

15 March 2018 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks
Despatched: 07.03.18



Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Thornton
Cllrs. Ball, Barnes, Bosley, Brown, Clark, Coleman, Edwards-Winsor, Gaywood,
Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Reay and Raikes

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages
Apologies for Absence	
1. Minutes To approve the minutes of the meeting of the Committee held on 22 February 2018, as a correct record.	(Pages 1 - 6)
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 17/03697/FUL - 2A Bradbourne Road, Sevenoaks, Kent TN13 3PY Change of use from office (B1) TO AN Early Years Education Centre (D1).	(Pages 7 - 18)
4.2 17/02067/FUL - Tri Officers Mess, 1 - 4 Armstrong Close, Halstead, Kent TN14 7BS Demolition of existing buildings and erection of 9 dwellings with associated parking.	(Pages 19 - 40)

4.3 17/03797/FUL - 31 Granville Road, Sevenoaks, Kent TN13 1EZ (Pages 41 - 60)

Erection of a 7 unit apartment block, with associated landscaping, external amenity space and parking facilities (comprising one private parking space per unit plus two visitor spaces) to the rear of the existing property at 31 Granville Road.

4.4 18/00053/LDCEX - 21 The Charne, Otford, Kent TN14 5LR (Pages 61 - 68)

Erection of dormer to rear and two roof lights on the front elevation to create a habitable room within the roof space

EXEMPT INFORMATION

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

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday, 12 March 2018.

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.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 22 February 2018 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Brown, Clark, Coleman, Edwards-Winser, Gaywood, Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Reay, Thornton and Raikes

An apology for absence was received from Cllr. Bosley

Cllrs. McArthur, McGarvey, McGregor and Scholey were also present.

69. Minutes

Resolved: That the minutes of the Development Control Committee held on 25 January 2018 be approved and signed by the Chairman as a correct record subject to the following addition in minute 68 paragraph 6 line 2 'appropriate weight had been given to the SPD. It was discussed whether,'

70. Declarations of Interest or Predetermination

All Members except for Cllr. Coleman declared for Minute 74 - 17/03545/FUL - The Coach House, Swan Lane, Edenbridge TN8 6AJ that they knew the neighbour of the property but would remain open minded.

Cllr. Horwood declared for Minute 73 - 17/03763/FUL - Blue bell Bank and 4 Saddlers Park, Station Road, Eynsford DA4 0ER that he was the local member and did not consider himself to be predetermined but would not partake in the debate or vote.

71. Declarations of Lobbying

There were none.

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's agreement, the Chairman brought the Tree Preservation item forward for consideration.

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Tree Preservation Orders

72. Objection to Tree Preservation Order number 7 of 2017 Located within the southern corner of the rear garden of 5 Blair Drive, Sevenoaks, TN13 3JR

The Arboricultural and Landscape Officer referred to the objections received from the owner, tenants and neighbours and two letters of support received. He advised that the tree might be responsible for blocking some light, but this could be improved by some light pruning of this tree and surrounding trees.

The motion was put to the vote and it was

Resolved: That TPO 7 of 2017 be confirmed without amendment.

73. 17/03763/FUL - Bluebell Bank And 4 Saddlers Park, Station Road, Eynsford DA4 0ER

The proposal sought permission of access and driveway and associated works. The application had been referred to Development Control Committee by Cllr. Horwood as he was of the opinion that the proposal was not detrimental to the Character of the Conservation Area, in accordance with EN4 of the ADMP, and that there was a local parking shortage.

Members' attention was brought to the main agenda papers and late observation sheet which provided clarification on the proposal, representations received, Highways response, the appraisal and amended plans.

The Committee was address by the following speakers:

Against the Application: -
For the Application: Emily Denman
Parish Representative: Parish Cllr. Kirby
Local Member: Cllr. Horwood

Members asked questions of clarification from the speakers and Officers. Officers confirmed that the late plans submitted could not be considered as part of the application as they showed amendments to the proposals that had not been subject to consultation. A Member queried whether the item could be deferred until more factors were known.

It was moved by Councillor Thornton and duly seconded that the recommendation in the report to refuse planning permission be deferred.

Some Members considered that, as amended plans had been submitted, the report should be deferred until further consultation with Highways on the amendments had taken place. Members discussed whether the application could be discussed without deferral. Members were advised that amended plans had been submitted and therefore could not be considered as part of the application.

The motion was put to the vote and it was

Resolved: That the application be deferred until the next Committee on 12 April 2018 to allow for consultation with Highways on the amended plans.

74. 17/03545/FUL - The Coach House, Swan Lane, Edenbridge TN8 6AJ

The application sought permission for the demolition of existing dwelling; erection of replacement dwelling and single storey garage and associated works. The application was referred to Development Control Committee on the grounds that the proposed new dwelling would not have a more harmful impact on the openness of the Green Belt when compared to the existing dwelling.

Members' attention was brought to the main agenda papers and the late observations sheet which provided clarification on reference to the green belt within the agenda papers and CIL liability.

The committee was addressed by the following speakers:

Against the Committee: -
For the Committee: Neil Thompson
Parish Representative: Town Cllr. McGregor
Local Member: Cllr. Scholey

Members asked questions of clarification from the Officers and Speakers. In response to questions, Members were advised that 'timely removal' of the current dwelling would be required prior to commencement of works and that a condition could be included to remove permitted development rights. Members were advised that the figures were in relation to the cumulative impact which was 176% increase on the original footprint of the current building.

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

Members discussed the support that the application had received from the local residents. The design and location of the new dwelling was discussed, and whether the site was suitable or if it was in a more visually prominent location. Some Members expressed concern regarding whether the floor space would be acceptable in the green belt especially when considering the policies that were in place to protect the green belt.

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

Resolved: that planning permission be refused for the following reasons

The site lies within the Metropolitan Green Belt where policies of restraint apply. The proposed development, by reason of its siting and the combination of its height, bulk and site coverage, would be inappropriate development in the Green Belt, harmful to its permanence and openness and contrary to Policy GB2 and GB4 of the Sevenoaks Allocations and Development Management Plan, the Sevenoaks Development in the Green

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Belt Supplementary Planning Document and the NPPF. The potential very special circumstances do not individually or cumulatively outweigh the harm to the Green Belt which is given significant weight.

75. 17/03753/FUL - Quantum House, High Street, Farningham DA4 0DT

The proposal sought permission for the change of use of an empty shop (A1) to one residential (C3) self-contained unit. The application was referred to Development Control Committee by Councillor McGarvey on the grounds that the proposal would not provide on-site parking in accordance with Policy T2 and Appendix 2 of the ADMP, and it was worth noting that there was no capacity for anything other than short-term parking on the highway outside the property or in adjacent roads.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

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

Members asked questions of clarification of the Speakers and Officers.

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

Members discussed that information provided advising that the property was no longer viable as a shop and that on the whole, the property would visually remain the same. Members noted the need for housing in the District and gave consideration to the current parking situation in the local roads.

The motion was put to the vote and it was

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

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 221/FAR/121

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

76. 17/03889/ADV - Tesco Superstore, Aisher Way, Riverhead TN13 2QS

The application sought consent for 3 x aluminium fascia signs internally illuminated and 2 x aluminium panels with full gloss laminated digital graphic. The application was referred to Development Control Committee by Cllr. Brown on the grounds that the proposal would potentially lead to the additional loss of visual amenity and further light pollution.

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

Members asked questions of clarification from the Officers.

It was moved by the Chairman and duly seconded that the recommendation in the report to grant advertisement consent be agreed.

Members noted that the proposal was for the hours of illumination to only be during operational hours and discussed whether the visual amenity would be impacted.

The motion to grant advertisement consent was put to the vote and it was

Resolved: that advertisement consent be granted subject to the following conditions:

- 1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- 2) No advertisement shall be sited or displayed so as to:
 - a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)
 - b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

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- 3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- 4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- 5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

- 6) The intensity of the illumination shall not exceed 800 candelas /m²

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

- 7) The advertisement(s) to which this consent relates shall be illuminated only while the kiosk is open for business.

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

- 8) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no's - 3137-P001, 01.

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

THE MEETING WAS CONCLUDED AT 9.04 PM

CHAIRMAN

4.1 - 17/03697/FUL

Revised expiry date 16 March 2018

Proposal: Change of use from office (B1) to an Early Years Education Centre (D1).

Location: 2A Bradbourne Road, Sevenoaks, Kent TN13 3PY

Ward(s): Sevenoaks Town & St Johns

ITEM FOR DECISION

Councillor Fleming and Councillor Clack have referred this application to Development Control Committee on the grounds of lack of parking and traffic issues.

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 development hereby permitted shall be carried out in accordance with the following approved plans: Existing and Proposed plan date stamped 15012.2018

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

3) The use hereby permitted shall not operate other than between the hours of 9:30 to 16:30 Mondays to Fridays (inclusive) and shall not operate at all on Saturdays, Sundays or Bank or National Holidays.

To safeguard the residential amenity of neighbouring occupiers in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan and to ensure there is adequate provision for parking in accordance with Policy EN1 of the Allocations and Development Management Plan.

4) The number of children attending the use hereby permitted shall not exceed 15 at any one time.

As per Highways request, to safeguard the residential amenity of neighbouring occupiers in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan and to ensure there is adequate provision for parking in accordance with Policy EN1 of the Allocations and Development Management Plan.

5) Despite the provisions of the General Permitted Development Order 2015 (as amended) or any Order which replaces this, the use hereby permitted shall only be used for no other purpose other than Class D1 of the Town and Country Planning (Use Classes Order) 1987 (as amended).

To safeguard the amenities of neighbouring residents as supported by Policy EN2 of

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the Sevenoaks Allocations and Development Management Plan.

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),
- 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 updated of small scale issues which arose during the process of the application and was given time to address it.

Description of proposal

- 1 The application seeks approval for the change of use of the ground floor from B1 office use to D1 use to form an Early Years Education Centre. There are no physical alterations proposed to the outside of the building.
- 2 It is proposed to run 4 to 5 educational classes a day successively for up to 15 children per class. It is also proposed to run classes for parent/carers whilst the children have supervised play. The centre would not run a pick up and drop off facility and parents/carers must be in attendance with the children.
- 3 The site proposes two parking spaces, located at the front and side of the site.

Description of site

- 4 The application site comprises a detached two storey building, of which the first floor is used as office space and the ground floor is unoccupied office use.
- 5 The site is set in a predominantly residential area. Busy Bees children's nursery is adjacent to the site to the south at 1 St Johns Road. The Old Meeting House located at the rear of the site is used as offices.
- 6 The site is located towards the southern end of Bradbourne Road within walking distance of four schools.

Constraints

- 7 The site does not fall within any areas of constraint relevant to this application.

Policies

Allocations and Development Management Plan (ADMP):

- 8 Policies:
 - SC1 - Presumption in favour of Sustainable Development
 - EN1 - Design Principles
 - EN2 - Amenity Protection
 - EMP5 - Non-allocated Employment Sites
 - T1 - Mitigating Travel Impact

Sevenoaks Core Strategy (CS)

- 9 Policies:
 - LO1 - Distribution of Development
 - LO2 - Development in Sevenoaks Urban Area
 - SP1 - Design of New Development and Conservation

Other

- 10 The National Planning Policy Framework (NPPF)
- 11 The National Planning Practice Guidance (NPPG)

Planning history

- 12 SE/17/03696/ADV - Three non-illuminated signs - Granted - 23 January 2018

Consultations

Sevenoaks Town Council

- 13 'Sevenoaks Town Council recommended refusal for the change of use, as it would be inappropriate for the area, due to existing volumes of traffic and parking, The proposal would have a detrimental impact on the viability of

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the Hollybush shopping centre as it would further exacerbate the lack of parking in the area, resulting in significant congestion’.

Environmental Health

14 ‘No objections or observations’

Kent County Council Highways

15 ‘The existing use of B1 office floor space of 130sqm would generate a need for a maximum 6 car parking spaces using SPG4 guidance. The proposed use of the site as a D1 use with a maximum of 15 children at one time and a maximum of 4 staff would generate a car parking demand of 6 car parking spaces using SPG4 guidance. Given that the existing and proposed use classes generate the same car parking demand I would not oppose this application. I would suggest the numbers of children is therefore conditioned.

I understand that the proposed operation of the site is to provide classes for local residents to attend with their children, and not to provide nursery care as such. This would not be a drop off / pick up facility. I would recommend that the opening hours are reduced to 09:30- 16:30 and weekdays only in order to avoid car parking pressures on Bradbourne Road. It should be noted that the site is within a sustainable location’.

Representations

16 17 letters of representation have been received following the notification of 12 neighbouring properties. The representations received consist of 15 objections, 1 neutral comment and 1 support comment.

17 Letters raise objection to the proposal on the following grounds:

- Traffic from existing child care facilities and schools
- Staff and commuters already park in the area
- Difficulty of access for fire engines and dustcarts
- Increase in traffic and knock on effect on surrounding streets
- Increase in parking pressure
- Lack of staff parking
- Potential dropping off will block the road
- Potential to expand or open longer will create precedent for more parking and traffic
- Signs detract from residential character of the area
- Unsuitable for children to share toilets with upstairs offices
- Development at 95 Dartford Road for 6 houses, currently at appeal, if allowed will result in increase in traffic
- Road safety
- Issues with proposed travel plan
- Covenants of property opposite
- May be further provision required for under 5’s but not in suitable location
- Potential change of ownership could result in additional parking and traffic

- Adverse impact on Hollybush Lane shopping centre due to parking pressure

18 The support comment raises the following:

- Office use could potentially create parking issues
- Business aimed at local people in walking distance
- Business is not drop off and pick up
- Applicants timetable mirrors school terms
- Offer more educational choice for local parents

19 The neutral comment raises the following:

- No difference between office use and nursery, less parking for nursery than office with all day parking
- Potential for congestion, however, not considered for change of use to clinic
- Does not consider change will directly affect Camden Road
- Would like more traffic management around the area

Chief Planning Officer's appraisal

Principal issues

20 The main issues for consideration area:

- Impact on the character and appearance of the area
- Impact on neighbouring amenity
- Impact on highways and parking
- Loss of existing use
- Proposed use

Of particular relevance to this application is the following guidance:

Presumption in favour of sustainable development:

21 33 Para 14 of the NPPF confirms that there is a presumption in favour of sustainable development and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11, 12, 13 of NPPF.) 34

22 Para 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

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Appraisal

Impact on the character and appearance of the area

- 23 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the character of the area in which it is situated.
- 24 Policy EN1 of the ADMP states that the development should respond to the scale, height, materials and site coverage of the area and should respect the character of the site and surrounding area.
- 25 The proposed change of use does not include any alterations of the exterior of the building. Therefore, I consider that the proposed use will not have a negative impact but preserve the character and appearance of the area in compliance with the NPPF and policy EN1 of the ADMP.

Impact on neighbouring amenity

- 26 Policy EN2 of the ADMP states development will be permitted where it 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.
- 27 The site is set in an area which is predominantly residential with offices to the rear and a nursery to its southern side. The opening hours of the Early Years Education Centre is recommended to be restricted by condition to weekdays from 9:30 to 16:30. Given that the centre would only be open during the hours of a working week day I do not consider that the proposals will have a detrimental impact on neighbouring amenity in terms of noise disturbance. It should also be noted that the Environmental Health Officer raises no objection to the proposals.
- 28 As the proposals do not include any alterations to the existing building there is no detrimental impact on neighbouring amenity in terms of loss of light, loss of outlook or overshadowing.
- 29 Overall, I consider the proposals comply with the NPPF in this respect and policy EN2 of the ADMP.

Impact on highways and parking

- 30 The majority of the objections relate to parking matters and increase in traffic movements. Kent County Council (KCC) Highways has stated that the parking spaces required for the existing office use at ground floor is 6 spaces, based on their supplementary planning guidance SPG 4 Kent Vehicle Parking Standards. KCC Highways has also calculated that for 15 children with 4 staff with a D1 use, the provision for parking would also be for 6 spaces. Therefore, the parking requirement for the proposed use is not greater than the existing use. On this basis KCC Highways do not oppose the application.
- 31 The submitted information shows that there would be two parking spaces available on site. Bradbourne Road and St Johns Road, which is close to the

site within a short walk, has unrestricted on street parking.. There is also unrestricted parking and parking with a 2 hour restriction available on Holly Bush Lane which is within walking distance of the site. . There is also parking on Mount Harry Road which is restricted to 2 hours and is in walking distance of the site.

- 32 It should also be noted that the site is set within a sustainable location within walking distance of shops, cafes and schools. It is set close to Sevenoaks train station within a walking distance of approximately 0.8 to 0.9 miles. There are bus stops on St Johns Hill and Mount Harry Road in close proximity to the site which serve a number of different routes.
- 33 Therefore, given the provision of two parking spaces, the sustainable location, on street parking close by and no change in parking requirements, the proposed change of use is not considered to have unacceptable parking provision.
- 34 The KCC Highways Engineer has recommended a condition is included which restricts the numbers of children. As the assessment is based on 15 children attending a class it is recommended that a suitably worded condition is included which restrict the number of children at the premises to 15 at any one time. This will ensure that there will not be additional parking beyond that assessed and control the movement of traffic.
- 35 KCC Highways has also recommended that a condition is included which restricts the opening hours to weekdays only from 9:30 to 16:30. This will ensure that there is on street parking available for residents before and after working hours. These hours have been agreed by the applicant and a condition is proposed.
- 36 The proposed D1 use would allow for non-residential institutions including health centres, day nurseries, schools, museums, public halls and places of worship. The General Permitted Development Order allows for change of use from D1 (non-residential institutions) to A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) or B1 (business) for a period of up to two years without planning permission. It is recommended that a condition is included which restricts the use of the premises as D1 only to safeguard the amenity of nearby residents.
- 37 In light of the above, I do not consider the change of use to result in undue harm to parking and highway safety in compliance with policies EN1 and T1 of the ADMP.

Loss of existing use

- 38 The proposed change of use would result in the loss of approximately 130m² of office space which is located just outside of the designated St Johns Neighbourhood Centre. The site falls within policy EMP5 of the ADMP for non-allocated employment sites, and therefore, it must be demonstrated that the site has been unsuccessfully marketed for a period of 6 months for a change of use to be acceptable.
- 39 The property owners Estate Agent has confirmed that the ground floor of 2A Bradbourne Road has been marketed actively since February 2017, and

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therefore, a period in excess of 6 months. It is stated that there has been a reasonable level of interest generated by a mix of B1 and D1 uses, however, the location, size and configuration of the site has not been suitable for these parties. In light of the above, it is considered that the property has been marketed to the satisfaction of the council and in compliance with Policy EMP5 of the ADMP.

- 40 The premises have been marketed unsuccessfully for a period of at least 6 months and there is no realistic demand for this premises to continue in office use, as identified by the Estate Agent. Therefore, the loss of the non-allocated business premises is permitted in compliance with Policy EMP5 of the ADMP, whilst providing a community D1 use.

Proposed use and other similar uses nearby

- 41 The site is located adjacent Busy Bees nursery which provides child care for children up to 5 years with opening times from 07:30 to 18:15. This facility is for dropping off and picking up children and parents/carers are not required to attend with the children.
- 42 St Johns Hill URC offers a playtime service on Wednesdays from 09:30 to 11:30 for parents/carers to take their pre-school children to play during term time. In addition the church offers a Sunday club for children of all ages including a crèche service and a number of other services for children run by other organisations at the church. The church also runs a pre-school from 09:15 during school term for up to 40 children from 2 and a half years.
- 43 The proposed use would offer an alternative service to the existing nursery and crèche facilities in the area. The early learning centre provides a place for children and their parents/carers to attend educational and play sessions together. The use would allow parent/carers with younger children to attend sessions before picking up older children from nearby schools or after dropping them off in the morning. In addition, given the proposed centres location in close proximity to a number of schools, the neighbourhood centre and residential areas, the early learning centre would not be inappropriate for the area.

Other issues

- 44 Concerns have been raised about a development, which is currently being considered at appeal, for the erection of 6 houses at 95 Dartford Road (SE/17/01267/FUL). This is for an entirely different form of development. Members will be aware that each application must be treated on its own individual merits but in any event that appeal proposal includes the provision of 7 allocated spaces which was considered sufficient by the Highways engineer. It should also be noted that the reasons for refusal of this development were not on highways grounds.
- 45 A number of representations raise concerns that the proposed centre would share toilet facilities with the offices upstairs. This is not a material planning consideration.

Conclusion

46 Therefore, I consider that the proposed change of use is in compliance with the National Planning Policy Framework and the Local Plan and therefore planning permission should be granted.

Background papers

Site and block plan.

Contact Officer(s): Naomi Sargent Extension 7122

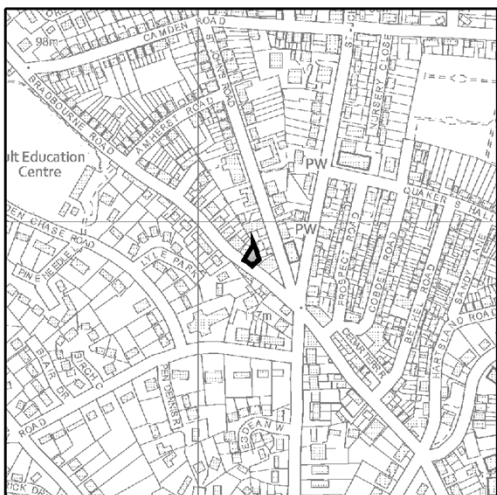
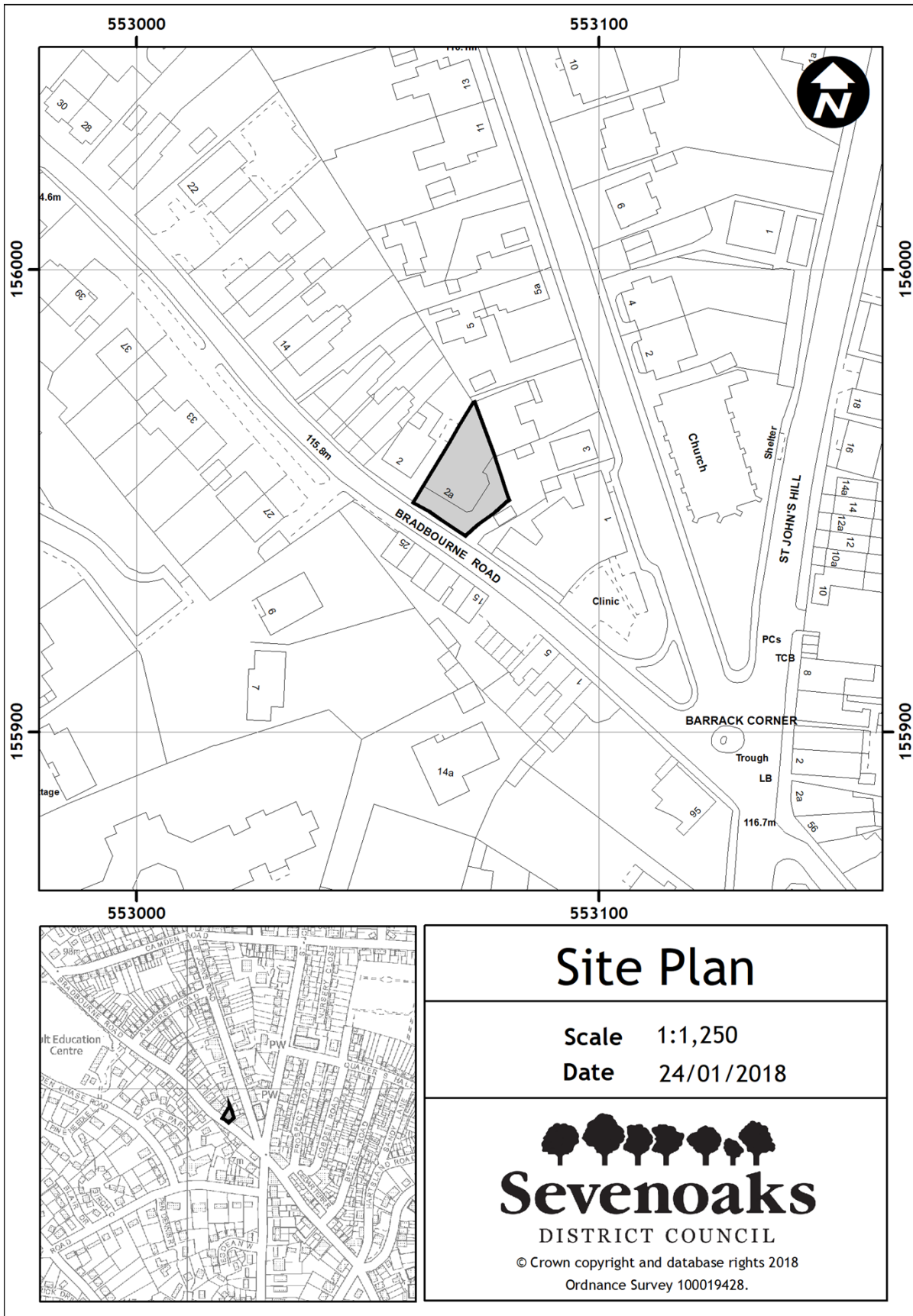
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OZV84XBK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OZV84XBK0L000>



Site Plan

Scale 1:1,250
Date 24/01/2018

Sevenoaks
DISTRICT COUNCIL

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Ordnance Survey 100019428.

Block Plan



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4.2 - 17/02067/FUL

Date expired 30 August 2017

Proposal: Demolition of existing buildings and erection of 9 dwellings with associated parking.

Location: Tri Officers Mess, 1 - 4 Armstrong Close, Halstead, Kent TN14 7BS

Ward(s): Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

This application is referred to Development Control Committee by Cllr Williamson to consider the impact of the bulk of the development on the openness of the Metropolitan Green Belt in accordance with policy L08 of the Core Strategy and policy EN1 of the Allocations and Development Management Plan (2015).

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

1) The development hereby permitted shall be begun before the expiration of 3 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: 15407-BT6, S201/A, P201/G, P202/F, P210/B, P211/C, P212/A, P213/D.

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

3) No development shall be carried out on the land until full details of existing and proposed levels have been submitted to and agreed in writing by the local planning authority. Proposed plans shall include a level (e.g. highway or footpath) adjacent to the site that will remain fixed/ unchanged and shall include levels adjoining the site. No development shall take place other than in accordance with the approved details. 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 proposals would not impact detrimentally on the openness of the Green Belt or the character of the surroundings in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

4) 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 dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials. The local planning authority is satisfied that it is fundamental to the

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

To ensure a satisfactory appearance to the development and to comply with policy SP1 of the Core Strategy and policies EN1 and EN5 of the Allocations and Development Management Plan.

5) None of the residential units hereby permitted shall be occupied until the vehicular accesses, car parking and turning spaces as shown on drawing P201/G have been completed on site and made available for use. The access and car parking shall be retained and maintained solely for such use thereafter.

To ensure the provision of adequate access and vehicle parking in accordance with policies EN1 and T2 of the Allocations and Development Management Plan.

6) No development shall be carried out on the land until details for the installation of electric vehicle charging infrastructure showing their proposed location(s), type and specifications have been submitted to and approved in writing by the local planning authority. The electric vehicle charging infrastructure shall be installed in accordance with the details so approved prior to the first occupation of any of the residential units and shall be retained and maintained for use 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 order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Allocations and Development Management Plan.

7) No development shall take place until details of cycle parking facilities have been submitted to and approved in writing by the local planning authority. The cycle parking facilities shall be provided in accordance with the approved details prior to the first occupation of any of the residential units and retained and 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 promote and encourage sustainable modes of transport, in accordance with policy SP1 of the Core Strategy and policy T2 of the Allocations and Development Management Plan.

8) No development shall be carried out on the land until a demolition and construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority and thereafter implemented and maintained throughout the construction period in accordance with the approved CEMP. The CEMP shall include:

- a. Details of the proposed working hours
- b. Details of locations of vehicle parking for site operatives and visitors
- c. Details of proposed wheel washing facilities located adjacent to the construction site access
- d. Details of an area for the storage of plant and materials
- e. A site waste management plan
- f. How the construction will comply with the sustainable use of soils on

construction sites

- g. Details of means of suppressing dust during the demolition and construction process to include the regime for dust deposition measurement at the site boundaries;
- h. Details of the measures to mitigate the noise and vibration from demolition and construction;
- j. Details of a surface water drainage scheme for the temporary drainage of the site.

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 interests of highways safety and the amenities of the surrounding area during the demolition and construction phase, in accordance with policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

- 9) No development shall be carried out on the land until a scheme to provide utilities connections to the dwellings hereby permitted to facilitate access to infrastructure that meets modern communication and technology needs, including broadband and where feasible Superfast Fibre Optic Broadband, high speed internet cabling and digital TV cabling shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be provided prior to first occupation of any of the residential units hereby 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 secure the installation of infrastructure that meets modern communication and technology needs and to avoid the need for retrofitting in accordance with policy EN1 of the Allocations and Development Management Plan.

- 10) No development shall be carried out on the land until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include the following details:
- a) trees and shrubs to be retained (including details of appropriate tree protection measures for the existing trees and shrubs shown to be retained);
 - b) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible), density and size;
 - c) a scheme for soft landscaping that part of the former tennis court not required for car parking;
 - d) enclosures: including types, dimensions and treatments of walls and fences (to include removal of existing perimeter fencing to former tennis court), pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges;
 - e) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces;
 - f) any other landscaping feature(s) forming part of the scheme; and
 - g) a landscape management plan detailing how each of the landscaping areas will be maintained.

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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. No development shall take place other than in accordance with the approved details 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 enhance the visual appearance and green infrastructure of the area as supported by policies EN1 and GI1 of the Allocations and Development Management Plan.

11) Prior to the commencement of any development on the site, details regarding the retention and protection of all trees on and/or immediately adjacent to the site shown to be retained shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details so approved. In paragraphs 'a' to 'c' below references to a "retained tree" mean an existing tree which is to be retained in accordance with plan 15407-BT6. The details shall include:

- a) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.
- b) Details of any proposed alterations in existing ground levels and of the position of any proposed excavations or other engineering operations. These details shall be illustrated by a series of cross-sections showing existing and proposed levels.
- c) Details of the location and extent of any area on the land to be used during the construction period for storage (including materials, plant and machinery) and/or for siting any temporary ancillary structures, such as a site office.

To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

12) No development shall be carried out on the land until:

i) A Phase 1 Habitat Survey and any recommended species specific surveys have been carried out on the site. In the event that surveys identify the on site presence of bats and/or reptiles, a mitigation strategy(s) shall be submitted to and approved in writing by the local planning authority. Details of the mitigation strategy shall include:

- a. details of the proposed receptor site;
- b. details of surveys, and;
- c. details of necessary enhancements required.

ii) Details of ecological enhancements, including timescales for implementation, have been submitted to and approved in writing by the local planning authority; The approved measures shall be implemented in accordance with the approved details and retained and maintained thereafter 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 order to mitigate the impact of development on ecology and to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy and policies EN1 and G11 of the Allocations and Development Management Plan.

13) Details of any external lighting shall be submitted to and approved in writing by the local planning authority prior to its installation. Details shall include details of fixtures and location, hours of operation and details of compliance with the Institute of Lighting Engineers guidance notes for the reduction of light pollution. Despite any development order, outside lighting shall only be provided in accordance with the approved details and no further external lighting shall be installed on the site without the prior written consent of the local planning authority.

In the interests of the visual amenity of the area and to ensure the creation of a safe and secure environment in accordance with policies EN1 and EN6 of the Allocations and Development Management Plan.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting those Orders) no development falling within Classes A, B, C, D and E of Part 1 of Schedule 2 to the said Order shall be carried out to any of the hereby approved dwellings without the prior written approval of the local planning authority.

To prevent inappropriate development in the Green Belt and to safeguard the openness and visual amenity of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

15) The ground and first floor level windows in the side (west) elevation of plot 9 shall be obscure glazed and fixed shut below 1.7m from finished floor level and shall be retained and maintained as such thereafter.

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

Informatives

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

2) Please be aware that this development is also the subject of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

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

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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),
- 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) The applicant was provided the opportunity to submit amendments to the scheme/address issues.

Description of proposal

- 1 Demolition of existing buildings and erection of 9 dwellings with associated parking.

Description of site

- 2 The site comprises approximately 0.39 hectares of irregular shaped land located to the south of Armstrong Close within the wider Fort Halstead development. Fort Halstead is located outside of any defined village settlement and is currently in use for both housing and research and development. As existing the site comprises a two-storey 'L' shaped building formerly used as Officer's accommodation and Mess (Sui Generis use), an open plan single storey building immediately to the east, two single storey double garages and a disused tennis court. The site is generally soft landscaped, albeit unmaintained and benefits from a number of mature trees. The whole of the site lies within the Metropolitan Green Belt and Kent Downs Area of Outstanding Natural Beauty. There are a number of two-storey residential dwellings to the north and west.

Constraints

- 3 Metropolitan Green Belt

4 Kent Downs Area of Outstanding Natural Beauty (AONB)

Policies

Allocations and Development Management Plan (ADMP):

5 Policies:

- EN1 - Design Principles
- EN2 - Amenity Protection
- EN5 - Landscape
- EN6 - Outdoor lighting
- EMP3 - Redevelopment of Fort Halstead
- G11 - Green Infrastructure and New Development
- G12 - Loss of Open Space
- T1 - Mitigating Travel Impact
- T2 - Vehicle Parking
- T3 - Provision of Electrical Vehicle Charging Points

Core Strategy (CS):

6 Policies:

- L01 - Distribution of Development
- L08 - The Countryside and the Rural Economy
- SP1 - Design of New Development and Conservation
- SP2 - Sustainable Development
- SP3 - Provision of Affordable Housing
- SP5 - Housing Size and Type
- SP7 - Density of Housing Development
- SP9 - Infrastructure Provision
- SP10 - Green Infrastructure, Open Space, Sport and Recreation Provision.
- SP11 - Biodiversity

Other:

- 7 National Planning Policy Framework
- 8 Planning Policy Guidance
- 9 Development in the Green Belt SPD
- 10 Countryside Character Area Assessment
- 11 Village Design Statement
- 12 Affordable Housing SPD

Planning history

- 13 16/01254/FUL: Demolition of existing buildings on site. Removal of enclosure around former tennis courts and hardstanding. Erection of 14 dwellings of two storey design comprising 6 three bedroom and 4 two bedroom houses and 2 two bedroom and 2 one bedroom apartments.

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Associated parking, gardens and landscaping. Dismissed at appeal
02.03.2017

- 14 14/01363/FUL: Conversion of former officer's accommodation (sui generis use) to provide 10 two bedroom flats with secure bin and cycle storage, associated car parking and amenity space. Granted 01.08.2014

Consultations

Halstead Parish Council (summary)

- 15 Objection:

Inappropriate development in the Green Belt and harmful to openness;

Harm to the long term health of the adjacent trees and potential post development pressure to remove trees;

Inadequate local infrastructure (including drainage, water and fuel supplies);

Increase in cars, parking congestion and highway safety.

KCC Highways (summary)

- 16 No objection subject to conditions to secure:

Provision and permanent retention of vehicle and cycle parking;

Provision of wheel washing facilities.

KCC Development and Contributions team (summary)

- 17 No objection.

SDC Tree Officer (summary)

- 18 No objections subject to conditions relating to tree protection, construction method statement and landscaping.

Representations

- 19 26 notification letters sent. Press and site notice displayed. The statutory consultation period ended on 23.02.2018. 10 objections received, including from Fort Halstead Residents Association (Informal) as summarised below:
- Tennis court is abandoned and should not be considered as previously developed;
 - Overdevelopment;
 - Unexceptional design out of keeping with surroundings;
 - Increased traffic;
 - Inadequate parking;
 - Impact on highway safety;
 - Car parking would be harmful to view;

- Loss of light and privacy;
- Noise impacts;
- Light impacts;
- Failure to address flood risk;
- Impact on trees;
- Impact on ecology;
- Impact on water mains and sewers;
- Construction impacts on roads;
- Impact on public right of way;
- Original planning permission (SE/14/01363/FUL) expired.

Chief Planning Officer's Appraisal

20 The main issues requiring assessment relate to:

- The principle of the development in the Green Belt
- Effect on openness
- Design and impact on the Kent Downs AONB
- Housing size
- Affordable housing
- Impact on residential amenity
- Highways and parking
- Trees and landscaping
- Biodiversity and ecology
- Flooding and drainage
- CIL

Of particular relevance to this application is the following guidance:

Presumption in favour of sustainable development:

- 21 Para 14 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11, 12, 13 of NPPF.)
- 22 Para 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

Green Belt considerations

- 23 Having established that the site is within the Green Belt we must consider both our own Development Plan Policy and the NPPF. As set out in para 87 of the NPPF, where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.

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- 24 Para 88 of the NPPF advises that local planning authorities should give substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- 25 Therefore, the harm in principal to the Green Belt remains even if there is no further harm to openness because of the development. Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.

Area of Outstanding Natural Beauty (AONB):

- 26 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 27 There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.

Appraisal

Principle of development in the Green Belt

- 28 Current Government advice, in the form of the NPPF, supports the protection of the Green Belts and seeks to restrict development. Paragraph 79 states that 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 advice states that subject to specific exceptions the construction of new buildings should be regarded as inappropriate in the Green Belt. Such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt.
- 29 In accordance with paragraph 89 of the NPPF, exceptions to inappropriate development include: *'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'*
- 30 Annex 2 of the NPPF sets out the definition of previously developed land as follows: *'Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This*

excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.'

- 31 The existing site comprises a number of buildings formerly used as Officer's accommodation and Mess, tennis courts and amenity space. Comments regarding the 'abandoned' nature of the tennis courts are noted and whilst it is clear they have not been used for a significant period of time, the playing surface and perimeter fencing remain in situ. They are not considered to have blended into the landscape in the process of time for the purposes of identifying previously developed land. The redevelopment of the whole site therefore has the potential to fall within criterion 6 of paragraph 89 (and thereby constitute appropriate development) in that it represents the redevelopment of a previously developed site. However; the criterion only allows for such development to be appropriate where it would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 32 The application sites lies within the allocated employment area of Fort Halstead. Policy EMP3 of the ADMP is relevant and requires the retention of the employment use. Policy EMP3 does not specify particular areas of land which would need to remain in employment use, but rather makes provision for employment use within the allocated area. The extant outline planning permission for Fort Halstead includes employment provision equivalent to what is safeguarded under policy EMP3 on a smaller area excluding the land subject to this application. Given the previous non-employment use on the land subject to this application there is no land use objection to residential development of the site.
- 33 Consideration has been given to the extant planning permission for 450 dwellings on the adjacent site and local concerns that no further residential development should be permitted on land within the site allocation (albeit outside of the application site for the outline planning permission). Whilst the development would increase the total number of residential dwellings in this location beyond 450, this has to be considered in the context of the extant planning permission for 10 dwellings on the site. The development would therefore result in a net reduction of 1 dwelling over the fall back position. Whether or not the development is appropriate in the Green belt the proposals are not considered to be contrary to policy EMP3 of the ADMP.

Effect on openness:

- 34 The NPPF makes clear that the essential characteristics of the Green Belt are their openness and permanence. Openness is not reliant upon degree of visibility but upon an absence of built development. The purpose of the Green Belt is also to protect land against unrestricted sprawl and safeguard countryside from encroachment.

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- 35 Policy L08 of the Core Strategy applies and states that the extent of the Green Belt will be maintained. The policy also states that the countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible. Development should cause no adverse impact on the character of the countryside or the openness of the Green Belt.
- 36 Section 7 of the Development in the Green Belt SPD is also relevant to proposals for previously developed land and states that the Council will consider redevelopment proposals of brownfield sites based on whether they would have a greater impact on the openness of the Green Belt. The Council would generally expect proposals to:
- a) Have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;*
 - b) Not exceed the height of the existing buildings; and*
 - c) Not occupy a larger area of the site than the existing buildings.*
- 37 The SPD states that the most relevant area for the purpose of (c) is the aggregate ground floor area of the existing buildings (the footprint). This does not however override the first criterion (a) relating to impact on openness which is not limited to footprint, but to the three-dimensional impact of built form, including building volume and height. It is necessary to assess whether any of these elements, either individually or combined, would result in unacceptable harm to the openness of the Green Belt. The character and dispersal of the proposed redevelopment will also need to be considered.
- 38 In terms of layout the development would largely replicate the existing 'L' shaped footprint of the two-storey Officer's accommodation, albeit they would be separated into four detached blocks with approximately 2 metre gaps between the three blocks to the east and a 4 metre gap between plots 6 and 7 in the corner. This application differs from the appeal proposals insofar as they do not include the erection of any buildings on the higher, eastern part of the site.
- 39 In assessing the proposals for 5 dwellings on the former tennis courts the Planning Inspector noted *'as a result of the location of the proposed houses that would replace the tennis court, and the height and shape of the roofs of the proposed dwellings, the proposed development would extend buildings over more of the site such that they would reduce the openness of the Green Belt in this location'*.

40 The relevant calculations are considered below:

	Existing	Proposed	Change
Floor area	997.8 sqm	1009 sqm	+1%
Footprint	701.6 sqm	504.5	-28%
Volume	3337.3 cm	3156.4 cm	-5.4%
Ridge height	6.710 m	7.314 m	+0.6m

41 The proposed development would result in a 1% increase in floor area at ground and first floors. It would result in a reduction in built footprint of 28%. On floor area and footprint alone the development would comply with criteria (c) above and not be harmful to openness.

42 The proposed development would also result in a reduction in built volume of 5.4%. With regard to height and size, the replacement buildings have been revised to reduce the increase in ridge height to approximately 0.6 metres higher than existing. This has had the effect of also reducing the massing of the buildings. Where the existing buildings feature a consistent linear roof form the most prominent of the proposed dwellings (plots 1-3 and 7-9) would feature hipped roofs to reduce the bulk and scale of the buildings. Plots 1 and 9 would include projecting gables, albeit they would be set below the overall ridge height. As the site is not level it is recommended that details of existing and proposed site levels be required by condition to ensure that the total increase in height is no greater than shown on the submitted plans.

43 Whilst the proposals would result in a small increase in the ridge height of buildings they would also result in consolidation of built form across the site and less sprawl. The development would thus appear more compact. The creation of a vehicular access and use of part of the former tennis court for car parking would not have a material or permanent impact on the openness of the site and would facilitate enhancements including removal of the existing perimeter fencing and increased landscaping in this location.

44 In summary I consider the impacts on openness of the small increases in floor area and ridge height would be offset by the larger reductions in volume, footprint and hardstanding of 39%. In my view the reduced quantum of development, combined with siting of the replacement dwellings on existing building footprints and amendments to the roof forms all address the Planning Inspector's previous concerns regarding the impact of redevelopment of this site on openness.

45 I conclude that the substantial reduction in footprint combined with the appropriate consolidation of the built form nearer to existing buildings would result in the development having no greater impact on the openness

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of the Green Belt and it would therefore amount to appropriate development.

- 46 In order to prevent future inappropriate development in the Green Belt it is recommended that permitted development rights for extensions and outbuildings be removed by condition.

Design and impact the AONB:

- 47 Paragraph 56 of 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'*. 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 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.
- 48 The proposals would generally respect the local residential character in terms of plot sizes, building spacing, form and massing and would sit comfortably within the context of the existing site and the extant permission for wider redevelopment of the site. The dwellings would be traditional in terms of design (incorporating pitch roofs, porch and gable features and half tile-hung elevations) and materials (red brick, tile hanging and plain roof tiles) to match surrounding buildings. In considering the previous appeal, the Planning Inspector stated *'the design of the proposed dwellings would reflect the character and appearance of surrounding development'*.
- 49 In summary the development would be sympathetic in terms of scale, massing and materials. The proposed layout would allow for retention of existing trees. Whilst concerns relating to the impact of parking to the west of the site on the rural character of the area are noted, this would be compatible with other areas of hardstanding in Armstrong Close and subject to conditions requiring details of appropriate materials and for additional soft landscaping would not be harmful to the overall character of the surroundings.
- 50 No part of the development would have any impact on any surrounding Public Rights of Way.
- 51 The site is also located within the Kent Downs Area of Outstanding Natural Beauty. The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development. Policy EN5 of the ADMP states that proposals within AONB will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape.

- 52 The character of the landscape in this location is heavily wooded and relatively enclosed as opposed to intrinsically open. As noted by the Planning Inspector in consideration of the previous application '*the wooded surrounds limit views of the site*'. There is minimal street lighting and none is proposed as part of this application. It is recommended that details of any lighting necessary for safety or security purposes in accordance with policy EN6, for example low level bollard lighting, be required by condition. Details of enhancements to the AONB, including through erection of more appropriate boundary treatments and additional soft landscaping can also be reserved by condition. The reduction in building footprint and associated sprawl of built form and substantial reduction in hardstanding would also enhance the AONB in this location.
- 53 By reason of the site being located within an established built environment and being of high quality design, compatible in terms of scale and appearance with surrounding buildings, the proposals would have no perceptible impact on this part of the AONB consistent with policies L01 and L08 of the Core Strategy and subject to appropriate landscaping would at least conserve and enhance the wider environment in accordance with policy EN5 of the ADMP.

Housing size:

- 54 Policy SP5 of the Core Strategy seeks new housing development to contribute to a mix of different housing types in residential areas taking into account the existing pattern of housing in the area, evidence of local need and site specific factors. The policy explicitly seeks the inclusion of small units (less than 3 bedrooms) in new development schemes in suitable locations to increase the proportion of smaller units in the District housing stock. However, the recently completed Sevenoaks and Tunbridge Wells Strategic Housing Market Assessment (SHMA) is also relevant and identifies that the greatest need for housing in the District is for 2 and 3 bedroom properties with 3 bed roomed being the greatest need equating to 40-45% of the overall need.
- 55 The proposed development would provide 9 dwellings, comprising 8 x 3-bed and 1 x 4-bed homes. Although providing for a limited mix of housing sizes it would provide for the greatest identified need identified in the SHMA and in this respect be in broad compliance with relevant planning policy.

Affordable housing:

- 56 On 28 November 2014 the Government issued a Written Ministerial Statement that amended National Planning Practice Guidance (PPG) to restrict the circumstances where contributions for affordable housing should be sought. This is a material consideration that should be taken into account when determining planning applications and must be weighed against Policy SP3 of the Core Strategy. It is noteworthy that the material consideration post dates the Core Strategy and was confirmed by the Court of Appeal in 2015 and thus afforded weight.
- 57 For proposals within an AONB and between 6 and 10 residential units, the proposal is subject to affordable housing and the NPPG allows for the

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provision of affordable housing but this would be a commuted sum payable on or after completion. Policy SP3 of the Core Strategy requires that proposals involving the provision of new housing should also make provision for affordable housing. In the case of residential development of 5-9 dwellings that involve a net gain in the number of units, 20% of the total number of units should be affordable. Exceptionally, policy SP3 also allows for a financial contribution based on the equivalent of 20% affordable housing for off-site affordable housing provision where on site provision is demonstrated to be unviable.

- 58 The principle of an off-site contribution was accepted as part of planning permission reference 14/01363/FUL and our Housing Policy team have confirmed that the legitimate constraints to providing on-site affordable housing as part of that application are valid to this application. Taking account of the above a financial contribution of £304,085.30 would be secured through a planning obligation. This is considered to be acceptable and in accordance with the requirements of policy SP3 of the Core Strategy and the Affordable Housing SPD.

Residential amenity:

- 59 Paragraph 17 of the NPPF identifies a set of core land use planning principles that should underpin decision making. 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 development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 60 The closest dwellings to the development would be in Armstrong Close located to the west of plot 09. Plot 09 would be located on a similar footprint to the existing building, albeit set marginally further forward and closer to the boundary. It would also be taller. Plot 09 would however retain a minimum 10m gap to the side of the adjacent building and beyond an existing garage outbuilding. For these reasons the development would not result in any harmful loss of daylight or sunlight, outlook or sense of enclosure to the occupiers of this property. A single ground and first floor in the flank elevation could be obscure glazed to prevent any undue loss of privacy.
- 61 The development would have no daylight, sunlight, outlook or privacy impacts on the amenities of any other dwellings surrounding the site, all of which would be separated from the site by off-street parking, amenity space and Armstrong Close. The outline planning permission for the redevelopment of wider Fort Halstead includes the erection of dwellings to the south and east of the site; however these would be separated from the site by a belt of woodland and would not be subject to any harmful impacts.
- 62 I have considered the potential impacts of the development in terms of an increase in noise and activity; however given the distances between buildings discussed above I do not consider this development would cause unacceptable living conditions to existing properties and in this respect the development would comply with the NPPF and policy EN2 of the ADMP. I do

however consider it reasonable to require submission of a construction management plan to control, amongst other things, impacts relating to hours of operation and dust suppression from demolition and construction related activity.

- 63 In dismissing the previous appeal, the Planning Inspector concluded that the development would have unacceptable impacts on the living conditions of future occupiers (specifically in relation to privacy and shading and light). These issues have been addressed by the reduced quantum and revised layout of the development such that future occupiers of the proposed dwellings would benefit from well lit accommodation with good levels of outlook and privacy in accordance with policy EN2.

Highways and parking:

- 64 Policy EN1 of the ADMP requires that proposed development should ensure the satisfactory means of access for vehicles and provides parking facilities in accordance with the relevant standards. Policy T1 of the ADMP requires new developments to mitigate any adverse travel impacts. Policy T2 relates to vehicle parking, including cycle parking and requires provision in accordance with advice from the Highway Authority. Policy T3 seek to ensure provision of new charging facilities to be provided within new residential development for electric cars.
- 65 Armstrong Close is not a public highway and the principle of using an existing access to facilitate car parking on the former tennis court would be acceptable in this location. It is also proposed to enlarge an existing access to facilitate off-street parking to the front of the development. Whilst the objections to the access are noted, both would benefit from adequate visibility onto a no-through road characterised by low vehicle speeds. The provision of turning areas would mean vehicles should not need to reverse into the road. Whilst the development would generate additional vehicle trips I am mindful that the majority of these would be contained to the eastern end of Armstrong Close only and would not result in impacts that would prejudice highway safety or be harmful to amenity.
- 66 Notwithstanding the highways related objections raised, the proposed off-street car parking provision (comprising 23 spaces, including 2 disabled bays) complies with the requirements of planning policy and would permit 2 spaces per dwelling plus visitor parking. Subject to appropriate conditions, including relating to wheel washing, the development is capable of providing secure cycle parking and incorporating facilities for electric vehicle charging in accordance with policies T2 and T3 of the ADMP. The potential construction related impacts and ongoing maintenance arrangements with regards to the private access roads are not material planning considerations.

Trees and landscaping:

- 67 Policy EN1 of the ADMP requires the layout of new development to respect the topography of the site and to retain important features including trees, hedgerows and shrubs. New landscaping and boundary treatment will be required in appropriate cases.

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- 68 There are a number of mature trees around the periphery of the site and within close proximity to the development. These are all subject to a woodland Tree Preservation Order. Whilst no tree felling is proposed to accommodate the proposed development (the dwellings would be mostly constructed on the footprint of existing buildings), the proposed access to the east and proposed access and parking area to the west, will necessitate development in close proximity to mature trees. The Tree Officer is satisfied the development can be accommodated without harm to trees, subject to further details of the no-dig construction method being secured by condition.
- 69 The layout of the development differs from that subject of the previous appeal such that the relationships between dwellings and trees would not result in unacceptable post development pressure to prune or fell as was previously the case. In summary, the development will not result in the loss of any trees. Subject to appropriate conditions relating to tree protection, retained trees are capable of being adequately protected and there is scope for further tree planting and additional soft landscaping to reinforce the wooded character of the site in accordance with relevant policy.

Impact on ecology and biodiversity:

- 70 Section 11 of the NPPF relates to conserving and enhancing the natural environment and includes discussion relating to biodiversity. Paragraph 118 explains that the planning system should protect and enhance valued landscapes, minimise impacts on biodiversity and provide net gains in biodiversity where possible. At a local level, policies SP11 of the Core Strategy and GI2 of the ADMP state that the biodiversity of the District will be conserved and opportunities sought for enhancement to ensure no net loss of biodiversity.
- 71 The site is not located within or adjacent to a Site of Special Scientific Interest, Local Wildlife Site or other identified site of biodiversity value. The site is dominated by poor quality amenity grassland and higher quality trees which are to be retained. As with the previous application for demolition of the buildings, no ecological scoping surveys have been undertaken. Having considered Natural England's Standing Advice there is some potential for some buildings to be used by bats. This is because the site is not highly affected by artificial light levels, is close to woodland and a number of buildings have hanging tiles. I consider this potential is however low on the basis that the surrounding trees and woodland are not of a type commonly used by bats, the buildings are relatively modern (built in the late 1960s) and do not have uneven roof coverings with obvious gaps. They also do not have obvious entrances bats can fly into or large roof areas with clear flying spaces (the pitch roofs being relatively low).
- 72 In light of the above, I consider on balance that it is reasonable to recommend conditions be imposed to ensure that an ecological scoping survey, and if necessary, bat emergence surveys, be undertaken before the commencement of development to establish the existence or otherwise of bats and to inform any necessary mitigation, rather than require further

survey work prior to decision. It is also noted that separate protection afforded to species under UK and EU legislation applies in any event.

- 73 In summary, I am satisfied the proposals would be capable of mitigating and enhancing biodiversity in accordance with the National Planning Policy Framework, paragraph 99 of Government Circular (ODPM 06/2005), policies SP11 of the Core Strategy and EN1 and GI2 of the ADMP.

Flooding and drainage:

- 74 The previous application was found unacceptable on the basis it was not supported by any information relating to provision of a sustainable drainage system. Whilst no information has been submitted as part of this application, it does not comprise a 'major development' and so the relevant legislation requiring submission of such information does not apply to the proposals.
- 75 It is however relevant to note that the site is not located within a designated flood zone and the proposals would result in a reduction of built footprint of 28% and a reduction of hard standing of 39%. In this respect the proposals would not result in any increase in flood risk in the vicinity.
- 76 Comments relating to the ability of the existing water infrastructure to meet the additional demands of new development are noted, however they are not material planning considerations and cannot be considered in the assessment of the application.

CIL:

- 77 This development is CIL liable and a CIL contribution would be generated from the development. In accordance with policy EN1 of the ADMP details of how the development would incorporate infrastructure to meet modern communication and technology needs (including broadband, high speed internet cabling and digital TV cabling) can be secured by appropriate condition.

Conclusion

- 78 The proposals would result in appropriate redevelopment of previously developed land within the Green Belt and have no greater impact on its openness. The quantum, layout and design of the housing is considered to be acceptable and appropriate for this location. The development would provide a commuted sum towards provision of affordable housing in accordance with relevant policy. The development would conserve and enhance the AONB. The highways implications of the development have been fully assessed and are considered acceptable. There would be no unacceptable impacts on the amenities of neighbouring properties and no other issues that could not be addressed by appropriate conditions. Insofar as they are able, the proposals are considered to address all the issues identified by the Planning Inspector in consideration of the previous appeal. Taking the above factors into account and for the reasons as set out above,

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the proposal is considered to comply with national and local planning policies.

Contact Officer(s): Matthew Durling Extension: 7448

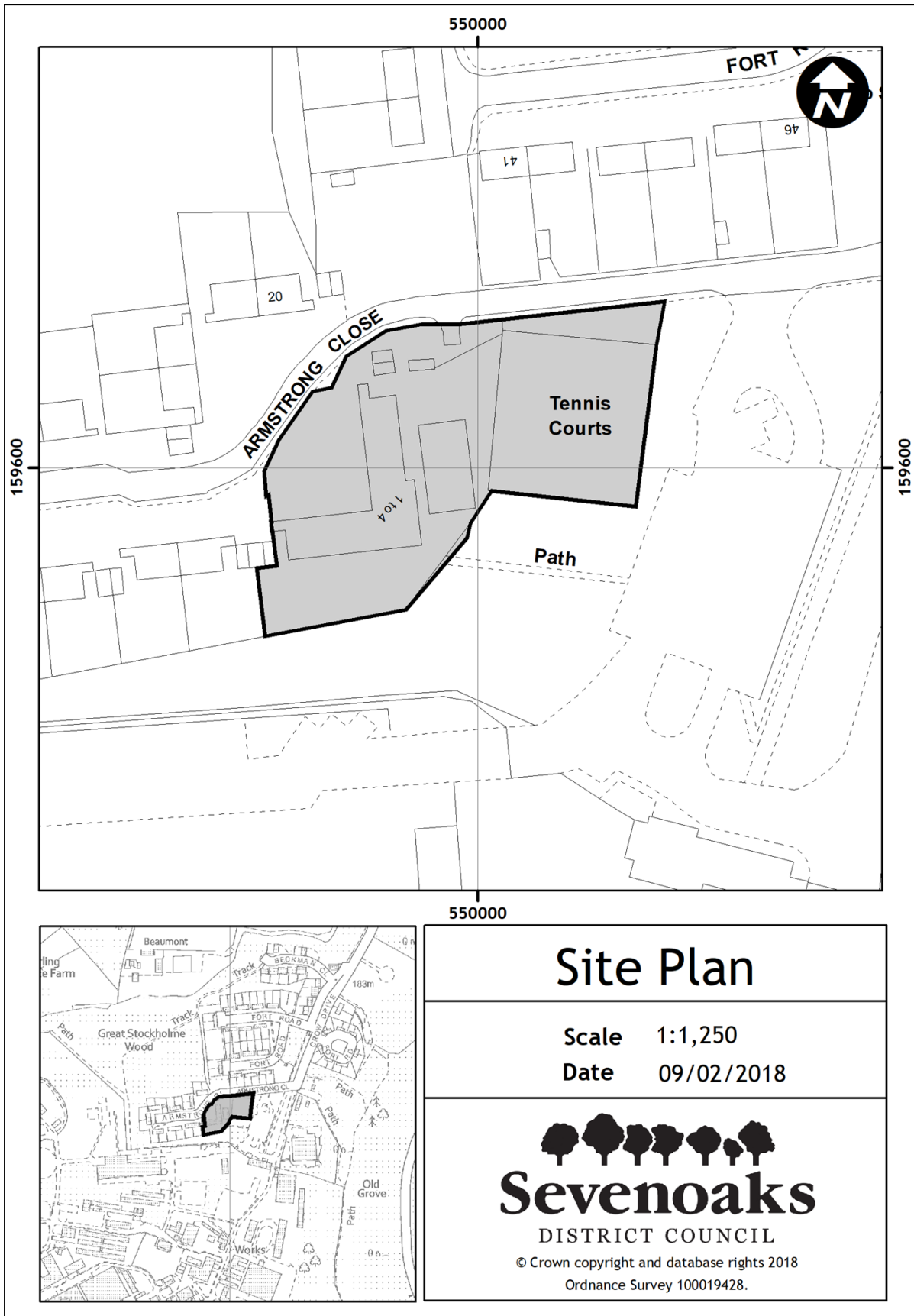
Richard Morris
Chief Planning Officer

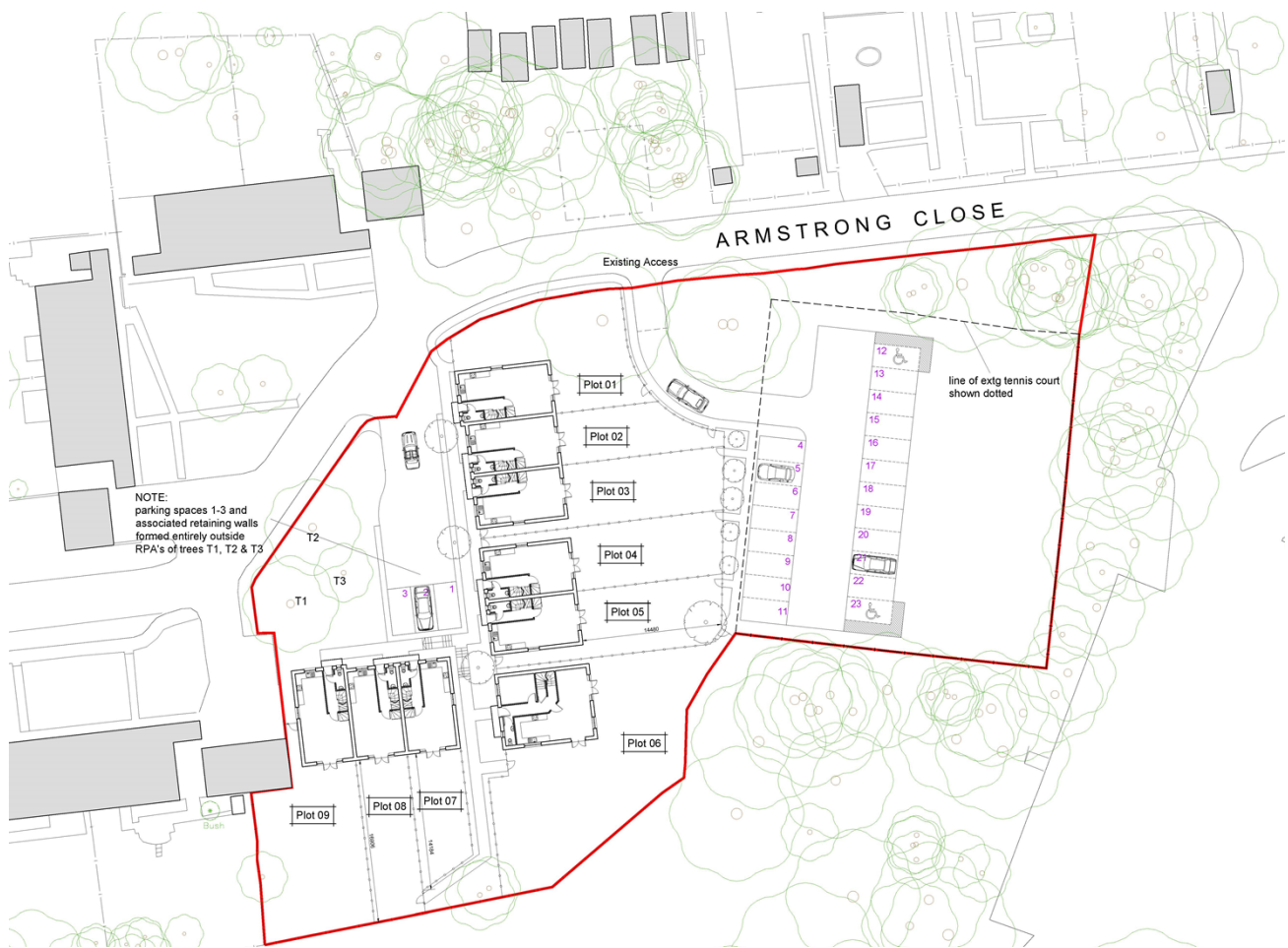
Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSBGIFBKGCU00>

Link to associated documents:



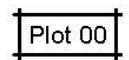
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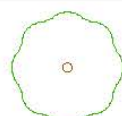
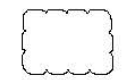
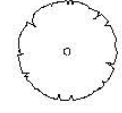

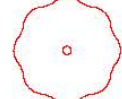




LANDSCAPING DETAILS

FENCING & BOUNDARY DETAILS

-  Application Site Boundary Line
-  1.5m Fence with .3m Trellis
-  Plot Number

-  Existing Trees
-  Existing shrubs to be retained
-  Proposed Trees
-  Proposed Planting
-  Trees To Be Removed

4.3 - 17/03797/FUL Revised expiry date 21 March 2018

Proposal: Erection of a 7 unit apartment block, with associated landscaping, external amenity space and parking facilities (comprising one private parking space per unit plus two visitor spaces) to the rear of the existing property at 31 Granville Road.

Location: 31 Granville Road, Sevenoaks, Kent TN13 1EZ

Ward(s): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application was referred to the Development Control Committee by Councillor Fleming on the grounds that it would have a detrimental impact on the Conservation Area and the setting of the locally Listed Building (31 Granville Road).

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) 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 building and access driveway/ parking area hereby permitted have been submitted to and approved in writing by the local planning authority. 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 Conservation Area as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

3) Prior to the commencement of works, details of the proposed boundary treatments shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to the first residential occupation of the hereby approved flats.

To ensure that the appearance of the development enhances the character and appearance of the Conservation Area as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

4) Prior to the commencement of works, a drainage scheme shall be submitted to and approved in writing by the local planning authority, and include details of a method to prevent water run-off onto the highway. The approved details shall be

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implemented prior to the first residential occupation of the hereby approved flats.

In the interest of highways safety.

5) Prior to the first residential occupation of the hereby approved flats, the parking area shown on the hereby approved plans shall be implemented and made available to the occupiers, and maintained thereafter.

In the interests of highways safety and in accordance with T2 of the Sevenoaks Allocations and Development Management Plan.

6) The first 5m of the hereby approved access driveway, when measured from the boundary with the existing footpath into the first, shall be constructed with a bound material. The approved details shall be implemented prior to the first residential occupation of the hereby approved flats, and thereafter maintained as such.

In the interests of highways safety.

7) The cycle storage solution of the hereby approved plans shall be installed and available to the residents of the hereby approved flats prior to the first occupation, and shall be retained and maintained as available to the residents at all times.

In accordance with T2 of the Sevenoaks Allocations and Development Management Plan and to encourage sustainable transport modes.

8) Prior to the first residential occupation of the hereby approved flats, 2m x 2m pedestrian splays shall be provided from the driveway onto Granville Road. The splays shall be maintained thereafter.

In the interests of highways and pedestrian safety.

9) Prior to the commencement of works, the following details shall be provided to and approved in writing by the local planning authority:

A) A plan showing the location of, all existing trees on the land which have a stem with a diameter exceeding 75mm when measured over the bark at a point 1.5m above ground level. The plan shall identify those trees which are to be retained and the crown spread of each retained tree. In paragraphs 'b' to 'e' below references to a "retained tree" mean an existing tree which is to be retained in accordance with this plan.

B) Details of the species, diameter (measured in accordance with paragraph A) above), the approximate height, and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (C) and (D) below apply.

C) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.

D) Details of any proposed alterations in existing ground levels and of the position of any proposed excavations or other engineering operations. These details shall be illustrated by a series of cross-sections showing existing and proposed levels. These details shall include details of any cutting required for the installation of services to the building and how these cuttings will impact upon the root protection areas of trees to be retained.

E) Details of the specification and position of fencing or other measures to create a 'retained tree protected area' for the protection of any retained tree from damage before or during the course of development.

F) Details of the location and extent of any area on the land to be used during the construction period for storage (including materials, plant and machinery) and/or for siting any temporary ancillary structures, such as a site office.

The details approved shall be implemented and maintained in accordance with the approved plans until the cessation of works unless otherwise approved by the local planning authority.

To secure the retention of the healthy trees on site and to safeguard their long-term health as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

10) Prior to the commencement of works, details of any outside lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed and maintained in accordance with any approved plans. Despite any development order, outside lighting shall only be provided in accordance with the approved details.

In order to conserve the character of the area and to protect neighbouring amenity in accordance with EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

11) Prior to the commencement of works, a scheme of ecological and biodiversity enhancements shall be submitted to and approved in writing by the local planning authority. The details within the approved scheme shall be implemented prior to the first residential occupation of the hereby approved flats and shall be retained and maintained in accordance with the plan thereafter.

To enhance local biodiversity in accordance with SP11 of the Core Strategy.

12) No development shall be carried out on the land until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting),-written specifications (including cultivation and other operations associated with plant and grass establishment),-schedules of new plants (noting species, size of stock at time of planting and proposed number/densities where appropriate), and-a programme of implementation. 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 enhance the visual appearance of the area as supported by EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

13) Prior to the commencement of works, details of electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The charging points shall be installed and made available to residents prior to the first occupation of the flats, and shall be maintained thereafter.

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In order to promote sustainable transport modes in accordance with T3 of the Sevenoaks Allocations and Development Management Plan.

14) Prior to the commencement of works, a scheme of suitable screening to the terraces and balconies, to prevent overlooking of the amenity space to the rear of Clarendon House, shall be submitted to and approved in writing by the local planning authority. The screening shall be installed prior to the first residential occupation of the hereby approved dwellings, and shall be maintained thereafter.

To protect neighbouring amenity in accordance with EN2 of the Sevenoaks Allocations and Development Management Plan.

15) Prior to the commencement of works, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan is to include details of the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage.

The details provided shall be accorded with at all times throughout the construction process, and any deviation approved in writing by the local planning authority prior to the commencement of the variation.

In accordance with Kent County Council guidance and in order to ensure highways safety.

16) The development hereby permitted shall be carried out in accordance with the following approved plans: 2830- 51 Rev B; 52 Rev C; 1; 53; 54; 55; 56; 57; 58; 722/203 Rev A; CSA93/101

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),

- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that 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 updated of small scale issues which arose during the process of the application and was given time to address it.

Description of proposal

- 1 The application seeks approval for the erection of a 7 unit block of flats to the rear of the existing house and in line with Clarendon House to the south of the site. The block would be four storeys in height and would have a modern appearance, with a partially recessed fourth floor, flat roofs and a brickwork and timber clad exterior with runner plants being used to provide some featuring.
- 2 Access to the development would be via a driveway through the site, linking the development to the street to the south of the existing house. Parking would be provided on an area of hardstanding and this would be linked to the main entrance to the building on the second floor via a raised walkway.
- 3 The proposal includes no changes to the fabric of the existing dwelling.

Description of site

- 4 The application site comprises a large detached dwelling set upon a large plot on the western side of Granville Road. The site stretches from the street back towards the railway line to the west of Granville Road. The site is also generous in its width with a large space existing between the southern side wall of the property and the side boundary of the plot, shared with 27 Granville Road. The levels of the site drop away steeply to the rear towards the railway line. There are a number of mature trees on the site, some of which are protected by TPO.

Constraints

- 5 Urban Confines - Sevenoaks
- 6 Conservation Area - Granville and Eardley Road
- 7 Area of Archaeological Potential
- 8 Locally Listed Building: 31 Granville Road
- 9 5x Tree Preservation Orders on the site

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Policies

Allocations and Development Management Plan (ADMP)

10 Policies:

- SC1 - Presumption in Favour of Sustainable Development
- EN1 - Design Principles
- EN2 - Amenity Protection
- EN5 - Landscape
- T2 - Vehicle Parking
- T3 - Provision of Electrical Vehicle Charging Points

Core Strategy (CS)

11 Policies:

- LO1 - Distribution of Development
- LO2 - Development in Sevenoaks Urban Area
- SP1 - Design of New Development and Conservation
- SP2 - Sustainable Development
- SP3 - Provision of Affordable Housing
- SP5 - Housing Size and Type
- SP7 - Density of Housing Development
- SP11 - Biodiversity

Other

- 12 National Planning Policy (NPPF)
- 13 National Planning Practice Guidance (NPPG)
- 14 The Planning (Listed Building and Conservation Areas) Act 1990
- 15 Granville Road and Eardley Conservation Area Appraisal
- 16 Affordable Housing Supplementary Planning Document (SPD)

Relevant planning history

- 17 17/01108/FUL - Erection of a 10 unit apartment block, with associated landscaping, external amenity space and parking facilities (comprising one private parking space per unit and two visitor spaces) to the rear of the existing property at 31 Granville Road. - Refused - 13 July 2017 - This application is current at Appeal.

Consultations

Sevenoaks Town Council

- 18 Sevenoaks Town Council recommended refusal unless the planning officer is satisfied that the objections raised against the previous in April 2017 have been adequately addressed. Although the scale of the development has been reduced, parking arrangements improved and provision made for TPO protected trees (which should be carefully checked by the arboricultural

officer), previous objections endorsed by SDC remain a cause for concern, including:

- 1) Adverse impact on the character of the local conservation area, including the setting of a precedent in terms of building apartment blocks in back gardens and significant loss of trees),
- 2) Excessive bulk, scale and footprint;
- 3) Significant loss of rear landscaped garden
- 4) Poor quality of design
- 5) Loss of amenity to neighbouring properties

SDC Conservation

19 No objection - In summary, the Conservation team responded:

- The plot has potential for infill development;
- The proposed building would follow the building line on Clarendon Road;
- The reduction of the number of units to 7, compared to 10 in the previous scheme, has led to a reduction of the bulk of the building and enables the retention of gaps to the boundaries to both sides.
- There is no terracing effect with Clarendon House and allows for views into the valley beyond;
- Topography and landscaping mitigate the impact;
- The character of the area is conserved;
- The setting of 31 Granville Road and its status is protected;
- Conditions should require suitable planting and landscaping in line with tree officers advice.

Full details have been included within the report.

KCC Highways

20 No objection. In summary, KCC Highways have no objections, find there to be adequate parking provision and access, and have asked for conditions relating to splays, details of drainage management, and a construction management plan.

The conditions requested have been included within those recommended within this report.

Network Rail

21 No response

Environment Agency

22 No comment

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Thames Water

23 No response

South East Water

24 No response

SDC Tree Officer

25 No objection - In summary, the Tree Officers response read:

- None of the individual trees to be removed are of great merit, however their view as a group is beneficial to the setting of Clarendon Road.
- A more detailed and comprehensive landscaping scheme could be required to replace, equal or improve the group shown to be removed.
- Requests details of utility routes and how these can be installed to reduce impact on TPO trees.

Relevant conditions have been recommended within this report.

SDC Environmental Health

26 No objection - Revised plans received in respect of waste storage and collection.

Representations

27 9 objections have been received regarding this application, and they can be summarised as concerning: Impact on the setting of the Conservation Area and the locally Listed 31 Granville Road; Impact on the Conservation Area; Traffic and Parking issues, specifically relating to heavy traffic flow and lack of available parking on Granville; Pollution and noise pollution; visual impact of the proposal from the perspective of the street and neighbouring properties; neighbouring amenity; back land/ overdevelopment; loss of biodiversity, and; that the applicant appears to be a development company (not a material consideration).

Chief Planning Officer's Appraisal

Principal issues

28 The main issues for consideration are:

- Principle of the development
- Character and appearance of the area
- Heritage assets
- Trees
- Residential amenity
- Parking and highways safety

- Biodiversity
- Drainage
- Affordable housing provision
- CIL

Of particular relevant to this application is the following guidance:

Presumption in favour of sustainable development:

- 29 Para 14 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11, 12, 13 of NPPF.)
- 30 Para 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

Planning consideration in relation to a non-designated heritage asset

- 31 In terms of the NPPF, No.31 Granville Road constitutes a non-designated heritage asset, despite its locally listed status. The building is within the Conservation Area, which is a heritage asset designation. The NPPF defines heritage assets as a 'building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because it is of heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including the local listing). The NPPF requires local authorities to recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance (126). In determining planning applications, we should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (131). Heritage assets should be conserved in a manner appropriate to their significance (17), and the effect of an application on the significance of a non-designated heritage asset should be taken into account for determining the application (135).

Appraisal

Previously development land - part of residential curtilage

- 32 Whilst the NPPF places an emphasis on development on previously developed land, it does not preclude other land, including garden land, from being developed for residential use, provided such development is in suitable locations and relates as well to its surroundings. Residential gardens outside built up areas can be previously developed land. Land in built up areas such as private residential gardens is excluded from the definition of previously developed land (Annex 2 NPPF).

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Principle of development

- 33 The site falls within the built confines of Sevenoaks and so policies L01 and L02 of the Core Strategy apply. These policies advise that development will be focused within the built confines of existing settlements, with Sevenoaks being a location for development of a scale and nature consistent with the needs of the town and the surrounding rural area. They also seek to protect the setting of the urban area and the distinctive character of the local environment.
- 34 An assessment as to whether the proposed building would protect the setting of the urban area and the distinctive character of the local environment is carried out below, however, the principle of some development is accepted.

Impact on the character and appearance of the area and Conservation area

- 35 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.
- 36 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).
- 37 Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 places a requirement on a local authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 38 Interpretations of the 1990 Act in law have concluded that preserving the character of the Conservation Area can not only be accomplished through positive contributions but also through development that leaves the character or appearance of the area unharmed.
- 39 The NPPF states that great weight should be given to the conservation of heritage assets (para.132)
- 40 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.
- 41 Policy EN4 of the ADMP states that proposals that affects a Heritage Asset, or its setting, will be permitted where the development conserves or enhanced the character, appearance and setting of the asset.
- 42 The Conservation Area appraisal provided a description of Granville Road, which focuses on the character of the area being partly defined by ordered rows of mainly semi-detached houses that line the street down towards the railway station. A distinct change from the southern end of the area, where the houses are well maintained and largely unmodified, to the north where

there are gaps in the continuity of the 19th Century buildings, and newer and less distinguished infill has replaced the original is also described.

- 43 More generally the Conservation Area appraisal notes that views, setting and topography are crucially important in the Granville Road and Eardley Road Conservation Area and that trees contribute strongly to the special character of the area with trees being integral to the special interest of the area.
- 44 31 Granville Road is a Locally Listed Building and is therefore identified as a non-designated heritage asset for the purpose of the NPPF.
- 45 The site of the building proposed is well set back within the current grounds of 31 Granville Road. The building is approximately 46m from the rear of Granville Road.
- 46 Significant changes have been made to the proposal since the previous refusal. One factor of significance is the alteration to the proposed landscaping, which will allow for a much larger garden area to remain associated with 31 Granville Road. This will be of benefit to the heritage asset and will retain the significance of the building.
- 47 The proposal would reflect the topography of the site. The topography has been used effectively to screen the building to from the road. From such a significant set back, and giving consideration to the degree of natural screening proposed to be retained, the building will itself have an extremely limited, if any, visual impact upon the street. There are no concerns that the building would visually detract from the setting of the locally listed building when viewed from the street.
- 48 The proposed building would be visible from Clarendon Road. However, the impact would be extremely limited and notably, from any vantage point, would only be seen within the context of the existing Clarendon House. As such, the proposal would conserve the Conservation Area.
- 49 The proposed driveway has an appropriate width and is of a design and width which would, to those unaware of the building behind, likely appear to be a suburban driveway serving 31 Granville Road. Such driveways are not uncharacteristic of the Conservation Area, particularly to the south. The proposed parking spaces for 31 Granville Road would be similar in their impact to the existing parking area to the side of 31 Granville Road at present. The natural slope in topography away from the front of the site to the rear would see the driveway slowly dip out of view.
- 50 Highways have supported the proposed driveway and access, and have recommended limited conditions.
- 51 Unlike the previous proposal, the parking area is confined to a much more modest area, involves significantly less land alteration, and leaves a much larger garden area to remain associated with 31 Granville Road and to remain landscaped.
- 52 The proposed building is appropriate scale for the area. This combined with the use of the topography and proposed spacing between buildings, will

Agenda Item 4.3

result in limited visual prominence than existing buildings of comparable size. Further, this impact would be almost entirely confined to the Clarendon Road, which in itself is not a contributor to the Conservation Area. From Granville Road, the building would practically and potentially only be visible from the very entrance to the new driveway, from which position only two storeys of the building would be visible. This means that the building height would not be uncharacteristic within the Conservation Area.

- 53 The width of the building has been reduced from the previous refusal and this reduces its overall impact both from the neighbouring roads, neighbours perspectives, and from the perspective of any user of 31 Granville Road and its setting.
- 54 Comments from the Conservation Officer support the above, and read:
- ‘31 Granville Road is a distinguished high status Victorian house and represents a good example of the type of development that makes up the special interest of the Granville/Eardley Road Conservation Area. The 2009 Conservation Area Appraisal describes the character of the area as comprising ‘...typical Victorian suburban villas, middle class and respectable, each set in their well tended gardens.’ A number of buildings stand out for their architectural quality and are either listed or locally listed. In April 2017, No. 31 Granville Road was adopted a locally listed building, along with a number of other distinguished building within the area.
- 55 The garden plot to No. 31 is unusually large, even by standards of Granville Road, and historic OS maps show that the plot was originally laid out as two plots, but the southern plot (No. 29) remained undeveloped and was subsequently annexed to No. 31 whose owners constructed a large conservatory on the southern side to take advantage of the southern aspect.
- 56 As typical for most houses along the western side of the Granville Road, the building faces the street and sits behind a short front garden, with a deep, generously sized garden to the rear. The depth of the garden reflects the original development pattern of the area, with the size corresponding with the status of the house. The steep slopes down to the railway cutting at the western end of the garden and that of the adjoining properties to the north have created an informal tree belt, which forms the western boundary of this part of the conservation area. The sylvan character and openness the tree belt provides positively contributes as backdrop and setting to the main house and are an important spatial characteristic of this part of the conservation area.

Assessment

- 57 Pre-application advice confirmed that the plot may provide potential for some infill development. The current proposal is a revision to a scheme submitted earlier in 2017. As in the previous scheme the proposal seeks to introduce an apartment block within the rear plot of the house with access from Granville Road. The new block would follow roughly the building line

established by the houses lining the western side of Clarendon Road and Clarendon House to the south.

- 58 The reduction of the number of units to 7, compared to 10 in the previous scheme, has led to a reduction of the bulk of the building and enables the retention of gaps to the boundaries to both sides. It thus avoids a terracing effect with Clarendon House and allows for views into the valley beyond.
- 59 Although the development will be visible from Clarendon Road, the combination of topography, retained existing greenery and distance to Granville Road would help to mitigate the impact of the increased scale and help to preserve the prevalent 19th/early 20th century suburban character of the area. The hardstanding for access and off-street parking are limited to the south in what was once in the original street layout a separate plot and I am satisfied that 31 Granville Road now retains a garden setting to the rear that in size corresponds to its status. The impact of the parking and visibility could be reduced by a suitable planting and landscaping scheme that ensures for effective screening. The Tree Officer's advice should be sought on the suitable replacement for the prominent Poplar tree at the northern boundary. Provided that replanting and a plan for soft and hard landscaping are ensured by conditions I have no objections to the scheme from the Conservation point of view.'
- 60 The proposal submitted addresses, as expressed particularly by the comments from the Conservation Officer, the concerns of the Council as set out within the previous approval.
- 61 In summary, the existing dwelling at 31 Granville Road will remain clearly distinct from the proposed building, which will retain its existing prominence on the road, and a well-proportioned rear garden that would be reflective of those in the surrounding area.

Trees

- 62 Comments from the tree officer have been included below:
- 'This is a proposal that I have approached in two groups. The first being the proposal to construct a vehicular access from the Highway passed the house and the mature Pine tree that is afforded protection under TPO 5 of 1981. The second is the main area of proposed construction and the proposed amount of tree removals. And finally, a few other queries that remain unanswered at this stage, I have not seen any details of expected utility routes and how they are to be routed through expected RPA's, how is the work to be carried out for the footprint of the build area with excavated soil and building materials etc.
- 63 The land from the frontage to the rear continues to drop in level with a drop of 2.27 metres from the existing Yew hedge to just passed the rear elevation of the house. It is feasible to construct a drive using a no dig construction method, which is fairly straight forward upon a level surface. With this situation however and the existence of the differing levels, it will be necessary to cut and fill to create a suitable level at a suitable gradient. Although this is shown as a no dig construction method there will be a

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requirement for soil disturbance either by lowering or raising spot levels in differing proportions dependent on the finished gradient of the proposed drive. The expected minimum RPA for the aforementioned Pine tree at 9.3 metres is basically all of the garden area between the tree and the house. This clearly takes in all of the proposed access drive at this point. There is therefore a question mark over the possible disturbance within the RPA of this protected Pine tree, which requires clarification and greater detail to be agreed to progress further.

- 64 With regard to the second point. It is proposed that a large amount of the trees that exist at this south westerly point within the rear garden are shown to be removed. I have viewed these trees from varying locations both within the garden and externally. I have come to the conclusion that no one individual tree has great merits to be classified as a superior specimen. The views of the trees as a group however do offer a beneficial verdant backdrop from views looking north west along Clarendon Road. Other less visual views of tree tops can be viewed from Granville Road. It is also clear that neighbours of this property will benefit to some degree from this group. I also note that the train line that runs at the bottom of the garden is a major transport link through the District with the potential for hundreds of passers by on a daily basis. There is some merit in the trees as a group at this point and their losses would have a negative impact on the amenity of the area and the conservation area that they are growing in. Should this proposal proceed, I would like to see a more comprehensive landscaping scheme put forward to replace or equal the group shown to be removed or in preference, to improve it.'
- 65 In reviewing this response, it is recommended that the issues raised can be dealt with by planning condition. The proposal is acceptable and the trees currently protected by TPO are protected, and further details with regards to their protection during construction can be required by condition.
- 66 The proposal complies with local policy in this respect.

Amenity

- 67 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.
- 68 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.
- 69 The properties potentially most affected would be 25, 27, 31 and 33 Granville Road and the units that make up Clarendon House. However, 25

and 33 and all other nearby properties are a sufficient distance away and situated in such a way as not to be significantly impacted upon.

- 70 These new homes on the site council result in an increased level of domestic disturbances to 27 and 31. However, this is not significant compared with the existing traffic that passes along Granville Road and that usually experienced within urban residential locations.
- 71 Overlooking and a loss of privacy would not be an issue in relation to 27 and 31 since these properties would lie over 40m from the proposed new homes. Outlook from these properties would also remain unaffected.
- 72 Clarendon House does not have any side facing window. Potential overlooking and a loss of privacy experience by occupiers of Clarendon House from side and rear facing terraces will be addressed through the submission of further details of appropriately designed and positioned privacy screens. It is also the case that the outlook from the front and rear aspect windows would not be affected by the development.
- 73 Finally, the building would pass the 45 degree test on plan and so the proposal would not result in a detrimental loss of daylight or sunlight to nearby residents.
- 74 The case officer for the previously refused application agreed with this assessment in making their recommendation, and the previous application was not refused on amenity grounds.
- 75 The proposal complies with EN2 of the ADMP.

Parking provision and highways safety

- 76 Policy T2 of the ADMP states that vehicle parking provision, including cycle parking, in new residential development should be made in accordance with the current KCC vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guidance (or any subsequent replacement). The figures are also adopted in the form of Appendix 2 to the ADMP.
- 77 Policy T3 of the ADMP states that schemes for new apartments and houses with separate parking areas should include a scheme for at least one communal charging point.
- 78 The proposal includes 9 parking spaces for the new development, one per unit plus two visitor spaces. In this location, this meets the local requirements and is in accordance with policy.
- 79 There has not been an objection to the proposal from Kent County Council Highways Team with regards to the access. Suitable splays can be provided and protected by planning condition.
- 80 A condition could be imposed on any approval of planning permission requiring that provision be made for a vehicle charging point.
- 81 The proposal is in accordance with local policy in respect of parking and highways conditions. .

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Refuse

- 82 Further details were received by the applicant following the receipt of comments from the Refuse team. The amended plans reflect the requested changes.
- 83 The refuse collection point has been relocated to be south of the access drive, so that it is closer to the highway. This will ensure ease of access for the weekly refuse collection.
- 84 The bin store, which is located in the proposed parking court, is able to accommodate two drop front bins facing outwards and is of the recommended size (1.3m deep, and 3m wide). Therefore the proposal is acceptable in relation to this issue.

Impact on biodiversity

- 85 The NPPF states that development proposals where the primary objection is to conserve or enhance biodiversity should be permitted (para.188).
- 86 Policy SP11 of the Core strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancement to ensure no net loss of biodiversity.
- 87 The proposal includes a sedum roof which will increase the range of biodiversity on the site. Further enhancements could be achieved by condition, and a net benefit could be achieved. This is recommended to be secured by planning condition.

Drainage

- 88 Thames Water did not comment on this application however, to the previously refused ten unit scheme, they raised no objection.

Affordable housing provision

- 89 On November 2014 the Government issues a Written Ministerial Statement that amended the National Planning Practice Guidance (NPPG) to restrict the circumstances where contributions for affordable housing should be sought. Under that guidance, other than in designated rural areas contributions should not be sought from development of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000sq.m.
- 90 The proposal development contains 7 units of less than a total 1000sq.m. In these circumstances no affordable homes or contribution can be sought.
- 91 The proposal therefore complies with SP3 of the Core Strategy.

Community Infrastructure Levy (CIL)

- 92 This proposal is CIL liable and there is no application for an exemption.

Sustainable Development

- 93 The NPPF states that at its heart is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking (para.14). For decision taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies out of date, granting permission unless:-
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;
 - Specific policies in this framework indicate development should be restricted: or
 - Material considerations indicate otherwise.
- 94 We have therefore considered this proposal carefully and find that it complies with local policies within the development plan.

Conclusion

- 95 Due to the careful positioning of the proposal and the appropriate use of existing topography, the proposal would result in the erection of a building with a low degree of prominence within the local environment.
- 96 The setting of the neighbouring locally listed building, 31 Granville Road, would be protected, with the property retaining a large and proportionate plot, and the building's prominence would not be detrimentally impacted.
- 97 A suitable landscaping scheme, tree protection measures, along with further details relating to ecology enhancements, will ensure that the new homes will assimilate into the local environment.
- 98 The proposal would comply with local and national policies.

Background Papers

Site and Block plans

Contact Officer(s): Matthew Besant Extension: 7136

Richard Morris
Chief Planning Officer

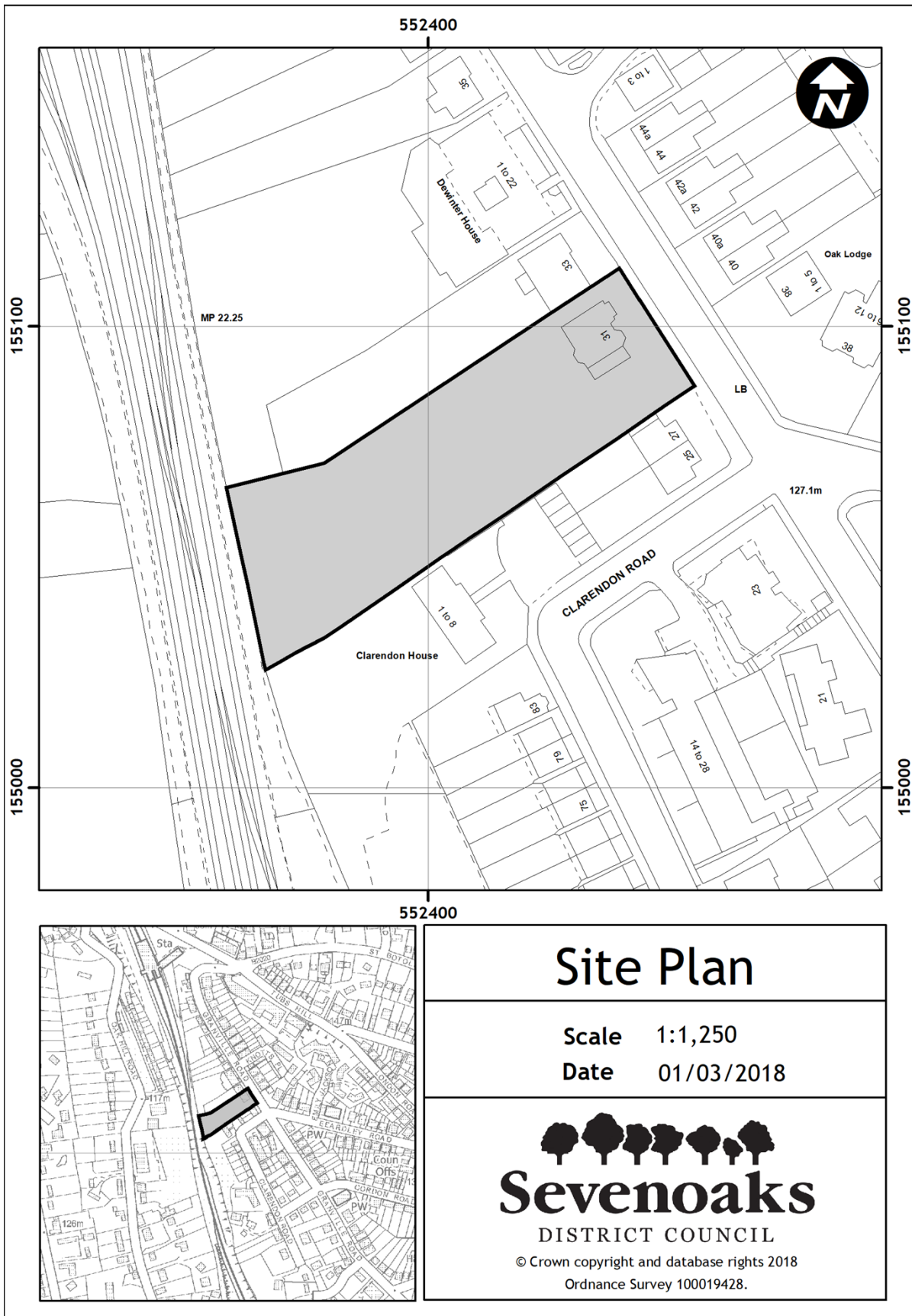
Agenda Item 4.3

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P0AKNJBKG7100>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P0AKNJBKG7100>



Block Plan



4.4 - 18/00053/LDCEX Revised expiry date 16 March 2018

Proposal: Erection of dormer to rear and two roof lights on the front elevation to create a habitable room within the roof space

Location: 21 The Charne, Otford, Kent TN14 5LR

Ward(s): Otford & Shoreham

ITEM FOR DECISION

This application has been referred to Development Committee as the applicant is related to a member of staff.

RECOMMENDATION: That a Certificate of Lawful Development Existing is GRANTED subject to the following reason:

The proposal complies with all the requirements of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Description of Proposal

- 1 Erection of dormer to rear and two rooflights on the front elevation to create a habitable room within the roof space.

Description of Site

- 2 21 The Charne is a semi-detached property located within the eastern side of Otford village

Constraints

- 3 Area of Archaeological Potential

Relevant Planning History

- 4 None

Consultation

Otford Parish Council

- 5 Objection. This is a disproportionate loft extension. In our opinion it contravenes the Residential Extensions Supplementary Planning Document chapter 4.3 and is not lawful under planning regulations.

Representations

- 6 None received

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Chief Planning Officer's Appraisal

- 7 The application is for a lawful development certificate to confirm whether the constructed development is lawful as set out under section 191 of the Town and Country Planning Act 1990.
- 8 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) set out classes of development for which a grant of planning permission is automatically given, provided that no restrictive condition is attached or that the development is exempt from the permitted development rights.
- 9 In this instance permitted development rights have not been removed and the proposal would meet the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B and Class C. The full report is set out within Appendix 1.

Principal Issues

- 10 The principal issue is whether the proposal meets the requirements of Schedule 2, Part 1, Class B - the enlargement of a dwellinghouse consisting of an addition or alteration to its roof and Class C - other alterations to the roof of a dwellinghouse.
- 11 *Class B - the enlargement of a dwellinghouse consisting of an addition or alteration to its roof*

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);

The property was erected as a dwellinghouse and was not granted permission through virtue of the above classes;

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

The dormer roof does not exceed the height of the highest part of the roof;

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

The dormer is on the rear elevation of the house facing into the rear garden;

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

The property is semi-detached and the increased roof space would measure 29.42 cubic metres;

(e) it would consist of or include—

(i) the construction or provision of a veranda, balcony or raised platform,

The proposal does not include the construction or provision of a veranda, balcony or raised platform;

or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

The proposal does not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

or

(f) the dwellinghouse is on article 2(3) land.

The dwellinghouse is not on article 2(3) land;

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The materials would be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) the enlargement must be constructed so that—

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—

(aa) the eaves of the original roof are maintained or reinstated;

The eaves of the original roof are maintained and this is not a hip to gable enlargement;

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and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves;

the edge of the enlargement closest to the eaves of the original roof is not less than 0.2 metres from the eaves;

The proposal demonstrates that the dormer is not less than 0.2 metres from the eaves.

and

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse;

The proposal is a rear extension contained within the roof slope;

and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The windows of the dormer are all on the rear elevation;

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

The works would meet the requirements of Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015(as amended) Schedule 2, Part 1;

12 *Class C - other alterations to the roof of a dwellinghouse*

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);

The property was erected as a dwellinghouse and was not granted permission through virtue of the above classes;

(b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

The roof lights would not protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof;

The roof lights do not exceed the height of the highest part of the roof;

or

(d) it would consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe,

The proposal does not include the installation, alteration or replacement of a chimney, flue or soil or vent pipe;

or

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

The proposal does not include the installation, alteration or replacement of solar photovoltaics or solar thermal equipment;

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—

(a) obscure-glazed; and

(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The proposal does not include any side windows;

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The proposed works would meet the requirements of Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1.

Conclusion

- 13 The proposed works would meet the requirements of Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1.

Recommendation - Grant

Background Papers

Site and Block plans

Contact Officer(s): Guy Martin Extension: 7351

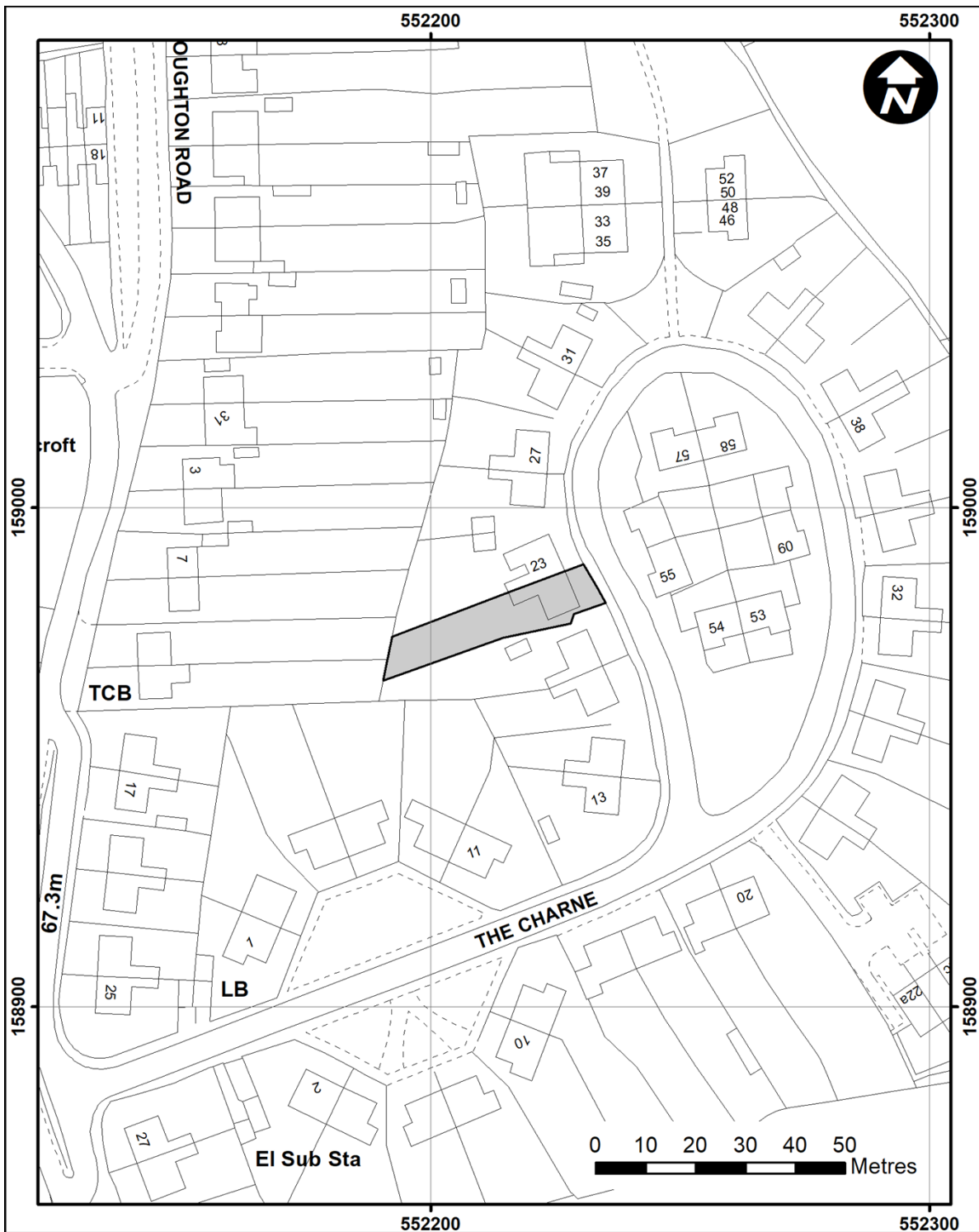
Richard Morris - Chief Planning Officer

Link to application details:

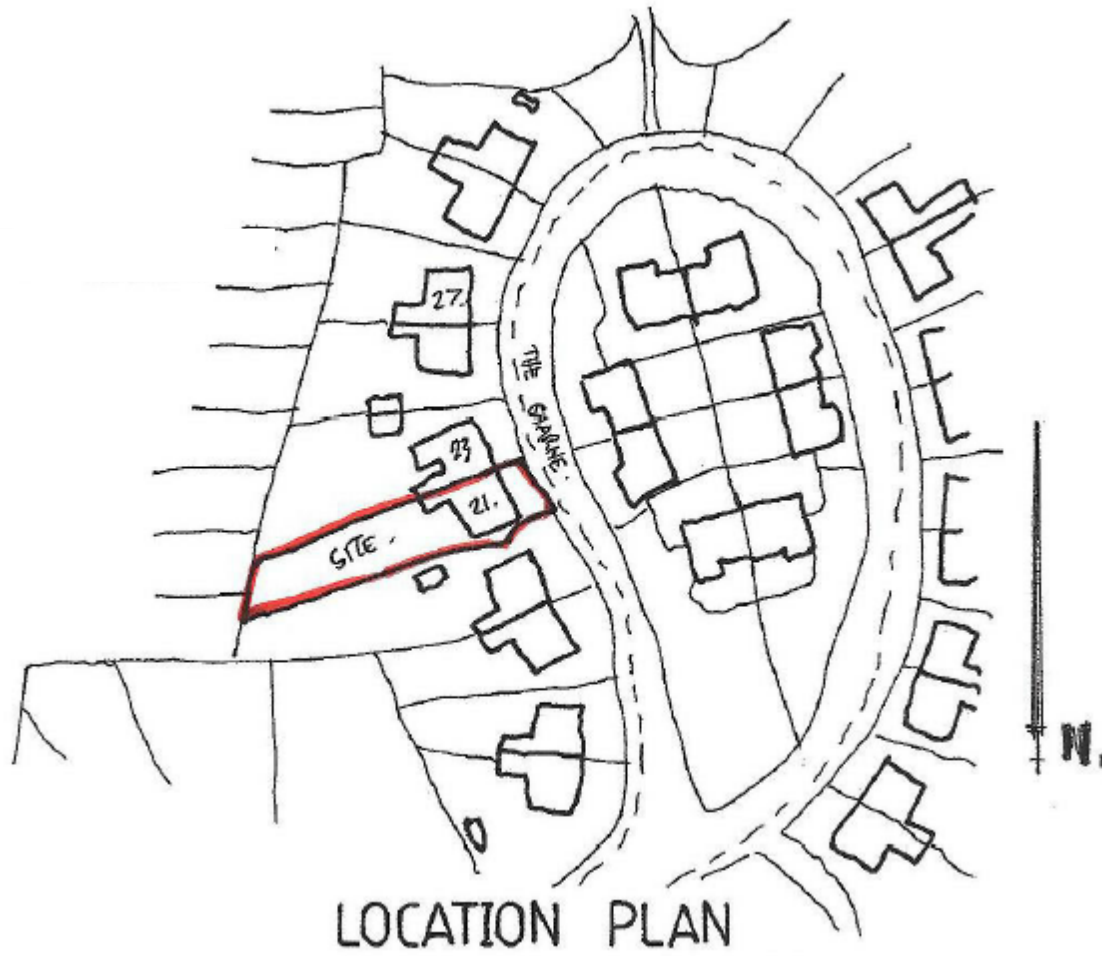
<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P23E04BKLRB00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P23E04BKLRB00>



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	18/00053/LDCEX	Scale: 1:1,250
	21 The Charne, Otford, Kent, TN14 5LR	Date: 12/02/2018
Produced by the GIS Team, Sevenoaks District Council		



LOCATION PLAN

Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 22 February 2018

4.1 17/003697/FUL 2A Bradbourne Road, Sevenoaks TN13 3PY

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OZV84XBK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OZV84XBK0L000>

4.2 17/02067/FUL Tri Officers Mess, 1-4 Armstrong Close, Halstead TN14 7BS

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSBGIFBKGCU00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSBGIFBKGCU00>

4.3 17/03797/FUL 31 Granville Road, Sevenoaks TN13 1EZ

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P0AKNJBKG7I00>

Link to associated documents:

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4.4 18/00053/LDCEX 21 The Charne, Otford TN14 5LR

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