

06 April 2017 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks  
Despatched: 3 April 2017



# Development Control Committee

## Supplementary Agenda

### ITEMS MARKED TO FOLLOW

1. Minutes (Pages 7 - 14)

### URGENT ITEMS

Reason for urgency: Prior notification applications have been submitted. Such applications must be determined within a given timescale or they benefit from automatic permissions. The applications expire on 10 April 2017 and the next meeting of Development Control is not until 27 April 2017. The reports set out the detail as to why they are before Committee.

- 5.1 SE/17/00818/AGRNOT - Winkhurst (Pages 15 - 20)  
Grainstore, Faulkners Hill Farm, Yorks Hill  
Extensions to a general purpose steel framed building.
- 5.2 SE/17/00475/TELNOT - Land adjacent (Pages 21 - 28)  
Haresfield, Badgers Road, Badgers Mount  
Proposed telecommunications mast and base station installation.

### EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.



**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 16 March 2017 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Brown, Edwards-Winsor, Horwood, Parkin, Purves, Reay, and Miss. Stack

Apologies for absence were received from Cllrs. Barnes, Clark, Cooke, Gaywood, Hogg, Mrs. Hunter and Kitchener

Cllrs. Dr. Canet, Clack, Lowe, Piper and Raikes were also present.

The Chairman advised the meeting would commence at that at 7.10 p.m. to allow Members of the Committee time to consider the Late Observations and plans displayed.

75. Minutes

Resolved: That the minutes of the Development Control Committee held on 23 February 2017 be approved and signed by the Chairman as a correct record.

76. Declarations of Interest or Predetermination

There were none.

77. Declarations of Lobbying

Councillors Ball, Edwards-Winsor, Purves, Reay, Miss. Stack, Thornton and Williamson declared that they had been lobbied in respect of Minute 80 SE/16/03359/FUL - 19 Mount Harry Road, Sevenoaks TN13 3JJ.

Councillors Ball, Brown, Edwards-Winsor, Purves, Reay, Miss. Stack, Thornton and Williamson declared that they had been lobbied in respect of Minute 81 SE/16/03811/FUL - The Mount, Church Street, Shoreham TN14 7SD.

Reserved Planning Applications

The Committee considered the following planning applications:

78. SE/16/03117/FUL - 19 Mount Close, Sevenoaks, Kent TN13 3EG

The proposal sought permission for a rear dormer loft conversion to No. 19 Mount Close and the erection of an attached dwelling to the side of No.19 Mount Close. The application had been referred to the Committee by Councillor Krogdahl due to

the concerns that the development would have a detrimental impact upon the character and appearance of the street and would set a precedent within the locality.

Members' attention was brought to the main agenda papers and the late observations sheet which did not amend the recommendation. Members were advised by the Council's legal advisor that, contrary to the late observations sheet, the current legal position was as set out in paragraphs 54 to 56 of the Officer's original report. The Committee was addressed by the following speakers:

Against the Application: Roy Parsons  
For the Application: Christopher Tyler  
Parish Representative: Town Councillor Dr. Canet  
Local Members: -

Members asked questions of clarification from the Officers. In response to a question, the officer advised that, as the property was within a cul-de-sac and therefore as there was no linear pattern to the street scene, there would not be the appearance of infilling.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant planning permission, be agreed.

Members discussed whether the proposal would give the appearance of terracing and the size of the dormers. Members debated whether the street scene would be affected.

The motion was put to the vote and it was

Resolved: 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 external surfaces of the development hereby permitted shall match those used on the existing building.

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.

Notwithstanding the details shown on the hereby approved plans a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing

on site.

The landscaping scheme shall include the following details:

- a) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible) and size;
- b) enclosures: including types, dimensions and treatments of boundaries (including a more appropriate boundary treatment to the front of the approved dwellings), walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges;
- c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and
- d) any other landscaping feature(s) forming part of the scheme.

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. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to preserve the appearance and character of the site and locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 3) No development shall take place until details of a scheme to demonstrate that the internal noise levels within the residential unit would conform to Table 4: Indoor Ambient Noise Levels for Dwellings identified in BS 8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings shall be submitted to and approved in writing by the Local Planning Authority. L<sub>Amax,F</sub> during the period 2300 to 0700 should not exceed 45dBA. Work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and maintained thereafter. If mechanical acoustic ventilation needs to be provided, self noise must not cause the internal noise levels to exceed the BS8233:2014 criteria.

To safeguard the amenities of the future occupiers of the new dwelling as supported by Policies EN1, EN7 of the Sevenoaks Allocations and Development Management Plan.

- 4) No development shall take place until a schedule of biodiversity enhancement that includes a plan showing their locations have been submitted to and approved by the Local Planning Authority and completed in full prior to the occupation of the new dwelling hereby approved. The scheme shall be implemented in accordance with the approved details.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy SP11 of the Core Strategy and guidance in National Planning Policy Framework 2012. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 5) Before the use or occupation of the new dwelling hereby permitted, the car parking shown on the approved drawing GBT-020-PL-005 Rev.B shall be provided and shall be kept available for the parking of cars for both properties at all times.

In the interest of highway safety as supported by policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting those Orders) no development falling within Classes A, B, C, D and E of Part 1 of Schedule 2 to the said Order shall be carried out.

In order to safeguard the residential amenities of existing and future occupiers of the development and surrounding properties in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 7) Demolition or construction works shall not take place outside 0700 hours to 1800 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

To mitigate the impact upon nearby amenities of surrounding residents during construction, in accordance with policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

- 8) The development hereby permitted shall be carried out in accordance with the following approved plans:GBT-020-PL-001 Rev.A, GBT-020-PL002 Rev.A, GBT-020-PL-005 Rev.B, GBT-020-PL-006, GBT-020-PL-007.

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

### 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) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Building Control team on 01732 227376 or visit [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk) for further details.
- 3) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 4) Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email Thames Water a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over/near to agreement is required.

79. SE/16/03359/FUL - 19 Mount Harry Road, Sevenoaks TN13 3JJ

The proposal sought permission for the demolition of the existing property and replacement with 2 No. detached dwellings with separate road access. The application had been referred to the Committee by Councillor Fleming on the grounds of loss of amenity to number 17 Mount Harry Road due to bulk and scale of

the proposed adjacent dwelling and the negative impact the development would have on the street scene.

Members' attention was brought to the main agenda papers and the late observations sheet, which provided further information and amended the report. Amendments were made to condition 7 with an additional condition 12. The Council's legal advisor informed the Committee that, contrary to the late observations sheet, the current legal position was as set out at paragraphs 55 to 56 of the Officer's original report.

The Committee was addressed by the following speakers:

Against the Application: Sarah Cooke  
For the Application: Emma Gregson  
Parish Representative: Town Councillor Simon Raikes  
Local Members: Councillor Graham Clack

It was moved by the Chairman and duly seconded that the recommendation and late observations to approve the application in the report, be agreed.

Members discussed whether the dwellings would be overbearing on the neighbouring properties as the proposed depth of the properties was deeper than the current house. Members discussed the removal of the trees and the impact this could have on the street scene.

The motion to grant planning permission was put to the vote and it was lost.

It was moved by Councillor Thornton and duly seconded that the application should be refused under policies EN1 and EN2 due to the detrimental impact of the street scene, bulk and height, and the impact on neighbouring properties' amenity.

The motion was put to the vote and it was

Resolved: That delegated authority be granted to the Chief Planning Officer to draft grounds of refusal reflecting the areas of concern, following consultation with the local ward Councillors.

80. SE/16/03811/FUL - The Mount, Church Street, Shoreham TN14 7SD

The application sought permission for a proposed glazed pavilion with bi-folding doors and a glazed access door with retractable roof over existing court yard, alterations to existing garage door to add a single door access and conversion of store to a new tasting bar. The application was referred to Committee by Councillors Lowe and Edwards-Winsor on grounds relating to impact on the green belt, openness and the use of the proposal only during inclement weather.

Members' attention was brought to the main agenda papers and the late observation sheet which did not amend the recommendation but included additional grounds of refusal.



The Committee was addressed by the following speakers:

Against the Application: -  
For the Application: John Cummins  
Parish Representative: Parish Councillor Philip Dodd  
Local Member: Councillor Michelle Lowe

It was moved by the Chairman and duly seconded that the recommendation and late observations in the report to refuse planning permission, be agreed.

Members discussed whether the proposal would harm the green belt as the location of the application was well screened.

The motion to refuse planning permission was put to the vote and it was lost.

It was moved by Councillor Thornton and duly seconded that planning permission be granted and delegated authority be granted to the Chief Planning Officer to draw up the conditions following consultation with the Chairman, Vice Chairman and local ward members, to including conditions requiring the space enclosed by the proposal to be ancillary to the use of the main building and material samples to be submitted prior to the commencement of the build.

The motion to grant planning permission subject to conditions was put to the vote and it was

Resolved: That

- a) Planning permission be granted subject to conditions; and
- b) Delegated authority be granted to the Chief Planning Officer to draw up the conditions following consultation with the Chairman, Vice Chairman and local ward members.

81. SE/16/01655/FUL - Unit E, Ryedale Court, Riverhead TN13 2DN

The application sought permission for the demolition of existing office building Block E and proposed development of 23 new build residential apartments and offices, with associated undercroft and surface parking, cycle park facilities, bin storage and landscaping and access gates. The application had been referred to the Committee by Councillors Mrs. Bayley and Brown who were concerned about the level of parking provision proposed and the potential impact on the residential amenity of adjacent residential units.

Members' attention was brought to the late observations sheet which amended paragraphs 4 and 12 of the Officer's report, amended conditions 6, 10, 14 and 15 and included an additional condition.

The Committee was addressed by the following speakers:

Against the Application: -  
For the Application: Brian MacEntee

## Agenda Item 1

### Development Control Committee - 16 March 2017

Parish Representative: -

Local Member: -

Members asked questions of clarification from the Officers.

It was moved by the Chairman and duly seconded that the recommendation in the report and the late observations, be agreed.

Members discussed the proposed height of the development and whether it would be in keeping with the street scene. Members also discussed the parking provision and that it only met the minimum parking requirement.

The motion to grant planning permission was put to the vote and it was lost.

It was moved by Councillor Brown and duly seconded that the application should be refused as the proposal would have a detrimental impact of the street scene and local area due to the height and bulk of the development and harm the residential amenities. The Chief Planning Officer be delegated authority to draft grounds for refusal, following consultation with the local ward members.

The motion to refuse planning permission was put to vote and it was

Resolved: That

- a) The proposal would harm the character and appearance of the street scene and visual amenity of the local area, due to the excessive height, bulk and mass of the proposed development. This conflicts with policy EN1 of the Sevenoaks Allocations and Development Management Plan.
- b) The proposal would create an undesirable form of development. It would harm the residential amenities future occupants of the apartments with east facing windows on to the railway embankment. The development would also harm the amenities enjoyed by the occupants of Squiggles Nursery due to the overbearing and dominant appearance of the building. This conflicts with policy EN2 of the Sevenoaks Allocations and Development Management Plan.
- c) The Chief Planning Officer be granted delegated authority to draft grounds for refusal, following consultation with the local ward members.

THE MEETING WAS CONCLUDED AT 9.50 PM

CHAIRMAN

5.1 - SE/17/00818/AGRNOT Date expires: 10 April 2017

PROPOSAL: Extensions to a general purpose steel framed building

LOCATION: Winkhurst Grainstore, Faulkners Hill Farm, Yorks Hill

WARD(S): Brasted, Chevening and Sundridge

#### ITEM FOR DECISION

This application has been referred to Development Control Committee as the applicant is a relative of a Member of staff

RECOMMENDATION: Prior approval is NOT required.

#### Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

#### Description of Proposal

- 1 The application has been submitted in the form of an Agricultural Notification. This seeks confirmation from the Council that the works they wish to undertake are permitted development under Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and seeks a determination about

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whether prior approval is required for the siting, design or external appearance of the proposal.

- 2 It is proposed that an existing grain store, which comprises of three sections, one of which is slightly separated, be extended to the east.
- 3 The proposed extension is along the width of the existing units (38m) and of 11.7m in depth (total addition of 444sq.m); the total height of the building is 7.5m to eaves.

### Description of Site

- 4 The application site is located to the west of the Faulkners Hill Farm area, north of Winkhurst Green, on the York Hill. There is an existing grain store set just to the north of a residential dwelling known as 'The Smokery' and south of Old Forge Cottage.

### Constraints

- 5 Green Belt
- 6 Area of Outstanding Natural Beauty
- 7 Biodiversity Opportunity Area

### Planning History

- 8 12/01251/AGRNOT - Erection of general purpose steel framed building, length 18.2m, breadth 12m and height to ridge 7.5m - Prior approval not required

Officer Note: This building has been erected to the north of the two older units.

09/01822/AGRNOT - Erection of general purpose storage building. - No objection

Officer Note: This building was not erected.

08/00423/AGRNOT - Erection of a new grain store - No objection

Officer Note: This building was not erected.

### Consultations

#### *Parish/Town Council*

- 9 No response

#### *Agricultural Consultant:*

- 10 "Thank you for your request for advice regarding the above.

I note that this is a revision to the withdrawn proposal SE/17/00676/AGRNOT; the 3 adjacent extensions have a reduced length (11.7m) which brings their overall extent to within the GPDO limit.

About two-thirds of the extended area was earlier approved under SE/09/01822/AGRNOT but was not implemented.

I confirm that the overall works appear reasonably necessary for the stated purpose of providing increased general purpose storage capacity for this established 385 ha farm business.”

## Representations

- 11 None received.

## Chief Planning Officer's Appraisal

### Principal issues

- 12 The Council is asked to assess whether the proposed development is permitted development under Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and whether prior approval is required for the development proposed.
- 13 In assessing an application of this type, the local planning authority can only determine:
- Whether the proposal complies with the permitted development rights under Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended;
- And
- That prior approval is required for the siting, design and external appearance of the building or,
  - That prior approval is not required.
- 14 This part of the General Permitted Development Order requires proposals under this Class to be “*reasonably necessary for the purposes of agriculture within that unit*”
- 15 In assessing whether the works are ‘reasonably necessary’, the Council’s independent agricultural consultant, states that the proposed building would be necessary for the agricultural operation of the land and I concur with his assessment

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- 16 In making an assessment of the submitted details, the proposal complies with the restrictions and limitations of Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 17 It is proposed that the building be constructed of concrete panels, in a similar fashion to the existing building coloured an olive green, with reinforced concrete fibre roofing in a 'natural grey'. The proposed design and appearance of the extension to the existing grain store is appropriate for the rural setting of the area, and is of a design that would be 'expected' in a rural location. The proposed materials do not vary significantly from the existing building, which has a varying appearance at present.
- 18 Agricultural buildings are appropriate development in the Green Belt, as a typical feature of rural areas, including Areas of Outstanding Natural Beauty. The extension of an existing building is less harmful visually than the construction of a new building elsewhere. The proposed location is also screened from the west, north, and partly from the south, assisting in reducing any visual impact. The siting of the grain store is appropriate.

### Conclusion

- 19 The proposal complies with Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and meets the necessary conditions of these permitted development rights. Prior approval is not required.
- 20 The building has been established as reasonably necessary by an independent consultant, and the siting, design and external appearance of the building is appropriate within the application context.
- 21 It is recommended that Prior Approval is not required.

### Background Papers

Site and Block Plan

Contact Officer(s): Matthew Besant Extension: 7235

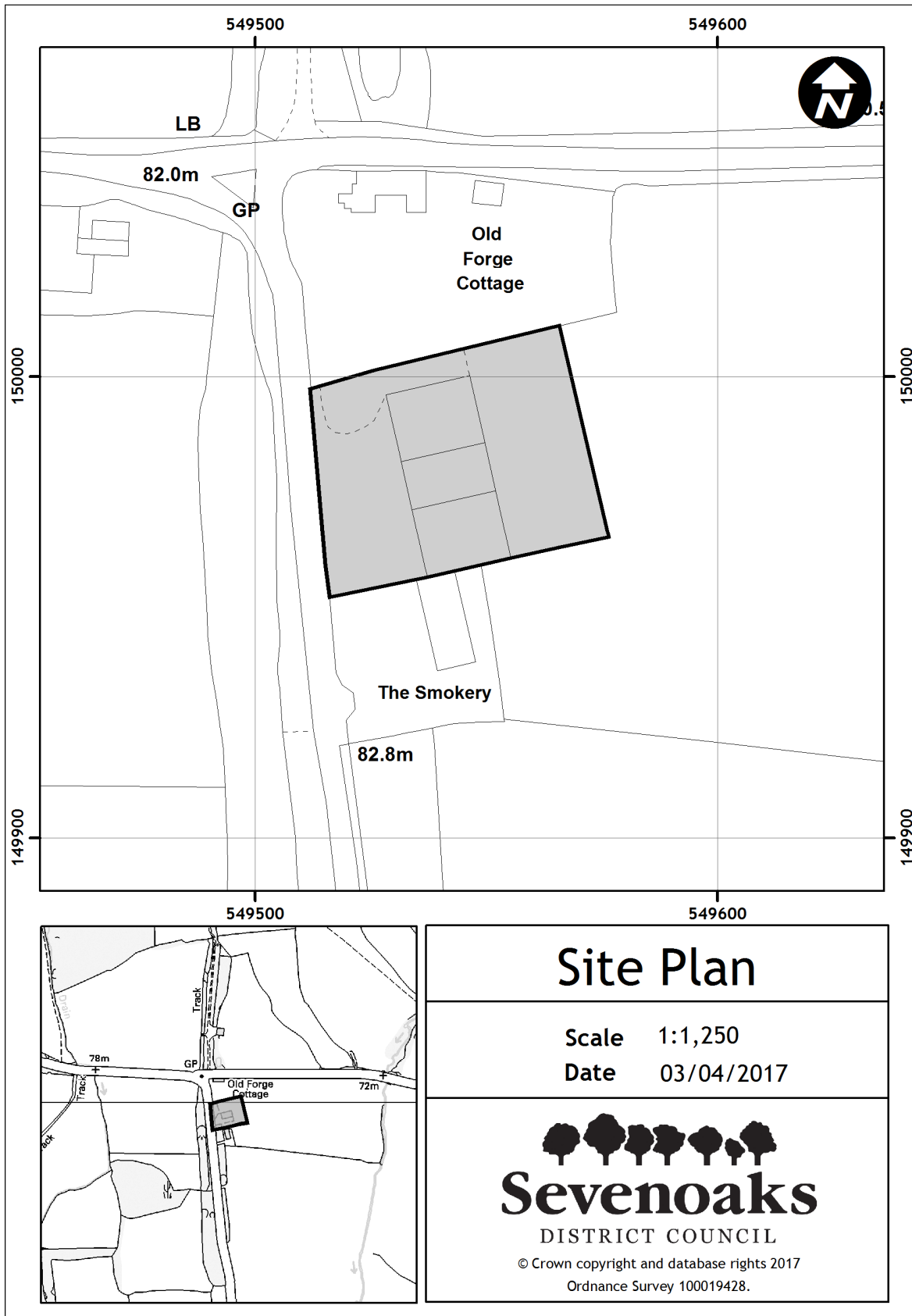
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

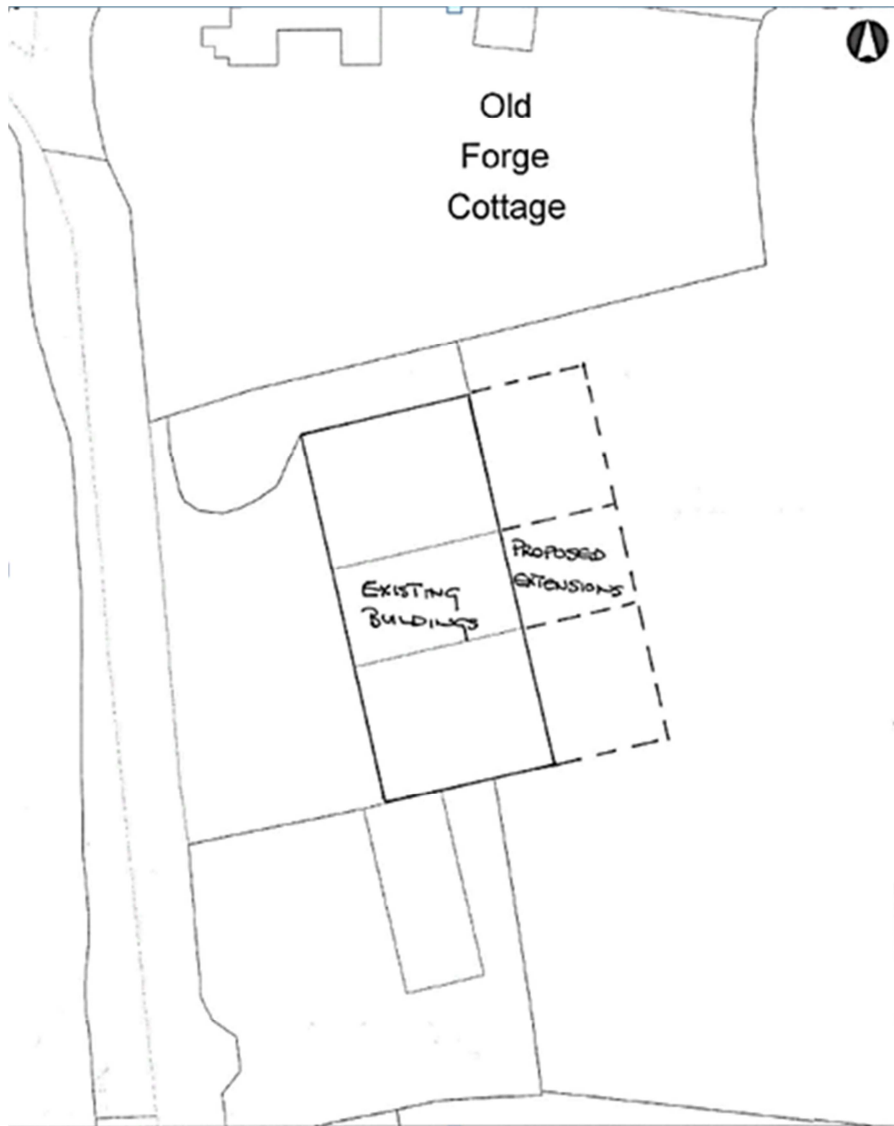
<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMRIH9BK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMRIH9BK0LO00>



**Block Plan**





5.2 - SE/17/00475/TELNOT Date expires: 10 April 2017

PROPOSAL: Proposed telecommunications mast and base station installation.

LOCATION: Land adjacent Haresfield, Badgers Road, Badgers Mount.

WARD(S): Halstead, Knockholt & Badgers Mount

**ITEM FOR DECISION**

This application has been referred to Development Control Committee by Councillor Williamson on grounds of harm to the Area of Outstanding Natural Beauty.

RECOMMENDATION: Prior approval is NOT required.

**Note to Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line ([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

**Description of Proposal**

- 1 The proposal includes a lattice tower (as labelled on submitted plans), with 6No. antennas of 2m installed at the very top of the tower, and 6No.

## Agenda Item 5.2

dishes sited upon the tower. The total proposed height of the structure is 18m.

- 2 The proposal includes the installation of 2No. cabinets at the base of the lattice tower.
- 3 The site upon which the tower and its supporting cabinets are installed is to be surrounding by a 1.8m fence.

### Description of Site

- 4 The application site is located in a field to the east of Badgers Mount, bounding the M25 Motorway.
- 5 The position within the field upon which the proposed mast sits is close to the highest point of the hill. The site is isolated in its nature despite its proximity to the edge of Badgers Mount and the motorway.

### Constraints

- 6 Green Belt
- 7 Area of Outstanding Natural Beauty
- 8 Biodiversity Opportunity Area

### Planning History (relevant only)

- 9 None

### Consultations

#### *Parish/Town Council*

- 10 Badgers Mount Parish Council - Objection - Councillors object to the proposed application on the following grounds:

Inappropriate development within the AONB and the greenbelt land. The development is also harmful to a number of residential properties due to the mast within the sight lines of these properties.

### Representations

- 11 1x Support

2 x Objection. The issues raised are summarised as follows:

- Harm to AONB/Green Belt;
- Impact on local character;
- Impact on health;
- Impact on property value (Officer note: this is not a material planning consideration).

## Chief Planning Officer's Appraisal

### Principal issues

- 12 This proposal is not a planning application, as under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the proposal is considered by the applicant to fall within the permitted development limits of Part 16, Class A. The applicant requests that the local authority determines whether prior approval is needed for this application.
- 13 Assessing the scheme under the prior approval process it is for the Local Planning Authority to consider the siting and appearance of the development.
- 14 In addition to the above, Section 5 of the National Planning Policy Framework (NPPF) supports high quality communications infrastructure.
- 15 Paragraph 43 states that, 'where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate'.
- 16 Paragraph 45 of the NPPF sets out a list of evidence that should be included to justify the proposed development:
  - Consultations with organisations with an interest in the proposed development;
  - For a new mast or base station, that erecting antennas on other buildings or other masts has been explored and that when operational, the International Commission guidelines will be met
- 17 Local Planning Authorities are encouraged to determine applications on planning grounds.

### *Council's Options*

- 18 In assessing an application of this type, the local planning authority can only determine:
    - Whether the proposal complies with the permitted development rights under Class A, Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended;
- And
- That prior approval is required for the siting, design and external appearance of the building or,
  - That prior approval is not required.

## Agenda Item 5.2

### *Whether the proposed tower and antennas are Permitted Development*

- 19 The applicant is seeking confirmation that the proposed mast, antennas and cabinet are permitted development under Part 16 Class A of the General Permitted Development Order 2015 (as amended).
- 20 Under the relevant part of the General Permitted Development Order Class 16, Class A, development is not permitted under the following circumstances:
- c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of
    - i. 25 metres above ground level on unprotected land; or
    - ii. 20 metres above ground level on article 2(3) land or land which is on a highways;
- 21 Areas of Outstanding Natural Beauty are one of the constraints included with the Article 2(3) designation.
- 22 The proposal includes a 15m tower, with a further 3m in antennas and supporting equipment.
- 23 Equipment housing does not exceed the limited set within (7) of Class A within the AONB.

### *Whether the proposal complies with the requirements of the NPPF*

- 24 A statement has been provided to confirm that the mast is designed to be in full compliance with the requirements of radio frequency guidelines according to the International Commission on Ionizing Radiation (ICNIRP) for public exposure.
- 25 Due to this, the proposal complies with Paragraph 45 of the NPPF.

### *The need for the mast*

- 26 The erection of a new mast is subject to a sequential test within the NPPF, where antennas should be erected upon existing structures and services shared where possible.
- 27 In this instance, the applicant has submitted no details of a sequential test, although they have included a plans showing the lack of existing coverage in the area, and a review of the local area clearly identifies that there would be no suitable existing structure to share and install the apparatus.

### *Siting and appearance of mast and Impact on Area of Outstanding Natural Beauty*

- 28 In assessing whether the proposal is acceptable, the Local Planning Authority should consider whether the siting and appearance of the equipment is acceptable and in line with the advice within the NPPF. This

- primarily states that the equipment should be sympathetically designed and camouflaged where appropriate.
- 29 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
  - 30 Policy EN1 of the Sevenoaks ADMP states that the form of the proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality.
  - 31 The site is located within the Kent Downs Area of Outstanding Natural Beauty. The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development. Policy EN5 of the ADMP states that proposals within AONB will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
  - 32 The Sevenoaks Countryside Assessment describes the sensitivity of the Badgers Mount landscape as being 'moderate'. It attributes harm to the landscape from the M25, but reads that its visibility throughout and across the landscape is low due to its wooded nature and undulating topography.
  - 33 The lattice tower is located in an isolated area, although it will be visible from a few residential properties private amenity space, these views will be extremely restricted by trees and distance. The tower will also be visible to users on the M25.
  - 34 Whilst the proposed mast site is itself upon a cleared piece of land, which gives the mast an extensive view, from elsewhere in the landscape the mast would be screened from view to any landscape user by the tree canopy, as well as the local topography.
  - 35 From a local character perspective, the lattice tower will be of minimal harm to the broader landscape and further minimal harm to the immediate area.
  - 36 The AONB is conserved as the proposal has low visual impact upon the landscape. The AONB is enhanced as, as the Council cannot object on the grounds of need in principle, the applicant could propose to construct a mast elsewhere, at a significantly increased impact to the AONB.
  - 37 As a result, it is recommended that Prior Approval is not required with regards to the siting and design of the equipment.

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### Conclusion

- 38 The proposed mast and antennas are permitted development under Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and there are no other outstanding reasons to object under the Prior Approval process and therefore Prior Approval is not required.
- 39 It is recommended that Prior Approval is not required.

### Background Papers

Site and Block Plan

Contact Officer(s): Matthew Besant Extension: 7235

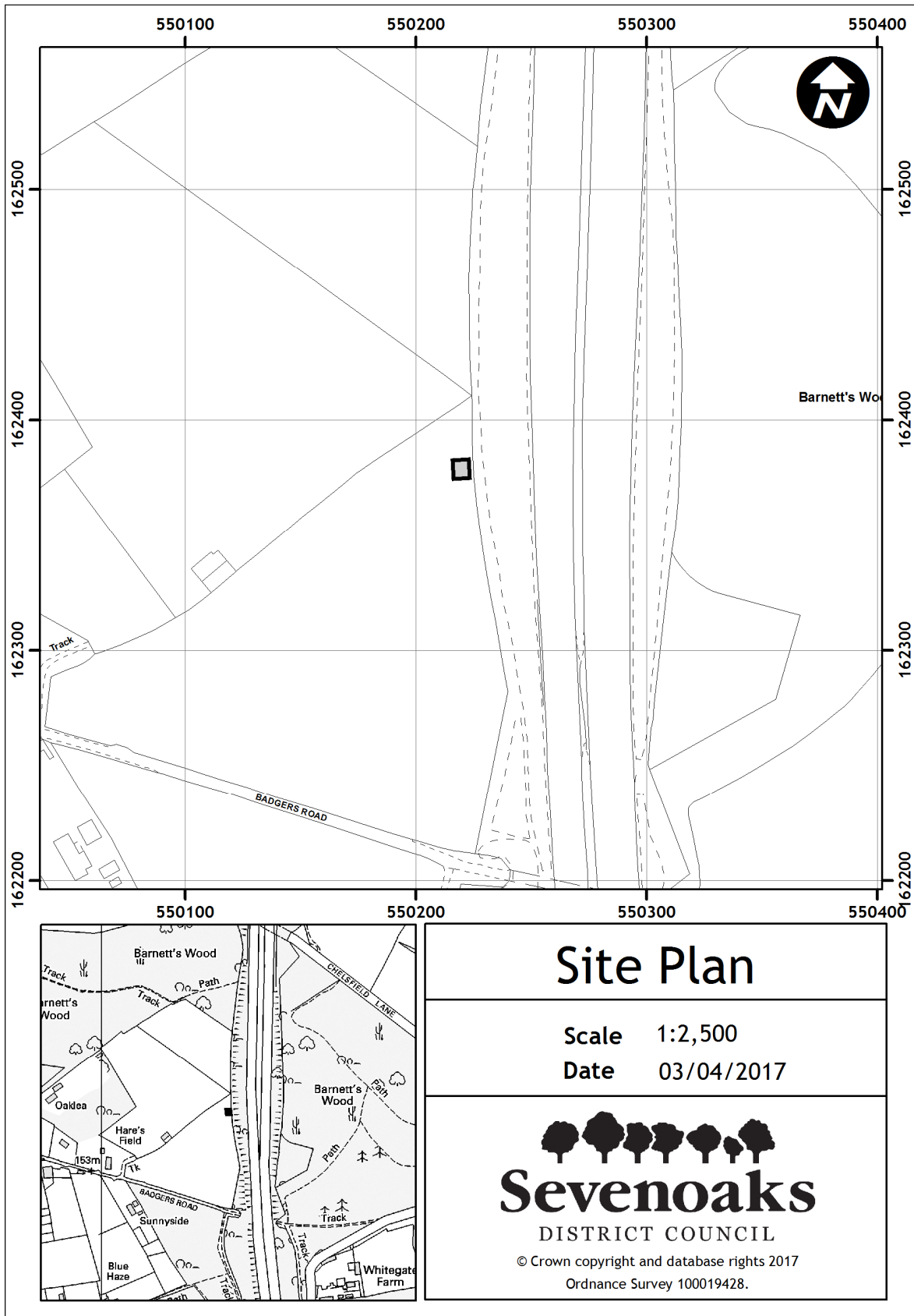
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OLGP8DBK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OLGP8DBK0LO00>



# Agenda Item 5.2

## Block Plan

