

4.1 - SE/14/01187/FUL 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 be 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.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:

- 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

- 1 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.
- 2 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.
- 3 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

- 4 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.
- 5 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

- 6 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
13 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:

- 15 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 placed 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 4-bedroom house and unsuitable for a family to live there. The design of the

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 viably developed 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

20 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

21 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 be protected during the course of construction works.
- No new soakaways should be located within 5 metres of a public sewer.

22 Due to changes in legislation that is in 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 on site. The applicant is advised to discuss the matter further with Southern Water.

23 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 SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

24 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.

25 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.

26 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;

- 27 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

- 28 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 receipt 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 2.5m x 5m. 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

29 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

30 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.

- 32 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.
- 33 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.
- 34 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.
- 35 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

- 36 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.
- 37 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.
- 38 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;
- 39 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.
- 40 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
- (Item 4.1) 10

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.

- 41 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.
- 42 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

- 43 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.
- 44 It is therefore considered that the proposal is in accordance with Policy SP7 of the Sevenoaks District Core Strategy.

Residential Amenity

- 45 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

- 46 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.

- 47 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

- 48 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.
- 49 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).
- 50 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

- 51 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.
- 52 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.
- 53 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

- 54 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.

- 55 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.
- 56 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.
- 57 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.
- 58 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.
- 60 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.
- 61 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

- 62 Policy EN1 of the SDLP states that the layout of proposed development should retain important features including trees.
- 63 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.
- 64 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

- 65 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).
- 66 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

- 67 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.*
- 68 It 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

- 69 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.

- 70 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

- 72 The Council's 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

- 73 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 which would justify a refusal under planning policy.
- 74 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.
- 75 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

- 76 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

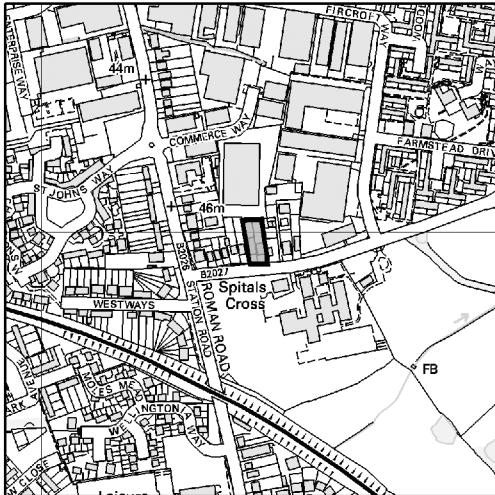
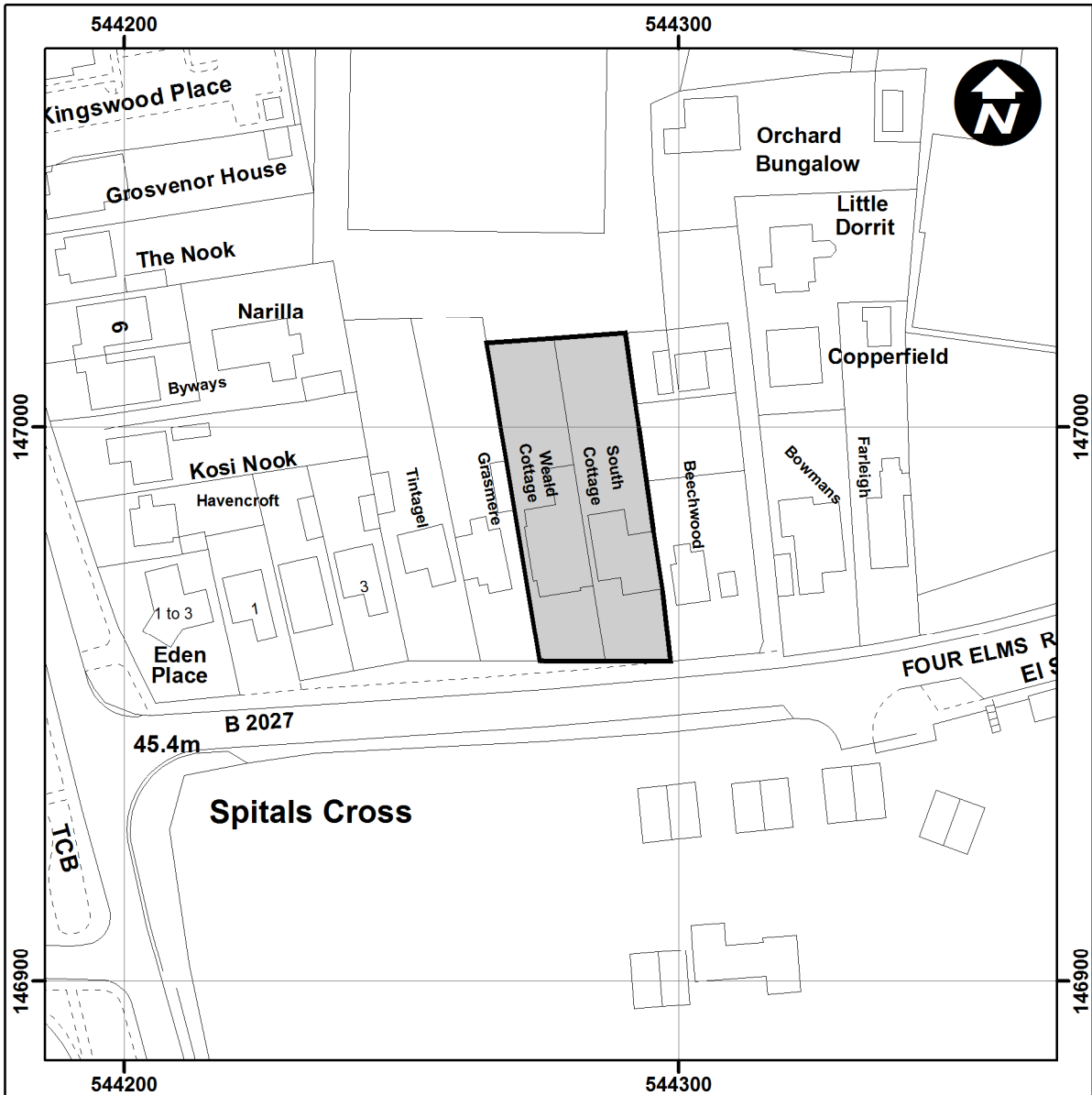
Richard Morris
Chief Planning Officer

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>



Site Plan

Scale 1:1,250

Date 30/07/2014



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Sevenoaks District Council, 100019428, 2013.

Block Plan

