

APPENDIX 1**PLANNING COMMITTEE – 12 NOVEMBER 2020****DEFERRED ITEM**

Report of the Head of Planning

DEFERRED ITEMS

Reports shown in previous Minutes as being deferred from that Meeting

Def Item 1 REFERENCE NO - 20/500490/FULL		
APPLICATION PROPOSAL Erection of nine chalets to replace existing units.		
ADDRESS Seaview Holiday Camp Warden Bay Road Leysdown Sheerness Kent ME12 4NB		
RECOMMENDATION Grant subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION The replacement chalets are of an appropriate scale and design and as such will not cause harm to visual or residential amenities. The agent has agreed to a minimum reduction of 35% in emissions.		
REASON FOR REFERRAL TO COMMITTEE This application was deferred by the Planning Committee on 17 th September 2020.		
WARD Sheppey East	PARISH/TOWN COUNCIL Leysdown	APPLICANT Wickland (Holdings) Ltd AGENT Forward Planning And DevelopmentLtd
DECISION DUE DATE 03/04/20		PUBLICITY EXPIRY DATE 11/06/20

1. INTRODUCTION

- 1.1 This application was initially reported to the Planning Committee on 28th May this year. A copy of this report is attached as Appendix 1. Members deferred consideration of the application in order to visit the site. The site meeting eventually took place in early September and the application was then considered by Members at the Meeting on 17th September.
- 1.2 Members will recall that at this meeting, the application was deferred. The minutes from the meeting reads as follows:
- Resolved: That application 20/500490/FULL be deferred to allow officers and Ward Members to negotiate with the Applicant's Agent the provision of 50% sustainability measures.*
- 1.3 The agent was contacted to request the additional information and on receipt of this information, Building Control was consulted on the scheme and Ward Members and Cllr Valentine were notified of the information.

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- 2.1 Building Control – *“It is evident that the proposed replacement chalets will result in a major improvement over the original units both thermally and with consideration to sustainability... If the chalets are to be viewed as, low cost affordable homes, to comply with a 50% reduction in dwelling Emission rates over the current L1A building regulation requirements, although achievable, clearly will affect the build costs. Although not obtaining the 50% with consideration to some further improvements 35% reductions should be possible. I have not undertaken a cost analysis or full SAP calculations but to obtain 50% reduction for this type of development may be cost prohibitive for the developer and is only possible with further technological intervention such as additional PV, air source heat pump, and/or solar thermal panels. A target of 35% should be achievable unless proven uneconomical for development and end user. The design details provided do look towards a fabric first approach with support of photovoltaic technology that supports sustainable development consideration.”*

3. APPRAISAL

- 3.1 The submitted sustainability information sets out that by using solar panels and insulation on the replacement chalets, units 46, 47, 48 and 49 can achieve a 26% reduction in emissions, whilst units E29, E30, F30, F31 and G31 can achieve a 33% reduction, as they are south facing.
- 3.2 Building control then reviewed this information and first noted that they believe that the replacement chalets do represent a major improvement over the existing, poor quality chalets at the site. When reviewing the SAP reports, it was noted that with some minor changes, a 35% reduction in emissions can be achieved at the replacement chalets. The comments do set out that it is possible to achieve a 50% reduction, but this would likely impact on the viability of the scheme.
- 3.3 The agent confirmed they are satisfied that a 35% reduction can be achieved at the replacement chalets. Whilst this is less than the 50% reduction normally expected on new residential units, it is important to note that the development here relates to chalets, and to achieve a 50% reduction will result in the scheme being unviable for the applicant. As such, I consider the proposed reduction in emissions is acceptable and recommend a condition is imposed on the application in order to secure this reduction.
- 3.4 The agent would also like to clarify a point that was raised by Members regarding the small number of chalets that are being replaced in each application at the site. The applications are submitted when the ownership of the chalets is handed back to the owners of the park, when tenure is terminated by the occupants. This is why some of the replacement chalets are dotted around the park. In the future, subject to this application being successful, they do hope to submit applications that will propose a larger number of replacement chalets, which will allow the quality of accommodation provided at the site to improve.

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4. CONCLUSION

4.1 The replacement chalets will not cause any harm to visual or residential amenity. Suitable sustainability measures can be secured for the proposal and Building Control have confirmed they are satisfied the measures can be achieved. The development is therefore considered acceptable and as such, I recommend planning permission be approved.

5. RECOMMENDATION - GRANT Subject to the following conditions:

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) No development shall take place other than in accordance with the details shown on the following drawings: 3957_PL02, PL-5732_14 and PL-5732_15.

Reason: For the avoidance of doubt and in the interest of visual amenity.

(3) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 - 1900 hours, Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of local amenity.

(4) Upon completion, no further development, whether permitted by Classes A, B, C, D, E or F of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out without the prior permission in writing of the Local Planning Authority.

Reason: In the interests of the amenities of the area.

(5) The chalets hereby approved shall be constructed and tested to achieve the following measure:

At least a 35% reduction in Dwelling Emission Rate compared to the Target Emission Rates as required under Part L1A of the Building Regulations 2013 (as amended);

No development shall take place until details of the measures to be undertaken to secure compliance with this condition have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of promoting energy efficiency and sustainable development.

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INFORMATIVES

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

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