

4.5 SE/12/02566/FUL Date expired 5 February 2013

PROPOSAL: Creation of new access on Pembroke Road to flats above and new rear access to retail unit.

LOCATION: Fingz , 143C High Street, Sevenoaks TN13 1UX

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application is referred to Development Control Committee as a member of the Council has an interest in the land.

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: 12-20-02

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

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

The South East Plan 2009 - Policies CC6, LF1

Sevenoaks District Local Plan - Policies EN1

Sevenoaks District Core Strategy 2011 - Policies LO3, SP1

The following is a summary of the main reasons for the decision:

The development would respect the context of the site and would not have an unacceptable impact on the street scene.

The development would not have an unacceptable impact on the residential amenities of nearby dwellings.

Description of Proposal

1 Planning permission is sought for alterations to the shared access to the flats above no.143c High Street, a vacant A1 unit. The development consists of the creation of a doorway on the Pembroke Road (north) elevation (approximately in the position of the existing phone box), the creation of a corridor through part of the existing stock / staff area of the shop with a new external staircase to the rear with trellis screening. A new door would be formed to the rear (south) elevation to

allow separate access to the shop unit. The proposal results in a separate dedicated access for the flats.

Description of Site

- 2 The application site consists of a three storey flat roof brick building to the south-west corner of the junction of Pembroke Road and the High Street. The building is occupied at ground floor level as an A1 retail unit (last occupied by 'Fingz') and the first and second floors are occupied as self-contained dwellings.

Constraints

- 3 The site is within the Town Centre area of Sevenoaks, but not within the Sevenoaks High Street Conservation Area. The building is not listed. The building is not included as part of the Primary Frontage (either road frontage).

Policies

South East Plan

- 4 Policies – CC6, LF1

Sevenoaks District Local Plan

- 5 Policy – EN1

Sevenoaks Core Strategy

- 6 Policies – SP1, L03

Other

- 7 National Planning Policy Framework

Planning History

- 8 08/01641/FUL - Conversion of existing 3 bedroom flat into two self-contained flats – Granted
- 99/01690/FUL - Conversion of maisonette to two single bedroom flats. – Granted
- 94/01490/HIST - Conversion of maisonette to two single bedroom flats. - Granted
- 92/01778/HIST - Conversion of maisonette to two single bedroom flats – Refused – Appeal Allowed
- 92/00812/HIST - Change of use from A1 Retail to A3 Restaurant of ground floor - Refused

Consultations

Sevenoaks Town Council

- 9 Sevenoaks Town Council recommended approval subject to consent being given by BT and the freeholder

Representations

- 10 One letter of representation has been received which objects to the proposed development on the grounds that the new access door will be positioned next to a toilet window at the adjoining Wilkinsons and that this will lead to a loss of privacy.
- 11 Comments have also been received regarding Freehold interests in the land.

Group Managers Planning Services - Appraisal

Principle of development

- 12 The site is located within the built urban confines of Sevenoaks where development is considered to be acceptable in principle. With regards to the relevant policies of the Development Plan, the main considerations in this case are the acceptability of the conversion of the small part of the rear of the shop to a communal residential area and the visual impact of the development.
- 13 The proposal involves the creation of a 1.5m wide corridor to the rear of the retail unit to be used as an access corridor for the flats. Policy LO3 of the Core Strategy recognises that a mix of uses including retail and residential shall be retained within the Town Centre area. The proposal will enhance the access to both the retail and residential units. The shop has a fairly large footprint and the proposed alterations at the rear would not affect the viability of this unit.

Proposed external alterations

- 14 The external alterations to the building are minimal. The only alteration to the elevations which are viewed from the road is the insertion of a new access door to the Pembroke Road elevation. This opening would not significantly affect the appearance of the building as a whole. The building itself is of no particular architectural merit. The new doorway and access stairway to the rear would be small scale and to the rear and would not, in my view, materially affect the appearance of the building as a whole.

Impact upon amenity

- 15 The proposal would have no significant impact upon residential amenity (the raised walkway access to the rear remains unaltered). A representation has been raised regarding the positioning of a window which serves the toilet at the adjoining Wilkinsons Opticians and the proposed new south elevation access door to the development (this window does not serve a room or property currently in residential use at the ground floor). The representation states that such is considered to result in a loss of privacy to the users of said toilet.
- 16 In terms of the existing use at the site, views are currently afforded of the existing toilet window at Wilkinsons via the existing external staircase and small courtyard area to the rear. This matter will remain unchanged by the proposal. The toilet window itself appears to be constructed of some form of obscure glazing with internal blind. Whilst the insertion of a door within the south elevation of the property will undoubtedly result in use of this door at ground floor level, it is not considered that its use will result in a detrimentally worse situation based on the use of existing stairs and rear hardstanding area at the site. It is therefore

considered that the proposals will not represent a significant level of harm to the point where planning permission would be refused.

17 Additionally, the current external staircase exhibits no screening whereas trellis is proposed to the new staircase being considered as part of this application. This will too provide for a lower level of disturbance in terms of overlooking than the situation currently experienced.

18 For these reasons stated above, the proposal is considered to be acceptable.

Removal of telephone box

19 The removal of the phone box is a matter to be agreed with BT and is not a material planning consideration.

Neighbour representation

20 In terms of the matters raised regarding Freehold interest, such are not a material planning consideration. These are matters which will be dealt with civilly between the Applicant and the Freeholder.

Conclusion

21 The proposal is considered to comply with the policies of the Development Plan and I therefore recommend approval of the application.

Contact Officer(s): Helen Tribe Extension: 7136

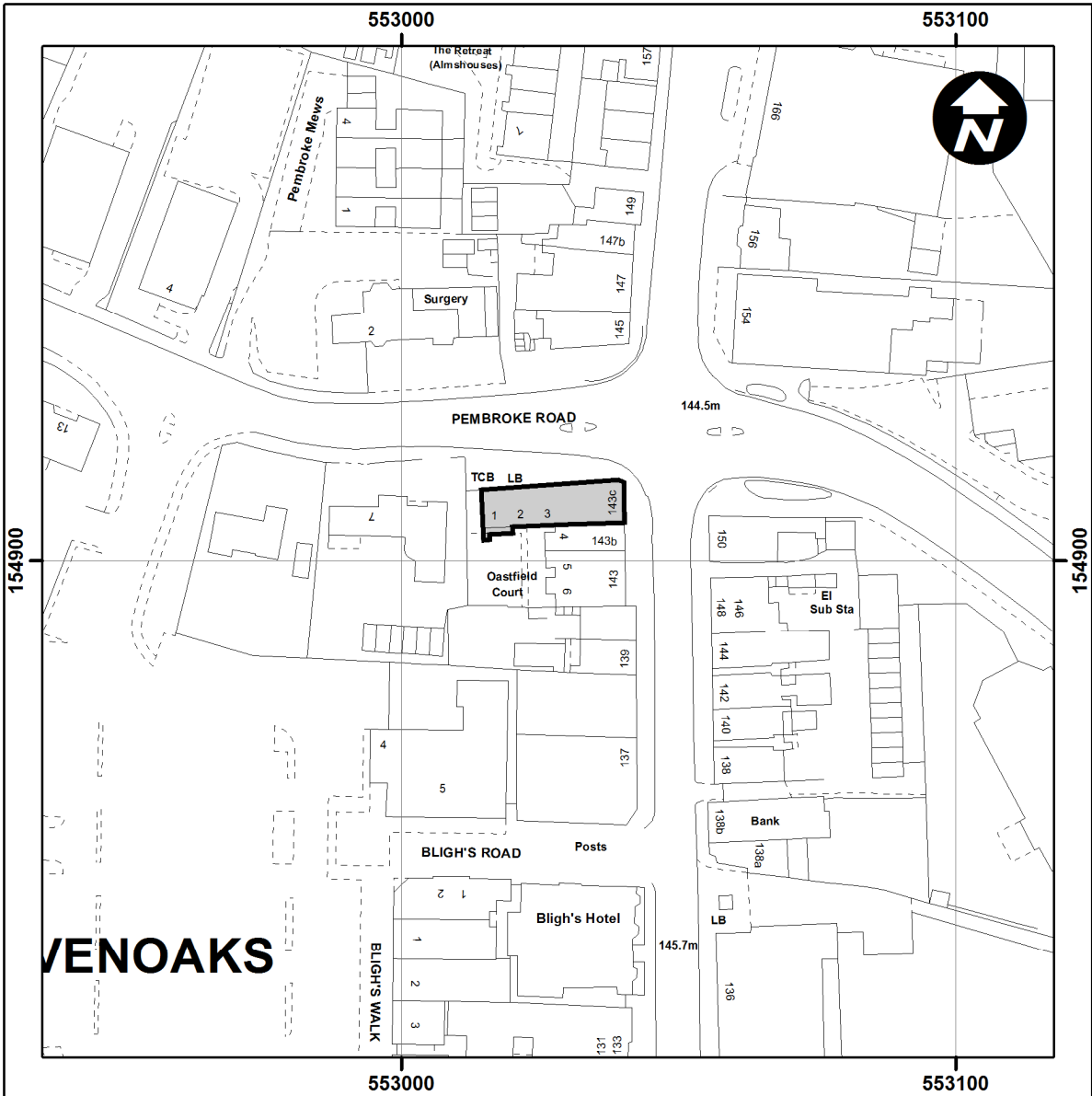
Kristen Paterson
Community and Planning Services Director

Link to application details:

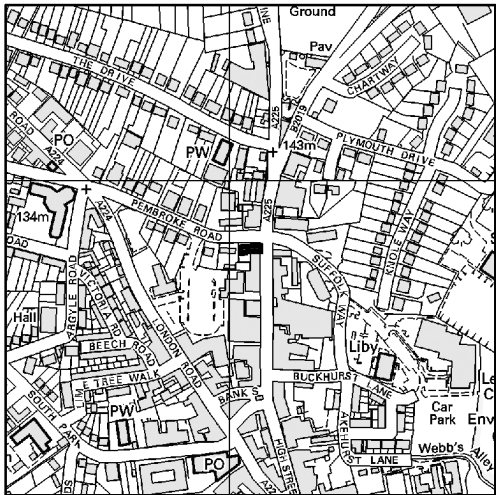
<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MB7CTEBK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MB7CTEBK8V000>



SEVENOAKS



Site Plan

Scale 1:1,250

Date 30/01/2013



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Sevenoaks District Council, 100019428, 2013.

BLOCK PLAN

