

# **DEVELOPMENT CONTROL COMMITTEE**

14 August 2014 at 7.00 pm Council Chamber, Argyle Road, Sevenoaks

# **AGENDA**

# Membership:

Chairman: Cllr. Williamson Vice-Chairman Cllr. Miss. Thornton

Cllrs. Mrs. Ayres, Bosley, Brookbank, Brown, Clark, Cooke, Edwards-Winser, Firth, Gaywood, McGarvey, Neal, Orridge, Mrs. Parkin, Raikes, Miss. Stack, Underwood and Walshe

<u>Pages</u>

# **Apologies for Absence**

1. **Minutes** (Pages 1 - 10)

To approve the minutes of the meeting of the Committee held on 24 July 2014, as a correct record.

(Please note that the minutes of the Special Meeting of the Committee held on 31 July 2014 will be considered at the next meeting of the Committee on 4 September 2014)

2. Declarations of Interest or Predetermination

Including any interests not already registered

- 3. **Declarations of Lobbying**
- 4. Planning Applications Chief Planning Officer's Report
- 4.1. **SE/14/01187/FUL Weald Cottage & South Cottage, Four Elms** (Pages 11 28) **Road, Edenbridge TN8 6AB**

Demolition of South Cottage and Weald Cottage and replacement with a terrace of Four new dwellings with associated parking, garages and landscaping. Access road to rear.

4.2. **SE/14/00849/HOUSE & SE/14/00850/LBCALT - Threeways, The** (Pages 29 - 44) **Street, Ash TN15 7HA** 

Erection of two-storey side extension following demolition of part of the attached listed wall, alterations to rear garden room; minor internal alterations and repairs to chimney stack.

#### **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 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 <a href="mailto:democratic.services@sevenoaks.gov.uk">democratic.services@sevenoaks.gov.uk</a> or speak to a member of the Democratic Services Team on 01732 227350 by 5pm on Monday, 11 August 2014.

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

- 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 sitespecific 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 24 July 2014 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Miss. Thornton (Vice Chairman)

Cllrs. Mrs. Ayres, Bosley, Brookbank, Cooke, Edwards-Winser, Gaywood, McGarvey, Orridge, Mrs. Parkin, Miss. Stack and Walshe

Apologies for absence were received from Cllrs. Brown, Clark, Firth, Neal, Raikes and Underwood

Cllrs. Ayres, Ball, Piper and Mrs. Sargeant were also present.

The Chairman announced that the meeting would not start until 7.05pm in order to allow Members additional time to consider the Late Observation papers tabled by Officers.

# 24. Minutes

Resolved: That the minutes of the Development Control Committee held on 3 July 2014, be approved and signed by the Chairman as a correct record.

#### 25. Declarations of Interest or Predetermination

Councillor Edwards-Winser stated that he was a Member of Otford Parish Council who had previously considered minute item 30, SE/14/01074/FUL – 52B Pilgrims Way East, Otford, Sevenoaks TN14 5QW.

# 26. <u>Declarations of Lobbying</u>

Councillors Bosley, Brookbank, Edwards-Winser, Mrs. Parkin, Miss. Stack and Miss. Thornton declared that they had been lobbied in respect of minute item 31, SE/14/01128/House – Windrose, Brasted Chart, Westerham TN16 1LZ.

#### CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement the Chairman proposed to bring forward agenda item 4.5.

## **Reserved Planning Applications**

The Committee considered the following planning applications:

# 27. SE/13/03843/CONVAR - Land East Of, Park Lane, Swanley Village, Swanley

The proposal was for the removal of conditions 3 (Residency), 4 (Occupation restriction) and 6 (Siting) of planning permission SE/07/02075/FUL - Change of use to residential, stationing of two mobile homes (with associated mobility ramps), two touring caravans, a

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car port and associated hardstanding (Resubmission of SE/06/02550/FUL). In order to add/amend the names given for residency and occupation and new block plan submitted.

The Committee was reminded that the matter was previously considered on 20 May 2014. Officers had brought the matter back to the Committee following the request for further information on the justification of the care needs of the applicant.

The Chairman allowed Councillor Brookbank to address the Committee as he had requested that Members consider the application. He advised that after further discussions and evidence provided he was happy to support the Officers recommendation.

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

- 1) This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in paragraph 1 of Annexe 1 of DCLG document Planning Policy for Traveller Sites March 2012.
  - Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm.
- 2) The occupation of the site hereby permitted shall be carried on only by the following and their resident dependents: Mr and Mrs J Clarke, Sharon Clarke Jnr and Lucy Clarke. When the land ceases to be used by Mr and Mrs J Clarke, the use hereby permitted shall cease and all caravans, structures, hardstanding, materials and equipment brought on to the land associated with the use hereby permitted shall be removed. Within 3 months of that time the land shall be restored to its former condition before the use commenced.
  - Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm.
- 3) The residential use hereby permitted shall be restricted to the stationing of no more than 4 caravans at any time.
  - Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm.
- 4) The caravans, car port and hardstanding shall be sited in accordance with the untitled Block Plan received on 10th Dec 2007 under planning reference SE/07/02075/FUL.
  - Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm.
- 5) No commercial activities shall take place on the land, including the storage of materials.

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Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm.

6) No building or enclosure other than those shown on the approved untitled block plan received on 10th Dec 2007 under planning reference SE/07/02075/FUL, shall be erected on the site.

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

7) Within three months of the date of this permission details of the surfacing and extent of the areas of hardstanding to be provided to the Council for approval in writing. All hardstanding on site shall be formed in accordance with the approved details.

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

- 8) The external dimensions of the car port hereby approved on the site shall be no greater than, 6 metres in length, by 4.2 metres in width, by 2.2 metres in height. The car port shall be maintained at this size.
  - Given that the very special circumstances in this case clearly outweigh the harm to the openness of the Green Belt and any other harm.
- 9) All landscape works shall be carried out within the next planting season from the date of this permission. The landscape works shall be carried out in accordance with the approved details.
  - To enhance the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.
- 10) 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 enhance the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

11) The development hereby permitted shall be carried out in accordance with the following approved plans:1 unnumbered block plan received on 10th December 2007

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

(Cllr. Miss. Thornton abstained from the vote as she had not been present when the matter was previously considered by the Committee).

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## 28. <u>SE/14/01565/FUL - Five Ways Nursery, Swanley Lane, Swanley BR8 7LD</u>

The application sought permission for the installation of a mobile home, and had been referred to Committee at the request of Councillor Ball to consider issues of Green Belt and Human Rights.

Members attention was brought to the main agenda papers and the late observation sheet which did not propose any amendments or changes to the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:

For the Application: Jeff Haskins

Parish Representative: Cllr. Victor Southern

Local Member: Cllrs: Ball and Mrs. Sargeant

Members asked questions of clarification from the Speakers and Officers. It was clarified that the application did not have any time restrictions but a condition could be included. A condition could also be added for agricultural occupancy residency.

It was moved by the Chairman and duly seconded that the recommendation in the report to refuse planning permission be agreed.

Members expressed concern at the lack of information included in the business plan submitted. There were also concerns that it was within the Green Belt and that there was already a property on the site.

The motion was put to the vote and it was

Resolved: That planning permission be REFUSED for the following reasons:

The proposed development would constitute inappropriate development within the green belt, harmful by reason of inappropriateness and by virtue of harm to the openness of the green belt. The very special circumstances advanced are not considered to be sufficient to clearly outweigh the harm to the green belt. This is contrary to the provisions of the National Planning Policy Framework, policy LO8 of the Core Strategy, policy H18 of the Sevenoaks District Local Plan and policy GB6 of the emerging Allocations and Development Management Plan.

## 29. SE/14/01263/FUL - 16 -18 London Road, Riverhead, Kent TN13 2UE

The application sought permission for the change of use from A1 – retail, to D1 – developmental play classes between the hours of 09:00 – 17:00 for a maximum number of 14 children aged 0-5 years with their carers. The application had been referred to the Committee by Councillor Brown to discuss issues of parking and highways safety.

Members attention was brought to the main agenda paper and the Late Observation sheet which did not propose any amendments or changes to the recommendation before

## **Development Control Committee - 24 July 2014**

the Committee. Members were also advised of the statement by the Local Members included in the Late Observations sheet.

The Committee was addressed by the following speakers:

Against the Application:

For the Application: Colette Beard

Parish Representative: - Local Member: -

Members asked questions of clarification from the Speakers and the Officers. Members were advised that the first class took place at 9.30am and the last class would finish at 4.14pm with each class lasting 45 minutes. New attendees would be directed to park in the Tesco car park and current Members would be advised to do so. In response to a question it was confirmed that condition 03 could be amended to include all public holidays.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission subject to conditions be agreed.

Members were concerned with the parking issues but were pleased that a verbal agreement had been made between the applicant and Tesco for parking. Short term parking restrictions were discussed and implemented could be longer than the classes. It was mooted as to whether a condition could be included for monitoring the parking. Members noted that parking could only be enforced if there were restrictions in the area.

The motion was put to the vote and it was

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 more than 14 children shall be on the premises at any one time with no more than 5 staff in attendance at the same time.
  - To prevent the intensification of the use such as to cause problems on the nearby public highways as a result for demand for on street parking spaces.
- 3) The premises shall only be open between the hours of 8am 6pm Mondays to Fridays and at no time on Saturdays, Sundays and Public Holidays.
  - To protect the amenities of nearby residents in accordance with the provisions of policy EN1 of the Sevenoaks District Local Plan and policy EN2 of the emerging Allocations and Development Management Plan.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: unnumbered site plans and floor plan existing and proposed.

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

#### Informative

You are strongly advised to ensure that parents attending the premises park their vehicles in the nearby Tesco Car Park and not on the surrounding public highway

(Cllr. Miss. Stack requested that her abstention from voting be recorded).

# 30. SE/14/01074/FUL - 52B Pilgrims Way East, Otford, Sevenoaks TN14 5QW

The application sought permission for the demolition of existing dwelling and outbuildings; erection of replacement dwelling with integral garaging facilities and timber decking to rear elevation. The application had been referred to Committee at the request of Councillor Lowe who wished for the appropriateness of the development within the Green Belt and the consistency in decision making to be discussed.

Members attention was brought to the main agenda papers and the late observation sheet which proposed amendments to the detailed wording of some of the conditions.

The Committee was addressed by the following speakers:

Against the Application:

For the Application: Jacquie Andrews Parish Representative: CIIr. John Verrall

Local Member: Cllr. Miss. Lowe (submission read by Cllr. Miss Stack)

Members asked questions of clarification from Officers.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission subject to conditions be agreed.

Members considered whether the proposed development was materially larger than the current dwelling and acknowledged that it was slightly smaller in height. It was noted that the permitted development rights on the property would be removed and that there was a condition surrounding the uncovering of archaeological interests.

The motion was put to the vote and it was

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) Prior to commencement of development 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.

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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) The development shall be carried out in accordance with the following plans 444 -PD-002 A, 4441-PD-003 A
  - For the avoidance of doubt and in accordance with proper planning as supported by policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.
- 4) Prior to commencement of development the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work in accordance with a written specification and timetable 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 EN25 of the Sevenoaks District Local Plan and the National Planning Policy Framework.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended no development falling within Class(es) A, B or E of Part 1 of Schedule 2 to the said Order shall be carried out on site.
  - To enable the Local Planning Authority to retain control over future development to preserve the openness of the Green Belt in accordance with policies H14A of the Sevenoaks District Local Plan and the National Planning Policy Framework.
- 6) Prior to commencement of development full details of both hard and soft landscaping shall be submitted to and approved by the Local Planning Authority. These details shall cover as appropriate: 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.
  - To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.
- 7) Prior to commencement of development details of any existing land levels and proposed changes in land level, and cross sections too show how these relate to the proposed basement shall be submitted to and approved in writing by the Council. Any proposed scheme shall then be completed in accordance with the approved details prior to the commencement of development.

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan and to preserve the openness of the Green Belt in accordance with policy H13 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

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8) Prior to the commencement of development (including site clearance works), written evidence shall be submitted to and approved by the Local Planning Authority detailing the appointment of an appropriately qualified Code For Sustainable Homes Assessor. Prior to the first occupation of the dwelling(s) hereby approved, a written assessment, carried out by an appropriately qualified Code for Sustainable Homes Assessor upon the completion of the development and detailing a "Code For Sustainable Homes" rating of a minimum of 3 shall be submitted to and approved by the Local Planning Authority in writing.

To ensure the development contributes to the principles of sustainable development as outlined in policy

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no works shall be carried out (lightwells, steps etc.) that will make the basement visible and means it is no longer completely submerged.
  - To enable the Local Planning Authority to retain control over future development and to preserve the openness of the Green Belt in accordance with policies H14A of the Sevenoaks District Local Plan and the National Planning Policy Framework.
- 10) Prior to commencement of development all existing outbuildings and structures on the site including the existing outbuildings shown as 1,2 and 3 on 4441-PD-002 REV A shall be demolished and all resulting materials removed from the site.
  - To protect the openness of the Green Belt and the character of the landscape as supported by Policies H13 of the Sevenoaks District Local Plan.
- 11) 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 Planning Policy Statement 1, policies CC2 & CC4 of the South East Regional Plan & Policy NR1 of the Kent & Medway Structure Plan.

(Cllr. Miss. Stack requested that her abstention from voting be recorded).

## 31. SE/14/01128/HOUSE - Windrose, Brasted Chart, Westerham TN16 1LZ

The application sought permission for the demolition of the existing garden room and erection of a single storey rear extension. Conversion of existing garage to habitable space and erection of a detached garage resubmission of SE/13/03491/HOUSE. The application had been referred to Committee by Councillor Firth to consider whether the proposal is acceptable in the Green Belt.

Members attention was brought to the main agenda papers and the Late Observation Sheet which did not propose any amendments or changes to the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:

For the Application: Helle Jacobsen Parish Representative: Cllr. Hocknell

Local Member: Cllr. Firth (submission read by Cllr. Piper)

Members asked questions of clarification from the Officers. The Planning Manager advised that legislation had allowed for small extensions to be built without planning permission the Government has over the years increased the size an extension could be without planning permission and this was classed as Permitted Development Rights. Sometimes these were confirmed with a Lawful Development Certificate. Under Permitted Development Rights the Council would have no input on the design.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission subject to conditions be agreed.

Members discussed the application and were pleased that a legal agreement had been signed for the Permitted Development Rights to be removed if planning permission was granted, it was noted that there was more hardstanding if planning permission was granted rather than Permitted Development Rights. Some Members questioned whether very special circumstances applied to the application.

The motion was put to the vote and it was

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) 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.

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1893-13-PI500 P5, PL502 P3, PL503 P1,P5
- 4) No extensions or external alterations shall be carried out to the dwelling hereby approved despite the provisions of any Development Order
  - To prevent inappropriate development in the Green Belt as supported by the National Planning Policy Framework and policy H14A of the Sevenoaks District Local Plan.
- 5) No building or enclosure other than those shown on the approved plans, shall be erected within the curtilage of the dwelling hereby approved, despite the provisions of any Development Order.
  - To prevent inappropriate development in the Green Belt as supported by the National Planning Policy Framework and policy H14B of the Sevenoaks District Local Plan.
- 6) No development shall take place until a scheme of ecological enhancement such as bat roosting features and bird boxes has been submitted to and approved in writing by the Council. The approved scheme shall be implemented before first use of the garages.

To promote biodiversity as supported by Policy SP11 of Sevenoaks District Councils Core Strategy.

(Cllr. Walshe requested that his abstention from voting be recorded).

THE MEETING WAS CONCLUDED AT 9.07 PM

**CHAIRMAN** 

4.1 - <u>SE/14/01187/FUL</u> Date expired 4 July 2014

PROPOSAL: Demolition of South Cottage and Weald Cottage and

replacement with a terrace of Four new dwellings with associated parking, garages and landscaping. Access road

to rear.

LOCATION: Weald Cottage & South Cottage, Four Elms Road,

Edenbridge TN8 6AB

WARD(S): Edenbridge North & East

#### **ITEM FOR DECISION**

This application has been referred to Development Control Committee at the request of Councillor Scholey on the grounds that the proposal is not providing an affordable housing contribution and is not financially viable. The development is not in accordance with paragraph 47 of the National Planning Policy Framework.

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 development hereby permitted shall be carried out in accordance with the following approved plans:- Drawing Number P300 Revision P1, dated April 2014, stamped amended plan;- Drawing Number P301 Revision P3, dated April 2014, stamped amended plan;- Drawing Number P310 Revision P1, dated June 2014, stamped amended plan;

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

3) 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 dwellings and garages 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.

- 4) The development shall achieve a Code for Sustainable homes minimum rating of level 4. 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 4 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 4 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 by Policy SP2 of the Sevenoaks Core Strategy.

5) No development shall commence until details of the contract for the carrying out of the works of redevelopment of the site has been submitted to and approved in writing by the Local Planning Authority.

To ensure that the demolition is carried out as a continuous operation with the redevelopment of the site, in the interests of visual amenity in accordance with Policy EN1 of the Sevenoaks District Local Plan.

- 6) No development shall commence until the drainage details of the SUDS scheme have been submitted and approved in writing by the Local Planning Authority. The details shall:
- Specify the responsibilities of each party for the implementation of the SUDS scheme;
- Specify a timetable for implementation;
- Provide a management and maintenance plan for the lifetime of the development;

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved scheme shall be implemented in full.

In the interests of flood prevention and to ensure adequate drainage on the site.

7) The first floor windows in the east and west elevations of the terrace block, at all times, shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room.

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

8) No development shall be carried out on the land until full details of external surface of hardstanding area (bound surface) have been submitted to and approved in writing by the Council. The approved details shall be implemented in full.

In the interest of highway safety and to preserve the visual appearance of the area.

9) No development shall be carried out on the land until full details of soft and hard landscape works and associated screening / boundary treatment have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation;-details of proposed screening / boundary treatment;

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.

10) 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 preserve the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

- 11) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, a tree protection statement and plan for the trees on the site shall be submitted to and approved in writing by the Council. Also: A) The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land. B) Within a retained tree protected area:
- Levels shall not be raised or lowered in relation to the existing ground level;
- No roots shall be cut, trenches cut, or soil removed;
- No buildings, roads, or other engineering operations shall be constructed or carried out;
- No fires shall be lit;
- No vehicles shall be driven or parked over the area;
- No materials or equipment shall be stored.

To secure the retention of the trees at the site and to safeguard their long-term health as supported by Policy EN1 of the Sevenoaks District Local Plan.

12) The parking spaces / car port shown on drawing P301 Revision 3 shall be provided before the occupation of the dwellings hereby approved and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position to preclude vehicular access.

In the interests of highway safety.

#### **Informatives**

- 1) In terms of sewers the applicant is reminded of the following:
- No development or new tree planting should be located within 3 metres either side of the centre line of the public sewer and all existing infrastructure should protected during the course of construction works.
- No new soakaways should be located within 5 metres of a public sewer.

In addition a formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water.

2) The proposed development has been assessed and it is the Council's view that the CIL IS PAYABLE. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

#### **Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,

- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line
   (www.sevenoaks.gov.uk/environment/planning/planning\_services\_online/654.as p),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- Was provided with pre-application advice.
- Was updated of any issues after the initial site visit.
- Was updated on the progress of the planning application.

# **Description of Proposal**

- Planning permission is sought to demolish two existing detached bungalows on the northern side of Four Elms Road, opposite the entrance to Bray Road, the housing estate recently built in conjunction with the new Eden Centre.
- In their place will be a terrace block of four town houses which will be set back from the public highway by 15 metres. Two car parking spaces per dwelling will be situated in front of the properties, other than the end terrace to the west which will have one space. The dwellings will benefit from long rear gardens (24 metres) which will lead to a block of three garages and one car port. These will be accessed via an access road to the east of the plot.
- The proposal was altered during the consideration of the planning application to allow for amendments to the parking layout and amount of parking spaces for each dwelling.

## Description of Site

- The site is situated within the urban confines of Edenbridge, within the Edenbridge North and East Ward. As established above the site currently consists of two detached bungalows which back onto industrial units in Commerce Way. The existing properties benefit from off road parking at the front and generous rear gardens to the rear.
- The character of properties along this northern section of Four Elms Road is mixed, ranging from a block of flats to the west (Eden Place, which faces Station Road and Four Elms Road), detached two storey dwellings (1-3 Four Elms Road), detached bungalows, an extant permission for a terrace block of three dwellings

and an industrial unit to the east. To the south the new Bray Road development and the Eden Centre exacerbate the mixed character of the area.

#### Constraints

No significant planning constraints associated with the site. A tree has however been recently designated by a tree preservation order on the south-western corner of the plot, which straddles the boundary with Grasmere.

## **Policies**

Sevenoaks District Core Strategy

7 Policies - L01, L06, SP1, SP2, SP3, SP7

Sevenoaks District Local Plan (SDLP)

8 Policy - EN1

#### Other

- 9 National Planning Policy Framework (NPPF)
- 10 Affordable Housing Supplementary Planning Document (SPD)
- 11 Kent's Interim Guidance Note 3 on Residential Parking
- 12 Edenbridge Village Design Statement
- Allocations and Development Management Plan (ADMP)

# Planning History

14 SE/89/00441/HIST – Single storey extension to living room and kitchen (granted 2 May 1989).

#### Consultations

Edenbridge Town Council:

- Two consultation responses were received from the Town Council following the submission of amended plans. Responses, most recent first, are outlined below:
- 16 Consultation response received 9 July 2014:

Members supported this application but were concerned that the second parking bay from property no 1 was not conveniently places and request consideration be given to it being located at the front of the property. It is also suggested that to prevent the risk of someone being hit whilst working in the kitchen sliding doors could be considered.

- 17 Consultation response received 21 May 2014:
  - Houses badly designed, the downstairs rooms are much too small for a 4bedroom house and unsuitable for a family to live there. The design of the

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kitchen is dangerous - there is a risk that anyone working at the worktop could be hit when the door is opened - breach of EN1(5). Position of the door from the utility room to the kitchen is hazardous.

- For a 4-bedroom house, there is inadequate parking.
- Over-development.

#### Local Members

18 Two responses were received in regards to the development, due to there being two rounds of consultation:

#### Councillor Mrs Davison

1 Response received on 25 June 2014:

Happy to go along with your explanations. However please ensure that necessary affordable housing contributions are received (*paraphrased*).

2 Response received on 16 July 2014:

I cannot believe that a development will go ahead with an anticipated deficit of £200K. Are Adams Integra sure they are working on the correct figures? Purchase of two small houses in Edenbridge plus build costs cannot possibly exceed the sale price of 4 houses by £200k let alone £500K. Please ask Adams Integra to check that the figures supplied by the developer have a basis in fact.

#### Councillor Scholey

1 Response received on 25 June 2014:

Thank you for your detailed response to the issues raised by Edenbridge Town Council. In the circumstances I do not propose to refer the application to DCC.

2 Response received on 18 July 2014:

My concern with this one is less about the lack of affordable housing contribution, but whether the proposed development is financially viable, and if it is not viable we could be left with another site like Beechwood for a number of years.

You asked whether there is a planning reason sufficient to justify referring the application to DCC. NPPF Section 47, bullet point 3, note 12 states "To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be <u>viably developed</u> at the point envisaged."

I think that the evidence submitted by the applicant does not support the contention that the proposal is viable.

#### SDC Environmental Health

19 I have no adverse comments or observations in respect of this application.

## SDC Tree Officer

There is varying vegetation throughout the two gardens with two mature trees standing out above the rest. There is one Oak tree located on the south west front boundary with Grasmere. There is also another Oak tree located adjacent to the north eastern boundary on an adjacent property. Both of these trees will be required to be protected and details for their protection will need to be conditioned. I would also expect to see soft and hard landscaping details conditioned.

#### Southern Water

- The exact position of public sewers must be determined on site by the applicant before the layout of the proposed development is finalised. Please note:
  - No development or new tree planting should be located within 3 metres either side of the centre line of the public sewer and all existing infrastructure should protected during the course of construction works.
  - No new soakaways should be located within 5 metres of a public sewer.
- Due to changes in legislation that in to force on 1 October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence of site. The applicant is advised to discuss the matter further with Southern Water.
- Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:
  - "A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".
- There are no public surface water sewers in the vicinity to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.
- The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.
- The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- -Specify the responsibilities of each party for the implementation of the SUDS Scheme;
- -Specify a timetable for implementation;
- -Provide a management and maintenance plan for the lifetime of the development;
- This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

# KCC Highways

- A number of responses were received, following the submission of amended plans (most recent comments first).
  - 1. Response received on 10 July 2014, following the recent of amended parking arrangements:

I confirm I have no objection to the proposals shown on drawing 14505P301P3, i.e. three of the houses have paired parking spaces in their front gardens, and the fourth house has one parking space at the front and a car barn at the rear.

I would recommend that if the application is granted planning permission there should be a condition requiring the driveways to have bound surfaces within 5 metres of the highway boundary.

2. Response received on 19 June 2014, following amended parking plans received:

Thank you for securing a revised drawing. It does not have a scale bar, but fortunately it is possible to deduce the scale from the adjacent property which was documented in application SE/07/03609.

The proposed parking spaces in front of the new properties would be substandard in size. The two properties in the centre of the site appear to have parking bay widths of 4.4m, and it needs to be remembered that this needs to accommodate two cars side-by-side as well as a pathway for pedestrians. Kent Vehicle Parking standards recommend a parking space size of  $2.5 \, \text{m} \times 5 \, \text{m}$ . This appears to be achievable in the application site, however the forward part of the properties (i.e. the parking areas ) would

need to be equally wide for all of the four properties even though the four garden areas are not equally wide.

Again I would add that, if the application is granted planning permission, I recommend there should be a condition requiring that the parking bays in front of the house are constructed of a bound material.

3. Original response received on 6 June 2014:

The proposed parking does not meet the standards of Kent's Interim Guidance Note 3 on Residential Parking, which would require 8 parking spaces and explicitly states that any spaces in garages should be additional to that total. Rather than parking in their garages, it is likely that residents would find it easier to park their second cars on the road. I would recommend that the plans are changed to provide two side-by-side parking spaces in front of each house.

I would also recommend that if the application is granted planning permission there should be a condition requiring that the driveways should have bound surfaces within 5 metres of the highway boundary.

#### **Representations**

- 3 (No.) Letter of objection. A summary of the main points made are outlined below:
  - Loss of trees on site;
  - Lack of parking for the proposed houses;
  - Overdevelopment of the site;
  - Concern over access road, causing noise and disturbance. Security gates should be erected to deter trespassers;
  - Work has not commenced on adjoining site, and has been left undeveloped for 8 years;
  - Sewer is not adequate to take extra effluent from the proposed development;

#### **Chief Planning Officer's Appraisal**

#### **Principal Issues**

#### Principle of Development

- The site falls within the built confines of Edenbridge and so Policy LO6 of the Sevenoaks District Core Strategy applies. This policy seeks to encourage residential development on a range of sites suitable for residential use within the urban area, avoiding areas liable to flood.
- 31 It is considered that the site is suitable for further residential development, given that it currently has a residential use and is located close to the services offered within Edenbridge Town Centre.

- In addition, the site does not fall within a flood zone. The proposal therefore complies with Policy LO6 and the principle of the development of the site is one that the Council could potentially accept provided the scheme complies with all other relevant development plan policies.
- The NPPF excludes land in built up areas, such as private residential gardens from the definition of previously developed land. Paragraph 53 of the document advises that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area.
- However, the Framework does not preclude development on garden land as a matter of principle. The Local Plan and Core Strategy both contain policies to protect the character of local areas, but neither document set out any express aim to resist inappropriate development of residential gardens. Policy LO1 of the Core Strategy advises that development will be focused within the built urban confines of existing settlements, with Edenbridge being a location for development of a scale and nature consistent with the needs of the town and surrounding rural area.
- Notwithstanding that the site does not constitute previously developed land; it is considered that the development would not be unacceptable in principle. It would not conflict in this respect with the NPPF or Policy LO1 of the District Core Strategy.

Design, Scale and Bulk - Impact on Street Scene

- Policy SP1 of the Sevenoaks District Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- Policy EN1 of the Sevenoaks District Local Plan (SDLP) states that the form of proposed development 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.
- Finally Policy EN1 (Design Principles) of the emerging ADMP sets out the following design criteria:
  - (a) The form of the proposed development would respond to the scale, height, materials and site coverage of the area;
- As documented in the description of proposal section permission is sought for a terrace block of four dwellings. In addition, it has been established that the character of the area is mixed along this section of Four Elms Road in the description of site section.
- The design reflects the design of the extant scheme on the plot abutting the site to the east. The permission was approved under reference SE/07/03609/FUL and allowed a terrace block of three dwellings. The height, width and massing of the scheme reflects this extant scheme and creates a continuity in the street scheme which is somewhat lacking at present. The modern appearance of the block will also reflect the design of the dwellings recently permitted within the

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Bray Road complex opposite. It is welcomed that the development respects the staggered building line of this part of Four Elms Road but retains a distance of 15 metres to the highway. This ensures that the development is not dominant when viewed from the highway. For these reasons it is considered that the proposal is in harmony with adjoining properties and will have a positive impact on the street scene.

- It is welcomed that the garages have been positioned to the rear of the site, which ensures that there is not a cluttered appearance from the front of the site. It is considered that these are well proportioned and attractive outbuildings.
- The layout, specifically the access road, reflects other arrangements along this section of Four Elms Road (namely entrance to Copperfield). Whilst it is recognised that the proposal results in a more open frontage (providing parking spaces) it is welcomed that the tree on the south-west corner of the site is being retained which assists in softening the hard standing at the front. A landscaping scheme can also assist in blending the dwellings into the street scene.

#### Density

- It is noted that the proposal seeks to increase the number of residential units on the site from 2 to 4. However, it is considered that the dwellings will benefit from adequate gardens (24 metres long and 4.8 metres wide). Furthermore when undertaking a density test of the site, the proposal accords with policy SP7 which states that development will be expected to achieve a density of 40 dwellings per hectare (dph) in Edenbridge. The proposal achieves a density of 27.8 dph, well below this policy requirement. Given that the development will be set back from the highway by approximately 15 metres and provides distances between both adjoining boundaries of a metre or more, it is not considered that the proposal constitutes over development.
- It is therefore considered that the proposal is in accordance with Policy SP7 of the Sevenoaks District Core Strategy.

## Residential Amenity

Policy EN1 of the SDLP states that proposed development should not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height and outlook. In addition, Policy H6B of the SDLP states that proposals should not result in a 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 or the street scene.

## Daylight / Sunlight

The property most likely to be affected by a loss of daylight due to its proximity is Grasmere, the property to the west of the proposal. However, when undertaking floor and elevation plan daylight assessments, it is noted that the proposal passes both tests. In terms of sunlight it is recognised that the proposed terrace block will be situated 1.5 metres in front of the existing front building line and will higher than the existing bungalow. However, this loss of sunlight will only be for a small part of the day (late morning due to the orientation of the plots) and as Grasmere

- is to the west of the development, sunlight will be received to the rest of the property and rear garden for the rest of the day.
- The plot of land to the east is currently undeveloped but there is an extant permission for a block of three terrace dwellings (the 'extant terrace'). The proposed terrace block will be situated 4.6 metres further away than the existing built form of the bungalows. Although higher, the proposal will only block out sunlight from these properties at the very end of the day. It is therefore not considered that the proposal will result in a detrimental loss of sunlight to future occupiers of the extant terrace. In terms of daylight it is recognised that there are only non-habitable room windows on the flank of the extant terrace. The proposal therefore passes both floor and elevation plan daylight assessments.

#### Outlook

- The only property which may be impacted by a loss of outlook will be Grasmere. This is because the extant terrace will not have any habitable room windows facing the property. In addition the proposal will respect the building line of Four Elms Road and the development will be a sufficient distance away from the rear gardens of the extant terraces to ensure that it will not be overbearing or oppressive to future occupiers of the units.
- Grasmere has two kitchen windows and a rear door which will face onto the proposed terrace. No other windows will be affected and it is recognised that due to the building line of Four Elms Road the private amenity space of Grasmere will not be affected by the proposals (i.e. the proposed terrace block will not be overbearing or oppressive).
- These windows already look onto the built form of the existing bungalow. As part of the development the building line will be moved forward. This means that the outlook from one kitchen window will be improved, as it will no longer look onto built form. Whilst the terrace block will be visible from the other kitchen window, due to the improvement of outlook from the other window, any loss of outlook is considered to be within reasonable limits and would not justify a refusal.

#### Privacy

- The proposed terrace block respects the building line of Four Elms Road. It is therefore considered that due to the location of adjoining gardens, these will not be overlooked by the first floor and second windows of the development.
- The proposed terrace block seeks two flank windows (serving end of terrace dwellings) which will serve non-habitable rooms (bathrooms). It is considered reasonable to obscure glaze these via condition.
- Other properties to the north-east of the site are sufficient distance way (approx. 35 metres) which will mean these will not be overlooked by the proposal.

# Affordable Housing

Policy SP3 of the Sevenoaks District Core Strategy states that in order to meet the needs of people who are not able to compete in the general housing market, the Council will expect the provision of affordable housing in all types of residential development including specialised housing.

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- Further, the policy states that in residential developments of less than 5 units that involve a net gain in the number of units a financial contribution based on the equivalent of 10% affordable housing will be required towards improving affordable housing provision off-site.
- The applicant has not provided an affordable housing contribution on the grounds that the development is unviable and the provision of such a contribution would exacerbate this. The applicant employed Affordable Housing / 106 to produce an economic viability assessment to support this. This outlined market valuations of the existing properties as well as prospective valuations of the proposed dwellings.
- As documented in paragraph 8.3 of the Councils Affordable Housing SPD the Council adopts an 'open book' approach in assessing affordable housing contributions (or lack of). The paragraph states that the developer / landowner will be expected to provide all relevant financial and other information behind the viability appraisal to ensure that the Council can assess the extent, nature and impact of the constraints upon viability of the scheme.
- Prior to instructing the Councils independent assessor, the Council requested the viability assessment provided to the lending institution based on the proposed deficit of the development. This was on the grounds that banks are asking developers to achieve 20% of GDV profit margins in order to secure funding (point xiii). Unfortunately this was not forthcoming.
- 59 Notwithstanding this, upon instruction, the Councils independent assessor established that the proposed scheme is unviable albeit with a lower deficit. Under the terms of paragraphs 8.7 and 8.8 the Council requested that the applicant produce a report to demonstrate that all options had been explored to either achieve economic viability or to make a reduced financial contribution. The report briefly highlighted that a number of schemes had been considered and included a flatted complex as well as additional dwellings on the site as part of back land development. These were not pursued on the grounds that it was agreed that the 4 houses represented the most appropriate vernacular and density for the site. In addition it was considered that the scale, context and design of the houses has taken cues from the locality and will continue the architectural language. Whilst brief, it is considered that the explanation broadly addressed paragraph 8.7 and 8.8 of the Affordable Housing SPD. It is concurred that more units on the site would likely mean that the proposal would not be in accordance with the Councils design, amenity and density policies.
- Concern has been raised in regards to the viability of the scheme and the site will remain undeveloped for a number of years like the adjacent plot of land to the east. Whilst acknowledged it is considered that a condition could be attached to any approved consent requesting a contractors contract to be in place prior to the commencement of works to ensure that the development is undertaken all at once.
- In terms of the Community Infrastructure Levy (CIL), it is noted that the submitted viability assessment did not take this into account. The Council formally adopted CIL on the 4 August 2014. Due to the extent of the works (two net additional dwellings) the Council notes that if permission is approved a contribution would be required to reflect this.

#### Other Issues

#### **Trees**

- Policy EN1 of the SDLP states that the layout of proposed development should retain important features including trees.
- The SDC Tree Officer has been consulted on the proposals and has requested hard and soft landscaping schemes, to ensure that the visual amenity of the development is enhanced.
- The SDC Tree Officer has also identified two specimens on and in the immediate vicinity of the site which will need protecting during the construction process. This is considered reasonable.

# **Parking**

- An initial objection from KCC Highways was received due to the proposal not being in accordance with Kent's Interim Guidance Note 3 on Residential Parking, which requires 8 independently accessible car parking spaces (i.e. two per dwelling). The scheme was modified to provide two spaces per property. The end terrace on the west will have one space at the front and car port to the rear, with the other dwellings having two spaces at the front and a garage to the rear. The principle reason for this difference is that an additional car parking space at the front of the end terrace dwelling would harm the tree which is now protected by a preservation order (on the south-western corner of the site).
- It is therefore considered that the proposal provides adequate parking provision for the development and is in accordance Kent's Interim Guidance Note 3 on Residential Parking.

# Sustainability

- Policy SP2 of the Sevenoaks District Core Strategy states that the District will contribute to reducing the causes and effects of climate change by promoting best practice in sustainable design and construction to improve the energy and water efficiency of all new development and contribute to the goal of achieving zero carbon development as soon as possible. In particular the policy states that:
  - 1. New homes will be required to achieve at least Level 3 of the Code for Sustainable Homes, progressing to Level 4 from 2013 and will be encouraged to achieve Level 6 by 2016.
- lt therefore is considered reasonable to attach a condition to any approved planning consent to ensure that the proposed dwelling achieves at least Level 4 of the Code for Sustainable Homes. The Council from the 4 August 2014 adopted Level 4 Code of Sustainable Homes.

## Sewerage / Water Supply / Drainage

A number of informatives have been recommended by the utility provider, Southern Water, advising the applicant of relevant legislation associated with public sewers and water supply. It is not the purpose of the planning process to

- duplicate this legislation and the applicant will need to adhere to this prior to the commencement of development.
- In terms of drainage, the applicant has made reference to drainage using Sustainable Urban Drainage Systems (SUDS) as part of the proposal (on the application form). Southern Water have recognised this and recommended a condition is attached to any approved planning consent.
- 71 Finally it is recognised that soakaway details will need to be assessed at formal Building Control stage.

#### **Environmental Health**

The Councils Environmental Health department have been consulted and made no adverse comments or observations on the application. It is therefore considered that the proposal will not cause any noise impacts on adjacent neighbours (i.e. the access drive) and that future occupier will not be affected by the adjacent industrial estate.

# Outstanding Town Council / Neighbour Comments

- Concern has been raised in regards to the layout of the kitchen and its implication on the safety of future occupiers. However, whilst it is recognised that the internal layout is important for safety reasons, this is something which could be amended at Building Control stage. The layout in regards to safety would have to meet current British Standards otherwise building regulations would not get signed off. It is therefore not considered that this is a reason would justify a refusal under planning policy.
- Concerns over security have been raised by the adjoining occupier, specifically the proposed access road and the potential for trespassers to walk up the side of the development. This is acknowledged, and is something which could be secured under a landscaping scheme which would be attached to any approved consent.
- Finally, concern has been raised in regards to the undeveloped piece of land adjacent to the site. Viability issues relating to this have been discussed in the affordable housing section.

#### **Conclusion**

It is considered that the proposal is in accordance with the Development Plan and there are no other material considerations to justify refusing permission. It is therefore recommended that planning permission be granted.

#### **Background Papers**

Site and Block Plans

Contact Officer(s): Neal Thompson Extension: 7463

Richard Morris Chief Planning Officer

Link to application details:

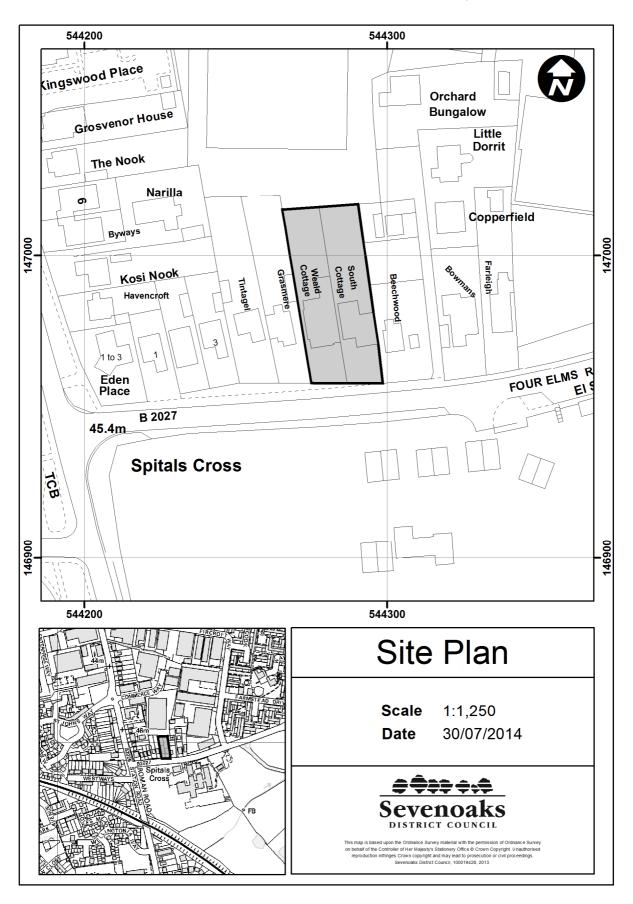
http://pa.sevenoaks.gov.uk/online-

applications/applicationDetails.do?activeTab=summary&keyVal=N47T1ABKFKZ00

Link to associated documents:

http://pa.sevenoaks.gov.uk/online-

applications/applicationDetails.do?activeTab=documents&keyVal=N47T1ABKFKZ00





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4.2 - <u>SE/14/00849/HOUSE</u> Date 6 <u>SE/14/00850/LBCALT</u>

Date expired 23 May 2014

PROPOSAL: Erection of two-storey side extension following demolition of

part of the attached listed wall, alterations to rear garden room; minor internal alterations and repairs to chimney

stack.

LOCATION: Threeways, The Street, Ash TN15 7HA

WARD(S): Ash And New Ash Green

# **ITEM FOR DECISION**

This application is called to Development Control Committee at the discretion of the Chief Planning Officer as the recommendation is at odds with conservation advice obtained at pre-application stage by a former Officer of the Council.

RECOMMENDATION - SE/14/00849/HOUSE: That planning permission be REFUSED for the following reasons:-

Due to its scale, bulk, massing, siting and overall design, the proposed extension would fail to respect the character, design and layout of the listed building and would overwhelm its modest proportions resulting in a disproportionate and unsympathetic addition which would cause substantial harm to the historic significance of this designated heritage asset contrary to policy EN1 of the Sevenoaks Local Plan, SP1 of the Sevenoaks Core Strategy, emerging policy EN4 of the Sevenoaks Allocations and Development Management Plan, the Councils Residential Extensions Supplementary Planning Document, the National Planning Policy Framework and Planning Policy Statement 5 (PPS5) Planning for the Historic Environment: Historic Environment Planning Practice Guide March 2010.

RECOMMENDATION - SE/14/00850/LBCALT: That listed building consent be REFUSED for the following reasons:-

Due to its scale, bulk, massing, siting and overall design, the proposed extension would fail to respect the character, design and layout of the listed building and would overwhelm its modest proportions resulting in a disproportionate and unsympathetic addition which would cause substantial harm to the historic significance of this designated heritage asset contrary to policy EN1 of the Sevenoaks Local Plan, SP1 of the Sevenoaks Core Strategy, emerging policy EN4 of the Sevenoaks Allocations and Development Management Plan, the Councils Residential Extensions Supplementary Planning Document, the National Planning Policy Framework and Planning Policy Statement 5 (PPS5) Planning for the Historic Environment: Historic Environment Planning Practice Guide March 2010.

#### **Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome.
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning\_services\_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

1) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

# **Description of Proposal**

These applications seek planning permission and Listed Building Consent (LBC) for the erection of a two-storey side extension following demolition of part of the attached listed wall, alterations to rear garden room; minor internal alterations and repairs to chimney stack.

#### Description of Site

- The site the subject of this application is an end of terrace dwelling. The application property (Threeways) together with 3, 4 and 5 Wallace Terrace are grade II Listed.
- 3 The Listing description for the building reads as follows:
  - Threeways is dated 1783 with the initials W S A. Two storeys and attics red brick. Tiled roof with 2 hipped dormers. Two sashes with glazing bars intact. Door case with flat hood on brackets. The adjoining property to the left was originally part of the same house but rehung in tile in the C19 on the first floor and stuccoed on the ground floor. One sash with glazing bars intact. Wallace Terrace is C19. Two storeys brown brick. Tiled roof. Two sashes with glazing bars intact.
- 4 In addition to the above, the site is located in the Green Belt.

# **Constraints**

- 5 Listed Building
- 6 Green Belt

#### **Policies**

Sevenoaks District Local Plan:

7 Policies - EN1, H6B + Appendix 4 & H14A

Sevenoaks Core Strategy

8 Policies - SP1 & L08

Allocations and Development Management Plan (ADMP) (Submission Draft)

9 Policies - EN1, EN2, EN4, GB1 (moderate weight) & T2 (significant weight)

#### Other

- 10 National Planning Policy Framework
- Planning Policy Statement 5 (PPS5) Planning for the Historic Environment: Historic Environment Planning Practice Guide March 2010
- 12 Planning Practice Guidance
- 13 Residential Extensions Supplementary Planning Document (RESPD).

## Planning History

14 13/02814/LBCALT Replacing dilapidated / rotting front door with new non-identical door. Grant 13/12/2013.

#### **Consultations**

# Parish Council

15 No objection:

The Parish Council has no objection, in principle to this application but would prefer all windows on the front elevation to match the existing building and as long as it does not conflict with local planning policy.

#### SDC Tree Officer

The proposed side extension could impact on two cypress trees, a Birch and a section of conifer hedge situated on the southern boundary. Although these are situated within a prominent position, they are of low amenity value but do provide an effective screen when viewed from Pease Hill. I have estimated that trees numbered T1-T2, both cypresses, require a RPA of 4.80. T3, the Birch, requires a RPA of 4.20m. The proposed extension would be constructed within 2.50m of T1, 3.0m of T2 and 4.0m of T3. The hedge requires a RPA of 1.80m. The proposed extension represents a serious incursion into the RPA's of T1 & T2. T1 appears to

have been damaged by the recent storms. These trees could be removed and replaced as part of an approved landscaping scheme. T3 could be successfully retained providing it is adequately protected during the construction process. This also applies to the conifer hedge.

In view of the above comments, I have no objection to the proposed development, providing those trees to be retained are protected. Details of protective measures to be used should be submitted for comment and should comply with BS5837:2012.

#### SDC Conservation Officer

SDC's Conservation Officer objects to the proposal on the following grounds:

"Threeways is a Grade II listed building dated 1783. The largely symmetrical, late 18th century style of the front façade presents a startling contrast to the rear of the building, which is dominated across much of its width by an impressive sweep of cat-slide roof. These disparate architectural treatments result in the building having a distinctive singularity of form and this characteristic quality is most evident when viewed from the south.

The present proposal seeks to attach a substantial, two storey addition to the southern gable of Threeways and from the conservation perspective, it is considered entirely unacceptable:

- 1. The new work overwhelms the modest proportions of the listed building, transforming all three elevations and the roofscape. (ref para. 178 of the Historic Environment Practice Guide)
- 2. The balanced, largely symmetrical treatment of the principal elevation is an important characteristic of the listed building and it is diminished by the presence of the side addition. (ref para. 178 of the Practice Guide)
- 3. The simple form of the historic floorplan will be obscured by the new work (ref para. 182 of the Practice Guide)

Poor precedents at adjacent properties do not justify further inappropriate work at Threeways, as an accretion of later additions obscures the historic significance of a listed building. Para. 137 of the NPPF states that only proposals which better reveal the significance of designated heritage assets should be treated favourably.

Although minor interior alterations and remodelling of the existing unsympathetic garden room may be acceptable, the proposed two storey side addition results in substantial harm to the historic significance of the designated heritage asset, and refusal is recommended in terms of para. 133 of the NPPF.

The present structural condition of the chimney justifies the intended remedial works, which are considered 'like for like repairs' and do not require consent.

It is noted that the heritage statement includes references to preceding conservation advice. However, Council records have been searched for preapplication advice pertaining to this case and none found. If such advice was given and it differs from that above, an on-balance decision should be made as to

whether - for the sake of consistency - it is best to proceed with the case on the basis of the earlier guidance".

Earlier this year the applicant sought Conservation advice from a former officer of the Council in respect of the proposed scheme. It is stated that the Conservation Officer visited the site which concurs with copies of correspondence provided between the agent and the Conservation officer. An email from the officer to the agent in response to discussions on site and in response to the submission of preliminary drawings which reflect the scheme currently under consideration, states the following:

"This all looks to be as we discussed on site. The extent of the addition would be in proportion to the terrace but readily identifiable as a new addition. You would also be making various improvements to the property without loss of historic fabric or character. The Design and Access Statement needs to include a Heritage Statement".

The Conservation Officer post currently operates on a job share basis with two officers sharing the role. In view of the disagreement between the current and former post holder on the merits of the scheme, the other job sharer was asked to informally review the case. She supports the objections of her colleague.

**Ancient Monument Society** 

21 No comment received

The Council for British Archaeology

22 No comment received

Georgian Group

- The Group is concerned that the proposed extension is too great in terms of scale and massing and objects for these reasons, the proposed extension will nearly double the footprint of the listed building and alters the vertical emphasis of the building to a horizontal one.
- In the absence of new guidance the PPS5 Planning Practice Guide remains a material consideration:

"The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate." (Para. 178)

The plans show a number of internal doors being relocated/removed. It is good practice to close and seal doors not required rather than removing them.

Recommendation

For those reasons set out above The Group objects to application SE/14/00850/LBCALT and recommends it be refused.

Society for the Preservation of Ancient Buildings

26 No comment received

Twentieth Century Society

27 No comment received

Victorian Society

28 No comment received

English Heritage

29 No comment received

Tonbridge and Malling Borough Council

No objection subject to Sevenoaks DC being satisfied that the proposal would not be detrimental to the historic character and appearance of the Listed Building.

## Representations

31 None received

# **Chief Planning Officer's Appraisal**

#### **Principal Issues**

- Threeways forms part of a terrace of properties which are grade II Listed and therefore are designated heritage assets. In accordance with Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), it is the Council's statutory duty and obligation to have regard to the preservation and enhancement of such assets. As such, the impact of the proposal on the character and integrity of the Listed building(s) is the principle issue to the consideration in the determination of this application.
- The remaining issues to consider in the determination of this application are:
  - Design and visual impact of the proposal;
  - Whether the proposal would involve inappropriate development in the Green Belt and, if so whether the harm to the Green Belt would be clearly outweighed by other considerations.
  - The impact upon existing residential amenity;
  - Impact on trees; and
  - Highway implications

# Heritage Issues, Design and Visual Impact

#### Relevant Policy

- With regards to heritage, paragraph 126 of the NPPF describes heritage assets as 'an irreplaceable resource' and states that they should be conserved in a 'manner appropriate to their significance.'
- Paragraph 129 of the NPPF identifies how, in decision making, local planning authorities should identify and assess the particular significance of any heritage asset affected by a proposal (including by development affecting the setting of a heritage asset) and utilise this assessment when considering the impact of a proposal on a heritage asset in order to avoid or minimise conflict between the conservation of the heritage asset and any aspect of the proposal.
- Paragraph 131 indicates amongst other things that in determining planning applications the local planning authority should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'.
- Paragraph 132 states "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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".
- Paragraph 133 states quite clearly that "where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss".
- Also relevant to the determination of this application are paragraphs 178 and 182 set out on page 48 of the PPS5 Planning for the Historic Environment:
  Historic Environment Planning Practice Guide which relates to additions and alterations. A copy of the relevant extract is attached to the report for information.
- At a local level, policy SP1 of the Sevenoaks Core Strategy states that the districts heritage assets including listed buildings and conservation areas will be protected and enhanced. Emerging policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset. The policy states that applications will be assessed with reference to a) the historic and/or architectural significance of the asset; b) the prominence of its location and setting; and c) the historic and/or architectural significance of any elements to be lost or replaced.
- With regards to design, the NPPF states that the Government 'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' (para. 56).
- Policy LO8 of the Core Strategy requires development to respect the countryside by having no detrimental impact upon the quality of the landscape character.

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- Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy state 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. This policy also states that the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- Emerging policy EN1 of the ADMP requires high quality design and lists a number of criteria against which proposed development will be considered, including requiring the layout of proposed development to respect the topography and character of the site and the surrounding area and requirement for landscaping and good levels of accessibility.
- Regard should also be had to the Councils Residential Extensions Supplementary Planning Document (RESPD).

#### **Appraisal**

- Firstly, it should be noted that it is the view of SDC's Conservation Officer that the present structural condition of the chimney justifies the intended remedial works, which are considered 'like for like repairs' and do not require consent
- With regards to the remainder of the scheme, as indicated previously, Threeways is a Grade II listed building dated 1783. The Conservation Officer's consultation response highlights the key features of the building.
- Amongst other things, the present proposal seeks to demolish part of the attached Listed wall and attach a substantial, two storey addition to the southern gable of Threeways. SDC's Conservation Officer has been consulted on the proposal and has objected to the scheme, which from a conservation perspective is considered to be entirely unacceptable. She considers that due to its scale, bulk, massing, siting and overall design the new work would overwhelm the modest proportions of the listed building, resulting in a disproportionate and unsympathetic additions to the listed building which would substantially alter its character and increase its overall scale and consequently bulk and massing transforming all three elevations, the roof scape and obscuring the original proportions.
- The Georgian Society share the concerns raised by SDC Conservation Officer stating that the proposed extension will nearly double the footprint of the listed building and will alter the vertical emphasis of the building to a horizontal one.
- The consultation replies from the Conservation Officer and the Georgian Society have been considered and carefully reviewed, particularly in view of the conflict with the views of the previous Conservation Officer who found the proposals acceptable. Planning Officers however are firmly of the view that the assessment by the current Conservation Officer, supported by her job share partner and the independent comments of the Georgian Society are soundly based and accurately reflect the impact of the extension.
- Issues arising from the pre application advice are considered further at the end of the report.
- As a result of the proposal the extended building would bear little relation to the modest and simplistic form of the original building. The proposal would therefore

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be unacceptable and furthermore, damaging to the building's significant historic fabric and character.

- In addition, the balanced, largely symmetrical treatment of the principal elevation fronting 'The Street' is an important characteristic of the listed building and would be diminished by the presence of the proposed side addition. This loss of symmetry would be emphasised by the poorly proportioned windows particularly at ground floor level to the front elevation and the dormer window in the rear roof slope where the windows fail to relate (in terms of their proportions) to existing windows to the detriment of the significance of the heritage asset and contrary to the aforementioned policy guidance and guidance contained in the RESPD which indicates that proposed windows should relate to the shape of existing windows and the proportion or ratio of solid wall to window should reflect that of the original house or buildings.
- The simple form of the historic floor plan will also be obscured by the new work as amongst other things, the proposal would involve the removal of a section of the original external wall, fireplace and window openings at ground floor.
- Attention has been drawn to the existing and unsympathetic addition at number 5 Wallace Terrace which appears to have been granted planning permission in the early 1980's. It is officer's view that not only has policy significantly altered since the time this application was determined, but poor precedents at adjacent properties do not justify further inappropriate work at Threeways, as an accretion of later additions only serves to further obscure the historic significance of the listed building. Paragraph 137 of the NPPF states that only proposals which better reveal the significance of designated heritage assets should be treated favourably.
- Although minor interior alterations and remodelling of the existing unsympathetic garden room may be acceptable, overall, it is considered that the proposed two storey side addition results in substantial harm to the historic significance of the designated heritage asset.
- It is therefore considered that the proposal would substantially harm the heritage asset contrary to the aforementioned policy criteria contained in the NPPF and at a local level.
- In addition to the aforementioned policy criteria, the proposed development would also be contrary to paragraphs 178 and 182 of the PPS5 Practice Guide which indicates that it is not acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting and which seeks to preserve the original plan form of buildings.
- In conclusion, whilst officers appreciate that the applicant will be disappointed that the formal response to the submitted applications contradicts the informal advice given at pre-application stage, it is considered that the later comments made by the Conservation Officer in response to formal detailed applications and supported by the Georgian Society should be afforded more weight. The applications are therefore recommended for refusal for the reasons set out in the preceding paragraphs.

## **Green Belt**

#### **Policy**

- Having regard to the Green Belt, inappropriate development, by definition, is development that is harmful to the Green Belt. Government advice contained within the NPPF makes clear that the most important attribute of Green Belts is their openness.
- It is for applicants to demonstrate why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- Having regard to inappropriate development in the Green Belt, paragraph 89 of the NPPF, states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:
  - "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building";
- Having regard to the above criterion, the application is a householder application for works and extensions to a dwelling house, the proposal would therefore fall to be considered against the above criterion. With this in mind policy H14A of the SDLP sets out the criterion against which applications for extensions to dwellings in the Green Belt need to be assessed.
- It should be noted that the term 'disproportionate addition' is not empirically defined in national policy. This means that the key comparison is between the 'original' dwelling and the dwelling in its extended form. The '50%' test referred to in criterion 2 and 6 of Local Plan policy H14A provides guidance on how the Council will assess whether an extension is a disproportionate addition.
- In this instance criterion 2 is relevant. Criterion 2 states 'The "gross floor area" of the existing dwelling plus the "gross floor area" of the extension does not exceed the "gross floor area" of the "original" dwelling by more than 50%'. However, in assessing the impact on openness, site coverage is only one of the relevant considerations, the scale, height, bulk and massing of the extension will also be an important consideration in assessing the impact the extended dwelling has on the Green Belt.
- For the purposes of Policy H14A "gross floor area" of the "original" dwelling will be ascertained by external measurement and shall include any garage or domestic outbuilding (incidental to the enjoyment of the dwelling) within the curtilage of the dwelling, if any part of that building lies within 5m of any part of the dwelling. All habitable floorspace of the building will be included which is useable without major reconstruction.
- The term 'original' is also defined in policy H14A as being "The dwelling and domestic outbuildings as existing on 1st July 1948; or if no dwelling existed on that date, then "original" means the dwelling as first built after 1st July 1948, i.e. excluding in either case any extensions or outbuildings built after 1st July 1948 or first completion".

68 Emerging policy GB1 of the ADMP will in part replace policy H14A of the Local Plan. Emerging policy GB1 is similar to adopted policy H14A in that amongst other things it seeks to restrict extensions to dwellings which are lawful and permanent in nature, seeks appropriate design and seeks to ensure that the amount of floor space added to dwellings in the Green Belt does not exceed 50% of the floor area of the original dwelling.

# Appraisal

- I have undertaken a thorough search of the planning history for the site and can find no applications to extend the property. The only application relating to the property which could be found is an application for Listed Building Consent to replace the front door as detailed in the planning history.
- Notwithstanding the above, historic mapping held on the Councils Geographical Information System indicates that the single storey addition to the rear labelled as the breakfast room is a later addition to the property and thus in the absence of any evidence to the contrary it is not deemed to be original. This concurs with the information contained in the Design, Access, Listed Building & Conservation Area Statement submitted with the application which states that the extension was added at a later date.
- As such, based on the evidence available at this time it is my view, that the original gross floor area of Threeways amounts to approximately 193.9m². This is less than that calculated by the applicant. My calculations are based on submitted drawing number 419/A1/02. This gives a 50% limit to extend of 96.5m².
- Based on drawing number 419/A1/02 it is my view that that the single storey addition to the rear labelled as the breakfast room would calculate 16.35m<sup>2</sup> as agreed by the applicant.
- 73 The proposed extension to the dwelling measures approximately 75.18m² based on drawing numbers 419/A1/05 and 419/A1/06. It should be noted that the alterations to the breakfast room would not result in any increase in gross floor area.
- Together with the existing extension to the original dwelling extensions to the dwelling would therefore calculate 91.53m². This would represent a 47.20% increase in the total gross floor area of the original dwelling.
- The table below is provided in order to clarify, the current position in terms of the floor area of the dwelling in its current form, and in its proposed form.

	Floor Area (m²)	Total Extended Floor Area (m²)	Cumulative % Increase above Original Dwelling
Original Dwelling	193.9		
Breakfast room Extension	16.35	210.25	8.43
Proposed Extension	75.18	285.43	47.20

- In view of this, it is considered that the proposal would comply with policy H14A of the Local Plan and emerging policy GB1 of the ADMP and therefore it is my view that the proposed extension would be a proportionate addition to the original dwelling in accordance with the guidance contained in the NPPF relating to Green Belts.
- 77 Consequently, it is my view that the proposal would be appropriate development in the Green Belt.
- It should be noted that the fact that the extension is deemed to be a proportionate addition to the property in accordance with Green Belt policy criteria does not override the presumption against the development due to the identified harm to the heritage asset.

# Impact on Neighbouring Amenity

- Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- Policies EN1 and H6B of the Sevenoaks District Local Plan require that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 81 Emerging policy EN2 of the ADMP seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements.
- Threeways is located at the end of a terrace. The most immediate affected neighbour is the adjoining neighbour number 3 Wallace Terrace.
- The proposed two storey extension would not extend beyond the original rear building line to Threeways or number 3 Wallace Terrace. Therefore, I do not consider there to be any greater harm to the amenity of the neighbouring occupier by reason of loss of light, overshadowing or outlook. Furthermore, the proposal would comply with the Councils 45 degree test set out in the RESPD which seeks to safeguard against loss of light and overshadowing.
- Proposed new windows are positioned in the rear elevation overlooking the applicant's rear garden, the side elevation towards Pease Hill and front elevation towards The Street. Consequently, proposed new windows would avoid the immediate overlooking at close quarters of the neighbours private rear amenity space and into the windows of habitable rooms. Consequently, privacy would be maintained.
- Overall for the reasons outlined above the proposal would not adversely impact upon amenity and would comply with aforementioned local policy and the NPPF.

#### Impact on Trees

The proposal would impact upon a number of existing trees and hedgerow as detailed in SDC's Tree Officer comments. Although the vegetation is considered to

be of low amenity value, as pointed out by the Tree Officer, the vegetation does provide an effective screen when viewing the property from Pease Hill. As such, whilst no objection has been raised to the proposal, in the event that members are minded to grant planning permission, it is considered appropriate in the interest of visual amenity, to apply conditions requiring tree protection and to secure the replacement of any trees lost as a consequence of the proposal.

#### **Highways**

- With regard to highway safety, this is a category of development which does not require consultation with Kent Highways Services.
- lt should be noted that the application site does not benefit from any off street parking provision.
- Parking standards set out in interim guidance note 3, this would require 2 independently accessible parking spaces. The proposed development would increase the number of bedrooms to 5, however, in accordance with KCC's same guidance note a 4+ bedroom dwelling in a rural location such as this would also require 2 independently accessible parking spaces.
- Onsequently, as the increase in bedrooms would not require any increase in parking provision, I do not consider that a ground of refusal based on lack of parking provision could be justified.

#### Pre Application Advice

- As set out at the beginning of the report, these applications are being reported to Development Control Committee at the discretion of the Chief Planning Officer as the recommendation is at odds with conservation advice obtained at preapplication stage by a former Officer of the Council.
- 92 It has been explained above why Officers do not consider the pre application advice to be appropriate.
- It is however recognised that the applicant has spent time and money submitting a formal planning application based on the pre application advice and could reasonably have expected a favourable recommendation. Departmental procedures for dealing with pre application advice involving Conversation Officers have been strengthened to ensure there is always adequate internal liaison so that incidents of this nature are not repeated.
- Given that the proposal is for works to a listed building that will have a permanent impact on its character it is not considered that the poor service provided to the applicant in this case should justify permitting the development.

#### Conclusion

The application is recommended for refusal as due to its scale, bulk, massing, siting and overall design, it is considered that the proposed extension would fail to respect the character, design and layout of the listed building and would overwhelm its modest proportions resulting in a disproportionate and unsympathetic addition which would cause substantial harm to the historic significance of this designated heritage asset.

# **Background Papers**

Site and Block plans

Contact Officer(s): Claire Baldwin Extension: 7367

Richard Morris Chief Planning Officer

#### SE/14/00849/HOUSE

Link to application details:

http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N2S0Z8BK8V000

Link to associated documents:

http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N2S0Z8BK8V000

## SE/14/00850/LBCALT

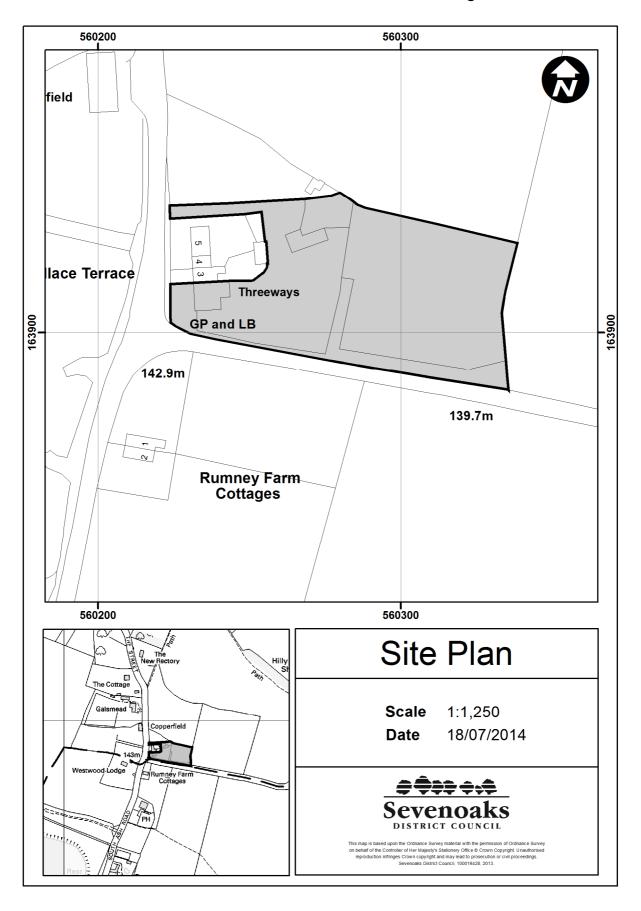
Link to application details:

http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N2S0Z9BK8V000

Link to associated documents:

http://pa.sevenoaks.gov.uk/online-

applications/applicationDetails.do?activeTab=documents&keyVal=N2S0Z9BK8V000



# **Block Plan**

