

4.3 - SE/15/00454/FUL Date expired 16 April 2015

PROPOSAL: Demolition of existing house, garage & outbuilding and erection of two 3 bedroom detached houses.

LOCATION: Barn Cottage, Crouch House Road, Edenbridge TN8 5ED

WARD(S): Edenbridge South & West

ITEM FOR DECISION

This application has been referred to the Development Control Committee since the Officer's recommendation is at variance to the view of the Town Council and at the request of Councillor Layland who is concerned about the potential impact on the character and appearance of the area, the potential impact on residential amenity, the potential impact on highways safety and the potential for flood risk.

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: 141 001 P1, 141 002 P2, 141 003 P1, 141 004 P2, 141 005 P2, 141 006 P2, 141 010 P4, 141 011 P4 and 141 012 P4.

The development hereby permitted shall be carried out in accordance with the following approved plans:

3) The materials to be used in the construction of the development shall be those indicated on the approved plan drawing numbers 141 010 P4 and 141 011 P4.

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 Allocations and Development Management Plan..

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

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

5) Soft landscape works shall be carried out before first occupation of the dwellings.

The landscape works shall be carried out in accordance with the approved details.

To safeguard the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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

To safeguard the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (Ref: 14101, October 2014, Water Environment Limited) and the following mitigation measures detailed within the Flood Risk Assessment:

- 1) Limiting the surface water run-off generated by the 30 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off site;
- 2) Provision of compensatory flood storage in the vicinity of the site to a 1 in 100 year standard; and 3) Finished floor levels are set no lower than 41.69m above AOD and there is no ground floor sleeping permitted.

To prevent flooding by ensuring the satisfactory storage and disposal of surface water flooding from the site, to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants as supported by the National Planning Policy Framework.

8) The driveways shown on the approved plan drawing number 141 002 P2 shall be provided with bound surfaces within 5m of the carriageway.

In the interests of road safety as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

9) No development shall be carried out on the land until full details of proposed external lighting have been submitted to and approved in writing by the Council. The lighting shall be in accordance with the Bat Conservation Trust's 'Bats and Lighting in the UK' guidance and any future external lighting shall also comply with this guidance.

To ensure the long term retention of bats in the area as supported by the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

10) The removal of the buildings and vegetation from the site shall take place outside the bird breeding season (March - August inclusive). If this is not possible an ecologist should examine the site prior to works starting and if any nesting birds are recorded all work must cease until all the young have fledged.

To ensure the protection of birds nesting on the site in accordance with the National Planning Policy Framework.

11) No development shall take place on the land until details of ecological

enhancements to be incorporated in to the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved enhancements.

To ensure the long term retention of a site suitable for ecology as supported by the National Planning Policy Framework.

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

To ensure that features of archaeological interest are properly examined and recorded in accordance with policy EN4 of the Sevenoaks Allocations and Development Management Plan.

13) The first floor window in the eastern side elevation of the approved dwellings shall be obscure glazed and non openable at all times, unless above 1.7m above the internal floor level.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) The granting of planning permission does not convey any approval for construction of the vehicle crossover (i.e. dropped kerb) or any other works in the highway or affecting it. A licence must be obtained for such works. The Applicant should contact Kent County Council Highways and Transportation (web: http://www.kent.gov.uk/roads_and_transport/highway_improvements/parking/dropped_kerbs.aspx telephone:03000 418181) in order to obtain the necessary Application Pack. Please allow at least eight weeks notice.

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 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 provided with pre-application advice.
- 2) Was updated on the progress of the planning application.

Description of Proposal

- 1 The application seeks the approval of the demolition of the existing dwelling and the erection of two detached houses, two storeys in height with accommodation in the roof and rear facing dormer windows, proposed to be sited side by side on the plot, and the creation of a new access to serving the new unit to the southern part of the site.
- 2 The new dwellings would be mainly rectangular shaped, with a two storey front projection, a two storey side projection and a single storey side projection providing some relief. The properties would generally have a traditional appearance, having a pitched roof and being finished with a mixture of brickwork, hanging tiles, render and roof tiles.
- 3 The houses would have a height of 7.72m, a maximum width of 11.35m (taking account of the single storey garage and two storey side projections) and a maximum depth of 10.48m (taking account of the front projection). The houses would be sited a minimum of 5.2m from the front boundary of the site. Accommodation would be provided over three floors
- 4 The new access would be located to the left hand side of the frontage to the southern unit, in front of the integral garage to the house. In addition to the integral garage for both properties, each would also be provided with a parking area to the front of each plot.
- 5 The application follows on from a previous submission for a similar proposal of two dwellings on the site. This earlier application was withdrawn after concerns were raised that the height of the two dwellings was not appropriate and that there may be the potential for bats to roost on the site. The scheme now proposed has sought to overcome these concerns by reducing the height of the two units by over a metre and by providing an ecological scoping survey.

Description of Site

- 6 The application site comprises a detached dwelling, set on a roughly square shaped plot, located on the east side of Crouch House Road between the junction with Manor House Gardens and Lingfield Road. The property therefore shares its side boundaries with properties that back on to it to the north and south. The site is bounded by mature trees and hedging and a vehicular access is located to the north-west corner of the site.

Constraints

- 7 The site lies within the built urban confines of Edenbridge, an Area of Archaeological Potential and trees adjacent to the eastern boundary of the site are covered by a Tree Preservation Order.

Policies

Sevenoaks District Allocations and Development Management Plan (ADMP)

- 8 Policies – SC1, EN1, EN2, EN4 and T2

Sevenoaks District Core Strategy

- 9 Policies – LO1, LO6, SP1, SP2, SP3, SP5, SP7 and SP11

Other

- 10 The National Planning Policy Framework (NPPF)
11 The National Planning Practice Guidance (NPPG)
12 Affordable Housing Supplementary Planning Document (SPD)
13 Edenbridge Village Design Statement

Planning History

- 14 SE/14/03364 - Demolition of existing house on the site of Barn Cottage, clearance of site and erection of two 4 bedroom detached houses. Withdrawn.

Consultations

Edenbridge Town Council - 10.03.15

- 15 'Objection and reasons:

Members object to this application which is only marginally lower in height than the previous application, Members' previous objections remain. The development is bulky and out of keeping with the surrounding properties and is detrimental to the street scene. The size and bulk is overbearing and will cause overlooking, overshadowing and loss of light to properties on Crouch House Road and Manor House Gardens.

Members found it difficult to distinguish the facts contained in the Flood Alleviation Report from the extensive text and request that the content is checked by an expert at District Council. This is particularly important as there have been recent flooding events on both 24 December 2013 and 14 February 2014. The additional hard surfacing is a concern.

Members also wish Kent Highways to assess the road movements carefully as the site is on a bend.

Even with the minor height reduction and removal of the hipped roofs, the application is unacceptable and the members reiterate their strong objection to it.'

Environment Agency – 27.03.15

- 16 No objection has been raised subject to the inclusion of a condition requiring compliance with the Flood Risk Assessment submitted, which is included in the recommendation above (Condition 7).

KCC Highways Engineer – 16.03.15

- 17 No objection has been raised subject to the inclusion of a condition requiring that the driveways should be provided with bound surfaces within 5m of the carriageway and an informative relating to works to the highway, which are included in the recommendation above (Condition 8 and Informative 1 respectively).

KCC Biodiversity Officer – 23.03.15

- 18 No objection has been raised subject to the inclusion of conditions requiring external lighting be design be designed in accordance with the Bat Conservation Trust's 'Bats and Lighting in the UK' guidance, the removal of the buildings and vegetation outside the bird breeding season and details of ecological enhancements to be incorporated in to the site. These conditions have been included in the recommendation above (Conditions 9, 10 and 11).

KCC Archaeological Officer – 18.03.15

- 19 No objection has been raised subject to the inclusion of a condition requiring an archaeological watching brief, which is included in the recommendation above (Condition 12).

Tree Officer – 13.03.15

- 20 'There is no significant planting on this site. A landscaping scheme should be conditioned and attached to any consent provided.' (See Condition 4 in the recommendation above.)

Representations

- 21 Twelve letters of representation have been received highlighting objections to the scheme on the following grounds:
- Flooding;
 - Overbearing effect;
 - Impact on the character and appearance of the area;
 - Overlooking;
 - Impact on highways safety;
 - Overshadowing and loss of light;
 - Parking provision;
 - Impact on biodiversity;
 - Design;
 - Height of the buildings;

- Loss of visual amenity;
- Impact of solar panels; and
- Provision of local infrastructure.

Chief Planning Officer's Appraisal

- 22 The main issues in the consideration of this application include: the principle of the development; the potential impact on the character and appearance of the area; the potential impact on residential amenity; potential flood risk; the potential impact on highways safety; parking provision; the potential impact on the Area of Archaeological Potential; the potential impact on trees; and the potential impact on biodiversity. Other issues include: an affordable housing provision; the Code for Sustainable Homes; the Community Infrastructure Levy; and sustainable development.

Main Issues

Principle of the development –

- 23 The site falls within the built confines of Edenbridge and so policy L06 of the Core Strategy applies. This policy seeks to provide 410 dwellings (2006 – 2026) on a range of sites suitable for residential use within the urban area, avoiding areas liable to flood. In my view, the site is suitable for residential development, given that it currently has a residential use and is located close to the services offered within Edenbridge town centre. The site lies within a flood zone and this matter will be considered in more detail later in the report. Subject to the proposal being acceptable in this respect, proposal would therefore wholly comply with policy L06 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.
- 24 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.
- 25 However, the Framework does not preclude development on garden land as a matter of principle. The Core Strategy and ADMP both contain policies to protect the character of local areas, but neither document sets out any express aim to resist inappropriate development of residential gardens. Policy L01 of the Core Strategy advises that development will be focused within the built confines of existing settlements, with Edenbridge being a location for development of a scale and nature consistent with the needs of the town and the surrounding rural area.
- 26 The proposal comprises the redevelopment of the part of the site where the existing house currently stands and part of the residential garden of the existing house and so falls outside of the definition of previously developed land. It is therefore necessary to assess whether or not the proposed scheme would impact upon the local area and this is an assessment that will be carried out in detail in the remainder of my report.

Impact on the character and appearance of the area –

- 27 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)
- 28 Policy SP1 of the 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.
- 29 Policy EN1 of the ADMP states that the form of proposed development should respond to the scale, height, materials and site coverage of the area. This policy also states that the layout of proposed development should respect the topography and character of the site and the surrounding area.
- 30 The Edenbridge Village Design Statement provides some general design guidance for new development within Edenbridge.
- 31 The character of the area is mixed with bungalows, chalet bungalows and two storey properties, finished in different external materials, found in the locality on both Crouch House Road and Manor House Gardens. Roof forms also vary with hipped roofs, barn hip roofs and gabled ended roofs featuring locally. Plot sizes also vary greatly amongst the dwellings in the locality.
- 32 The proposed dwellings would be of a height greater than those directly adjacent to them on Manor House Gardens to the north and on Crouch House Road to the south. The properties would also provide accommodation over three floors, with a front facing velux window and a rear facing dormer window supplying natural light to the roof space of both houses.
- 33 However, the dwellings would reflect the height, bulk and scale of the two storey properties located elsewhere in the locality. These include Woolstone Cottage and Pound Cottage to the south (approximately 6m in height) and June Cottage to the west (approximately 7m high). It is also the case that the proposed height difference of 1m to those adjacent two storey properties on Manor House Gardens would not be significant or harmful.
- 34 As such I am satisfied that the height, bulk and scale of the two buildings would be in keeping with the character and appearance of the area and would not be overbearing or overly dominant on the street scene.
- 35 The foot print of the proposed units and the plots on which they would be sited would also be appropriate to the character and appearance of the area, with a generous space provided between the two houses (3.8m) as well as good spacing to the adjacent properties to the site (7.5m to the properties on Manor House Gardens and 5.7m to the properties to the south) and good sized rear gardens.
- 36 Finally, the overall design and finish of the dwellings would sit comfortably within the mixed character of the area.
- 37 I would conclude that the proposed development would be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. The proposal therefore complies with the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.

Impact on neighbouring amenity –

- 38 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.
- 39 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties.
- 40 The neighbouring properties potentially most affected by the proposed dwellings would be 44 – 48 Manor House Gardens and Cavallino, Tukaway, Tree Tops and Copperfields on Crouch House Road. Other nearby properties, including those on the opposite side of Crouch House Road, would be sufficient distance away not to be significantly impacted upon.
- 41 The single storey side projection of the northern plot would lie within 10m of 48 Manor House Gardens, increasing to 14m to the main two storey element of the proposed building. These distances are similar to those which relate to the main part of 47 Manor House Gardens. However, this property possesses a rear conservatory that would reduce these distances to 7.5m and 11.5m respectively. 46 Manor House Gardens would be situated about 11.5m and 14.5m from the proposed northern plot while 45 and 44 Manor House gardens would be over 20m from the northern unit.
- 42 The proposed development would not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements that would have a detrimental impact on the occupiers of the properties on Manor House Gardens. This is mainly due to the fact that the site is already in residential use and so its continued use would be entirely acceptable.
- 43 The proposed dwellings would not have any north facing side windows. In addition, the upper floor rear facing windows would only have oblique views towards Nos.46 and 45 and a distance of 21m would be maintained between the northern plot and No.44. It is therefore the case that no significant overlooking or loss of privacy would occur.
- 44 The proposed dwelling to the northern plot has been designed and is located such that it would not result in visual intrusion or a dominant and overbearing impact on outlook from the rear facing windows of Nos.47 and 48 in particular. The eaves and ridge height are such that they would not harm the amenity to the occupiers of these adjacent properties. The other properties on Manor House Gardens would be off-set from the side wall of the proposed dwelling and so would not be affected.
- 45 Finally, the northern of the two proposed units would pass the 45 degree angle test in plan and elevation and so the amount of daylight received by Nos.47 and 48, in particular, would be acceptable. The application site is located to the south of the properties on Manor House Gardens and so there is the potential for a loss of sunlight. However, the fact that the proposal comprises a modest sized eaves height to a roof pitched to the front, side and rear, and the proposal passes the

- 45 degree angle test would lead me to conclude that any loss of light would not be significant or detrimental to the amenities of the occupiers of Nos.47 and 48.
- 46 The southern most unit would be located 7.5m from the main rear elevation of Cavallino, decreasing to 5.7m to the rear garage projection of Cavallino, 10m from the rear of Tukaway, 14.5m from the rear of Tree Tops and 21m from Copperfields.
- 47 The proposed development would not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements that would have a detrimental impact on the occupiers of the properties to the south on Crouch House Road. This is mainly due to the fact that the site is already in residential use and so its continued use would be entirely acceptable.
- 48 The proposed southern dwelling would have a south facing side window. This would serve a bathroom and so this window can be controlled by way of condition. In addition, the upper floor rear facing windows would only have oblique views towards Tukaway and Tree Tops and a distance of just over 20m would be maintained between the proposed southern plot and Copperfields. It is therefore the case that no significant overlooking or loss of privacy would occur.
- 49 The proposed dwelling to the southern plot has been designed and is located such that it would not result in visual intrusion or a dominant and overbearing impact on outlook from the rear facing windows of Cavallino and Tukaway in particular. The eaves and ridge height are such that they would not harm the amenity to the occupiers of these adjacent properties. The other properties to the south of the site on Crouch House Road would be off-set from the side wall of the proposed dwelling and so would not be affected.
- 50 Finally, the southern of the two proposed units would pass the 45 degree angle test in plan and elevation and so the amount of daylight received by these properties would be acceptable. In terms of sunlight, the application site lies to the north of the properties on Crouch House Road and therefore results in no loss of sunlight.
- 51 Representations received from the owners/occupiers of properties further away than those referenced above, and also opposite the site on Crouch house Road, have raised objections regarding overlooking, loss of privacy, overbearing effect, loss of light along with other matters. However, these properties are sufficient distance away not to be impacted upon significantly in relation to the amenity issues referred to.
- 52 One of the representations received highlights a concern regarding the impact of solar panels. However, the proposed scheme does not appear to include any solar panels attached to the proposed houses and in any event the inclusion of solar panels is unlikely to harm the visual amenity of the local area.
- 53 In considering the amenities enjoyed by the future occupants of the proposed houses, I believe that they would generally enjoy a good level of amenity. Where this is lessened, due to the relationship with the adjacent properties, an element of buyer beware exists.
- 54 In conclusion, the development would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the

amenities of existing and future occupants of nearby properties. This would be in accordance with the NPPF and policy EN2 of the ADMP.

Flood risk –

- 55 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 56 The Environment Agency has commented on the proposal stating that they would raise no objection to the scheme provided a suggested condition is attached to any approval of consent (Condition 7).
- 57 The proposal is therefore acceptable in terms of any potential flood risk for the area, in accordance with the NPPF.

Parking provision and highways safety –

- 58 Policy EN1 of the ADMP states that proposals which would ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking and refuse facilities will be permitted.
- 59 Policy T2 of the ADMP states that vehicle parking provision in new residential developments should be made in accordance with the current KCC vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide (or any subsequent replacement).
- 60 The Highways Engineer has raised no objection to the proposal subject to a condition and informative that has been included in the recommendation above.
- 61 I would therefore conclude that the proposed development would ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking in accordance with policies EN1 and T2 of the ADMP.

Impact on the Area of Archaeological Potential –

- 62 Policy EN4 of the ADMP states that where the application is located within, or would affect, an area or suspected area of archaeological importance an archaeological assessment must be provided to ensure that provision is made for the preservation of important archaeological remains/findings. Preference will be given to preservation in situ unless it can be shown that recording of remains, assessment, analysis report and deposition of archive is more appropriate.
- 63 The County Archaeological Officer has raised no objection to the proposal subject to the inclusion of a condition requiring an archaeological watching brief, which is included in the recommendation above (Condition 12).
- 64 The proposal would therefore comply with policy EN4 of the ADMP.

Impact on trees –

- 65 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).

66 The Council's Tree Officer has confirmed that since there is no significant planting on this site he would raise no objection to the proposal. A landscaping scheme is requested to be conditioned and attached to any consent provided, which is included in the recommendation above (Condition 4).

67 The proposal therefore complies with the NPPF in this respect.

Impact on biodiversity –

68 The NPPF states that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted (para. 118).

69 No objection has been raised by the County Biodiversity Officer subject to the inclusion of conditions requiring external lighting be design be designed in accordance with the Bat Conservation Trust's 'Bats and Lighting in the UK' guidance, the removal of the buildings and vegetation outside the bird breeding season and details of ecological enhancements to be incorporated in to the site. These conditions have been included in the recommendation above (Conditions 9, 10 and 11).

Other Issues

Affordable housing contribution –

70 Policy SP3 of the Core Strategy requires that proposals involving the provision of new housing should also make provision for affordable housing. In the case of residential development 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.

71 However, on 28th November 2014 the Government amended the National Planning Practice Guidance (NPPG) to restrict the circumstances where contributions for affordable housing should be sought. Under the new guidance, other than in designated rural areas, contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m². As a result policy SP3 of the Core Strategy and the Affordable Housing SPD are no longer consistent with the NPPG in relation to developments below the new NPPG size threshold and are not likely to be supported on appeal.

72 This proposal is for a development below the NPPG threshold and a contribution to affordable housing cannot therefore be sought.

Code for Sustainable Homes –

73 Policy SP2 of the Core Strategy requires that new homes achieve at least Level 3 of the Code for Sustainable Homes. Applicants must submit evidence which demonstrates how the requirements have been met or which demonstrate that compliance is not technically or financially feasible.

74 However, two material considerations are a recent ministerial statement outlining the fact that local authorities will no longer be able to require energy efficiency

standards on new dwellings and the fact that the Code for Sustainable Homes no longer exists making it unreasonable to impose related conditions. Therefore, while the proposal has been considered in relation to the development plan, material considerations dictate that in this instance any condition requiring compliance with the Code for Sustainable Homes should not be imposed.

Community Infrastructure Levy (CIL) –

- 75 The proposal comprises the erection of two new dwellings and so the development is CIL liable for all of the new floor area created. The applicant has acknowledged this fact and has claimed no exemption to the payment of CIL.
- 76 It is therefore the case that the contribution made through CIL would go towards providing infrastructure in the district.

Sustainable development –

- 77 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.
- 78 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 impacts in granting planning permission for the development.

Conclusion

- 79 I consider that the proposed development would preserve the character and appearance of the area, residential amenity, highways safety, trees and biodiversity, would not increase the flood risk in the area, would provide sufficient parking and would not impact on the Area of Archaeological Potential. 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=NJMA0WBKINU00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NJMA0WBKINU00>



