

- a) **DOV/23/00679 - Variation of Condition 2 (approved plans) for amendments to DOV/17/00246 relating to pedestrian access, creation of opening in listed wall and repositioning of plots 1, 2 and 3 (S73) (Erection of 9 detached dwellings, landscaping, creation of vehicular access and parking) - The Old Rectory, Church Hill, Eythorne**

Reason for report: Deferred from January Planning Committee

b) **Summary of Recommendation**

Planning Permission be Granted

c) **Addendum to Committee Report of 25 January 2024**

Introduction

- 1.1. This application was presented to the Planning Committee on 25<sup>th</sup> January 2024, where officers recommended that planning permission be granted, subject to a number of conditions.
- 1.2. At the meeting, members resolved to defer determination of the application for the following reason:
- “Officers to consult with the applicant on the relocation of parking spaces provided for residents of the disability bungalows”.*
- 1.3. A copy of the January Committee Report, which addresses all the relevant material planning considerations, is attached (Appendix 1).
- 1.4. Following a further consultation period given the receipt of amended plans, additional comments have been received since the case was reported to the January planning committee, and are summarised below:

Eythorne Parish Council

- Condition 18 requires a pedestrian crossing, concern is raised over the sufficiency and safety of a dropped kerb crossing (uncontrolled crossing) for pedestrians.
- Removing on-street parking will exacerbate the problem of speeding traffic along Church Hill. The Parish Council have attached recent data of a speed survey (January 2024) indicating volume & speed of traffic in this vicinity.
- If permission is given to the removal of Condition 17, the residents of Rectory Bungalows will lose on street parking on Church Hill.
- Concern raised over route that elderly and/or disabled residents would be required to take to re-provided spaces on site.
- Care providers and District Nurses are frequent visitors. Concern that residents have been discriminated against.

KCC Highways – No response received to date.

DDC Tree officer- No objection subject to a pre-commencement condition requiring an arboricultural method statement to demonstrate how the pedestrian pathway, retaining walls and surface for parking will be constructed without causing damage to the adjacent trees.

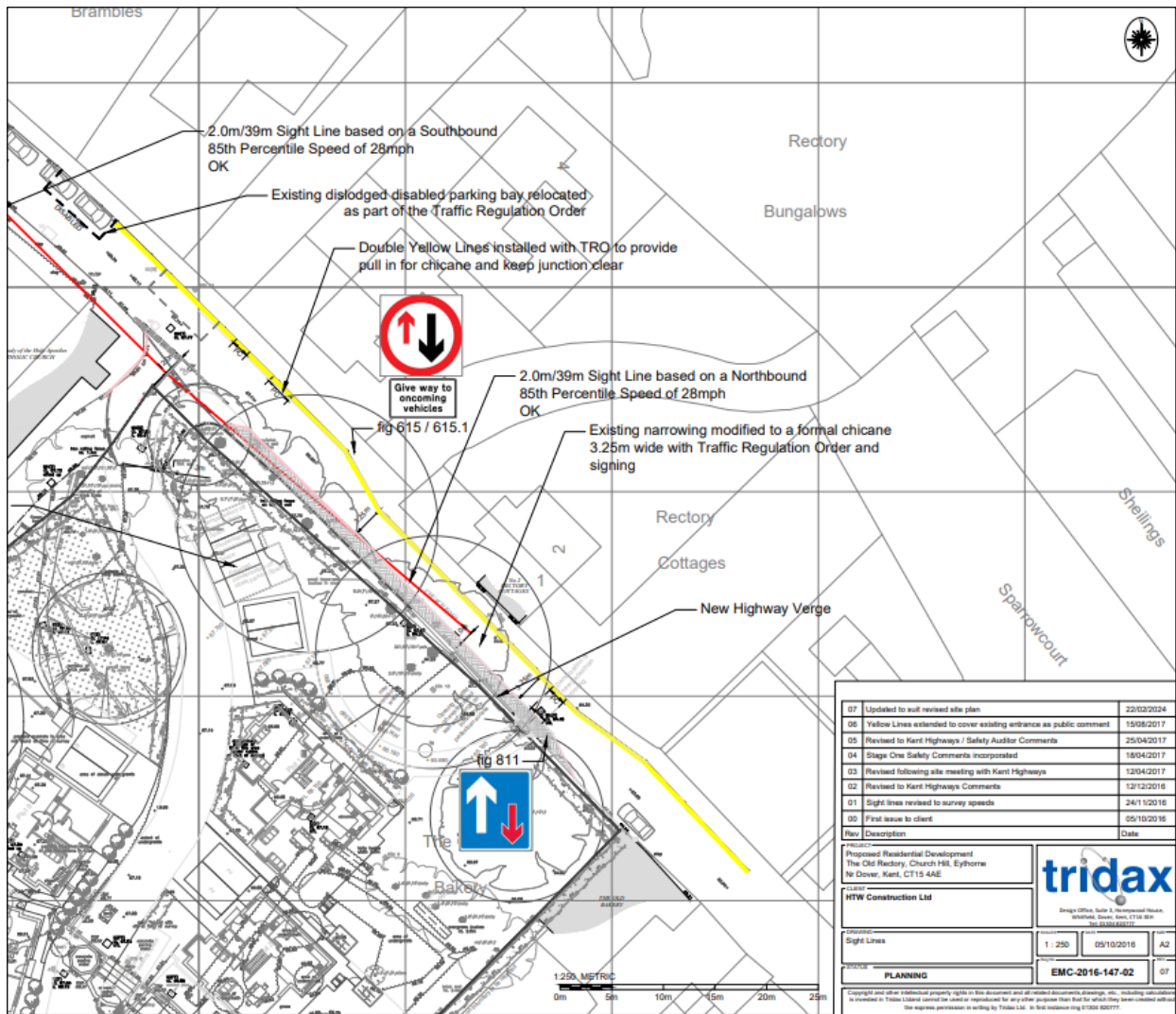
- 1.5. This addendum will provide an update regarding the subsequent negotiations and information submitted following the January planning committee.

#### Summary of Amendments to Proposal

- 1.6. The layout of the proposed scheme has been amended to address the concerns of the planning committee regarding the location of the 4 no. parking spaces to be provided on the site (in lieu of on-street parking being displaced on Church Hill).
- 1.7. These 4 no. parking spaces have been moved closer to the access onto Church Hill. In addition to this the route of the pedestrian access has also been amended to provide a more direct and convenient route to the parking spaces and into the site for future residents.
- 1.8. In order to minimize impact of the rerouted pedestrian access on the mature trees on the site (subject of a TPO), the dwellinghouses on plots 1, 2 and 3 have been moved slightly to the southwest of the site. The footprint of plots 1 and 2 have been moved by approximately 2 metres and plot 3 by approximately 1 metres. The description of the S73 application has been amended to reflect this adjustment to the layout of plots 1,2 and 3. The amended description has been revised to "Variation of Condition 2 (approved plans) for amendments to DOV/17/00246 relating to pedestrian access, creation of opening in listed wall and repositioning of plots 1, 2 and 3 (S73) (Erection of 9 detached dwellings, landscaping, creation of vehicular access and parking)"
- 1.9. It is considered that these changes are non-material, given the distances proposed in relation to the overall site plan. It is not considered that these changes would have any impact on character and appearance or neighbouring living conditions, or any other planning implications.
- 1.10. As per the previous scheme pedestrian access would be on a gradient and would be provided by a ramped footpath. Conditions relating to details of earthworks and finished levels were imposed on the original full planning permission (17/00246). It is considered that these should be reimposed, and revised details approved by condition, in order to secure an appropriate gradient for the ramp.
- 1.11. The position of the new pedestrian crossing to Church Hill and opening in the listed wall remain the same as presented at the January planning committee.
- 1.12. The amendments described above can be seen in the amended site plan, shown in figure 1 below.



**Figure 1 - Amended Proposed Site Layout (4 no. compensatory parking spaces highlighted in green)**



**Figure 2 – Amended plan showing sightlines and highways works**

- 1.13. The conditions recommended in the January committee report are recommended to be imposed, with the addition of the provision of details of a final arboricultural method statement.
- 1.14. The amended plans are considered to respond to the concerns raised by committee members. It is considered that the amendments would be acceptable in terms of the impact on the character and appearance of the area and would be acceptable in all other material respects, having regard to the conclusions reached in the committee report attached at Appendix 1.

d) **Recommendation**

I PLANNING PERMISSION BE GRANTED, subject to the following conditions:

1. Date of approval
2. Approved plans
3. Accordance with previously approved samples of materials
4. Accordance with previously approved construction details
5. No external meter cupboards etc to be installed on elevations fronting a highway

6. Details of earthworks to be approved
  7. Details of finished levels to be approved
  8. Accordance with previously approved details of foul drainage
  9. Provision of parking spaces
  10. Provision of cycle parking and refuse/ recycling store
  11. Accordance with previously approved construction management plan
  12. Removal of some PD rights
  13. Accordance with previously approved programme of archaeological work
  14. Hard and soft landscaping details to be approved
  15. Accordance with previously approved details of surface water drainage
  16. Accordance with previously approved foundation details
  17. Provision of additional four on-site parking spaces for residents of the Rectory Bungalows to be provided prior to occupation.
  18. Pedestrian crossing to be provided on Church Hill. Submission and approval of detailed designs for the pedestrian crossover and all other off-site highway works (Subject to separate S278 agreement).
  19. Provision and maintenance of pedestrian visibility splays
  20. Provision and maintenance of vehicle visibility splays
  21. Proposed external lighting, details to be submitted
  22. Details of guarding for footpath at/ near boundary of site through wall
  23. Approval of final arboricultural method statement and tree protection plan
- II Powers to be delegated to the Head of Planning and Development to settle any necessary planning conditions, in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Nicola Kingsford

*The Human Rights Act (1998) Human rights issues relevant to this application have been taken into account. The Assessment section above and the Recommendation represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).*