

4.1- SE/15/03889/FUL      Date expired 7 March 2016

PROPOSAL:                      Erection of 5 bed detached 2 storey dwelling

LOCATION:                        Land South of 12 Knole Way, Sevenoaks TN13 3RS

WARD(S):                        Sevenoaks Town & St Johns

**ITEM FOR DECISION**

This application is being referred to Development Control Committee as the Council owns the land in question.

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

1)      The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2)      No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials. 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.

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..

3)      The development hereby permitted shall be carried out in accordance with the following approved plans: PL/358/01, PL/358/02 Rev A

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

4)      No development shall be carried out unless in full accordance with the Tree Report and Arboricultural Statement by Tree Ventures dated 8th January 2016. Unless specifically set out in the report, no works, storage, activities or changes in levels shall be carried out within a tree protection area, and the protective fencing as shown in the report shall be retained for the duration of the development, unless agreed otherwise in writing by the Local Planning Authority.

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

5)      No development shall be commenced until details of any works to prune or crown lift trees and details of routes for any underground services for the development have been submitted to and approved in writing by the Local Planning Authority. The development 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) No development shall be carried out on the land until full details of hard and soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-details of hard-surface finishes- details of any levels changes and retaining features- details of any fences, walls or other means of enclosure-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. The development shall be carried out in accordance with the approved details. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

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

7) The parking and garaging shown on the approved plans shall be completed and made available for the parking of vehicles prior to the first occupation of the dwelling hereby permitted, and shall be maintained for such use thereafter.

In the interest of highway safety as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

8) The first floor window(s) in the north facing elevation(s) shall be obscure glazed at all times.

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

9) Before development commences, a scheme to manage the retained trees and landscaping for biodiversity purposes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the trees and landscaping shall thereafter be maintained in accordance with the approved scheme.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

10) The development shall be undertaken in accordance with Section 4 (recommendations for mitigation and further survey) of the Preliminary Ecological Appraisal by KB Ecology dated 04/02/16. Prior to the commencement of development, full details of ecological enhancement measures, as outlined in Section 5 of the report shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be undertaken prior to first occupation of the dwelling and maintained thereafter.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

**RECOMMENDATION B:** That if a S106 legal agreement is not completed within 3 months from the date of the Planning Committee then the application shall be refused on the following ground:

1) In the absence of a completed S106 legal agreement, the proposed development fails to make provision for affordable housing and is contrary to Policy SP3 of the Sevenoaks Core Strategy.

**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](http://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.

**Description of Proposal**

1 The application proposes to erect a detached two storey 5 bed property at the end of the cul-de-sac on Knole Way. The dwelling would measure approximately 11.1 metres in width, up to 14.7 metres in depth, and 9.1 metres in height. A gap of around 5 metres would be maintained to the flank wall of the neighbouring property at 12 Knole Way.

- 2 The proposal includes a single garage to the side of the property and parking to the front.

### **Description of Site**

- 3 The application site consists of an undeveloped parcel of land of just under 0.1 hectares in size, located at the tip of the cul-de-sac on Knole Way. It contains a number of trees at the front of the site and also along the southern and western boundaries. 4 trees on the site frontage are protected by a TPO.
- 4 The land rises from the front of the site to the rear, and there is also a considerable rise in levels to the south where the plot meets Suffolk Way and the entrance to the Sevenoaks Leisure centre. As a result, the houses on Knole Way are set at a considerably lower level than Suffolk Way. The boundary between the plot and Suffolk Way is marked by a 2 metre high fence.
- 5 Knole Way is a residential street consisting almost entirely of two storey detached family houses.

### **Constraints**

- 6 4 x trees at the front of the site are subject to a TPO
- 7 Source Protection Zone
- 8 Within Sevenoaks Urban Confines
- 9 Adjacent to town centre boundary

### **Policies**

#### *Sevenoaks District Allocations and Development Management Plan (ADMP):*

- 10 Policies - EN1, EN2

#### *Sevenoaks Core Strategy:*

- 11 Policies - LO1, LO2, SP1, SP2, SP3, SP5, SP7, SP11

#### *Other:*

- 12 The National Planning Policy Framework
- 13 The Sevenoaks Residential Character Area Assessment

### **Consultations**

#### *Sevenoaks Town Council*

- 14 Sevenoaks Town Council recommended refusal unless the planning officer is satisfied that the proposals comply with guidance set out in the residential character area assessment SPD and that there is no loss of amenity to the amenity of no 12.

### *Tree Officer*

- 15 I have no objections to this proposal for a new build along with the details as supplied for the tree protection and tree pruning as described. I do not consider the proposal to plant Laurel as specified to be appropriate as alternative mixed planting would provide greater benefit to this end of Knole Way. I therefore suggest that a landscaping scheme be conditioned and attached to any consent provided.

### *Natural England*

- 16 No objection raised. Recommend that the impacts on any protected species be assessed against their Standing Advice.

### *KCC Ecology*

- 17 (Revised comments) - We are satisfied that sufficient information has been provided to determine the application. No objections subject to conditions.

### *Thames Water*

- 18 No objection raised.

### **Representations**

- 19 None received.

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

- 20 This application is being reported to the Planning Committee as the Council owns the land in question and therefore has a financial interest in the application.

### **Principal Issues**

- 21 The site is located within the built confines of Sevenoaks and policies LO1 and LO2 of the Core Strategy seek for Sevenoaks to be the main focus for development in the District. The site is located in a sustainable position, immediately adjacent to the town centre, and within an existing residential street. It would provide a detached dwelling on a plot of consistent size with other plots on the road, equating to a density of around 10 dwellings per hectare. The erection of a single detached dwelling would be appropriate under SP7 of the Core strategy in order to ensure that the character of Knole Way is not compromised, notwithstanding the low density.
- 22 The main issues identified are set out below.

### *Impact on the character and appearance of the area*

- 23 Policy SP1 of the core strategy states that developments should be high quality and respond to local distinctiveness. Policy SP7 states that the density of development should not compromise the distinctive character of an area. Policy EN1 of the ADMP states that development should be high

quality, respond to surrounding buildings in terms of height, scale coverage etc, and incorporate natural features such as trees and landscaping.

- 24 The Sevenoaks Residential Character Area Assessment identifies the characteristics of Knole Way as two storey houses in a number of repeated designs, brown tiled roofs, and some with prominent forward facing gables. Typical materials include mock half timber and tile hanging. Houses are on a regular building line and set back behind verges and landscaped front gardens. The building line and uniform spacing of buildings contributes to the cohesive character of the road.
- 25 The application site is a plot of land of very similar scale and characteristics to established housing plots on the road. The proposed dwelling would follow the pattern of detached two storey family dwellings which predominate on this road. The dwelling has been designed to include a projecting gable feature, which is common feature of existing dwellings on the road. The ridge line of the proposed dwelling would be marginally higher (by around 300mm) than the neighbouring dwelling at No 12, although dwellings in the road generally step up in level and height from north to south, and the proposed dwelling would follow this pattern.
- 26 The proposed dwelling would maintain a gap of around 5 metres to the flank wall of No 12, and this would be a typical gap maintained within the street scene.
- 27 The width of the dwelling (excluding the single storey garage) would be comparable to other dwellings in the road. Although the depth of the proposed dwelling would be greater, this building mass would be obscured in part by the dwelling at No 12 and I do not consider that this would unacceptably impact upon the streetscene.
- 28 The proposal would retain protected trees to the front of the site, as well as a number of trees along the southern and western boundaries. This would help maintain landscaping within the road which is a locally distinctive feature. The relationship between the proposed dwelling and protected trees is acceptable to the Tree Officer.
- 29 The dwelling would be sited on a very similar building line to existing dwellings. However due to the circular turning area at the end of the cul-de-sac, the frontage to the dwelling would not be as generous as with other properties in the street. However it would still allow for two parking spaces (including the garage). Notwithstanding this, I consider the most important characteristics of the road would be maintained, those being the strong building line, gap between buildings and retention of important landscaping.
- 30 Taking the above into account, I consider that the proposal would maintain the character and appearance of the area and would preserve local distinctiveness within the road, in accordance with the above development plan policies and supplementary advice.

### *Impact upon neighbouring amenities*

- 31 Policy EN2 of the ADMP states that developments should not have unacceptable impacts upon neighbouring properties.
- 32 The proposed dwelling would be sited immediately to the south of No 12 Knole Way, and would project around 3 metres beyond the rear wall of this property. No. 12 has a number of windows in the side elevation that face into the application site, and would face onto the flank wall of the proposed dwelling at a distance of 5 metres. Three of these are at ground floor level and appear to be to a cloakroom and to secondary windows. A further larger window between the ground and first floor appears to serve as a landing stair window. These windows either do not serve habitable rooms, or are secondary windows to such rooms. As such, I do not consider that the proposed house would unacceptably affect light or outlook to these windows to a point where the living conditions of No 12 would be harmed.
- 33 The dwelling would be sited on the same front building line as No. 12 and as a result would not affect outlook of light to front facing windows. It would project around 3 metres further to the rear than No. 12. However at 5 metres distance from No 12, this rear projection would not contravene the 45 degree light angle test to windows in the neighbouring property, and would not materially affect outlook from these windows.
- 34 The proposed dwelling includes 1 no door in the side elevation facing No 12, and 2 no first floor windows serving bathrooms, which would be obscure glazed, and can be conditioned to remain so.
- 35 Taking the above factors into account, I am satisfied that the proposed dwelling would not have an unacceptable impact on the living conditions of No 12 Knole Way.
- 36 The existing dwelling on the opposite side of Knole Way would be sited around 30 metres from the proposed dwelling and separated by the large turning circle in the road. Given this distance, I do not consider that any undue loss of light, privacy or outlook would occur to this property.
- 37 Overall, I consider that the development would not conflict with Policy EN2 of the ADMP.

### *Impact upon wildlife and biodiversity*

- 38 The application includes ecological surveys which demonstrate that there is a low likelihood of protected species using the site. The County Ecologist is satisfied with this information, but has requested that the bank of trees on the boundary to be retained should be managed for biodiversity purposes. This can be controlled via a planning condition.
- 39 Subject to this, the development would not harm biodiversity, and would accord with SP11 of the Core Strategy.

### *Highways safety and parking*

- 40 Policy T1 of the ADMP seeks to ensure that developments avoid adverse travel impacts. Policy EN1 of the ADMP requires for developments to provide satisfactory means of access and adequate parking facilities.
- 41 In this instance, the additional traffic generated from one new dwelling would be very modest and I do not consider it would have any adverse highways impacts upon Knole Way or the local highway network.
- 42 The application proposes to provide 2 no parking spaces, one of which would be in a garage. The site lies just outside the town centre boundary and the Kent Highways Interim Guidance Note on Parking, as set out in Appendix 2 of the ADMP, recommends that a maximum of 1.5 spaces are provided for a 4+ bed house in edge of centre locations. The guidance advises that garaging can be included if not a significant proportion of overall provision.
- 43 Given the sustainable location of the site and the provision of 2 spaces in excess of the recommended guidance, albeit that one is a garage space, I consider the parking arrangements to be acceptable.
- 44 Overall I consider the highways and parking impacts to be acceptable under the above policies.

### *Affordable housing and CIL*

- 45 The application includes a draft S106 agreement to secure an affordable housing contribution in accordance with the policy requirement in SP3 of the Core Strategy. The development would also be CIL liable.

### **Conclusion**

- 46 The scale, form and design of the dwelling as proposed would be in keeping with the prevailing character and appearance of existing development in the road, and would not cause any unacceptable impacts on the living conditions of neighbours. It would retain important trees on site and would not adversely impact upon biodiversity. It would provide suitable parking provision and would provide a policy-compliant affordable housing contribution. The development would accord with development plan policies and I recommend that permission be granted, subject to completion of the S106 agreement to secure the affordable housing contribution.

### **Background Papers**

Site and Block Plan

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

**Richard Morris**  
**Chief Planning Officer**

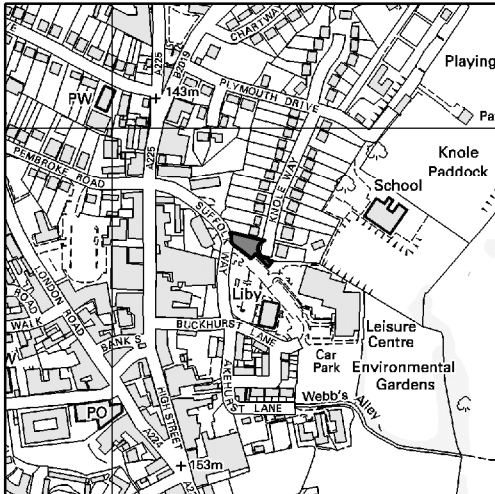
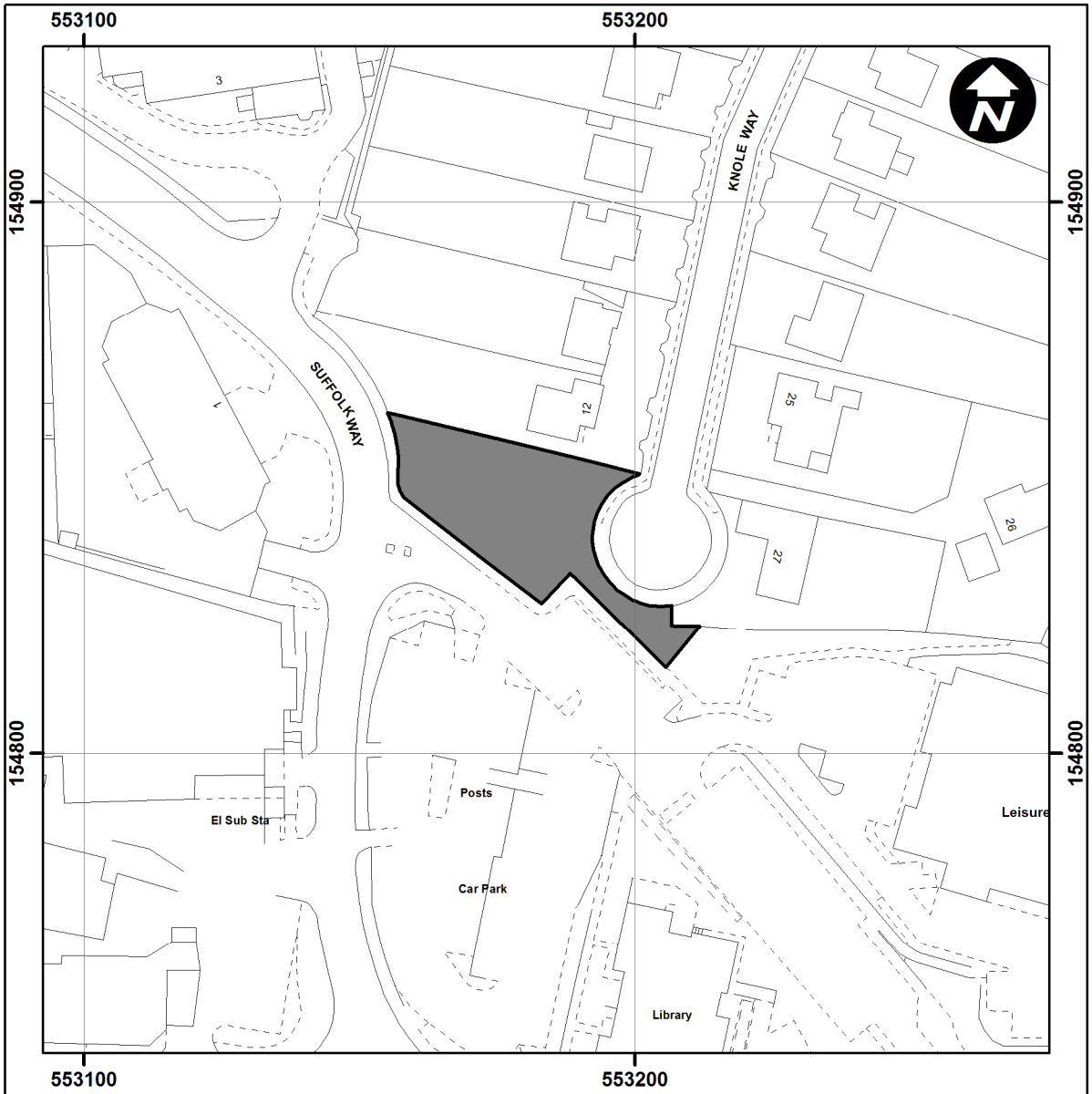


Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NZ5JB0BKMJ800>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NZ5JB0BKMJ800>



# Site Plan

Scale 1:1,250

Date 22/03/2016



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Ordnance Survey 100019428.

# Block Plan

