

4.1 20/02448/FUL Date expired 20 October 2020

Proposal: Erection of three detached dwellings to incorporate a new vehicular access.

Location: Land North Of 2-6 Woodside Road, Sevenoaks, KENT  
TN13 3HB

Ward(s): Sevenoaks Town & St Johns

#### Item for decision

The application has been called to be heard at the Development Control Committee by Councillor Fleming on the basis of the potential impact of the development upon the home at 60 Hitchen Hatch Lane.

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

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

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

2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: Design and access statement dated 21/08/2020, 05 Rev C, 06 Rev B, 07 Rev B, 12 Rev D, 13 Rev C, 14 Rev C, 15 Rev C, 16 Rev C, 17 Rev C, 18 Rev C, 19 Rev B, 20 Rev B, 21 Rev B, 22 Rev B.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 01 Rev B, 03 Rev B, 05 Rev C, 06 Rev B, 07 Rev B, ,10 Rev B, 11 Rev B, 12 Rev D, 13 Rev C, 14 Rev C, 15 Rev C, 16 Rev C, 17 Rev C, 18 Rev C, 19 Rev B, 20 Rev B, 21 Rev B, 22 Rev B, 08 Rev C, 09 Rev B, Arboricultural Report prepared by Chartwell Tree Consultants Limited.

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

4) Prior to the first occupation of the development hereby permitted, one electric vehicle charging point shall be installed for each of the new dwellinghouses and retained thereafter.

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

5) The development shall be constructed in accordance with the proposed finished site levels, finished floor and ridge levels of the dwellings to be erected as shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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.

6) No development shall take place above damp proof course level until full details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the Local Planning Authority. Any approved scheme shall be completed to the written satisfaction of the local planning authority prior to the occupation of the development.

To avoid overloading any of the existing drainage systems and to meet sustainability and environmental objectives.

7) Prior to the commencement of any soft landscaping works on the site, full details of any new planting including tree planting along the south-eastern and north eastern boundaries and any hard or soft boundary treatments to be removed, replaced or added to on the site are to be submitted to an approved in writing by the local planning authority.

Details shall include: -

- A planting plan clearly identifying existing planting, plants to be retained and any new planting);
- A schedule of the new plants to be included (noting species, size of stock at time of planting and proposed number/densities);
- A programme of implementation including any necessary protection measures during construction.

All landscaping in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

In the interest of visual amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

8) The first floor window along the south-eastern flank elevation of dwelling 6a shall be obscure glazed and non-openable at all times, unless positioned at least

1.7m above the internal finished floor level and it shall be retained as such thereafter.

In the interests of protecting the amenity of future occupants in accordance with Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

9) No external lighting shall be installed on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed and maintained thereafter.

In the interests of the amenities of the area as supported by policies EN1 and EN2 of the Allocation 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, AA, B, C, D, E, and Schedule 2 Part 2 Class B of that Order.

To ensure the integrity of the design of the development is safeguarded in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

11) Within 3 months of commencement of works on site, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. This will include clear ecological enhancement for breeding birds and bats and shall include provision of bat boxes, bird boxes and native planting. The approved details will be implemented prior to first occupation of the dwellings and retained as approved thereafter.

In order to protect and enhance local biodiversity in accordance with Policy SP11 of the Core Strategy.

12) Prior to the commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for their prior written approval. The Construction Management Plan shall include details of the following:

- Routing of construction and delivery vehicles to / from site
- Parking and turning areas for construction and delivery vehicles and site personnel
- Timing of deliveries
- Provision of wheel washing facilities
- Temporary traffic management / signage

In the interests of Highway Safety.

13) None of the dwellings hereby approved shall be occupied until pedestrian visibility splays of 2 metres x 2 metres behind the footway on both sides of the access with no obstructions over 0.6m above the footway level have been provided. The sightlines shall be maintained as approved thereafter.

In the interests of Highway Safety.

14) None of the dwellings hereby approved shall be occupied until visibility splays of 2.4 metres x 43 metres x 30 metres have been provided with no obstructions over 1.05m above carriageway level within the visibility splays. The visibility splays shall be maintained as approved thereafter.

In the interests of Highway Safety.

15) Prior to first use of the access road by occupants of the dwellings, a pedestrian footway shall be provided along the access route in accordance with details, which shall first have been submitted to and approved in writing by the Local Planning Authority.

In the interests of Highway Safety.

16) No development shall commence on site until full details of tree protection measures have been submitted to the Local Planning Authority for approval in writing. The development shall be implemented in accordance with the approved details.

In the interest of maintaining the visual amenity of the area in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

17) The proposed dwelling indicated as no.2a on the plans shall not be occupied until details of a screen to the southern elevation of the first floor Juliette balcony have been submitted to the Local Planning Authority for approval in writing. The screen shall be installed in accordance with the approved details prior to first occupation of the dwelling and retained as approved thereafter.

In the interests of the amenities of the neighbouring occupiers as supported by policy EN2 of the Council's Allocations and Development Management Plan.

### **Informatives**

1) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

2) As lighting can be detrimental to roosting, foraging and commuting bats, the recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled 'Guidance Note 8 Bats and Artificial Lighting', should be adhered to, when designing any lighting scheme for the proposed development. Any lighting must not directly illuminate any ecological features for bats (such as suitable roosting features or habitats).

3) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, scrub and buildings are likely to contain nesting birds between 1st March and 31st August inclusive. Trees, scrub and buildings are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

4) The applicant is reminded that reptiles are protected at all times by the Wildlife and Countryside Act 1981 (As amended). Under section 9 (1) this legislation makes it an offence to intentionally kill or injure any reptiles. Planning permission for development does not provide a defence against prosecution under this legislation. If reptiles or evidence of reptiles is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.

5) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would

expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

6) The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

7) The proposed development is located within 15m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Sewers for Adoption (7th edition). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise.

8) The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent

pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the

Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

### **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 site is comprised of garden land, which is situated at the rear of three detached dwellings on Woodside Road. The surrounding properties are detached houses, which are of varied architectural style and size. The site is located in a residential area within the urban confines of Sevenoaks.

### **Description of proposal**

- 2 The current application relates to the creation of a new access road between 2 and 4 Woodside Road to facilitate the erection of three detached two-storey dwellings which are of modern design. The proposed new dwellings are large, two-storey family homes, which are set back from the access road and they benefit from private gardens. The application also allows for hard and soft landscaping works including the creation of two parking bays per dwelling.
- 3 This application seeks to address the reasons for recently refusing a similar application for three houses.

### **Relevant planning history**

- 4 20/00129/FUL - Erection of three detached dwellings to incorporate a new vehicular access.

REFUSED on 6 April 2020, on the grounds that the proposals represented a cramped overdevelopment of the site at odds with the spatial character of the area and lack of satisfactory access and turning.

## Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Core Strategy (CS)
  - L01 Distribution of Development
  - L02 Development in the Sevenoaks Urban Area
  - SP1 Design of New Development and Conservation
  - SP7 Density of Housing Development
- 7 Allocations and Development Management Plan (ADMP)
  - SC1 Presumption in Favour of Sustainable Development
  - EN1 Design Principles
  - EN2 Amenity Protection
  - T2 Vehicle Parking
  - T3 Provision of Electrical Vehicle Charging Points
- 8 Other:
  - Sevenoaks Residential Character Area Assessment (SPD)

## Constraints

- 9 The following constraints apply
  - Urban Confines
  - Source Protection Zone
  - Great Crested Newt Risk Zone

## Consultations

- 10 Sevenoaks Town Council:  
Objection received to the scheme on the basis of the following:
- 11 “Sevenoaks Town Council recommended refusal on the following grounds:
  - Inadequate amenity
  - Not in keeping with other houses
  - Loss of privacy and overlooking for other houses at rear, numbers 6, 8, and 10 Pendennis Road.
- 12 Informative: Whilst it is noted and applauded that efforts have been made to reduce bulk, overlooking at rear, and increase the amenity area of the houses the new measures are still not in keeping with the other houses locally and further measures are within the proposals capabilities.”

13 Thames Water:

With regards to waste water, the applicant will be expected to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer and a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. With regards to surface water drainage, if the applicant follows the sequential approach to the disposal of surface water then there is no objection. Various informatives should be added to any future consent, including one which highlights that the proposed scheme is to be located within 15 metres of a Thames Water Sewage Pumping Station.

14 Sevenoaks District Council Arboricultural Officer:

No objection, subject to a detailed landscaping scheme to show existing and proposed planting going forward and details of tree protection and build protection measures.

15 Kent County Council Highways Team:

No objection, subject to conditions:

16 “The vehicle visibility splays require amendment to provide an x value of 2.4 metres. However, I would be satisfied for this to be Conditioned appropriately. Therefore, I raise no objection on behalf of the local highway authority, and suggest the following conditions.”

17 A list of conditions are recommended including those relating to visibility splays, provision of a pedestrian footway within the site and a construction management plan.

18 Kent County Council Ecology:

No objection, subject to conditions relating to ecological enhancements and in informatives relating to lighting on the site, breeding birds and reptiles.

## Representations

19 Ten representations have been received, objecting to the proposal on the following grounds:

- Overlooking/loss of privacy
- Loss of amenity enjoyment for neighbouring residents
- Overshadowing
- Traffic generation
- Safety of the proposed vehicular access
- Lack of amenity for the new proposed houses
- Site orientation/proximity to neighbouring dwellings
- Density
- Light spillage
- Noise pollution
- Loss of trees



- Inappropriate design which is out of character with the surrounding area
- Potential for surface water flooding/drainage issues

### Chief Planning Officer's appraisal

20 The main planning consideration are:

- Principle of development
- Impact on the design and character of the area
- Impact upon neighbouring amenity
- Parking/Highways

### Principle of the development

- 21 Para 122 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change.
- 22 Whilst the NPPF places an emphasis on encouraging the development of previously developed land, it does not necessarily preclude other land, including garden land, from being developed for residential use, provided such development is in a suitable location and relates well to its surroundings.
- 23 Policy L01 of the Core Strategy relates to the distribution of Development within the District and states that development will be focused within the built confines of existing settlements. Policy L02 supports development within Sevenoaks Urban Area subject to, amongst other things, protecting the local environment.
- 24 Policy SP7 of the Sevenoaks Core Strategy states that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated, subject to the following overriding consideration:
- 1) Within the urban areas of Sevenoaks, Swanley and Edenbridge, new residential development will be expected to achieve a density of 40 dwellings per hectare. In suitable locations close to Sevenoaks and Swanley town centres, higher densities will be encouraged.
- 25 The proposed development site occupies part of the rear gardens of 2-6 Woodside Road. The existing properties benefit from long rear gardens, which are considerably larger than those of neighbouring plots. The three sections of garden land are to be combined to provide three plots comparable in size to others in the immediate area. The site is to be accessed via a new access road running between 2 and 4 Woodside Road.

- 26 The proposed properties would be located within the Sevenoaks urban area. The location is sustainable in terms of the transport links available and access to essential services.
- 27 The proposed two-storey houses would be sited within their own gardens, each on a plot broadly consistent in size to others in the locality. I consider that the proposals would strike an appropriate balance between the desire to focus housing within the existing urban areas, whilst seeking to preserve the character of the area.
- 28 On this basis, I am satisfied that, subject to meeting other material planning considerations as discussed below, the principle of development in this location is acceptable.

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

- 29 Policy L02 of the Core Strategy and Policy EN1 of the ADMP state that any new development should be designed to a high quality and should respond to and respect the distinctive character of the area and surrounding landscape.
- 30 With regards to the potential impact of the proposed development upon the character and appearance of the surrounding area, the proposed development site is located in area F04 of the Residential Character Area Assessment.
- 31 The Residential Character Area Assessment states that the properties in this location tend to be two-storey dwellings, which have been set back from the road and the properties generally follow a regular building line. The character of the plots is predominantly verdant and the properties are evenly spaced. Negative features include situations where new development has not been set back from the road, where dwellings have not respected the regular spacing pattern between buildings and where high-level fencing has been used next to the road, which detracts from the verdant character of the area. When considering any new proposed development, the views of the North Downs should be preserved, any new development should be set back from the road and respect a regular building line to avoid appearing overly dominant in the context of the street. Trees and hedges along the boundaries should also be retained.
- 32 With regards to the current proposed development and its potential impact upon the street scene, the properties will be set back in the plot. Owing to the fact that they would sit a considerable distance behind the existing houses along Woodside Road, they would not be widely visible from the street. The new proposed access road leading to the dwellings would measure approximately 65 metres in length from Woodside Road to the head of the access, with the dwellings set slightly further back still. Accordingly, the potential views of the new dwellings are likely to be fleeting at most from Woodside Road and they are unlikely to have a significant impact upon the character and appearance of the wider street scene. The land levels also drop down between Woodside Road and the development site so the new proposed dwellings will sit at a lower level to the street. The proposed

access will be delineated using fencing and native hedging along the boundary.

- 33 The design of the proposed new dwellings would be modern in appearance and they would be constructed with materials which include brick, stone, light and dark stained timber weatherboard cladding, slate and glass.
- 34 The previous application for houses on the site took a similar modern design approach. It was concluded that, in accordance with paragraph 127c) of the National Planning Policy Framework, the contemporary design of the scheme would be acceptable because the houses would be set back from the street and because the development would have resulted in the creation of a small enclave of properties with their own distinctive and cohesive character. I consider that the same principle applies in this case.
- 35 With regards to the proposed bulk and scale of the new dwellings, the previously refused scheme was criticised for being overly cramped owing as they were considered to be overly large relative to the size of the plot. This in turn resulted in private amenity space of poor quality. This scheme has been amended to reduce the amount of built form on the site. The design and access statement provided by the applicant confirms that 2a and 6a have been reduced in size by approximately 10% and 4a has been reduced by approximately 20% when compared to the previously refused scheme. The site layout has also been amended to ensure that 4a benefits from front and rear gardens. In addition, 2a has been moved forward to ensure that the property benefits from a more substantial rear garden area. In addition, the shape of the building has been reconfigured and a slatted timber screen has been added to ensure that the first five metres of private amenity space is not directly overlooked by the owners of the neighbouring property. Owing to the amendments proposed, the quality of the private amenity space afforded to future occupiers is considered to be improved and the proposed new dwellings sit more comfortably within their plots.
- 36 I have noted concerns raised regarding overdevelopment of the site. In comparison to the refused scheme, the houses have been reduced in size and re-sited further away from the properties in Pendennis Road. As now proposed, I do not consider the size of the dwellings to be excessive relative to their plot sizes or the context within which they are set. The proposed properties will sit comfortably within their own individual plots, with satisfactory space for access, parking and turning and the scheme allows for the retention of much of the established planting surrounding the site, with space for enhancement soft landscaping. I do not consider the proposals would represent an overdevelopment of the site and I consider that they would be in keeping with the character of the area.
- 37 With regards to the concerns raised in relation to light spillage from the new proposed glazing, it is accepted that the modern design of the dwelling allows for large windows. However, the site is within an urban area and slatted blinds have been proposed to reduce the amount of light spillage. I consider it appropriate to impose a condition to control external lighting so that the amount of lighting does not appear excessive.

- 38 As a result of the above it is considered that the proposal meets the requirements of Policy EN1 of the ADMP and Policies L02 and SP1 of the Core Strategy.

### Impact on the Neighbouring Amenity

- 39 Policy EN2 of the ADMP requires proposals to safeguard the residential amenities of existing and future occupants of any properties, which are situated in the vicinity. Consequently, regard must be had to and excessive noise, odour, loss of light, overlooking or visual intrusion.
- 40 The detached nature of the properties and their distance from the nearest neighbouring dwellings would help to ensure that they do not result in significant overshadowing or in a loss of light.
- 41 With regards to the scale of the development and the potential visual impact of the scheme, whilst the new houses will be visible, there is no right to a view from a planning perspective.
- 42 In the case of the nearest neighbouring houses at 6-10 Pendennis Road and 1-3 Hunsdon Drive, it is considered that the immediate viewpoints from the rear windows of the properties will be towards their own rear gardens. Whilst the new proposed dwellings will be visible beyond the boundary line, the proposed dwellings will sit below the neighbouring dwellings owing to the difference in the land levels, which helps to reduce the impact of the properties in terms of their height and scale. The dwellings have been designed with shallow pitched roofs. In light of the above and because of their siting, scale and their precise relationship with the neighbouring properties, it is not considered that the dwellings would appear unduly dominant or overbearing.
- 43 With regards to the potential impact upon the outlook from 60 Hitchen Hatch Lane, the rear windows serving the kitchen and the first floor above would face directly towards the front corner of 2a Woodside Road with the ground floor projection to the flank of 2a broadly aligning with the boundary fence to no.60. However, as illustrated on the section drawing provided, the proposed house would be set at a lower ground level than no.60. Whilst the first floor and roof of the proposed house would be visible, it would be viewed from a distance of 15 metres (the closest point of the building at first floor level) and therefore it is not considered that the proposed house would appear unduly overbearing when viewed from the rear of no.60. Trees along the party boundary are also to be retained and they will afford partial screening. Any associated landscaping could be controlled by a suitable condition.
- 44 With regards to the potential for a loss of privacy and with regards to overlooking concerns, each of the proposed new dwellings are assessed below:
- 45 2a Woodside Road
- 46 Of the existing dwellings, the nearest neighbouring dwellings to 2a Woodside Road are 60 Hitchen Hatch Lane, which is located approximately

10.7 metres from the proposed new property at ground floor level, and 1 and 2 Hunsdon Drive, which are located approximately 24.5 metres from the new proposed dwelling. The design of the new proposed dwelling allows for new glazing along the front, side and rear elevations.

- 47 The front elevation of 2a would contain windows at ground and first floor level. These would directly face the rear of no.2 Woodside, but because the distance between the properties would be considerable, the potential for overlooking would be limited. Any overlooking of the rear of no.60 Hitchen Hatch Lane would be at an oblique angle only and at some distance and would not, in my view, be significant. Whilst there may be concerns that overlooking may occur from a first floor Juliette balcony, this could potentially be addressed by providing a small screen to the flank of the window. Because of the lower level of the site, intervening boundary treatment and planting, there would not be overlooking from ground floor windows in the flank elevation facing towards no.60 Hitchen Hatch Lane and nos.1 and 2 Hunsdon Drive. Upper level windows are set within the roof at high level to prevent overlooking.
- 48 With regards to the proposed new glazing along the side (south-eastern) elevation, the design of the dwelling allows windows at ground floor level and two roof-lights within the roof plane. The proposed windows at ground floor level face directly on to the boundary shared with 60 Hitchen Hatch Lane and 2 Hunsdon Drive. However, as shown on the section drawing, the land levels are such that the land on the neighbouring side of the boundary sits approximately 1.4 metres above the ground floor level of the proposed dwelling and, owing to the high level fencing along the boundary, the windows at ground floor level will not afford any significant direct or oblique views to the neighbouring plot. The roof-lights will be set at a high level in the roof pitch and will not afford any significant views to neighbouring plots.
- 49 The rear elevation would contain windows at ground and first floor level. These would face towards the boundaries shared with 3 Hunsdon Drive and 10 Pendennis Road, with potentially oblique views towards 2 Hunsdon Drive. However, because of the precise relationship between the properties and distances involved, any overlooking and consequence loss of privacy would not be significant.
- 50 Windows in the flank elevation facing the proposed house on Plot 4a would be largely screened by boundary fencing separating the properties, or set at high level within the roof.
- 51 4a Woodside Road
- 52 Of the existing dwellings, the nearest neighbouring dwellings to 4a Woodside Road are 8 and 10 Pendennis Road, which are located approximately 30 metres from the proposed new property. As with 2a, the design of the new proposed dwelling allows for glazing along the front, side and rear elevations.
- 53 As with 2a, there would be extensive glazing to the front (south-western) elevation of the house, including two balconies at first floor level. These

would face the access road and the rear of no.4, but at a distance over 45m the potential for overlooking (of the host dwelling) would be very limited. Any overlooking of 2a and 6a would be oblique and mostly over the common access and parking areas.

- 54 Ground floor windows in the flank elevation would be likely to be screened from 2a by boundary treatments. Overlooking from upper level glazing would be restricted through the design of the internal layout (serving a void area above the ground floor room).
- 55 The rear elevation of this dwelling would include extensive glazing at ground floor level. However, the houses to the rear would be separated by a minimum 30m and the boundary treatment between nos.8 and 10 Pendennis Road would restrict the potential for overlooking. Higher level windows to the rear elevation either serve the extensive void above the ground floor kitchen, be obscured or set at high level to prevent overlooking.
- 56 Ground floor glazing facing towards 6a would be screened by high level fencing. There would also be a roof light above, but this would be set at high level to prevent overlooking.
- 57 6a Woodside Road
- 58 The proposed dwelling at 6a would be sited approximately 34m from the rear of no. 6 Pendennis Road and over 50m from 8 Woodside Road. As with the other two dwellings, the design of the new proposed dwelling allows for glazing along the front, side and rear elevations.
- 59 Again the front elevation would contain extensive glazing including a balcony at first floor level. However, these windows would largely overlook the front garden to the proposed house. Overlooking of neighbouring properties would be severely restricted because of the significant distances involved and intervening screening.
- 60 With regards to the proposed glazing along the side (south-eastern) elevation, the design of the dwelling allows for glazing at ground and first floor level. However, at ground floor level, owing to the high level fencing along the boundary, the windows will not afford any significant views to the neighbouring plot. With regards to the glazing at first floor level, it is acknowledged that the window may afford direct views to a ground floor living room window serving 4a. However, this can be dealt with via an obscure glazing condition. With regards to the proposed roof light, the velux window is to be set at a high level in the roof plane such that it will not afford any significant views to the neighbouring dwelling.
- 61 With regards to the proposed glazing along the side (north-western) elevation, new windows and roof-lights are proposed. With regards to the glazing at ground floor level, the existing vegetation along the boundary is likely to largely obscure any significant views to the neighbouring plot. The proposed roof lights are located at a high level and it is not anticipated that they will result in an unreasonable loss of privacy.

- 62 With regards to the proposed glazing along the rear elevation, two sets of sliding doors are proposed at ground floor level and three tilt and turn windows are proposed at first floor level. All of the proposed glazing will face directly on to the rear site boundary shared with 6 and 8 Pendennis Road. However, since the neighbouring properties are located approximately 30 metres away, it is not considered that an unreasonable loss of privacy is likely to occur and the existing screening along the boundary will help to limit any significant views.
- 63 I note the comments made in the representations received regarding the concern that the proposed new dwellings will impact the privacy of the residents at 6-10 Pendennis Road and 1-3 Hunsdon Drive. However, the new proposed properties are to be sited within an existing settlement where a degree of overlooking is to be anticipated. The proposed properties would be sited a sufficient distance from neighbouring properties to prevent any serious overlooking. In addition, they would be sited comfortably within their plots, set in from the party boundaries and separated from neighbouring properties by fencing and soft landscaping.
- 64 With regards to the potential for noise pollution from the proposed access road, an acoustic fencing has been proposed to reduce the potential impact of the access upon 2 and 4 Woodside Road.
- 65 With regards to the potential for light spillage, a certain amount of light spillage is to be expected in an urban location such as this. Any proposed external lighting schemes can be limited via condition.
- 66 As a result of the above and subject to the aforementioned conditions, I am satisfied that the development proposal meets the requirements of policy EN2 of the ADMP.

#### **Parking and Highways Impact**

- 67 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 68 Policy T2 of the ADMP states that parking provision should be in accordance with KCC guidance, which states that dwellings in this location and of this size require 2 parking spaces.
- 69 The proposal in this case allows for the creation of a new access road as well as parking spaces for each of the new proposed properties.
- 70 With regards to parking provision on the site, the new proposed dwellings have each been allocated two parking spaces in accordance with KCC guidance.
- 71 With regards to the creation of the new access road, I have consulted with Kent County Council Highways Team, who have confirmed that the applicant has addressed the previous concerns raised, which related to insufficient turning space and insufficient visibility. They have also confirmed that the proposed new access road is now wide enough to accommodate two-way vehicle movements.

- 72 Subject to conditions, as outlined above, no highway objections are raised to the proposals and they are considered to be policy compliant.

#### **Other issues**

- 73 Ecology - Kent County Council Ecology Team have confirmed that the ecological information provided is sufficient and that the scheme is acceptable, subject to conditions relating to biodiversity - as listed in the consultee response above.
- 74 Trees - A plan has been provided by the applicant confirming that various trees are to be removed from the site, as highlighted in red. I have consulted with the Tree Officer who has confirmed that whilst it can be argued that some of the trees shown to be removed do offer amenity value to the area, they are not considered to be of sufficiently high quality to protect via a TPO. On this basis, no objection has been raised to the scheme. However, in view of the loss of trees which are identified as having some amenity value, I would recommend a condition be added to any future consent requesting a detailed landscaping scheme to show existing and proposed planting, as well as further details of tree protection. I would also suggest that any new planting should be concentrated along the boundary in order to provide further screening for the occupants of the neighbouring houses.
- 75 Thames Water - Thames Water have highlighted that the proposed development lies within 15 metres of a Thames Water Sewage Pumping Station. Although the Sewage Pumping Station is also in the vicinity of other residential properties, they have requested that an informative should be added to any future consent to make the applicant aware of the potential impact of the pumping station.

#### **Community Infrastructure Levy (CIL)**

- 76 The proposal is CIL liable.

#### **Tilted Balance**

- 77 As the Council cannot demonstrate a 5-year housing supply at this time, the tilted balance of NPPF paragraph 11d) is engaged. The site is not in an area which the NPPF policies specifically seek to protect and therefore, under paragraph 11d)ii), it must be considered whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 78 The NPPF supports the continued provision of local housing supply and the three strands of sustainable development.
- 79 The proposed development will result in the provision of new housing in a sustainable urban location which will have some social and economic benefits for the wider area in terms of the resultant contribution to the District's housing stock and to employment opportunities for local firms. In addition, the impact of the proposed scheme upon the neighbouring properties and upon highway safety is considered to meet policy



requirements. Accordingly, the benefits identified would outweigh the potential harm of the scheme.

- 80 On this basis, the proposed development would benefit from the presumption in favour of sustainable development provided by paragraph 11 of the National Planning Policy Framework.

### **Conclusion**

- 81 In light of the above, it is my conclusion that the proposals represent an acceptable form of development, which would satisfactorily balance the Council's desire to maximise the development potential of sites within the urban areas, whilst preserving the character of the area. The proposals are considered acceptable in highway and ecological terms. Whilst there would inevitably be some impact on the occupiers of neighbouring properties, having considered this matter carefully, it is my conclusion that the likely impact would not be significant. Bearing in mind the strong policy presumption in favour of sustainable housing development, subject to suitable conditions, I consider the proposals to represent an acceptable form of development.

- 82 It is therefore recommended that this application is APPROVED

### **Background papers**

Site and block plan

Contact Officer(s):

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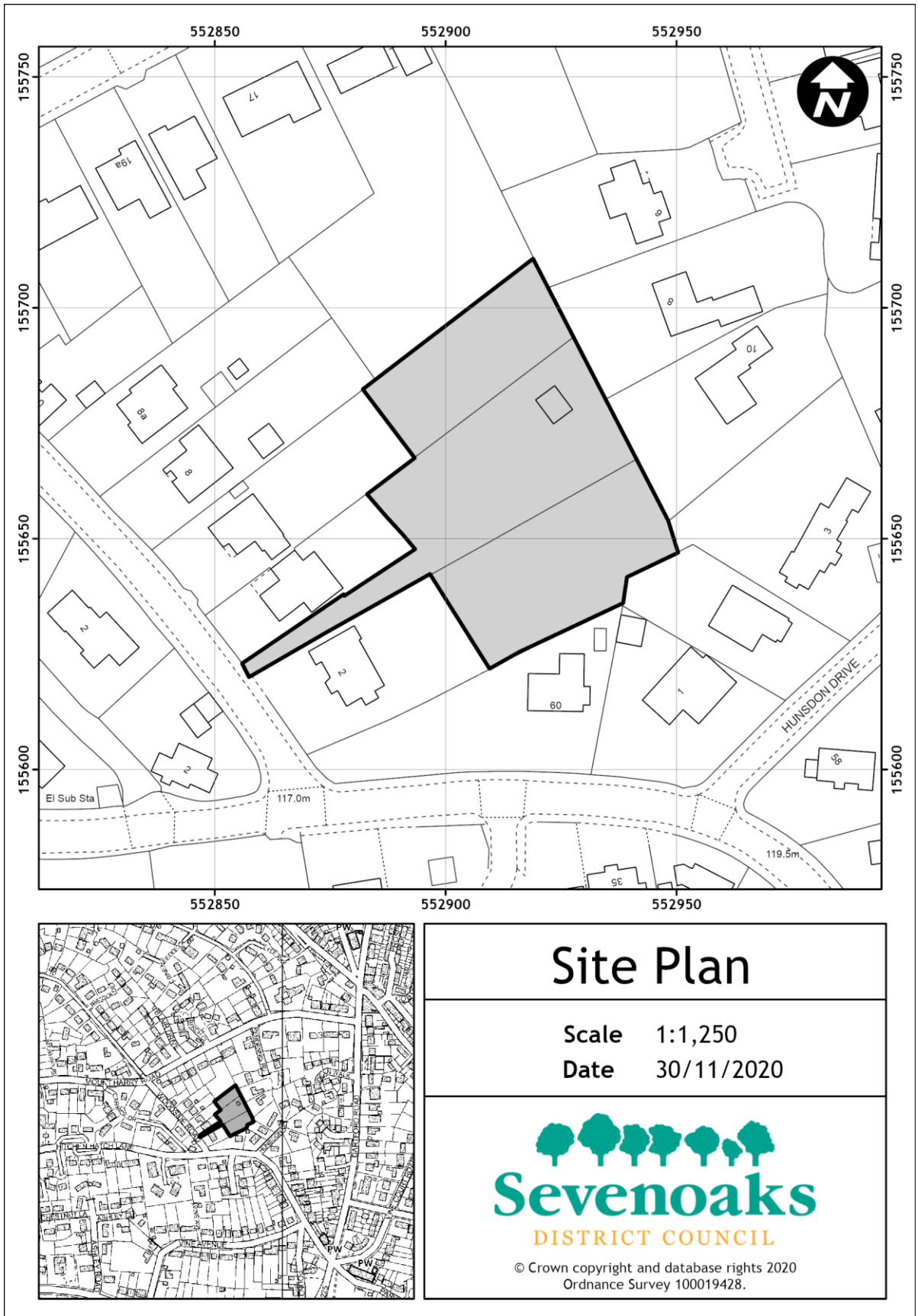
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QFMMYWBKL6R00>



# Site Plan

Scale 1:1,250  
Date 30/11/2020



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Ordnance Survey 100019428.

# BLOCK PLAN

