erection of a two storey detached dwelling towards the northern boundary of the site and was currently gardens for Little Grange. The application proposed to use the existing access onto the site, which also served Little Grange to the south. The site was within the built confines of Westerham and was in the Westerham Conservation Area.

Officers considered that the additional dwelling would maintain a low density which was a distinctive character of the surrounding area. The design and choice of materials would not appear as incongruous or contemporary at odds with the scale and appearance of existing buildings. The proposal preserved the amenity of adjoining properties.

Members’ attention was drawn to the tabled Late Observations sheet. It was noted that a Members’ Site Inspection had been held for this application.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	MR B R Walters
Parish Representative:	Linda Rodgers
Local Member:	Cllr. Mrs. Bracken

It was explained that the policy target for density would be for 2.1 dwellings in rural settlements on a plot this size.

It was MOVED by the Chairman and was duly seconded that the recommendation in the report to grant permission subject to conditions be adopted.

It was proposed by a Member that the start time for construction and demolition works on Saturdays in condition 8 was too early. An amendment to the motion was agreed that Officers would have delegated authority to amend this condition so the works could not begin before 0800.

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Some of the Committee noted the comments of the Local Member that the proposed development would be out of character with the surrounding area and at best may need time to “settle in”. Much of the area was 200 years old and intimate. The site was also noticeable as it was on a hill.

It was suggested by others that the proposal did not harm the conservation area. The area consisted of a mixture of building styles and would not be particularly prominent from any public viewpoint or dwelling.

The amended motion was put to the vote and there voted –

11 votes in favour of the motion

4 votes against the motion

Resolved: That planning permission be GRANTED subject to the following conditions:-

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 development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No development shall take place until full details of both hard and soft landscaping have been submitted to and approved by the Local Planning Authority. These details shall cover as appropriate: Retention of existing planting/landscaping; Proposed finished levels or contours; Boundary Treatments; Hard surfacing materials; Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities, and Implementation timetables.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

4) The proposals for landscaping shown on the approved layout shall be carried out in the first planting and seeding season following occupation of the buildings or the completion of the development, (whichever is the earlier) or in accordance with a programme agreed with the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the appropriate British Standards or other recognised Codes of Good Practice, to the satisfaction of the Local Planning Authority. All new planting shall be adequately staked and

and shall be maintained for a period of 5 years. Any trees or plants which, within this period, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or diseased shall be replaced in the next planting season with others of the same species, size and number as previously approved, unless the Local Planning Authority gives written consent to any variation.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

5) Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles, isolux diagrams) and a written assessment of the impact of such a scheme. The approved scheme shall be carried out in accordance with the approved details and maintained thereafter and no further lighting shall be introduced into the site without the prior approval of the local planning authority.

In the interests of amenity in accordance with Policy EN1 of the Local Plan.

6) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority:

i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported in , policies CC2 & CC4 of the South East Plan 2009 and Policy SP2 of the Core Strategy.

7) No development shall take place until full details of a scheme of Biodiversity enhancement have been submitted to and approved by the local planning authority. The approved details shall be implemented in full and maintained thereafter.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy NRM5, of the South East Plan 2009 and guidance in National Planning Policy Framework 2012.

8) Demolition or construction works shall not take place outside 0700 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

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To prevent disturbance to nearby residential properties in accordance with Policy EN1 of the Local Plan.

9) No development shall take place until a construction method statement, including details of temporary on-site parking of vehicles, loading and unloading of materials, storage of plant and materials and traffic management have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved method statement.

To mitigate the impact during construction relating to highways safety and neighbouring amenities, in accordance with policy EN1 of the Sevenoaks District Local Plan.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development shall be carried out within Classes A, B, C, D, E, G, H of Part 1 of Schedule 2, Classes A, B of Part 2 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), to without prior approval of the Local Planning Authority.

To safeguard the visual amenity of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

11) Before the use or occupation of the development hereby permitted, the car parking and turning areas shown on the approved 1135/02 received on 30/03/12 shall be provided and shall be kept available for the parking of cars at all times.

To ensure a permanent retention of vehicle parking for the property as supported by Policy EN1 of the Sevenoaks District Local Plan.

12) The developer or successors in title shall arrange for a watching brief to be undertaken by an archaeologist approved by the local planning authority so that excavation is observed and items of interest and finds are recorded. No works shall start on site until a written programme and specification for the work has been submitted to and approved in writing by the local planning authority.

To investigate and record archaeological features as supported by Policy EN25A of the Sevenoaks District Local Plan.

13) The development hereby permitted shall be carried out in accordance with the following approved plans: 1135/02, 1135/03, 1135/04, 1135/05, 1135/06 Rev. A, 1135/07 Rev.A, 1135/08 Rev.B, 1135/09 Rev.A, 1135/10, 1135/11, 1135/12.

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

Informative

1) 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. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public

network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

72. SE/12/01530/CAC - Cavendish House, Clenches Farm Road, Sevenoaks TN13 2LU

Conservation Area Consent was sought to demolish the existing dwelling and attached garage. The site was within the Kippington Road Conservation Area and had been identified in the Kippington Road and Oakhill Road CAMP as “contributing to character”.

Officers informed the Committee that the existing structures were considered a heritage asset under section 12 of the National Planning Policy Framework and, unless a particular exemption applied, there was a presumption against demolition. Demolition would detract from the character and appearance of the Conservation Area.

Members’ attention was drawn to the tabled Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Justine Digweed
Parish Representative:	-
Local Member:	Cllr. Mrs. Hunter

In light of comments by the speakers, Members requested that Officers clarify whether the applicant had submitted any evidence to indicate whether the existing buildings were structurally unsound. No such documents had been received. Members believed this information was required before a decision could be made, due to the weight put on this matter by the public speakers.

It was MOVED by the Vice-Chairman and was duly seconded that the applications both for Conservation Area Consent and Planning Permission be deferred for the applicant to produce a full structural survey.

Officers clarified that they would need time to consider any such evidence once received.

The motion was put to the vote and there voted –

12 votes in favour of the motion

2 votes against the motion

Resolved: That the application for Conservation Area Consent be deferred for the applicant to produce a full structural survey.

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73. SE/12/01529/FUL - Cavendish House, Clenches Farm Road, Sevenoaks TN13 2LU

Resolved: That the application for Planning Permission be deferred for the applicant to produce a structural survey.

THE MEETING WAS CONCLUDED AT 9.17 PM

CHAIRMAN

4.1 – SE/12/00946/FUL Date expired 7 June 2012

PROPOSAL: Demolition of garages and No. 6 Becketts Field, and erection of 4 x 2 bed apartments and 2 x 2 bed houses.

LOCATION: 1 - 8 Becketts Field, Penshurst, Tonbridge TN11 8DW

WARD(S): Penshurst, Fordcombe & Chiddingstone

ITEM FOR DECISION

This application has been reported to Development Control Committee at the discretion of the Director of Community and Planning Services due to the significant public interest and contentious nature of the proposed development, and in order for the application to be considered together with a similar proposal at Forge Field, Penshurst.

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

The scale, height and design of the proposed development would be out of keeping with surrounding buildings and would be harmful to the established character and appearance of the area. This would be contrary to Policy EN1 of the Sevenoaks District Local Plan and Policies SP1 and SP4 of the Sevenoaks Core Strategy.

The scale, height and siting of the development would result in an unacceptable loss of light, privacy and outlook to existing bungalows at Nos. 3, 4 and 5 Becketts Field, which would harm the living conditions of occupants of these properties. This would be contrary to Policy EN1 of the Sevenoaks District Local Plan and SP4 of the Sevenoaks Core Strategy.

In the absence of a S106 agreement, the development would fail to secure the delivery of the units as local needs affordable housing, contrary to Policy SP4 of the Sevenoaks Core Strategy.

The identified local need for housing would be met through the planning permission granted at Forge Field under SE/11/02258. In the absence of any further identified need for rural housing, the proposal would lead to an overprovision of such housing, contrary to Policy SP4 of the Sevenoaks Core Strategy.

Description of Proposal

- 1 This application seeks planning permission to demolish an existing dwelling on site and erect 6 x 2 bed residential units in two separate buildings.
- 2 Building A would be erected on the site of the existing bungalow at No. 6 Becketts Field, and would be attached in part to the existing unit at No. 5. It would accommodate 4 x 2 bed apartments, arranged over three floors. The building would measure just over 8 metres in height and has been designed with twin gable features to provide space for accommodation within the roof.
- 3 Building B would be located on the site of an existing block of garages used by residents of Becketts Field. The building would be arranged over two floors with the first floor accommodation in the roofspace, with a similar gable design to

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building A. This building would accommodate 2 x 2 bed dwellings. The height of this building would be 6.5 metres to the ridge.

- 4 The existing large hard surfaced turning circle within Becketts Field would be redesigned, with a communal grassed area and a new parking and turning layout. In total, the existing and proposed units would be provided with 25 parking spaces, arranged in various locations around the site.
- 5 The application has been made on the basis that the units would be built and occupied as local needs housing units.
- 6 The application was originally submitted as a scheme for 10 new units, and included land occupied by another garage block and owned by West Kent Housing. The application was subsequently amended and the land owned by West Kent Housing does not form part of this revised scheme.

Description of Site

- 7 Becketts Field is the name given to an area of land to the north of Glebelands, which houses 6 bungalows and a pair of semi-detached dwellings, owned and managed by the Becket Trust. The area is approximately 0.3 hectares in size.
- 8 The site, and indeed the whole of Penshurst, is located within the Metropolitan Green Belt and the High Weald Area of Outstanding Natural Beauty. The boundary of the Penshurst Conservation Area is sited immediately to the north of Becketts Field.
- 9 The site is flanked by land associated with a large detached dwelling known as Petresfield to the north, the Glebelands housing development to the east, a detached dwelling known as Latterhams to the west, and to the south by land that would appear to form part of the curtilage to another detached dwelling known as Oakley House.
- 10 The existing site consists of 6 x bungalows erected in the early 1970's and arranged in two groups of 3 units on either side of a large turning circle. A garage block serving the bungalows is located at the northern extremity of the site, adjacent to the boundary with Laterhams.
- 11 The semi detached dwellings are located on the eastern part of the site, to the south of the existing access road into the site. These dwelling were erected around 10 years ago.

Constraints

- 12 Green Belt
- 13 High Weald AONB
- 14 Adjacent to Penshurst Conservation Area

Policies

South East Plan

- 15 Policies – SP5, CC1, CC2, CC4, H3, H5, NRM4, NRM5, C3, BE5, BE6

Sevenoaks District Local Plan

- 16 Policies – EN1, EN23, T9, VP1

Sevenoaks Core Strategy

- 17 Policies – LO1, LO8, SP1, SP2, SP4, SP7, SP11

Other –

- 18 The National Planning Policy Framework
19 The Penshurst Conservation Area Appraisal
20 The High Weald AONB Management Plan (2nd Edition adopted 2009)

Planning History

- 21 SE/01/00159 - Erection of a pair of 3 bedroom semi detached houses and parking - Approved

Consultations

Penshurst Parish Council

- 22 Original Comments –

The PC support the provision of affordable housing, however we regret we are unable to support the application submitted by the Becket Trust for the following reasons:

The proposed high density of build resulting in over intensification of the site and the consequent impact on those living in the area

The number of properties proposed is not in accordance with the requirements of the needs survey

The current access, congestion and parking problems would be exacerbated further if more units were introduced

- 23 Further comments (received 24/07/12) –

We acknowledge receipt of the amendments to the original application and would comment as follows.

The Parish Council are unfortunately unable at present to support this application as it does not comply with the necessary criteria, the main requirements being for the project to meet an identified need for affordable housing to have financial arrangements in place to meet the cost of the project

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A number of other comments have been made by members in relation to the actual design plans, some of which are planning issues:

The site is not considered suitable to accommodate further dwellings and would result in over intensification of building

The height and proximity of the proposed dwellings would result in overlooking/loss of privacy and consequently result in issues of loss of daylight/overshadowing

There are already problems with regard to parking on the Glebelands estate generally and with the removal of the garages and subsequent requirement for the cars to be parked elsewhere this, together with the increase in traffic accessing Becketts Field, would be exacerbated. The space allowed for open parking/turning could be considered to be unrealistic and with the loss of garaging, current users would lose storage space for possessions/tools etc now stored.

The design of the proposed building is not in keeping with the surrounding area, in fact it would not blend with any other building in Penshurst.

Concerns have been raised over the funding of the project.

In view of the fact that Sevenoaks District Council have resolved to grant the planning permission for the Forge Field project the identified need for affordable housing has now been met.

We understand a revised Design and Access Statement is still awaited; on receipt of this we would intend holding another site meeting. It is possible this will not be before your response date of 27 July and also as the PC is scheduled to meet on the 6 August 2012 we will forward any further information/comment available after those meetings.

24 Further comments –

The revised design and access statement varies little from the original, in view of this the PC has no further comment to add to the original submission.

SDC Tree Officer

- 25 - My only comments are with regard to the proposed additional parking area shown to the rear of 6 Becketts Field. Hard standing is shown to be up to the northern boundary where an amount of mature trees exist on the other side of the fence. No details of how this is to be carried out without harm to the rooting systems of these trees, which will be required should this scheme gain approval. It is also expected that a certain amount of pruning may be required, details of which should be supplied. I would also expect to see details of proposed landscaping works.

Kent Highways

- 26 The application includes plans to construct a “landscaped court” and allocated parking bays on the existing vehicle turning area which is currently public highway. This would require a Stopping-Up Order. However, the area required to turn around HGVs (such as the refuse lorry) needs to remain part of the adopted

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highway and (contrary to the drawings) must continue to be constructed to highway standards. The submitted plans appear to make no provision for services (electricity, gas, telecoms etc) which need to be accommodated in service strips clear of the carriageway / shared-use area. This is explained in the “Making It Happen” section of the Kent Design Guide.

- 27 Parking requirements are usually based on the number of bedrooms of residents' houses and flats. In view of the comments in consultation responses, the number of bedrooms of the properties in Becketts Field should be clarified to confirm that proposed parking provision is sufficient.
- 28 The proposed tandem parking spaces are also a cause for concern, as these will be inconvenient to use and in practice it is likely that residents would park elsewhere. This may result in visitors having nowhere to park except on highway outside the development site or within the area required for turning larger vehicles.
- 29 As a consequence of the above, we must object to the submitted plans and would also object to a Stopping Up Order for this development. This is necessary for reasons of highway safety, as if the proposed turning area is blocked by parked cars or roadworks by utility companies, then large vehicles such as refuse lorries would be forced to reverse down Glebelands and onto B2188 Fordcombe Road.
- 30 It may be possible to overcome these objections if the drawings were amended in respect of the turning area, parking and service strips so that they comply with highway standards. This is likely to remove the “landscaped court” proposed to be built on the turning circle and possibly also other landscaped or garden areas. A small reduction in the number of proposed residential units (and associated parking requirement) would also help to achieve an acceptable design.

SDC Housing –

- 31 The provision of local needs housing in the rural communities is a key objective of Sevenoaks District Council, as evidenced in the Council's Sustainable Communities Action Plan 2010 - 2013 and Housing Strategy Action Plan 2012.
- 32 The need for additional affordable housing in the Parish of Penshurst was evidenced in the parish needs survey undertaken by the Rural Housing Enabler (RHE) - Action With Communities in Rural Kent, in January 2009. The survey identified a need for 11 one and two bedroom affordable homes. In order to forecast the number of affordable homes required to meet local need in perpetuity, the RHE advise an indicator used by many local authorities is the need must be at least two to three times the number of homes eventually built. The survey recommended approximately 5 predominantly two bedroom homes should be provided to meet the identified need. It is noted the revised planning application is for the net addition of 5 homes. This would meet the recommended level of provision. However, an existing permission exists for the provision of 6 two bedroom homes (WKHA – Forge Field). If implemented, this existing permission would fully meet the recommended level of new affordable housing to be provided in the Parish.
- 33 Affordable homes developed under the LDF Core Strategy policy SP4 (rural exceptions housing), are required to be subject to a planning agreement (Section 106 Agreement) which ensures the homes remain available to meet local housing needs in perpetuity. The extract of the S106 Agreement template previously

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provided to the applicants on 29 December 2010 and discussed during subsequent pre-planning discussions, set out firstly, all applicants for the affordable homes would need to be registered on the Sevenoaks District Housing Register and, secondly, articulates the qualifications for demonstrating a local connection to the Parish. Sevenoaks District Council is a partner in the local choice-based lettings scheme, Kent Homechoice, and all affordable homes that become available for rent are required to be advertised through this medium. The Planning, Design, Access and Interim Statement of Community Consultation and Engagement dated 9 July 2012, paragraph 1.13, describes the allocation process the applicants intend applying to the new homes. This is not compliant with the process detailed above. A letter from the applicant dated 24 September does refer to a meeting between the applicant and the District Council on 11 June during which the applicant, “accepted the proposed S106 terms” and requests a draft Deed be forwarded for consideration. Currently, the application fails to show either, that the affordable housing would remain available to meet local housing needs in perpetuity or, that such housing would be allocated via the required process. The application is therefore not supported.

- 34 The financial appraisal attached to the original application made the assumption that there would be an input of £350,000 housing grant. Previous advice provided by the applicant (7 February 2012) was that the Homes & Communities Agency (HCA) had advised all housing grant allocations for 2011 to 2015 had been made by the summer 2011. The HCA suggested the applicant should make contact with local Registered Providers who had received funding allocations and who may be prepared to work with them. Contact details for local Registered Providers were provided by the District Council. A letter from the applicant dated 24 September advises the HCA have indicated their in principal support to fund the units via their Communities Fund. No further details are given. The HCA have not communicated their position to the District Council. The letter of 24 September also advises a named private investment company has the ability to fund, and intends to fund, the development. Various funding options have therefore been highlighted but none appear conclusive. It should be noted the existing permission (WKHA – Forge Field) has confirmed funding under the HCA’s Affordable Homes Programme 2011/2015.

Officer Comment –

- 35 Members should note that the above comments made by SDC Housing refer to permission having been granted at Forge Field. Members will be aware from reading this report that planning permission has not in fact been granted, albeit that a resolution to grant permission has been made.

Southern Water –

- 36 No objection subject to condition

Representations

- 37 75 households have sent objections to the application on the following grounds
- The need for local housing should be met by developing Forge Field
 - Inconsistencies in site plan and design and access statement
 - The density of development would be out of character

- Loss of existing bungalow for a longstanding tenant
- The site is visible from the bridle path opposite the valley with resultant visual impact
- Impact on parking and turning
- Loss of privacy and light to existing occupants
- Health and safety impacts during construction
- Parking overspill will occur
- Impact upon AONB and Green Belt
- Impact upon conservation area and listed buildings
- The lack of frequent public transport is such that parking will be at a premium
- The consultation that the Becket Trust refer to relates to a different development proposal
- Development of garden land
- Effect on safety of children through new dwellings and additional traffic generated
- The amendments do not address concerns originally raised
- Lack of funding to implement the scheme
- Lack of garden space
- Loss of garages
- The application is an attempt to undermine the Forge Field application

38 14 households have sent letters in support of the application on the following grounds

- The site is more acceptable than Forge Field and causes less damage
- The applications at Forge Field and Becketts Field should be considered together
- The site is away from the flood plain and a busy road
- A solution could be found to parking issues
- Good design
- Existing brownfield site
- The scheme would meet the defined local housing need

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Group Manager - Planning Appraisal

Overview

39 My appraisal of the scheme is set out in detail below. Members will be aware that this is one of two applications being reported to committee for rural needs housing in Penshurst, the other being at Forge Field. Whilst it is normal established practice to consider every application on its own merits, there are occasions when a comparison with an “alternative” scheme needs to be made. This is one such instance as both proposals would, individually, meet the recommended local need for housing, but in combination would exceed this recommended need. As such, my recommendation is that only one scheme could be compliant with the Council’s policy on rural needs housing.

Main Issues

- 40 This application seeks planning permission to erect 6 residential units on land at Becketts Field, Penshurst (a net gain of 5 units) The dwellings would be occupied as local needs affordable housing units.
- 41 The site and surrounding area, including the “built” village of Penshurst, is located within the Metropolitan Green Belt and Members will no doubt be aware that new house building within the Green Belt is normally resisted. However paragraph 54 of the NPPF does allow for local planning authorities to provide for local needs affordable housing through rural exception sites, and this need not be inappropriate within the Green Belt (Para. 89 of the NPPF).
- 42 Policy SP4 of the Sevenoaks Core Strategy sets out the specific local circumstances under which affordable housing proposals in rural areas will be considered, and states that such housing will only be developed to meet local needs identified through rural housing needs surveys.
- 43 In this respect, a Rural Housing Needs survey for the parish of Penshurst was undertaken in 2009 by a registered charity known as Action with Communities in Rural Kent. This is a recognised Rural Housing Enabler, supported by Local Authorities throughout Kent. The survey concluded that due to high property prices in the parish, a need for local affordable housing exists. It recommended that a need for approximately 5 affordable rented properties, consisting of a mix of 1 and 2 bed units, predominantly 2 beds, would meet the requirements of local people in housing need.
- 44 Following the establishment of such need, Policy SP4 then sets out criteria to be applied in identifying sites as follows –
- a) *the local need identified through the rural needs survey cannot be met by any other means through the development of sites within the defined confines of a settlement within the parish or, where appropriate, in an adjacent parish.*
- 45 In this instance, it is recognised that the whole of Penshurst village falls within the Green Belt, and for the purposes of this policy it has no “defined confines” – i.e. the village is not excluded from the green belt. Similarly, Fordcombe, the other main settlement within the parish, has no defined confines and also falls wholly within the Green Belt – as in fact does the whole of the Parish. Penshurst also

falls outside of the list of rural settlements as defined under Policy L07 of the Sevenoaks Core Strategy, and for policy purposes, the village is washed over by the green belt.

- 46 Penshurst parish is flanked by Chiddingstone and Leigh parishes. These all fall wholly within the Green Belt other than Leigh village. However the defined Leigh village confines are small with tightly drawn boundaries and little room for development. In addition a local needs scheme for housing in Leigh has recently been built out. As such I do not consider it would be appropriate to seek to meet an identified need for Penshurst Parish in this location.
- 47 Taking the above into account, I do not consider that any opportunity exists to enable such a development to take place within any “defined” settlement confines, and that the development would need to take place on land designated as green belt.
- b) the proposal is of a size and type suitable to meet the identified local need and will be available at an appropriate affordable cost commensurate with the results of the appraisal. The proposal is accompanied by a financial appraisal proving the scheme will meet the defined need. Schemes which propose an element of cross subsidy will not be acceptable.*
- 48 The scheme proposes a net gain of 5 x 2 bed units. The Rural Needs Survey recommended that approximately 5 units be provided, and that these should be predominantly 2 bed units. The scheme does not provide any one bed units as recommended by the Rural Needs Survey. Having discussed this matter further with the Council’s Housing Officer, I am advised that 1 bedroom accommodation on small rural schemes such as this are normally of limited value. Two bedroom units are deemed to be preferable as they provide more flexibility, allowing households to develop (for example to have a family) without needing to move to new accommodation. The Penshurst village project Steering Group which was set up following the Housing Needs Survey also recommended that all units should be 2 bedrooms and this was further supported by the local community in consultation exercises undertaken prior to submission of the planning application. I do not consider that this slightly different arrangement to be in significant conflict with the recommendations of the survey.
- 49 At the time of writing, a draft S106 agreement has not been submitted with the application. However the application does refer to the occupation of the units as rented accommodation, and that rents should be set so as not to exceed 80% of open market rents for the local area. This would need to be secured via a S106 agreement.
- 50 A financial appraisal has also been submitted with the application. This makes a number of statements with regard to the availability of funding for the development. On the one hand, the information includes an offer to fund the development from a third party private investment company. A letter from a bank has also been submitted confirming the availability of funds. On the other hand, the appraisal also states that the Trust intends to raise the necessary finance through a mixture of its own funds, bank loans and housing grant, and possible subscriptions from the local community. It also refers to the possibility of grant funding from the Homes and Communities Agency, or through partnership agreements with Housing Associations. No evidence of funding arrangements secured using the above methods has been provided.

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- 51 From the information submitted, the application does not propose an element of cross subsidy (i.e. the development and sale of open market housing to help pay for the affordable housing).
- c) *the proposed site is considered suitable for such purposes by virtue of its scale and is sited within or adjoining an existing village, is close to available services and public transport, and there are no overriding countryside, conservation, environmental, or highway impacts. The initial and subsequent occupancy of sites developed under this policy will be controlled through planning conditions and agreements as appropriate to ensure that the accommodation remains available in perpetuity to meet the purposes for which it was permitted.*
- 52 With regard to the first element of this policy, the proposal is small in scale as a scheme for 6 units, and the site is within the Penshurst village, which is the largest village in the Parish with a village shop, public houses, a primary school and a bus service, albeit a limited one.
- 53 The site contains a number of planning constraints, being within the Green Belt and High Weald Area of Outstanding Natural Beauty, and adjacent to a Conservation Area. In addition, matters relating to design and layout, particularly in relation to surrounding existing properties, highways safety and neighbouring amenities need to be considered. The test under Policy SP4 is whether any such impacts are overriding. The following sections consider the various planning constraints and impacts relating to the site. Following these sections, I have set out my view as to whether any overriding impacts would arise from the proposal.
- i) Impact upon openness of Green Belt
- 54 Whilst the very nature of a rural exceptions site allows the potential for some development to take place in the green belt, it is important to consider the impact of the specific siting of the development on the green belt, particularly in terms of openness.
- 55 The NPPF states that Local Planning Authorities should regard the construction of new buildings in the green Belt as inappropriate but does list exceptions to this, one being limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan. In this instance, I do not consider that the erection of 5 additional units could be deemed as “limited infilling”. However the application has been submitted as a scheme for affordable housing, and on this basis it could be considered as an exception under the NPPF.
- 56 The site is located within the existing village and partially on previously developed land. As such, it is part of the existing built “fabric” of Penshurst. The development would however increase built form on site, and in this respect there would be some reduction in space and openness arising from the development, particularly as the site is on rising land and is visible from a wider distance. However in such proposals for rural exceptions sites, which by their very nature would take place in green belt locations in this District, some loss of openness would be almost inevitable. Given the location of the site within the existing village, and the small-scale nature of the proposal, I do not consider the impact on the openness of the green belt to be of any material significance.
- ii) Impact upon the character and appearance of the area, including the adjacent conservation area

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- 57 As already advised, Becketts Field is located at the end of Glebelands, and contains 6 bungalows arranged in two blocks on either side of a large parking and turning area, and a pair of semi detached dwellings slightly to the east which were built around 10 years ago. The dwellings are of simple design, with largely brick elevations under a traditional gable roof. Likewise, the dwellings on Glebelands are of simple two storey design and typical of 1950's housing development.
- 58 From a visual perspective, Becketts Field is a relatively discreet addition to the Glebelands development, primarily due to the single storey nature of the bungalows. The vehicle parking and turning area within the site is particularly large and detracts somewhat from the rural character of the area. Likewise the block of garages is of no aesthetic merit.
- 59 The proposal is split into two parts. Firstly, the existing dwelling at No. 6 would be replaced by a building (Building A) containing 4 flats. In terms of scale, the building would be clearly larger than the existing bungalows, being arranged over a larger footprint and over three floors. The building would be set partly into existing ground levels and as a result the height of the building would be around 2.4 metres greater than the adjacent bungalows. In addition, the building would project around 3.8 metres further than the rear building line of the attached bungalow at 5 Becketts Field. In terms of design, the building would be considerably different to surrounding buildings in terms of external treatment, the provision of accommodation over three floors, and the use of steep sided gable features with flat tops in order to facilitate the top floor.
- 60 The existing garages would be replaced with a second building (Building B) containing two dwellings. This would be arranged over two floors, with the first floor in the roof accommodation. The design approach is similar to the other proposed building, but on a smaller scale, although the building would be in excess of 2 metres taller than the existing bungalows.
- 61 It is acknowledged that the above differences in scale and design between the proposal and existing buildings, particularly the bungalows, need not automatically be harmful. As building B has been designed with first floor accommodation in the roof, and on a similar footprint, the difference in scale between this building and the surrounding units is not substantial, and I consider that, in street scene terms, it would result in an acceptable relationship with the surrounding bungalows.
- 62 However building A is of greater height and scale and in design terms would be notably different to the design and scale of the existing bungalows. In my opinion, the difference in scale and height between the building and the adjoining bungalows would result in an particularly awkward visual relationship, and the building would dominate the setting of these existing units. Whilst it is noted that the more detailed architectural design of the building has been based on existing historic buildings within Penshurst, I consider that this overtly different design would have the effect of isolating the building further from its surroundings, thus emphasising this awkward relationship and failing to relate well to the simple and modest form of surrounding buildings.
- 63 Taking this into account, I consider that the proposal would have a harmful impact upon the character and appearance of the area through the scale and design of Building A.

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- 64 In this respect, I also consider that the proposal would fail to comply with Policy EN1(1) of the local plan in that the development would not be compatible with the surrounding area in terms of scale, height and design. It was also conflict with Policy SP1 of the Core Strategy in that it fails to respond to the local character of the area.
- 65 The alterations proposed to the existing parking and turning area would reduce the amount of hard landscaping on this part of the site and provide a more defined parking layout. I consider this particular element of the scheme to be acceptable.
- 66 The site is bounded to the north by the Penshurst Conservation Area. The boundary is defined by a line of mature trees and hedging, and the Conservation Area Appraisal for Penshurst defines this as the point between the historic part of Penshurst and the modern housing developments (of Glebelands and Becketts Field). Whilst I have identified material harm through the unacceptable local relationship between the proposal and surrounding buildings, I do not consider that the proposal would have a wider impact upon the setting of the conservation area, due to its limited scale and the existence of tree screening on the boundary which screens the site from the conservation area. In this respect, I do not consider the scheme to be in conflict with other policies relating to conservation and heritage assets, namely policy EN23 of the local plan and SP1 of the Core Strategy.
- iii) Impact on wider landscape within an AONB
- 67 The site and surrounding area is located within the High Weald Area of Outstanding Natural Beauty. The NPPF states that great weight should be given to conserving landscape and scenic beauty within AONB's, which have the highest status of protection in relation to landscape and scenic beauty. Policy LO8 of the Core Strategy states that the distinctive character of the Kent Downs and High Weald AONB and their settings will be conserved and enhanced.
- 68 The existing site is part of a modern housing development within the built form of Penshurst village. The village is washed over with the AONB designation and the High Weald AONB Management Plan acknowledges the role of built settlements within the landscape. It states that development in settlements should maintain distinctiveness and meet rural needs.
- 69 The site is visible within the wider landscape in views from the east, due to the sloping topography of the land. Building A would be likely to be visible in part from such views, but would be seen in the context of part of a (relatively) modern housing estate. In the context of these views, I do not consider that the development would cause any material harm to the landscape character of the AONB, or be in conflict with policy LO8 of the Core Strategy.
- iv) Impact upon neighbouring amenities
- 70 The proposed buildings would be closely sited to existing dwellings within Becketts Field. Building A would extend beyond the rear wall of No. 5 Becketts Field by a distance of 3.8 metres and would be substantially greater in scale and height than the bungalow at No. 5. The rear garden to No. 5 is of limited depth, at approximately 8 metres. The difference in the scale of the two buildings is evident in the proposed west elevation drawing submitted with the application. In my opinion, the scale, height and depth of the proposed building would dominate and

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overwhelm the rear of the property, and particularly the garden area at 5 Becketts Field, resulting in harm to the living conditions of the occupants of this property.

- 71 In addition, it is noted that access to flats 2 and 4 within Building A would be via a raised first floor level platform running immediately next to the boundary with No. 5 Becketts Field. As a result occupants of these flats, or visitors, would have a clear view into the garden of No. 5 from the access. The only way to mitigate against this would be to require a solid screen to be erected on the boundary, although this in itself would need to be to a height of 4 metres from ground level, which would further exacerbate the dominating impact of the development on No. 5.
- 72 Building B would be erected between the two existing blocks of bungalows, and the existing bungalows at No.s 3 and 4 would, in part, face towards the flank wall of the proposed building. This wall is shown as a gable with a flat top section.
- 73 The proposed building would be closest to No. 4 Becketts Field, which also has an extension to the side. A distance of around 5 metres would separate the front elevation of this property from the flank wall of the proposal. As such, two bedroom windows in the front elevation would directly face the proposed building. In my opinion, the position of the flank wall in relation to No 4 would be likely to cause a significant loss of outlook to the occupants of this property. This is exacerbated by the steep gable roof incorporated into the scheme. In addition, the proposal would be sited to the south of No. 4 and I consider that due to the short separation distance between dwellings, the proposal would be likely to result in a material loss of daylight and sunlight to habitable rooms within No. 4, to the detriment of the living conditions of the occupants of this property.
- 74 The building also includes a first floor window in the side elevation which would overlook No, 4 at close quarters. Whilst it is noted that the frontage to this property is currently open, the proposed window in the first floor would look directly towards the existing bedroom windows at No. 4, and I do not consider this relationship to be acceptable.
- 75 The relationship between building B and No. 3 Becketts Field is somewhat better insofar that a greater distance of around 7.5 metres would be maintained between the buildings, and the proposed building would be sited to the north of No. 3, thus resulting in no loss of sunlight. This greater distance between buildings means that the impact of the scheme on the outlook and daylight to No. 3 is less so than would be the case with No. 4, and on balance I do not consider that this impact would justify refusal. However, I would again raise concern over the provision of a first floor bedroom window in the side elevation of the property, which would face the front elevation of No. 3 at close quarters. I understand that the window most directly affected serves a bedroom, and I do not consider this relationship to be acceptable.
- 76 The revised parking and turning layout would, to a degree, affect all existing properties within Becketts Field. In this respect, it is noted that a series of parking bays would be provided outside No.s 1-3 and to the front of proposed building A. A small area shown as walkways and private space would be maintained to the front elevations of these buildings, and despite the fact that car parking would take place closer to these units than is currently the case, I consider this relationship to be acceptable.

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- 77 The proposed parking surrounding the existing dwellings at 7 and 8 Becketts Field is more cluttered, although it is noted that the spaces to the side would be used by these properties, and that spaces marked 18 and 19 already exist. The two spaces at the front of the site would add to the existing parking areas around the property, although it is noted that street parking currently takes place outside the site. As such, whilst I consider that these properties would suffer from car parking on three sides, it is not significantly different to the existing situation and on balance I do not consider the plans make this situation materially worse.
- 78 Taking the above into account, I consider that the development would have a detrimental impact upon the living conditions of surrounding properties in a number of ways. I also consider that this would be in conflict with Policy EN1(3) of the local plan.
- v) Impact upon highways safety
- 79 As part of the development, the scheme proposes to redesign the existing turning circle within Becketts Field, to remove existing parking and garaging and provide new parking arrangements.
- 80 In terms of parking, the application states that the existing bungalows are 2 bed units, with the exception of No. 4 which has been extended to create a 4 bed property. In addition, the semi detached dwellings are each three bed units. Using the above figures, the Kent County Council guidance notes on parking would require a minimum of 22 spaces to provide for the existing and proposed units, together with visitor parking.
- 81 Local residents have disagreed with the information given in the application and state that three of the bungalows are in fact 3 bed units. I have not been able to clarify this to date. However, if the parking was re-calculated based on the number of bedrooms specified by local residents, the requirement would be for 23.5 spaces in total.
- 82 The proposal seeks to provide 25 spaces in total, although it is noted that in practice, tandem spaces 18 and 19 would be undesirable, and I am inclined to consider this as one rather than two spaces. Even so, using a revised total of 24 spaces the amount of parking proposed would comply with Kent Highways guidelines, whether the number of bedrooms are as specified in the application or by local residents.
- 83 Whilst tandem parking spaces are also shown next to the existing dwellings at 7 and 8 Becketts Field, such spaces already exist to these units. As such, I do not consider that an objection could be maintained to the retention of these spaces as they would not result in a worsening of conditions.
- 84 The application includes a drawing to demonstrate how a large vehicle (such as a waste lorry) would turn on site. This turning area is tight but achievable, and whilst it would be desirable to create a more spacious turning area, this specific element of the proposal is not unacceptable to Kent Highways. The main concern raised by Kent Highways is on the lack of a separate and identified service strip to provide services to the new and existing dwellings, and that the turning area may be blocked by parked cars, or roadworks, or utility company vehicles. With regard to parked cars, given that the development would comply with parking guidelines I do not consider that the Council could justify an objection on these grounds. With regard to service locations, these could be located under the public highway, but

this is often the case on many roads and I am not convinced that any occasional works to such services could warrant a refusal. Kent Highways would also appear to have control over such layout under their own Acts relating to the public highway.

- 85 Policy EN1 of the local plan states that new developments should provide adequate parking and should not create unacceptable traffic conditions on surrounding roads. In my opinion, the development would provide adequate parking and the ability for a larger vehicle to turn within the site. On this basis I consider the application accords with Policy EN1 of the local plan.

Summing up of impacts using Policy SP4

- 86 From my assessment above, Members will note that I have identified a very limited impact arising from the development to the openness of the Green Belt and that no material impact or harm would take place to the landscape within the High Weald Area of Outstanding Natural Beauty. Nor have I identified any harm to the setting of the adjacent conservation area. In addition, the development would, at least in part, take place on previously developed land, and not on a greenfield site. This works in favour of the application.
- 87 However, I consider that the development would cause harm to the established character and appearance of Becketts Field through the scale, height and design of the proposed buildings. I also consider that the development would cause harm to the living conditions of a number of existing properties in Becketts Field. I consider such harm to be significant.
- 88 The policy states that the suitability of a site for local needs housing should be considered against whether any overriding countryside, conservation, environmental or highway impacts would occur. In my opinion, the detrimental impact of the proposal on the surrounding area and surrounding properties would be significant enough to be overriding, albeit on a localised scale. On this basis, I consider that the development would fail to accord with Policy SP4(c) of the Core Strategy.
- 89 In addition, a S106 agreement has not been submitted to date to secure the development as local needs housing. In the absence of a S106, the scheme would not be strictly controlled to ensure the deliverability of local needs housing to the parish. As I have found the scheme to be unacceptable for other reasons, I would recommend that this should form a ground of refusal.

The existence of an Alternative site

- 90 Members will be considering this report together with an alternative scheme to erect 6 local needs houses at Forge Field, and will note that I have recommended approval of the Forge Field application. Members will note from the report that I have considered the question of alternative sites, including the Becketts Field site.
- 91 The existence of an alternative site is a material planning consideration but the weight given to this will normally depend on the facts and circumstances in each individual case. The Court of Appeal decision in *Governing Body of Langley Park School for Girls and the London Borough of Bromley and Ors* [2009] sets out how this should be considered as follows –

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“The starting point must be the extent of the harm in planning terms (conflict with policy etc.) that would be caused by the application. If little or no harm would be caused by granting permission there would be no need to consider whether the harm (or the lack of it) might be avoided. The less the harm the more likely it would be (all other things being equal) that the local planning authority would need to be thoroughly persuaded of the merits of avoiding or reducing it by adopting an alternative scheme. At the other end of the spectrum, if a local planning authority considered that a proposed development would do really serious harm it would be entitled to refuse planning permission if it had not been persuaded by the applicant that there was no possibility, whether by adopting an alternative scheme, or otherwise, of avoiding or reducing that harm.”

Where any particular application falls within this spectrum; whether there is a need to consider the possibility of avoiding or reducing the planning harm that would be caused by a particular proposal; and if so, how far evidence in support of that possibility, or the lack of it, should have been worked up in detail by the objectors or the applicant for permission; are all matters of planning judgment for the local planning authority.”

- 92 In this instance, Members will note that I have identified significant harm arising from the development of the Becketts Field site, which counts against the application. In my opinion, the level of harm is sufficient for the development to be in conflict with Policy SP4 of the Core Strategy. In determining the application, Members should consider the weight of this harm balanced against the need for local affordable housing. In doing so, Members should be aware whether such need could be accommodated elsewhere without the same level of harm and conflict.
- 93 In this respect, the application at Forge Field would provide 6 new dwellings a local needs housing, and as such exists as an alternative site to Becketts Field. Forge Field is located on a more sensitive site, being within a conservation area and adjacent to listed buildings, in addition to the status of the land as green belt and AONB as with the Becketts Field site. The Forge Field application would also involve building on an undeveloped field. Members will note from my committee report for the Forge Field application that I consider some harm would arise from the development, and that this harm relates to national planning designations, being the Green Belt, AONB and designated Heritage Assets. Whilst these are of national importance the identified harm is, in my opinion, limited. In respect of the Becketts Field site, I acknowledged that the harm identified is localised. However I consider such harm to be significant.
- 94 Taking the above into account, I consider that an alternative site in Forge Field exists to accommodate development to meet the identified local housing need, without causing the same level of harm and policy conflict as I have identified with the Becketts Field application.
- 95 In the event that Members follow my recommendation for the Forge Field application, I would advise that the local housing need identified through the rural needs survey would be met. On this basis, Policy SP4 of the Core Strategy would not allow both Forge Field and Becketts Field to be developed as the combined total of new housing would exceed the identified need. As such, I would recommend that this application is also refused on the basis that it would not meet an identified local need, as such need has been taken up through approval of the Forge Field scheme.

Conclusion

- 96 The development seeks to provide local needs housing, and would be accommodated on a site that would result in little or no harm to the openness of the green belt and landscape character of the AONB. In this respect, its impact on national planning designations is very limited.
- 97 However, the scheme would have a significant localised impact upon the character and appearance of the area and upon the amenities of neighbouring properties, through the scale, height and design of the buildings proposed. I consider this impact to be substantial and harmful, and in conflict with Policy SP4 of the Core Strategy as well as Policies EN1 of the Local Plan and SP1 of the Core Strategy.
- 98 In addition, in the absence of a signed S106 agreement, the application would fail to secure the development for local needs housing, contrary to Policy SP4 of the Core Strategy.
- 99 Finally, if Members follow my recommendation to approved Forge Field then the identified local need would be accommodated on the Forge Field site. As a result, this application at Becketts Field would result in the overprovision of local needs housing and this would be contrary to the exceptions criteria in Policy SP4 of the Core Strategy.

Background Papers

Site and Block plans

Contact Officer(s): Mr A Byrne Extension: 7225

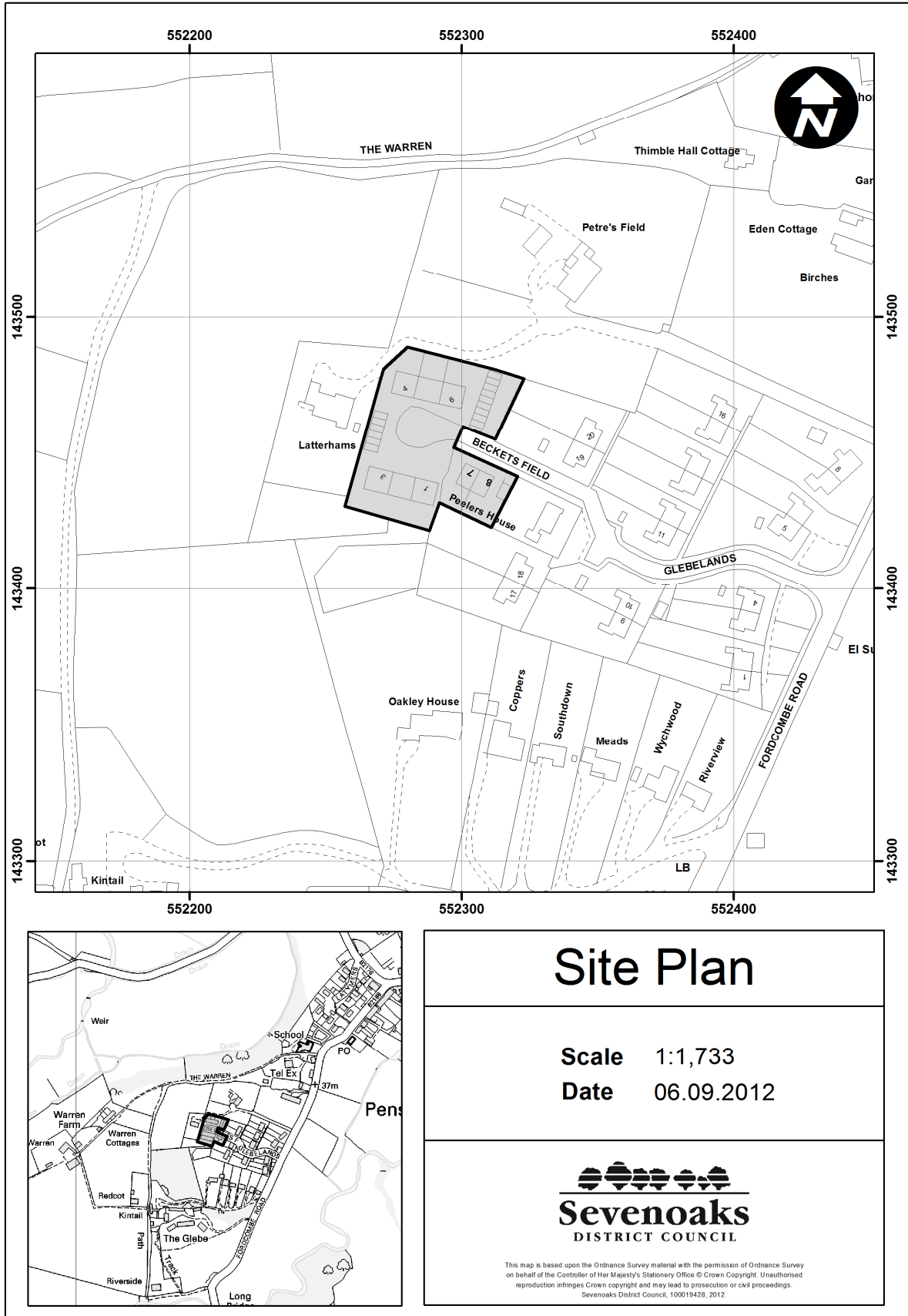
Kristen Paterson
Community and Planning Services Director

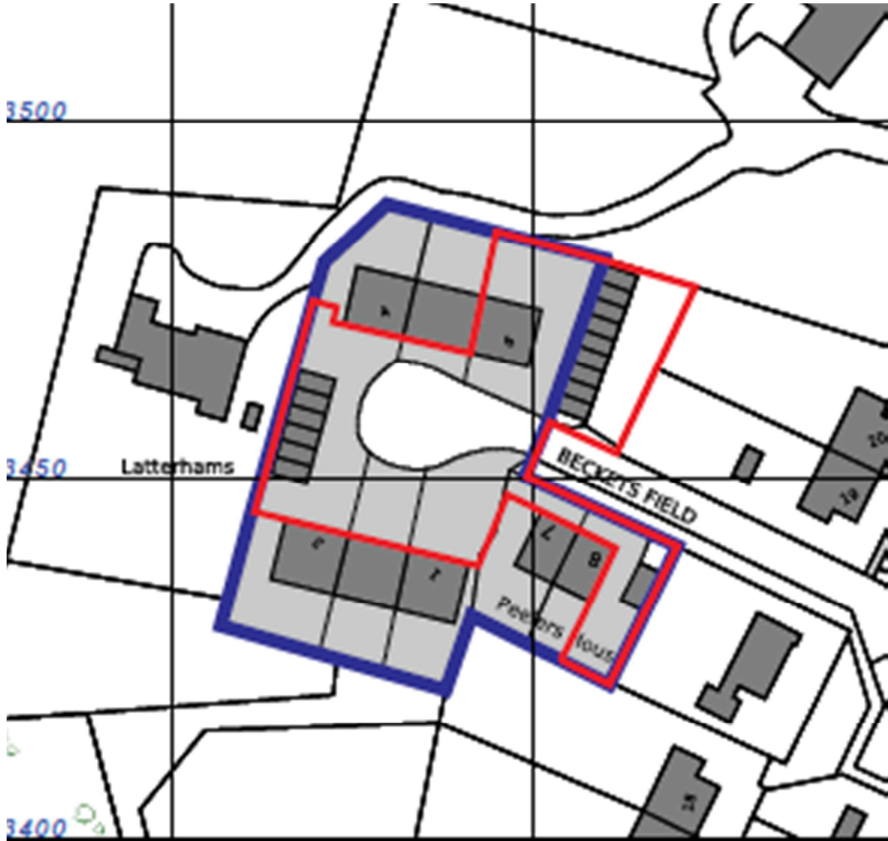
Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M2AZIQBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M2AZIQBK8V000>





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any Development Order.

To safeguard the character and appearance of the conservation area as supported by EN23 of the Sevenoaks District Local Plan.

6) No development shall be carried out on the land until details of the hereby approved outbuildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved details.

To ensure that the appearance of the development enhances the character and appearance of the local area as supported by Policy EN1 and EN23 of the Sevenoaks District Local Plan.

7) The development hereby permitted shall not be used or occupied until the 2.4 x 50 metre visibility splays as shown on the approved plans are provided. Such splays shall be subsequently maintained free from any obstruction above 1 metre in height at all times. (This 1 metre height shall be measured relative to a point on the centre line of the new access road and 2.4 metres back from the stop line).

In the interest of highway safety, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

8) 8) No development shall be carried out on the land until a scheme and timetable for the relocation of the telephone box has been submitted to and approved in writing by the Local Planning Authority. The telephone box shall be relocated in accordance with the approved details prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the retention of a community facility, in accordance with Policies EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

9) No development shall take place until details of the layout and construction of the access road has been submitted to and approved by the Local Planning Authority. The details shall include the connection to the High Street, gradients, surfacing materials and road markings. The development shall be constructed in accordance with the approved details.

In the interest of highway safety, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

10) No development shall take place until details of the layout and construction of areas for the parking of cars including garage spaces and means of access have been submitted to and approved in writing by the Local Planning Authority. The parking areas approved shall be provided and kept available for parking in connection with the use hereby permitted at all times.

In the interest of highway safety, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

11) Notwithstanding the submitted plans, no development shall be carried out on the land until details of the proposed boundary treatment and any means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved details.

To ensure that the appearance of the development is in harmony with the existing character of the local area as supported by Policy EN1 of the Sevenoaks District Local Plan.

12) Apart from any means of enclosure described in the details approved pursuant to condition 11, no boundary walls, fences or other means of enclosure shall be erected on the site boundary, despite the provisions of any Development Order.

To safeguard the rural character of the area, in accordance with policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

13) The development shall only be undertaken in accordance with the Flood Risk Assessment (FRA) by Monson Engineering Ltd and addendums (most recent addendum dated 7 March 2012), and the following mitigation measures detailed within the FRA:

- i) The surface water drainage strategy shall be undertaken in accordance with the FRA and addendums
- ii) The access road and car parking area shall be constructed with permeable paving (with a minimum depth of porous sub base of 300mm) and a cut off trench at the western site boundary.
- iii) The surface water discharge to the adjacent ordinary watercourse shall be limited to a rate of 1.5 l/s (Appendix A, Drawing No. 5164/02 C, ' Proposed surface water flood drain').
- iv) A surface water management plan shall be implemented to ensure that the scheme is effective year round for the lifetime of the development, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
- v) The surface water drainage scheme shall take into account exceedance events to ensure that surface water runoff is safely routed away from the dwellings.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

14) The finished floor levels of the dwellings hereby permitted shall be set no lower than 30.9 m above Ordnance Datum (AOD) as detailed in the Addendum to the Flood Risk Assessment by Monson Engineering Ltd dated 7 March 2012, and on the Site Plan drawing numbered 1027627/20 Rev B.

To reduce the risk of flooding to the proposed development and future occupants.

15) There should be no lowering of ground levels where the existing site level is less than 30.75m AOD, as identified on the Site Plan drawing numbered 1027627/20 Rev B.

To reduce the risk of flooding to the proposed development and future occupants by ensuring that site levels will be above the modelled 100 year plus climate change flood level.

16) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. 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);

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-schedules of new plants (noting species, size of stock at time of planting and proposed number/densities where appropriate); and
-a programme of implementation.

The landscape works shall be carried out in accordance with the approved details. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To protect the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

17) No development shall be carried out on the land until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority. The plan should include the provision of on site parking and loading, and wheel washing facilities. The development shall be carried out in accordance with the approved plan.

In the interests of highway safety and visual amenity as supported by policy EN1 of the Sevenoaks District Local Plan.

18) No development shall take place until details of further ecological mitigation and enhancement measures have been submitted to and approved in writing by the Council. These details shall include all the mitigation measures detailed in the Thomson Ecology reports dated July 2011 and October 2011 and shall include measures to ensure that the building works do not disturb protected species, and all enhancement measures proposed therein. The approved mitigation and habitat enhancement measures shall be implemented in full, in accordance with the approved details.

To ensure the long term retention of protected species on the site as supported by the National Planning Policy Framework.

19) No development shall take place until full details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the Local Planning Authority. Any approved scheme shall be completed to the written satisfaction of the Council prior to the commencement of the development.

To avoid overload of any existing drainage systems and to meet sustainability and environmental objectives.

20) The first floor window in the north-east facing side elevation of unit 1 (as shown on the proposed plans drawing numbered 1027627/13 Rev K) shall be obscure glazed and fixed shut at all times.

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

21) The development shall achieve a Code for Sustainable Homes minimum rating of level 3. Evidence shall be provided to the Local Authority - i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning

Authority. Achievement of the Code levels and BREEAM standards must include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low carbon energy sources.

In the interests of environmental sustainability and reducing the risk of climate change as supported by the National Planning Policy Framework, policies CC2 & CC4 of the South East Regional Plan and policy SP2 of the Sevenoaks District Core Strategy.

22) There should be no ground raising within the floodplain of the Medway/Eden rivers, as indicated on Drawing 1027627/20 B ('Site plan and existing levels).

To prevent the loss of flood storage which may otherwise increase the flood risk to the surrounding land.

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

The South East Plan 2009 - Policies SP5, CC1, CC2, CC4, H3, H5, NRM4, NRM5, C3, BE5, BE6

Sevenoaks District Local Plan - Policies EN1, EN23, T9, VP1

Sevenoaks District Core Strategy 2011 - Policies L01, L08, SP1, SP2, SP4, SP7, SP11

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

The scale, location and design of the development would respect the context of the site and Conservation Area and Area of Outstanding Natural Beauty the visual amenities of the locality.

The development would respect the setting of the Listed Building.

The development would preserve the special character and appearance of the Conservation Area.

The traffic movements generated by the development can be accommodated without detriment to highway safety.

The development is considered to be appropriate development within the Metropolitan Green Belt.

Description of Proposal

- 1 The application seeks to erect 6 x 2 bedroom dwellings on the site. The dwellings would be two storeys high and split into two blocks of three, arranged side by side with a gap of 2.5 metres between the two blocks. The dwellings would be built and occupied as local needs housing units.
- 2 The blocks would be set back from Forge Garage, with a parking area providing 14 spaces to the front of the dwellings. A separation distance of 11.5 metres would exist between the dwelling attached to the rear of Forge Garage and the flank wall of the nearest unit. A strip of land providing access to the field to the rear of the site would be accommodated in this gap.

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- 3 The dwellings have been designed with a ridge height of 9 metres above ground level, and each block contains a gable feature projection to the front. The dwellings would be constructed in brick at ground floor level with decorative tile hanging in bands at first floor level, and a clay tiled roof. Each block would measure approximately 17.2 metres in length and 8 metres in depth.
- 4 Access to the site would be via a new entrance onto the High Street. Existing boundary hedging by the proposed access would be removed and a new hedge planted behind the highways visibility line alongside the access. An existing telephone box in the corner of the site and adjacent to Forge Garage would be relocated slightly further into the site.

Description of Site

- 5 The site consists of a grass field on the edge of Penshurst village, known as Forge Field. The site and Penshurst village itself falls wholly within the Metropolitan Green Belt and the High Weald Area of Outstanding Natural Beauty. In addition the site and surroundings fall within the Penshurst Conservation Area.
- 6 The site slopes downhill from the High Street in a southerly direction. It is bounded on the road frontage by a hedgerow. Access into the site is currently via a field gate from the car park at Forge Garage.
- 7 The site is located next to Forge Garage which, as the name suggests, was formerly a forge, then a garage, and is now partly a village shop. A dwelling is attached to the rear of the property. Forge Garage is a Grade II listed building. Penshurst primary school is located opposite the site, and slightly further to the west is Star House, a Grade II* listed building.

Constraints

- 8 Metropolitan Green Belt
- 9 Within the High Weald Area of Outstanding Natural Beauty
- 10 Conservation Area
- 11 Adjacent to listed buildings

Policies

South East Plan

- 12 Policies– SP5, CC1, CC2, CC4, H3, H5, NRM4, NRM5, C3, BE5, BE6

Sevenoaks District Local Plan

- 13 Policies – EN1, EN23, T9, VP1

Sevenoaks Core Strategy

- 14 Policies – L01, L08, SP1, SP2, SP4, SP7, SP11

Other –

- 15 The National Planning Policy Framework

16 The Penshurst Conservation Area Appraisal

17 The High Weald AONB Management Plan (2nd Edition adopted 2009)

Planning History

18 None

Consultations

Penshurst Parish Council

19 Original comments - Support - with conditions as follows:

The proposed s106 agreement must be applied allocating units to local people.

The quantity of parking to be reviewed as there are insufficient spaces.

Kent Highways should review the traffic management issues, especially related to roadside parking at the primary school arrival and departure times, and parking restrictions be considered.

Officers should check the depth of the foundations in relation to the adjacent Flood Level.

20 Further comments (dated 04/04/12)

After discussion at the PC Meeting held on Monday evening we would provide the following response to the recent revision:

1. The timescale given for public consultation has been limited, complaints have also been received from parishioners regarding lack of access to documentation on SDC's website.
2. The PC have been made aware of an application being submitted by Easter by the Becket Trust for an affordable housing project and would ask what impact this will have on the current WKHA project in Forge Field.
3. The VIA documentation has been discussed by members of the PC together with the latest report from the AONB representative. There appears to be a number of discrepancies in the two reports submitted by AONB, we give a couple of examples:

*a complaint now exists regarding the roof line, it must be noted that the buildings are considerably lower to eye line than before the revision when no comment was made

*fencing rather than hedging has been suggested, the field is currently hedged as are many of the surrounding 'irregular fields' and properties further along Fordcombe Road this comment is therefore inconsistent

*the complaint regarding the VIA made by Mr Shaw is confusing as the PC understands the methodology, sites for provision of photographic evidence etc was agreed with him prior to the process being undertaken as per guidelines.

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4. Members were asked if they would have voted differently had the VIA document been available last November when the PC voted to support the application, no one has changed their mind.

The PC would ask what the situation is at present, does the current VIA stand, will further work be requested to the VIA or will a complete new document be required.

21 Further comments (dated 31/05/12) –

Thank you for the revised VIA documentation provided, the PC have no further comment to make.

Kent Highways

22 Original comments –

I have no objection to the application on highway grounds, provided that:

1. The permission, if granted is subject to a condition that at the exit from the development, 2.4 x 50 metre visibility splays are to be provided and maintained at all times; i.e. a driver waiting to enter the High Street and 2.4 metres from the stop line, should be able to see vehicles approaching at 50 metres distance to left and right, and no obstruction higher than one metre to be permitted on the highway verge within the splays. (Note that the one metre height is to be measured relative to a point on the centre line of the new access road and 2.4 metres from the stop line mentioned above; this point may be lower than the verge.) Reason: highway safety.

2. The permission, if granted, is subject to a condition or agreement under which the Applicant will move the telephone box in accordance with details to be agreed with the Highway Authority, unless subsequently agreed with the Highway Authority that technical difficulty or other issue raised by the owner of the phone box or other utility company makes this impractical. Reason: to improve inter-visibility between drivers of vehicles about to enter the High Street from the new development and from Forge Garage;

3. The permission, if granted is subject to a condition that the access road into the development is built according to details to be agreed with the Highway Authority. Reason: to ensure acceptable connection with the High Street, to agree gradient, road markings etc, and in the interests of highway safety.

4. The applicant pays a contribution of £3000 to the Highway Authority by a section 106 agreement for the provision of yellow line waiting restrictions in the vicinity of the exit of the proposed development. The waiting restrictions would be subject to a Traffic Regulation Order and public consultation. Reason: highway safety.

5. Standard condition to prevent mud, grit, dust etc being brought onto the highway by vehicles leaving the site during construction. Reason: highway safety.

Informatives:

1. It is unlikely that the access road into the proposed development would be adopted by the Highway Authority, with the possible exception of the entrance onto the High Street;
2. The visitors / drop-off parking spaces adjacent property number 1 would benefit from minor changes to the kerbline to ease access and egress.

23 Further comments

I have no objection to the application on highway grounds, provided that:

1. The permission, if granted, is subject to a condition that at the exit from the development, 2.4 x 50 metre visibility splays are to be provided and maintained at all times; i.e. a driver waiting to enter the High Street and 2.4 metres from the stop line, should be able to see vehicles approaching at 50 metres distance to left and right, and no obstruction higher than one metre to be permitted on the highway verge within the splays. The visibility splay to the right is to be measured to the nearside kerb of the High Street, the visibility splay to the left is to be measured to the centre-line of the High Street. (Note that the one metre height is to be measured relative to a point on the centre line of the new access road and 2.4 metres from the stop line mentioned above; this point may be lower than the verge.) Reason: highway safety.
2. The permission, if granted, is subject to a condition or agreement under which the Applicant will move the telephone box in accordance with details to be agreed with the Highway Authority, unless subsequently agreed with the Highway Authority that technical difficulty or other issue raised by the owner of the phone box or other utility company makes this impractical. Reason: to improve inter-visibility between drivers of vehicles about to enter the High Street from the new development and from Forge Garage (i.e. highway safety) ;
3. The permission, if granted is subject to a condition that the pedestrian and vehicular access routes into the development are built according to details to be agreed with the Highway Authority. Reason: to ensure acceptable connections with the High Street, to agree gradients, road markings etc, and in the interests of highway safety.
4. The applicant pays a contribution of £3500 to the Highway Authority by a section 106 agreement for the provision of yellow line waiting restrictions in the vicinity of the exit of the proposed development. The waiting restrictions would be subject to a Traffic Regulation Order and public consultation. Reason: highway safety.
5. Standard condition to prevent mud, grit, dust etc being brought onto the highway by vehicles leaving the site during construction. Reason: highway safety.

When assessing the highway impact of non-minor planning applications we check the three-year crash record of the roads in the vicinity of the site in question. Our database shows there have been no personal-injury crashes in Penshurst High Street in the vicinity of Forge Garage / the primary school in the three years to February 2012. (Statistics for more recent months not yet received).

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Informative:

Due to the proposed steep gradient, it is unlikely that the access road into the proposed development would be adopted by the Highway Authority, with the possible exception of the entrance onto the High Street;

English Heritage

24 Original Comments –

Do not wish to offer any comments and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

25 Further comments (dated 02/04/12) –

Same comments as above

SDC Conservation Officer

26 Original Comments –

The site is within the designated Penshurst Conservation Area and adjoins the listed Grade II Forge Garage. Nearby and overlooking the site, is another listed building Grade II*, Star House. The latter dates from 1610 with 19th Century additions and alterations. It is not a Victorian building, as stated in the DAS. There are a number of other listed buildings within the Conservation Area. Forge Garage was listed in February 2011 and one of the reasons given for designation is the ‘Group value: with the Grade II* listed Star House, and as part of a larger, historically significant ensemble of revival buildings in the centre of Penshurst.’

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires, in section 72, that local planning authorities should pay special attention to the desirability of preserving or enhancing the character of appearance of that area. This is the context in which this application needs to be assessed.

Further, PPS5 Planning for the Historic Environment, in paragraph HE7.5 states that Local Planning Authorities ‘should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. ‘This includes considerations of scale, height, massing, alignment, materials and use.

The amount of land made available within the field is tightly constrained such that there is little scope for any alternative layout to that proposed. Other constraints such as flooding, and highway requirements with regard to the provision of the access, visibility splays needed and parking and turning provision have also governed the layout. The steep drop in levels from the road would at least allow the buildings to be set into the slope and have ridge heights no more than 2-2.3 metres above the ridge height of the main part of the Forge Garage.

Inevitably any development on this very open site at the edge of the village would be highly conspicuous and alter the appearance and outlook at the approach to the village and views within it. Every effort seems to have been made to achieve a high standard of design of the houses themselves by taking inspiration from existing buildings in the village the blocks would have steeply pitched tiled roofs,

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clay tile hanging, timber window frames, open eaves and projecting jetties, all features reflecting existing buildings in the village. The materials would of course be the subject of later samples.

The two blocks of houses would be set back from the road frontage to behind the 'building line' to Forge Garage, thus minimising the obstruction of longer views along the High Street on the approach from the south. Closer to the site itself, Forge Garage and Star House at about 90 metres apart, are currently totally inter visible (subject to the height of the roadside hedge). The proposed new houses would be interposed between the two, reducing this inter visibility and inevitably changing the setting of both listed buildings.

The gable end wall at the south-western end of unit 6 does commendably include windows at ground and first floor levels to provide an interesting elevation, as this will be that most visible on the approach from the Fordcombe direction. However, rear gardens, with fencing, sheds etc would inevitably be noticeable from the highway.

It cannot be said that the proposed development would enhance the Conservation Area as the site and views across it are not unattractive at present and the scheme is in no way addressing any building or feature acknowledged as detracting from character. I do not accept that there is 'poor definition to the village boundary' (page 29 of the Heritage Statement/Assessment of Significance) as the built-up area stops abruptly at Forge Garage and there are no other buildings on this side of the road for some distance. The Conservation Area Appraisal adopted in 2001, of course long before its listing, refers to the Garage as having 'a certain attractive charm especially when viewed from the western approach into the village.' This view would be irrevocably altered by this development.

In considering any new development within a Conservation Area, the objective must be to preserve or enhance the character and I believe that considerable efforts have been made in the design to accommodate this. However part of the present character of the Conservation Area and of the setting of listed buildings would be lost. Thus my view is that this proposed development would neither preserve nor enhance the character or appearance of the Conservation Area or preserve the setting of nearby listed buildings.

Should planning permission be granted, notwithstanding the above comments, crucial to integrating the development into the village and the landscape will be the boundary treatments proposed and the landscaping, including a new hedge behind the visibility splay line. From a conservation and visual point of view the proposed stock fencing (post and rail?) is appropriate. Picket fencing is proposed to individual front garden areas and the height and finish treatment of these will be important. It is imperative that a planning permission ensures that no other type of fencing is erected and prevents any future change, for example, to close boarded fencing in any position visible from the public highway. Potential views of the development from the public footpath on the other side of the valley should also be considered and protected by suitable landscaping requirements.

27 Further Comments (dated 30/04/12) –

This revised layout includes, as its major element, the setting back of the housing blocks on the site. This would enable views from the western approach to the

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village of the listed Forge garage to be largely retained. Also the settings of the Forge garage and of the nearby listed Star House would be better protected. In order to achieve this, the parking for the development has had to be positioned at the front. Although this will inevitably be conspicuous, it at least would not be obstructive to views and, given the amount of on street parking in the village positioned in front of buildings, would not be entirely out of character. The location is such that the development could not fail to alter the character of the village but every effort has been made to mitigate the impact. The proposed planting is rather urban and formal in its approach and should be adapted to suit the rural surrounding and AONB setting.

SDC Housing Policy

28 Original Comments –

SDC Housing fully supports the proposed scheme which will provide 6 local needs homes and to this end, West Kent Housing Association's funding bid to the Homes & Communities Agency was also supported. The Section 106 Agreement will ensure the units remain available to meet local housing needs in perpetuity. The provision of local needs housing in the rural communities is a key objective of Sevenoaks District Council, as evidenced in the Council's Sustainable Communities Action Plan 2010 - 2013 and Housing Strategy.

29 Further comments (dated 15/03/12) –

Identical to those above.

Environment Agency

30 Original Comments –

We have no objection to the principle of the development at this location. However we do object due to the lack of detail with regard to the surface water drainage scheme and proposed ground and finished floor levels.

According to our flood modelling, the existing site is located outside the 100 year and 1000 year floodplain of the adjacent river Medway. In addition should the Leigh Barrier be raised by a metre, our fluvial modelling indicates that flood risk will not increase at the site (see attached plan and accompanying text).

Therefore according to government guidance on development and flood risk; Planning Policy Statement 25: Development and Flood Risk (PPS25 www.communities.gov.uk), the site is considered to be in Flood Zone 1, where land is assessed as having a less than 1 in 1000 (<0.1%) annual probability of river or sea flooding in any year. PPS25 indicates (in Annex D, Tables D.1, D2 and D3) that although the proposed residential development is classed as a 'more vulnerable' usage, this type of development is appropriate in this flood zone.

The planning application has been submitted without any details with regard to the surface water drainage scheme at the site. We are concerned that the proposed ground lowering (as indicated on the two elevation drawings – 1027627/14 C and 1027627/15 C) may result in problematic drainage on the site. For example, the likelihood of groundwater flooding may increase on the site and there may be more surface water runoff from the High Street and adjacent

land onto the site, as a result of the slope angle being increased on the site. In addition, at this stage we have not been provided with any proposed finished ground levels or finished floor levels. Therefore we are uncertain whether the proposed lowering of the site may increase the risk of fluvial flooding to the site.

We will maintain our objection to the planning application until we have been provided with the further information.

31 Further comments (dated 06/12/12) –

Further to our previous letter, we have received further information from Monson Engineering in the form of an Addendum to the Flood Risk Assessment detailing the ground finished floor levels (FFLs) and proposed cut-off trenches. We trust this information has also been submitted to yourselves.

Although we are satisfied with the FFLs, we are still concerned that the proposed ground lowering may result in problematic surface water drainage on the site. Therefore, we maintain our objection to this aspect of the application until it can be clearly demonstrated that the drainage scheme will work and will not increase the risk of surface water flooding to the site. We recommend that tests are carried out to establish the sites permeability and the depth to groundwater, and that this information is used to inform a more detailed surface water drainage scheme.

We understand that cut-off trenches are proposed to the north and west of the site. However based on the drawing of the proposed cut-off trenches (DWG No: 5164/02A), we are uncertain as to whether the trenches will be designed purely for infiltration or whether they will be connected to the Medway and the permeable paved driveway. If infiltration is poor on the site, then an outfall to the Medway may be required and permission will need to be sought from the appropriate landowners.

We note that the FFLs for the dwellings will be 30.9 metres above Ordnance Datum (mAOD) for units 1-3 and 31.3m AOD for units 4-6. This indicates that the FFLs will range from 0.87 to 1.27 metres above the modelled 100 year flood level of 30.03m AOD (which includes an allowance for climate change). As such we are satisfied that there will be sufficient freeboard between the ground FFLs of the dwellings and the modelled 100 year flood level for the adjacent river Medway.

At this stage we have not been provided with a plan showing the proposed ground levels on the site. The Addendum and FRA indicate that ground levels will be lowered by approximately one metre on the site, with greater ground lowering nearer to the High Street. In the absence of a plan showing the proposed ground levels, we may require a condition of planning so that there is no lowering of ground levels where the existing site level is less than 30.75m AOD.

32 Further comments (dated 16/12/12) –

Following our recommendation for drainage tests to be carried out on the site and a site visit, we are now satisfied with the results of the tests for groundwater and the revised surface water drainage scheme. We therefore remove our objection to the surface water drainage aspect of the proposed development.

However the removal of our objection is dependant on the imposition of the two conditions set out below.

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Condition 1 - Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed

Reason - To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the surface water drainage system

Condition 2 - The development hereby permitted shall not be commenced until such time as a scheme to ensure that there is no lowering of ground levels (where the existing site level is less than 30.75m AOD), has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To reduce the risk of fluvial flooding to the proposed development and future occupants.

Technical Advice - Following our recommendation for drainage tests to be carried out on the site, Monson Engineering has now carried out soakage tests to establish whether surface water will be able to infiltrate into the ground. Some of the pits were excavated to a maximum of 2.6 metres in depth to determine whether groundwater would be intercepted as a result of the proposed lowering of ground levels. The deep pits did not intercept groundwater which demonstrates that groundwater flooding will not be an issue on this site despite the proposed ground lowering. However the soakage tests indicate that surface water drainage via infiltration into the ground will not be feasible. Therefore Monson Engineering has proposed that the surface water drainage scheme will comprise cut-off trenches to intercept any overland flow. These trenches will connect to a new outfall at the watercourse at the eastern boundary of the site. We understand that the owner of land to the east has agreed to allow the installation of a surface water pipe and outfall serving the cut-off trenches. Monson has proposed that the car park will comprise a porous sub-base which will connect to the new outlet pipe and outfall on the nearby watercourse. The discharge of surface water will be restricted to greenfield runoff rates (as noted in the Flood Risk Assessment by Monson).

The applicant should note that the land to the east of the site is located within the Upper Medway Internal Drainage District, who should be consulted with regard to the requirement for a Land Drainage Consent for the new surface water outfall to the watercourse.

Informative/advice to applicant: - The watercourse immediately to the east of the site would be classed as an 'ordinary watercourse' and comes under the terms of the Land Drainage Act 1991, whereupon any culvert, diversion, weir dam or like obstruction to the flow of the watercourse requires the consent of the Upper Medway Internal Drainage Board, under the Land Drainage Act 1991. In absence of any agreement to the contrary, maintenance of the watercourse is the responsibility of the riparian owner. Application for consent should be made to the

Upper Medway Internal Drainage Board (Tel: 01622 758345;
www.medwayidb.co.uk; enquiries@medwayidb.demon.co.uk).

33 Further comments (dated 13/04/12) –

We have no objection to the proposed development as submitted, subject to the imposition of the condition set out below.

Condition - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Monson Engineering Ltd and addendums, and the following mitigation measures detailed within the FRA:

1. The surface water drainage strategy should be as outlined in the FRA and addendums (most recent addendum dated 7 March 2012).

The access road and car parking area should be constructed with permeable paving (with a minimum depth of porous sub base of 300mm) and a cut off trench at the western site boundary.

The surface water discharge to the adjacent ordinary watercourse should be limited to a rate of 1.5 l/s (Appendix A, Drawing No. 5164/02 C, 'Proposed surface water flood drain').

In addition a surface water management plan should be implemented to ensure that the scheme is effective year round for the lifetime of the development.

The surface water drainage scheme should also take into account exceedance events to ensure that surface water runoff is safely routed away from the dwellings.

2. Finished floor levels are set no lower than 30.9 m above Ordnance Datum (AOD) as detailed in the 7 March 2012 Addendum (page 1).

3. There should be no lowering of ground levels where the existing site level is less than 30.75m AOD. Note existing ground levels on Drawing 1027627/20 B ('Site plan and existing levels').

4. There should be no ground raising within the floodplain of the Medway/Eden rivers, as indicated on Drawing 1027627/20 B ('Site plan and existing levels').

Reasons –

1 To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

2. To reduce the risk of flooding to the proposed development and future occupants.

3. To reduce the risk of flooding to the proposed development and future occupants by ensuring that site levels will be above the modelled 100 year plus climate change flood level.

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4. To prevent the loss of flood storage which may otherwise increase the flood risk to the surrounding land.

High Weald AONB Unit

34 Original Comments –

The development may affect the components of natural beauty identified by the High Weald AONB Management Plan 2004, specifically historic field boundaries (objective FH2). Historic maps clearly show the boundaries and pattern of the development site and the site is a surviving example of the historic pattern of small irregular fields that characterise the High Weald. The development will change the character of this field from undeveloped open countryside to a partially developed site, clearly impacting on the natural beauty of the landscape. The development is also likely to have local visual impacts on views to and from the site and an assessment of these views (and impacts of the development on them) may be appropriate.

The development does not appear to support the conservation and enhancement of natural beauty for by instance supporting land management through the use of local wood fuel, other renewable sources, use of local materials or support the wider objectives for AONB management.

The design includes extensive hard engineering and surfacing with the most visually detrimental aspects (parking etc) in the most exposed position visually to the wider landscape and overall will have a sub-urbanizing effect to the detriment of the AONB.

35 Further Comments (dated 26/03/12) –

The development may affect the components of natural beauty identified by the High Weald AONB Management Plan 2004, specifically historic field boundaries (objective FH2). Historic maps clearly show the boundaries and pattern of the development site and the site is a surviving example of the historic pattern of small irregular fields that characterise the High Weald. The development will change the character of this field from undeveloped open countryside to a partially developed site, clearly impacting on the natural beauty of the landscape.

In regard to the Landscape and Visual Impact Assessment, the Unit is disappointed that the study appears not to follow the Landscape Institute's standard methodology set out in GLVIA and it is therefore, in our opinion, incomplete.

Under the Landscape Institute guidelines it is clear that Landscape, and, Visual issues are separate but linked effects. Landscape impacts are effects on the physical environmental resource. Visual effects are interrelated effects on population, but significantly as stated by the guidance;

"2.14. Landscape effects derive from changes in the physical landscape, which may give rise to changes in its character and how this is experienced. This may in turn affect the perceived value ascribed to the landscape." para 2.14, p12
Guidelines for landscape and visual impact assessment, 2nd Edition 2002

This study does not make any assessment of the impacts on the physical landscape resource, the perceived value of the site or how the character of the site will be changed by the proposed development. In our view it is therefore, incomplete.

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The visual assessment also appears to be superficial relying on a few photos of views, some from slightly impossible situations to conclude that as the site is not (apparently) visible, there is no impact. The cover picture of the assessment clearly shows that the site will obscure and be visible from the surrounding area. The assessment does not appear to account for the scale and mass of the buildings when situated within the landscape. Without a full landscape assessment such a conclusion can not be substantiated. The visual assessment alone is inadequate to understand the impacts and change.

The visual assessment appears to be little more than a series of photos taken from selected viewpoints. It is accepted that the site is not particularly visible from long distance views, although it may have helped if for instance photo 3 was not from behind a fence and black plastic, or if photo 5 didn't have a huge tree dead centre. Similarly photo 7 is obscured by a large tree stump, which happens to intersect the site location. It would also be of assistance if the photomontages had indicated the site location and angle more clearly. For instance photo 6 – a critical view - appears to have the site on the far left, almost out of shot. It is hard to identify the site location in these views.

The conclusion in 6.1 is also flawed. It refers to the complex topography and ground, suggesting that this hides or obscures the views. In fact this location is a broad river valley with relatively open field systems, rising on gradually sloping ground. The site itself is located on one of these slopes and is very exposed to the river valley and higher ground. The location is neither complex nor obscured, and the higher ground open to the site increases the exposure of the site to the wider landscape. The conclusion does not include any scoring matrices of value or quality (that would be normally expected in such a study) or other indicators to support the process and overall assessment made.

In respect of the amended plans and site layout, the revised layout is supported as presenting a more traditional and softer facing to the wider landscape. However, the indicative hedgerow and landscaping planting is not appropriate, in that it presents a very formal, linear and artificial edge to the development. The character of the site as an open field could be better respected by accepting the intrusion and allowing the gardens and built form to merge into the field with a mixture of traditional fencing and irregular shaped tree and shrub planting. The planting alongside the Forge Garage will similarly obscure and box in the built form and create an artificial and sub urbanised feel. A simpler small fencing scheme may be more appropriate.

The proposal still includes an extensive area of hard standing and surfacing, now to the front elevation, which is out of character with the rural location and with the village itself. Greater thought to the design and layout of the parking, and the surfacing treatment may help to reduce the impact. I am assuming that parking standards have been applied, but 14 parking spaces for 6 houses seems excessive, and does not promote sustainable approaches to transport. The scale of the buildings is a concern, with the very large roofs forming a significant mass against the landscape and village-scape behind. The design idea to reflect the village vernacular is excellent but does itself generate a major impact.

Overall the design is still too complicated and 'fussy'. In our view any impact or effects that the development may have on the wider landscape will not necessarily be solved by some local planting. Hiding a development is not a responsible approach to mitigating harm that arises as a result of the development. A more honest approach, might seek to celebrate the sites prominent position at the

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entrance to the village by promoting excellent design clearly marking the transition from open rural agricultural character rather than trying to disguise the development with planting.

We would also like to draw your attention to the missed opportunities for this development to support the conservation and enhancement of natural beauty for by instance supporting land management through the use of local materials in construction, use of renewable energy sources such as wood fuel or support for the wider objectives for AONB management.

36 Further Comments (dated 30/05/12) –

The Unit continues to have concerns regarding the assessment of the impacts of the proposal on the local area of outstanding natural beauty. It is accepted that overall the development is likely to have lesser impacts on long distance views to and from the site. The submitted Landscape and Visual Impact Assessment (LVIA) illustrates these long distance impacts, but does not adequately address the more immediate impacts.

The LVIA does not provide a thorough and complete assessment of the local views/visual impacts, and the impacts on the actual landscape itself (the physical landscape impacts as opposed to the visual impacts) both on the site and immediately adjacent to it. It is also not considered that the LVIA takes into account the unusual height, roof pitches and mass of the buildings, in the assessment of both the local and (potentially) medium views as well. The six houses in two blocks have unusually high roof lines creating a greater mass than would be normally expected of residential development, and this scale may represent a more significant impact. The LVIA is lacking in providing any indicative ‘mock up’ of the actual buildings in context.

In regard to the local impacts, it is considered that the development will have a significant visual impact on the immediate landscape below the site, across and to the flood plain, and on the village and approaches to the village. Even allowing for the siting to retain the exposure of the Forge garage, the scale and mass of the building will be the dominant feature on the approaches to the village (and this effect will be enhanced by the recent proposal to leave the gables un-landscaped). The development will present a strong visual impact from the lower river valley open landscape, extending the built form of the village into the current rural area, thus changing the experience of the village in its current landscape context. Overall this impact is considered to be significant at the local level.

Physically the development will have the effect of changing the character of the existing field from open rural agricultural use to that of relatively high density residential activity. The historic character and current use of the site will change and the historic boundary and area of the existing field will be altered and reduced proportionately. This will have the effect of the field losing its inherited character and qualities that identify it as part of the AONB. While the area of this change is relatively small, the impact is significant and represents the loss of major features or components of natural beauty identified by the High Weald AONB Management Plan. Overall accounting for scale, this is considered to be a moderate adverse impact on the AONB.

In regards to the siting, landscaping / planting and design it is considered that a planting scheme does not necessarily ‘improve’ the landscape setting. In the

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context of the character of the site as an open rural field, more landscaping and planting may alter and affect the area adversely rather than leaving the design and layout open. To retain the sites character, alternative approaches could be considered, for example, it may be that the site should be left open and exposed, rather than trying to soften it. Conserving and enhancing Natural Beauty is about how to retain or reinforce character and in this case, minimising change, by reference to the open field character, may be a more effective design approach.

The revisions to the landscaping scheme in the revised LVIA begin to reflect this approach, but need to do more than just leave a gap in the landscaping. Given the height of the building it is also of concern that the planting could be considered large enough to obscure buildings of this scale. Planting of this size and density could be a considerable impact in its own right on an otherwise open field character.

It is the historic and inherited character of the site that should inform decisions and judgements about the impacts and effects of the development on the location. The character of this site is an historic open field, part of a wider and larger pattern of small irregular fields, set within a shallow river valley, edging the flood plain. The impacts of the development have been assessed above in terms of how the development will change the experience and character of the site, in this context. This context also informs the design/layout and landscaping options. In the event of the development proceeding, that impact may be mitigated by making reference to the inherited character and retaining the open rural field character, maintaining openness and clear views.

Overall it is considered that the development will have a significant local visual impact and a moderate physical impact on the landscape itself, and will not in these terms conserve and enhance the AONB. If the development goes ahead, this level of harm will accrue to the AONB. Creative consideration of the design and landscaping, minimising the extent and level of planting, can help to moderate this impact by placing the development honestly within the landscape, and not by trying to hide and or obscure it by inappropriate and excessive landscaping and planting. The excellent work done on the physical design of the buildings themselves also deserves that recognition.

37 Further Comments: (15/06/2012):

The comments re the roof lines relate to the elevations showing the steep pitch of the roofs and overall impression that the roofs are larger than normally found. I recognise that this is part of the design repeating the local estate style and is in keeping. Taking your measurements, then the mass may be moderated by the siting, but this is difficult for me to assess from the drawings etc available online and as printed out at small scale.

In essence, rather than change my comments I am happy for you to take these as observations that the scale may be an issue, and may affect the visual impacts of the development on local views, and that this needs to be considered.

In terms of the physical design, these comments do relate, as you say to the appearance, finish and overall style and general quality of the design. I was seeking to recognise the additional effort made in this respect notwithstanding the potential impact of the overall form of the development on the wider area.

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Natural England

38 Original Comments (summarised) –

No objections raised.

39 Further Comments (dated 21/03/12) –

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 01 November 2011. The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. The proposal site is within High Weald Area of Outstanding Natural Beauty (AONB) and we recommend that you refer to the Management Plan to ensure the application is in accordance with this. You may also want to contact the relevant AONB Unit to ensure that consideration of this proposal takes into account any issues that may result from the landscape designation.

The proposed amendments to the original application relate largely to design, and are unlikely to have significantly different impacts on the natural environment than the original proposal.

40 Further comments (dated 21/05/12) –

No further comments to make in addition to those above.

Kent County Council Ecologist

41 Original Comments –

Thank you for the opportunity to comment on this application. We have the following response to make:

Under the Natural Environment and Rural Communities Act (2006), “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. In order to comply with this ‘Biodiversity Duty’, planning decisions must ensure that they adequately consider the potential impacts of a proposed development on protected species.

Planning Policy Statement 9: Biodiversity and Geological Conservation states that “the aim of planning decisions should be to prevent harm to biodiversity”.

Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological

Conservation - Statutory Obligations & Their Impact Within the Planning System states that ‘It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.’

Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the

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Standing Advice, Local Planning Authorities must take into account the Standing Advice.

The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.

We have reviewed the ecological surveys and we are satisfied that the proposed development has minimal potential to impact protected species.

Bats

The survey identified that there are trees on the boundary of the site which have some potential to be suitable for roosting bats - however the proposed development will not be directly impacting the trees.

As detailed in paragraph 4.6.2 (Reptile and Bat Survey) if the plans changed and the development or the construction compound are proposed to be located within 20meters of the trees emergence surveys will be required.

Lighting can be detrimental to roosting, foraging and commuting bats. The following recommendations (from the Bat Conservation Trust) should be considered (where applicable) when designing the proposed lighting.

- a) Low-pressure sodium lamps or high-pressure sodium must be used instead of mercury OR metal halide lamps where glass glazing is preferred due to its UV filtration characteristics.
- b) Lighting must be directed to where it is needed and light spillage avoided. Hoods must be used on each light to direct the light and reduce spillage.
- c) The times during which the lighting is on must be limited to provide some dark periods. If the light is fitted with a timer this must be adjusted to the minimum to reduce the amount of 'lit time'.
- d) Lamps of greater than 2000 lumens (150 W) must not be used.
- e) Movement sensors must be used. They must be well installed and well aimed to reduce the amount of time a light is on each night.
- f) The light must be aimed to illuminate only the immediate area required by using as sharp a downward angle as possible. This lit area must avoid being directed at, or close to, any bats' roost access points or flight paths from the roost. A shield or hood can be used to control or restrict the area to be lit. Avoid illuminating at a wider angle as this will be more disturbing to foraging and commuting bats as well as people and other wildlife.
- g) The lights on any upper levels must be directed downwards to avoid light spill and ecological impact.
- h) The lighting must not illuminate any bat bricks and boxes placed on the buildings or the trees in the grounds
- i) The Lighting must not illuminate any trees or buildings identified as potential roosts.

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Enhancements

The key principles of PPS9 are not only to avoid, mitigate or compensate for harm to biodiversity but also to incorporate ways to enhance and restore it.

Paragraph 4.5.4 (reptile and bat survey) has suggested enhancements which can be incorporated in to the site. These must be included in the proposed development site.

In addition consideration must be given to including bat bricks/tiles/tubes in to the new buildings, erection of bird boxes within the boundaries and the creation of a wild flower area.

42 Further comments (summarised) (dated 04/04/12) –

We have reviewed the ecological surveys and we are satisfied that the proposed development has minimal potential to impact protected species. We require no additional information to be submitted.

Bats

The survey identified that there are trees on the boundary of the site which have some potential to be suitable for roosting bats - however the proposed development will not be directly impacting the trees.

As detailed in paragraph 4.6.2 (Reptile and Bat Survey) if the plans changed and the development or the construction compound are proposed to be located within 20meters of the trees emergence surveys will be required.

The lighting must be designed to have minimal impact on any roosting, commuting and foraging bats. We also advise that the Bat Conservation Trust's *Bats and Lighting in the UK* guidance is adhered to in the lighting design (see end of this note for a summary of key requirements).

Enhancements

One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity in and around developments should be encouraged”.

Paragraph 4.5.4 (reptile and bat survey) has suggested enhancements which can be incorporated in to the site. These must be included in the proposed development site.

In addition consideration must be given to including bat bricks/tiles/tubes in to the new buildings, erection of bird boxes within the boundaries and the creation of a wild flower area.

43 Further comments (dated 31/05/12) – our comments remain unchanged from the 4th April.

Representations

44 197 letters received in total from 98 contributors who object, 21 contributors who support and 5 contributors just commenting on the scheme. This total number of

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letters includes contributors would have written in more than once. In addition, a petition was received with 95 signatures in support of the application.

Objections

- Building in this area is too intrusive of the character of this village
- The proposed dwellings are larger and more overbearing
- Dwellings will dominate the neighbouring and very important and prominent Grade II & Grade II* Listed Buildings, namely Forge Garage, Star House (Grade II*) & the Birches
- More hazardous to cross road especially for school children
- Houses will be built on a Flood Plain this area floods regularly
- Visually intrusive development
- Detrimental effect on the Conservation Area and AONB
- Important to keep the Conservation Area, AONB & Green Belt as they are designated
- Low cost housing built using low cost materials not appropriate in such a prominent village location
- Only visible open space in the village is this Forge Field site and should be kept
- Development sited on an unsighted bend opposite a Primary School
- This particular site is not appropriate for affordable housing to be situated
- Poorly thought out scheme
- Increased traffic in the village will be potentially hazardous
- Area already congested with school drop off/collection, development will only increase this congestion
- Totally inappropriate within the Green Belt
- New development will dominate the open view of the existing oak framed Forge building
- Dwellings will impact the area with their visual bulk, built form, they are substantial in terms of height, scale & mass
- Expansive area of hardstanding will be created to enable the site to accommodate on site residential parking
- Application contrary to advice in National Planning Policy Framework and former PPS5
- Unacceptable development in a setting as described in Penshurst Conservation Area Appraisal
- Another more suitable site should be found
- Cost of renting affordable housing is too high far better to build outside of the village to keep cost down
- No Visual Impact Assessment was submitted with application
- Destroy the ancient and historic hedgerow along the Fordcombe Road frontage
- Detrimental to PPG2 (now National Planning Policy Framework) inappropriate development in the green belt
- Not in line with policy EN23
- Contrary to all policies relating to the Conservation Area, AONB & Green Belt
- Perspective hedge sketch shows the hedge to stay but the development proposal drawing appendix C shows it to be removed.
- Revised plans submitted received March 2012 do nothing to make this application acceptable

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- The Visual Impact Assessment is inadequate rushed and poorly thought through and ignores some viewpoints which will be most affected
- The 'Landscape and Visual Impact assessment' is biased
- The 'Landscape and Visual Impact assessment' fails to illustrate the impact of the development on the conservation area
- Brownfield site now become available, 'Becket's Field', therefore proposed Forge Field is an unnecessary development in the AONB.
- Resident feel that the Parish Council are not representing them fairly and the residents views are being over ridden
- Recent proposal suggested by Beckett Trust to for up to 9 units at the top of Glebelands is a more suitable site and will have less impact on the village

In Support

- Design and location of the houses are elegant and sensitive to the image of the village
- Benefit to the community
- Villages were created by evolving to need, this is a need
- Mixing affordable housing within the existing village is a positive step
- Development is in keeping with the area
- Will not be visually detrimental to the village
- Agree that Peshurst should have affordable housing
- Affordable housing within the village is so important to keep a community growing and for those on low income
- Scheme well considered & planned to be discreet by scale & position within the proposed location
- Design will enhance and compliment the village
- Close to local amenities Post office, store, school, doctors and public transport
- Village will adapt and grow to the new development
- Without development such as this more young people that grew up in Peshurst will have to leave the village due to the lack of appropriate housing
- Rural villages have to grow and adapt to be viable
- A local need for local people
- The amendments improve the proposal bringing everything more inline with the other existing properties and far less intrusive

Group Manager - Planning Appraisal

Overview

- 45 Members will recall that this application was considered at the Development Control meeting held on 4th July and that Members resolved to grant planning permission for the development, in accordance with the officer recommendation, subject to the completion of a S106 agreement. At the meeting, and in accordance with advice contained within the report, Members considered the existence of alternative sites for the development, including the status of an alternative application for a similar form of development at Becket's Field in Peshurst.

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- 46 Since the meeting, officers have been working on the S106 agreement and this has now been completed. However, the application at Beckets Field has also progressed to the stage where it can be reported to Members.
- 47 At the same time, the Council has also been put on notice that an application for Judicial review is likely to be made if permission is granted for the Forge Field development based on the decision made in July. A major consideration in the intention to seek Judicial Review of the July decision is the contention that both the Forge Field and Beckets Field applications should have been considered together at the same committee meeting.
- 48 Whilst officers consider that the report to committee in July was robust, it is now acknowledged that the opportunity to present both applications together to Members now exists, which was not previously the case. Having taken legal advice and given the change in progress on the Beckets Field application, together with the fact that the planning permission has not been issued for the Forge Field development, Officers consider it would now be appropriate to present both applications to Members.
- 49 In doing so, I would advise Members that they are entitled to re-consider their decision to resolve to grant planning permission for the Forge Field development, and should approach the decision on this application afresh. Members will note however that my recommendation remains to approve the Forge Field scheme.
- 50 I would also make clear that in considering both applications, Members have the following options (if based upon sound planning reasons) –
- To approve both applications
 - To refuse both applications
 - To grant one application and refuse the other

Principal Issues

- 51 This application seeks planning permission to erect 6 dwellings on land at Forge Field, Penshurst. The dwellings would be occupied as local needs affordable housing units.
- 52 In terms of national policy, The NPPF sets out the Government's planning policies and replaces previous Planning Policy Statements and Guidance including the definition of previously developed land.
- 53 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking (para. 14). For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies out of date, granting of permission unless:-
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;

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- specific policies in this framework indicate development should be restricted; or
- material considerations indicate otherwise.

- 54 The site and surrounding area is located within the Metropolitan Green Belt and Members will no doubt be aware that new house building within the Green Belt is normally resisted. However paragraph 54 of the NPPF does allow for local planning authorities to provide for local needs affordable housing through rural exception sites, and this need not be inappropriate within the Green Belt (Para. 89 of the NPPF).
- 55 Policy SP4 of the Sevenoaks Core Strategy sets out the specific local circumstances under which affordable housing proposals in rural areas will be considered, and states that such housing will only be developed to meet local needs identified through rural housing needs surveys.
- 56 In this respect, a Rural Housing Needs survey for the parish of Penshurst was undertaken in 2009 by a registered charity known as Action with Communities in Rural Kent. This is a recognised Rural Housing Enabler, supported by Local Authorities throughout Kent. The survey concluded that due to high property prices in the parish, a need for local affordable housing exists. It recommended that a need for approximately 5 affordable rented properties, consisting of a mix of 1 and 2 bed units, predominantly 2 beds, would meet the requirements of local people in housing need.
- 57 Following the establishment of such need, Policy SP4 then sets out criteria to be applied in identifying sites as follows –
- 58 a) *the local need identified through the rural needs survey cannot be met by any other means through the development of sites within the defined confines of a settlement within the parish or, where appropriate, in an adjacent parish.*

In this instance, it is recognised that the whole of Penshurst village falls within the Green Belt, and for the purposes of this policy it has no “defined confines” – i.e. the village is not excluded from the green belt. Similarly, Fordcombe, the other main settlement within the parish, has no defined confines and also falls wholly within the Green Belt – as in fact does the whole of the Parish. Penshurst also falls outside the rural settlements as set out by LO7 of the Sevenoaks Core Strategy, the village is essentially just washed over the green belt and there are no other confines or settlements within the parish.

Penshurst parish is flanked by Chiddingstone and Leigh parishes. These all fall wholly within the Green Belt other than Leigh village. However the defined Leigh village confines are small with tightly drawn boundaries and little room for development. In addition a local needs scheme for housing in Leigh has recently been built out. As such I do not consider it would be appropriate to seek to meet an identified need for Penshurst Parish in this location.

Taking the above into account, I do not consider that any opportunity exists to enable such a development to take place within any “defined” settlement confines, and that the development would need to take place on land designated as green belt.

- 59 b) *the proposal is of a size and type suitable to meet the identified local need and will be available at an appropriate affordable cost commensurate with the results of the appraisal. The proposal is accompanied by a financial appraisal proving the scheme will meet the defined need. Schemes which propose an element of cross subsidy will not be acceptable.*

The scheme proposes 6 x 2 bed units. The Rural Needs Survey recommended that approximately 5 units be provided, and that these should be predominantly 2 bed units. The scheme does not provide any one bed units as recommended by the Rural Needs Survey. Having discussed this matter further with the Council's Housing Officer, I am advised that 1 bedroom accommodation on small rural schemes such as this are normally of limited value. Two bedroom units are deemed to be preferable as they provide more flexibility, allowing households to develop (for example to have a family) without needing to move to new accommodation. The Penshurst village project Steering Group which was set up following the Housing Needs Survey also recommended that all units should be 2 bedrooms and this was further supported by the local community in consultation exercises undertaken prior to submission of the planning application. I do not consider that this slightly different arrangement to be in significant conflict with the recommendations of the survey.

The financial information submitted with the application states that the properties would be available as affordable rented units, developed by the West Kent Housing Association together with grant funding secured from the Homes and Communities Agency. The terms of the HCA funding is that the rents for the units will be charged at 80% of market rental values for the area. The repayment of development costs to West Kent Housing would come from income generated across their stock of nearly 6000 dwellings, and not solely from the 6 units in question.

The offer of grant funding from the HCA was made following an assessment by the Tenant Services Authority (TSA). The TSA have assessed the West Kent Housing Association against the Governance and Financial Viability standard for Registered Providers. The TSA judgement (Feb 2011) is that West Kent Housing meets viability standards, provides a robust business plan and a committed program for development. I am satisfied from this, together with the status of West Kent Housing as a major local provider of affordable housing, that the scheme is capable of being delivered by this organisation, and that the owner of the land has completed a S106 agreement to secure the housing for local needs purposes.

The scheme does not propose an element of cross-subsidy (i.e. the development and sale of open market housing to help pay for the affordable housing). The scheme is fully supported by the Council's Housing Policy team who are satisfied that the resultant rents for these units would not be unaffordable.

- 60 c) *the proposed site is considered suitable for such purposes by virtue of its scale and is sited within or adjoining an existing village, is close to available services and public transport, and there are no overriding countryside, conservation, environmental, or highway impacts. The initial and subsequent occupancy of sites developed under this policy will be controlled through planning conditions and agreements as appropriate to ensure that the accommodation remains available in perpetuity to meet the purposes for which it was permitted.*

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With regard to the first element of this policy, the proposal is small in scale at 6 dwellings, and the site is immediately adjacent to the existing village, which is the largest village in the Parish with a village shop, public houses, a primary school and a bus service, albeit limited.

61 The site contains a number of planning constraints, being within the Green Belt, Penshurst Conservation Area, adjacent to listed buildings, adjacent to the flood plain, and within the High Weald Area of Outstanding Natural Beauty. In addition, considerations relating to highways safety and neighbouring amenities need to be considered. The test under Policy SP4 is whether any such impacts are overriding. The following sections consider the various planning constraints and impacts relating to the site. Following these sections, I have set out my view as to whether any overriding impacts would arise from the proposal.

i) *Impact upon openness of Green Belt*

62 Whilst the very nature of a rural exceptions site allows the potential for some development to take place in the green belt, it is important to consider the impact of the specific siting of the development on the green belt, particularly in terms of openness.

63 The site is located immediately adjacent to the existing village and is flanked by built development to the north and east. The proposal would result in the loss of part of an undeveloped field and the development would be visible from the western approach into the village. As a result, there would be some loss of openness to the Green Belt arising from the development. However in such proposals for rural exceptions sites, which by their very nature would take place in green belt locations in this District, some loss of openness would be almost inevitable. Given the location of the site adjacent to the existing village, with built form extending on the opposite side of the road from the site, I do not consider the impact on the openness of the green belt to be unacceptable.

ii) *Impact upon character of village, including surrounding heritage assets*

64 The site is located on the main road leading through the village and within the Penshurst Conservation Area. The conservation area includes open fields surrounding the built form of the village, and the development would be sited on part of one such field. The Penshurst Conservation Area Appraisal states that the conservation area was primarily designated as an interesting example of a medieval village, tightly concentrated around the church and the great house, which is still evident. It also states that the 19th century developments are architecturally valuable and worthy of preservation.

65 The appraisal further states that the village displays a variety of architectural styles, but that there is a unity in detail and form that links buildings across the years, and that a variety in roof heights is a feature of the village. Forge garage, which lies adjacent to the site, is specifically referred to in the appraisal as being of expressive detailing and a well known feature in the village. Its distinctive vernacular appearance on the approach into the village from the west is recorded in the appraisal. In addition, the appraisal also highlights the existence of splendid views across the river valley to the south west towards Rogues Hill and the open countryside, and the views / vistas gained of and from Star House and The Birches, which are both listed buildings (Star House is Grade II*). Members should also note that Forge Garage was Grade II listed in February 2011 on the

basis of its architectural quality as a vernacular building, its symbolic former industrial purpose (as a forge), and its group value with Star House and other vernacular revival buildings in the village.

- 66 The NPPF states that heritage assets should be conserved in a manner appropriate to their significance, and that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. That significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. The Council's Core Strategy Policy SP1 states that the District's heritage assets and settings will be protected and enhanced and states that account should be taken of guidance adopted by the Council in the form of Conservation Area Appraisals. Policy EN23 of the Local Plan states that development proposals should preserve or enhance conservation areas.
- 67 In this instance, the proposal would result in development across part of an existing open field within the conservation area. The purpose of the field being within the conservation area would appear to be as a setting to the village, preserving views into and out of the village from various locations as described in the Conservation Area Appraisal.
- 68 The application originally proposed to erect the dwellings adjacent to the flank wall of Forge Garage, which generated criticism from the Council's conservation officer due to the impact of the development on the setting of Forge Garage from the approach into Penshurst, and the loss of inter-visibility between Star House and Forge Garage. The scheme has since been amended to move the dwellings further back into the site. This would allow the flank wall of Forge Garage to be exposed, to largely retain this view on the approach into the village from the west, as well as retaining inter-visibility between Star House and Forge Garage. In addition, the Conservation Officer considers that the setting of both Forge Garage and Star House would be better protected through the revision to the siting of the dwellings. Whilst the amended design would relocate car parking for the development to the front of the site, this would imitate frontage parking at Forge Garage, and would be unlikely to result in obstruction of views of Forge Garage. When approaching the site through the village from the east, the development would be largely obscured by existing buildings on the south side of the village. The grassed area to the front of the site which would be maintained as part of the development would, to a small degree, give the impression of an open grassed field on the approach to the site through the village.
- 69 The existing native hedgerow fronting onto the High Street is to be relocated or newly planted behind the visibility splay, which will ensure the hedgerow frontage is retained. Equally the parking spaces in front of the proposed dwellings will be sited by a further band of landscaping in the form of native hedging and trees to preserve the visual amenity of the local area.
- 70 The proposal would interrupt some views across the river valley towards Rogues Hill and surrounding countryside currently gained from the road and from properties at Forge Close and Kimberley Cottage, as well as the primary school. The conservation area appraisal refers to the existence of such views as the road leaves the village.
- 71 In terms of scale and design, the proposed dwellings would be of two storey scale and 9 metres in height, and this would be in accordance with the scale and height

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parameters of other buildings on the south side of the road. Although Forge Garage is lower in height than most other buildings, at 5.5 metres, the proposed dwellings would be set further into ground levels by approx. 2 metres, which reduces the perception of differences in height between the proposed units and Forge Garage. The dwellings would be constructed using a high level of detailing, with steep pitched roofs and chimney features and traditional coloured banded tile hanging, feature gable designs, and traditional open eaves and bargeboard detailing. These pick up on important detailing features that are evident on other buildings in the conservation area, and referred to in the Conservation Area Appraisal. I consider that the level of detailing and scale of the buildings would be in keeping with the built form of the village.

- 72 The Conservation Officer advises that the location of this site is such that the development could not fail to have some impact on the character of the village. I would conclude from the above that this impact relates particularly to the development of part of an open field that provides a setting to the village and to Forge Garage as a listed building, and a setting for views across the river valley. Equally the Conservation Officer advises that, effort has been made to mitigate this impact through setting the development back from Forge Garage. Taking the above into account, I would conclude that some harm to the character and appearance of the conservation area would occur through the interruption of views across the valley and towards the conservation area. In addition, some harm to the setting of Forge Garage as a listed building would occur, due to the impact of the development on the view of this property from the west. However I consider that such harm would be limited as the new houses would be set back from Forge Garage, thus retaining views of the flank wall to this property. I also consider that the impact on the setting of the conservation area would be limited as the development would be seen in the context of existing built form within the conservation area, and has been well designed to respect this built form. Such limited harm would result in some conflict with policies EN23 of the local plan and SP1 of the Core Strategy. The NPPF states that where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. In this instance the public benefits are the provision of much needed affordable housing for Penshurst parish, and this balancing exercise is considered later in the report.

iii) Impact on wider landscape within an AONB

- 73 The site and surrounding area is located within the High Weald Area of Outstanding Natural Beauty. The NPPF states that great weight should be given to conserving landscape and scenic beauty within AONB's, which have the highest status of protection in relation to landscape and scenic beauty. Policy LO8 of the Core Strategy states that the distinctive character of the Kent Downs and High Weald AONB and their settings will be conserved and enhanced.
- 74 The existing site is an undeveloped field, and any proposal to develop on land such as this will inevitably have an impact. The site is clearly evident on the western approach into Penshurst, in addition to views gained across the site from within the village itself.
- 75 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) as part of the application, which concludes that the site is not visible from the surrounding landscape due to topography and woodland cover, other than from a public footpath to the east of the River Medway where limited views are attained.

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The LVIA concludes there would be no impacts on the landscape or AONB in this respect. The LVIA also concludes that from the village itself, any impact will be very localised when viewed opposite the site. That the impact on the approaches to Penshurst, the village edge and local character will be low.

- 76 The Council has consulted the High Weald AONB unit on the proposed development, and these comments are set out in full earlier in this report. The AONB unit has raised concern over the content of the LVIA and specifically how the more immediate impacts of the development over shorter distances have been addressed, as well as impacts on the physical landscape itself (not just visual impacts). The AONB unit considers that the scale of the buildings, with unusually high roof lines, would create a greater mass than would normally be expected of residential development, creating a significant local visual impact and a moderate landscape impact resulting from the physical change in character on the site.
- 77 Dealing first with the content of the LVIA, whilst concern has been raised over the content of the document, the AONB unit has submitted its assessment of the likely impact of the development, and I would agree that the main impact arising would be a local visual impact and landscape impact as set out by the Unit. Whilst I acknowledge the concern raised over the adequacy of the LVIA in dealing with local impacts, I am satisfied, having visited the site and viewed it from a number of vantage points, and having considered the response from the AONB Unit, that I have sufficient information to form my own judgement on this matter.
- 78 However I do not agree with the AONB unit's view on the size of the dwellings proposed – which they refer to as consisting of unusually high roof lines creating a greater mass than would normally be expected of residential development. In my opinion, the dwellings at 9 metres in height fall within the parameters of standard ridge heights for two storey residential development, and are comparable in height to many other buildings in the village, including the dwellings at Keymer Court immediately to the east of Forge Garage, and the units opposite the site at Forge Close. The unit has since qualified its comments to observe that scale may be an issue, and may affect the visual impacts of the development on local views, and that this needs to be considered. Overall, I consider the impact of the development on the landscape to be less than as stated by the AONB unit, as the proposed buildings reflect the style and design of buildings in the village. If the buildings had been designed with lower roof pitches and smaller roofs, they would have been out of keeping with the village. There is a balance to be achieved between the design of the built form respecting the character of the village and Conservation Area, and protection of the landscape character of the AONB. I consider that in this instance more weight should be given to the design of the dwellings in relation to surrounding built form.
- 79 From longer-range vantage points, having viewed the site from surrounding roads and public footpaths, the main viewpoint of the site is from a public footpath approximately 400 metres to the south east . The footpath looks down on the site and surrounding village from higher ground although such views clearly include surrounding buildings within the village, including buildings on the north side of the High Street and Fordcombe Road, which are positioned on higher land levels than the south side. Taking into account the scale and height of the dwellings proposed, I consider that the proposed units would visually integrate into the built village environment when viewed from the footpath, and that harm to the natural landscape from this viewpoint would be relatively small and limited.

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80 In terms of shorter range impacts, I agree with the AONB unit that these immediate impacts would be much greater, as quite clearly the development would be visible along the approach to the village from the west and from viewpoints on the road immediately opposite the site. However I do not agree that the scale and mass of the buildings would create a significant dominant feature on the approach to the village, taking into account the drop in level from the approach road, the height of the buildings within the village, the set-back of the dwellings from Forge Garage, and importantly, the fact that the proposed development would be viewed not in isolation but against the backdrop of the existing village and associated built form. In my opinion, the proposal would undoubtedly have a localised impact on the appearance of the village and landscape. However, for the reasons set out above I consider such impact to be of limited harm to the landscape. In this respect, there would be some conflict with Policy LO8 of the Core Strategy.

iv) *Impact upon neighbouring amenities*

81 Whilst a number of properties on the north side of the road may face or gain views of the proposed dwellings, this would be a distance in excess of 40 metres, across a main road through Penshurst. In my opinion, given the distance involved, the proposal would not cause any undue harm to the living conditions of occupants of these properties.

82 The closest residential property would be the dwelling at Forge Garage, located to the rear of the building. It contains a number of windows in the flank elevation facing into the site. The proposed dwellings would be sited behind the rear building line of the dwelling at Forge Garage and as such these side facing windows would not be obscured. In addition, a separation gap of 11 metres would exist between Forge Garage and the flank wall of the existing property, with a 5 metre wide landscaped strip along the boundary. One window is proposed in the flank wall of the proposed dwellings which would serve a landing, and this can be conditioned to be of obscure glazing to prevent views into the garden of the existing dwelling.

83 Policy EN1 of the local plan states that developments should not cause harm to the amenities of existing neighbouring properties. I consider that, given the layout and distance between the existing dwelling at Forge Garage and the new dwellings as described above, the living conditions of the existing property would not be adversely affected, and there would be no conflict with Policy EN1.

v) *Impact upon highways safety*

84 The application seeks to install a new entrance onto the High Street and 14 spaces would be provided for the development. This would accord with the Kent Highways Interim Guidance Notes for residential development which advises that for village environments, a minimum of 1.5 spaces per unit should be provided together with 0.2 visitor spaces per unit.

85 The new access would provide visibility splays in the region of 50 metres in both directions for vehicles existing the site, and this is to the satisfaction of Kent highways. The splays would necessitate the removal of part of a boundary hedge, although a new hedge would be replanted behind the splay.

- 86 As part of improvements to visibility at the proposed junction, Kent Highways require the existing phone box to be relocated slightly further back into the site. The applicant is in discussions with British Telecom to carry out this works and I consider that this can be suitably control via a planning condition.
- 87 Kent Highways also require a contribution of £3000 to be secured via a section 106 agreement for the provision of yellow line waiting restrictions in the vicinity of the exit of the proposed development. The applicant has agreed to fund this.
- 88 Objections have been raised regarding the siting of the access, the increase in traffic movements in this locality, particularly in close proximity to the school and potential for hazardous highway conditions. Members will be aware that KCC Highways have not raised an objection to the proposed development subject to the imposition of conditions and the applicant entering into a Section 106 Agreement to ensure that the development will not result in hazardous highway conditions.
- 89 Policy EN1 of the local plan states that new development should provide a satisfactory means of access for vehicles and appropriate parking facilities. Given the comments from Kent Highways, I am satisfied that acceptable access and parking provision would be made for the development. Whilst Policy T9 of the local plan normally precludes the construction of new accesses onto secondary routes, given the 30mph speed limit within the village which includes the application site, together with the comments from Kent Highways, I do not consider that the development would cause any harm to highways safety.
- vi) *Flooding*
- 90 The land on the south side of the High Street slopes down to the River Medway, the floodplain for which extends to around 5 metres from the rear of the application site, and some 20 metres from the rear of the proposed dwellings. The applicant has submitted a Flood Risk Assessment and the Environment Agency accepts that development of the site for housing is, in principle, acceptable.
- 91 Following further testing and the submission of further information, the Environment Agency is satisfied that the proposals for land remodelling would not cause any surface water flooding or drainage issues subject to the imposition of a number of conditions.
- vii) *Ecology*
- 92 The application includes an ecological desk study and phase 1 habitat survey which identifies the site as supporting dense scrub, grassland, species rich and species poor hedgerows with trees. Further survey work undertaken has concluded that there were no reptiles found on site and that trees to the south east of the site have potential to support roosting bats. Mitigation measures are proposed which can be controlled by condition.

Summing up of impacts using Policy SP4(c)

- 93 From my assessment above, Members will note that I have identified some harm arising from the development to the landscape within the High Weald Area of Outstanding Natural Beauty, and to heritage assets namely the Penshurst Conservation Area and setting of Forge Garage as a Grade II listed building.

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However I have concluded that the degree of harm is limited. The policy test under SP4(c) is whether such harm is overriding – effectively whether such harm should be given greater weight than the benefit of providing the local needs affordable housing.

- 94 This is a balancing exercise, and given the limited harm I have identified, I have placed greater weight on the benefits of providing local needs affordable housing and would conclude that the limited harm is not overriding in this instance. On this basis, I would conclude that the proposal would accord with Policy SP4 of the Core Strategy and therefore is appropriate development.

Alternative sites

- 95 The location of a site to accommodate local needs housing within the Parish has been subject to extensive consideration, going back to 2009 when the Needs Survey was first published. A steering group was established at this time involving a number of stakeholders, including the Parish Council, Penshurst Estate and various departments within Sevenoaks District Council, together with the West Kent Housing Association and other groups and individuals, and a number of sites were put forward as possible locations for the development. These sites were considered, with the key issue being that they should be available and potentially suitable for development. Following this, a large number of sites were discounted on the basis that they were not available (i.e. the landowner didn't want to sell / develop), or that they were not suitable for development (for example, a large number of sites put forward were in isolated locations away from the villages of Penshurst and Fordcombe, and performed very poorly in terms of sustainability. This included sites put forward at a later date by the Keep Penshurst Green Group.
- 96 The outcome of this process, was that only one site emerged which appeared to be potentially available and without fundamental constraints (such as an isolated location), being the Forge Field site subject to this application. That is not to say that Forge Field is without any planning constraints or difficulties – as is evidenced in the content of my report above.
- 97 During the formal consideration of this application, the Council received an application for an affordable housing scheme at Becketts Field in Penshurst. This application is also being reported to this committee and members will note that I have recommended refusal of the Becketts Field scheme for the reasons as specified in the report.
- 98 The existence of an alternative site is a material planning consideration but the weight given to this will normally depend on the facts and circumstances in each individual case. The Court of Appeal decision in *Governing Body of Langley Park School for Girls and the London Borough of Bromley and Ors* [2009] sets out how this should be considered as follows –

“The starting point must be the extent of the harm in planning terms (conflict with policy etc.) that would be caused by the application. If little or no harm would be caused by granting permission there would be no need to consider whether the harm (or the lack of it) might be avoided. The less the harm the more likely it would be (all other things being equal) that the local planning authority would need to be thoroughly persuaded of the merits of avoiding or reducing it by adopting an alternative scheme. At the other end of the spectrum, if a local

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planning authority considered that a proposed development would do really serious harm it would be entitled to refuse planning permission if it had not been persuaded by the applicant that there was no possibility, whether by adopting an alternative scheme, or otherwise, of avoiding or reducing that harm."

Where any particular application falls within this spectrum; whether there is a need to consider the possibility of avoiding or reducing the planning harm that would be caused by a particular proposal; and if so, how far evidence in support of that possibility, or the lack of it, should have been worked up in detail by the objectors or the applicant for permission; are all matters of planning judgment for the local planning authority."

- 99 In this instance, Members will note that I have identified some harm arising from the development of the Forge Field site. This harm does relate to national planning designations, being the Green Belt, AONB and designated Heritage Assets. Whilst these are of national importance the identified harm is, in my opinion, limited. In respect of the Becketts Field site, I have acknowledged that the harm identified is localised. However I consider such harm to be significant.
- 100 The main relevant policy consideration is SP4 of the Core Strategy, which states that in the development of local needs housing there should be no overriding countryside, conservation, environmental, or highway impacts. With Forge Field, I have concluded that the limited harm identified would not be overriding, and that as such the development would accord with Policy SP4. However with Becketts Field, I have concluded that significant harm would occur and that the scheme would be in conflict with Policy SP4.
- 101 Taking the above into account, I do not consider that a better alternative to the Forge Field site exists that would be capable of delivering the necessary housing development to meet the identified local need.

Conclusion

- 102 In light of the above considerations, I consider the proposed development to be acceptable.

Background Papers

Site Plan and Block Plan

Contact Officer(s): Mr A Byrne Extension: 7225

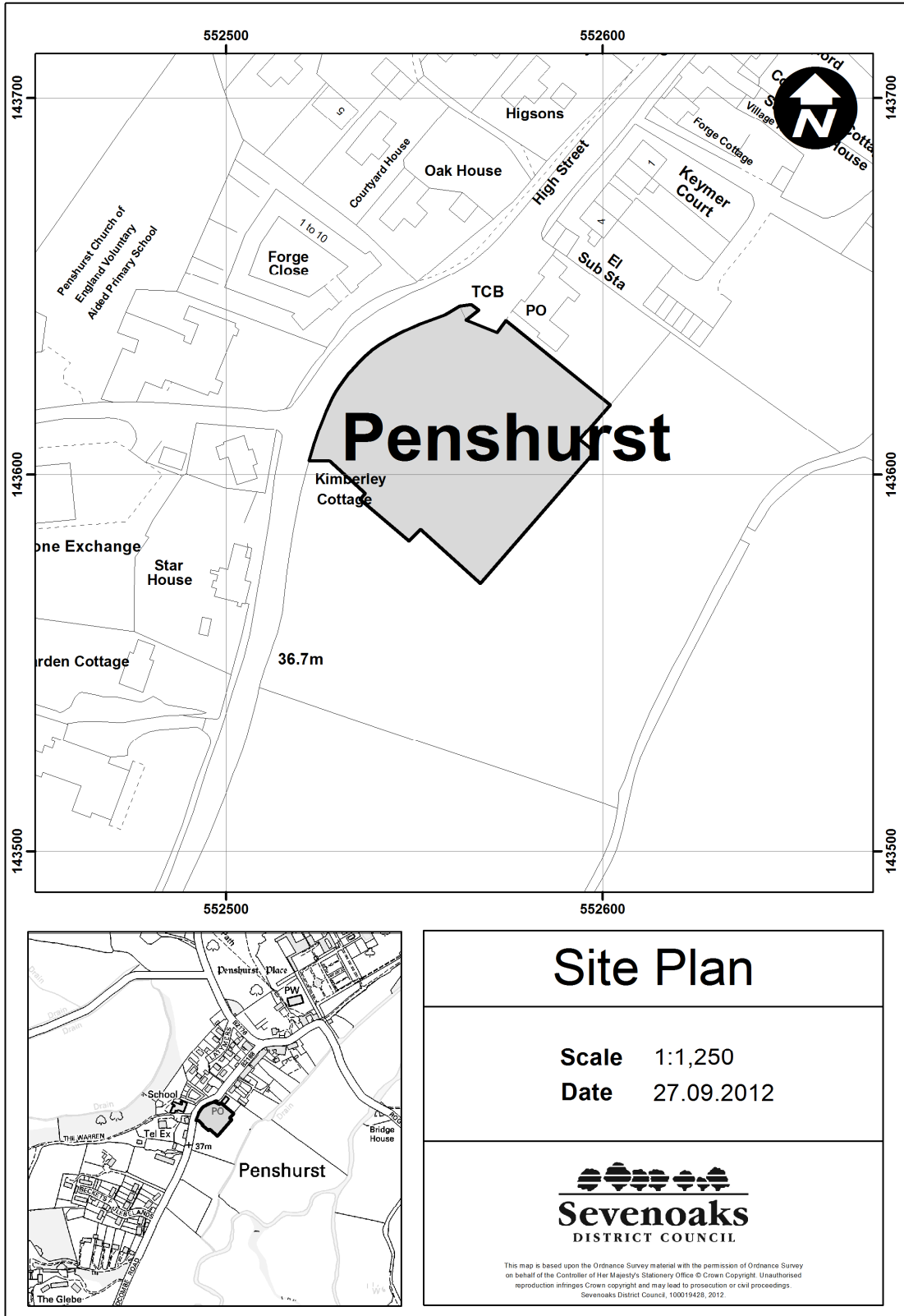
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LQOGUGBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LQOGUGBK8V000>



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4.3 - SE/11/03288/FUL Date expired 13 February 2012

PROPOSAL: Demolition of existing shop and flat over (18 & 19 The Row) and construction of 4no new residential units with 3 parking spaces.

LOCATION: 18 - 19 The Row, Main Road, Edenbridge TN8 6HU

WARD(S): Edenbridge North & East

ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillor Mrs Davison and Councillor Scholey on the grounds of loss of a retail unit and inadequate parking provision for the development.

RECOMMENDATION:

A) That subject to completion of a Section 106 Agreement within 28 days from the date of this Committee, planning permission be GRANTED subject to the following conditions:-

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 development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the adjacent terrace and surrounding area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The development shall achieve a Code for Sustainable homes minimum rating of level 3, and shall include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources. Evidence shall be provided to the Local Authority:

i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3, including a 10% reduction in total carbon emissions, or alternative as agreed in writing by the Local Planning Authority; and

ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 and has achieved a 10% reduction in total carbon emissions, or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change

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as supported by Policy SP2 of the Sevenoaks Core Strategy.

4) No development shall take place until details of revisions to the position of the proposed fence and gate to the north of parking space 2 have been submitted to and approved in writing by the local planning authority. The revised position shall be designed to improve access to and from the gate in order to reduce the likelihood of such access being blocked by parked vehicles.

To ensure that suitable access is maintained to the rear of the site for occupants of unit 19B, and to provide suitable space for the passage of bins and bicycles, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

5) No development shall take place until a detailed scheme for the removal of existing buildings from the listed boundary wall to the south of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include works to make good the boundary wall following any such removal.

To protect the appearance and fabric of the boundary wall, in accordance with Policy SP1 of the Sevenoaks Core Strategy.

6) Prior to first occupation of the development, the parking spaces as shown on the approved plan shall be completed and each parking bay shall be clearly marked out on site. Notwithstanding the approved plans, parking space 3 shall be increased in width to 2.7 metres. The area to the south of the dwellings, including the parking spaces, shall thereafter be maintained for access and the parking and manoeuvring of vehicles.

To ensure suitable parking provision is made, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

7) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. This shall include

- planting plans, including trees and plants to be retained and details of new landscaping (including plant specifications and schedules).
- details of hard surfacing materials to be used in the development.

The development shall be undertaken in accordance with the approved details prior to first occupation of the dwelling hereby permitted, or in accordance with a scheme of implementation agreed in writing by the Local Planning Authority. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

8) No fences, gates or other means of enclosure (other than those shown on the approved plans) shall be erected within the parking area for the development, as shown on the approved drawings.

To ensure that the land is maintained as an open area for ease of parking and the manoeuvring of vehicles, in the interests of highways safety, in accordance with Policy

EN1 of the Sevenoaks District Local Plan.

9) The development hereby permitted shall be carried out in accordance with the following approved plans: 3167a10/01C, 02G, 03C, 04E, 06 and 07

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

10) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

To ensure that features of archaeological interest are properly examined and recorded, in accordance with Policy EN25A of the Sevenoaks District Local Plan

11) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide details of:- the parking of vehicles of site operatives and visitors - loading and unloading of plant and materials - storage of plant and materials used in constructing the development - wheel washing facilities

To ensure the adequate provision on a restricted site of facilities required in connection with construction of the development, in order to safeguard the amenities of the area in accordance with policy EN1 of the Sevenoaks District Local Plan and Policy SP1 of the Sevenoaks Core Strategy.

Or

B) That planning permission be REFUSED if the Section 106 Agreement is not completed within 28 days from the date of this Committee for the following reason:

1) The proposal would fail to make provision for an affordable housing contribution, contrary to policy SP3 of the Sevenoaks Core Strategy.

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

The South East Plan 2009 - Policies BE4, BE6

Sevenoaks District Local Plan - Policies EN1, EN25A/B

Sevenoaks District Core Strategy 2011 - Policies LO1, LO6, SP1, SP2, SP3, SP5, SP7

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

The development would be unlikely to generate additional levels of traffic or parking requirements in comparison with the lawful use of the site.

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

The scale, location and design of the development would respect the context of the site and safeguard the visual amenities of the locality.

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Informatives

- 1) You are advised to contact the Post Office prior to demolition of the building to discuss removal of the post box.
- 2) You are advised that a S278 Agreement will be required from the Highways department at Kent County Council in relation to access works. You can contact Kent Highways on 08458 247800

Description of Proposal

- 1 This application seeks permission to demolish the existing building at 18-19 The Row, Main Road and to erect a replacement building containing 4 residential units.
- 2 The existing building is a two storey structure with single storey additions to the side and rear. It consists of a ground floor shop which has been vacant for some time and formerly operated as a local post office and store, with a flat above.
- 3 The proposal seeks to erect a two storey building fronting Main Road, containing 1 x 2 bed dwelling and 2 x 1 bed flats. A further 1 bed unit would be provided to the rear, attached to the back of the proposed dwelling. 3 x parking spaces would be provided to the side of the development.

Description of Site

- 4 The site is located within the built confines of Edenbridge within a primarily residential area. The application site is located at the end of a long terrace of dwellings fronting immediately onto the pavement next to Main Road. The properties to the south of the site, known as Fir Lodge and The Stables, are Grade II listed buildings.

Constraints

- 5 The site falls within an Area of Archaeological Potential
- 6 The site is adjacent to listed buildings.

Policies

South East Plan

- 7 Policies – BE4, BE6

Sevenoaks District Local Plan

- 8 Policies– EN1, EN25A/B

Sevenoaks Core Strategy

- 9 Policies– LO1, LO6, SP1, SP2, SP3, SP5, SP7

Planning History

- 10 None of relevance

Consultations

Edenbridge Town Council

11 Original comments -

Members object to the loss of employment in the Village area of Marlpit Hill. Additionally Members were extremely concerned that the proposal contained only two parking spaces. There are already routine issues due to a shortage of on street parking in the area that results in cars parking on the corner of The Brownings causing an obstruction and restricting the visibility splay.

Although Edenbridge does have two railway stations the bus service is limited with no evening services, it is likely that the occupiers would require a car. Members again stress the lack of parking in the proposal. The access to the development may reduce the available of on-road parking and the egress would be difficult due to the cars parked in front of the existing cottages. The shop on the other side of the road is a newsagent selling drinks and sweets and not a convenience store.

12 Further comments (22/05/12) -

Members restate their objection to the loss of employment in the Village area of Marlpit Hill. Additionally Members were extremely concerned that the proposal contained only two parking spaces. There are already routine issues due to a shortage of on street parking in the area that results in cars parking on the corner of The Brownings causing an obstruction and restricting the visibility splay. Although Edenbridge does have two railway stations the bus service is limited with no evening services, it is likely that the occupiers would require a car. Members again stress the lack of parking in the proposal. The access to the development may reduce the available of on-road parking and the egress would be difficult due to the cars parked in front of the existing cottages. The shop on the other side of the road is a newsagent selling drinks and sweets and not a convenience store.

13 Further comments (12/09/12) -

Members object as they still believe there is insufficient parking.

Conservation Officer -

- 14 The site adjoins two listed buildings at Firs Lodge and Eagle Lodge, which are both set well back from the road frontage. The redevelopment of the former post office/store as detailed would not have any adverse impact on the setting of the listed buildings. The listing includes the brick pier and wall along the boundary and the applicants should be aware that this should not be disturbed in any way and that the new cycle and bin store should be a totally free standing structure. This may mean bringing it further away from the side boundary.

Kent Highways

15 Original comments -

The proposed development does not provide adequate parking. At least four independently-accessible parking spaces would be required, as shown in Kent Design Guide Review IGN3 "Residential Parking".

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There is inadequate room for additional on-road parking immediately adjacent the site, at least in the evenings and over night. Cars are already parked nose-to-tail along the front of The Row, and in Brownings right up to the road junction. Cars are also parked on Main Road south of The Row, and adding several more would reduce visibility for neighbours using the driveways here, increasing the risk of collisions.

The two off-road parking spaces proposed in the application cause highway safety concerns, as they would result in an increased number of vehicles reversing onto or off the B2026 at a point where visibility is reduced by vehicles parked in front of The Row and south of here. This visibility issue is likely to get worse with more pressure for on-road parking from the proposed development.

It is worth noting that the applicant appears to acknowledge the lack of suitable parking, as in the "Planning, Design & Access Statement" this is cited as one of the reasons the shop closed.

In conclusion, I must recommend that the application is refused planning permission on the grounds of inadequate parking and highway safety.

16 Further comments (03/07/12) -

To confirm, the main highways concerns are:-

1. the proposals provide only 2 of the 4 required off-street parking spaces;
2. the likely increase in on-street parking, combined with existing parking pressure;
3. inadequate inter-visibility with oncoming traffic for vehicles leaving the site;
4. inadequate inter-visibility with pedestrians on footway for vehicles leaving site.

Looking more closely at these issues:-

1. Off street parking. KCC's "Interim Guidance Note 3" on residential parking standards shows that a minimum of 4 spaces should be provided. The application provides two off-street parking spaces and indicates that the remaining two cars could be parked on-road in front of the property. Unfortunately, with the limited frontage, if two cars are parked in front of the property this restricts visibility and manoeuvring room for vehicles entering and leaving the site, raising highway safety concerns.

2. On-street parking. The road in front of the site is already used by other residents for parking. Signs were put up on the front of the shop saying that kerbside parking was for customers and should not be used for overnight parking due to early morning deliveries, however these had no legal basis and we do not know how the frontage was used for parking in practice. If the development goes ahead, it is likely there will be at least two additional residents' cars requiring parking spaces on-street. Moreover, KCC's Interim Guidance Note 3 advises that there is a requirement for a space for visitor parking on-street. There is little room for additional cars to be parked safely on-street close to the development site. This is clearly an amenity issue, but it could also become a highway safety issue if

cars are parked at the junction of Brownings and Main Road or close to the exits from neighbouring driveways.

3. Visibility of oncoming traffic. Drivers of vehicles leaving the off-street parking would have restricted visibility of oncoming traffic due to vehicles parked along the nearside of the road, raising highway safety concerns. The issue would particularly be a problem for drivers reversing out of the parking spaces. This may have been an issue with the existing access to the yard alongside the shop, however the proposed development is likely to result in an intensification of use.

4. Pedestrians. Drivers of vehicles leaving the off-street parking would have restricted visibility of pedestrians approaching on the footway, due to the high wall to the south of the exit, and the wall of the new apartments to the north of the exit. There would of course have been a similar issue with the existing access to the yard alongside the shop, however the proposed development is likely to result in an intensification of use.

The applicant's "Vehicle Movement Assessment" does not show how the above problems can be reduced or solved. Consequently, unless the proposals can be improved, I would still recommend refusing planning permission on the grounds of highway safety and lack of off-street parking.

However, I would recommend that the applicant is encouraged to improve the application, for example using the following changes:

1. Reduce the width of the vehicular access to the width required for one vehicle plus providing appropriate pedestrian visibility splays on either side (to be kept clear of obstruction over 0.6m height). The visibility splays should be as close as possible to 2 metres x 2 metres;
2. Amend the on-street parking to provide just one parking space at the property frontage and thereby improve the vehicular visibility splays at the access. The intention would be to achieve this by s278 works or Traffic Regulation Order funded by s106 agreement or undertaking. (The Traffic Regulation Order would require consultation and any s278 works may require a safety audit.)
3. By removing the "bin store", provide additional off-street parking spaces, or two off-street parking spaces if the scale of the development is reduced. These parking spaces should be independently accessible.

Further comments (25/09/12) -

- 17 This consultation response refers to the amended plans shown in drawing 3167a10/02 Rev G.

The proposals are for three one-bedroom flats and a two-bedroom house, with three off-road parking spaces. According to KCC parking standards this is a shortfall of one off-road parking space. At present there is a three-bedroom flat and a shop, and although there was the possibility of one off-road parking space this would be in a gated courtyard which would be inconvenient to use and it is not known if this was used very much for parking in practice. It can be argued then that the application provides three additional dwellings and three additional independently-accessible parking spaces. KCC parking standards SPG3 also specify the requirement for 0.2 on-street parking spaces per dwelling, i.e.

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effectively totalling one space. In principle, this requirement would take the place of a customers' car previously parked near the shop.

Whereas the shortfall of parking is clearly unsatisfactory, given the previous use at this site it would not form a sufficiently robust reason to object to the application.

I therefore do not intend to raise any objection to the application substantially as shown in drawing 3167a10/02 Rev G, subject to the following conditions:

1. The applicant enters into a section 278 agreement with Kent County Council (Highways) to construct the widened vehicle crossover and to shorten by 2.5 metres the existing on-road parking bay in front of the site. Reason: Highway safety – to allow more visibility and manoeuvring room at the exit.
2. Three parking bays are to be marked on site, with dimensions 2.7 metres x 5 metres at the back of the site, and 2.5 metres x 5 metres at the front of the site; (Reason: to allow sufficient room for cars to reverse and car doors to be opened);
3. Standard condition for means to prevent mud, gravel or other material being deposited on the highway during construction.

I would also strongly recommend that the drawings are updated in respect of the gate and fence separating the car park from the back yard, to allow more room for residents to walk around the cars to the gate.

The required shortening of the parking bay is estimated to leave over 7 metres of parking bay remaining in front of the site, of which approximately 5 or 6 metres would probably be occupied by one car.

Southern Water –

18 No objection

SDC Archaeology –

19 The site is to the north of the main road that runs through Edenbridge where there have been a number of medieval finds and I believe there's potential for other items to turn up during excavation. Therefore a condition is required to secure a watching brief.

Representations

20 17 households have objected to the application on the following grounds –

- Insufficient parking
- Funding should be provided to improve parking on Main Road
- Loss of convenience / general store
- Loss of a post box
- On road parking is at saturation point

- More parking could be provided in the proposed garden area
- How will spaces be allocated between the properties?
- Lack of turning facility within parking area
- Lack of parking for construction traffic
- Impact on listed wall during construction
- Impact on character / appearance of terrace
- The shop should be retained as an amenity to the area
- The remaining shop in the area is a newsagent and does not fill the local need
- The existing shop has been allowed to run-down
- The number of units should be reduced if more car parking spaces cannot be added

Group Manager - Planning Appraisal

Principle of development

- 21 The site is located within the built confines of Edenbridge and policies LO1 and LO6 of the Core Strategy set out the suitability of the town, in principle, to accommodate new residential development. Policy SP5 of the Core Strategy states that new housing development should contribute to a mix of different housing types in residential areas and should include small units (less than 3 bedrooms) to increase the proportion of such units in the District's housing stock. This proposal would add to the mix of housing developments in the area and would provide 4 smaller units of accommodation in accordance with this policy.
- 22 The proposal would achieve a density in the region of 70 dwellings per hectare. Policy SP7 of the Core Strategy seeks for new housing developments to achieve a density target of 40 dwellings per hectare. This would make efficient use of land in density terms. However the policy also states that density figures should not compromise the distinctive character of an area, and that this consideration is overriding.
- 23 Therefore as a matter of general planning policy, I consider that the site would be suitable for residential development, subject to consideration of the following matters –

Loss of retail unit

- 24 The existing retail unit is vacant and has been for a considerable period of time. It is understood that shop was last used as an off-licence and general store. A number of objections received on the application have raised concern over the loss of the shop unit.
- 25 In policy terms the shop unit is not protected or defined as a local shopping centre under policy S3A of the local plan. Nor do any specific policies for Edenbridge that

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are contained within the local plan offer protection for retention of the shop unit. Likewise, policy LO6 of the Core Strategy seeks to maintain retail uses in Edenbridge town centre that contribute to the vitality and viability of the town, although this does not apply to the application site as it is not within the town centre. Taking this policy position into account, I do not consider that the Council could require, as a matter of principle, the retention of a shop unit on the site.

- 26 Furthermore, the shop unit has been vacant since January 2010. The applicant advises that the unit was marketed for 20 months without success. Whilst no detailed information has been provided in support of this, the period of vacancy does suggest that there is a low prospect of retail interest in the unit, which adds weight to the policy position set out above.

Impact of development upon the character and appearance of the area

- 27 The area is mainly residential in character, with a mix of building styles. The site is flanked by a listed building to the south that was formerly one large dwelling and outbuilding and has been converted into three residential properties. The remaining terrace of dwellings lies immediately to the north of the site. A development of Georgian-style terraced houses is sited opposite the site.
- 28 The existing building forms part of the larger terrace of dwellings extending northwards from the site. This terrace is of late 19th / early 20th Century construction and of consistent design, following the same front building line adjacent to the pavement and a consistent roof line. There is some variation in door and window detail, and two dwellings have painted / rendered frontages. The existing building on the application site forms the end of this terrace and differs from it insofar that it includes a front gable roof feature, painted and part tiled elevations, and the shopfront with a flat above gives more of a horizontal emphasis to the property.
- 29 The proposed building would follow the same front building line as well as the existing ridge and eaves line of the terrace, and would be built to the same length as the existing building. The exposed flank wall of the building would be slightly deeper than the existing flank wall. Provided suitable external materials are used, I am satisfied that the proposed building would integrate well with the existing terrace.
- 30 The proposal would improve the appreciation of space between the site and the buildings to the south through the removal of existing single storey buildings and use of this area for open parking. This would preserve and enhance the setting of these buildings which are Grade II listed. The Conservation Officer has commented that care needs to be taken with regard to the boundary listed wall. It is noted that some of the existing structures on the application site are attached in part to the wall. However it is quite clear where these later additions have been attached to the wall, and I consider that it would be possible to remove these without harm to the listed wall – and this could be controlled via a planning condition.
- 31 Taking the above into account, I am of the opinion that the scheme has been well designed and respects the existing local character of the area, as well as the setting of the neighbouring listed buildings. In this respect, I consider that the development would accord with policies SP1 and SP7 of the Core Strategy, and policy EN1 of the Local Plan.

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Impact of development upon the living conditions of neighbouring properties and future occupants

- 32 The site is surrounded by residential properties and I would assess the impact of the development on these as follows –
- 33 17 The Row – this is the closest dwelling to the proposed development, and proposed unit 18A would be attached to this property. Unit 18A is shown to be a two storey dwelling with a part single, part two storey projection to the rear. The neighbouring property at No. 17 also has a single storey rear projection next to the boundary with the application site. The proposal has been designed to step the two storey rear projection away from the boundary of No. 17, in order to maintain light and outlook to this property. The arrangement of a part single, part two storey projection to the rear of proposed unit 18A is also similar to the existing layout of buildings on the application site. Overall I do not consider that this element of the proposal would cause any undue harm to the living conditions of No. 17 when compared to the existing situation.
- 34 The proposal also includes the provision of a single storey building attached to the rear of proposed unit 18A, accommodating a 1 bed property. This would extend along the side boundary with No. 17. This unit would replace an existing large single storey building of much greater height and bulk than proposed. Although the new unit would project slightly further in length than existing, it would be materially smaller than the existing building on site. There would be no windows or openings facing towards No. 17 and overall I consider that this unit would result in a satisfactory relationship with this property, compared to the existing relationship between the site and No. 17.
- 35 Nos 6 and 7 Lynmead Close – these are sited to the rear of the site, and a minimum distance of some 30 metres would be maintained from these dwellings to the proposed single storey unit (shown as 19B), and some 40 metres from the two storey element of the proposal. I consider this to be a sufficient distance to protect the amenities of these properties.
- 36 The proposal would have a very similar impact as the existing building in terms of light, privacy and outlook on the properties on Main Road opposite the site, given that from the road the building would be to the same building line and length, with the same eaves and ridge height.
- 37 The listed buildings at Firs Lodge and The Stables are to the south of the site. The proposed development, particularly at two storey level, would be similar in scale and impact to the existing building on site. Whilst the rear facing windows would be more visible, these do not directly face these neighbouring properties, nor do they overlook any secluded space to these properties. As such I consider this relationship to be acceptable.
- 38 Policy EN1(3) of the local plan states that development should not cause an adverse impact on the amenities and living conditions of surrounding properties. Taking the above into account, I consider that the scheme would accord with this part of the policy.
- 39 Regard should also be given to the living conditions of future occupants of the development. In this respect, it is noted that there are some unconventional aspects to the development, particularly the way in which the single storey unit to

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the rear is attached to the rear elevation of unit 18A, and also the window design of the rear single storey unit. However it is noted that the ground floor of 18A has been designed with the living accommodation to the front of the site and a bathroom and kitchen to the rear, where the need for an “outlook” is not normally a significant issue. It is also noted that for lighting purposes, it would be possible for a roof light to be installed in the single storey part of No. 18A, and this would allow daylight into the kitchen and bathroom area if desired.

- 40 The single storey unit to the rear has been designed with unusual angled walls to the front elevation, containing small windows. It is noted that the lounge also benefits from glazed doors to the rear and that as such this room would receive a good degree of light. The amount of light available into the proposed bedroom is more questionable. However again, it could be possible to improve this through, for example, the use of a roof light.
- 41 The units would share a communal garden space to the rear of the site. Whilst the design of the units would lead to a degree of human activity immediately to the rear of the units and outside proposed unit 19B, this would not be dissimilar to relationships between buildings and occupants in Mews type developments.
- 42 Taking this into account, I consider that the development would provide a suitable environment for future occupants, and in this respect would comply with Policy EN1(5) of the local plan.

Provision of car parking and impact upon highways safety

- 43 The proposal includes the provision of three parking spaces to the side of the property. This has been increased from the two spaces originally proposed as part of the scheme. Clearly, this would mean that each unit could not be allocated a parking space. The Council does not have any adopted parking spaces for new developments. However the Kent County Council Interim Guidance Note on residential parking recommends that in suburban town locations, a minimum of 1 parking space for 1 and 2 bed units should be provided. On this basis, the development would result in a shortfall of one parking space, and would not provide any visitor parking.
- 44 It is noted that the existing road is a well used main route in and out of Edenbridge, and that parking restrictions exist. A large parking bay is provided along the frontage of the terrace, and this appears to be well used to capacity by existing residents. As such any additional parking pressure from new development is likely to put further pressure on this bay and surrounding street parking.
- 45 On the other hand, in considering this application it is necessary to give weight to the level of parking likely to be generated from the existing lawful use of the site, and whether the proposed development would worsen highways conditions compared to this situation. In this respect, it is noted that although the shop is now vacant, when in use it would have generated vehicular activity from staff and customers. Whilst there is an existing gated courtyard next to the shop where, theoretically, a car could have parked – it is unlikely in practice to have been used for parking for the reasons specified in the highways officer’s comments. It is also noted that the 3 bed residential unit above the shop would have required two parking spaces under the KCC parking guidelines. Some objectors have pointed out that parking related to the shop would have been largely short term and

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during the day, although I note that the shop was an off-licence and likely to be open during weekend and evening hours when on-street parking would be greater than during the weekday and, therefore there is no planning condition to restrict the hours it could be open to the public. In addition, any vehicle parking by occupants of the flat would not be short term.

- 46 The off street parking spaces are proposed to the side of the property. These do not include a turning facility and as such vehicles would need to reverse in or out of the space. Given the nature of the road, I consider that drivers would be more likely to reverse into the spaces, and exit the site in forward gear, although clearly this cannot be controlled. The layout of the spaces is tight, but subject to some minor changes to the exact siting of the spaces in relation to the proposed fence which would divorce them from the rear of the site (which can be required by a planning condition), Kent Highways consider that the layout would be acceptable.
- 47 Kent Highways have stated that the existing bay will need to be reduced in length by 2.5 metres in order to create suitable visibility from the access to the development. This would be secured under S278 Highways works, which will be highlighted as an informative. Kent Highways do not object to this small reduction in the bay.
- 48 Taking the above into account, it is accepted that street parking is at a premium in this location, and that the development would not be able to cater for all parking to be off-site. However, I do not consider that this shortfall would make the situation worse than would be the case if the flat and shop were occupied, and this view is supported by Kent Highways. Policy EN1(parts 6 and 10) of the local plan states that development proposals should provide suitable parking facilities , and should not cause unacceptable traffic conditions on surrounding roads. It should be remembered that the existing permitted use has no parking provision and a theoretically greater highway impact than the proposal. This scheme provides three off street parking spaces and should be considered as a highway betterment as improving the parking provision in this locality. Taking into account the fallback position of the existing lawful use of the premises, I would conclude that the development would not conflict with this policy requirement.

Other matters

- 49 The application would involve the removal of a post box within the wall of the building. Following contact with the Post Office, I am advised that such wall boxes are in the process of being phased out, and that there would be no requirement to replace the box, however its removal will need to be authorised by the Post Office. Therefore I have attached an informative highlighting the need to contact the Post Office prior to the post box being removed. The applicant has stated in writing that they would be willing to include a post box in the development (likely to be in one of the front walls / pillars), however from the Post Office reply this would not appear to be necessary.
- 50 As part of a residential development proposal, the applicant is required under Policy SP3 of the Core Strategy to make a contribution towards affordable housing in the District. The applicant has provided information to demonstrate that the contribution would be £25,656.50, although a S106 agreement has not, to date, been completed. Provided this is completed, the proposal would accord with Policy SP3 of the Core Strategy.

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Conclusion

- 51 Taking the above factors into account, I do not consider that the development would conflict with local development plan policies and I would recommend approval, subject to the completion of a S106 agreement within 28 days from the date of this Committee. Alternatively, if the S106 is not completed within this timeframe, then I would recommend that the application be refused on this basis only.

Background Papers

Site and Block plans

Contact Officer(s): Mr A Byrne Extension: 7225

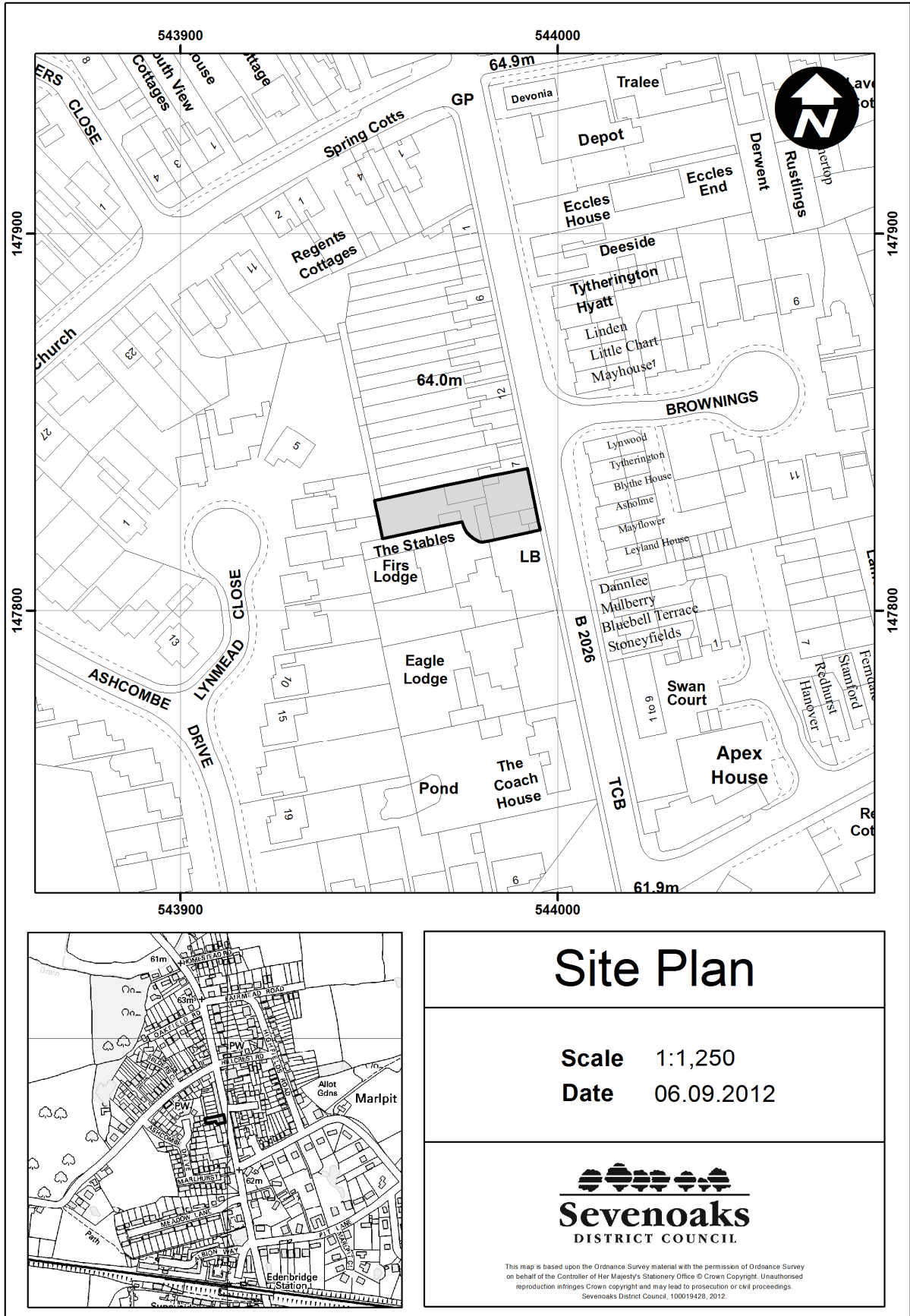
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=LWAEM1BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LWAEM1BK8V000>



Site Plan

Scale 1:1,250
Date 06.09.2012



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4.4 - SE/12/02072/HOUSE Date expired 2 October 2012

PROPOSAL: The erection of a two storey side extension, alterations to fenestration including the insertion of a juliet balcony on the first floor.

LOCATION: 63 Redhill Wood, New Ash Green, Longfield DA3 8QP

WARD(S): Ash And New Ash Green

ITEM FOR DECISION

This application has been referred to Development Control Committee as the joint owner of the site, Mrs Lesley Bowles, is Head of Community Development at Sevenoaks District Council.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

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) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

To ensure that the appearance of the development is in harmony with the existing character of the dwelling house as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) The development shall be carried out in accordance with the following plans; Drawing No.1 Revision A proposed elevations and floor plans received 6 August 2012 and Drawing No.1 Revision A proposed and existing block plans received 6 August 2012.

In the interests of proper planning.

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

The South East Plan 2009 - Policies CC6

Sevenoaks District Local Plan - Policies EN1 and H6B

Sevenoaks District Core Strategy 2011 - Policies SP1

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

The development would respect the context of the site and would not have an unacceptable impact on the street scene.

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

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Description of Proposal

1. The proposal is for a two storey side extension with a footprint of 4 metres by 6.8 metres. The proposal will be the height of the existing dwelling and extend both the front and rear building lines. The roof shape will reflect that of the existing roof.
- 2 In addition the proposal plans to alter the existing bedroom window on the first floor rear elevation to a floor length window with a Juliet balcony, to serve as an open plan study.

Description of Site

- 3 The site is a two storey detached property within New Ash Green. The area is semi rural in character and characterised by large dwellings within generous plots. 63 Redhill Wood is one of three properties accessed via a wide turning circle adjacent to the main road.

Constraints

- 4 Area of Special Control of Adverts
- 5 Tree Preservation Order along the northern boundary of the site.

Policies

South East Plan

- 6 Policies - CC6

Sevenoaks Core Strategy

- 7 Policy - SP1

Sevenoaks District Local Plan

- 8 Policies - EN1 and H6B

Other

- 9 National Planning Policy Framework

Planning History

- 10 None

Consultations

Parish/Town Council

- 11 The Parish Council has no objection to the application as long as it does not conflict with local planning policy.

Representations

- 12 3 neighbours have been consulted. A site notice was posted on 20.08.2012 and a notice was published in the local press on 16.08.2012. No representations have been received.

Group Manager - Planning Appraisal

- 13 The principal issues in this instance are the impact of the proposal on the character of the dwelling house; the existing area; and any impact on the neighbouring properties in terms of loss of daylight, outlook or privacy. Policies EN1 and H6B of the Sevenoaks District Plan apply as do policies CC6 of the South East Plan and SP1 of the Sevenoaks Cores Strategy.

Size, bulk, design and impact on street scene:

- 14 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. Policy H6B of the SDLP states that residential extensions shall be subject to the principles in Appendix 4. Amongst other things, Appendix 4 states that the extension itself should not be of such a size or proportion that it harms the integrity of the design of the original dwelling or adversely affect the street scene.
- 15 The design of the proposal will reflect the main dwelling in terms of the proposed fenestration and roof shape. As a result the proposal will not result in an unacceptable form of development that will detract from the character of the dwelling.
- 16 The immediate street scene is characterized by larger dwellings and on the west side of the road, opposite the turning area the dwellings are smaller, and in smaller plots. They are also at a higher level than the application site which makes them more prominent. No. 63 is set well back from the road itself and there is a mature tree in the amenity area to the front which partially screens it from views to the west.
- 17 The Supplementary Planning Document for Householder Extensions puts great emphasis on loss of space resulting from the erection of two storey side extensions. However as the large open spaces that characterise the area will be maintained then it is felt that the current proposal will not have a negative impact in this respect.

Impact on residential amenity

- 18 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.

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- 19 The closest neighbour is 64 Redhill Wood to the south of the property. There is two metres between the flank elevation of 63 and the shared boundary. There are 8 metres between the two facing elevations of the dwellings. The proposed work will take place on the north side of the property and will therefore not impact on the amenities of 64.
- 20 To the north the neighbouring property (62 Redhill Wood) is approximately 20 metres away. There are no windows proposed in the side elevation of the property and therefore there will be no impacts on the amenities of the neighbours.
- 21 Any side windows created under permitted development rights at first floor or roof level are required to 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 room in which the window can be installed. Given this and the distance between the two properties it is felt that a condition will not be required to safeguard the future privacy of the occupants.
- 22 There are no neighbours to the rear of the property as the ground level slopes down to open fields beyond the residential boundary.

Highways

- 23 The proposal will turn the property from a three bedroom house to a five bedroom house. The Kent County Council maximum parking standards are set out in the Kent Design Guide Review Interim Guidance Note 3 for Residential Parking as 2 independently accessible parking spaces. There is a single garage and driveway to the front of the property. These spaces would not be considered independently accessible. However there is also considerable on street parking. Given this it is felt that the proposal cannot be refused on highways grounds.

Trees

- 24 The trees along the northern boundary of the site are the subject of a Tree Preservation Order. These are in the front garden of the site and will not be impacted upon by the proposal, or any associated works traffic.

Access issues

- 25 The access to the site is not being altered.

Conclusion

- 26 Given the above the proposal is found to be in accordance with the relevant policies at regional and local level. There will not be an unacceptable impact on the character of the street scene, the wider area or the amenities of neighbouring properties in terms of loss of light, outlook, or privacy.

Background Papers

Site and Block plans

Contact Officer(s):

Deborah Miles Extension: 7360

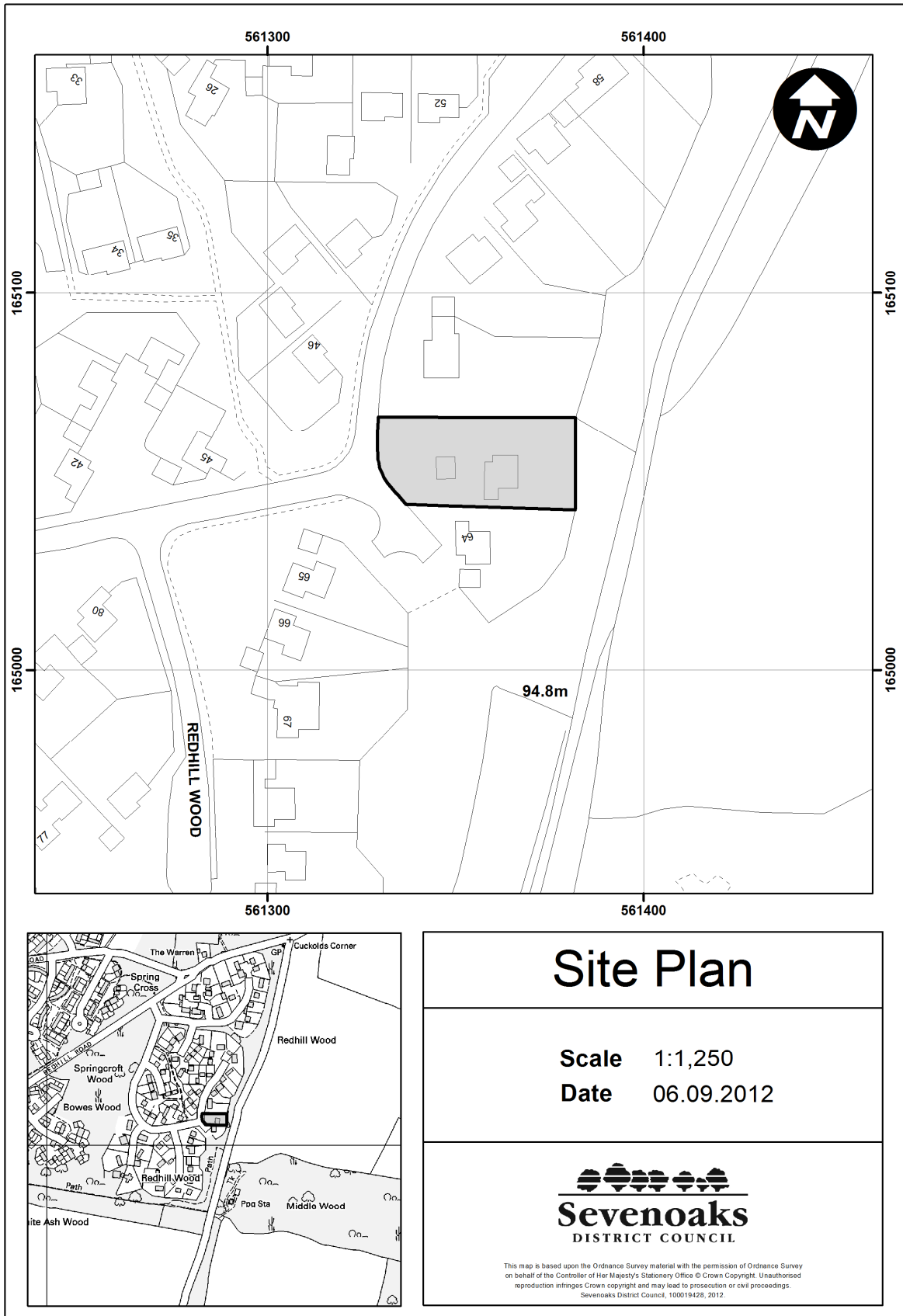
Kristen Paterson
Community and Planning Services Director

Link to application details:

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Link to associated documents:

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Site Plan

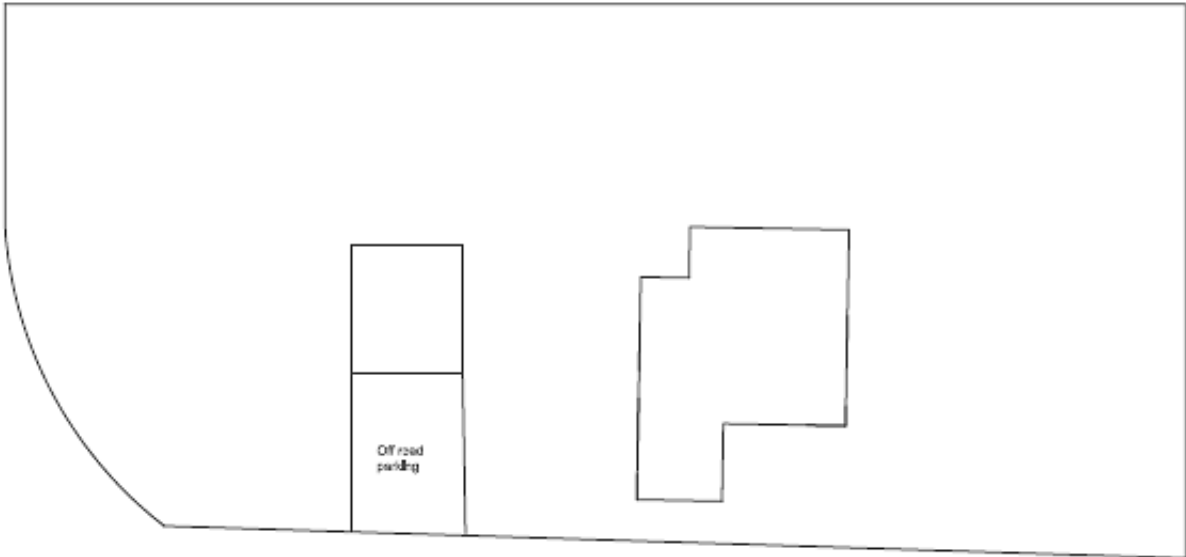
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Date 06.09.2012

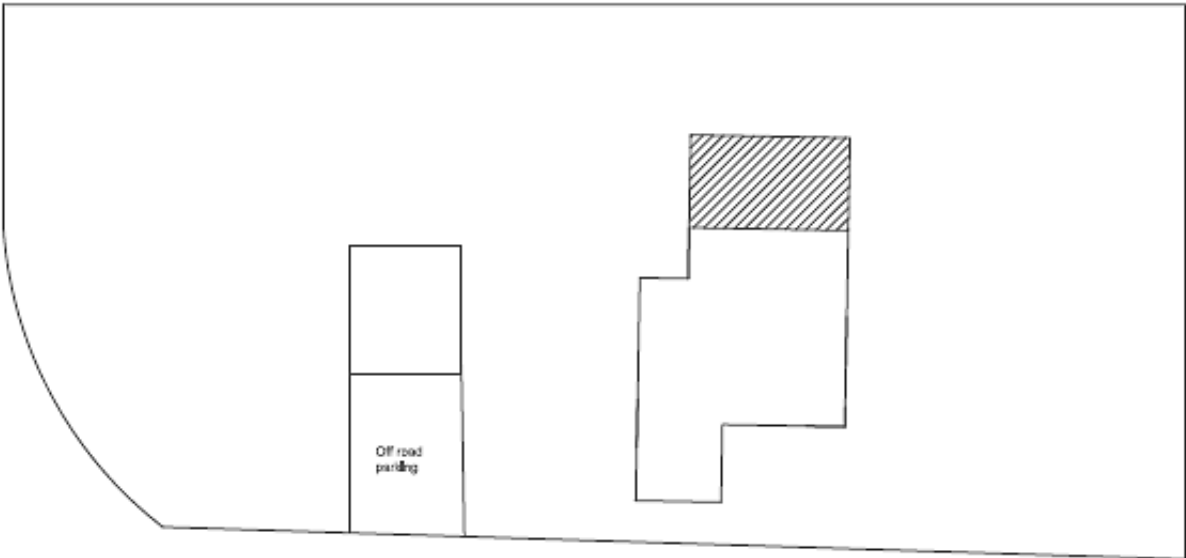


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BLOCK PLAN



Existing block plan



Proposed block plan

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