

4.1 18/02230/FUL

Revised expiry date 16 November 2018

Proposal:

Demolition of existing shed. Erection of 4 bedroom detached dwelling with new access.

Location:

Quarry House, Chipstead Lane, Sevenoaks TN13 2RG

Ward(s):

Brasted, Chevening And Sundridge

Item for decision

This application has been referred to Development Control Committee by Councillor London due to there being an insufficient vehicle turning space creating a more dangerous access point.

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 materials to be used in the construction of the development shall be those indicated on the application form.

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) Prior to occupation of the dwelling, details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The facilities shall be installed in accordance with the details so approved and be retained, maintained thereafter and be available for use at all times.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

4) Prior to first occupation, the parking areas shown on the approved plan shall be formed and brought into use and shall be retained for this purpose thereafter.

To ensure that adequate parking provision is provided as supported by policy EN1 of the ADMP.

5) Prior to occupation of the dwelling hereby approved, the 2m x 2m visibility splays shown on approved drawing QUARRY-HOUSE-02/B shall be provided in full and these shall be maintained at all times.

To maintain highway safety as supported by the NPPF and policy EN1 of the ADMP. 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.

6) Prior to occupation full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall cover as appropriate: Hard surfacing materials; Planting plans; Boundary Treatments; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate. Implementation timetables. Development shall be carried out in accordance with the approved details. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

To conserve and enhance the character of the AONB as supported by policy EN5 of the ADMP.

7) The development hereby permitted shall be carried out in accordance with the following approved plans and details: QWuarry-House-02B, 03A, 04B,

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

Informatives

1) 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.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

1 Quarry House is a detached property accessed via a private drive located 75m to the north of Chipstead Lane. The access also serves two dwellings, Archery and Far End located beyond Quarry House, to the northwest of the proposed development which is within the rear garden of Quarry House.

Description of proposal

2 Demolition of existing shed. Erection of 4 bedroom detached dwelling with new access.

Relevant planning history

- 3 80/00849/HIST - Erection of one detached house and double garage - GRANTED - 21/10/1980
- 85/00937/HIST - Erection of two detached garages - GRANTED - 09/04/1986
- 91/01594/HIST - Two storey extension - GRANTED - 16/12/1991

Policies

4 National Planning Policy Framework

Para 11 of the NPPF confirms that the NPPF has a presumption in favour of sustainable development, and that development that accords with an up to date development plan should be approved unless material considerations indicate otherwise. (See para 12, 13, 14 of NPPF).

Para 11 of the NPPF advises that where there are no relevant policies, or the policies which are most important for determining the application are out of date, permission should be granted unless there are specific policies in the NPPF that protect areas or assets of particular importance. This applies to a variety of designations, including SSSI's, Green Belt, AONB's, designated heritage assets and locations at risk of flooding or coastal change, (Footnote 6).

5 Core Strategy:

- L01 Distribution of Development
- SP1 Design of New Development
- SP5 Housing Size and Type
- SP7 Density of Housing Development

6 Allocations and Development Management Plan (ADMP):

- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- T2 Vehicle Parking
- T3 Provision of Electrical Parking Charging Points

7 Other: (national policies, etc.)

- Sevenoaks Residential Character Area Assessment Supplementary Planning Document

Constraints

- 8 Area of Outstanding Natural Beauty
Area of Archaeological Potential
Tree Preservation Order

Consultations

Chevening Parish Council

- 9 “Objection - Object on the grounds that the plans need to be revised to provide sufficient space for vehicles to be able turn around on the property. This is necessary as there is no space to turn on the narrow road outside the house and any vehicles which reverses out of the house would then have to reverse around a blind corner to gain access to the highway.”

KCC Highways

- 10 “The proposed house would not have any direct impact on the public highway other than a small number of additional vehicle movements from the private access driveway onto Chipstead Lane. I therefore would have no reason to object to this application on highway grounds. The parking provided, 2 spaces, is in accordance with the requirements of KCC Residential Parking Standards (IGN3). In terms of visibility, 2m x 2m visibility splays are provided to the edge of the road which is considered adequate given the nature and likely low traffic speeds along the private drive.
- 11 Beyond the new access the driveway only serves two other properties therefore vehicle numbers likely to be passing the new parking bays would be low and infrequent therefore the risk of conflict is not significant enough to raise concern.”

Tree Officer

- 12 “This proposal to build a new dwelling will necessitate the removal of a mature Apple tree and a few poor quality shrubs to which I have no objections to.”

Representations

- 13 Three objections received due to the proposal:
- representing over development;
 - not being in keeping with the area;
 - providing inadequate vehicle access, turning circle, visibility and parking;
 - Over looking neighbouring properties resulting in a loss of privacy.

Chief Planning Officer’s appraisal

- 14 The main planning considerations are:
- Principle of development;
 - Visual amenity / character of area;
 - Impact upon the Area of Outstanding Natural Beauty and Design;
 - Impact upon potential archaeology;
 - Impact upon amenities;
 - Parking;

- Impact upon trees
- Community Infrastructure Levy (CIL).

Principle of development

- 15 The NPPF has a general presumption in favour of sustainable development, whilst encouraging the delivery of homes of a high quality design and a good standard of amenity for all.
- 16 Whilst the NPPF places an emphasis on development on previously developed land, it does not preclude other land, including garden land, from being developed for residential use, provided such development is in suitable locations and relates well to its surroundings. Residential gardens outside ‘built up areas’ can be previously developed land. Land in ‘built up areas’ such as private residential gardens are excluded from the definition of previously developed land (Annex 2 NPPF).
- 17 The NPPF excludes land in built-up areas, such as private residential gardens from the definition of previously developed land; however it 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 sets out any express aim to resist inappropriate development of residential gardens.
- 18 Local policy L01 of the Core Strategy restricts the location and form of development within the district through an assessment of the suitability of sites for development. Policy L01 states that the Sevenoaks urban area, which includes Sevenoaks town, Riverhead, Dunton Green, Chipstead and Bessels Green will be the principal focus for development in the District.
- 19 The proposed dwelling would be located within the Sevenoaks urban area, and as such, there is a presumption in favour of development.

Density

- 20 Policy SP7 states that ‘All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated’. Within the urban area of Sevenoaks, amongst others, new residential development will be expected to achieve a density of 40 dwellings per hectare.
- 21 In this instance the density would be below this density at approximately 24 dwellings per hectare however there is a high variability within the local area with the adjacent properties being significantly lower, for example Beech House to the south representing 9 dwellings per hectares. In this instance the proposed density is acceptable. The visual impact of the proposed density is discussed in turn below.

Area of Outstanding Natural Beauty (AONB)

- 22 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive

character and natural beauty and can include human settlement and development.

- 23 There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.
- 24 The site is located within the AONB with the boundary to this constraint lying to the east of the plot.
- 25 The proposal would result in the erection of a detached dwelling located within the garden of Quarry House. The proposal would incorporate an appropriate design within the built confines of Sevenoaks, which would not be out of character with other properties within the locality.
- 26 The plot is surrounded by trees which would minimise views of the property from beyond the site and a condition could be imposed to provide landscaping on the plot to ensure that the site is enhanced within the wider landscape.
- 27 The proposal would ensure that the character of the AONB is conserved and enhanced, meeting the requirements of national and local policy.

Design and Impact upon the Character of the Area

- 28 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP.
- 29 The site lies within the "Off Chipstead Lane" Residential Character Area as defined within Sevenoaks Residential Character Area Assessment Supplementary Planning Document where it is noted that it is noted that further development may prove acceptable providing the scale, height and mass of new development should fit unobtrusively within its setting and not appear cramped on the site. In judging proposals, the SPD notes that the fragile balance in favour of the landscape dominating the built form should be retained.
- 30 The proposal would result in a detached property set back from its boundaries with a half hipped roof, incorporating a tile hung first floor elevation and brick at ground floor which would represent an appropriately designed property not out of character with other dwellings within the locality. The site is set back from the other properties within the site with the nearest property being Quarry House located approximately 20m to the south-east.
- 31 The proposal would result in the loss of an apple tree to the front of the site however there would be mature trees located around the perimeters of the site which would ensure that the wider landscape characteristics would be retained ensuring that the proposed would fit appropriately within plot.

- 32 The proposal would accordingly meet the requirements of policy EN1 of the ADMP and Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

Impact upon the Area of Archaeological Potential

- 33 The proposal would result in a single dwelling that is not considered would be affected by the proposed development.

Neighbouring amenity

- 34 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application.
- 35 The proposed dwelling would be located approximately 20m to the north-west of Quarry House. To the north-west lies Far End and Archery which are located over 25m from the proposed dwelling. To the south-west of the site lies the access road to Far End and Archery which is bordered from the properties to the south west, Maplehurst and Beech trees by a 2m close boarded fence and a line of mature trees.
- 36 Other than windows on the sides of the front bay windows and one ground floor window on the southeast facing elevation there are no windows proposed facing Quarry House or Far End and Archery. These boundaries will comprise of a 2m close boarded fence with the existing hedge to the northwest and a 1.8m close boarded fence to the southeast. Due to the boundary treatment and the distances of the new dwelling from these neighbours the proposal would not impact adversely upon these neighbours amenities, in terms of light, privacy and outlook.
- 37 Maplehurst and Beech House to the south-west are located approximately 27m from the proposed dwelling with a line of mature trees extending along the access to the site bordering Maplehurst and Beech House which further reduces the impact upon these dwellings.
- 38 In consequence would not impact upon local amenities meeting the requirements of the NPPF and policy EN2.

Impact upon the adjacent trees

- 39 The trees to the south of the access are covered by a TPO. Due to these trees lying outside of the site of the development they would not be impacted upon by the proposed development. SDC's Tree Officers were consulted on the proposal to which they had no objections to.

Impact upon local highways and parking

- 40 The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 41 Policy T2 of the ADMP states that vehicle parking provision, including cycle parking, 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). The proposed parking spaces meet the required size for parking spaces allowing space to manoeuvre vehicles onto the private trackway and turn away in a forward gear.

- 42 The proposed dwelling is located approximately over 100m from the public highway and is accessed through a private drive that also serves Far End and Archery, located at the end of the drive. KCC Highways were consulted on the proposed development noting that the proposal would not have a direct impact upon the public highway, that the level of traffic to the two dwellings to the northwest would be minimal with limited speed and acceptable visibility splays.
- 43 A condition can be imposed to ensure that a vehicle charging point is incorporated within the scheme.
- 44 In consequence, the proposal would meet the requirements of national and local planning policy.

CIL

- 45 This proposal is CIL liable and there is no application for an exemption.

Conclusion

- 46 The proposal would incorporate an appropriate design that would conserve and enhance the AONB, would not impact detrimentally upon potential archaeology, local amenities or the nearby trees covered by Tree Preservation Orders. The proposal would not impact upon highway safety and would incorporate sufficient parking provision.

Recommendation

- 47 It is therefore recommended that this application is granted

Background papers

Site and block plan

Contact Officer: Guy Martin Extension: 7351

Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PBSYMLBK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PBSYMLBK0L000>

