

**DEVELOPMENT CONTROL COMMITTEE**

**09 July 2015 at 7.00 pm**  
**Council Chamber, Argyle Road, Sevenoaks**

**AGENDA**

**Membership:**

Chairman: Cllr. Williamson

Vice-Chairman Cllr. Thornton

Cllrs. Ball, Barnes, Bosley, Brown, Clark, Cooke, Edwards-Winsor, Gaywood, Hogg,  
Mrs. Hunter, Kitchener, Layland, Lindsay, Parkin, Purves, Raikes and Miss. Stack

**Pages**

**Apologies for Absence**

1. **Minutes** (Pages 1 - 14)  
To approve the minutes of the meeting of the Committee held on 18 June 2015, as a correct record.
2. **Declarations of Interest or Predetermination**  
Including any interests not already registered
3. **Declarations of Lobbying**
4. **Planning Applications - Chief Planning Officer's Report**
  - 4.1. **SE/15/01031/HOUSE - The Sheiling, Coopers Lane, Penshurst TN11 8AT** (Pages 15 - 26)  
Erection of a boundary fence (retrospective).
  - 4.3. **SE/14/03939/FUL - Brenden , Billet Hill, Ash TN15 7HE** (Pages 39 - 50)  
Conversion of existing two storey detached garage building with rooms over into a self-contained two bedroom house with parking.
  - 4.4. **SE/15/01331/HOUSE - 5 Archer Way, Swanley BR8 7XR** (Pages 51 - 58)  
The erection of a single storey side and single storey rear extension.
5. **Tree Preservation Orders**
  - 5.1. **Objection To Tree Preservation Order Number 03 Of 2015 Located At Hollym, Clenches Farm Lane, Sevenoaks** (Pages 59 - 62)  
That the Tree Preservation Order No 03 of 2015 be confirmed without amendment.

## **EXEMPT ITEMS**

(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.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

**If you wish to speak in support or against a planning application on this agenda, please call the Council's Contact Centre on 01732 227000**

For any other queries concerning this agenda or the meeting please contact:  
The Democratic Services Team (01732 227247)

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk) or speak to a member of the Democratic Services Team on 01732 227247 by 5pm on Monday, 6 July 2015.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 18 June 2015 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Bosley, Clark, Cooke, Edwards-Winsor, Gaywood, Hogg, Kitchener, Layland, Parkin, Purves, Raikes, and Miss. Stack

Apologies for absence were received from Cllrs. Brown, Mrs. Hunter and Lindsay

Cllrs. Fleming, McArthur, McGarvey, Mrs. Morris and Piper were also present.

9. Minutes

Resolved: That the minutes of the Development Control Committee held on 28 May 2015 be approved and signed by the Chairman as a correct record.

10. Declarations of Interest or Predetermination

Cllr. Thornton declared that she was well acquainted with the applicants for minute item 17 - SE/15/00912/HOUSE – 12 Knole Road, Sevenoaks, TN13 3XH and would withdraw from the Chamber for the item. Upon their consideration she left the Chamber and did not take part in the debate or voting thereon.

Cllr. Raikes declared for minute item 12 - SE/14/02075/FUL – 98 – 116 London Road, Sevenoaks, TN13 1BB, minute item 13 - SE/15/00874/FUL – 123 St. Johns Hill, Sevenoaks, TN13 3PE, and minute item 17 - SE/15/00912/HOUSE – 12 Knole Road, Sevenoaks, TN13 3XH he was a Member of Sevenoaks Town Council and had been party to decisions of Sevenoaks Town Council but would remain open minded.

Cllr. Kitchener declared for minute item 18 - SE/15/01324/TELNOT – Vodafone Ltd, Vodafone Communication Station, Telecommunications Equipment North of 79 St. Davids Road, Hextable, Kent that he was a Member of Hextable Parish Council and had been party to decisions of Hextable Parish Council but would remain open minded.

Cllr. Edwards-Winsor declared for minute item 16 - SE/15/00808/FUL - Land West of Dairy House, Shoreham Road, Shoreham, Sevenoaks, TN14 7UD that he was a Member of Otford Parish Council but would remain open minded.

Cllr. Layland declared for minute item 14 – SE/15/00545/FUL – Barn Cottage, Crouch House Road, Edenbridge TN8 5ED that he was the ward Member.

Cllr. Purves declared for minute item 17 – SE/15/00912/House – 12 Knole Road, Sevenoaks TN13 3XH that she was the ward Member.

## Agenda Item 1

### Development Control Committee - 18 June 2015

#### 11. Declarations of Lobbying

Cllrs. Clark, Edwards – Winser, Gaywood, Hogg, Mrs. Parkin, Raikes and Thornton declared that they had been lobbied in respect of minute item 12 – SE/14/02075/FUL – 98 -116 London Road, Sevenoaks, TN13 1BB.

Cllrs. Bosley, Clark, Edwards – Winser, Gaywood, Layland and Raikes declared that they had been lobbied in respect of minute item 14 – SE/15/00454/FUL – Barn Cottage, Crouch House Road, Edenbridge TN8 5ED.

#### Reserved Planning Applications

The Committee considered the following planning applications:

#### 12. SE/14/02075/FUL 98 - 116 London Road, Sevenoaks TN13 1BB

The proposal was for demolition of the existing buildings and erection of a mixed use scheme which comprised a total of 60 residential units (C3) and an integral office element (B1). It had been referred to Committee by Cllr. Fleming for reasons including impact on the Conservation Area, intensification of use of the site, design and appearance, appropriateness of the redevelopment, density of development, loss of an employment site, and lack of affordable housing provision.

Members' attention was brought to the main agenda papers and the late observation sheet which amended the report before the Committee but did not change the recommendation.

The Committee was addressed by the following speakers:

Against the Application:	Anthony Brougham
For the Application:	-
Parish Representative:	-
Local Member:	Cllr. Fleming

Members asked questions of clarification from the speakers and officers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to refuse planning be agreed.

Members considered the application and expressed concern at the density, bulk and scale of the development. Members also commented that it could have a detrimental impact on the street scene and a negative effect on the conservation area to the rear of the development. Members discussed the lack of affordable housing allocations.

The motion with additional reasons for refusal was put to the vote and it was:

Resolved: That planning permission be refused for the following reasons

- 1) The proposal represents an overdevelopment of the site, with an inappropriate scale, height, massing and density of development to the

detrimental of the visual amenity of the local area. As such the proposal would be contrary to policies EN1 of the Sevenoaks Allocations and Development Management Plan and SP1 and SP7 of the Sevenoaks Core Strategy, and the NPPF.

- 2) The proposal would fail to preserve or enhance the character or appearance of the Sevenoaks Vine Conservation Area or the Sevenoaks Granville & Eardley Road Conservation Area by virtue of its scale, bulk and height resulting in a dominant form of development. As such the proposal is contrary to policies EN4 of the Sevenoaks Allocations & Development Management Plan and SP1 of the Sevenoaks Core Strategy.
- 3) The proposal fails to make provision for 40% affordable housing or for a suitable mix of housing type and is therefore contrary to Policies SP3 and SP5 of the Sevenoaks District Core Strategy and the Sevenoaks Affordable Housing Supplementary Planning Document.
- 4) The proposal would result in over-development of the land because it would create a dominant and oppressive effect upon No.118 London Road due to loss of sunlight and daylight and overlooking. This conflicts with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

13. SE/15/00874/FUL 123 St Johns Hill, Sevenoaks TN13 3PE

The proposal was for change of use from A1 (shops) to A3/A5 use for restaurant and/or takeaway, with internal alterations. It had been referred to Committee as the Officer's recommendation was at variance to the view of the Town Council and at the request of Councillor Fleming who was concerned with the impact on the designated neighbourhood centre, impact on highways safety and the impact on local health.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speaker:

Against the Application: -  
For the Application: -  
Parish Representative: -  
Local Member: Cllr. Fleming

Members asked questions of clarification from the speaker and officers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to grant planning permission subject to conditions be agreed.

Members raised concerns over increased traffic and obstructions caused by parking on curbs. Concerns were also raised over possible health implications of a take away.

Resolved: That planning permission be granted subject to the following conditions

## Agenda Item 1

### Development Control Committee - 18 June 2015

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan, 15/1242/03A and 15/1242/02.

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

- 3) No development shall be carried out on the land until a scheme of noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should assess the worst case scenario noise impact from the proposed extract and ventilation system using methods contained within British Standard 4142:2014, Methods for Rating and Assessing Industrial and Commercial Sound to assess the likely effects of sound on people who maybe inside or outside the dwellings nearby. The development shall be carried out using the approved scheme and all plant shall be maintained in accordance with guidance and advice from the manufacturer.

To safeguard the residential amenity of the occupiers of adjacent and nearby properties as supported by policies EN2 and EN7 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.

- 4) Notwithstanding the information held within the planning application, no development shall be carried out on the land until a scheme of odour control has been submitted to and approved in writing by the Local Planning Authority. Full details of proposed odour control should include:
  - a) The position of the flue in relation to neighbouring properties and window openings.
  - b) Details of proposed routine cleaning and maintenance of the system, and the service requirements of the installed odour control system, including details of system access panels and confirmation that they will be grease tight.
  - c) Details of the type of food to be cooked, the cooking time per day; and the type of cooking appliances used.
  - d) The manufacturer's specification/data sheets for any odour control elements of the system.

Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises. The extraction and treatment equipment shall be maintained and operated in compliance with the approved scheme. After installation of the approved

plant no new plant or ducting system shall be used without the written consent of the Local Planning Authority. The development shall be carried out using the approved materials.

To safeguard the residential amenity of the occupiers of adjacent and nearby properties as supported by policy EN2 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.

- 5) No development shall be carried out on the land until a scheme demonstrating that appropriate facilities for storage and collection of refuse and waste, for the approved use shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details and be retained thereafter.

To safeguard the amenity of the area and the residential amenity of the occupiers of adjacent and nearby properties as supported by policies EN1 and EN2 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.

- 6) The use permitted shall take place on the site only between the hours of 08:00 to 23:00. Outside of these hours, no customer or potential customer shall be permitted to be on the premises and no preparation of food shall take place.

To safeguard the residential amenity of the occupiers of adjacent and nearby properties as supported by policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

#### Informatives

- 1) The applicant should refer to DEFRA guidance document: Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems in relation to the discharge of conditions 3 and 4 above.
- 2) The applicant is advised to contact the Council's Environmental Health, Food Safety Team at the initial design stage, with respect to advice on compliance with food safety legislation and advice regarding a food registration form.

## Agenda Item 1

### Development Control Committee - 18 June 2015

14. SE/15/00454/FUL Barn Cottage, Crouch House Road, Edenbridge TN8 5ED

The proposal was for demolition of existing house, garage & outbuilding and erection of two 3 bedroom detached houses. It had been referred to Committee as the Officer's recommendation was at variance with the view of the Town Council and at the request of Councillor Layland who was concerned about the potential impact on the character and appearance of the area, the potential impact on residential amenity, the potential impact on highways safety and the potential for flood risk.

Members' attention was brought to the main agenda papers and the late observation sheet which included an additional informative to the Officer's report.

The Committee was addressed by the following speakers:

Against the Application:	Robert Howes
For the Application:	-
Parish Representative:	Town Councillor Bob Orridge
Local Member:	Cllr. McArthur

Members asked questions of clarification from the speakers and officers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to grant planning permission subject to conditions be agreed.

Members discussed that the application was on a flood plane and were concerned that two properties could make the flooding worse. Some Members expressed concern that the properties would have a detrimental impact on the street scene and the loss of amenity space for the neighbouring properties. Members discussed that the properties were larger in height than the neighbouring properties and whether it was overdevelopment of the site.

The motion was put to the vote and it was lost.

It was moved by the Chairman and duly seconded that the application should be refused as the proposal would have a detrimental impact on the amenities of the neighbouring property, and the design was inappropriate due to the scale and height.

Resolved: That planning permission be refused for the following reasons:

- 1) The proposed development is overdevelopment of the site in that it fails to respond to the scale and character of the area contrary to the National Planning Policy Framework and Policy SP1 of the Sevenoaks Local Plan and EN1 of the Sevenoaks Allocations and Development Management Plan; and
- 2) The proposed development will have a detrimental impact on the amenities of neighbouring residential properties contrary to Policy EN2 of the Sevenoaks Allocations and Development Management Plan



Informative

The applicant is advised that the Council is concerned regarding the adequacy and accuracy of the submitted Flood Risk Assessment. The applicant is encouraged to liaise with Edenbridge Emergency Planning Committee.

15. SE/15/00358/HOUSE Willow Cottage, Dartford Road, Horton Kirby DA4 9JE

The proposal was for conversion of existing garage to an annexe. It had been referred to Committee by Councillor McGarvey so that the Green Belt implications could be discussed.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speaker:

Against the Application: -  
For the Application: -  
Parish Representative: -  
Local Member: Cllr. McGarvey

Members asked questions of clarification from the speaker and officers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to grant planning permission subject to conditions be agreed.

Members discussed whether informatives could be included to advise that the annex could only be used as part of the main dwelling and for it to be used as a separate dwelling, planning permission would be required. A Member suggested that building control guidance should be sought.

The motion with the additional informatives for building control guidance and if it were to be used as a separate dwelling would require planning permission 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 enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

## Agenda Item 1

### Development Control Committee - 18 June 2015

- 3) The development shall be carried out in accordance with the following plans, WILLOW-COTTAGE-02

For the avoidance of doubt and in accordance with proper planning.

- 4) The ground floor window(s) in the eastern (front) elevation(s) shall be obscure glazed at all times.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

#### Informatives

- 1) The applicant/agent/successor in title is advised that the planning permission has been granted for an annexe incidental to the enjoyment of the main dwelling only. Should the annexe be used as a dwelling in its own right than additional planning permission will be required.
- 2) The applicant/agent/successor in title is advised that the proposed works needed to convert the outbuilding may require separate consent under the Building Regulations, and are advised to contact the Council's Building Control Team if they require further information.

16. SE/15/00808/FUL Land West Of Dairy House , Shoreham Road, Shoreham Sevenoaks TN14 7UD

The proposal was for demolition of a dilapidated large outbuilding within the curtilage of Dairy House and the creation of a new dwelling. It had been referred to Committee by Councillors Lowe and Edwards-Winsor due to concerns about the proposed development being contrary to policy GB7 of the Allocations and Development Management Plan.

Members' attention was brought to the main agenda papers and the late observation sheet which did not amended the recommendation before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Rob Ranson
Parish Representative:	Sarah Parkes
Local Member:	Cllr. Lowe

Members asked questions of clarification from the speakers and officers. In response to a question it was clarified that the proposals were contrary to policy GB9 of the ADMP as set out in the Officer's report but that it did comply with the National Planning Policy Framework (NPPF).

It was moved by the Chairman and duly seconded that the recommendation in the agenda to grant planning permission subject to conditions be agreed.

Members' discussed that the proposals, and noted that the structure was not larger than the current building and that it could enhance the site.

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 development hereby permitted shall be carried out in accordance with the following approved plans: 4576-PD-20/A; 21, S13/3878/01; 02.

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

- 3) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials. 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.

To ensure that the appearance of the development enhances the character and appearance of the site and Kent Downs Area of Outstanding Natural Beauty as supported by Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

- 4) Before the use or occupation of the development hereby permitted, the car parking and turning areas shown on the approved drawing 4576-PD-20/A shall be provided and shall be kept available for the parking of cars at all times.

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

- 5) 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 walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges;

## Agenda Item 1

### Development Control Committee - 18 June 2015

- 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.

To preserve and enhance the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 6) No extension or external alterations shall be carried out to the dwelling hereby approved, despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 7) No building, enclosure or swimming pool, other than those shown on the approved plans, shall be erected within the curtilage of the dwelling hereby approved, despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved. 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.

To ensure that historic building features are properly examined and recorded in accordance with policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 9) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the details so approved. 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.

To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 10) Details of any outside lighting shall be submitted to and approved in writing by the Council before the first occupation of the development. Despite any development order, outside lighting shall only be provided in accordance with the approved details.

To mitigate the impact of development on nature conservation and to preserve the visual appearance of the area as supported by policies EN1, EN5 and GI1 of the Sevenoaks Allocations and Development Management Plan.

- 11) Prior to the commencement of development, full details of appropriate measures to mitigate and enhance the biodiversity and nature conservation value of the site shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in full accordance with the details so approved prior to the first occupation of the development. 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.

In order to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy (2011), policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

- 12) No development shall take place until a bat mitigation strategy has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the details so approved. The Local Planning Authority is satisfied that it is fundamental to

## Agenda Item 1

### Development Control Committee - 18 June 2015

the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

In order to mitigate the impact of the development on nature conservation site in accordance with policy SP11 of the Core Strategy (2011), policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

- 13) The hereby approved roof lights shall be conservation-style and fitted flush with the slope of the roof.

To safeguard the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

#### Informatives

- 1) Please note that in accordance with the information on your Self Build Exemption Claim Form Part 1 and the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you MUST submit a COMMENCEMENT NOTICE to the Council BEFORE starting work on site. Failure to do so will result in the CIL charge becoming payable in full.
  - 2) Please note that within six months of completing the home, the applicant must submit additional supporting evidence to confirm that the project is self build, being:
    - \* A Self Build Exemption Claim Form - Part 2 (available on the Planning Portal website);
    - \* The supporting evidence as set out in the form, to confirm that the levy exemption should be upheld.
- If the evidence is not submitted to the Council within the 6 month time period, the full levy charge becomes payable.
- 3) 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. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

17. SE/15/00912/HOUSE 12 Knole Road, Sevenoaks TN13 3XH

The proposal was for demolition of existing garage and conservatory, erection of a two storey front, side and rear extension (with one velux window to side elevation) and a single storey rear extension, and erection of a new porch. It had been referred to Committee by Councillor Purves for the following reasons: detrimental impact on the street scene, overbearing impact on the neighbour at no. 13 Knole Road, cramped development and excessive bulk.

Members' attention was brought to the main agenda papers and the late observation sheet which did not amend the recommendation to the Committee.

The Committee was addressed by the following speakers:

Against the Application:	Geoffery Cuthbert
For the Application:	Adrian Rigby
Parish Representative:	Town Cllr. Mrs. Walshe
Local Member:	-

Members asked questions of clarification from the speakers and officers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to grant planning permission subject to conditions be agreed.

Members' discussed whether the development would result in significant loss of amenity space to the neighbouring properties and whether the loss of the space between the houses would have a detrimental impact on the street scene.

The motion was put to the vote and it was lost.

It was moved and duly seconded that planning permission should be refused as the development would have a detrimental impact on the street scene, neighbouring amenities and that the design was contrary to the Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SPD).

The motion was put to the vote and it was

Resolved: That Planning Permission be refused for the following reasons:

The proposed development would have a detrimental impact upon the character and appearance of the host dwelling and street scene through the addition of a dominating two-storey extension which is unsympathetic in size and design to the host dwelling, and with the two-storey side extension to the south-east resulting in the loss of the characteristic gaps between buildings seen within this section of Knole Road. As such the development is contrary to the National Planning Policy Framework and policies EN1 of the Sevenoaks Local Plan, EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan, and contrary to the Sevenoaks Residential Character Area Assessment SPD.

## Agenda Item 1

### Development Control Committee - 18 June 2015

Cllr. Thornton left the room for this item and did not take part in the debate or voting thereon)

18. SE/15/01324/TELNOT Vodafone Ltd, Vodafone Communication Station, Telecommunications Equipment North Of 79 St Davids Road, Hextable, Kent

The proposal was for installation of a dual user monopole radio base station accommodating 6 no. antenna and 1 no. dish. It had been referred to Committee by Councillor Mrs Morris to discuss neighbours concerns regarding noise and maintenance

Members' attention was brought to the main agenda papers and the late observation sheet which did not amended the report before the Committee.

The Committee was addressed by the following speakers:

Against the Application:	Jennifer Knight
For the Application:	-
Parish Representative:	-
Local Member:	Cllr. Mrs. Morris

Members asked questions of clarification from the speakers and officers.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to lodge no objection be agreed.

Resolved: That no objection be lodged.

THE MEETING WAS CONCLUDED AT 9.53 PM

CHAIRMAN



**4.1 – SE/15/01031/HOUSE** Date expired 2 June 2015

**PROPOSAL:** Erection of a boundary fence (retrospective).

**LOCATION:** The Sheiling, Coopers Lane, Penshurst TN11 8AT

**WARD(S):** Penshurst, Fordcombe and Chiddingstone

**ITEM FOR DECISION**

The application has been referred to the Development Control Committee at the discretion of the Chief Planning Officer on the ground of the controversial nature of this retrospective planning application.

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

1) Within one month of the date of this decision, the applicant shall submit a landscaping scheme for the planting a native hedgerow adjacent to the northwest face approved fencing. The planting scheme shall provide a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities). The soft landscape works shall be carried out in accordance with the approved details.

To preserve the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

2) The approved landscape works shall be carried out before the end of the forthcoming planting season. The landscape works shall be carried out in accordance with the approved details.

To preserve the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

3) If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To preserve the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: CL-770-PD-F-01

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

**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;

## Agenda Item 4.1

- 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.

In this instance the applicant/agent:

- 1) Was provided the opportunity to submit amendments which led to improvements to the acceptability of the proposal.

### Description of Proposal

- 1 This is a respective application for the retention of a 1.875 metre high boundary fence that has been erected along the south-eastern boundary of the application site with the neighbouring property Hamsell, Coopers Lane, Penshurst, with a length of 18.5 metres. This fence boards a listed building, Hamsell, Coopers Lane, Penshurst, thus requiring an application for planning permission. The fence has been stained dark green.
- 2 The applicant has stated that they would plant a hedge in front of the fence.
- 3 The applicant has stated that the *“fence is for privacy, security and safety. Fence appears smaller on neighbours side due to garden rising upwards. Whilst open fencing has place in countryside, this fence separates two residential gardens. Surrounding properties have close boarded fencing. Believe fence has no adverse impact or causes harm to AONB. Does not harm setting of listed building with this having elevation position. Hedging could be used to screen the hedge”*.

### Description of Site

- 4 The application site comprises a detached property located on the north-western side of Coopers Lane, Penshurst. The site is situated within the ward of Penshurst, Fordcombe and Chiddingstone. There is a mixture of hedging, close

boarded fencing and post and rail boundary treatments in the vicinity of the application site.

Constraints

- 5 Area of Outstanding Natural Beauty – High Weald
- 6 Metropolitan Green Belt
- 7 Public Rights of Way (along north-eastern boundary of site)

Policies

*Sevenoaks District Core Strategy*

- 8 Policies – LO1, SP1

*Sevenoaks District Allocations and Development Management Plan (ADMP)*

- 9 Policies– SC1, EN1, EN2, EN4 and EN5

*Other*

- 10 The National Planning Policy Framework (NPPF)
- 11 Planning (Listed Buildings and Conservation Areas) Act 1990
- 12 Residential Extensions Supplementary Planning Document (SPD)

Recent Planning History

- 13 14/03418/HOUSE - Erection of a single storey extension with chimney to south-east elevation (side) and erection of a single storey conservatory to north-west elevation (side). Alterations to fenestration – Granted
- 14 15/01476/NMA - Non Material Amendment to SE/14/03418/HOUSE – Non-material

Consultations

*Penshurst Parish Council*

- 15 Support this application.

*SDC Conservation Officer*

- 16 The Sheiling is a modern detached house set within generous grounds adjacent to open countryside and a pair of semi-detached Grade II listed houses dating from the 16<sup>th</sup> century with later additions; Hamsell and Hamsell Farm. They are timber framed with a tile hung elevation to the front and timber-framing to the rear. Historic mapping suggests that the application site was formerly the gardens of Hamsell. These houses are part of a small rural hamlet on Coopers Lane within the High Weald AONB. The AONB Statement of Significance states that, “The essential character of the High Weald was established by the 14<sup>th</sup> century and has survived major historical events, and social and technological

## Agenda Item 4.1

changes. It is considered to be one of the best surviving coherent medieval landscapes in Northern Europe.”

- 17 The applicant’s garden extends across the bottom of the Grade II listed Hamsell’s garden, separating this garden from the open fields. The boundary of The Sheiling’s garden that is adjacent to the fields has a cleft and post fence as has Hamsell Farm’s boundary. The boundaries that separate each dwelling are high hedges and fences. The bottom boundary between the gardens of the Sheiling and Hamell was previously open with a low level retaining wall marking the approximate boundary. It is unlikely that this is an historic feature, and the applicant has submitted supporting documentation to this effect, dating it post 1948 and therefore not considered a curtilage listed structure.
- 18 The main conservation consideration is the impact on the setting of the listed building. The setting is defined by the openness of the wide river valley and the surrounding historic farmland in this part of the AONB and the softness of the boundary treatments which enhance the relationship between the built form and the natural environment. The land slopes away from the settlement towards the river. There are long views of the attractive timber-framed rear elevation from the wider surrounding area. In particular there is a relationship between Hamsell and Hamsell Farm and the fields to the north and their open strut and post boundaries. This treatment can be seen throughout the hamlet. The latest Historic England Good Practice Advice - Planning Note 3 on views and setting states, “setting does not depend on public rights or ability to access it, significance is not dependent on numbers of people visiting it” and Hamsell is clearly visible in short and long views from the surrounding farmland. The standardised close boarded fence introduces a modern and incongruous urban form into this historic rural landscape and the solidity of the form disconnects Hamsell from the wider landscape. The close-boarded fence is uniform and regular creating a jarring urban form which is uncharacteristic of this rural setting and detracts from this bucolic setting.
- 19 This harm is less than substantial harm but the public benefits required by the NPPF have not been demonstrated to justify the development. Although the setting is characterised by openness and the former farmhouse is still experienced within its rural context, the site is no longer Hamsell’s garden. “Protection of the setting of heritage assets need not prevent change” (Historic Environment Good Practice Advice in Planning Note 3, Historic England) and the now sub-divided garden plot mean boundaries must be considered. There is no objection to the principle of a boundary but it should be in a form that respects the established setting of this historic building and landscape.

### *Conservation Officer (additional comments)*

- 20 The applicant has proposed to plant a hedge to screen the fence. This would go some way to mitigating the impact on long views.

### *High Weald AONB Unit (initial comments)*

- 21 ‘Unfortunately we no longer have a planning adviser and due to limits on my time I have not visited the site. However, I’d like to draw your attention to the following points:

- In general, I do not consider fencing per se to be a major issue yet in the High Weald but it is widely accepted that sympathetic design and efforts to contribute to the maintenance and improvement of the special characteristics of nationally important landscapes such as the High Weald should be encouraged. And although much of the High Weald still retains its local distinctiveness, the creeping 'suburbanisation' so often associated with residential access and boundaries and the use of standardized materials and/or products (such as close board fencing) not reflecting the local character can undermine the High Weald's distinctiveness;
- The Kent Downs AONB Unit have produced a very useful and informative landscape design guidebook, which provides readily accessible and practical design information and guidance and, given my views above, I would urge both the applicant and Sevenoaks District Council to consult and follow this guidance. Although the guidelines have been written with the Kent Downs in mind, the range of fencing options and appropriate materials and designs are also suitable for the High Weald. Pages 8 and 64 – 70 are most relevant in this case and a link to the guidance can be found here:

<http://www.kentdowns.org.uk/guidance-management-and-advice/landscape-design-handbook>

- 22 These comments are advisory and are intended to provide Sevenoaks District Council with my professional views on the potential impacts to the High Weald landscape and these comments are not necessarily the views of the High Weald AONB Joint Advisory Committee. It remains the responsibility of Sevenoaks District Council to decide whether the proposed application's benefits outweigh its potential adverse impacts or harm to the AONB.'

### *High Weald AONB Unit*

- 23 Further comments from the High Weald AONB unit were received as follows:
- 'It's my opinion that the planting and establishment of a hedge comprised of appropriate native plant species is an appropriate option and I welcome Mrs Waggot's efforts to consider and address the points outlined in my comments on the planning application RR/2015/704/P15/01031/HOUSE. Not only are native hedges an important and characteristic feature of the High Weald but they also contribute to the area's distinctiveness and their benefits for wildlife are well known. In the shorter-term the hedge will screen the fence, which could be removed at a later date once the hedge is established.'

### Representations

- 24 Letters from two sources have been received objecting to the planning application. The concerns raised in these letters can be summarised as follows:
- Style of fencing not in keeping with the rural location, giving a suburban feel. Open post and rail with wire netting would be more suited.
  - 1.8 metre close boarded fence constitutes inappropriate development in the MGB and AONB due to height and construction. Contrary to EN5 (materials do not conserve or enhance the character of the landscape), LO8 of Sevenoaks D.C. Countryside Assessment SPD (regards should be given to ensure all development conserves and enhances local landscape

## Agenda Item 4.1

character), EN5 (development which harms or detracts from landscape character of the AONB will not be permitted), Residential Extensions SPD (boundary treatment which is not characteristic of countryside such as close boarded fences should be avoided as urban in character and detract from openness of countryside), adversely affecting setting of the listed building Hamsell.

- Fence visible from two PROWs.
- Believe that part of the fence is built on/attached to land falling within the ownership of Hamsell.
  - The dispute over boundary ownership is not a planning matter and as such cannot be considered within this application. This is a private matter.

25 Letters have been received from the previous owners of the application site. These outlines that the Haw was erected in 1981 within the curtilage of The Sheiling, and the wall was erected 18 years ago in the curtilage of the Sheiling.

### **Chief Planning Officer's Appraisal**

#### Principal issues

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

- 26 The NPPF states that the Government 'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' (para. 56).
- 27 Paragraph 131 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 28 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. Policy EN1 of the ADMP states that the form of proposed development should respond to the scale, height, materials and site coverage of the area. This policy also states that the layout of proposed development should respect the topography and character of the site and the surrounding area.
- 29 The Residential Extensions SPD outlines that the boundaries to properties have a significant impact on the character of an area and its visual amenity. Local context should influence the design of any new or replacement boundary and unsympathetic boundary treatment (such as close boarded fences) should be

avoided on front or side boundaries facing a street. The closed boarded fence is not a front or side boundary fence, but an internal boundary fence. It is sited to the rear and matches the use of existing close boarded fencing in the immediate locality. Whilst it may not be most ideal fencing in this rural location, given its siting in between gardens and to the rear and through its use of matching style of fencing to existing fencing in the immediate vicinity, the close boarded fencing does not detract from the visual amenity of the locality under policy EN1 of the ADMP and SP1 of the Core Strategy.

- 30 Members should note that the fence erected is 1.875 metres in height and as such would be permitted development were it not for the fact it borders and encloses the neighbouring listed building Hamsell, Coopers Lane.
- 31 As such the impact of the fence on the setting of the listed building must be considered under policy EN4 of the ADMP and Section 66 of the Town Planning (Listed Buildings and Conservation Areas) Act 1990. Development should preserve or enhance the setting of a Listed Building.
- 32 The site of The Sheiling runs along the north-eastern and north-western sides of the listed building Hamsell. The fence has been erected where the site borders the north-western (rear) side of Hamsell. The fence stands at a lower level than Hamsell, as the Listed Building stands in an elevated position compared to the fencing erected. Hamsell is also joined onto Hamsell Farm, which is also a Listed Building.
- 33 The fence erected has a length of 18.5 metres and runs along the south-eastern boundary of the application site with the neighbouring property Hamsell, Coopers Lane, Penshurst. This fence is located around 20 metres away from the rear most (north-western most) elevation of the listed building Hamsell. From visiting the site it is clear that there are examples of other properties using close boarded fencing in this location, including those that side boundaries for the listed buildings Hamsell and Hamsell Farm. Whilst the recently erected fencing will be more visible from the rear and public footpaths, from other view points it will be no more visible than the existing close boarded fencing that exists at Hamsell and Hamsell Farm and the local area. In addition the fencing has been painted dark green to lessen its prominence in the locality. There is some also landscaping features which help to soften its impact, the applicant has also indicated a willingness to plant a hedge in front of the fence (within their ownership) to further reduce the visual presence of the fence in this locality.
- 34 The Conservation Officer has raised no objection in principle to the erection of a boundary fence in this location, but had concerns as to whether the close boarded fencing was an appropriate boundary treatment surrounding these Listed Buildings in this rural location and its wider landscape. As I have discussed above, the fencing has been erected at a lower ground level than Hamsell and Hamsell Farm, appropriately 20m away and constructed from a boundary treatment that matches that already used as a boundary treatment at these Listed properties. Therefore in terms of the impact on the immediate setting of these Listed Buildings, I am satisfied that the fencing has not resulted in any harm and would preserve the setting of these Listed Buildings. In terms of the wider setting of these Listed Buildings, the fence would be visible from a public footpath to the west, however this is over 150m away and the fence is stained dark green and whilst visible, is not a prominent feature and does not prohibit views or harm the setting of these Listed Buildings, particularly given it is also sited at a lower

## Agenda Item 4.1

ground level. The applicant is also proposing to plant a hedging in front of the fencing to further reduce its impact. Members will also note that the Conservation Officer has further commented that the use of hedging would go some way to mitigate the long views. Given these circumstances and ability to condition extra planting, I am satisfied that the fencing does not harm the long distance setting of the Listed Hamsell and Hamsell Farm. As such I am satisfied on balance that the development preserves the setting of both Hamsell and Hamsell Farm listed buildings in line with policy EN4 of the ADMP and Section 66 of the 1990 Act.

- 35 Policy EN5 of the Allocations and Development Management Plan outlines that 'proposals within the 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.'
- 36 The High Weald AONB Unit had initially advised that the use of close boarded fencing is a standardized material which does not reflect the local character and can undermine the High Weald's distinctiveness. As highlighted above, there is a mix of boundary treatments in this location, including the use of close boarded fencing, so it would not be out of keeping with the landscape character in this locality. Equally my comments regarding the visibility of the fence from long distance above are also relevant to the landscape character of the AONB. Following the applicant suggesting that they would plant hedging in front of the fencing, the High Weald AONB Unit considered this to be appropriate solution to address their previous concerns. The matter of extra planting can be controlled by condition. Therefore I am satisfied that the proposal will preserve as well as enhance the landscape character of the AONB, through the provision of additional native hedging.

### *Impact on neighbouring amenity*

- 37 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy EN2 of the Allocations and Development Management Plan outlines that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development, and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that development does not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and where the build form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.
- 38 The development would not result in an unacceptable loss of privacy, light, overshadowing and would not be overbearing impact on the neighbouring properties.



**Conclusion**

39 In light of the above considerations, I am satisfied that the development does not harm the landscape character the Area of Outstanding Natural Beauty nor harm the setting of the Listed Buildings Hamsell and Hamsell Farm. The development preserves these keys features and therefore is in accordance with development plan and therefore my recommendation is to grant planning permission.

**Background Papers**

Site and Block Plans

Contact Officer(s): Hannah Weston Extension: 7387

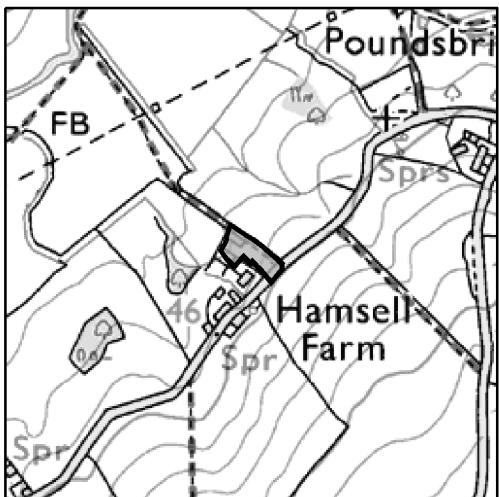
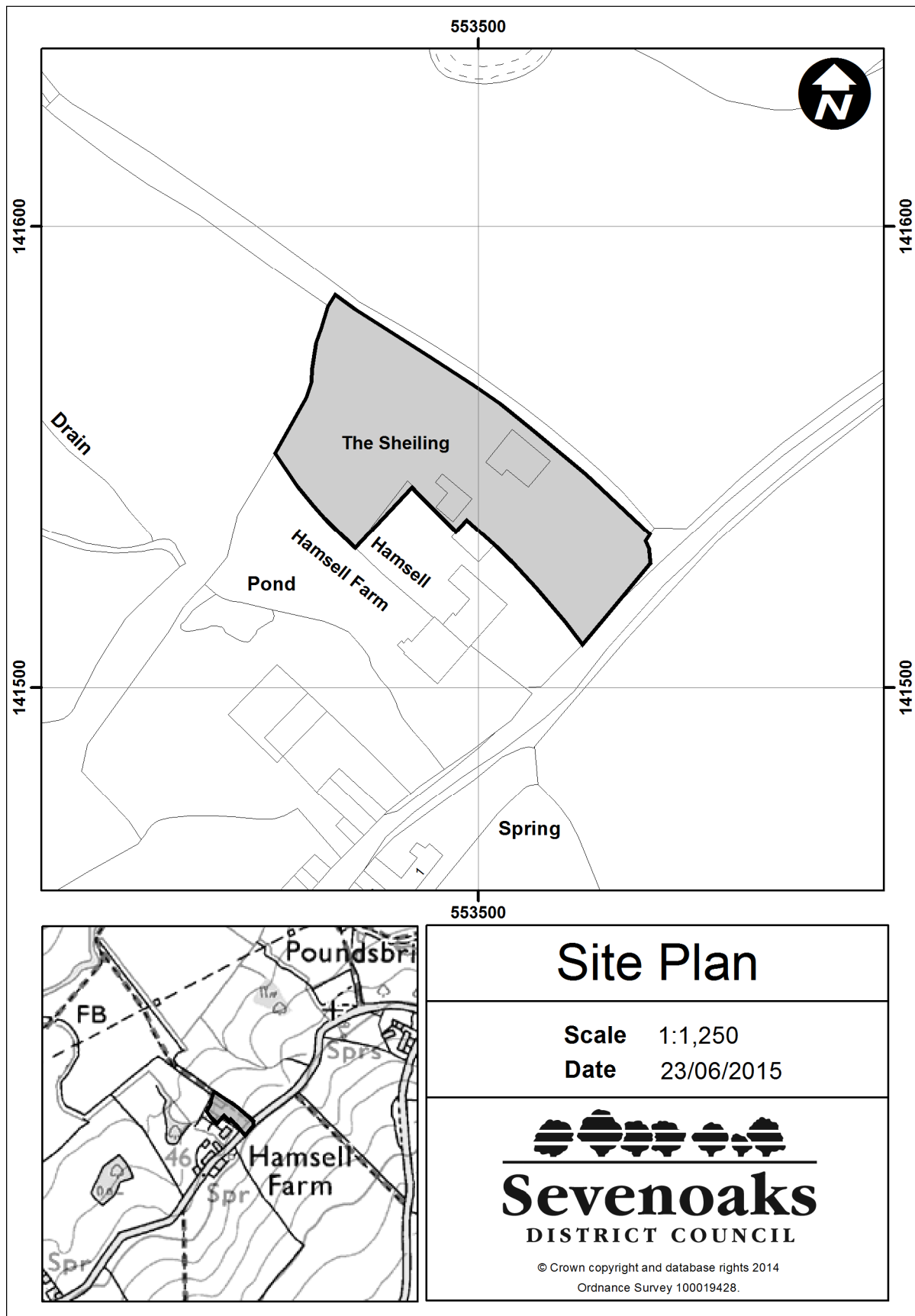
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NMG21YBKJA200>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NMG21YBKJA200>



# Site Plan

Scale 1:1,250  
Date 23/06/2015



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Ordnance Survey 100019428.

BLOCK PLAN



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**4.3 – SE/14/03939/FUL** Date expired 12 February 2015

**PROPOSAL:** Conversion of existing two storey detached garage building with rooms over into a self-contained two bedroom house with parking.

**LOCATION:** Brenden , Billet Hill, Ash TN15 7HE

**WARD(S):** Ash And New Ash Green

**ITEM FOR DECISION**

Councillor Clarke has referred this application to Development Control Committee as this proposal would lead to, the creation of an additional dwelling contrary to Green Belt policies and due to highways safety implications.

**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 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 building as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) No development shall take place until details of the layout and construction of areas for the parking of cars including garage spaces and means of access have been submitted to and approved in writing by the Council. The parking areas approved shall be provided and kept available for parking in connection with the use hereby permitted at all times. 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.

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

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development shall be carried out within Classes A, B, C, D, E, F, G of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

To ensure that openness of the Green Belt and the character and appearance of the landscape is protected in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and Policies SP1, L08 of the Core Strategy.

5) No development shall be carried out until full details of all existing and proposed

## Agenda Item 4.3

means of enclosure have been submitted to the Council for written approval. These details shall include a plan indicating the positions, design and materials of all means of enclosure. The development shall be carried out in accordance with the approved details. No other means of enclosure other than those shown on the approved plans shall be erected within the curtilage of the dwelling hereby approved, despite the provisions of any Development Order. 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.

To ensure that openness of the Green Belt and the character and appearance of the landscape is protected in accordance with Policy EN1 of the Allocations and Development Management Plan and Policies SP1, L08 of the Core Strategy.

6) No development shall take place until a scheme detailing measures for the enhancement of biodiversity on the site, has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be in place prior to the first occupation of the dwelling and shall thereafter be retained. 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.

To provide opportunities to conserve and enhance biodiversity on the site, in accordance with Policy SP11 of the Sevenoaks District Core Strategy.

7) Details of any outside lighting shall be submitted to and approved in writing by the Council before the development commences. Despite any development order, outside lighting shall only be provided in accordance with the approved details.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and policy SP1 of the Sevenoaks Core Strategy.

8) The development hereby permitted shall be carried out in accordance with the following approved plans: 1 unnumbered 1:1250 scaled location plan, 501 Rev. A, 101 Rev. A, 102 Rev. A, 103 Rev. A, 104 Rev. A.

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) 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing

sewerage system.

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 contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk).

3) 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. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

**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.

In this instance the applicant/agent:

- 1) Did not require any further assistance as the application was acceptable as submitted.

## Agenda Item 4.3

### Description of Proposal

- 1 This proposal seeks to convert an existing detached garage into a two bedroomed dwelling. A small single storey extension will be proposed to the eastern elevation of the existing building to form an entrance lobby. The site will be sub-divided from Brenden and a new residential curtilage would be established as a result. Off street parking provision would be provided and the existing off-street parking area to the rear of Brenden would be retained albeit at a lower level of provision.

### Description of Site

- 2 The application relates to a two storey building used for ancillary residential purposes for the enjoyment of the occupiers of Brenden. The building is currently used as a games room and as a garage. Directly to its front, is an existing parking area and the vehicular entrance that leads onto Billets Hill.
- 3 The site forms parts of a small cluster of buildings of various ages and architectural styles that surround the crossroads of Billet Hill and Crowhurst Lane.
- 4 The site is within the Metropolitan Green Belt.

### Constraints

- 5 Metropolitan Green Belt

### Policies

#### *Sevenoaks Core Strategy*

- 6 Policies– L08, SP1, SP2, SP3, SP11

#### *Allocations and Development Management Plan:*

- 7 Policies - EN1, EN2, GB7, T2

#### *Other*

- 8 National Planning Policy Framework (NPPF)
- 9 National Planning Practice Guidance (NPPG)
- 10 SDC Development in the Green Belt SPD

### Planning History

- 11 88/02598 - Detached double garage with playroom and store over – GRANTED

### Consultations

#### *Ash-cum-Ridley Parish Council*

- 12 Raise objections for the following reasons:
  - Creation of a new dwelling in the Green Belt



- Highway safety issue being generation of additional traffic in proximity to existing crossroads.

*Kent Highways Services*

13 No objection. Highway Informative recommended.

*Thames Water*

14 No objection raised. Water Informative recommended.

*Southern Water*

15 No comment.

Representations:

16 None received.

**Chief Planning Officer Appraisal**

Principal Issues

17 The main considerations of this application are:

- Impact on the Green Belt
- Impact on character and appearance of the area;
- Impact upon existing residential amenity;
- Highways;
- Biodiversity;
- Affordable Housing

*Impact upon the Green Belt*

*Whether the proposal is inappropriate development or not?*

18 National planning policy guidance relating to the Green Belt is set out in paragraph 80 of the NPPF. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The document states that there is a general presumption against inappropriate development, where the openness of the countryside/landscape would be adversely affected. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

19 The NPPF states that certain other forms of development are not inappropriate development provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include:-

## Agenda Item 4.3

*The re-use of buildings provided that they are of permanent and substantial construction.*

- 20 In addition to the policy advice in the NPPF, the advice and guidance from relevant policies in the ADMP and current SPD should also be considered in respect of this proposal.
- 21 Policy GB7 of the ADMP will permit the re-use of buildings within the Green Belt providing the proposal complies with the following criteria:
- a) *the proposed new use, along with any associated use of land surrounding the building, will not have a materially greater impact than the present use on the openness of the Green Belt or harm the existing character of the area; and*
- b) *the applicant can demonstrate through a detailed structural survey and method statement that the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction that would detract from their original character.*
- 22 The existing building lies within the existing curtilage of Brenden, to its front within an enclosed area. The building is currently used for purposes incidental to residential use in connection with the enjoyment of the occupiers of Brenden. The proposed residential use of the building would have no greater impact upon the surrounding area than its existing ancillary residential use. The main amenity area would be predominately used for parking which would be no different to how this area is currently used.
- 23 The building lies within the residential curtilage of Brenden and adjacent no's 1 – 4 Billets Cottages. The use of the existing parking area for the proposed use would have no additional impact on the openness of the site and would not result in any additional harm. Whilst the residential use of the building could result in the requirement for some additional equipment to be externally sited (for example washing lines, tables and chairs etc.) this would not be any more harmful and would not be of a scale that could be deemed to materially harm the openness of the Green Belt. To ensure that the proposal would have no adverse impact on the character and appearance of the area, it is considered that conditions in respect of fencing, use of materials and the removal of permitted development rights would be appropriate in this instance (see conditions 4 & 5)
- 24 With regard to criteria b of Policy GB7 of the ADMP, no structural survey has been submitted with the application however having visited the site, the existing building built of bricks and mortar with a tiled roof and an internal first floor level. The building appears sound and capable of conversion without major or complete reconstruction in compliance with policy GB7 of the ADMP. The proposed development would comprise the reuse of a building of permanent and substantial construction. Building Control records show that the building was substantially completed in 2004 and in particular, the first floor has been internally insulated and plaster-boarded. The building is only approximately ten years old, it is unlikely that the building would be structurally unsound and there is no evidence on site to contradict this view. In this respect the proposal is considered to comply with this element of the policy given the age, design and construction of the garage. This policy criteria was essentially written to deal with agricultural buildings to be converted not domestic garages built in the last ten

years. The proposed development would comprise the reuse of a building of permanent and substantial construction.

- 25 Upon considering the above, proposed conversion of the existing garage is considered to be appropriate development providing it can be demonstrated that there is no greater harm caused to the openness of the Green Belt and to the character and appearance of the area.
- 26 It is acknowledged that a small single storey porch is proposed to the eastern elevation of the unit. The explanation note in the Green Belt SPD for policy GB7 of the ADMP does allow for extensions to converted buildings providing it does not have a materially greater impact upon the Green Belt.
- 27 This extension to create an entrance lobby is single storey in height and has floor area of approx. 2.9m<sup>2</sup> to facilitate the creation of an entrance to the unit. Its erection to the eastern elevation of the building would increase its footprint by approximately 2.9m<sup>2</sup> or 3.3%. Its form and design would be sympathetic to the original character and appearance of the building. As the proposal does marginally increase the its size, as the development is wholly contained within an area that is already used for parking and does not encroach outside the boundaries of the site, it is considered that this small addition has no greater impact upon the openness character and appearance of the green belt. This small addition would be considered as being appropriate in this instance.
- 28 No other external operational development other than the infilling of an existing opening is proposed.
- 29 Overall it is considered that the proposed conversion of the building would not have an materially greater impact upon the open character and appearance of the Green Belt than the existing building. This proposal would be appropriate development and accords with Policy GB7 of the ADMP.

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

- 30 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP 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.
- 31 Policy L08 of the Council's Core Strategy also applies and states that the countryside will be conserved and its biodiversity will be protected and enhanced where possible.
- 32 The conversion will use a palette of materials that are suited to the local vernacular. The overall appearance of the building is legible and the architectural style compliments the existing character and appearance of the building. In principle there is no objection raised to the extension proposed to facilitate the conversion. The development is therefore considered to be sympathetic to the character and appearance of the area and no objection is raised to its appearance.
- 33 The other impacts from development of this nature arises from the provision of parking areas and paraphernalia associated with a residential use however as previously mentioned, this would not harm the openness character and appearance of the Green Belt.

## Agenda Item 4.3

- 34 Overall, the development has been designed to maintain the appearance of an ancillary building by keeping alterations to a minimum, whilst respecting the scale and setting of the surrounding development and the character and appearance of the area. Therefore the development would comply with policy EN1 of the ADMP, and policies SP1, LO8 of the Core Strategy.

### *Impact upon existing residential amenity*

- 35 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy EN2 of the ADMP requires that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 36 The nearest residential property would No. 1 Billets Cottage to the south of the site. It is considered that as no additional windows are being proposed to the first floor of the building, the current relationship between No.1 and this site would remain unchanged and the amenity impact upon this neighbour would be minimal.
- 37 In terms of the impact upon Brenden to the east of the building, there would be a window to window distance of approximately 24m. It is noted that the existing tree screen to the western boundary of Brenden would remain in place and would provide sufficient screening measures as not to cause a loss of privacy and amenity to the occupants of this property. In any event, it is considered that the private amenity space of Brenden is located to its rear, which cannot be seen from the proposed development.
- 38 In terms of loss of light and overshadowing, this proposal relates to an existing building plus a single storey extension to its front. Due to the height of the proposed porch, its siting and distances between the affected properties, it is not considered that the surrounding occupiers would be detrimentally affected.
- 39 In terms of increase in vehicle movements, it is accepted that there would be an increase. The rise in associated movement by approx. 6-10 trips is not considered to cause disturbance to adjacent properties especially when the area is already used for parking.
- 40 For the reasons above, it is concluded that this proposal would not have a materially harmful effect on the living conditions of the surrounding occupiers of dwellings and would not conflict with policy EN2 of the ADMP subject to condition.

### *Highways*

- 41 The proposal seeks to utilise the existing access into the site and for parking, the existing hardstanding area immediately adjacent to the western elevation of the building where sufficient capacity exists to meet future demand for a two bedroomed dwelling in accordance with policy T2 of the ADMP.
- 42 It is noted that the development would displace some of the off-street parking provision to Brenden, however there is other off-street parking provision for a further two vehicles found within the rear garden of that property together with its own separate access.

- 43 KCC Highway Services raises no objection to the development. The imposition of a planning condition can be used to ensure that off-street parking within the site is maintained. (see Condition 3)
- 44 On considering the above, no objection can be raised as the development would comply with Policy T2 of the ADMP.

### *Biodiversity*

- 45 Para. 118 of the NPPF and SP11 of the Core Strategy sets out that new development should maximise opportunities to build in features which are of benefit to biodiversity as part of good design. Proposals do not include a range of features designed to enhance the ecological value of the site. As such a condition could be required to secure those details to improve the ecological value of the site in accordance with the advice of policy SP11 of the Core Strategy. (see Condition 6)

### *Sustainable Development*

- 46 Policy SP2 of the Core Strategy states that conversions to residential use will be required to achieve BREEAM “Very Good” standards.
- 47 Section 1(1)(c) of the Planning and Energy Act 2008 gives local planning authorities in England and Wales the power to include, in their development plan documents, policies that require development in their areas to comply with energy efficiency standards that are more stringent than those under the Building Regulations.
- 48 Section 43 of the Deregulation Act will stop section 1(1)(c) of the Planning and Energy Act 2008, applying to construction of or any other work on dwellings in England. As yet section 43 of the Deregulation Act is not in force and will be commenced by a commencement order at some future time. When the section is in force the development plan will no longer be able to require energy efficiency standards to application on dwellings – new or adaptations.
- 49 For the time being Policy SP2 is still backed by legislation in the Planning and Energy Act 2008. Until section 43 of the Deregulation Act is in force it must be considered where relevant.
- 50 However, a material consideration is the recent ministerial statement. Therefore, whilst the application has been considered against the development plan in this respect, material considerations dictate that in this instance the required conditions should not be imposed.

### *Affordable Housing*

- 51 Policy SP3 of the Core Strategy requires a financial contribution to be made towards improving affordable housing provision off-site where residential developments of less than five units would involve a net gain in the number of units. The policy indicates that for residential developments of this size a financial contribution based on the equivalent of 10% affordable housing would be required.
- 52 In a residential development of this size, Policy SP3 expects off-site affordable housing provision. However, on 28 November 2014 the Government amended

## Agenda Item 4.3

the National Planning Practice Guidance (NPPG) to restrict the circumstances where contributions for affordable housing should be sought. Under the new guidance, other than in designated rural areas, contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m<sup>2</sup>. As a result Policy SP3 of the Core Strategy and the Affordable Housing SPD are no longer consistent with the NPPG in relation to developments below the new NPPG size threshold and are not likely to be supported on appeal.

- 53 This proposal is for a development below the NPPG threshold and a contribution to affordable housing cannot therefore be sought.

### Community Infrastructure Levy

- 54 As no exemptions have been applied for the development, it is CIL liable.

### **Conclusion**

- 55 In summary, the proposed development would not harm the character or appearance of the surrounding area and would be appropriate development within the Green Belt without compromising the quality of the local environment. The scheme would accord with national and local planning policies.
- 56 On considering the above, it is recommended that this application should be approved as it conforms to the relevant Development Plan policies and there are no other overriding material considerations to suggest otherwise.

### **Background Papers**

Site and Block plans

Contact Officer(s):

Sean Mitchell Extension: 7349

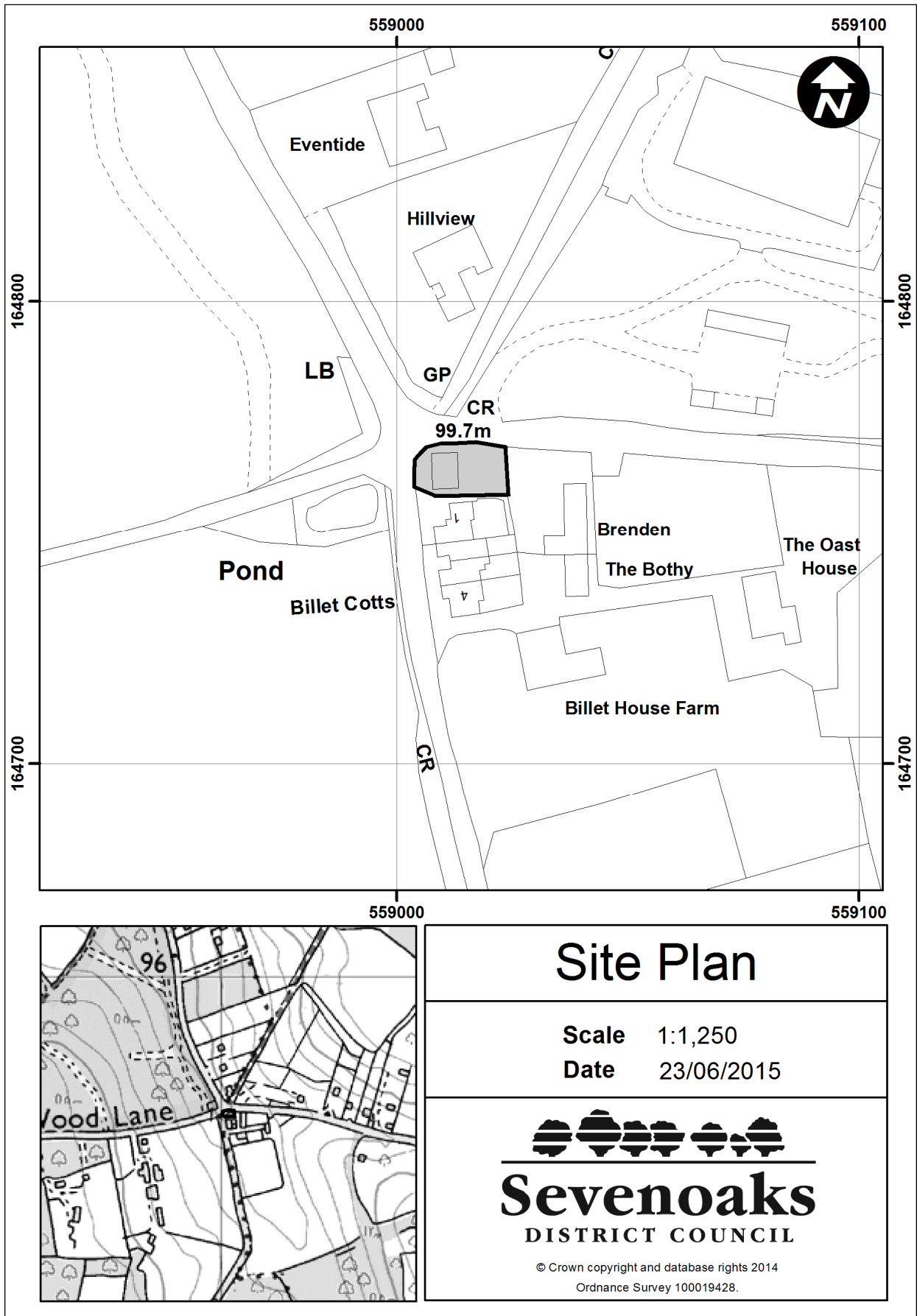
**Richard Morris**  
**Chief Planning Officer**

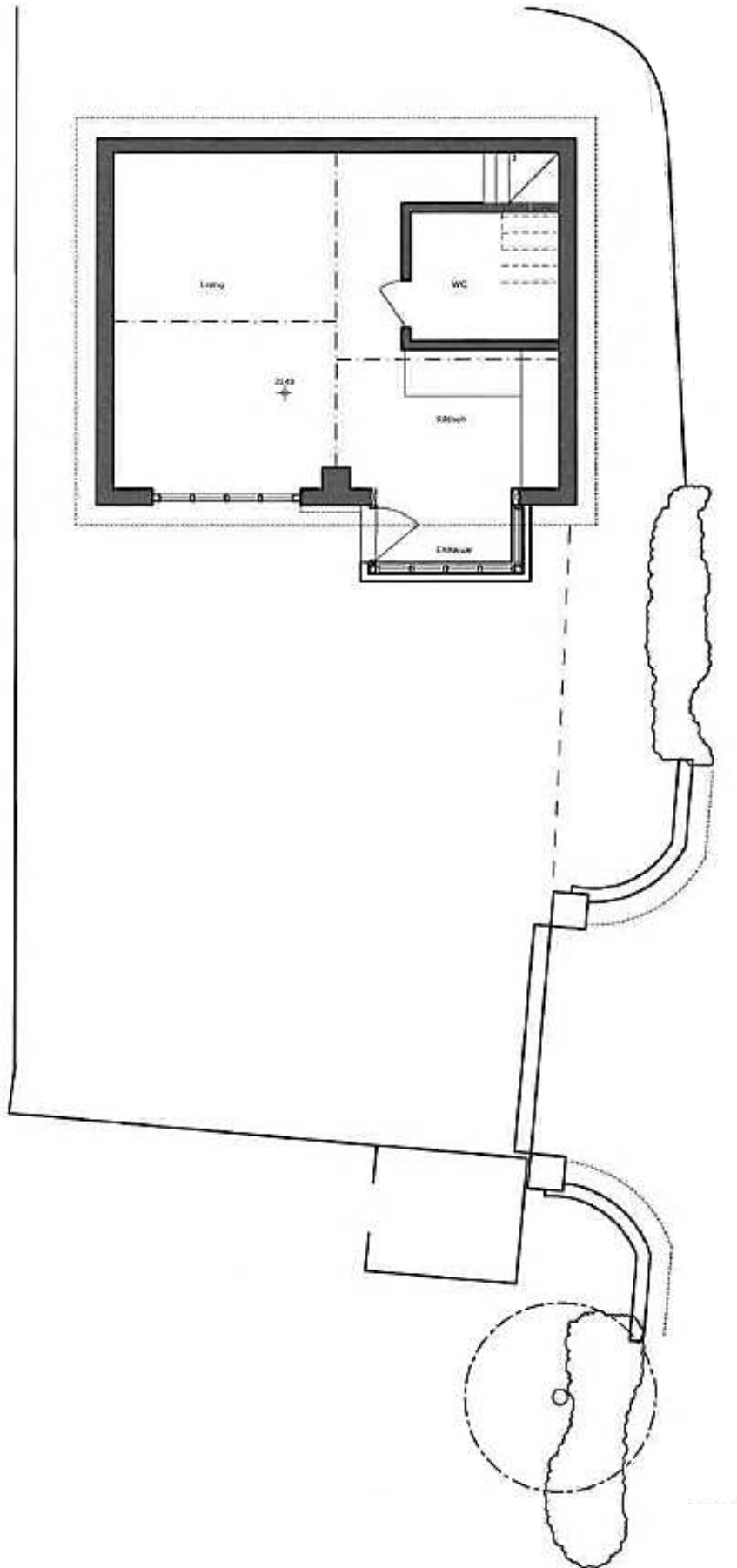
Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NGRQANBKI3D00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NGRQANBKI3D00>







**4.4 – SE/15/01331/HOUSE** Date expired 6 July 2015

**PROPOSAL:** The erection of a single storey side and single storey rear extension.

**LOCATION:** 5 Archer Way, Swanley BR8 7XR

**WARD(S):** Swanley White Oak

**ITEM FOR DECISION**

Councillor Halford has referred this item to Development Control Committee on the grounds that the proposal will result in the development overlooking neighbouring properties and therefore the application is an over intensification of the site.

**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 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..

3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1545/1A & 1545/2

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

**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))

## Agenda Item 4.4

),

- 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.

In this instance the applicant/agent:

- 1) Did not require any further assistance as the application was acceptable as submitted.

### Description of Proposal

- 1 The erection of a single storey side extension which would be 2.4m to eaves level and 4.1m to the top of the roof, to infill the space at the north east corner of the dwelling, to the rear of a single storey element.
- 2 The erection of a single storey rear glazed extension to the existing conservatory to cover the width of the existing property.

### Description of Site

- 3 The application site is a wedged shaped plot located in Archer Way which is in the parish of Swanley. Archer Way is a residential area comprising of a mix of property styles. The property is a detached dwelling house.
- 4 The dwelling has residential properties either side of it and to the rear of the property also. There is also a garage block to the rear of the garden. The neighbouring house to the east is separated by a public footpath which runs along the eastern boundary of the site.

### Constraints

- 5 No constraints

### Policies

*ADMP:*

- 6 Policies – *EN1 & EN2*

*Sevenoaks Core Strategy:*

- 7 Policies – *SP1*

*Other:*

- 8 SDC Residential Extensions SPD 2009
- 9 National Planning Policy Framework

Planning History

10 05/00494 FUL - Two storey side extension and single storey side extension, tiled roof over garage and porch. Revised plans received 29.04.05. Grant – 27.07.2005.

06/02205/FUL - Conservatory at rear. Grant – 19.10.2006.

TH/5/72/529 - Residential development. Appeal Allowed 17.06.1974.

Consultations

*Parish / Town Council*

11 Swanley Town Council have objected to this application on the grounds the proposals will result in the development overlooking neighbouring properties and therefore the application is an over intensification of the site

*Other Consultees*

12 None.

Representations

13 None Received.

**Chief Planning Officer's Appraisal**

Principal Issues

14 The main issues to consider in the determination of this application are:

- Impact on the Street Scene/Landscape
- Impact on the Residential Amenity

*Impact on Street Scene/Landscape*

15 Government advice in the form of the National Planning Policy Framework states that the Government 'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' (para. 56).

16 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP indicates that "all new development should be designed to a high quality and respond to the distinctive local character of the area in which it is situated....." and 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. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard'.

17 Regard should also be had to the Councils Residential Extensions Supplementary Planning Document (SPD) guidance.

## Agenda Item 4.4

- 18 The proposals seek the erection of single storey side extension and a single storey rear extension. The proposed single storey side extension would be located on the east elevation of the dwelling. It would be built behind an existing side extension. The proposed single storey rear addition would simply just extend an existing conservatory replicating its height, depth and design. The application would retain the majority of the existing garden depth.
- 19 The front of the dwelling would be unaltered. Therefore the scheme has no impact on the existing street scene and the location of the proposal would not be seen from the public footpath. The size of both proposed extensions are small in scale and would look to compliment the existing dwelling. The extensions would be located behind the existing building and would not appear as unduly large or disproportionate additions when viewed from the street or neighbouring properties. Also the existing landscaping which includes large conifer trees to the east of the property would help screen the proposals from public view.
- 20 In terms of design and the impact on the existing dwelling the proposal for the new extensions would not be seen as unduly large, bulky or disproportionate additions. They have been designed to match existing single storey elements of the dwelling and in keeping.
- 21 The materials proposed would be brick and tiles to match the existing property and reflect those seen in the locality. In my view a condition should be placed on the permission to protect the character of the area, stating that materials used should best match the existing house as close as possible. This will ensure that the proposal does not look out of character in the area (see condition 2).
- 22 Overall both the side and rear single storey extensions are a small scale development, are of a design which is sympathetic and would not have a negative impact upon the character of the house. As a result the extension would not adversely impact upon the quality, character or visual amenity of the locality and would not be harmful to the appearance of the street scene of Archer Way.
- 23 The extent of development is not excessive given the size of the plot, which will still maintain a rear garden of 16.3m in depth. The proposal is not an over intensive form of development and complies with policies EN1 of the ADMP and the Residential Extensions SPD.

### *Impact on Residential Amenity*

- 24 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 25 Policy EN2 of the ADMP seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements.
- 26 The neighbours most affected by the proposal would be 3 Archer Way & 140 Swanley Lane. 7-13 Archer Way would also be affected by the proposal.
- 27 Nos 7-13 Archer Way are located to the east of the dwelling. The properties are separated by a footpath and large trees which screen the set of dwellings from

the properties. There are no side windows and the rear windows look onto the boundary fences. The proposal will cause no harm to these properties.

- 28 The impact of the single storey side extension on 3 Archer Way would be minimal as the rear would be set away from their boundary and would not be readily visible, and the distance between the properties would limit any harm. The proposal would also be shielded by the existing single storey rear extension (conservatory). This would mean that both the side extension and the infill for the conservatory would be hidden from view.
- 29 The impact on 140 Swanley Lane would be minimal as the distance between the properties would be such that any visual impact would be limited by the distance between the dwellings. The properties are both screened by existing landscaped that will be kept. As such the existing views are limited and any change to this will be minimal impact to both the privacy and amenity.
- 30 Because of the modest height and scale of the proposals, there would be no loss of light to neighbouring properties.
- 31 For the reasons stated above a refusal on the loss of light, privacy and visual amenity would not be justified. For these reasons the proposed side and rear single storey extension would not harm the amenity of the existing neighbours to justify the refusal of the planning permission.
- 32 Therefore, for the reasons set out above the proposal is not considered to adversely impact upon amenities in accordance with the NPPF and policy EN2 of the Sevenoaks District Local Plan.

### **Conclusion**

- 33 The development would preserve the character and appearance of the area and would respect the context of the site and would have minimal impact on the street scene.
- 34 The proposal would not adversely impact on neighbour's amenity.
- 35 The rear extension and infill to the conservatory would be allowed under Permitted Development. The proposed side extension would not be allowed under Permitted Development due to the height of the roof, if the applicant decided to lower the roof to 4 metres or install a flat roof that did not exceed this height the proposal would meet the above criteria.

### **Background Papers**

Site and Block Plan

Contact Officer(s): Scott Fisher Extension: 7405

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

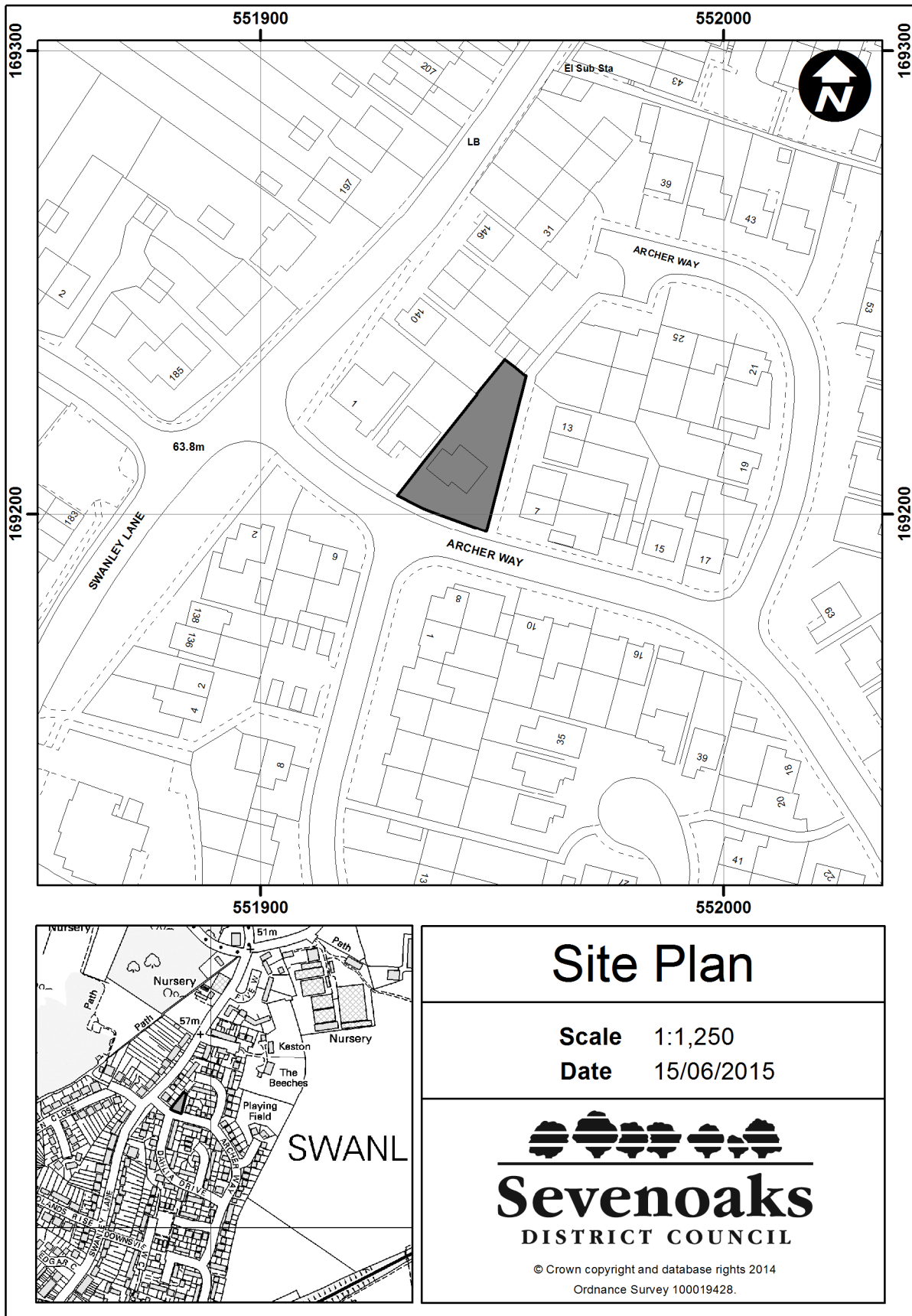
## Agenda Item 4.4

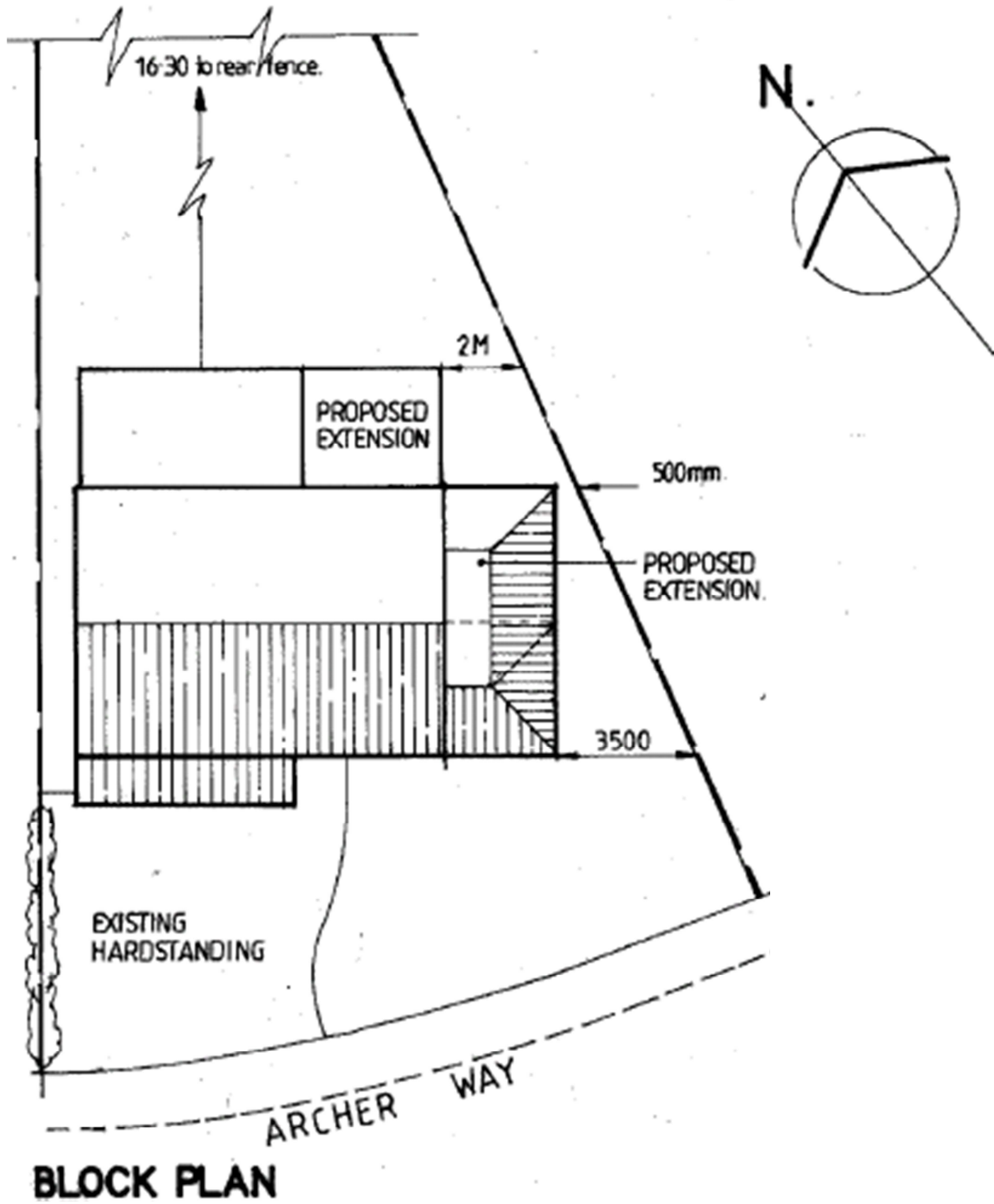
Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NNOHWZBKJJG00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NNOHWZBKJJG00>







**5.1 OBJECTION TO TREE PRESERVATION ORDER NUMBER 03 OF 2015  
LOCATED AT HOLLYM, CLENCHES FARM LANE, SEVENOAKS**

**ITEM FOR DECISION**

This report sets out details of objections received following this order.

**RECOMMENDATION**

That the Tree Preservation Order No 03 of 2015 be confirmed without amendment.

**The Site and Background**

- 1 Tree Preservation Order (TPO) No. 03 of 2015 relates to a row of Lime trees situated at Hollym, Clenches Farm Lane, Sevenoaks.
- 2 These trees were protected following a request from several concerned local residents as this site is currently undergoing development. The neighbours raised concerns that new occupiers of the properties would put pressure on the tree owner to substantially reduce or to remove them. They are located outside of the conservation area. They are situated in a prominent location as they provide an effective screen between neighbouring properties. Their removal would have a negative impact on the amenity of the local area. TPO 03 was served in order to afford them continued protection following this request.

**Representations**

- 3 An objection to the serving of the TPO has been received from Mr C Murdoch of Hollym, Clenches Farm Lane, Sevenoaks, the tree owner. Mr Murdoch objects to the serving of the order on the grounds that the serving of the order is unnecessary and it is cumbersome for him and his neighbours to continually apply to cutback overhanging branches. Mr Murdoch claims that overhanging branches have to be cutback on an almost annual basis, otherwise damage to neighbouring properties would occur.
- 4 In response to the objection raised by Mr Murdoch, consent was granted in April this year, to re-pollard these Lime trees. It is not expected therefore, that further works would be required to these trees until the canopy has re-grown to its former extent, other than the removal of basal and epicormic growth. This is produced by the trees in response to the recently completed pruning works. Consent could be granted to remove this re-growth on an annual basis, over a 5 year period, to prevent the owner or his neighbours applying annually. These trees can be clearly seen from the neighbouring gardens. Any unauthorised pruning works would be detrimental to their appearance. Their loss would be detrimental to the local amenity. With no protection previously afforded to these trees. Guarantees cannot be provided as to the control or not of their future management.

**Conclusion**

- 5 Given the aforementioned information. It is suggested that the details as provided within the objections to this TPO are not strong enough reasoning to leave these

## Agenda Item 5.1

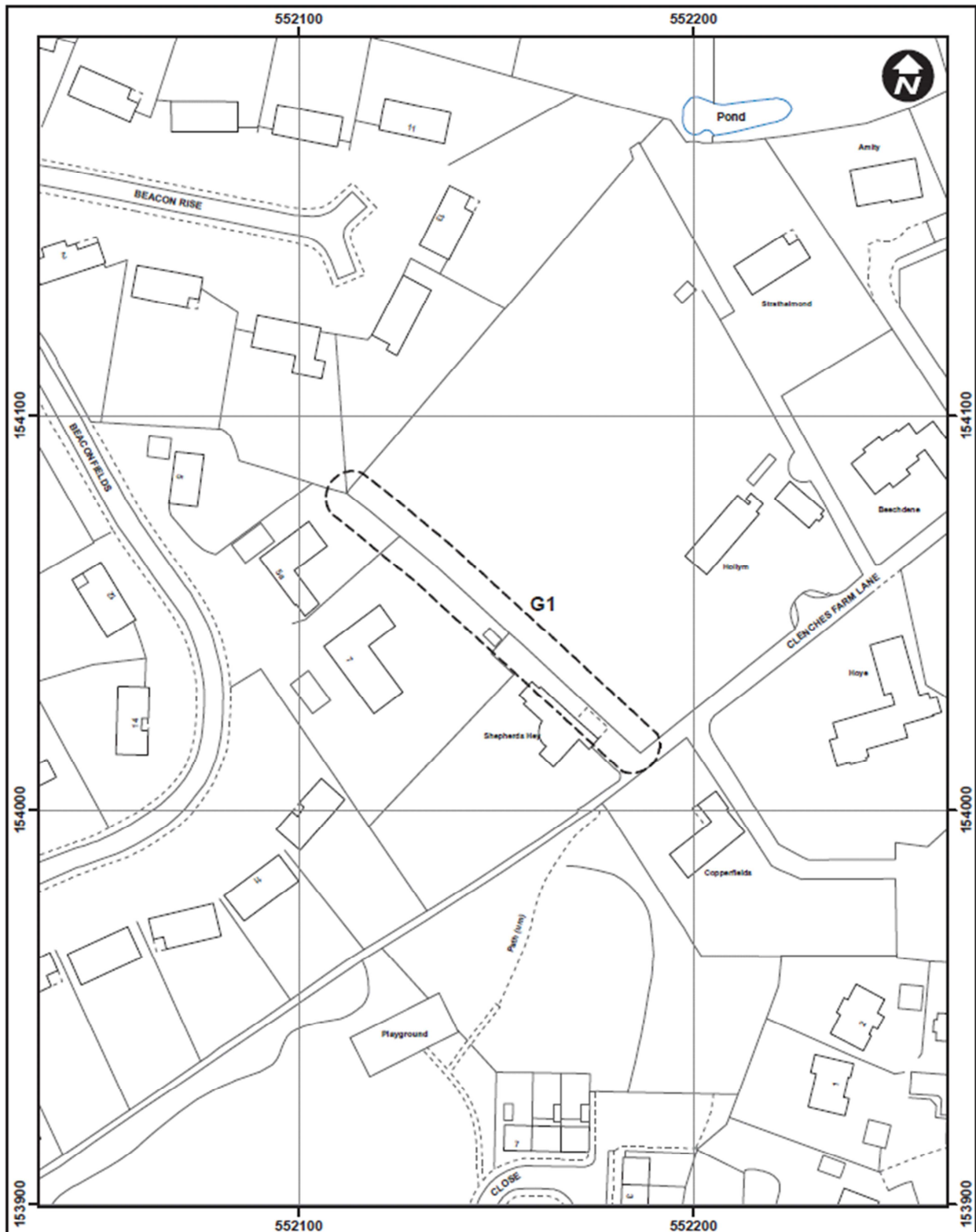
prominent trees without any formal protection. It is my recommendation therefore that TPO 03 of 2015 be confirmed without amendments.

Please find attached TPO/03/2015 (Appendix 1).

**Contact Officer:**

Les Jones Arboricultural & Landscape Officer  
Extension 7289

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



**Sevenoaks**  
DISTRICT COUNCIL  
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Ordnance Survey 100019428.

**Tree Preservation Order**

TPO 3 (2015)

Scale: 1:1,250  
Date: 19/03/2015

Hollym, Clenches Farm Lane, Sevenoaks, KENT TN13 2LX

Produced by the GIS Team, Sevenoaks District Council

**SCHEDULE 1**  
**SPECIFICATION OF TREES**

**Trees specified individually**  
(encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

**Trees specified by reference to an area**  
(Within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

**Groups of trees**  
(Within a broken black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
G1	Group of 26 Lime trees.	Situated on the western boundary of Hollym, Clenches Farm Lane, Sevenoaks.

**Woodlands**  
(Within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

\* complete if necessary to specify more precisely the position of the trees.

Planning Application Information on Public Access – for applications coming to DC  
Committee on Thursday 9<sup>th</sup> July 2015

Item 4.1 – SE/15/01031/HOUSE The Sheiling, Coopers Lane, Penshurst TN11 8AT

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NMG21YBKJA200>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NMG21YBKJA200>

Item 4.2 – SE/15/00997/FUL Land Rear of Woodhurst, Swanley Village Road, Swanley BR8 7NF

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NM6F7EBK0L200>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NM6F7EBK0L200>

Item 4.3 – SE/14/03939/FUL Brenden, Billet Hill, Ash

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NGRQANBKI3D00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NGRQANBKI3D00>

Item 4.4 SE/15/01331/HOUSE 5 Archer Way, Swanley BR8 7XR

Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NNOHWZBKJJG00>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NNOHWZBKJJG00>

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