

4.3 – SE/12/01665/FUL Date expired 31 January 2013

PROPOSAL: Closure of vehicular access from Manor House Gardens. New gated access from Mont St. Aignan Way and new bellmouth. Associated rearrangement of car parking spaces. As amended by plans received 14.08.13 and 10.09.13.

LOCATION: Stangrove Lodge, Manor House Gardens, Edenbridge TN8 5EG

WARD(S): Edenbridge South & West

ITEM FOR DECISION

This application has been referred to the Development Control Committee at the request of Councillor Davison who has concerns that the proposal could be detrimental to highways safety.

RECOMMENDATION A: That subject to receipt of a signed and valid S106 Obligation to secure the highways improvements contribution, that authority be delegated to the Chief Planning Officer to GRANT planning permission 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) In accordance with the approved plan, drawing number 21073/P10 Rev.P4, the pedestrian access onto Manor House Gardens shall be permanently retained in order to cater for the needs of pedestrians accessing the site from the west.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

3) Adequate precautions shall be taken during the progress of the works to guard against the deposit of mud, stones and similar substances on the public highway in accordance with proposals to be submitted to and agreed in writing by the Local Planning Authority. Such proposals shall include washing facilities by which vehicles will have their wheels chassis and bodywork effectively cleaned and washed free of mud and similar substances.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

4) No development shall take place until an Access Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The Access Plan should set out:

a) procedures to govern the operation of the gates onto Mont St Aignan Way and ensure they are shut except when vehicles and pedestrians are entering and departing;

b) procedures to cover the possibility of the gate being inoperative due to power cut or

mechanical or electrical failure;

c) what arrangements will be made to ensure that residents of the home do not inadvertently walk out onto Mont St Aignan Way; and

d) what arrangements will be made to manage parking on the occasion of any special events.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks District Local Plan.

5) The development shall be carried out wholly in accordance with the Method Statement for the foundations and the approved plans, drawing number BW01 Rev. No.B and drawing title Tree Protection Plan Rev.A.

To prevent damage to the protected trees on the site during the construction period and ensure their retention thereafter as supported by the National Planning Policy Framework.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: 21073/E/01 Rev.B, 21073/E10, 21073/E11, 21073/E14 Rev.P1, 21073/P10 Rev.P4, 21073/P11 Rev.P4, 21073/P14 Rev.P1, 3893/F/001 Rev. No. F, 3893/TR/002 Rev. No. C, 3893/TR/003 Rev. No. C, BW01 Rev. No. B and Tree Protection Plan.

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

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

The site is within the built confines of the settlement where there is no objection to the principle of the proposed development.

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

The development makes provision for the safe means of vehicular access to and from the site.

Informatives

1) Please be aware that this development is also the subject of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

2) The applicant should be aware of the need to enter into a Section 278 Agreement with the Highway Authority before commencing any works on the highway or verge.

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) Was updated of small scale issues which arose during the process of the application and was given time to address it.

RECOMMENDATION B: In the event that the legal agreement is not completed within 42 days of the decision of the Development Control Committee, the application be REFUSED for the following reason:

- 1) The proposal would lead to a requirement to contribute towards the costs of consultation, advertisement and marking out double yellow line waiting restrictions (or Clearway or similar arrangements) on Mont St Aignan Way. In the absence of a completed Section 106 obligation to secure an appropriate level of contribution towards highways improvements, the development would be contrary to policy EN1 of the Sevenoaks District Council Local Plan.

Note to Applicant

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- 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,
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(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) Working in line with the NPPF, the application was refused as the proposal failed to improve the economic, social or environmental conditions of the area.

Description of Proposal

- 1 The application seeks consent for the creation of a new access onto Mont St Aignan Way, with the existing vehicular access from Manor House Gardens proposed to be closed up, and associated rearrangement of car parking spaces within the site.
- 2 The proposed access would comprise both vehicular and pedestrian access onto the relief road. The vehicular access would allow two vehicles to pass as one vehicle arrives and one departs. The pedestrian access is proposed to be linked to the existing footway on the opposite side of Mont St Aignan Way by way of a footpath up to the edge of the road on both sides.
- 3 The rearrangement of car parking spaces would result in a slight amendment to the layout of the parking and turning areas approved as part of the recent consent for extensions to be carried out to the main building. However, a total of 30 parking spaces would continue to be retained as would the proposed turning area within the site.

Description of Site

- 4 The current site consists of a large irregular shaped single storey nursing home building on a rectangular shaped plot. The home was originally constructed in the 1980s, has been extended since first built and has consent to be extended further.
- 5 The site lies within close proximity to the town centre. It is flanked on its eastern side by the Edenbridge relief road, the boundary of which consists of a large brick wall. On all other boundaries, the site is surrounded by two storey residential dwellings consisting of Victorian semi-detached dwellings on Stangrove Road to the north, and a 1960s/1970s housing estate known as Manor House Gardens on its western and southern boundaries. Access to the nursing home is provided through Manor House Gardens.
- 6 The site is well landscaped in part, and a group of trees on the western and southern boundary of the site are protected by a Tree Preservation Order.

Constraints

- 7 The site lies within the built confines of Edenbridge and a group of trees on the western and southern boundary of the site are protected by a Tree Preservation Order

Policies

Sevenoaks District Core Strategy

8 Policies – L01, L06, SP1 and SP11

Sevenoaks District Local Plan

9 Policies – EN1 and VP1

Other

10 The National Planning Policy Framework (NPPF)

Planning History

11 SE/79/01190 - Outline application for the erection of aged persons home and day care centre. Granted 07.02.80

SE/80/01686 - Details of aged person home. Granted 17.11.81

SE/02/01516 - Single storey extension to provide additional lounge and dining facilities for residents. Granted 04.10.02

SE/07/03338 - Erection of single storey conservatory. Granted 28.12.07

SE/10/00712 - Erection of single storey extensions to existing residential care home. Granted 29.04.10

SE/11/01392 - Removal of existing roofs and erection of first floor over extended ground floor to increase the total number of bedrooms at the care facility to 84. Granted 01.09.11

Consultations

Edenbridge Town Council – 24.07.12

12 “Members object extremely strongly to this application and believe that it must be refused. The Green Corridor established as part of the relief road development was created to ensure that entrances were prohibited onto the Mont St Aignan Way, the Relief Road, to ensure that the flow of traffic was not interrupted and was therefore not tempted to seek alternative routes through the High Street, lessening the impact of the scheme. This was upheld by the Inspector at appeal. The proposal would result in hold ups to traffic in the single carriageway stretch of the road and is unacceptable. Both District Council members for the ward wish the Officers to know that they strongly object to this proposal and the implications that it would have on the town as a whole.”

Edenbridge Town Council – 12.09.12

13 “Members object as they believe that there is still insufficient parking.”

Edenbridge Town Council – 10.10.12

14 “Members continue to object to this proposal believing that the free flowing of traffic along the Relief Road is crucial to maintaining the improved viability of the

High Street. The additional information clearly shows that lorries will have to cross onto the other carriageway to achieve the required turning circle, holding up traffic travelling in both directions. Members would have no objection to building materials being lifted into the site during the construction period over the wall from the green corridor providing any damage is repaired at the end of the project.”

Edenbridge Town Council – 21.12.12

- 15 “Members felt the red line added little and wish to restate all their previous comments.”

Highways Engineer – 27.07.12 - (Note that the response dated 28.12.12 replaces earlier comments)

- 16 “I would be grateful for an extension of time in which to respond, while waiting for information from the Applicants on the following:
1. traffic survey data
 2. use of the proposed exit by pedestrians (residents)
 3. other design aspects of the premises and boundary wall.”

Highways Engineer – 14.09.12

- 17 “Thank you for sending the Transport Statement from 11/01392, including Appendix 3.
- 18 One of the concerns raised by the new application is the possibility of congestion outside the proposed gate while visitors’ cars are waiting for it to open.
- 19 The survey of arrivals and departures in Appendix 3 suggests there may be occasions when two vehicles could arrive at the entrance or more or less the same time. This could particularly be a problem if the second car arrived from the north and, having to cross the Relief Road to access the gate, could partially obstruct the road while waiting for the gate to open. We should allow sufficient room for two cars to wait in front of the gate to avoid obstructing the B2026 Relief Road. This matter would also appear to be relevant to the Town Council’s response.
- 20 The traffic survey also shows the arrival and departure of a lorry described as a “kitchen delivery”. As no vehicle tracking diagrams have been provided, it is not clear whether the proposed 4.8 metre wide access is of sufficient width to allow a lorry to enter or leave at the same time as a car going in the opposite direction.
- 21 We would need the above issues to be resolved if this application is to be taken forward, and I therefore suggest the following:
1. Drawings to be changed to show the gate set back to approximately 12 metres from the edge of the carriageway of the Relief Road,
 2. a tracked-path drawing of a delivery lorry to demonstrate that the proposed access is wide enough for simultaneous arrivals and departures;

3. minor changes to parking near the gate to provide more manoeuvring room as suggested on the attached sketch (which is indicative only).”

Highways Engineer – 15.10.12

- 22 “In the resubmitted application the proposed new gate has been moved further back from the carriageway of B2026 Mont St Aignan Way, permitting two cars to arrive there while the gate is opened. This will make the entrance safer to use.
- 23 In my response of 14/9/12 a tracked-path diagram was requested to show how a delivery lorry could enter the site while a car was departing (or vice versa). The drawing subsequently provided shows a 7.5 tonne box-van which could be for example 8.1 metres long and 2.5 metres wide. However the latest drawing supplied appears to show only the wheel tracks which are approx 2 metres apart, rather than the “envelope” traced out by the entire vehicle. The drawing is therefore inconclusive.

Other concerns:

- 24 We are concerned that the proposed vehicular access onto Mont St Aignan Way makes no provision for pedestrians – either staff or visitors. Indeed the Applicant’s agent issued a letter 15/8/12 (filed under Associated Information) stating “staff ...on foot are not permitted to use the new access – if staff are caught using the new vehicular entrance on foot they will be disciplined.” Thus although access will be improved for car drivers, pedestrians wishing to access the town centre, railway station etc, will still be expected to walk the time-consuming and circuitous route via Manor House Gardens. This appears to be at odds with Sevenoaks Local Plan which states the Council’s intention to “improve pedestrian accessibility...and encourage alternative modes of transport.” It also contrasts with the Transport Statement of application 11/01392 (to increase the number of rooms to 84), which highlights that “The facility is located in a sustainable location, close to many amenities and sustainable transport nodes. Furthermore, the pedestrian and cyclist facilities in proximity are of a good standard”. The Transport Statement also asserts that “the majority of care staff at the existing facility are local to the area and therefore it is not unreasonable to restrict the number of parking spaces available for staff to below the existing provision and expect a larger proportion to access the facility by sustainable mode.”
- 25 After considering the above issues, I do not intend to object to this application provided that any permission granted is subject to conditions
1. The entrance to the site from Mont St Aignan Way to be built according to a design to be agreed in writing with the Highway Authority. This should include provision for pedestrians. (Reason: Highway Safety, Sevenoaks policy*);
- * The Adopted Core Strategy will not download from the SDC website; please insert appropriate policy for pedestrian improvements and modal shift to walking, cycling, public transport etc
2. Pedestrian access between the site and Manor House Gardens will be retained;
 3. Standard condition for means to prevent mud, gravel etc being brought onto the highway during construction. (Reason: Highway safety).

4. Before construction commences, the Planning Authority in consultation with the Highway Authority must approve an Access Plan which the Applicant should submit to set out:

a) procedures to govern the operation of the gate and ensure it is shut except when vehicles are entering and departing; procedures should cover the possibility of the gate being inoperative due to power cut or mechanical or electrical failure; (Reason: Highway Safety);

b) to show how pedestrians including staff and visitors will use the gate (or any additional pedestrian gate) to facilitate access between the site and Edenbridge town centre and Mt St Aignan Way; (Reason: Sevenoaks Strategy *)

c) to specify what arrangements will be made by the Applicants to ensure that residents of the home cannot inadvertently walk out onto Mont St Aignan Way (Reason: Highway safety, to avoid the possibility that someone in a state of dementia or other confusion may walk onto this main road);

d) to specify arrangements for management of parking on the occasion of any special events, such as fetes. (Reason: Highway Safety – to avoid parking on B2026 Mont St Aignan Way).

26 In addition, I must request that the Applicant provides a section 106 payment of £4000 to cover the costs of consultation, advertisement and marking out double yellow line parking restrictions (or Clearway or similar arrangements) on Mont St Aignan Way, with the proviso that any funds unspent after 5 years are to be repaid.”

Highways Engineer – 16.10.12

27 “To explain our concerns about the design of the entrance on the drawings submitted to date.

28 First of all the issue of pedestrians. Visitors who walk to Stangrove Lodge are more likely to use the front gate as (1) it provides the shortest possible route from the site to the town centre, railway station, bus stops, shops etc, and (2) it will be the most obvious entrance. Whether or not pedestrian facilities are specifically constructed, pedestrians will use this new entrance, and we should be providing them (as set out in policy SP2 of SDC's Core Strategy).

29 The Council will support and promote measures to reduce reliance on travel by car Specifically it will: 2. Seek improved facilities for cyclists and pedestrians

30 In the submitted design, pedestrian visitors would call at the vehicle gate, and walk in and out on the roadway, as no footway is proposed. This could be a particular concern if they need a dropped kerb on the east side of Mont St Aignan Way, where at present there are no nearby dropped kerbs. What is needed is (1) a pedestrian gate just north of the proposed vehicle entrance, (2) a short length of footway to connect this to a dropped kerb nearby at the edge of Mont St Aignan Way, (3) a matching dropped kerb on the opposite (east) side of Mont St Aignan Way and a short length of footway to connect this to the main footway along the east side of Mont St Aignan Way.

- 31 Secondly, the width and other details of the proposed vehicle entrance. From the information supplied so far, it is not clear if the proposed gateway is wide enough to accommodate a car arriving while a delivery lorry is departing (or vice versa). The supplied tracked-path drawing appears to show the wheel tracks of the lorry, not the full width required to accommodate the bodywork. This information needs to be resupplied, as if the gateway (including the area in front and behind the gate) is not wide enough, this could lead to congestion at the gate which could affect Mont St Aignan Way.
- 32 Please note (Informative) that the proposed vehicle entrance "bellmouth" would be constructed on highway verge so the applicant would need to enter a Section 278 agreement with the Highway Authority before any works could commence."

Highways Engineer – 28.12.12 – (Final Comments)

- 33 "The revised proposals (e.g. drawing 21073 / p11 Rev p4 "Proposed new vehicular access") should provide adequate access to the site as they show increased room for vehicles to pass each other inside the entrance, as shown on the new tracked path diagrams dated 4/12/12.
- 34 I do not intend to object to this application provided that any permission granted is subject to the following conditions:-
1. Pedestrian access between the site and Manor House Gardens will be retained, in order to cater for the needs of pedestrians accessing the site from the west;
 2. Standard condition for means to prevent mud, stones etc being brought onto the highway during construction. (Reason: Highway safety).
 3. Before construction commences, the Planning Authority in consultation with the Highway Authority must approve an Access Plan which the Applicant should submit to set out:
 - a) procedures to govern the operation of the gates onto Mont St Aignan Way and ensure they are shut except when vehicles and pedestrians are entering and departing; procedures should cover the possibility of the gate being inoperative due to power cut or mechanical or electrical failure; (Reason: Highway Safety);
 - b) to specify what arrangements will be made by the Applicants to ensure that residents of the home cannot inadvertently walk out onto Mont St Aignan Way (Reason: Highway safety, to avoid the possibility that someone in a state of dementia or other confusion may walk onto this main road);
 - c) to specify arrangements for management of visitor parking especially on the occasion of any special events, such as fetes. (Reason: Highway Safety – to avoid parking on B2026 Mont St Aignan Way).
- 35 In addition, I must request that the Applicant provides a section 106 payment of £4000 to cover the costs of consultation, advertisement and marking out double yellow line waiting restrictions (or Clearway or similar arrangements) on Mont St Aignan Way, with the proviso that any funds unspent after 5 years are to be repaid. The waiting restrictions would be subject to consultation and also subject to approval by the Joint Transportation Board.

- 36 Informative: If this planning application is approved, the Applicants would be required to enter into a Section 278 Agreement with the Highway Authority before commencing any works on the highway or verge.”

Tree Officer – 27.07.12 – (Note that the response dated 19.09.13 replaces earlier comments)

- 37 “I can inform you that a group of 7 mature Oak trees are situated within the south eastern corner of this site. These trees are protected by TPO 15 of 2011 and are of high amenity value. At the time of my inspection, these trees appeared to be in a sound and healthy condition. According to the plan provided, drawing no. 21073/P11, the proposed gateway would be constructed 3.0m from the nearest tree. I have estimated that this tree requires a RPA of 9.12m. The new access would be constructed 4.0m from the base of this tree. It can be seen that significant incursion into the root protection area would be taking place. An additional oak tree would be situated 6.0m from the new brick piers. Unless the developer can demonstrate that the proposed access can be constructed without damaging these trees, I recommend that consent be denied.”

Tree Officer – 11.09.12

- 38 “Unless the applicant can demonstrate how they can construct the driveway within RPA without detriment to the nearby mature protected trees, I suggest refusal of this application. This is not suitable for condition and the aforementioned must be resolved prior to any consent being provided.”

Tree Officer – 15.10.12

- 39 “Under well managed conditions and utilising well researched and non invasive materials building within the expected RPA of these trees is feasible with great care. Unfortunately I have on a number of occasions visited this site and witnessed various detrimental works within what should be an RPA. There has been no protective fencing where fencing should of and had been agreed to be erected. Storage of materials and mixing of cement within agreed RPA. Despite my complaints of the aforementioned to site staff, the breaches continued.
- 40 In order for the Arb consultants proposals to work, they need to be managed very precisely and carefully. Given the history of the works upon this site I have great concerns that these protected Oak trees will continue to be harmed and ignored as they have been in the past. I am not therefore convinced that this proposal is a viable one that will take account of the trees to be retained. I cannot therefore support this application.”

Tree Officer – 02.01.13

- 41 “It does not appear that any new information has been provided since previous comments from both tree officers reports. I suggest therefore that previous comments remain unanswered.”

Tree Officer – 16.04.13

- 42 “I have read through the method statement, although some of the points raised are acceptable I still have some concerns regarding the foundation design. The developer states that they intend to install concrete pads 150mm below ground level. Concrete ground beams would span between these pads. The necessary

excavation for the pads and beam could result in root severance, which could result in the demise of a protected tree. A preferable option may be for the ground beam to be located at or above ground level, thereby reducing the necessary excavation to a minimum.”

Tree Officer – 30.08.13

- 43 I have read through the Arboricultural Method Statement provided by the developer. Generally, this is acceptable, providing the recommendations within the report are followed, then I have no further concerns. My main concerns centre on the design of the ground beam. I was under the impression that this beam would be situated at or above ground level. However, according to the plan provided, this beam would be situated at minimum of 150mm below ground level. This could result in root severance. Perhaps you could advise?

Tree Officer – 19.09.13 – (Final comments)

- 44 “The amended design appears to be acceptable, as the ground beam has been raised to ground level. Providing care is taken and no major roots are severed (should they be encountered), I have no further objections.”

Representations

- 45 Six letters of representation have been received in support of the proposal stating that:

- The new access would allow access for site traffic;
- The new access would allow for traffic using the extended care home rather than Manor House Gardens;
- The new access would reduce the amount of traffic passing along Manor House Gardens;
- Minimal impact on highways safety on Mont St Aignan Way; and
- Improved highways safety on Manor House Gardens.

- 46 Four letters of representation have been received highlighting concerns regarding:

- The use of the access as a short cut by the public; and
- Parking of vehicles on Manor House Gardens.

Chief Planning Officer’s Appraisal

- 47 The main issues in relation to the consideration of this application are highways safety, impact on trees and impact on the character of the area. Other issues include parking provision and neighbouring amenity.

Main issues

Highways safety –

- 48 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development should ensure the satisfactory means of access for vehicles.
- 49 The proposal comprises the creation of a new vehicular and pedestrian access from the existing site onto Mont St Aignan Way. The vehicular access would allow for two vehicles to pass one another through the access, which would assist in avoiding situations where a vehicle is unable to turn into the site causing traffic to build up along the relief road. The gates to the access would be electronically controlled. However, the gates would be located 11.5m back from the edge of the highway to allow a minimum of a delivery lorry or two cars to wait in front of the gates while they open.
- 50 Minor alterations are also proposed within the site to ensure that access beyond the gates is not impeded. These alterations comprise the moving of one parking space forward slightly to open up the internal driveway adjacent to the proposed gates.
- 51 Pedestrian access to the site is also proposed to be provided adjacent to the vehicular access. This would link to the existing footway on the eastern side of Mont St Aignan Way via a footpath either side of the road. In closing up the existing vehicular access it is proposed to retain a pedestrian access into the site from Manor House Gardens, as well as access to the refuse collection point.
- 52 The Highways Engineer has provided detailed comments through out the process of considering the proposal. As a result of their input the application has been amended to provide a safer vehicular access, by pushing the gates further into the site and ensuring that vehicles can pass one another through the proposed access, and to provide the pedestrian access.
- 53 The Highways Engineer has therefore indicated that they are in support of the proposal subject to several conditions and a requirement for the applicant to enter into a legal agreement in relation to highways improvements around the proposed access. The applicant has agreed to enter into such an agreement but this has yet to be completed. This is reflected in the two recommendations that have been put before the Members of the Committee.
- 54 The representations received have highlighted a concern regarding the use of the pedestrian access as a short cut by the public and parking of vehicles on Manor House Gardens. The pedestrian access would be controlled by the owners of Stangrove Lodge and so it would be difficult for members of the public to pass through the site. In addition, parking along Manor House Gardens is currently unrestricted and so it is not possible to control who parks their vehicle along the street.
- 55 Given the view provided by the Highways Engineer I would therefore conclude that the proposed vehicular and pedestrian accesses would preserve highway safety.

Impact on trees –

- 56 The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland (para. 118).

- 57 The site possesses a number of trees covered by Tree Preservation Orders. This includes the area in the south-east corner of the site where seven mature Oak trees are situated and where the new vehicular access is proposed.
- 58 The proposed works would involve the laying of hard standing and the erection of a brick wall and piers within the root protection area of a number of the protected trees. The applicant has therefore submitted a method statement for constructing the foundations of the proposed wall and information in relation to the works in the root protection areas. It is proposed to minimise disturbance of the ground in the root protection areas, would comprise a no-dig construction, any excavation work would be subject to arboricultural supervision, ground protection would be laid where necessary and tree protection fencing would be erected across the site.
- 59 Subject to the method statement being adhered to at all times during the period of construction the Tree Officer has confirmed that he would now raise no objection to the proposed development.
- 60 I am therefore of the view that the proposed development would not result in the loss of aged or veteran trees that add to the amenity of the area.

Impact on the character of the area –

- 61 The NPPF also 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)
- 62 Policy EN1 of the Local Plan states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. This policy also states that the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. Therefore, I consider that this policy is broadly consistent with the NPPF.
- 63 The character of Mont St Aignan way is defined by the deep grass verges that line the road, the boundaries of adjacent properties and existing junctions with other roads and accesses. The proposed vehicular access would therefore not be the only access provided onto the relief road. Aside from the main junctions with Stangrove Road, Lingfield Road, Tekram Close and Cobbetts Way, access is also provided for the Co-op store and 21 Lingfield Road.
- 64 The proposed access would therefore add to a number of existing junctions and accesses provided onto Mont St Aignan Way, but would retain the existing verge either side of the proposed bellmouth.
- 65 I am therefore of the opinion that the proposed access would not appear out of character within the locality.

Other Issues

Parking provision –

- 66 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development should provide parking facilities in accordance with the Council's approved standards.
- 67 The number of parking spaces provided on site would be the same number approved under the recent consent to extend the care home. This parking provision continues to be wholly acceptable.

Impact on neighbouring amenity –

- 68 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.
- 69 Policy EN1 of the Sevenoaks District Local Plan requires that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 70 The proposal involves the closing up of the existing vehicular access from Manor House Gardens. This will reduce the number of vehicle movements on Manor House Gardens, particularly of larger vehicles accessing the site. I therefore consider that the proposal comprises an improvement on the amenities currently enjoyed by the occupants of properties on Manor House Gardens.
- 71 Representations provided have highlighted concerns regarding the use of any pedestrian access through the site as a short cut and the continued use of Manor House Gardens for the parking of vehicles by those visiting the care home. The pedestrian access onto Mont St Aignan Way would be controlled restricting access through the site to members of the general public. In addition, parking on Manor House Gardens is unrestricted and so the Council has no control over who parks on the street.
- 72 The new access links the site to the adjacent relief road, where a significant number of vehicle movements occur. The use of the proposed vehicular access would add to the number of vehicular movements. However, the access is sited over 30m from the rear of the nearest residential properties, which are screened from Mont St Aignan Way by boundary fencing and mature vegetation.
- 73 I am therefore of the opinion that the proposal would preserve the amenities currently enjoyed by the occupiers of the nearby neighbours.

Sustainable development –

- 74 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking (para. 14). For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies out of date, granting of permission unless:-
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;

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

75 In my opinion, the proposed scheme fully accords with the development plan, and I have explained this in detail above. It follows that the development is appropriate and there would be no adverse impact in granting planning permission for the development.

Conclusion

76 It is considered that the proposed access would preserve highways safety, would not have a detrimental impact on protected trees and would preserve the character and appearance of the area. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background Papers

Site and Block plans

Contact Officer(s): Mr M Holmes Extension: 7406

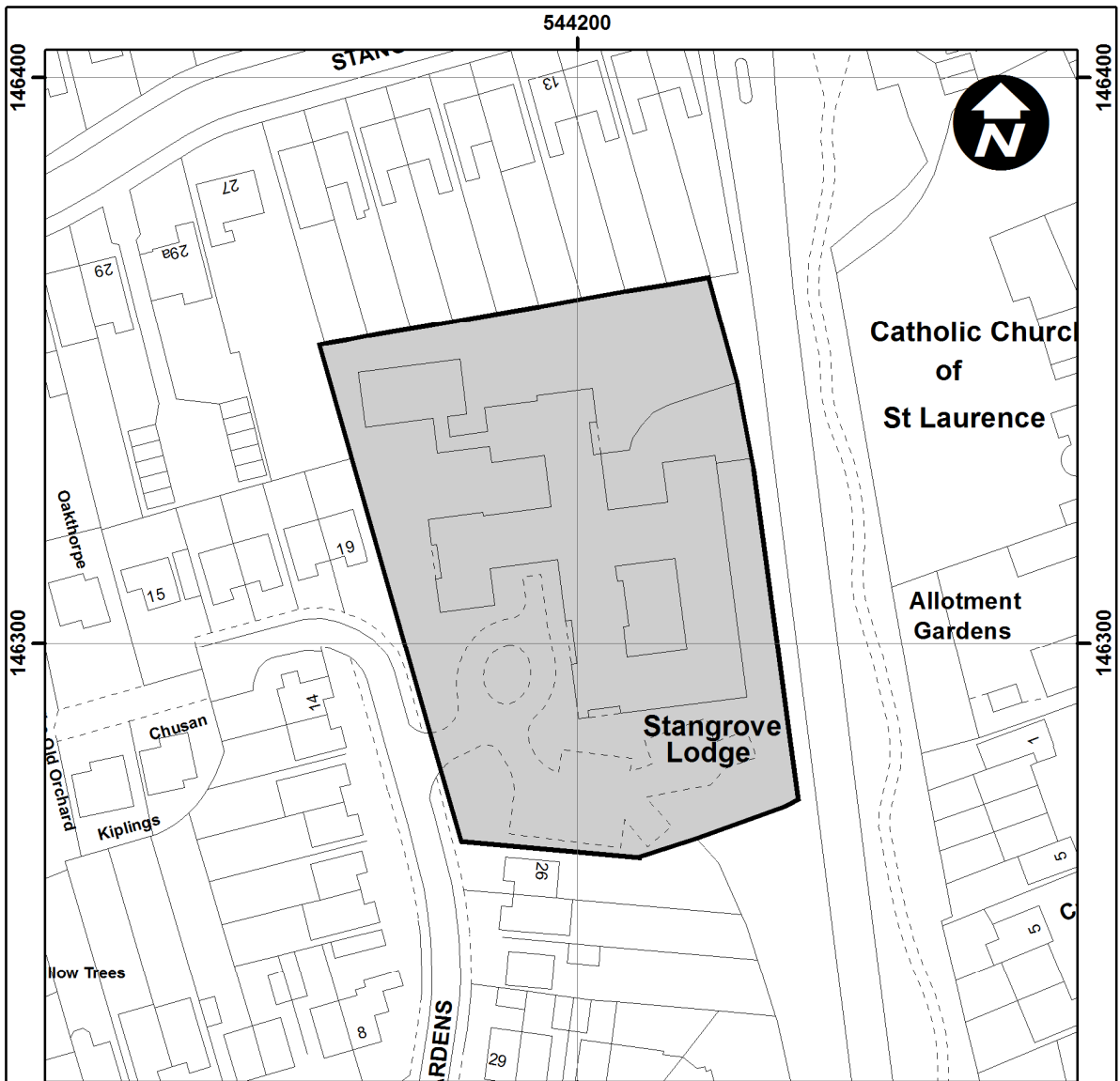
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M67Q57BK8V000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M67Q57BK8V000>



Site Plan

Scale 1:1,250
Date 15/10/2013



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Sevenoaks District Council, 100019428, 2013.

Block Plan

