

4.1 22/00859/FUL

Date expired 23 May 2022

Proposal: Demolition of existing garages to be replaced with a proposed two-storey detached dwelling with carport and associated landscaping.

Location: Garage Block North Of 32, Bethel Road, Sevenoaks Kent TN13 3UE

Ward(s): Sevenoaks Eastern

Item for decision

Councillor Clayton and Councillor Purves have referred the application to Development Control Committee on grounds of impact on the conservation area.

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 and details: PD02 RevB and PD 03 Rev B

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

3) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include: (a) parking for vehicles of site personnel, operatives and visitors, (b) loading and unloading of plant and materials, (c) storage of plant and materials used in constructing the development, (d) hours of operation.

In the interest of highway safety.

4) No development shall be carried out on the land until full details of soft landscaping and proposed boundary details have been submitted to and approved in writing by the local planning authority. Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting);
- details of boundary heights and materials. All soft landscaping shall be implemented not later than the first planting season following the first occupation of any part of the development.

To preserve the visual appearance of the area as supported by EN1 and EN4 of the

Sevenoaks Allocations and Development Management Plan.

5) Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include a native species-only landscape scheme. The approved details will be implemented and thereafter retained.

To ensure the development results in a net gain in biodiversity in accordance with paragraph 180 of the National Planning Policy Framework and policy SP11 of the Core Strategy.

6) No development shall take place until a strategy of surface water drainage has been submitted to and approved in writing by the local planning authority. The approved development shall be implemented in accordance with the approved strategy prior to the first use/or occupation of the building and thereafter retained in that condition.

To ensure suitable means of surface water drainage are incorporated into the development in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) The dwelling shall be provided within an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles prior to its occupation.

To provide opportunities for low carbon sources of transport, in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.

8) No development shall be carried out on the land until details 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 local planning authority. 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 Allocations and Development Management Plan.

9) The parking space shown on the approved plans shall be provided 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 as to preclude vehicular access to the parking space.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A to H of that Order.

To ensure that development within the permitted Classes in question is not carried

out in such a way as to prejudice the appearance of the area or the occupiers of the neighbouring properties in accordance with Policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit www.sevenoaks.gov.uk for further details.

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 The application site is a three-bay garage block situated between 32 and 36 Bethel Road belonging to 17 Sandy Lane to the east of the site. The application site is located towards the northeast of the Sevenoaks Urban Area and within the Hartsland Conservation Area. The existing site comprises of a single storey flat roof building with a pebbledash finish, it is setback from the road and at a higher level with a large area of hardstanding to the front.
- 2 The application site is situated in a predominantly residential area set out in a linear form with Cobden Road, Bethel Road and Sandy Lane running parallel to one another. Bethel Road mostly comprises of terraced blocks of small to medium sized dwellings, most of which have an eaves fronted design creating a sense of uniformity and cohesion. The current building on site does not contribute to this form and character. The material palette of the area largely consists of brick with a scattering of stone or pebbledash finishes.

Description of proposal

- 3 It is proposed to replace the existing garages with a two-storey dwelling constructed from brick with a clay tile roof. The dwelling will have a maximum height of 8m and a width of 8.3m. The proposed design is an eaves fronted dwelling, with a timber porch overhang, part two-storey part single storey extension to the side and a single storey extension to the rear. The proposed dwelling will feature a carport to the front of the dwelling, under part of the first floor, UPVC windows and brick quoin detailing to the front elevation. The proposed garden will be created through sub-dividing part of the garden of 17 Sandy Lane with a 1.8m timber fence.

Relevant planning history

- 4 No planning history relevant to the proposal.

Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Core Strategy (CS)
- LO1 Distribution of Development
 - LO2 Development in the Sevenoaks Urban Area
 - SP1 Design of New Development and Conservation
 - SP11 Biodiversity
- 7 Allocations and Development Management Plan (ADMP)
- EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
 - T1 Mitigating Travel Impact
 - T2 Vehicle Parking
 - T3 Provision of electric vehicle charging
- 8 Other:
- Hartsland Conservation Area Appraisal SPD

Constraints

- 9 The following constraints apply:
- Hartsland Conservation Area
 - Sevenoaks Urban Confines

Consultations

- 10 Sevenoaks Town Council 1st Consultation:

- 11 Sevenoaks Town Council recommend refusal on the following grounds:
- the proposed dwelling is out of scale with other modern houses nearby, and too intrusive to the street scene in Bethel Road and the Hartsland Conservation Area.
 - by reason of its height and mass, and its close proximity, the proposed house would dominate houses immediately opposite in Bethel Road, taking away light and damaging their residential amenity.
 - by reason of its height and mass, and its close proximity, the proposed house would enclose, overshadow and dominate the garden space of neighbouring houses in Bethel Road.
 - It would not preserve or enhance the wider conservation area, including the setting of the locally listed early Victorian pub 'Bricklayers Arms' in Sandy Lane - whose garden part of the application site lies.
 - The Town Council regrets the loss of off street parking spaces which are at a premium in the Hartsland Area.
- 12 Sevenoaks Town Council 2nd Consultation:
- 13 Sevenoaks Town Council reiterate its recommendation for refusal on the grounds previously raised and add:
- the proposed house does not preserve the open view from Sandy Lane to St Johns church.
- 14 SDC Conservation 1st Consultation (summary):
- 15 Based on the grain of the street a house in this plot would be acceptable although it would be equally acceptable to allow this site to remain as gap site (or for any building to be quite low) in order for views from Sandy Lane towards the church of St John to be maintained.
- 16 However, the scale of the property is out of keeping and it should be reduced in height, and possibly reduce the width slightly as well to allow a good gap between both sides. The proposed front elevation i.e. the design, detailing and the roof form are not appropriate either, and the pitched front gable of the roof as well as inappropriate, is too high.
- 17 The proposed design and scale of the house would not be in keeping with the character of the CA. The optimum approach would be to maintain the simple and modest architectural language of Bethel Road. If you are minded to recommend approval in principle, I would therefore encourage the design of a modest house based on the local 'pastiche' i.e. Victorian to turn-of-the-century typology.
- 18 SDC Conservation 2nd Consultation:
- 19 The existing streetscene is eclectic and in accordance with preceding design recommendations, the revised proposal - while remaining stylistically neutral - makes some reference to the form and scale of locally typical models at the turn of the 19th/20th centuries.

- 20 Although there has been little reduction in the bulk of the new built form, the amended roofscape results in the building as a whole having a considerably less overwhelming presence in the streetscene. First floor windows are set immediately below an uninterrupted front eaves line and the simplified design treatment now proposed sits more comfortably in the unassuming, local context.
- 21 The proposed materials palette remains unchanged. While clay-roofing tiles were not identified as locally distinctive materials, it is noted that both clay and concrete roofing tiles exist widely in the immediate surroundings and that in consequence, the proposed roof covering will not appear unduly alien in the Bethel Road streetscene.
- 22 The inclusion of UPVC windows and doors is regretted, as they are characterless, 'anywhere' elements. However, it is conceded that considerable precedent exists to either side of the development site and the modern material will not appear unduly alien to the context.
- 23 The amended design proposal has largely resolved the preceding conservation issues and there is no further objection in terms of Policy EN4.
- 24 KCC Highways 1st and 2nd consultation (in summary)
- 25 The development does not meet the criteria for involvement from the Local Highway Authority.
- 26 Request for informative regarding works the highway.
- 27 SDC Arboriculture:
No comment
- 28 Thames Water (in summary):
- 29 Thames Water would advise that with regard to wastewater network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 30 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Representations

- 31 23 letters of objection have been received relating to the following issues:
- Bulk and scale of the proposed dwelling is not in keeping with the area
 - Loss of light for properties opposite and garden areas of adjacent dwellings
 - Proposed dwelling will enclose this part of Bethel Road
 - Dwelling is too large for the plot
 - Overlooking towards houses on Sandy Lane, loss of privacy

- Loss of parking, parking is an issue in the area, proposed dwelling will increase parking demand
- Loss of footpath from Sandy Lane to Bethel Road
- Loss of view of St John church from Sandy Lane
- Construction would impact neighbours due to the narrow nature of the lane
- Loss of amenity in garden, proposed house will have a raised garden which will allow for overlooking
- Proposed fencing will result in a loss of outlook due to siting on a higher level
- Development is larger than other modern dwellings to the north of the site (36, 38, 39).
- Site currently being used to store materials for development opposite, where will materials be stored for this site is granted
- Proposed fencing will result in a loss of light to garden area and interior living spaces
- Bethel Road is already being overdeveloped
- The scale of the dwelling requires more parking
- Increased traffic is a danger to pedestrians
- Character of the conservation area is being eroded
- Style is not in keeping with the locally listed buildings on Sandy Lane
- Building sits right against the boundary with two properties on Sandy Lane
- Properties to the east side of Bethel Road are at higher than those on west side so the proposed dwelling will result in a loss of light for properties opposite
- Request restrictions of enclosures to the front
- Can the LPA insist on soakaways for rainwater?
- Can the LPA restrict the size and amount of vehicles used during construction if permission is granted
- Proposed dwelling will fill the width of the site and leave no gap
- Multiple references to gable fronted design not being in keeping with the character of the existing dwellings in the area
Officer note - the design has been amended to an eaves fronted dwelling.
- Amended plans result in the dwelling being more in keeping with the rest of the area but the scale is still too great

32 1 Letter of support received raising the following matters:

- Proposed design is a good use of the space and is not overbearing for the plot
- Proposed development removed the unsightly garages

Chief Planning Officer's appraisal

33 The main planning consideration are:

- Principle of development
- Heritage impact

- Design and impact on the character and appearance of the area
- Impact on highway safety and parking provision
- Impact on residential amenity
- Biodiversity
- Other matters

Principle of development

- 34 With regard to adopted policies within the Council’s Development Plan, policy LO1 and LO2 of the Core Strategy outline that new development in the district will be focused within the built confines of existing settlements. With the primary focus for new development in the Sevenoaks urban area.
- 35 The application site is within the built confines of Sevenoaks, and as such, there is a presumption in favour of development. The development of this site would make a welcome contribution to the housing provision within the district. The application site is also located near services and provisions making the location sustainable.
- 36 The site is located within the built confines of Sevenoaks and it is clear that development plan policies seek to maximise the potential of such sites. It is especially important within Sevenoaks District where the majority of the District falls within the Green Belt. Moreover, the surrounding area is almost entirely residential in character, the proposal is therefore considered to be acceptable in land use terms provided the scheme complies with all other relevant development plan policies.
- 37 Paragraph 11d of the National Planning Policy outlines that: *“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 38 Members will be aware that our Local Plan is out of date for some of the most important policies (i.e. housing) and that the Local Authority (LA) cannot demonstrate a five-year housing supply, thus the tilted balance could be engaged for this proposal. In addition to this, the Housing Delivery Test shows that the LA is only delivering 70% of the five-year housing supply, and has consequently been placed in the bracket of a Presumption Authority.
- 39 Notwithstanding the above, the application site is located within a designated heritage asset (conservation area) and thus the tilted balance and presumption of sustainable development is not automatically engaged in accordance with footnote 7 of the NPPF. However, if it is considered that there is no harm to the conservation area, then as a matter of principle, the proposed development would be acceptable.

Heritage impact

- 40 The National Planning Policy Framework states that great weight should be given to the conservation of heritage assets (paragraph 199). Meanwhile, policy EN4 of the Allocations and Development Management Plan outlines that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 41 The application site is located within the Sevenoaks Hartsland Conservation Area, it also lies within the setting of two locally listed buildings to the east - 17 Sandy Lane and Emerly Cottage (21 Sandy Lane). The Hartsland area was developed heavily in the Victorian Era, with the Conservation Area Appraisal describing the architectural character of the area as one that is dominated by small blocks of terraced housing in linear streets. The residential properties in the area are small to medium sized and are mostly eaves fronted in style, there is however more variation in the materials. The commercial or community buildings in the area are larger in scale and often have a gable-fronted design, which also gives the impression of a larger scale.
- 42 The application site, which resides between 32 and 36 Bethel Road, is identified in the Conservation Area as an 'area detracting from the character'. The conservation area appraisal states "*The modern infill development included within the area is generally of no great architectural merit and most are relatively unassuming and do not detract from the character of the area. Flat roof garage courts within Bethel Road are out of keeping with the street scene*". Consequently, the re-development of the site, even with a design that is unassuming and of limited architectural merit, has the potential to enhance the character of this part of the conservation area. The development would therefore be considered to comply with paragraph 206 of the NPPF, which states: "*Local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance*".
- 43 It is proposed to construct a two-storey dwelling in place of the existing garage block, the dwelling will sit further forwards and in-line with number 32 and 36 Bethel Road either side. The design of the proposed dwelling is somewhat neutral and understated, though it reflects the established design of dwellings in the conservation area, that being the aforementioned eaves fronted design with a pitched roof and relatively narrow form. The bulk of the dwelling is comparable to the neighbouring property of number 32 Bethel Road and other dwellings in the area, though at ground floor the footprint is greater courtesy of a lean to extension at the side and a flat roof extension to the rear. The ground floor extensions, whilst resulting in a greater footprint than other dwellings, do not add to the overall bulk and massing of the dwelling (particularly the rear extension). The conservation officer has confirmed that the amended design better preserves the character of the conservation area despite no reduction in scale and height - though the superseded gable fronted design would have appeared more dominant and bulky in the street.

- 44 The walls of the proposed dwelling will be constructed from brick with a clay tiled roof and UPVC windows. Brick and tiles are some of the most prevalent materials in the area and are a vast improvement on the current pebbledash and flat roof finish of the current garage block. As for the UPVC windows, whilst timber would be preferred, it is noted that UPVC is not uncommon in the area and as outlined by the conservation officer its inclusion for the proposed dwelling is not considered detrimental to the character of the conservation area.
- 45 In addition to ensuring the design is sympathetic to the character of the conservation area, the proposed development needs to be mindful of important views across/within the conservation area. As identified in the conservation appraisal, there is a key view between 17 Sandy Lane and Emerly Cottage (21 Sandy lane) past the application site and beyond to St Johns Hill United Reformed Church four streets away on St Johns Hill. The viewpoint is at a high point in the conservation area and thus it benefits from distant views of the church. It is noted that the current single storey scale of the application site allows for uninterrupted views from the gap in Sandy Lane to this church. However, due to the siting at a lower level, the re-orientated roof form of the amended proposal, and the offset siting of the application site from the key view, the view to the church will not be prohibited.
- 46 As outlined above the proposed development sits within the setting of two locally listed buildings (otherwise referred to as non-designated heritage assets). The curtilage (in this case rear garden) of the proposed dwelling will be created by sub-dividing the end of the garden of number 17 Sandy Lane. A close-boarded fence will delineate the border. Fencing of this type and scale is very prevalent in the area, including in the garden of this non-designated heritage asset. Consequently, the use of fencing is not considered overly detrimental to the significance, setting and character of the locally listed buildings. Nevertheless, a landscaping scheme will be conditioned; here options softening of the boundaries can be proposed. In terms of the dwelling itself, it is considered that the replacement of the garage block with a more sympathetic building would enhance the setting of the non-designated heritage assets.
- 47 In summary, it is considered that the proposed dwelling is sympathetic to the design and character of the conservation area. The proposed development will preserve the identified key views and the significance of the locally listed buildings. The proposal would therefore accord with policy EN4 of the Allocations and Development Management Plan, the guidance of the Hartsland Conservation Area Appraisal and paragraphs 199 to 203 of the National Planning Policy Framework.

Design and impact on the character and appearance of the area

- 48 Policy SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan state 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. Policy EN1 of the Allocations and Development Management Plan also states that the form of proposed development should be compatible in terms of scale, height, density and site coverage with
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other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.

- 49 The proposed dwelling has a ground floor footprint of 80m² courtesy of the single storey side and rear extensions. As such, it is noted that the ground floor footprint is greater than the neighbouring dwellings and other dwellings in the area. However, at first floor level, the proposed dwelling has an area of 66m² which is comparable to number 32 Bethel Road. The scale of the ground floor is masked from the street scene due to the extension to the rear and the small lean-to to the side. These extensions make a limited impression on the massing of the dwelling due to their siting, height and scale. Consequently, the overall scale, bulk and massing (particularly at first floor level) is comparable and sympathetic to the existing area.
- 50 The proposed dwelling will measure 8m in height, however, this is not 8m above the site as it currently stands. Rather, the steep incline of the hardstanding in front of the existing garage block will be removed and the dwelling will be cut into the ground. It is noted that the dwelling will front the roadside with a minimal setback and thus may be perceived to be a dominant building in the street. However, it is consistent with number 32 Bethel Road to the south and as outlined in the Conservation Area Appraisal, *“a strong sense of enclosure is provided by the narrow street with no footway. Buildings are generally set close to road on both sides of the street”*. Thus, the siting of the dwelling is typical of the Hartsland area.
- 51 It is considered that the scale, height, bulk and massing of the proposed dwelling would be comparable to those of neighbouring properties, compatible with neighbouring development in the locality and sympathetic to the character of the area. The proposal therefore accords with policy EN1 of the Allocations and Development Management Plan and SP1 of the Core Strategy.

Impact on neighbour amenity

- 52 Policy EN2 of the Allocations and Development Management Plan requires proposals to provide adequate residential amenities for existing and future occupiers of the development. While ensuring it would not result in excessive overlooking, visual intrusion, vibration, odour, air pollution, vehicle movements, or a loss of privacy and light enjoyed by the occupiers of nearby properties.
- 53 32 Bethel Road
- 54 With regard to the immediate neighbour of 32 Bethel Road. This property does not feature any side elevation windows facing the application site and will not be subject to a loss of daylight or sunlight. There is a first floor window to the front, above the garage, which is set back from the front of the proposed dwelling. The proposed dwelling does not, however breach the 45 degree guideline from this window and thus will preserve daylight and sunlight amenity. In terms of overlooking the amenity garden of this property, there are no side elevation windows proposed and the proposed

garden is set further back. In summary, it is considered the proposed development will preserve the amenity of the occupiers of this neighbouring dwelling.

55 36 Bethel Road

56 The proposed dwelling will sit in close proximity to the outbuilding/former garage of number 36 Bethel Road, then approximately 5m from the side wall of the main dwelling. There are no windows to the side of the outbuilding and thus there will be no loss of light amenity. As for the side windows of number 36 Bethel Road, one appears to serve a W.C. or a stairway and one is likely a secondary window to a room. Due to the windows not being sole windows to a primary habitable space, in addition to the gap between the neighbour and the application site remaining similar to present, that there will be no loss of amenity.

57 In terms of outlook and loss of light to the garden area of this property, as the proposed dwelling is shorter than number 32 Bethel Road it will not block the sunlight detrimentally earlier in the day to result in a loss of amenity. The proposed dwelling will of course be visible from the garden/patio area of number 36, however due to the reasonable height and the separation distance there will be no detrimental loss of outlook amenity.

58 21 Sandy Lane

59 Due to the level differences and arrangement of buildings/extensions to the rear of this neighbouring property, the proposed development has the potential to affect 21 Sandy Lane. Concerns have been raised that the raised garden (within the land of number 17 Sandy Lane) will allow for overlooking. The edge of the raised garden is approximately 9m to the amenity garden area (first 5m from the rear of the dwelling - chapter 5 of the Residential Extensions SPD). It is further still to the indoor living areas, these separation distances are considered sufficient to preserve privacy amenity. Moreover, the proposed garden would result in no greater overlooking than the existing garden of 17 Sandy Lane. Concerns have also been raised regarding a loss of outlook due to the proposed fencing around the raised garden. It is noted that the garden area of number 17 Sandy Lane is already enclosed by fencing and the view from number 21 Sandy Lane will therefore not be significantly altered. It is accepted that the garden area of number 21 is at a lower level, however the proposed development is not considered to appear unduly dominant or overbearing when viewed from this neighbouring property.

60 In terms of the relationship to dwellings on the other side of Bethel Road, the separation distance is approximately 8m which is consistent with the other dwellings in the area and more than some gaps. The proposed cutting of the dwelling into the incline will ensure the height is not excessive, and as shown by the plans the ridgeline is similar to number 36 and less than 32 Bethel Road. In terms of amenity for the properties along Sandy Lane, the rear of the proposed dwelling is over 20m from the rear of these dwellings and 15m from the outdoor amenity areas. This is considered sufficient for preserving privacy amenity. Equally, the rear of the proposed dwelling is a

lower level than the properties along Sandy Lane, further reducing the ability overlook.

- 61 In terms of amenity for the future occupiers of the development, the proposed dwelling accords with the requirements of the Nationally Described Space Standards. The proposed primary living spaces i.e. living room and bedrooms will have ample daylight and ventilation.
- 62 Overall, it is considered that the proposed development will accord with policy EN2 of the Allocations and Development Management Plan.

Impact on highway safety and parking provision

- 63 Policy EN1 of the Allocations and Development Management Plan states that proposals that would ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking and refuse facilities will be permitted. Policy T2 of the ADMP states that vehicle parking provision in residential developments should be in accordance with the current KCC vehicle parking standards (appendix 2 of the ADMP). For a 3-bedroom house in the town centre, or even edge of town, one parking space is the requirement.
- 64 The NPPF states that development should only be refused or prevented on transport grounds if the impacts are severe. The lack of parking in the area is acknowledged, however, as the proposed parking accords with the adopted guidance and policy it is considered acceptable. As for the parking loss for 17 Sandy Lane, this garage block is not protected via conditions and/or restrictions and therefore its replacement is considered acceptable. The loss of parking for one dwelling (17 Sandy Lane) is not considered to result in severe loss of highway safety and is therefore acceptable in terms of the NPPF.
- 65 Numerous representations received refer to a deed/covenant for a footpath between 17 Sandy Lane and Emerly Cottage. As this is not a designated footpath like that of SU47 to the south of the site it cannot be protected through planning and would instead be a civil/legal matter. Moreover, there is little evidence of the footpath being useable as it appears to cut through the garden of 17 Sandy Lane which is now a private dwelling.
- 66 Policy T3 of the ADMP states “within new residential developments all new houses with a garage or vehicular accesses should include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles.” Details of this have not been provided, however, such provisions will be secured by condition.
- 67 Overall, it is considered that the proposed development will preserve highway safety in accordance with the NPPF and policies T1, T2, T3 and EN1 of the Allocations and Development Management Plan.

Biodiversity

- 68 Policy SP11 of the Core Strategy outlines the need for new development to maximise opportunities to build in features which are of benefit to

biodiversity as part of good design. It has not been demonstrated that the development will result in a net gain in biodiversity, as such a condition for ecological enhancements will be included.

Other matters

- 69 Some representations have commented on the issues of construction on this narrow road, this is noted and accepted but is not a justifiable reason to withhold permission. To overcome this a construction management plan will be conditioned, such a plan will need to detail the storing of materials, routing of vehicles, hours of construction and more.

Community Infrastructure Levy (CIL)

- 70 The proposed development is CIL liable, a liability notice will be issued with any grant of permission.

Conclusion

- 71 The proposed development is considered acceptable in principle. It is also considered to conserve the character and significance of the conservation area and the setting of the non-designated heritage assets. There will be no severe loss of highway safety or residential amenity. The proposal therefore accords with local and national policy.
- 72 Additionally, as no harm to the character of the conservation area has been identified, the tilted balance is engaged and the proposal has a presumption in favour of sustainable development and should be granted.
- 73 It is therefore recommended that this application is GRANTED.

Background papers

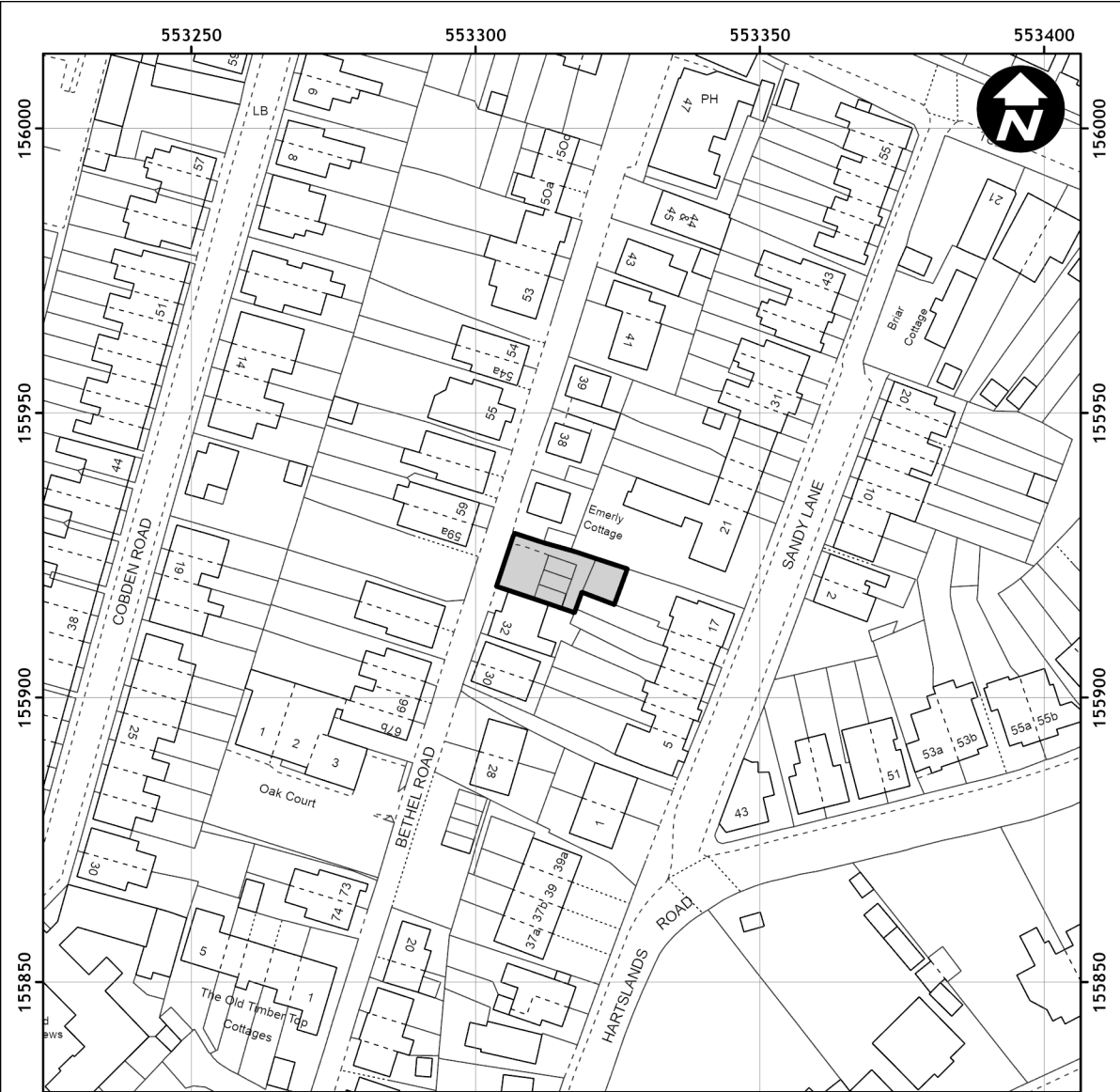
Site and block plan

Contact Officer(s): Ashley Bidwell 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:1,250

Date 10/06/2022



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Ordnance Survey 100019428.

BLOCK PLAN

