

05 July 2018 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks  
Despatched: 27.06.18



# Development Control Committee

## Membership:

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

## 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. <b>Minutes</b> To approve the minutes of the meeting of the Committee held on 24 May 2018, as a correct record.	(Pages 1 - 12)
2. <b>Declarations of Interest or Predetermination</b> Including any interests not already registered	
3. <b>Declarations of Lobbying</b>	
4. <b>Planning Applications - Chief Planning Officer's Report</b>	
4.1 <b>18/01050/FUL - 41 Park Hill Road, Otford TN14 5QH</b> Split plot and construct new 3 bed chalet bungalow style dwelling with new drop kerb/access from Dynes Road and suspension of current parking bays.	(Pages 13 - 24)
4.2 <b>18/00596/FUL - Faulkners Hill Farm, Yorks Hill, Ide Hill TN14 6LG</b> Proposed new barn and silage clamp together with enlargement of existing brown water lagoon and new harvested clean water attenuation lagoon.	(Pages 25 - 40)
4.3 <b>18/01519/LBCALT - 2 Wolfe Cottages, Vicarage Hill, Westerham TN16 1TJ</b> The provision of a replacement wet room.	(Pages 41 - 46)

## 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](mailto:democratic.services@sevenoaks.gov.uk) or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday, 3 July 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](mailto:democratic.services@sevenoaks.gov.uk).

**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 24 May 2018 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice-Chairman)

Cllrs. Ball, Bosley, Clark, Coleman, Edwards-Winsor, Gaywood, Horwood, Mrs. Hunter, Layland, Parkin, Purves, Reay, Thornton and Raikes

Apologies for absence were received from Cllrs. Barnes, Brown and McArthur

1. Minutes

Resolved: That the minutes of the Development Control Committee held on 12 April 2018 be approved and signed by the Chairman as a correct record.

2. Declarations of Interest or Predetermination

Councillor Raikes and Councillor Purves declared for Minute 4 - 18/00423/FUL - Uplands House, The Vine, Sevenoaks, Kent TN13 3SY that they had seen the item before as panel members during local list selection and at Sevenoaks Town Council however remained open minded.

Councillor Hunter declared for Minute 96 - 17/03609/FUL - Former West Kent Cold Store, Rye Lane, Dunton Green, Kent that her son worked for Berkeley St James and he was consulted on the application during an early stage. She had been advised by the Monitoring Officer that this was not a Disclosable Pecuniary Interest but made the declaration for the purposes of transparency.

3. Declarations of Lobbying

All members of the Committee declared that they had been lobbied in respect of Minute 96 - 17/03609/FUL - Former West Kent Cold Store, Rye lane, Dunton Green, Kent.

Councillor Hunter declared that she had been lobbied in respect of Minute 95 - 18/00423/FUL - Uplands House, The Vine, Sevenoaks, Kent TN13 3SY.

RESERVED PLANNING APPLICATIONS

The committee considered the following planning applications:

4. 18/00423/FUL - Uplands House, The Vine, Sevenoaks, Kent TN13 3SY

The proposal sought planning permission for the demolition of existing garages, chimneys and side porch. Demolition of existing external staircase, rear and side bay windows and side extension. Conversion to form 5 apartments with external parking. Erection of a part two storey, part single storey side and rear extensions to existing dwelling, including balcony to front and terraces to rear, changes to roof gable on West elevation, proposed basement to the side, new chimneys, bin store, communal external bike shelter and retaining wall to the rear. The application had been referred to the Development Control Committee by Councillor Fleming to consider the impact on neighbours, in particular overlooking, the impact on The Vine Conservation Area, and over development of the site.

Members' attention was brought to the main agenda papers and the late observations sheet, which recommended additional conditions.

The Committee was addressed by the following speakers:

Against the Application:	David Horne
For the Application:	Neil Edwards
Parish Representatives:	-
Local Member:	Councillor Fleming

Members asked questions of clarification from the speakers and officers. The applicant responded to a question about the retention of vegetation.

It was moved by the Chairman and duly seconded that the recommendations within the report as amended by the late observations be agreed.

Members discussed the application, in particular concerns about boundary treatment to the southern and western side of the site and their impact on the setting of the development. Issues were raised of the effect of overlooking to neighbouring Belmont.

Members considered the eight parking spaces proposed, the likely increase in demand for spaces in the future and the sustainable location of the site. They considered the impact on neighbouring amenity of the position of the bicycle store.

It was moved and seconded that condition 5 be amended to remove the second sentence, remove reference to policy T2 and for the impact of the amenity of the neighbours be added as a reason through Policy EN1. Condition 9 to be amended to require details of proposed boundary treatment for the southern and western boundaries to be submitted for approval prior to commencement of development.

The amendment was put to a vote and was carried.

Members requested that the two adjoining neighbours, the local ward members, the Chairman and Vice-Chairman of the Development Control Committee be consulted on any details submitted under conditions 5 and 9 of the permission.

The amended substantive 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.

Reason: 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: 001/P1, 002/P1, 003/P1, 010/P1, 011/P1, 012/P1, 013/P1, 014/P1, 015/P1, 016/P1, 017/P1, 020/P1, 021/P1, 022/P1, 023/P1, 024/P1, 025/P1, 026/P1, 027/P1, 028/P1, 030a/P1, 030b/P1, 031/P1, 032/P1, 033/P1.

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

- 3) No development shall commence until details of the proposed extent of demolition (including elevation drawings and floorplans), and a method statement detailing the means by which the remaining fabric will be maintained and protected throughout the construction process, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved.

Reason: To ensure that retained parts of the heritage asset are appropriately protected and ensure compliance with policies EN1 and EN4 of the ADMP.

- 4) No development shall commence until details of sustainable urban drainage systems, to control and mitigate surface water runoff arising from the development, has been submitted to, and approved in writing by the Local Planning Authority. The details shall include measures to be integral to the parking areas, driveways and private terrace area. The development shall be carried out only in accordance with the approved details and shall be so maintained.

Reason: To ensure adequate measures for surface water run off and to protect the living conditions of nearby properties as required by policy EN2 of the ADMP.

- 5) Notwithstanding the approved drawings, no development shall commence until a site plan showing a revised parking layout has been submitted to and approved in writing by the Local Planning Authority. The plan shall also show the relocation of the proposed cycle store away from the mature trees on the northern site boundary. The development shall be carried out only in accordance with the approved plans and the parking spaces and cycle parking facilities shall be available for use prior to the first occupation of the development.

Reason: To ensure an appropriate level of parking provision and ensure protection of the trees to be retained on the site, and to protect the amenity of residents, to comply with policies EN1 and T2 of the ADMP.

- 6) Prior to the occupation of the development, details of electrical charging points for electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the approved charging points shall be maintained and available for use at all times.

Reason: To promote the use of sustainable transport and comply with policy T3 of the ADMP.

- 7) No development shall commence until the tree protection measures, demonstrated in the document 'Arboricultural Method Statement' and associated appendices by David Archer Associates dated February 2018 have been installed in full. The measures shall be maintained for the duration of the construction process.

Reason: To ensure adequate protection of the retained trees and to comply with EN1 of the ADMP.

- 8) No development shall commence until an itemised tree survey giving details of the pruning required to individual trees to facilitate the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To ensure adequate protection of the retained trees and to comply with EN1 of the ADMP.

- 9) Prior to the commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority.
- a) A method statement for the construction of the proposed driveway, parking spaces and associated hard surfaces across the site, including details of materials to be used and including details of existing and proposed levels around the site.
  - b) A scheme of soft landscaping for the site, including existing planting to be retained and proposed new planting across the site

- c) A scheme of hard landscaping for the site including all materials and finishes to be used in the hard surfaces across the site.
- d) Details of proposed boundary treatment for the southern and western boundaries.

The development shall be carried out only in accordance with the approved details. All landscaping in accordance with the approved scheme shall be completed / planted prior to the first occupation of the development. The landscaping and tree planting shall have a five 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 fifteen 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.

Reason: To preserve the character and appearance of the Conservation Area and the locally listed building and to comply with policies EN1 and EN4 of the ADMP.

- 10) All first floor windows in the southern elevation, facing towards Belmont, shall be obscure glazed in full and fixed shut unless the opening parts of the windows are more than 1.7m above the internal floor level, and so maintained.

Reason: To protect the privacy of the neighbouring property and comply with policy EN2.

- 11) All external materials and finishes to be used in the construction of the development shall match the existing property.

Reason: To preserve the character and appearance of the Conservation Area and the locally listed building and to comply with policies EN1 and EN4 of the ADMP.

- 12) No part of the development shall be occupied until details of a privacy screen to be installed at the far southern edge of the rear first floor terrace, have been submitted to and approved in writing by the Local Planning Authority. The screen shall be no less than 1.7m in height and shall prevent overlooking towards the south. The privacy screen shall be installed in full prior to the first occupation of the flat it serves and shall be maintained at all times.

Reason: To protect the privacy of the neighbouring property and comply with policy EN2.

- 13) Prior to the commencement of development, details of a biodiversity enhancement scheme to promote biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the biodiversity measures installed in full prior to the first occupation of the development.

To ensure biodiversity on the site is enhanced by the development and to comply with policy SP11 of the Core Strategy.

- 14) No external lighting shall be installed until such details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To protect neighbouring amenity and to comply with policy EN2 of the ADMP.

- 15) Prior to the commencement of development, details of the proposed protection measures for the heritage water pump on the southern boundary shall be submitted for approval in writing. The details shall include a plan to identify the location of the water pump, details of any proposed alteration in ground levels, details of any proposed alterations to the means of support and the method for its protection during the construction process. The development shall be carried out in accordance with the approved details and the water pump retained thereafter.

Reason: To protect this heritage asset as supported by Policy EN4 of the Sevenoaks District Council Allocation and Development Management Plan and the NPPF.

#### Informatives

- 1) The changes to the site boundary treatments do not form part of the planning permission hereby granted. Any changes to the front boundary and position of the piers would require further planning permission.

5. 17/03609/FUL - Former West Kent Cold Store, Rye Lane, Dunton Green, Kent

The proposal sought planning permission for the erection of 35 apartments, including the provision of affordable homes, together with access, parking and landscaping. The application had been referred to the Development Control Committee by Councillor Brown on the grounds that he had concerns regarding the method in which the existing site and development had been marketed.



Members' attention was brought to the main agenda papers and the late observations sheet which amended recommendation B and proposed an additional condition.

The committee was addressed by the following speakers:

Against the application: David West  
For the application: Alex Davis  
Parish representative: -  
Local Member: -

Members asked questions of clarification from speakers and officers. The Agent confirmed that the visitors spaces would be unallocated and therefore could be used by any part of the development. The details of the electric vehicle charging space had not yet been confirmed. The Officer advised that conditions could not be required to alleviate existing parking difficulties within the wider development.

It was moved by the Chairman and duly seconded that the recommendations within the report as amended by the late observations be agreed.

The Vice Chairman advised the Committee that the local member, who had referred the matter to the Committee, had since discussed the issue of viability with the developer and considered that his concerns had been addressed. A member indicated that the use of fast electric vehicle charging points would increase turnover in the space and therefore further assist parking provision in the development.

The motion was put to the vote and it was

Resolved: That

A) planning permission be granted subject to the completion of the necessary S106 legal agreement within 28 days of the date of the Committee meeting, or an alternative date agreed in writing by the Development Manager and 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: 2500-A-1000-A, 2500-A-1011-J, 2500-A-1050-E, 2500-C-1100-D, 2500-A-1200-F, 2500-A-1201-F, 2500-A-1203-E, 2500-A-1205-E, 2500-C-3116-D, 2500-A-3215-H, 2500-A-3216-C, 2500-A-3217-C, 2500-A-3315-H, BKH-RYE\_HTA-L\_P3-00-DR\_1915-C and BKH-RYE\_HTA-L\_P3-00-DR\_1916-C.

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

- 3) Prior to the commencement of above ground works details of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 4) Soft landscaping works shall be carried out in accordance with the approved plan BKH-RYE\_HTA-L\_P3-00-DR\_1915-C and where appropriate existing trees on the site shall be replanted within the landscaping scheme. The landscaping works shall be completed prior to the occupation of the approved development.

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

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

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

- 6) Hard landscaping works shall be carried out in accordance with the approved plan BKH-RYE\_HTA-L\_P3-00-DR\_1916-C. The landscaping works shall be completed prior to the occupation of the approved development.

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

- 7) The levels of the development shall accord with those indicated on the approved plan 2500-A-1011-J.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) The development shall be carried out in full accordance with the recommendations of the Acoustic Planning Report by WSP dated October 2017.

To protect the living conditions of residential occupier, in accordance with policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

- 9) Prior to the installation of external lighting, details of the position, design and luminance levels of the lighting shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 10) The boundary treatments for the development shall be carried out in accordance with the approved plan 2500-A-1203-E. The boundary treatments shall be completed prior to the occupation of the approved development.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 11) The vehicle parking spaces and cycle storage areas shown on the approved drawing number 2500-A-1201-F shall be provided prior to first occupation of the development hereby approved and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude access to the vehicle parking spaces and cycle storage areas.

To ensure a permanent retention of vehicle parking for the property as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.

- 12) No hard or soft landscape works shall take place until a scheme for the provision of at least one communal electrical charging point has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to occupation of the approved development.

To encourage the use of low emission vehicles, to reduce CO2 emissions and energy consumption levels within the District, in accordance with policy T3 of the Sevenoaks Allocations and Development Management Plan.

- 13) Prior to any works commencing within the vegetated areas of the site a detailed reptile mitigation strategy must be submitted for written approval by the local planning authority. The strategy must include the

following information:- Reptile survey;- Details of reptile receptor site (if required);- Translocation methodology;- Timing of works;- Details of who will be carrying out the works. The strategy must be implemented as detailed within the approved report.

To ensure the long term retention of reptiles within the area as supported by policy SP11 of the Sevenoaks Core Strategy.

- 14) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority.

To ensure that unexpected contamination identified during development groundworks is identified and appropriately remediated in accordance with the National Planning Policy Framework.

- 15) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

To prevent infiltrating water causing re-mobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

- 16) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

To prevent the potential risks associated with the use of piling where contamination is an issue.

- 17) Within three months of the date of this decision details of at least one communal electric charging point for vehicles to be provided within the site shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the

approved details prior to occupation of the development hereby approved and the electric charging point(s) shall be retained thereafter.

To encourage the use of low emission vehicles in accordance with Policy T3 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) The applicant should ensure that crime prevention is addressed effectively for the site in conjunction with discussions with the Kent Police Crime Prevention Design Advisors (CPDAs).
- B) If the Section 106 legal agreement is not signed in accordance with (A) above, then planning permission be refused on the following grounds
  - 1) The applicant, in their failure to complete the necessary S106 legal agreement, has failed to secure an appropriate provision of on-site affordable housing. This is contrary to the National Planning Policy Framework and policy SP3 of the Sevenoaks Core Strategy.

Informatives

- 1) The proposed development has been assessed and it is the Council's view that the CIL IS PAYABLE. Should this decision be appealed and the appeal is allowed full details will be set out in the CIL Liability Notice which will be issued as soon as possible after the appeal decision is issued. Further information can be found here:

<http://www.sevenoaks.gov.uk/services/housing/planning/planningapplications/community-infrastructure-levy-cil>

(COUNCILLOR THORNTON IN THE CHAIR)

6. 17/02067/FUL - Tri Officers Mess, 1 - 4 Armstrong Close, Halstead, Kent TN14 7BS

The item had been returned to Development Control Committee to correct part A (iii) of the meeting minutes dated 15 March 2018 for item 4.2 (planning application 17/02067/FUL) to refer to provision of commuted sum for off-site affordable housing.

The item was introduced by the solicitor in attendance who explained the error and recommendation. The error first appeared in the late observations which made reference to on-site provision of affordable housing contrary to the main report's agreement of off-site affordable housing. The inconsistency was carried through to

## Agenda Item 1

### Development Control Committee - 24 May 2018

the minutes which also incorrectly referred to on-site affordable housing. It was the officers' view that in resolving to grant planning permission on 15 March 2018, Members understood and accepted that the affordable housing contribution was to be made off-site.

It was moved by the Chairman that the recommendation in the report to retrospectively correct the error be agreed.

The motion was put to the vote and it was

Resolved: That

Correction be made to part A (iii) of the meeting minutes dated 15 March 2018 for item 4.2 (planning application 17/02067/FUL) as below:

(iii) The S106 legal agreement shall include the following requirements:

Provision of commuted sum for off-site affordable housing.

THE MEETING WAS CONCLUDED AT 8.31 PM

CHAIRMAN

4.1 - 18/01050/FUL

Revised expiry date 16 July 2018

Proposal: Split plot and construct new 3 bed chalet bungalow style dwelling with new drop kerb/access from Dynes Road and suspension of current parking bays.

Location: 41 Park Hill Road, Otford TN14 5QH

Ward(s): Kemsing

#### ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillors Reay and Stack, on the loss of amenity to the local shops as result of the loss of parking spaces with regard to policy EN1 and T2 of the Sevenoaks District Council Allocation Development Management Plan.

**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) To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

No development shall be carried out on the land until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted, and details of the materials to be used in the rear paving area, have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

3) Prior to commencement of development a scheme to show the provision of an electric vehicle charging point, including the proposed location, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging point shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan.

4) No development shall be carried out on the land until details of how the development will enhance biodiversity have been submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented.

To enhance the biodiversity of the site in accordance with policy SP11 of the Sevenoaks District Council Core Strategy. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission

should not be granted.

5) The landscaping shall be carried out in accordance with plan 5986-PD-006 A. If any part of the approved landscaping scheme is removed, dies, becomes 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.

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

6) The development hereby permitted shall be carried out in accordance with the following approved plans: 5986-PD-005 A date stamped 6/04/2018, 5986-PD-004 A, 5986-PD-006 A date stamped 12/04/2018.

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

### **Informatives**

1) It appears that the proposal involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact Kent Highway Services, Network Operations on 01474 544068.

### **Note to applicant**

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

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



### Description of proposal

- 1 The construction of a new 3 bed chalet bungalow style dwelling with new access from Dynes Road.
- 2 The dwelling would be detached, with an overall ridge height of approximately 6.4m. The overall width of the proposed dwelling would be 11.3m, with a depth of approximately 11.7m. The dwelling would have a two floors, with the first served by a gable and dormer windows. The dwelling would be set back from the road, and would have modest rear garden.

### Description of site

- 3 The application site is located within the rear garden of 41 Park Hill Road. The site fronts Park Hill Road; however the rear of the site lies adjacent to Dynes Road. A layby is located against the rear boundary on Dynes Road. The site is situated between previous residential developments to the rear gardens of dwellings along Park Hill Road. Opposite the site, along Dynes Road is a row of shops housing a number of commercial units.

### Constraints

- 4 N/A

### Policies

#### *Core Strategy (CS)*

- 5 Policies:
  - SP1 Design of New Development and Conservation
  - SP2 Sustainable Development
  - SP3 Provision of Affordable Housing
  - SP7 Density of Development
  - SP11 Biodiversity
  - LO1 Distribution of Development
  - LO7 Development in Rural Settlements

#### *Allocations and Development Management (ADMP)*

- 6 Policies:
  - EN1 Design Principles
  - EN2 Amenity Protection
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking
  - T3 Provision of Electrical Vehicle Charging Points

### *Other*

#### 7 National Planning Policy Framework (NPPF)

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).

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.

#### 8 Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

### **Relevant Planning history**

9	17/01627/HOUSE	Demolition of existing kitchen and garage to facilitate the erection of a single storey rear extension. Demolition of existing chimney. Erection of a dormer window and alterations to roof to create a habitable room within loft space.	GRANT	14/07/2017
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### **Consultations**

#### *Kemsing Parish Council:*

#### 10 Objects:

- The size, scale, and bulk of the proposed development would represent overdevelopment of the site,
- Plans do not indicate off street parking spaces,
- Vehicles parked on layby would restrict sight lines (poor and unsafe egress on to the highway),
- Loss of parking to shops, which would lead to further congestion.

#### *KCC Highways:*

11 No comment - see standing advice.

#### *Thames Water:*

12 No response.

#### *South East Water:*

13 No response.

## Representations

- 14 No representations have been received.

## Chief Planning Officer's appraisal

### Principal issues

- 15 The main planning considerations are:
- Impact to the character of the area,
  - Impact to neighbouring amenity,
  - Parking and Highways,
  - Other

### *Previously developed land - part of residential curtilage:*

- 16 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 well to its surroundings. Residential gardens outside built up areas can be defined as 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).
- 17 As discussed above, land within built up areas, such as residential gardens are excluded from the definition of previously developed land. While there is a focus on utilising previously developed land, Policy LO1 of the Core Strategy states that “development will be focused within the built confines of existing settlements”. The site subject of this application is located within the built confines of an existing settlement. Therefore, it is considered that there is potential to develop the site subject to preserving the character of the area. In addition to this, the proposal would provide additional housing for the district in a sustainable location, which supports the aspirations of the NPPF.

### *Impact on the character of the area:*

- 18 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP. The Residential Extensions SPD is also applicable.
- 19 The proposed dwelling would be located to the rear of 41 Park Hill Road. It would front Dynes Road and follow the layout established by 73a-73c Dynes Road. There is no discernible architectural style in this area of semi-detached and detached dwellings.
- 20 The proposed chalet style dwelling is designed with two storey gables and dormer windows to facilitate the first floor. The siting of the dwelling maintains a 1 metre gap to 73a Dynes Road to the west and a similar gap to the proposed dwelling to the east.

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- 21 The new dwelling sits slightly lower than 73a and provides a visual stepped link between this property and the one approved to the east. The size of the new dwelling and the use of materials reflect the area and neighbouring dwellings. The latter can be conditioned to ensure appropriate details.
- 22 The plans show the provision of refuse storage facilities to the front of the property. Parking is accommodated within an integral garage with parking spaces in front.
- 23 The proposed works would be in keeping with the character of the area and would comply with policy EN1 of the ADMP.

### *Impact to neighbouring amenity:*

- 24 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application.

### *73A Dynes Road:*

- 25 Located to the west of the site the dwelling is two storeys. The proposed dwelling would not have any openings along the western elevation. The proposed windows to the rear would have a northerly outlook. The dormer window to the rear would serve a bedroom. The outlook test suggests that the outlook would clip the 5m rear amenity space of 73A. Due to the set back of the dormer, its main direction of outlook, and the pattern of development in the area any loss of privacy would not be considered significant.
- 26 73A has two windows on the upper floor, from the plans submitted for the dwelling under reference 07/03927/FUL, indicates one serves a bedroom and the other an en-suite. The design of these windows corresponds with this position. The en-suite is non-habitable; the bedroom window is the only window serving this room. The window is elevated above eaves level. The proposed roof of the dwelling has a barn hip, which reduces the overall bulk. Due to the height of the window, a view of skyline would still be visible. In addition, a 25° test in accordance with BRE guidance was conducted, which passed on elevation.
- 27 At ground floor, two windows face towards the development. From the floor plans, one serves a dining room, the other acts as a secondary source of light to the living room. The window to the dining room is the only source of outlook from this space. There would be an approximate separation of 3.5m between the proposed dwelling and 73A. A separation between the window and the boundary fence would be maintained allowing an outlook from the window.
- 28 An existing high close-boarded fence runs between the dwellings. Due to the fencing, a 25° test fails as existing. The window faces east, due to the trajectory of the sun a small portion of sunlight would be lost during the summer months. This would not be significant enough to result in a detrimental loss of light or the enjoyment of the dwelling as a whole.

*Proposed dwelling to the rear of 39 Park Hill Road:*

- 29 The proposed dwelling to the rear of 41 would not have any windows facing east towards the approved dwelling to the rear of 39. The new dwelling would have one door at ground floor would be located along the west elevation, serving a utility room. This would be non-habitable space. The proposed window in the gable to the rear would not have an extensive view of private amenity space. As the windows have a general outlook to the north and private amenity space is considered 5m to the rear of the dwelling. The works would not result in a significant loss to privacy.
- 30 The approved plans for the dwelling to the rear of 39 Park Hill Road do not indicate any openings to the side elevations, other than two roof-lights serving bathrooms, which are no habitable. A 45° light test was conducted the plans passed. A significant loss of light and outlook would not occur to the enjoyment of the dwelling as a whole.

*41 Park Hill Road:*

- 31 41 Park Hill Road would be located to the north of the plot. A high close-boarded fence runs along the shared boundary. The view from ground floor windows of the proposed dwelling would not result in a significant loss of privacy. At first floor, a distance of approximately 22.8m extends between 41's dormer window (serving a bedroom) and the proposed dwelling window in the gable, this is an acceptable distance given the pattern of development in the vicinity.
- 32 The proposed dwelling would be located approximately 11.7m from the rear boundary. Due to the distance between the dwellings, a significant loss of light would not be experienced. The degree separation between the dwellings would not result in significant visual intrusion.

*Proposed dwelling:*

- 33 The proposed dwelling would benefit from dual aspect windows to the north and south. The distance from other dwellings would allow for adequate natural light and outlook to the proposed dwelling. The site would have provision for a family patio to the north and a rear lawned amenity area, which provides sufficient space for family activities.
- 34 Other dwellings are located at a sufficient distance and orientation that they would not be subject to a detrimental loss of amenity as a result of the proposed works. The proposed works would have adequate amenity for future occupiers of the proposed dwelling. The proposed works would comply with policy EN2 of the ADMP.

*Highways and Parking:*

- 35 Policies T1, T2, and T3 of the ADMP and the KCC Interim Guidance Notes are relevant in the consideration of this application.
- 36 The proposed dwelling would have sufficient hardstanding for the parking of two vehicles (not including the garage). The distance between the garage

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and the highway would be in excess of the 6m required. Sufficient parking would therefore be provided.

- 37 The proposed cross over would have an approximate width of 3.7m, which exceeds the guidance of 2.4m. No walls or gates are proposed that would prohibit visibility. The access would be in keeping with existing residential accesses onto Dynes Road.
- 38 The Parish Council has raised objection with regard to the loss of parking to the existing layby. Dynes Road is not a classified road. The creation of an access thus would comply with permitted development rights. The loss of a parking space within the layby could be achieved without the requirement for planning permission. Dropped kerbs are a matter for Kent County Council highways.
- 39 A row of local convenience shops is located to the south of the site. Due to the size and purpose of the local shops, the same level of parking is not required as out of town commercial premises. Due to the central location of the shops to residential dwellings in the vicinity sustainable means of access are available. In addition as the surrounding roads do not have parking restrictions it is considered that sufficient capacity exists to absorb additional demand should it arise from the loss of space from the layby.
- 40 The Highways Officer provided no comment as part of the original consultation. After further correspondence with the highways team it was advised that due to the previous planning permission for a dwelling to the rear of 39 Park Hill Road, which provided access onto Dynes Road through the layby, and the lack of parking restrictions in the area, no objection would be raised by the highways team.
- 41 The proposal would result in the addition of a new dwelling. In accordance with policy T3 of the ADMP, it would be reasonable to condition any grant of permission to require the inclusion of an electrical socket with suitable voltage and wiring for the safe charging of electrical vehicles.

### CIL

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

### Other issues

#### *Soft and Hard Landscaping:*

- 43 Plan 5986-PD-006 A indicates both hard and soft landscaping treatments. To the front of the dwelling, a portion of grass would adjoin the highway; some planting would also be included to the southeast portion of the driveway including native seeding such as hawthorn. A new Cherry tree would also be planted to the southeast, which would help soften the development and contribute to the characterful vegetation along Dynes Road. The tree would be planted with a girth of 12-14cm, which is a heavy standard tree and appropriate for its location adjacent to a highway.
- 44 To the rear, the garden will comprise of formal lawn, which will be re-seeded as required and will be seeded in March - October and prior to

occupation. Some of the hedging to the east and west of the site will be retained along side 4 trees to the rear of the site.

- 45 The driveway would be comprised of Tarmacadamn (DBM) with a rolled gravel finish within a granite set boarder. The paths surrounding the property will be comprised of a sandstone-paving slab, with a warm quality finish. The slabs would sit on top of a sand cement base, which will create a porous surface. The hardstanding would be in keeping, porous, and provision would be made for surface water run off.
- 46 The landscaping is considered appropriate.

*Biodiversity:*

- 47 The site has abundant vegetation and planting within its boundaries, due to the provision of a dwelling on the site, it would be reasonable in accordance with policy SP11, to condition the application to require ecological enhancements.

**Conclusion**

- 48 The proposed dwelling would be in keeping with the character of the area by virtue of the scale, height, and form. The works would not result in a significant loss of light, privacy, or represent visual intrusion. The proposed works are considered to comply with policy and is recommended for approval.

**Background papers**

Site and block plan.

Contact Officer(s): Emma Gore Extension: 7206

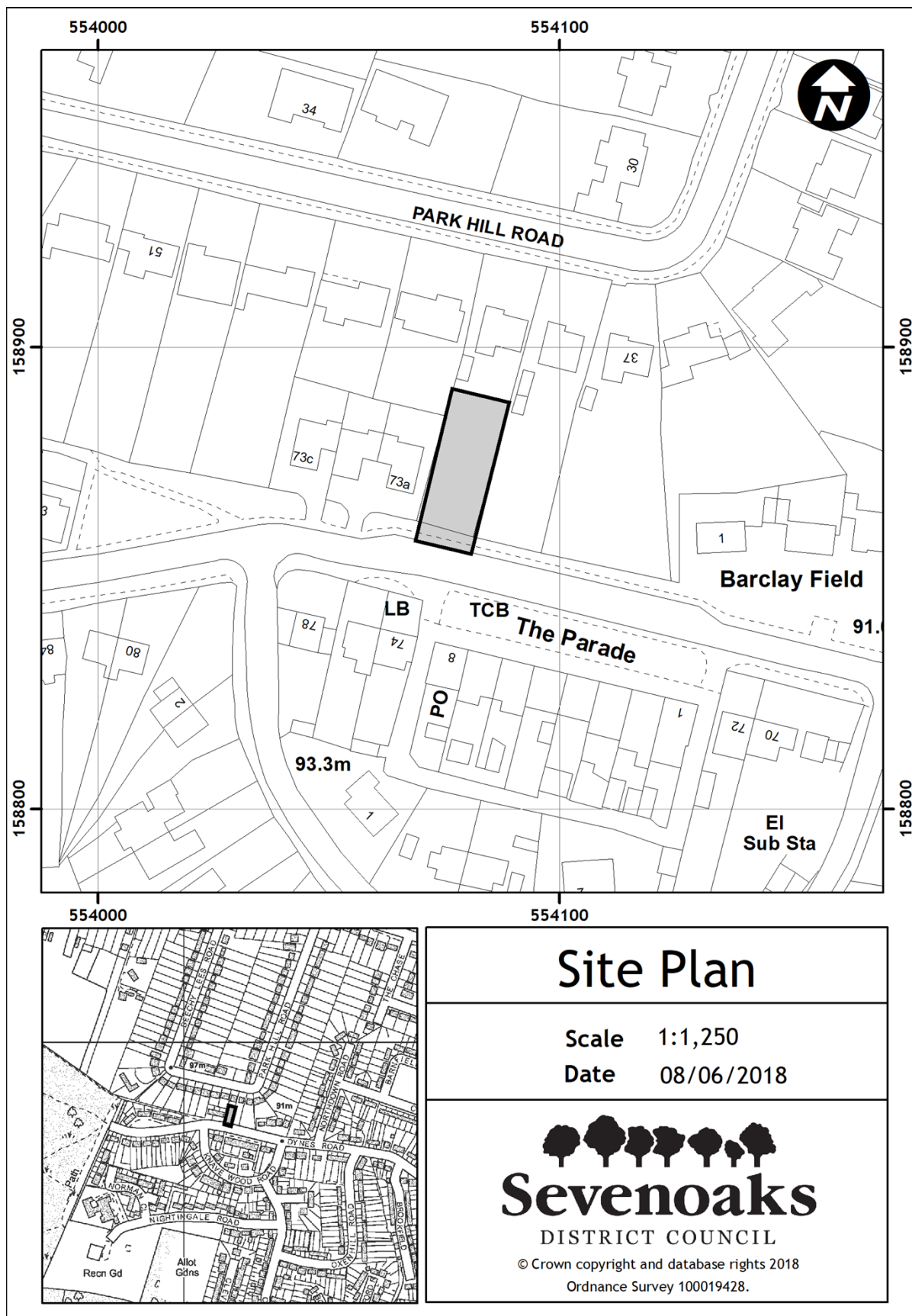
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P6D0MDBKLCE00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P6D0MDBKLCE00>





Block Plan



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4.2 - 18/00596/FUL

Revised expiry date 13 July 2018

Proposal: Proposed new barn and silage clamp together with enlargement of existing brown water lagoon and new harvested clean water attenuation lagoon

Location: Faulkners Hill Farm, Yorks Hill, Ide Hill TN14 6LG

Ward(s): Brasted, Chevening And Sundridge

#### ITEM FOR DECISION

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

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

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

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

2) The materials to be used in the construction of the development shall be those indicated on the application form.

To ensure that the appearance of the development is in harmony with the existing character of the existing buildings as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) No lighting shall be installed to serve the approved development until a 'lighting design strategy for biodiversity' has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and maintained thereafter in accordance with the strategy.

To ensure the development is not detrimental to protected species in accordance with Policy SP11 of the Core Strategy and the NPPF.

4) Prior to the commencement of any development hereby approved, details of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to:

- a) Bat roosting features within the buildings on the site;
- b) Bat boxes with adjacent vegetation;
- c) Bird boxes on the buildings/adjacent vegetation;

- d) Soft landscaping to promote native species;
- e) Water plants within the new clean water lagoon.

The proposed enhancements shall be installed prior to the first occupation or use of the development hereby approved or to a timetable submitted to and approved in writing by the Local Planning Authority and maintained as such thereafter.

To ensure there is no net loss of biodiversity on the site and to provide enhancements in accordance with Policy SP11 of the Core Strategy and the NPPF.

5) Prior to the commencement of development, a precautionary mitigation statement for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:

- a) immediate maintenance of low vegetation cover (max 10cm) on site where the silage clamp will be built from the start and until the end of development works to prevent the works area becoming suitable for reptiles;
  - b) no construction materials or vehicles stored directly adjacent to the vegetated or grass areas;
  - c) any holes covered overnight to prevent any animals falling in;
  - d) any lights to be directed away from the southern vegetated boundary, and;
  - e) the southern vegetated boundary to be protected during construction works.
- The development shall be carried out only in accordance with approved precautionary mitigation statement.

To protect biodiversity and to comply with policy SP11 of the Core Strategy and the NPPF.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: 03, 04, 05RevA date stamped 20 February 2018, 06RevB date stamped 26 February 2018 and 02RevE date stamped 23 April 2018.

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

### **Informative**

1) A public right of way may be affected by this proposal and planning permission does not authorise its stopping up or diversion (even temporarily). There is a separate and sometimes lengthy procedure to deal with this and you should contact Kent County Council for further information. It is an offence to obstruct a public right of way. It would be advisable to ensure any Diversion Order is approved by the relevant authority and that any new route is provided before any development under this planning application is commenced.

### **Note to applicant**

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

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,

- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line  
([www.sevenoaks.gov.uk/environment/planning/planning\\_services\\_online/654.asp](http://www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp)),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the 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 proposes the following development within the existing farm complex:
  - Construction of a 60m x 15m steel farm building for cattle with height of 5m to eaves and 7m to ridge
  - Construction of a 25m x 10m silage clamp to replace existing clamp
  - Enlargement of existing brown water lagoon to capacity of 3000m<sup>3</sup>
  - Construction of a new clean water lagoon for rainwater harvesting - of an approximate 3500m<sup>3</sup> capacity to receive rainwater from the roof of the new farm building and existing buildings to re-use on the farm
  - Associated site level alterations as follows:
    - Reduction in levels by 0.6-1.6 metres to accommodate new barn
    - Infilled level to accommodate silage clamp and drainage into brown water lagoon of between 1-2.8 metres.

### Description of site

- 2 The site comprises a well established farm unit situated on the eastern side of Yorks Hill, within the Green Belt and Kent Downs Area of Outstanding Natural Beauty.
- 3 The site is accessed by an approximate 100m track which slopes slightly upwards towards the east. The site levels are varied across the site, with the land sloping steadily downwards again towards the existing brown water lagoon.

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### Constraints

- 4 Ancient Woodland (to the north, east and south-east of the site but not affected by proposals)
- 5 Area of Outstanding Natural Beauty (AONB) - Kent Downs
- 6 Area of Special Control of Advertisements
- 7 Biodiversity Opportunity Area
- 8 Metropolitan Green Belt
- 9 Public Right of Way (PROW) - SR206 to the north and SR257 within the site.

### Policies

#### *Core Strategy (CS)*

#### 10 Policies:

- LO8 The Countryside and Rural Economy
- SP1 Design of New Development and Conservation
- SP2 Sustainable Development
- SP11 Biodiversity

#### *Allocations and Development Management (ADMP)*

#### 11 Policies:

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- EN6 Outdoor Lighting
- T1 Mitigating Travel Impact
- T2 Vehicle Parking

### *Other*

#### 12 National Planning Policy Framework (NPPF)

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.)

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.

- 13 Sevenoaks Development in the Green Belt Supplementary Planning Document (SPD)
- 14 Sevenoaks Countryside Character Area Assessment SPD

**Relevant Planning history**

- 15 86/00297/HIST - Conversion from poultry house to fish curing plant and storage - Granted
- 06/02567/AGRNOT - Provision of cattle buildings through the conversion of existing grain store and construction of concrete and metal buildings - Refused
- 08/00423/AGRNOT - Erection of new grain store - No Objection Lodged
- 09/01619/AGRNOT - Erection of general purpose steel framed building - Withdrawn
- 09/01822/AGRNOT - Erection of general purpose storage building - No Objection Lodged
- 12/01251/AGRNOT - Erection of general purpose steel framed building, length 18.2m, breadth 12m and height to ridge 7.5m - Prior Approval Not Required
- 16 Land at Winkhurst Grainstore:
- 17/00676/AGRNOT - Extension of 2 general purpose buildings and 1 grainstore - Withdrawn
- 17/00818/AGRNOT - Extensions to a general purpose steel framed building - Prior Approval Not Required
- 17/03446/FUL - Proposed barn and silage clamp together with enlargement of existing brown water lagoon and new harvested clean water attenuation lagoon - Withdrawn.

**Consultations**

**First consultation:**

*Sundridge Parish Council*

- 17 No response received.

*Council's Rural Agricultural Consultant*

- 18 Comments as follows, which remain the same as under the previous 2017 withdrawn application:
- 400ha rented and owned land with arable cropping, grassland for 300 beef cattle and dairy heifers and sheep

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- Faulkners Hill Farm main operational base with existing buildings accommodating 150 cattle with others located elsewhere in Crockham Hill
- New farm building and associated facilities would accommodate an increase in the herd of 50 cows and their progeny
- New building broadly appears of appropriate size and design for these purposes - assist the further efficient development and sustainability of this farm unit.

### *Kent County Council (KCC) Ecology*

#### 19 Comments as follows:

- Suitable habitat for protected/notable species where silage clamp to be built and adjacent to footprint of proposed development - risk at construction period
- No ecological survey required but if permission is granted, a precautionary mitigation approach must be implemented during the construction works, secured by condition.
- Proposed condition for lighting strategy in relation to potential bats using the site
- Condition for ecological enhancements if permission granted, including water plants for the new clean lagoon.

### *KCC Public Rights of Way*

#### 20 Comments as follows:

- SR157 runs to the west and south and would be directly affected by the enlargement of the existing lagoon - this is a material consideration
- Development would necessitate the diversion of this route - landowner would need to apply to KCC to divert the path
- If planning permission is granted, request condition to ensure no development takes place until the Diversion Order has been confirmed and diversion works completed.

Officer note - It is understood that an application has been made to KCC for a Diversion Order.

### *Environment Agency*

- 21 Insufficient information has been provided to ensure the proposal meets the Silage, Slurry and Agricultural Fuel Oil Regulations (SSAFO).

### *Forestry Commission*

#### 22 Comments as follows:

- Standard advice and information regarding ancient woodland



- Advice for encouraging green infrastructure and locally sourced construction materials.

*Natural England*

23 No objection, with the following comments:

- Proposed development will not have significant adverse impacts on designated sites or protected landscapes (AONB, SSSI)
- Further advice regarding determining applications in the AONB and advice regarding protected species
- Advice regarding impact on area of Ancient Woodland.

*Kent Wildlife Trust*

24 No response received.

**Second Consultation** - following additional information and amended site plan submitted to deal with Environment Agency's concerns and comments:

*Sundridge Parish Council*

25 No response received.

*Rural Planning Consultant*

26 Minor revision so previous advice still applies.

*Kent County Council (KCC) Ecology*

27 Comments of 21 March 2018 still valid.

*KCC Public Rights of Way*

28 No response received.

*Environment Agency*

29 No objection - Approve of the details outlined in the amended site plan 129-02E.

*Forestry Commission*

30 No response received.

*Natural England*

31 Advice provided in previous response equally applies to the amendment - unlikely to have significant different impacts on the natural environment than original proposal.

### *Kent Wildlife Trust*

32 No response received.

### **Representations**

33 No other representations have been received.

### **Chief Planning Officer's appraisal**

#### **Principal issues**

- Presumption in favour of sustainable development
- Impact on the Green Belt
- Visual Impact on the AONB landscape
- Impact on residential amenity
- Highways and parking
- Trees and landscaping
- Biodiversity
- Other Matters - drainage
- Access Issues - Public Right of Way
- CIL

#### *Presumption in favour of sustainable development*

- 34 Para 14 of the NPPF confirms that the NPPF has 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.)
- 35 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.
- 36 In addition, paragraph 28 of the NPPF relates to supporting a prosperous rural economy. It states that plans should take a positive approach to sustainable new development and promote the development of agricultural and other land based rural businesses and also support sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing building and well designed new buildings.

#### *Impact on the Green Belt*

- 37 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.

- 38 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.
- 39 The advice states that there is a general presumption against inappropriate development within the Green Belt. Such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt.
- 40 At paragraph 89 the NPPF states that “A local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt.” There are exceptions to this, such as ‘buildings for agriculture and forestry’.
- 41 This is supported by Section 8 of the Council’s Development in the Green Belt SPD which states that new buildings that are demonstrably essential for agricultural or forestry purposes are considered to be appropriate development in the Green Belt. It also states at paragraph 8.2 that new agricultural buildings should, where possible, form part of a group, rather than stand in isolation.
- 42 The proposed new farm building would be located within an established farm unit. It would have a design and form expected of such an agricultural building to house the required number of cattle. While it would have additional bulk created through the overhanging roof to create a covered cattle area, this would essentially have an open appearance as it would not be enclosed at the sides, allowing a view through. The Council’s Agricultural Consultant has confirmed that the development would broadly be of an appropriate size and that this would assist with the further efficient development and sustainability of the farm unit.
- 43 It is clear that effort has been made to locate the new building as closely as physically possible to the existing confines of the other agricultural buildings. In addition to this, the building would be stepped into the ground so it would be at a lower level when viewed from the wider landscape. As such, the building would be seen in context with these other buildings, grouped together to reduce encroachment into the Green Belt, consistent with the requirements of the Council’s Development in the Green Belt SPD.
- 44 The proposed silage clamp would be located on slightly elevated ground due to the proposed rise in land levels. However, this would be required to aid the drainage into the brown water lagoon from the wash down area between the barn and silage clamp. The silage clamp would have modest height at 3 metres tall.
- 45 Due to the above, the proposed new barn and silage clamp would be of an appropriate size for the intended use and need of the farm which would

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support the sustainable continuation of the business as supported by the NPPF and as appropriate development in the Green Belt.

- 46 The proposed extension to the brown water lagoon would not result in additional bulk within the Green Belt due to its nature of being dug down into the land. This is also the case for the proposed clean water attenuation lagoon which would also be set within the ground and would not result in any significant alterations to land levels which would harm the openness of the Green Belt.
- 47 The proposed development would therefore be appropriate development within the Green Belt, consistent with the NPPF and the Council's Development in the Green Belt SPD.

### *Visual impact on the AONB landscape*

- 48 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.
- 49 Policy EN5 of the ADMP states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
- 50 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. Policy EN1 of the ADMP expands upon this and states that development should respond to the scale, height, materials and site coverage of the area and respect the character of the site and surrounding area.
- 51 The Development in the Green Belt SPD is also of relevance as it states that agricultural development should respond well to landscape features such as local topography and not harm views of the skyline.
- 52 The Sevenoaks Countryside Assessment SPD identifies the site as within the Low Weald landscape context, a gently undulating, generally poorly draining landscape with distinctive field pattern with a traditionally pastoral landscape pattern. Biodiversity targets include improved management of hedges and increase through new planting and encourage suitable grazing regimes to maintain conditions for flora and fauna. Within this landscape character, the site falls within the Charcott Farmlands, an area comprising a working landscape with mixed farming to a large part of the area. It is generally considered to be a landscape in very good condition although its ecological interest is considered to fall short of its full potential. The landscape is considered to have low sensitivity.

- 53 The proposed farm building would be large due to its elongated form. However, it would have an appropriate size for its purpose and would be seen against the context of the existing agricultural buildings.
- 54 The building would clearly be agricultural in form and thus characteristic of a working agricultural landscape, as identified within the Countryside Assessment.
- 55 The proposed materials consisting of fibre cement sheets for the roof, a steel frame with concrete panels around the base and Yorkshire boarding above would be a commonplace palette of agricultural materials which would not appear out of place within the immediate landscape. In addition, the lowered levels to accommodate the building would further reduce the built form of the building within the landscape.
- 56 The proposed silage clamp would replace the existing clamp, thus its impact on the landscape would be similar to the existing situation.
- 57 The proposed clean water lagoon would have a positive impact on the landscape and could introduce the potential for ecological enhancements, thus resulting in enhancements within the AONB landscape. These will be discussed in the biodiversity section below.
- 58 No details of any lighting for the barn have been provided, with the Application Form stating that this is not applicable. This is welcomed as the provision of excessive lighting within the AONB landscape can often harm its character. If however at a later date external lighting is required then further details of this can be secured by condition.
- 59 Due to the above, the proposed works are considered to comply with Policy EN5 of the ADMP and the NPPF and the development would conserve and enhance the AONB.

*Neighbouring amenity*

- 60 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development, while ensuring it would not result in excessive overlooking, visual intrusion, noise, vibration, odour, air pollution, vehicle movements, or a loss of privacy and light enjoyed by the occupiers of nearby properties.
- 61 The nearest neighbour to the farm is 'The Wagon Lodge', located approximately 120 metres to the west of the farmhouse and 170 metres away from the proposed agricultural barn.
- 62 The proposed new barn would be sited within the existing agricultural complex, and while it would result in the increase of 50 cattle, the new building would be at a distance which would not result in the material increase in any excessive noise or odour, particularly as the barn would partially be obscured by the existing farm buildings.
- 63 The silage clamp would essentially be a replacement structure so any odour from this structure would be similar to the existing use of the clamp.

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- 64 The proposed lagoons would be located even further from nearby dwellings, set within the landscape so would not harmfully impact on amenity.
- 65 The proposal would therefore comply with Policy EN2 of the ADMP.

### *Highways and parking*

- 66 Policy EN1 and T1 of the ADMP states that new developments should mitigate any adverse travel impacts and proposals should ensure satisfactory means of access and adequate parking.
- 67 Policy T2 of the ADMP states that vehicle parking provision should be made in accordance with the current Kent County Council (KCC) vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide.
- 68 From the information provided the proposed barn, silage clamp and lagoons would not require any additional employees for the farm. In any case, if more employees were required the existing access is sufficiently wide enough with established visibility and with more than enough room within the site to accommodate parking of vehicles. Therefore it is considered that the proposals would not be likely to have any significant impact on highway conditions when compared against the existing use.

### *Trees and Landscaping*

- 69 The site is bordered by belts of Ancient Woodland. The proposed works would not result in any loss of trees within these areas of woodland. The closest of the works to Ancient Woodland known as 'Eastwood Wood' would be the proposed clean water lagoon which would be located between 9 - 11 metres at its closest to the bank of the proposed lagoon. Neither Natural England nor the Forestry Commission have objected to the proposed works and it is considered that there would not be harm to these important areas of woodland.
- 70 Ecological enhancements as discussed below would aid to promote the use of the area around the new lagoon and the water within the lagoon itself in relation to any species which reside within the Ancient Woodland.

### *Biodiversity*

- 71 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.
- 72 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity.
- 73 The surrounding land is actively farmed and this limits the potential for habitation by protected species, as identified by the KCC Ecology team. It is acknowledged that there could be some species present around the existing brown water lagoon and site for the clean water lagoon, thus a

precautionary mitigation approach would be appropriate to secure via condition upon any grant of permission.

- 74 The KCC Ecology team has indicated that there could be the potential for bats to be using the area, particularly as the site lies close to belts of woodland. No lighting is proposed as part of this application. Details of a lighting strategy would be reasonable to condition as part of any grant of permission to ensure any lighting used does not harmfully affect potential bat flight paths.
- 75 In addition, the proposals provide the opportunity to increase the biodiversity value of the site, particularly through the creation of a clean water lagoon. It is therefore considered that ecological enhancements should also be secured by condition upon any grant of permission to ensure compliance with Policy SP11 of the Core Strategy and the NPPF in this regard.

### **Other Matters**

#### *Drainage and contamination*

- 76 The proposed alterations to the brown water lagoon and the creation of the rainwater harvesting lagoon would require alterations to the way the site is drained. This would result in changes to the site levels to ensure sufficient natural drainage capability.
- 77 The Environment Agency initialled commented that insufficient information had been provided to establish whether the proposed silage clamp and lagoons would comply with the associated legislation and guidance for Silage, Slurry and Agricultural Fuel Oil Regulations (SSAFO). Following the submission of additional information and clarification over site levels on the proposed block plan the Environment Agency is now satisfied that the proposed silage clamp, clean water lagoon and alterations to the existing lagoon would comply with the SSAFO regulations. Due to this, the proposal would not result in harm to the surrounding land in regard to drainage and contamination.
- 78 In addition, the proposed clean water lagoon would provide a more sustainable solution to water use, enabling rainwater to be harvested and used throughout the farm, assisting in the aims of Policy SP2 of the Core Strategy and the NPPF's sustainability goals.

### **Access issues**

#### *Public Right of Way*

- 79 The proposal would result in the need to divert the Public Right of Way which runs through the site. KCC has indicated that the applicant will need to formally apply for an alteration to this route. They have asked that any planning permission should be conditioned so that the new route is created before works start on site.

## Agenda Item 4.2

- 80 It is understood that discussions have already occurred with KCC and an application for a Diversion Order may already be underway. As this is a matter that sits outside planning legislation it would be reasonable to include an informative upon any grant of permission to ensure the applicant is aware that it would be advisable to ensure the Right of Way is made available prior to any works being undertaken.

### CIL

- 81 The proposal is not CIL liable.

### Conclusion

- 82 There is sufficient agricultural justification for the proposed works to be appropriate development within the Green Belt.
- 83 The proposed new building, silage clamp and associated lagoons would not harm the character of the AONB landscape as they would be expected features within the immediate landscape, set within the existing confines of a well established agricultural site.
- 84 Due to the siting of the proposed building and silage clamp, these would not harmfully impact on amenity when compared to the existing situation.
- 85 The proposed drainage would be acceptable and the proposals would not result in harmful land contamination.
- 86 The areas of Ancient Woodland would not be harmfully affected and ecological enhancements alongside a lighting strategy for bats via condition would result in increased benefit to the biodiversity of the site.

### Background papers

Site and block plan.

Contact Officer(s): Sarah Cottingham Extension: 7481

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

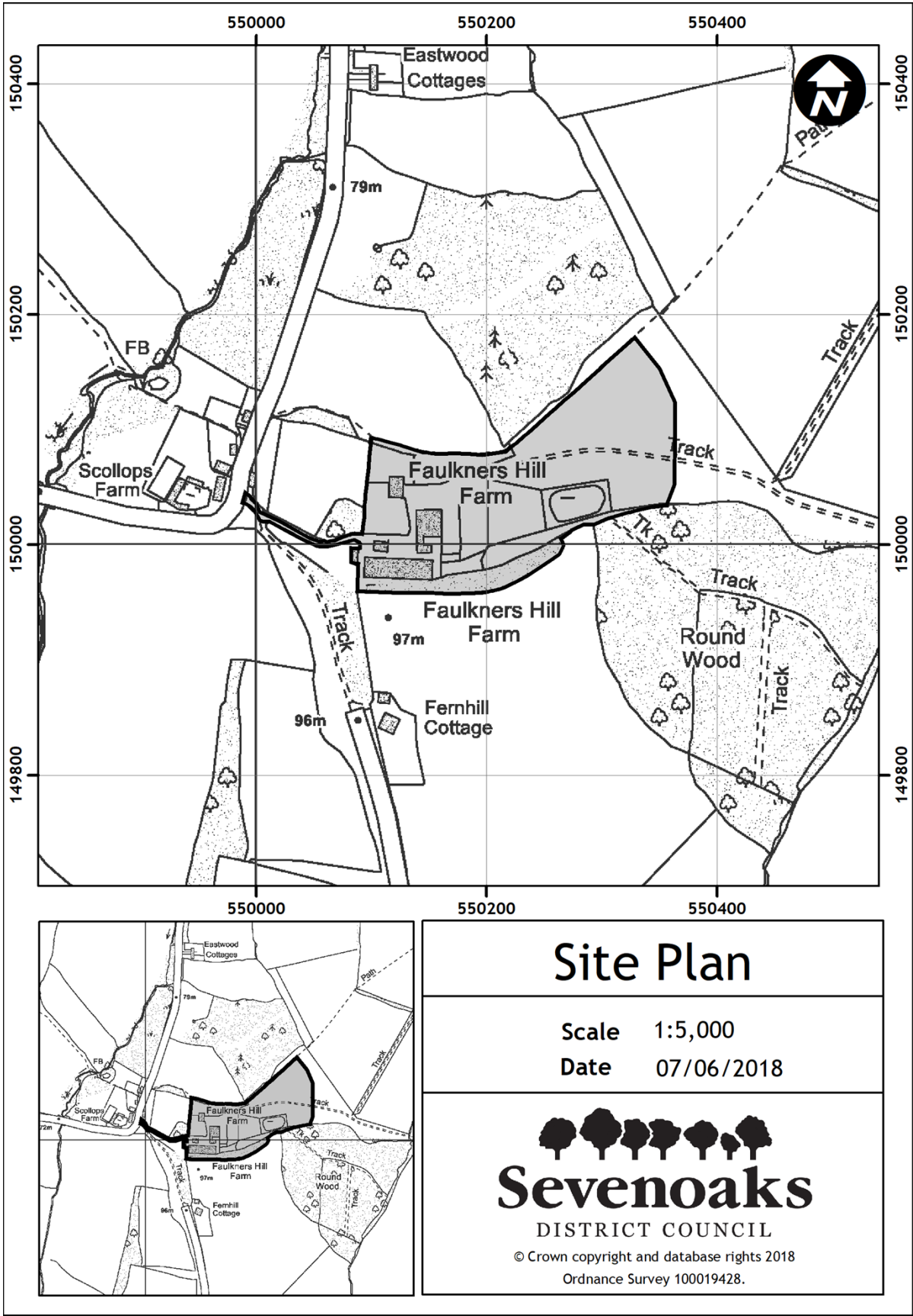
Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P4GKN6BKGTR00>

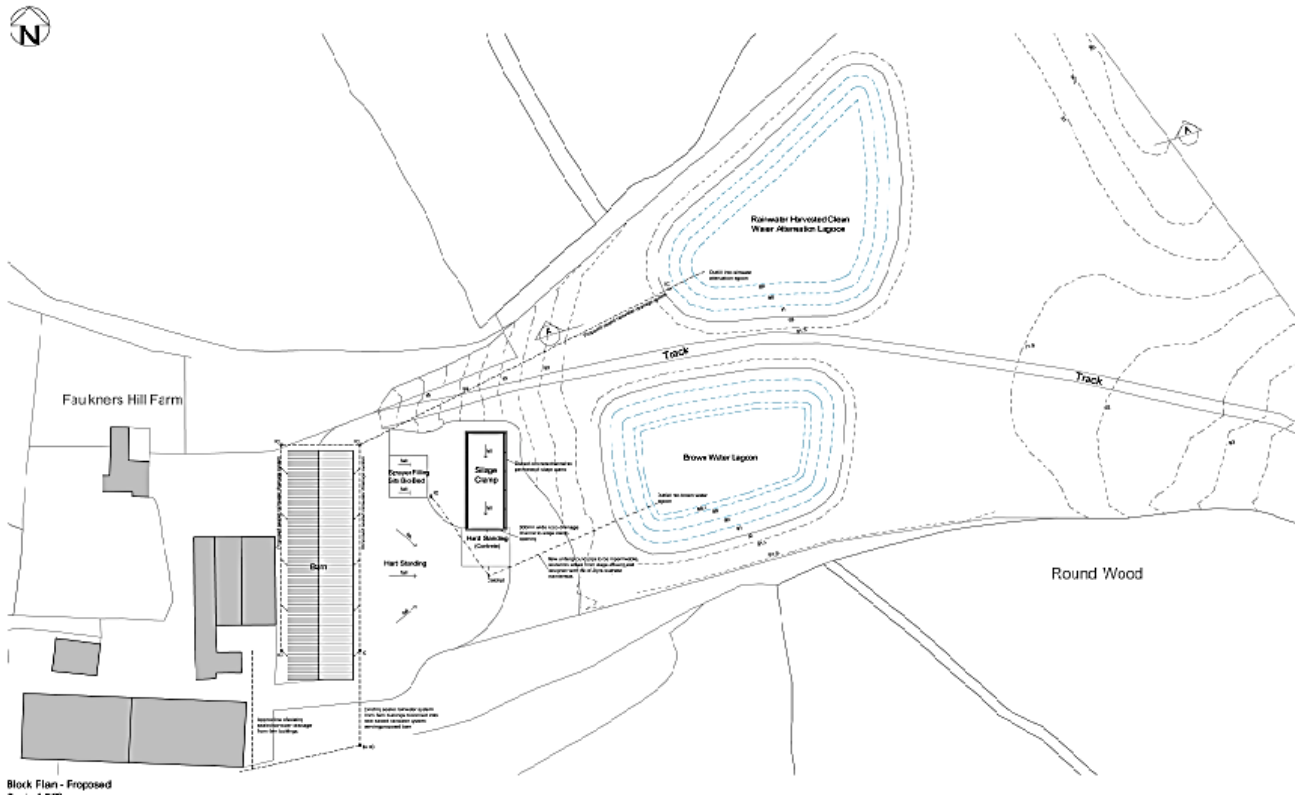
Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P4GKN6BKGTR00>





Block Plan



4.3 - 18/01519/LBCALT      Date expires 10 July 2018

Proposal:                                      The provision of a replacement wet room.

Location:                                     2 Wolfe Cottages, Vicarage Hill, Westerham TN16 1TJ

Ward(s):                                      Westerham & Crockham Hill

#### **ITEM FOR DECISION**

The application has been referred to Development Control Committee as the agent is a member of staff.

**RECOMMENDATION:** That Listed Building Consent be GRANTED subject to the following conditions:-

1)      The works to which this consent relates shall begin before the expiration of three years from the date of this consent.

In pursuance of section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2)      The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 18/00122/AFG date stamped 11/05/2018.

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

#### **Informatives**

1)      The applicant is reminded that separate consent may be required for any external changes, or changes to the building beyond those shown on the approved drawings, associated with the new wet room, for example changes to drainage pipes.

#### **Description of proposal**

1      The provision of a replacement wet room.

#### **Description of site**

2      The application site is located to the south of Vicarage Hill and is a mid terrace dwelling and forms part of the set of four dwellings that comprise Wolfe Cottages. The dwelling is a grade II listed building, and is located in an Area of Outstanding Natural Beauty, Westerham Conservation Area, and an Area of Archaeological Potential.

#### **Constraints**

3      Grade II Listed Building - LB/G2/35/1465

4      Westerham Conservation Area - CA

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5 Area of Outstanding Natural Beauty - AONB

6 Area of Archaeological Potential - AAP

### Policies

#### *Core Strategy (CS)*

7 Policy:

SP1 - Design of New Development and Conservation

#### *Allocations and Development Management (ADMP)*

8 Policy:

EN4 - Heritage Assets

#### *Other*

9 National Planning Policy Framework (NPPF)

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.).

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.

10 Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

### Relevant Planning history

11	98/01270/HIST	Rear window at first floor and rear dormer window at second floor (LBC)	GRANT	24/09/1998
	98/02178/HIST	Details pursuant to condition 2 (joinery) of SE/98/1270.	GRANT	03/11/1998
	04/03065/FUL	Re-submit expired planning permission 98/1270 and 98/2178 to create one new dormer window to rear of property and new first floor window to replicate existing window to adjoining property.	GRANT	01/02/2005

05/01361/DETAIL	Details pursuant to condition 2 (cutting of structural timbers) of Planning Permission SE/04/03065/FUL.	GRANT	08/06/2005
07/01391/LBCALT	Retention of new property window to rear of property and new first floor window to replicate existing window to adjoining property.	GRANT	19/06/2007
13/00096/LBCALT	Proposed works to the roof to include: replacement of broken or slipped tiles; replacement of sand cement flashing to chimney and new lead or lead substitute flashing which is to be lapped over the tiles; renewal of the lead flashing between the vertical boarding and mono pitched roof over the kitchen, flashing to the window on the first to second floor rooms; replacement of the flashing to the first second floor stairway at the rear of the property; side cheeks to the dormer window to be repaired and a decorative surface covering applied; the cracks within the roughcast at the front of the property should be repaired using flexible external filler and then redecorated.	GRANT	20/03/2013
13/03209/DETAIL	Details pursuant to condition 2 (dormer details) of Listed Building Consent SE/13/00096/LBCALT	GRANT	12/12/2013
13/03210/DETAIL	Details pursuant to condition 3 (lead details) of Listed Building Consent SE/13/00096/LBCALT	GRANT	12/12/2013
13/03211/DETAIL	Details pursuant to condition 4 (lead paint equivalent) of Listed Building Consent SE/13/00096/LBCALT	GRANT	12/12/2013

## Consultations

*Westerham Town Council:*

12 No Comment/Comments Only.

## Agenda Item 4.3

### *SDC Conservation*

- 13 'There is no objection as the wet room is replacing a modern bathroom suite and will not harm the special interest of the property'.

### **Representations**

- 14 No representations have been received.

### **Chief Planning Officer's appraisal**

#### **Principal issues**

- 15 The main planning considerations are:
- Impact to the Listed Building.

#### *Impact on Listed Buildings and their setting:*

- 16 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 17 The NPPF also states that great weight should be given to the conservation of heritage assets (para.132).
- 18 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 19 Wolfe Cottages are a row of early eighteenth century cottages. The cottages are noted for the half hipped tiled mansard roof with four small, flat dormers, with the external walls rendered or roughcast. All of the cottages have shallow segmental arches, with six panel doors under bracketed hoods.
- 20 The proposed works are internal with no indication that the works would impact the external façade of the dwelling, or alter any part of the special interest of the dwelling. The existing bathroom has relatively modern fixtures and fittings. The agent has identified that the works would involve the removal of the existing bath, wash hand basin, WC, and wall tiles and floor finishes.
- 21 The proposed works would involve the installation of a wet room shower facility. This would include new wall tiling, non-slip vinyl floor covering, an electric shower, new white wall hung wash basin, with chrome lever taps, and new WC. As the bathroom does not contain any original features of

special interest the replacement is consider to conserve the special or historical interest of the building.

- 22 The Conservation Officer has no objection to the proposed works. The works would be compliant with the aspirations of the NPPF and policy EN4 of the ADMP in conserving the character of the building.

**CIL**

- 23 This proposal is not CIL liable.

**Conclusion**

- 24 The proposed works would not interfere with the special interest of the building, and would comply with both the NPPF and policy EN4 of the ADMP.

**Background papers**

Site and block plan.

Contact Officer(s): Emma Gore Extension: 7206

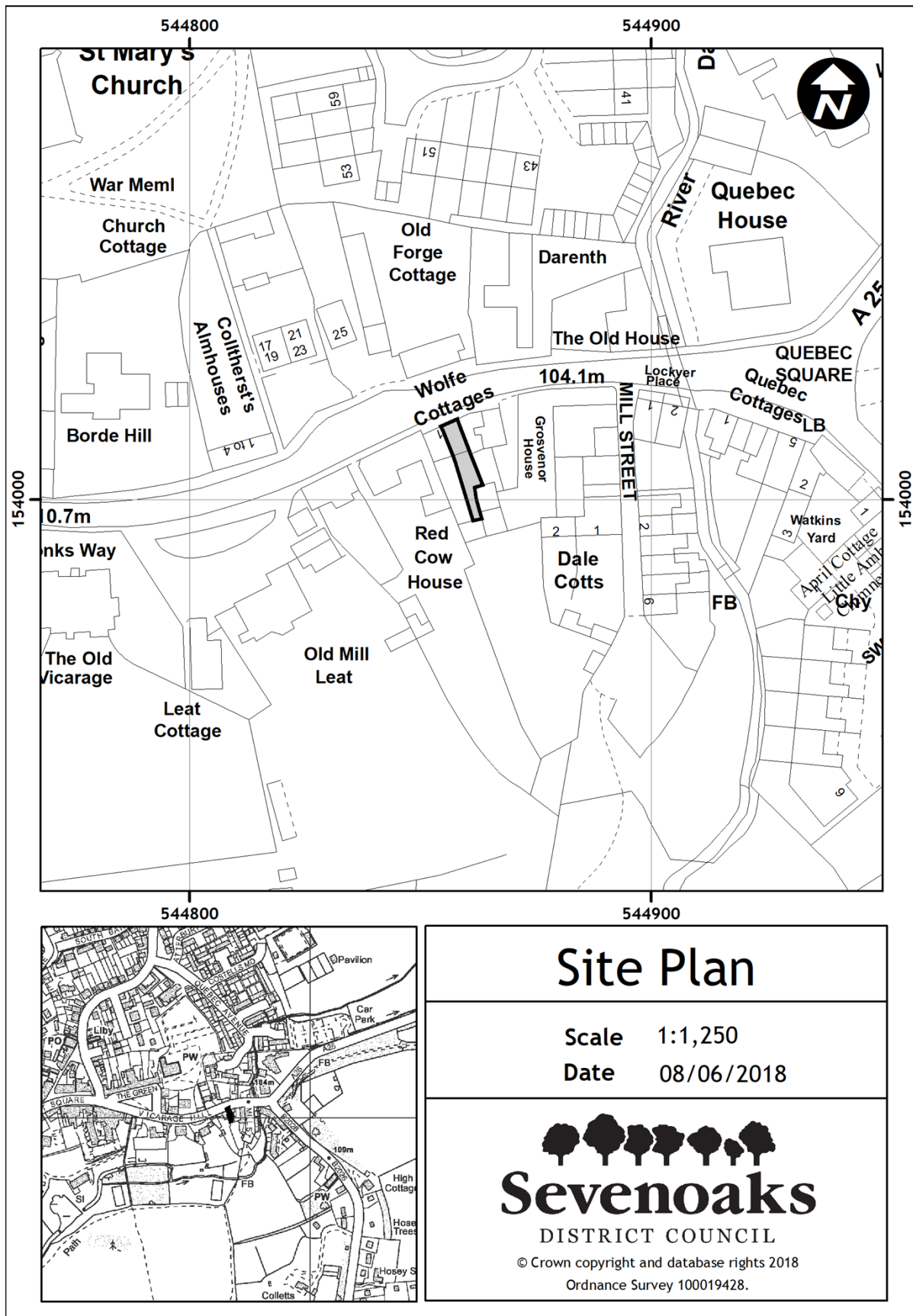
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P8K5M5BK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P8K5M5BK0LO00>





Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 5 July 2018

**4.1 18/01050/FUL 41 Park Hill Road, Otford TN14 5QH**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P6D0MDBKLCE00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P6D0MDBKLCE00>

**4.2 18/00596/FUL Faulkners Hill Farm, Yorks Hill, Ide Hill TN14 6LG**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P4GKN6BKGTR00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P4GKN6BKGTR00>

**4.3 18/01519/LBCALT 2 Wolfe Cottages, Vicarage Hill, Westerham TN16 1TJ**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P8K5M5BK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P8K5M5BK0LO00>

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