

4.1 - SE/12/00946/FUL Date expired 7 June 2012

PROPOSAL: Demolition of garages and No. 6 Becketts Field, and erection of 4 x 2 bed apartments and 2 x 2 bed houses.

LOCATION: 1 - 8 Becketts Field, Penshurst, Tonbridge TN11 8DW

WARD(S): Penshurst, Fordcombe & Chiddingstone

ITEM FOR DECISION

This application has been reported to Development Control Committee at the discretion of the Director of Community and Planning Services due to the significant public interest and contentious nature of the proposed development, and in order for the application to be considered together with a similar proposal at Forge Field, Penshurst.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The scale, height and design of the proposed development would be out of keeping with surrounding buildings and would be harmful to the established character and appearance of the area. This would be contrary to Policy EN1 of the Sevenoaks District Local Plan and Policies SP1 and SP4 of the Sevenoaks Core Strategy.

The scale, height and siting of the development would result in an unacceptable loss of light, privacy and outlook to existing bungalows at Nos. 3, 4 and 5 Becketts Field, which would harm the living conditions of occupants of these properties. This would be contrary to Policy EN1 of the Sevenoaks District Local Plan and SP4 of the Sevenoaks Core Strategy.

In the absence of a S106 agreement, the development would fail to secure the delivery of the units as local needs affordable housing, contrary to Policy SP4 of the Sevenoaks Core Strategy.

The identified local need for housing would be met through the planning permission granted at Forge Field under SE/11/02258. In the absence of any further identified need for rural housing, the proposal would lead to an overprovision of such housing, contrary to Policy SP4 of the Sevenoaks Core Strategy.

Description of Proposal

- 1 This application seeks planning permission to demolish an existing dwelling on site and erect 6 x 2 bed residential units in two separate buildings.
- 2 Building A would be erected on the site of the existing bungalow at No. 6 Becketts Field, and would be attached in part to the existing unit at No. 5. It would accommodate 4 x 2 bed apartments, arranged over three floors. The building would measure just over 8 metres in height and has been designed with twin gable features to provide space for accommodation within the roof.
- 3 Building B would be located on the site of an existing block of garages used by residents of Becketts Field. The building would be arranged over two floors with the first floor accommodation in the roofspace, with a similar gable design to

building A. This building would accommodate 2 x 2 bed dwellings. The height of this building would be 6.5 metres to the ridge.

- 4 The existing large hard surfaced turning circle within Becketts Field would be redesigned, with a communal grassed area and a new parking and turning layout. In total, the existing and proposed units would be provided with 25 parking spaces, arranged in various locations around the site.
- 5 The application has been made on the basis that the units would be built and occupied as local needs housing units.
- 6 The application was originally submitted as a scheme for 10 new units, and included land occupied by another garage block and owned by West Kent Housing. The application was subsequently amended and the land owned by West Kent Housing does not form part of this revised scheme.

Description of Site

- 7 Becketts Field is the name given to an area of land to the north of Glebelands, which houses 6 bungalows and a pair of semi-detached dwellings, owned and managed by the Becket Trust. The area is approximately 0.3 hectares in size.
- 8 The site, and indeed the whole of Penshurst, is located within the Metropolitan Green Belt and the High Weald Area of Outstanding Natural Beauty. The boundary of the Penshurst Conservation Area is sited immediately to the north of Becketts Field.
- 9 The site is flanked by land associated with a large detached dwelling known as Petresfield to the north, the Glebelands housing development to the east, a detached dwelling known as Latterhams to the west, and to the south by land that would appear to form part of the curtilage to another detached dwelling known as Oakley House.
- 10 The existing site consists of 6 x bungalows erected in the early 1970's and arranged in two groups of 3 units on either side of a large turning circle. A garage block serving the bungalows is located at the northern extremity of the site, adjacent to the boundary with Laterhams.
- 11 The semi detached dwellings are located on the eastern part of the site, to the south of the existing access road into the site. These dwelling were erected around 10 years ago.

Constraints

- 12 Green Belt
- 13 High Weald AONB
- 14 Adjacent to Penshurst Conservation Area

Policies

South East Plan

15 Policies – SP5, CC1, CC2, CC4, H3, H5, NRM4, NRM5, C3, BE5, BE6

Sevenoaks District Local Plan

16 Policies – EN1, EN23, T9, VP1

Sevenoaks Core Strategy

17 Policies – LO1, LO8, SP1, SP2, SP4, SP7, SP11

Other –

18 The National Planning Policy Framework

19 The Penshurst Conservation Area Appraisal

20 The High Weald AONB Management Plan (2nd Edition adopted 2009)

Planning History

21 SE/01/00159 - Erection of a pair of 3 bedroom semi detached houses and parking - Approved

Consultations

Penshurst Parish Council

22 Original Comments –

The PC support the provision of affordable housing, however we regret we are unable to support the application submitted by the Becket Trust for the following reasons:

The proposed high density of build resulting in over intensification of the site and the consequent impact on those living in the area

The number of properties proposed is not in accordance with the requirements of the needs survey

The current access, congestion and parking problems would be exacerbated further if more units were introduced

23 Further comments (received 24/07/12) –

We acknowledge receipt of the amendments to the original application and would comment as follows.

The Parish Council are unfortunately unable at present to support this application as it does not comply with the necessary criteria, the main requirements being for the project to meet an identified need for affordable housing to have financial arrangements in place to meet the cost of the project

A number of other comments have been made by members in relation to the actual design plans, some of which are planning issues:

The site is not considered suitable to accommodate further dwellings and would result in over intensification of building

The height and proximity of the proposed dwellings would result in overlooking/loss of privacy and consequently result in issues of loss of daylight/overshadowing

There are already problems with regard to parking on the Glebelands estate generally and with the removal of the garages and subsequent requirement for the cars to be parked elsewhere this, together with the increase in traffic accessing Becketts Field, would be exacerbated. The space allowed for open parking/turning could be considered to be unrealistic and with the loss of garaging, current users would lose storage space for possessions/tools etc now stored.

The design of the proposed building is not in keeping with the surrounding area, in fact it would not blend with any other building in Penshurst.

Concerns have been raised over the funding of the project.

In view of the fact that Sevenoaks District Council have resolved to grant the planning permission for the Forge Field project the identified need for affordable housing has now been met.

We understand a revised Design and Access Statement is still awaited; on receipt of this we would intend holding another site meeting. It is possible this will not be before your response date of 27 July and also as the PC is scheduled to meet on the 6 August 2012 we will forward any further information/comment available after those meetings.

24 Further comments –

The revised design and access statement varies little from the original, in view of this the PC has no further comment to add to the original submission.

SDC Tree Officer

- 25 - My only comments are with regard to the proposed additional parking area shown to the rear of 6 Becketts Field. Hard standing is shown to be up to the northern boundary where an amount of mature trees exist on the other side of the fence. No details of how this is to be carried out without harm to the rooting systems of these trees, which will be required should this scheme gain approval. It is also expected that a certain amount of pruning may be required, details of which should be supplied. I would also expect to see details of proposed landscaping works.

Kent Highways

- 26 The application includes plans to construct a “landscaped court” and allocated parking bays on the existing vehicle turning area which is currently public highway. This would require a Stopping-Up Order. However, the area required to turn around HGVs (such as the refuse lorry) needs to remain part of the adopted

highway and (contrary to the drawings) must continue to be constructed to highway standards. The submitted plans appear to make no provision for services (electricity, gas, telecoms etc) which need to be accommodated in service strips clear of the carriageway / shared-use area. This is explained in the “Making It Happen” section of the Kent Design Guide.

- 27 Parking requirements are usually based on the number of bedrooms of residents' houses and flats. In view of the comments in consultation responses, the number of bedrooms of the properties in Becketts Field should be clarified to confirm that proposed parking provision is sufficient.
- 28 The proposed tandem parking spaces are also a cause for concern, as these will be inconvenient to use and in practice it is likely that residents would park elsewhere. This may result in visitors having nowhere to park except on highway outside the development site or within the area required for turning larger vehicles.
- 29 As a consequence of the above, we must object to the submitted plans and would also object to a Stopping Up Order for this development. This is necessary for reasons of highway safety, as if the proposed turning area is blocked by parked cars or roadworks by utility companies, then large vehicles such as refuse lorries would be forced to reverse down Glebelands and onto B2188 Fordcombe Road.
- 30 It may be possible to overcome these objections if the drawings were amended in respect of the turning area, parking and service strips so that they comply with highway standards. This is likely to remove the “landscaped court” proposed to be built on the turning circle and possibly also other landscaped or garden areas. A small reduction in the number of proposed residential units (and associated parking requirement) would also help to achieve an acceptable design.

SDC Housing –

- 31 The provision of local needs housing in the rural communities is a key objective of Sevenoaks District Council, as evidenced in the Council's Sustainable Communities Action Plan 2010 - 2013 and Housing Strategy Action Plan 2012.
- 32 The need for additional affordable housing in the Parish of Penshurst was evidenced in the parish needs survey undertaken by the Rural Housing Enabler (RHE) - Action With Communities in Rural Kent, in January 2009. The survey identified a need for 11 one and two bedroom affordable homes. In order to forecast the number of affordable homes required to meet local need in perpetuity, the RHE advise an indicator used by many local authorities is the need must be at least two to three times the number of homes eventually built. The survey recommended approximately 5 predominantly two bedroom homes should be provided to meet the identified need. It is noted the revised planning application is for the net addition of 5 homes. This would meet the recommended level of provision. However, an existing permission exists for the provision of 6 two bedroom homes (WKHA – Forge Field). If implemented, this existing permission would fully meet the recommended level of new affordable housing to be provided in the Parish.
- 33 Affordable homes developed under the LDF Core Strategy policy SP4 (rural exceptions housing), are required to be subject to a planning agreement (Section 106 Agreement) which ensures the homes remain available to meet local housing needs in perpetuity. The extract of the S106 Agreement template previously

provided to the applicants on 29 December 2010 and discussed during subsequent pre-planning discussions, set out firstly, all applicants for the affordable homes would need to be registered on the Sevenoaks District Housing Register and, secondly, articulates the qualifications for demonstrating a local connection to the Parish. Sevenoaks District Council is a partner in the local choice-based lettings scheme, Kent Homechoice, and all affordable homes that become available for rent are required to be advertised through this medium. The Planning, Design, Access and Interim Statement of Community Consultation and Engagement dated 9 July 2012, paragraph 1.13, describes the allocation process the applicants intend applying to the new homes. This is not compliant with the process detailed above. A letter from the applicant dated 24 September does refer to a meeting between the applicant and the District Council on 11 June during which the applicant, “accepted the proposed S106 terms” and requests a draft Deed be forwarded for consideration. Currently, the application fails to show either, that the affordable housing would remain available to meet local housing needs in perpetuity or, that such housing would be allocated via the required process. The application is therefore not supported.

- 34 The financial appraisal attached to the original application made the assumption that there would be an input of £350,000 housing grant. Previous advice provided by the applicant (7 February 2012) was that the Homes & Communities Agency (HCA) had advised all housing grant allocations for 2011 to 2015 had been made by the summer 2011. The HCA suggested the applicant should make contact with local Registered Providers who had received funding allocations and who may be prepared to work with them. Contact details for local Registered Providers were provided by the District Council. A letter from the applicant dated 24 September advises the HCA have indicated their in principal support to fund the units via their Communities Fund. No further details are given. The HCA have not communicated their position to the District Council. The letter of 24 September also advises a named private investment company has the ability to fund, and intents to fund, the development. Various funding options have therefore been highlighted but none appear conclusive. It should be noted the existing permission (WKHA – Forge Field) has confirmed funding under the HCA’s Affordable Homes Programme 2011/2015.

Officer Comment –

- 35 Members should note that the above comments made by SDC Housing refer to permission having been granted at Forge Field. Members will be aware from reading this report that planning permission has not in fact been granted, albeit that a resolution to grant permission has been made.

Southern Water –

- 36 No objection subject to condition

Representations

- 37 75 households have sent objections to the application on the following grounds
- The need for local housing should be met by developing Forge Field
 - Inconsistencies in site plan and design and access statement
 - The density of development would be out of character

- Loss of existing bungalow for a longstanding tenant
- The site is visible from the bridle path opposite the valley with resultant visual impact
- Impact on parking and turning
- Loss of privacy and light to existing occupants
- Health and safety impacts during construction
- Parking overspill will occur
- Impact upon AONB and Green Belt
- Impact upon conservation area and listed buildings
- The lack of frequent public transport is such that parking will be at a premium
- The consultation that the Becket Trust refer to relates to a different development proposal
- Development of garden land
- Effect on safety of children through new dwellings and additional traffic generated
- The amendments do not address concerns originally raised
- Lack of funding to implement the scheme
- Lack of garden space
- Loss of garages
- The application is an attempt to undermine the Forge Field application

38 14 households have sent letters in support of the application on the following grounds

- The site is more acceptable than Forge Field and causes less damage
- The applications at Forge Field and Becketts Field should be considered together
- The site is away from the flood plain and a busy road
- A solution could be found to parking issues
- Good design
- Existing brownfield site
- The scheme would meet the defined local housing need

Group Manager - Planning Appraisal

Overview

- 39 My appraisal of the scheme is set out in detail below. Members will be aware that this is one of two applications being reported to committee for rural needs housing in Penshurst, the other being at Forge Field. Whilst it is normal established practice to consider every application on its own merits, there are occasions when a comparison with an “alternative” scheme needs to be made. This is one such instance as both proposals would, individually, meet the recommended local need for housing, but in combination would exceed this recommended need. As such, my recommendation is that only one scheme could be compliant with the Council’s policy on rural needs housing.

Main Issues

- 40 This application seeks planning permission to erect 6 residential units on land at Becketts Field, Penshurst (a net gain of 5 units) The dwellings would be occupied as local needs affordable housing units.
- 41 The site and surrounding area, including the “built” village of Penshurst, is located within the Metropolitan Green Belt and Members will no doubt be aware that new house building within the Green Belt is normally resisted. However paragraph 54 of the NPPF does allow for local planning authorities to provide for local needs affordable housing through rural exception sites, and this need not be inappropriate within the Green Belt (Para. 89 of the NPPF).
- 42 Policy SP4 of the Sevenoaks Core Strategy sets out the specific local circumstances under which affordable housing proposals in rural areas will be considered, and states that such housing will only be developed to meet local needs identified through rural housing needs surveys.
- 43 In this respect, a Rural Housing Needs survey for the parish of Penshurst was undertaken in 2009 by a registered charity known as Action with Communities in Rural Kent. This is a recognised Rural Housing Enabler, supported by Local Authorities throughout Kent. The survey concluded that due to high property prices in the parish, a need for local affordable housing exists. It recommended that a need for approximately 5 affordable rented properties, consisting of a mix of 1 and 2 bed units, predominantly 2 beds, would meet the requirements of local people in housing need.
- 44 Following the establishment of such need, Policy SP4 then sets out criteria to be applied in identifying sites as follows –
- a) *the local need identified through the rural needs survey cannot be met by any other means through the development of sites within the defined confines of a settlement within the parish or, where appropriate, in an adjacent parish.*
- 45 In this instance, it is recognised that the whole of Penshurst village falls within the Green Belt, and for the purposes of this policy it has no “defined confines” – i.e. the village is not excluded from the green belt. Similarly, Fordcombe, the other main settlement within the parish, has no defined confines and also falls wholly within the Green Belt – as in fact does the whole of the Parish. Penshurst also

falls outside of the list of rural settlements as defined under Policy L07 of the Sevenoaks Core Strategy, and for policy purposes, the village is washed over by the green belt.

- 46 Penshurst parish is flanked by Chiddingstone and Leigh parishes. These all fall wholly within the Green Belt other than Leigh village. However the defined Leigh village confines are small with tightly drawn boundaries and little room for development. In addition a local needs scheme for housing in Leigh has recently been built out. As such I do not consider it would be appropriate to seek to meet an identified need for Penshurst Parish in this location.
- 47 Taking the above into account, I do not consider that any opportunity exists to enable such a development to take place within any “defined” settlement confines, and that the development would need to take place on land designated as green belt.
- b) the proposal is of a size and type suitable to meet the identified local need and will be available at an appropriate affordable cost commensurate with the results of the appraisal. The proposal is accompanied by a financial appraisal proving the scheme will meet the defined need. Schemes which propose an element of cross subsidy will not be acceptable.*
- 48 The scheme proposes a net gain of 5 x 2 bed units. The Rural Needs Survey recommended that approximately 5 units be provided, and that these should be predominantly 2 bed units. The scheme does not provide any one bed units as recommended by the Rural Needs Survey. Having discussed this matter further with the Council’s Housing Officer, I am advised that 1 bedroom accommodation on small rural schemes such as this are normally of limited value. Two bedroom units are deemed to be preferable as they provide more flexibility, allowing households to develop (for example to have a family) without needing to move to new accommodation. The Penshurst village project Steering Group which was set up following the Housing Needs Survey also recommended that all units should be 2 bedrooms and this was further supported by the local community in consultation exercises undertaken prior to submission of the planning application. I do not consider that this slightly different arrangement to be in significant conflict with the recommendations of the survey.
- 49 At the time of writing, a draft S106 agreement has not been submitted with the application. However the application does refer to the occupation of the units as rented accommodation, and that rents should be set so as not to exceed 80% of open market rents for the local area. This would need to be secured via a S106 agreement.
- 50 A financial appraisal has also been submitted with the application. This makes a number of statements with regard to the availability of funding for the development. On the one hand, the information includes an offer to fund the development from a third party private investment company. A letter from a bank has also been submitted confirming the availability of funds. On the other hand, the appraisal also states that the Trust intends to raise the necessary finance through a mixture of its own funds, bank loans and housing grant, and possible subscriptions from the local community. It also refers to the possibility of grant funding from the Homes and Communities Agency, or through partnership agreements with Housing Associations. No evidence of funding arrangements secured using the above methods has been provided.

- 51 From the information submitted, the application does not propose an element of cross subsidy (i.e. the development and sale of open market housing to help pay for the affordable housing).
- c) *the proposed site is considered suitable for such purposes by virtue of its scale and is sited within or adjoining an existing village, is close to available services and public transport, and there are no overriding countryside, conservation, environmental, or highway impacts. The initial and subsequent occupancy of sites developed under this policy will be controlled through planning conditions and agreements as appropriate to ensure that the accommodation remains available in perpetuity to meet the purposes for which it was permitted.*
- 52 With regard to the first element of this policy, the proposal is small in scale as a scheme for 6 units, and the site is within the Penshurst village, which is the largest village in the Parish with a village shop, public houses, a primary school and a bus service, albeit a limited one.
- 53 The site contains a number of planning constraints, being within the Green Belt and High Weald Area of Outstanding Natural Beauty, and adjacent to a Conservation Area. In addition, matters relating to design and layout, particularly in relation to surrounding existing properties, highways safety and neighbouring amenities need to be considered. The test under Policy SP4 is whether any such impacts are overriding. The following sections consider the various planning constraints and impacts relating to the site. Following these sections, I have set out my view as to whether any overriding impacts would arise from the proposal.
- i) Impact upon openness of Green Belt
- 54 Whilst the very nature of a rural exceptions site allows the potential for some development to take place in the green belt, it is important to consider the impact of the specific siting of the development on the green belt, particularly in terms of openness.
- 55 The NPPF states that Local Planning Authorities should regard the construction of new buildings in the green Belt as inappropriate but does list exceptions to this, one being limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan. In this instance, I do not consider that the erection of 5 additional units could be deemed as “limited infilling”. However the application has been submitted as a scheme for affordable housing, and on this basis it could be considered as an exception under the NPPF.
- 56 The site is located within the existing village and partially on previously developed land. As such, it is part of the existing built “fabric” of Penshurst. The development would however increase built form on site, and in this respect there would be some reduction in space and openness arising from the development, particularly as the site is on rising land and is visible from a wider distance. However in such proposals for rural exceptions sites, which by their very nature would take place in green belt locations in this District, some loss of openness would be almost inevitable. Given the location of the site within the existing village, and the small-scale nature of the proposal, I do not consider the impact on the openness of the green belt to be of any material significance.
- ii) Impact upon the character and appearance of the area, including the adjacent conservation area

- 57 As already advised, Becketts Field is located at the end of Glebelands, and contains 6 bungalows arranged in two blocks on either side of a large parking and turning area, and a pair of semi detached dwellings slightly to the east which were built around 10 years ago. The dwellings are of simple design, with largely brick elevations under a traditional gable roof. Likewise, the dwellings on Glebelands are of simple two storey design and typical of 1950's housing development.
- 58 From a visual perspective, Becketts Field is a relatively discreet addition to the Glebelands development, primarily due to the single storey nature of the bungalows. The vehicle parking and turning area within the site is particularly large and detracts somewhat from the rural character of the area. Likewise the block of garages is of no aesthetic merit.
- 59 The proposal is split into two parts. Firstly, the existing dwelling at No. 6 would be replaced by a building (Building A) containing 4 flats. In terms of scale, the building would be clearly larger than the existing bungalows, being arranged over a larger footprint and over three floors. The building would be set partly into existing ground levels and as a result the height of the building would be around 2.4 metres greater than the adjacent bungalows. In addition, the building would project around 3.8 metres further than the rear building line of the attached bungalow at 5 Becketts Field. In terms of design, the building would be considerably different to surrounding buildings in terms of external treatment, the provision of accommodation over three floors, and the use of steep sided gable features with flat tops in order to facilitate the top floor.
- 60 The existing garages would be replaced with a second building (Building B) containing two dwellings. This would be arranged over two floors, with the first floor in the roof accommodation. The design approach is similar to the other proposed building, but on a smaller scale, although the building would be in excess of 2 metres taller than the existing bungalows.
- 61 It is acknowledged that the above differences in scale and design between the proposal and existing buildings, particularly the bungalows, need not automatically be harmful. As building B has been designed with first floor accommodation in the roof, and on a similar footprint, the difference in scale between this building and the surrounding units is not substantial, and I consider that, in street scene terms, it would result in an acceptable relationship with the surrounding bungalows.
- 62 However building A is of greater height and scale and in design terms would be notably different to the design and scale of the existing bungalows. In my opinion, the difference in scale and height between the building and the adjoining bungalows would result in an particularly awkward visual relationship, and the building would dominate the setting of these existing units. Whilst it is noted that the more detailed architectural design of the building has been based on existing historic buildings within Peshurst, I consider that this overtly different design would have the effect of isolating the building further from its surroundings, thus emphasising this awkward relationship and failing to relate well to the simple and modest form of surrounding buildings.
- 63 Taking this into account, I consider that the proposal would have a harmful impact upon the character and appearance of the area through the scale and design of Building A.

- 64 In this respect, I also consider that the proposal would fail to comply with Policy EN1(1) of the local plan in that the development would not be compatible with the surrounding area in terms of scale, height and design. It was also conflict with Policy SP1 of the Core Strategy in that it fails to respond to the local character of the area.
- 65 The alterations proposed to the existing parking and turning area would reduce the amount of hard landscaping on this part of the site and provide a more defined parking layout. I consider this particular element of the scheme to be acceptable.
- 66 The site is bounded to the north by the Penshurst Conservation Area. The boundary is defined by a line of mature trees and hedging, and the Conservation Area Appraisal for Penshurst defines this as the point between the historic part of Penshurst and the modern housing developments (of Glebelands and Becketts Field). Whilst I have identified material harm through the unacceptable local relationship between the proposal and surrounding buildings, I do not consider that the proposal would have a wider impact upon the setting of the conservation area, due to its limited scale and the existence of tree screening on the boundary which screens the site from the conservation area. In this respect, I do not consider the scheme to be in conflict with other policies relating to conservation and heritage assets, namely policy EN23 of the local plan and SP1 of the Core Strategy.
- iii) Impact on wider landscape within an AONB
- 67 The site and surrounding area is located within the High Weald Area of Outstanding Natural Beauty. The NPPF states that great weight should be given to conserving landscape and scenic beauty within AONB's, which have the highest status of protection in relation to landscape and scenic beauty. Policy LO8 of the Core Strategy states that the distinctive character of the Kent Downs and High Weald AONB and their settings will be conserved and enhanced.
- 68 The existing site is part of a modern housing development within the built form of Penshurst village. The village is washed over with the AONB designation and the High Weald AONB Management Plan acknowledges the role of built settlements within the landscape. It states that development in settlements should maintain distinctiveness and meet rural needs.
- 69 The site is visible within the wider landscape in views from the east, due to the sloping topography of the land. Building A would be likely to be visible in part from such views, but would be seen in the context of part of a (relatively) modern housing estate. In the context of these views, I do not consider that the development would cause any material harm to the landscape character of the AONB, or be in conflict with policy LO8 of the Core Strategy.
- iv) Impact upon neighbouring amenities
- 70 The proposed buildings would be closely sited to existing dwellings within Becketts Field. Building A would extend beyond the rear wall of No. 5 Becketts Field by a distance of 3.8 metres and would be substantially greater in scale and height than the bungalow at No. 5. The rear garden to No. 5 is of limited depth, at approximately 8 metres. The difference in the scale of the two buildings is evident in the proposed west elevation drawing submitted with the application. In my opinion, the scale, height and depth of the proposed building would dominate and

overwhelm the rear of the property, and particularly the garden area at 5 Becketts Field, resulting in harm to the living conditions of the occupants of this property.

- 71 In addition, it is noted that access to flats 2 and 4 within Building A would be via a raised first floor level platform running immediately next to the boundary with No. 5 Becketts Field. As a result occupants of these flats, or visitors, would have a clear view into the garden of No. 5 from the access. The only way to mitigate against this would be to require a solid screen to be erected on the boundary, although this in itself would need to be to a height of 4 metres from ground level, which would further exacerbate the dominating impact of the development on No. 5.
- 72 Building B would be erected between the two existing blocks of bungalows, and the existing bungalows at No.s 3 and 4 would, in part, face towards the flank wall of the proposed building. This wall is shown as a gable with a flat top section.
- 73 The proposed building would be closest to No. 4 Becketts Field, which also has an extension to the side. A distance of around 5 metres would separate the front elevation of this property from the flank wall of the proposal. As such, two bedroom windows in the front elevation would directly face the proposed building. In my opinion, the position of the flank wall in relation to No 4 would be likely to cause a significant loss of outlook to the occupants of this property. This is exacerbated by the steep gable roof incorporated into the scheme. In addition, the proposal would be sited to the south of No. 4 and I consider that due to the short separation distance between dwellings, the proposal would be likely to result in a material loss of daylight and sunlight to habitable rooms within No. 4, to the detriment of the living conditions of the occupants of this property.
- 74 The building also includes a first floor window in the side elevation which would overlook No, 4 at close quarters. Whilst it is noted that the frontage to this property is currently open, the proposed window in the first floor would look directly towards the existing bedroom windows at No. 4, and I do not consider this relationship to be acceptable.
- 75 The relationship between building B and No. 3 Becketts Field is somewhat better insofar that a greater distance of around 7.5 metres would be maintained between the buildings, and the proposed building would be sited to the north of No. 3, thus resulting in no loss of sunlight. This greater distance between buildings means that the impact of the scheme on the outlook and daylight to No. 3 is less so than would be the case with No. 4, and on balance I do not consider that this impact would justify refusal. However, I would again raise concern over the provision of a first floor bedroom window in the side elevation of the property, which would face the front elevation of No. 3 at close quarters. I understand that the window most directly affected serves a bedroom, and I do not consider this relationship to be acceptable.
- 76 The revised parking and turning layout would, to a degree, affect all existing properties within Becketts Field. In this respect, it is noted that a series of parking bays would be provided outside No.s 1-3 and to the front of proposed building A. A small area shown as walkways and private space would be maintained to the front elevations of these buildings, and despite the fact that car parking would take place closer to these units than is currently the case, I consider this relationship to be acceptable.

- 77 The proposed parking surrounding the existing dwellings at 7 and 8 Becketts Field is more cluttered, although it is noted that the spaces to the side would be used by these properties, and that spaces marked 18 and 19 already exist. The two spaces at the front of the site would add to the existing parking areas around the property, although it is noted that street parking currently takes place outside the site. As such, whilst I consider that these properties would suffer from car parking on three sides, it is not significantly different to the existing situation and on balance I do not consider the plans make this situation materially worse.
- 78 Taking the above into account, I consider that the development would have a detrimental impact upon the living conditions of surrounding properties in a number of ways. I also consider that this would be in conflict with Policy EN1(3) of the local plan.
- v) Impact upon highways safety
- 79 As part of the development, the scheme proposes to redesign the existing turning circle within Becketts Field, to remove existing parking and garaging and provide new parking arrangements.
- 80 In terms of parking, the application states that the existing bungalows are 2 bed units, with the exception of No. 4 which has been extended to create a 4 bed property. In addition, the semi detached dwellings are each three bed units. Using the above figures, the Kent County Council guidance notes on parking would require a minimum of 22 spaces to provide for the existing and proposed units, together with visitor parking.
- 81 Local residents have disagreed with the information given in the application and state that three of the bungalows are in fact 3 bed units. I have not been able to clarify this to date. However, if the parking was re-calculated based on the number of bedrooms specified by local residents, the requirement would be for 23.5 spaces in total.
- 82 The proposal seeks to provide 25 spaces in total, although it is noted that in practice, tandem spaces 18 and 19 would be undesirable, and I am inclined to consider this as one rather than two spaces. Even so, using a revised total of 24 spaces the amount of parking proposed would comply with Kent Highways guidelines, whether the number of bedrooms are as specified in the application or by local residents.
- 83 Whilst tandem parking spaces are also shown next to the existing dwellings at 7 and 8 Becketts Field, such spaces already exist to these units. As such, I do not consider that an objection could be maintained to the retention of these spaces as they would not result in a worsening of conditions.
- 84 The application includes a drawing to demonstrate how a large vehicle (such as a waste lorry) would turn on site. This turning area is tight but achievable, and whilst it would be desirable to create a more spacious turning area, this specific element of the proposal is not unacceptable to Kent Highways. The main concern raised by Kent Highways is on the lack of a separate and identified service strip to provide services to the new and existing dwellings, and that the turning area may be blocked by parked cars, or roadworks, or utility company vehicles. With regard to parked cars, given that the development would comply with parking guidelines I do not consider that the Council could justify an objection on these grounds. With regard to service locations, these could be located under the public highway, but

this is often the case on many roads and I am not convinced that any occasional works to such services could warrant a refusal. Kent Highways would also appear to have control over such layout under their own Acts relating to the public highway.

- 85 Policy EN1 of the local plan states that new developments should provide adequate parking and should not create unacceptable traffic conditions on surrounding roads. In my opinion, the development would provide adequate parking and the ability for a larger vehicle to turn within the site. On this basis I consider the application accords with Policy EN1 of the local plan.

Summing up of impacts using Policy SP4

- 86 From my assessment above, Members will note that I have identified a very limited impact arising from the development to the openness of the Green Belt and that no material impact or harm would take place to the landscape within the High Weald Area of Outstanding Natural Beauty. Nor have I identified any harm to the setting of the adjacent conservation area. In addition, the development would, at least in part, take place on previously developed land, and not on a greenfield site. This works in favour of the application.
- 87 However, I consider that the development would cause harm to the established character and appearance of Becketts Field through the scale, height and design of the proposed buildings. I also consider that the development would cause harm to the living conditions of a number of existing properties in Becketts Field. I consider such harm to be significant.
- 88 The policy states that the suitability of a site for local needs housing should be considered against whether any overriding countryside, conservation, environmental or highway impacts would occur. In my opinion, the detrimental impact of the proposal on the surrounding area and surrounding properties would be significant enough to be overriding, albeit on a localised scale. On this basis, I consider that the development would fail to accord with Policy SP4(c) of the Core Strategy.
- 89 In addition, a S106 agreement has not been submitted to date to secure the development as local needs housing. In the absence of a S106, the scheme would not be strictly controlled to ensure the deliverability of local needs housing to the parish. As I have found the scheme to be unacceptable for other reasons, I would recommend that this should form a ground of refusal.

The existence of an Alternative site

- 90 Members will be considering this report together with an alternative scheme to erect 6 local needs houses at Forge Field, and will note that I have recommended approval of the Forge Field application. Members will note from the report that I have considered the question of alternative sites, including the Becketts Field site.
- 91 The existence of an alternative site is a material planning consideration but the weight given to this will normally depend on the facts and circumstances in each individual case. The Court of Appeal decision in *Governing Body of Langley Park School for Girls and the London Borough of Bromley and Ors* [2009] sets out how this should be considered as follows –

“The starting point must be the extent of the harm in planning terms (conflict with policy etc.) that would be caused by the application. If little or no harm would be caused by granting permission there would be no need to consider whether the harm (or the lack of it) might be avoided. The less the harm the more likely it would be (all other things being equal) that the local planning authority would need to be thoroughly persuaded of the merits of avoiding or reducing it by adopting an alternative scheme. At the other end of the spectrum, if a local planning authority considered that a proposed development would do really serious harm it would be entitled to refuse planning permission if it had not been persuaded by the applicant that there was no possibility, whether by adopting an alternative scheme, or otherwise, of avoiding or reducing that harm.”

Where any particular application falls within this spectrum; whether there is a need to consider the possibility of avoiding or reducing the planning harm that would be caused by a particular proposal; and if so, how far evidence in support of that possibility, or the lack of it, should have been worked up in detail by the objectors or the applicant for permission; are all matters of planning judgment for the local planning authority.”

- 92 In this instance, Members will note that I have identified significant harm arising from the development of the Becketts Field site, which counts against the application. In my opinion, the level of harm is sufficient for the development to be in conflict with Policy SP4 of the Core Strategy. In determining the application, Members should consider the weight of this harm balanced against the need for local affordable housing. In doing so, Members should be aware whether such need could be accommodated elsewhere without the same level of harm and conflict.
- 93 In this respect, the application at Forge Field would provide 6 new dwellings a local needs housing, and as such exists as an alternative site to Becketts Field. Forge Field is located on a more sensitive site, being within a conservation area and adjacent to listed buildings, in addition to the status of the land as green belt and AONB as with the Becketts Field site. The Forge Field application would also involve building on an undeveloped field. Members will note from my committee report for the Forge Field application that I consider some harm would arise from the development, and that this harm relates to national planning designations, being the Green Belt, AONB and designated Heritage Assets. Whilst these are of national importance the identified harm is, in my opinion, limited. In respect of the Becketts Field site, I acknowledged that the harm identified is localised. However I consider such harm to be significant.
- 94 Taking the above into account, I consider that an alternative site in Forge Field exists to accommodate development to meet the identified local housing need, without causing the same level of harm and policy conflict as I have identified with the Becketts Field application.
- 95 In the event that Members follow my recommendation for the Forge Field application, I would advise that the local housing need identified through the rural needs survey would be met. On this basis, Policy SP4 of the Core Strategy would not allow both Forge Field and Becketts Field to be developed as the combined total of new housing would exceed the identified need. As such, I would recommend that this application is also refused on the basis that it would not meet an identified local need, as such need has been taken up through approval of the Forge Field scheme.

Conclusion

- 96 The development seeks to provide local needs housing, and would be accommodated on a site that would result in little or no harm to the openness of the green belt and landscape character of the AONB. In this respect, its impact on national planning designations is very limited.
- 97 However, the scheme would have a significant localised impact upon the character and appearance of the area and upon the amenities of neighbouring properties, through the scale, height and design of the buildings proposed. I consider this impact to be substantial and harmful, and in conflict with Policy SP4 of the Core Strategy as well as Policies EN1 of the Local Plan and SP1 of the Core Strategy.
- 98 In addition, in the absence of a signed S106 agreement, the application would fail to secure the development for local needs housing, contrary to Policy SP4 of the Core Strategy.
- 99 Finally, if Members follow my recommendation to approved Forge Field then the identified local need would be accommodated on the Forge Field site. As a result, this application at Becketts Field would result in the overprovision of local needs housing and this would be contrary to the exceptions criteria in Policy SP4 of the Core Strategy.

Background Papers

Site and Block plans

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

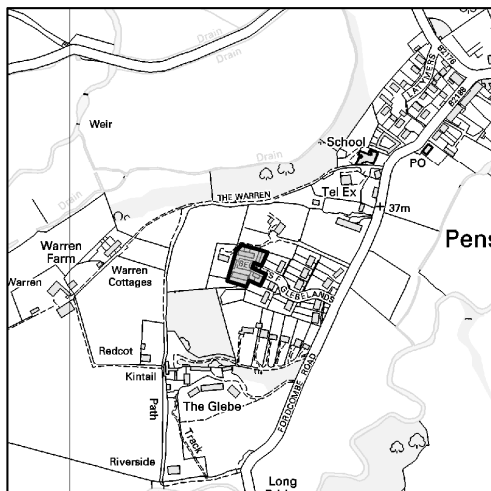
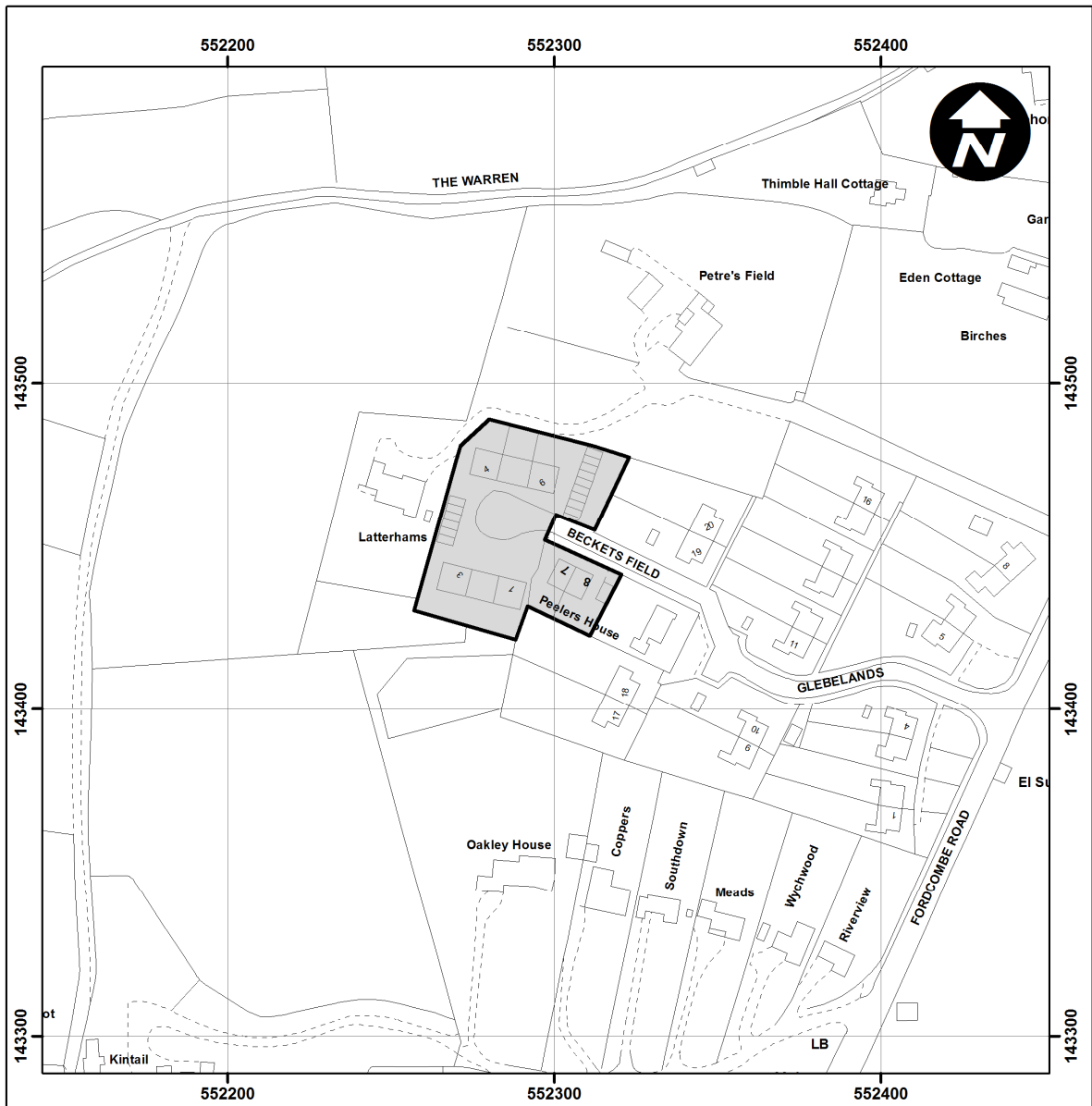
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M2AZIQBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M2AZIQBK8V000>



Site Plan

Scale 1:1,733
Date 06.09.2012



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