

14 March 2019 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks
Despatched: 06.03.19



Development Control Committee

Membership:

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

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	Contact
Apologies for Absence		
1. Minutes To approve the minutes of the meeting of the Committee held on 7 February 2019, 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 18/00928/FUL - Land South Of Trotts Cottage, Trotts Lane, Westerham Kent TN16 1SD	(Pages 7 - 28)	Emma Gore Tel: 01732227477
4.2 18/03829/FUL - 17 Eardley Road, Sevenoaks, Kent TN13 1XX	(Pages 29 - 38)	Rebecca Fellows Tel: 01732227390
4.3 18/03369/FUL - Lion Hotel, High Street, Farningham DA4 0DP WITHDRAWN	(Pages 39 - 50)	Louise Cane Tel: 01732227260
4.4 18/03395/FUL - North Lodge, Ash Road, Ash TN15 7HR	(Pages 51 - 62)	Guy Martin Tel: 01732 227351

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, 11 March 2019.

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.

Public Access Links

Late Observations

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.

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 7 February 2019 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Clark, Coleman, Edwards-Winsor, Mrs. Hunter, Layland, McArthur, Parkin, Purves, Raikes and Reay

Apologies for absence were received from Cllrs. Bosley, Gaywood and Horwood

Cllr. Piper was also present.

57. Minutes

Resolved: That the minutes of the Development Control Committee held on 17 January 2018 be approved and signed as a correct record.

58. Declarations of Interest or Predetermination

Councillor Raikes declared that for Minute 60 - 18/03097/FUL - Land Rear of 31 Serpentine Road, Sevenoaks TN13 3XR and for Minute 61 - 18/03462 - Land Rear of 2 Uplands Close, Riverhead TN13 3BP, he had previously considered the matters when discussed by Sevenoaks Town Council, but that he remained open minded.

59. Declarations of Lobbying

All Councillors except Councillor Williamson declared that they had been lobbied in respect of Minute 60 18/03097/FUL - Land Rear of 31 Serpentine Road, Sevenoaks TN13 3XR.

Reserved Planning Applications

The Committee considered the following planning applications

60. 18/03097/FUL - Land Rear Of 31 Serpentine Road, Sevenoaks TN13 3XR

The proposal sought permission for the erection of a detached dwelling with an integral garage.

The application had been referred to the Development Control Committee by Councillor Purves due to concerns regarding the potential impact to neighbouring

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amenity which would conflict with policy EN2 of the Sevenoaks District Council Allocation and Development Management Plan.

Members' attention was brought to the main agenda papers and the late observations sheet which added conditions and an informative.

The Committee was addressed by the following speakers:

Against the Application: Rachel Wray

For the Application: -

Parish Representatives: -

Local Member: -

Members asked questions of clarification from the Officers. In response to questions, Members were advised that an application on site in 2010 had been dismissed by the Inspector due to concerns regarding an unacceptable loss of privacy to neighbours as a result of the orientation and siting of the application as well as the impact the development would have on the character of the area arising from its size, siting and design. Officers were asked to clarify some of the distinctions between the 2017 permission and the current application. Officers explained that the northern elevation was gabled however the overall height for the 2017 and 2018 applications were the same. Members were advised that the applicant was entitled to carry out the 2009 or 2017 permissions.

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

Members debated the application. It was noted that the view from 5 Serpentine Court would be of solid built form and that this was also wider than the 2017 permission. The ground level height difference of 1 meter between the application site and 5 Serpentine Court would emphasise impact and overshadowing. The application was thought to have a considerable impact on amenity.

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

It was moved by the Councillor Clark and duly seconded by Councillor Reay that planning permission be refused on the grounds of the overbearing and harmful impact scale, bulk and massing of the proposal would have on neighbouring amenity, contrary to policy EN2 of the ADMP.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that the proposal would result in a scale, bulk and massing that would be overbearing and harmful to the residential amenity of neighbouring properties making the proposal contrary to policy EN2 of the Sevenoaks Allocations and Development Management Plan.

61. 18/03462/FUL - Land Rear Of 2 Uplands Close, Riverhead TN13 3BP

The proposal sought permission for the construction of a detached three bedroom dwelling incorporating a garage, access and off street parking.

The application had been referred to the Development Control Committee by Councillor Bayley due to concerns regarding the proposed scale and bulk of the dwelling which was considered to be overbearing and out of keeping with the character of the area and therefore contrary with policy EN1 of the Sevenoaks District Council Allocation and Development Management Plan.

Members attention was brought to the main agenda papers and the late observations sheet which amended the conditions.

The Committee was addressed by the following speakers:

Against the Application: Caroline Penollar
For the Application: Bob McQuillan
Parish Representatives: -
Local Member: -

Members asked questions of clarification from speakers and Officers. In response to questions, Members were advised by the speaker against the application that the roadside land proposed for access to the development was currently unregistered. The agent informed Members that the applicant would be willing to take responsibility for the upkeep of this area. It was noted that a condition had been added to cover maintenance of the access and it was required that this condition be met before development could commence on site.

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

Members noted that the application was for a large dwelling on a relatively small site and approved of the added drainage condition considering the proposed terracing.

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.

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- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: LR/622/BP01, LR/622/01 A, LR/622/SP01.

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

- 3) Prior to reaching damp proof coursing details of materials to be used in the construction of the dwelling shall be submitted to and approved in writing. The development shall be carried out in accordance with the approved plans.

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.

- 4) 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:- hard landscaping plans (identifying proposed areas of hardstanding and details of finish);- planting plans (identifying existing planting, plants to be retained and new planting);- a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and- a programme of implementation including any necessary protection measures during construction. The development shall be carried out in accordance with the approved details.

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

- 5) The proposed windows on the rear elevation at second floor on the north-east and northwest corner of the two storey bay (currently labelled the en-suite) shall be obscure glazed and fixed shut at all times unless the opening parts of the window are above 1.7m from finished floor level.

In the interest of preserving neighbouring amenity in accordance with policy EN2 of the Sevenoaks District Council Allocation and Development Management Plan.

- 6) 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.

- 7) No development shall commence until the provision and maintenance of 2.4 metres x 44.8 metres x 44.6 metres visibility splays (to a point 0.5 metres out from the kerb to the west and to the southern edge of the central hatching to the east) at the access with no obstructions over 1.05 metres above carriageway level within the splays have been provided. The visibility splays shall be maintained as such thereafter.

In the interests of highway safety.

- 8) No development shall commence until the provision and maintenance of 2.0 metres x 2.0 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6m above footway level have been provided. The visibility splays shall be maintained as such thereafter.

In the interests of highway safety.

- 9) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. wheel washing facilities;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

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

- 10) No development shall take place until full details of the surface water drainage systems have been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

To meet sustainability and environmental objectives and in the interest of highways safety.

- 11) The parking and turning area shown on plan LR/622/SP01 shall be provided 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 vehicular access to the parking and turning area.

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

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.
- 2) Please note that in accordance with the information on your Self Build Exemption Claim Form Part 1 and the requirements of The Community Infrastructure Levy Regulations 2010 (as amended) you MUST submit a COMMENCEMENT NOTICE to the Council BEFORE starting work on site. Failure to do so will result in the CIL charge becoming payable in full.
- 3) Please note that within six months of completing the home, the applicant must submit additional supporting evidence to confirm that the project is self build, being:
 - * A Self Build Exemption Claim Form - Part 2 (available on the Planning Portal website);
 - * The supporting evidence as set out in the form, to confirm that the levy exemption should be upheld.

If the evidence is not submitted to the Council within the 6 month time period, the full levy charge becomes payable.

THE MEETING WAS CONCLUDED AT 7.52 PM

CHAIRMAN

4.1 18/00928/FUL Date expired 28 January 2019

Proposal: Proposed erection of one 1 bedroom bungalow, parking and garden space.

Location: Land South Of Trotts Cottage, Trotts Lane, Westerham Kent TN16 1SD

Ward(s): Westerham & Crockham Hill

Background:

- 1 The application was appealed on the grounds of non-determination. The application was referred to Development Control Committee and was heard on the 17/01.2019. Planning Committee resolved that the Planning Inspectorate be informed Committee would have approved the application had they determined the application.
- 2 Since this date, the applicant has withdrawn the appeal for non-determination. Therefore, the Committee can now determine the application. The original report is reproduced below.

Land Dispute:

- 3 The site has been subject to boundary disputes. Neighbours have provided surveys and land registry plans to us as part of the objections submitted. The agent has confirmed that all of the land within the red line boundary is within the applicant's ownership. The application has been amended. It is not within our power to determine land ownership or boundary dispute matters. These are civil matters and are not material planning considerations.
- 4 The red line of the application site has been amended over the course of the application.

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4.1 18/00928/FUL

Date expires 28 January 2019

Proposal: Proposed erection of one 1 bedroom bungalow, parking and garden space.

Location: Land South Of Trotts Cottage, Trotts Lane, Westerham Kent TN16 1SD

Ward(s): Westerham & Crockham Hill

Item for decision

Councillors Maskell and Esler have referred the application to Development Control Committee due to the impact to the character of the area in accordance with policy EN1 of the Sevenoaks District Council's Allocation and Development Management Plan and the National Planning Policy Framework.

RECOMMENDATION: That the Planning Inspectorate be advised that Members of the Development Control Committee would have 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 and details: S18/6535/01, 17815PL101 C, 17815PL102 B.

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

3) No development shall be carried out above damp proof course level of the hereby approved dwelling until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the 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) Prior to the occupation of the dwelling 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 and trees, plants and trees to be retained and new planting and trees), - written specifications (including cultivation and other operations associated with tree, plant and grass establishment), -schedules of new plants and trees (noting species, size of stock at time of planting and proposed number/densities where appropriate), - Details of any means of enclosure, and -a programme of implementation. 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. The works shall be carried out in accordance with the approved details.

To enhance the visual appearance of the area as supported by EN5 of the Sevenoaks Allocations and Development Management Plan.

5) Prior to any works commencing on site (including vegetation clearance) a precautionary ecological method statement and ecological enhancement strategy produce by an experienced ecologist is submitted for written approval by the local planning authority. The works must be implemented as detailed within the approved strategy.

To ensure the protection of any protected species and reptiles in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

6) Prior to the occupation of the approved dwelling details of ecological enhancements across the site shall be submitted to and approved in writing by the local planning authority. The proposed works shall be carried out in accordance with the approved details.

To enhance the ecology of the local area, protected species and reptiles in accordance with policy SP11 of the Sevenoaks District Council Core Strategy.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, D or E of Part 1 of Schedule 2 or Class A of part 2 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the local planning authority.

To safeguard the amenities of neighbouring occupiers as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

8) Development shall not begin until details of surface water drainage works have been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until the approved works for the disposal of surface water have been provided on the site in accordance with details to be submitted to and approved in writing by the local planning authority.

In the interest of preventing surface water run off in accordance with policy EN1 of the Sevenoaks District Council Allocation and Development Management Plan.

9) The development hereby permitted shall be carried out in accordance with tree protection guidance BS5837:2012 and construction shall follow the following guidance: (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012 or otherwise to the satisfaction of the Local Planning Authority. The means of tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land; (b) No fires shall be lit within the spread of branches of the trees and other vegetation; (c) No materials or equipment shall be stored within the spread of the branches of the trees and other vegetation; (d) No buildings, roads or other engineering operations shall be constructed or carried out

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within the spread of the branches of the trees and other vegetation; (e) No pruning of the existing trees or the spread of the branches shall take place, except as may be otherwise agreed in writing by the Local Planning Authority.

To protect the existing trees and the visual amenity of the area in accordance with policy EN1 of the Sevenoaks District Council Allocation and Development Management Plan.

10) Prior to the occupation of the dwelling a scheme to show the provision of 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. 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.

Informatives

1) The granting of any planning application does not override current wildlife legislation.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Background:

1 The application has been appealed on the grounds of non-determination. Development Control Committee is therefore unable to determine the application but can advise how they would have determined the application if it was not for the appeal.

Description of Proposal

2 Proposed erection of a single storey one bedroom bungalow, parking and garden space.

Description of Site

3 The application site is located at the end of Trotts Lane in Westerham. The site relates to a parcel of land opposite Trotts Cottage and Far End. A small building/garage used to occupy the site. Some close-boarded fencing runs to

the south of the land and an informal access runs to the north of the site from west to east. The levels of the land also slope away towards the east and north. The site is located in an Area of Outstanding Natural Beauty.

Constraints

- 4 Area of Outstanding Natural Beauty - (AONB)

Policies

- 5 National Planning Policy Framework (NPPF)

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 6); or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- Footnote 6 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

- 6 Core Strategy (CS)

- LO1 Distribution of Development
- LO7 Development in Rural Settlements
- SP1 Design of New Development and Conservation
- SP3 Provision of Affordable Housing
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- SP11 Biodiversity

- 7 Allocations and Development Management (ADMP)

- 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

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8 Other

- Kent Downs Area of Outstanding Natural Beauty Management Plan 2014 - 2019
- Sevenoaks Countryside Assessment SPD 2011
- Westerham and Crockham Hill Village Design Statement 2000.
- Draft Westerham Village Design Statement (has not been formally adopted and is still in the consultation phase).

Relevant Planning History

- 9 SW/5/73/521 - 'Erection of a dwelling in the garden' - Refused.
SE/89/1500 - 'Single storey detached bungalow with integral garage. Amended by plans received 20th of Feb 90' - Refused.
SE/94/1539 - 'Single storey detached bungalow with integral garage' - Refused - Appeal Dismissed.
17/03749/FUL - Proposed erection of one bedroom bungalow, parking and garden space - Withdrawn.

Trotts Cottage:

- 10 03/00664/FUL - Proposed two storey front extension - GRANTED.

Consultations

Westerham Town Council:

- 11 - Objects.

'WTC objects to this application, it is disappointed in the lack of accuracy and incorrect information contained in this further application. It would appear that the plot boundaries have been moved from the previous application and they seem to have again included land not directly owned to improve their density calculations and site lay out.

There are once again many comprehensive objections lodged by neighbors who have spent considerable time and money responding to this and previous applications.

The principal objections to the application last month remain and despite changes made there is no material difference in the development now proposed which is still inappropriate for this site. Despite claiming that there was only one prior refusal we know that there is a history of refused applications together with withdrawn and amended plans, all of which failed a number of past and current Local Plan and NPPF policies, in particular EN1 and EN2.

WTC would wish to make it very clear to the applicant that under current planning policies new housing on this site would not be permitted due to constraints in the AONB and restricted nature of the plot'.

2nd Consultation Westerham Town Council

12 Objection.

‘WTC maintains its existing objection to this application that remains substantially the same as that already proposed.

The fundamental issue is that this site is within the AONB. As a result the only way a new building can be permitted is through the acceptance of exceptional circumstances. It has already been established through the emerging SDC Local Plan that housing need in itself is not sufficient to overcome the restrictions inherent in the AONB. That is the only argument proposed by the applicant and the application must therefore fail.

We would add that the applicant has continued to provide erroneous evidence of the plot size in the calculations of site coverage as well as the bulk of the new building in its setting. The site is not in the Town Centre as claimed and we would argue that there is insufficient space to turn a single vehicle on the site to allow safe access.

Due regard should also be taken of the emerging Westerham Design Statement, which had been accepted by SDC planning officers and will shortly be recommended to the DCC for public examination. This development fails policies LS2 and LS5 of this Statement’.

Kent County Council Ecology

- 13 No surveys require prior to determination. No objection subject to condition relating to precautionary ecological method statement and ecological enhancement strategy.

Thames Water

- 14 No response.

Kent County Council Highways

- 15 No comment.

Kent Fire and Rescue Services

- 16 No response.

Representations

- 17 We received 24 letters of objection, including a report and property deeds. While some residents have commented more than once the application the number of objections is counted as one per resident, all correspondence and objections have however been read. The objections relate to the following issues:

Plans:

- In accurate red line which includes land outside of the applicants ownership,
- Inaccurate plans,
- Land not a vacant plot was actually garden land previously owned by Trotts Cottage,

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- AA- line on drawing shows incorrect depth,
- Inaccuracies in the Design and Access Statement,
- Llonsson Ltd report states land within red line belongs to other dwellings

Character of the area:

- Unacceptable density - density should not be calculated including the access,
- Plot size is too small and would cover too large a degree of the plot,
- Would fail to conserve and enhance the AONB,
- Would fail to comply with the Westerham and Crockham Village Design Statement including 5/1, 5/2, 5/6, LS2 and LS7,
- Property would not be in keeping with family homes set in spacious plots,
- Limited landscaping,
- Trotts Lane has a semi-rural feel which would be obscured by dwelling,
- Garden space is limited and not accurate.

Amenity:

- Proposed garden gate would result in loss of privacy.
- Permitted Development Rights should be removed should the application be granted,
- Loss of amenity including light, outlook and privacy,
- Loss of amenity specifically in relation to Trotts Cottage land gradient would result in loss of light and privacy,
- The proposed dwelling would have limited amenity as it would be overlooked and feel confined,
- Environment of existing property would be harmed,
- Overbearing to Trotts Cottage,
- Proposal would interfere with rights under the Human Rights Act Protocol 1, Articles 1 and 8,

Parking and access:

- Location of dwelling would prevent access for emergency vehicles including ambulances and the fire service,
- Fence would impede access to Far End,
- Insufficient parking and no parking for visitors,
- Increased pressure on parking along narrow un-adopted lane,

Biodiversity:

- Loss of wildlife through existing site clearance - in breach of wildlife legislation,
- Impact on local wildlife including loss of bats and slow worms,

Other

- Would fail to comply with policy EN1, EN2, EN5, SP5, SP4 should not be considered as part of the application,
- Enforcement order should be issued on the site i.e. un-tidy site,
- Dwelling could not provide accommodation for the elderly due to land levels, steps internally and externally and level changes,

- Surface water run off would increase.

Re-Consultation:

- 16 responses received all previous objects remain the same,
- Boundary may have been altered, but remains inaccurate.

Chief Planning Officer's Appraisal

18 The main planning considerations are:

- Principle of development,
- Impact to the AONB,
- Design and impact on the character of the area,
- Impact on neighbouring amenity,
- Impact on parking and highways,
- Ecology,
- Trees and landscaping,
- Other.

Principle of development:

- 19 Para 122 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change.
- 20 Policy LO1 seeks to focus development within the built confines of existing settlements and lists the main urban areas. The smaller service villages are listed in Policy LO7, Westerham falls into this category.
- 21 Policy LO7 states that within the settlement confines of Westerham development on a modest scale will be permitted where it can take place in an acceptable manner consistent with local character.
- 22 Whilst the National Planning Policy Framework (NPPF) places an emphasis on development on previously developed land, it does not preclude other land, from being developed for residential use, provided such development is in suitable locations and relates well to its surroundings.
- 23 The site is located within the existing built confines of Westerham and development plan policies seek to optimise the potential of such sites in accordance with the NPPF. This is especially important within Sevenoaks District where the majority of the District falls within the Green Belt.
- 24 The density of development would broadly reflect that of the local 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.
- 25 Policy SP5 of the Core Strategy seeks new housing development to contribute to a mix of different housing types in residential areas, taking

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into account the existing pattern of housing in the area, evidence of local need and site-specific factors.

- 26 Policy SP5 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. The provision of a 1-bedroom bungalow would be consistent with the aspirations of policy SP5.
- 27 The proposed occupancy of a dwelling with a single bedroom is not for the authority to determine. A single bedroom dwelling can provide accommodation for varied members of a community and is not restricted to one element of the community.
- 28 Taking the above into account of, the principle of development is accepted subject to other considerations.
- 29 It should be noted that in dismissing the appeal in 1994, the Inspector considered that that building on this open site would harm the character of the area due to the loss of openness. Since this decision local and national policy planning policy places a greater emphasis on making the best use of land with a presumption in favour of sustainable development. Consequently, this historic appeal decision is a material consideration but could be given very limited weight. This proposal needs to be considered on the basis of current local and national planning policy.

Impact to the AONB:

- 30 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.
- 31 Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.
- 32 Policy EN5 of the ADMP states that 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.
- 33 The site is located in Westerham which is an existing settlement that is located in within the Kent Downs Area of Outstanding Natural Beauty (AONB).
- 34 Policy SD9 of The Kent Downs AONB Management Plan seeks to ensure:

‘The particular historic and locally distinctive character of rural settlements and buildings of the Kent Downs AONB will be maintained and strengthened. The use of locally-derived materials for restoration and conversion work will be encouraged’.

- 35 The built form and development associated with Westerham forms part of the character of the AONB landscape. Residential dwellings are an expected feature and are an existing part of the views experienced from the wider landscape.
- 36 The site is surrounded by residential properties to the north, east, south and west. The dwellings in the area vary in scale, density and design. The proposed bungalow would set within existing residential development and partially screened by these existing dwellings from the wider landscape. As result of its location, the proposed dwelling would be seen in the context and backdrop of a residential area. The proposal would not be a prominent addition to the landscape and would conserve the character of the area from a wider landscape perspective.
- 37 The proposed dwelling would have a pitched roof and would have a modest scale. The use of brickwork and plain tiles would match those used in the local area. As such, the design and use of materials would conserve and strengthen the character of the local area in accordance with the Kent Downs AONB Management Plan.
- 38 As the proposed dwelling would be within the confines of an existing settlement and so dwellings are an expected feature from the wider landscape and scenic beauty of the AONB. The use of materials in keeping with the area would strengthen the character of the AONB in this location. This in conjunction with landscaping and ecological enhancements which could be secured by condition would also work to enhance the AONB.
- 39 The Design and Access indicates the protection of an existing Holly tree. To ensure the protection of the trees surrounding the plot it would be reasonable to condition any grant of permission to require tree protection measures. In addition, landscaping conditions would aid in adding vegetation across the site.
- 40 Overall, it is considered that the proposed development would conserve the character of the AONB in this location and would comply with policy EN5 of the ADMP.

Design and impact on the character of the area:

- 41 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP states that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 42 The density of development would broadly reflect that of the local area, as it is a detached dwelling with small area for amenity.
- 43 The third party comments have indicated that the density should not include the access. If the access is excluded from the density calculation the dwellings per hectare (dph) would equate to around 47.6(dph), if included the density would be 41.7(dph). This density is considered acceptable given the NPPF emphasis on the optimisation of such sites.

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- 44 Policy SP7 does recommend that in this location new developments would be expected to achieve a density of around 30dph. This policy is however flexible to taking account of the character of the area and is also pre both the 2012 and 2018 version of the NPPF. In addition to this, the proposal would provide additional housing for the district in a sustainable location, which supports the aspirations of the NPPF. The density of development varies on Trotts Lane, Squerryes Mede and Black Eagle Close.
- 45 Trotts Lane is a narrow lane to the west of Westerham centre. The dwellings along Trotts Lane vary in scale and architectural style. The lane is fronted by residential dwellings to the west and east. Trotts Lane terminates to the south and a single dwelling, Moreton Lodge, is located at this terminus. A few dwellings can be accessed to the west of Moreton Lodge some of which are bungalows. As the area is characterised by residential properties the addition of a dwelling would not be out of character with the general pattern of development.
- 46 Due to the variance in land levels, the dwellings to the west are sited upon higher land levels than those located to the east. At the end of Trotts Lane, there is no uniformity to the orientation, layout or design of the dwellings.
- 47 The proposed bungalow would sit adjacent to Moreton Lodge at an angle and front the highway. Given that a number of residential dwellings are visible to the south of the site and the proposed dwelling would be single storey in height, it would be set against the backdrop of this existing built form.
- 48 A gap in excess of 5m would lie between the proposed dwelling and Moreton Lodge. Although the bungalow would sit within 1m of the side boundary, due to the land level changes, orientation of the proposed dwelling and the distance between the proposed bungalow and the distance between dwellings, no visual terracing would occur.
- 49 The proposed dwelling would be slightly set back from the front boundary and would have space surrounding the dwelling. The overall proportions of the dwelling would be modest and would not overwhelm the scale of the site.
- 50 The bungalow would have a pitched roof, which would be in keeping with the variety of pitched roofs along Trotts Lane. The 'L' shaped footprint of the bungalow would break up the massing of the development. The proposed windows and openings would be proportionate to the dwelling. The use of tiles to the roof and brickwork would mirror the varied use of brick, render and tile hanging found along Trotts Lane.
- 51 The Westerham and Crockham Hill Village Design Statement is used as informal planning guidance and carries less weight than Design Statements adopted as SPDs. The Westerham and Crockham Hill Village Design Statement was created prior to the introduction of the NPPF as it was created in the year 2000.
- 52 The guidance within the Village Design statement seeks to make greater uses of hedges and boundaries treatments for future development, use of

Kentish ragstone and flint in appropriate areas should be encouraged and features such as coloured bricks included with generous parking provided.

- 53 Features such as hedging and soft landscaping could be achieved through condition. The use of ragstone is only required where appropriate, given the predominate use of brick and tile hanging in the area the use of this materials would be inappropriate. However, bricks are proposed for this dwelling which would follow the guidance of the Westerham and Crockham Hill Village Design Statement. Issues regarding parking will be addressed below, parking standards have changed since the creation of the Westerham and Crockham Hill Village Design Statement was created.
- 54 Soft landscaping has been proposed which would soften the development and reflect the verdant nature of the street scene. The proposed 1.8m fencing would be higher than the typical enclosure treatments along the street scene. However, the dwelling and fencing would be located slightly to the east of Trotts Lane and would be partially obscured from view by Trotts Cottage, so the boundary treatments would not be prominent features in the street.
- 55 Overall, the scale, massing and design would be in keeping with the residential and varied character of Trotts Lane and would comply with policy EN1 of the ADMP.

Neighbouring Amenity:

- 56 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.

Moreton Lodge:

- 57 Moreton Lodge is located to the west of the site and is located at a higher level to that of the proposed bungalow. The proposed dwelling would have 1 side window facing towards Moreton Lodge. This window would be a secondary source of outlook, set back from the western boundary. This together with the changes in ground levels would not result in a significant loss of privacy.
- 58 Moreton Lodge has two side windows in its eastern elevation facing towards the site. Moreton Lodge benefits from windows to the front and rear of the dwelling, which provide outlook to the dwelling as a whole. The proposed bungalow would be located at a lower level and would lie in excess of 5m from the side elevation of Moreton Lodge. Given the land level changes, distance, and the existing outbuildings associated with Moreton Lodge it is not considered that outlook of Moreton Lodge would be detrimentally affected.
- 59 Loss of light analysis has been undertaken and shows that Moreton Lodge would not be significantly affected by loss of light or overshadowing issues.

Trotts Cottage:

- 60 Trotts Cottage is located to the north of the site and is a semi-detached two-storey dwelling. Trotts Cottage is sited in a depression of the ground

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levels and has windows facing to its south, west and north elevations. The entrance to Trotts Cottage is located along the west elevation.

- 61 The proposed bungalow would be located at an angle to Trotts Cottage and would not directly align with Trotts Cottage's southern elevation. A single window is proposed to the northern elevation of the proposed bungalow, facing towards Trotts Cottage. The window would be located to the western side of the dwelling and would be set back from the road. As a result, it would not result in a significant loss of privacy to Trotts Cottage.
- 62 The proposed garden area of the proposed bungalow would sit opposite to Trotts Cottage. The garden amenity area would be located behind 1.8m fencing which would screen views to Trotts Cottage. The proposed gate opening to the northern boundary of the garden would not provide significant views across the amenity space of Trotts Cottage.
- 63 An approximate distance of 11.2m would extend between the proposed dwelling and Trotts Cottage. The proposed bungalow would be located at an elevated level to that of Trotts Cottage and Far End but would be single storey in height.
- 64 Trotts Cottage has a number of openings across its elevations. A window in the south facing elevation of Trotts Cottage serves a kitchen, which has another window to the west elevation that provides an alternative outlook to the west.
- 65 Given the distance that would separate Trotts Cottage from the proposed dwelling, the height of the proposed bungalow and the other openings on Trotts Cottage there would be no harm to the amenity of this property as a result of this proposal.
- 66 Trotts Cottages amenity space wraps around the dwelling from the west to the south. Low fencing encloses this area, although vegetation is present along its boundaries to provide some screening.
- 67 The southern elevation of Trotts Cottage would face towards the site. This elevation benefits from direct sunlight. The southern elevation of Trotts Cottage contains two windows at ground floor, a conservatory side extension, and a single window at first floor. The ground floor windows serve a kitchen, and a window serving a living room. The living room also receives light from other windows and the conservatory.
- 68 Given the distance between the dwellings, the openings along Trotts Cottage elevation and the sun's trajectory, some over shadowing may occur to the garden space but not to an extent that it would be harmful. Overall Trotts Cottage would not suffer a loss of amenity that would be harmful.

Far End:

- 69 Far End is a two storey semi-detached dwelling located to the east of the site, on the opposite side of the access.
- 70 The proposed bungalow would have openings facing east to serve a kitchen and living room. As Far End is located on the opposite side of the access,

the proposed windows would not have a direct view of Far End. Some vegetation exists along the eastern boundary, which provides some additional screening. As such no significant loss of privacy would occur.

- 71 The proposed bungalow would be sited further to the west of Far End and would not be directly aligned. An approximate distance of 13m would separate Far End and the proposed bungalow. As a result of the siting and the distance separating the dwellings its not considered that the outlook and light enjoyed by this property would be harmed.

11 Squerryes Mede:

- 72 11 Squerryes Mede is located to the south east of the site. The rear garden of the proposed bungalow would sit adjacent to the rear garden of 11 Squerryes Mede.
- 73 Due to the orientation and siting of the proposed dwelling a significant loss of light and visual intrusion to neighbouring outlook would not occur. The windows along the east elevation of the proposed dwelling would directly face 11 Squerryes Mede. The single storey nature of the proposed dwelling in combination with its orientation to 11 Squerryes Mede would mean a harmful loss of privacy would not occur.

50 Black Eagle Close:

- 74 50 Black Eagle Close is located to the south of the site, with its rear garden backing onto the sites southern boundary. A separation distance of 16.8m would extend between the dwelling and the rear elevation of 50 Black Eagle Close. As a result of this distance and the single storey nature of the bungalow the existing residential amenities of this property would not be harmed.

Proposed bungalow:

- 75 The proposed one bedroom bungalow would have a small amenity area for the occupant/s. The property would benefit from openings which would allow natural light to filter in and would provide an outlook to the north and east.
- 76 Given the confines of the site it would be reasonable to remove permitted development rights for classes A, D and E to ensure that further development would not harm the amenity of local residents. It would not be reasonable to remove class B as the site is within the AONB and therefore class B cannot be utilised.
- 77 Other dwellings are located at a sufficient distance and orientation that they would not be subjected to a significant loss of amenity as a result of the proposed development. Taking the above into consideration, the proposal would comply with policy EN2 of the ADMP.

Parking and Highways Impact:

- 78 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.

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Policy T2 of the ADMP states that dwellings in this location with 1 bedroom require 1.5 parking spaces.

- 79 KCC Highways have not commented as the application is for a single dwelling only.
- 80 The proposed dwelling would have provision to accommodate a standard parking space size of 2.5x5m. Trotts Lane is a private road and therefore does not have parking restrictions although it is narrow in nature. Given the dwelling would have 1 bedroom the parking provision offered is considered acceptable.
- 81 Trotts Lane has a number of residential accesses. Given the residential nature of the area and the narrow nature of the road vehicle movements and speeds, reflect the context of the area. The creation of a new access in this location enables a vehicle to manoeuvre in and out of the access.
- 82 The granting of any application does not overrule the Highway Code or allow any vehicle to block an existing access.
- 83 Fencing has been proposed along the northern boundary adjacent to the informal access to Far End. The fencing at its closest point to the access would allow a gap of approx.3.1m, which would still allow access to Far End.
- 84 Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigate climate change. A vehicle charging point can be securely conditioned.
- 85 The proposed scheme is considered to comply with parking and highway policy subject to condition.

Biodiversity:

- 86 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.
- 87 The site was previously occupied by a garage that has been demolished. The site currently is undeveloped. Third parties have raised concerns with regard to the wildlife on site and the loss of habitat. The siting of bats and reptile have been previously recorded by local residents.
- 88 KCC Ecology have accepted that due to site clearance works and the scale of the site, there is no requirement for an ecological survey to be submitted prior to the determination of the application. However, it has been noted that some habitat would still be present that could be utilised by reptiles. On this basis, a condition could be attached to any granted application requiring a precautionary mitigation strategy and ecological enactments on site.

- 89 It should be noted that a granted planning application does not override other wildlife legislation. An informative can be placed upon any granted application to this effect.

Other issues:

View:

- 90 Planning legislation and policy cannot protect views from properties. The potential impact on amenity is referred to above.

Fire and Rescue:

- 91 Kent Fire and Rescue did not respond to this application, but did respond to application 17/03749/FUL. As part of the response it was concluded that the access provided would be satisfactory. In addition, it was commented that: 'The proposed dwelling will not detrimentally affect the access and therefore will not make the emergency access situation worse'.

Protocol 1, Article 1 and 8 of the Human Rights Act:

- 92 The Human Rights Act 1998, incorporated provisions of the European Convention on Human Rights (ECHR) into UK law. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society. Article 8 refers to (Right to respect for private and family life, home and correspondence), and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).
- 93 An assessment of the impact of the proposal on various issues, including on to the amenity of neighbouring dwellings has been undertaken. In weighing, the rights against the planning merits it is not considered on balance that the proposed dwelling would interfere with these rights. The proposal is for an additional dwelling for the benefit of others.

Deeds and inaccurate plans:

- 94 Neighbours have raised concerns over land ownership. Deeds and title plans have been submitted. The information provided is however unclear and the applicant has amended the red line boundary.
- 95 A number of third party comments and reports have been received regarding the accuracy of the plans and land ownership. The agent has confirmed that the land is all under one ownership. Planning legislation cannot determine land ownership, which is a private civil matter.
- 96 With regard to the third parties concerns regarding the AA line (levels) inaccuracies, consideration of amenity has been undertaken with regard to a site visit, the trajectory of the sun and BRE light guidance. As such, the AA line has not formed a substantive part of the consideration of amenity. Plans submitted to the local authority are accepted in good faith that they accurately depict the site.

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Surface water run off:

- 97 Matters relating to surface water drainage could be addressed by a condition requiring details of surface water drainage.

Policy SP4:

- 98 Neighbouring comments have highlighted that policy SP4 should not be considered as the dwelling could not accommodate a person with disabilities. Policy SP4 relates to affordable housing. As the development is for a single dwelling affordable housing would not be required and therefore policy SP4 has not been addressed within the report. Policy SP4 is for exceptions housing and relates to rural needs. Westerham is a town so policy SP3 applies.
- 99 In relation to affordable housing, 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.
- 100 Under that guidance, other than in designated rural areas, contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floor-space of no more than 1000sqm. In Areas of Outstanding Natural Beauty, contributions should not be sought from developments of 5 units or less.
- 101 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.
- 102 Since the development size is below the threshold introduced in the Written Ministerial Statement a strict adherence to the edicts of Policy SP3 is unlikely to be substantiated at appeal as such a contribution to affordable housing would not therefore be sought on a development of this size.

Emerging Westerham Design Statement:

- 103 The emerging Westerham Design Statement has limited weight as it has not yet been adopted.

CIL

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

Conclusion:

- 105 The proposed development is considered to conserve and enhance the character of the AONB landscape, be in keeping with the character of the street scene and would not result in a harmful loss of amenity.

- 106 Given the passage of time and emphasis on providing new housing in sustainable locations the development is considered to have overcome the previous historic reasons for refusal and the dismissed appeal.
- 107 The proposal is considered to provide acceptable levels of parking and access. The development complies with local and national planning policy, there are no other material considerations to indicate otherwise.

Recommendation

It is therefore recommended that this application is granted subject to condition.

Background Papers

Site and Block Plan

Contact Officer: Emma Gore Extension: 7206

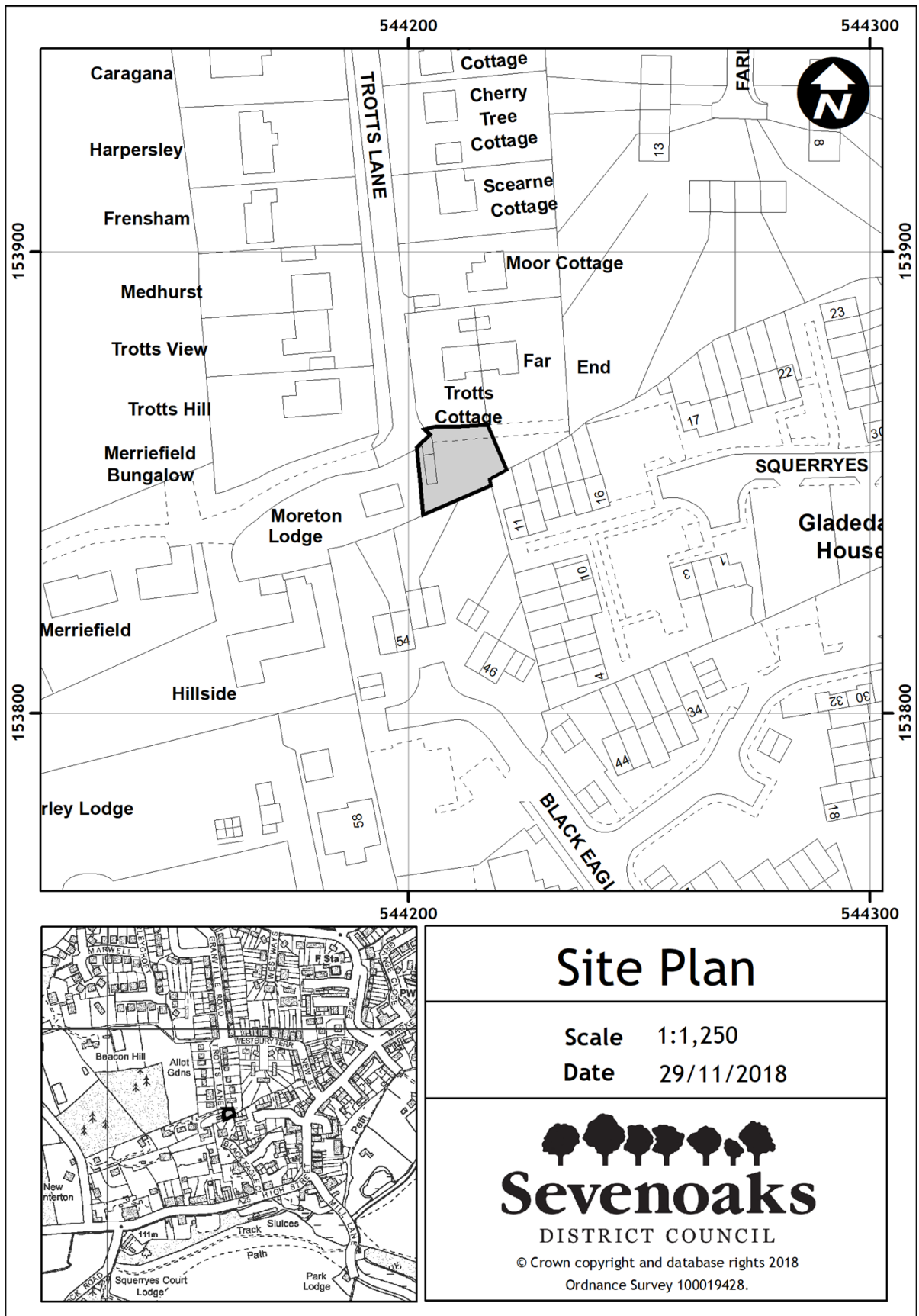
Richard Morris
Chief Planning Officer

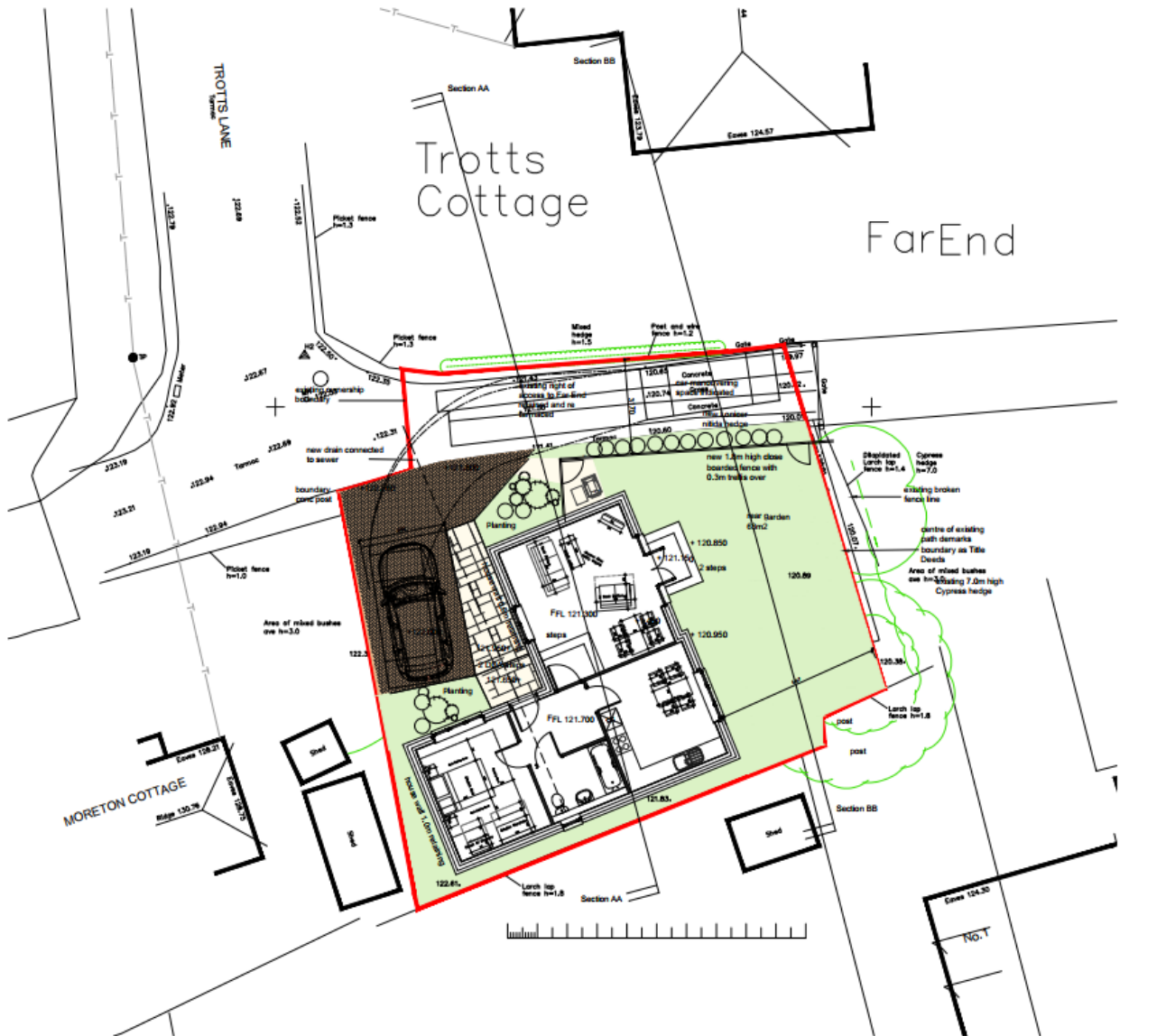
Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P5WFCXBKI0300>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P5WFCXBKI0300>





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4.2 18/03829/FUL

Date expired 15 February 2019

Proposal: Change of use of part ground floor and all of first floor from ancillary use to ancillary and bed and breakfast accommodation.

Location: 17 Eardley Road, Sevenoaks, Kent TN13 1XX

Ward(s): Sevenoaks Town & St Johns

Item for decision

The application has been referred to the Development Control Committee by Councillor Fleming because he feels that the proposed use of the Coach House for guest accommodation will have a detrimental impact on neighbouring amenity. In addition the previous planning permission SE/98/2433 has two conditions which state that the Coach House cannot be used for this purpose.

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

1) The development hereby permitted shall be carried out in accordance with the following approved plans and details: CH/EFP/092018/002/1, CH/EFE/092018/003/1, CH/EFE/092018/004/1, CH/ESP/092018/005/1, CH/EGP/092018/001/1 - Date Stamped 21.12.18.

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

2) Within one month of this permission, one car parking space on the existing driveway of 17 Eardley Road shall be made available for the parking of paying guests staying in The Coach House at all times. Paying guests are required to use this space.

To prevent further pressures to on street parking in the surrounding area.

3) The Coach House shall be used solely as additional living accommodation in connection with the existing dwelling and for paid guest accommodation only.

In the interests of the residential amenities of the area.

4) The first floor window on the front elevation and the first floor window on the side (west) elevation shall be permanently obscure glazed.

In the interests of the residential amenities of the area.

5) No windows or rooflights shall be inserted in The Coach House at first-floor level or in its roof, unless details have been submitted to and approved in writing by the local planning authority.

In the interests of the residential amenities of the area.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of proposal

- 1 To regularise the change of use of part of the ground floor and all of the first floor of The Coach House from ancillary use to ancillary and bed and breakfast accommodation.

Description of site

- 2 17 Eardley Road is a detached property built in the 1990's with a historic Coach House in the rear garden.
- 3 The Coach House is currently advertised through Airbnb and is used by paying guests visiting Sevenoaks and the surrounding area for overnight accommodation. It contains a double bedroom and bathroom on the ground floor and a kitchenette and living area upstairs.
- 4 The site sits within the Granville and Eardley Road Conservation Area and is within the built confines of Sevenoaks.

Relevant planning history

- 5 98/02433/HIST - Change of use of part of the ground floor and entire 1st floor of The Coach House to ancillary residential use. Granted.

Constraints

- 6 Built confines of Sevenoaks
- 7 Granville Road and Eardley Road Conservation Area

Policies

- 8 National Planning Policy Framework

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development and that the development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

9 Core Strategy (CS):

- LO1 Distribution of Development
- LO2 Development in Sevenoaks Urban Area
- SP1 Design of New Development and Conservation
- SP8 Economic Development and Land for Business

10 Allocations and Development Management (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- LT1 Tourist Accommodation and Visitor Attractions
- T2 Vehicle Parking

11 Other

- Granville Road and Eardley Road Conservation Area Management Plan.
- Allocations and Development Management Plan Appendices. Appendix 2: Guidance for Residential Parking.

Consultees

Sevenoaks Town Council

12 Sevenoaks Town Council recommended approval.

Sevenoaks District Council Parking Team

13 '17 Eardley Road is in the Zone A resident parking scheme. Under the scheme arrangements residents and their guests can park using on street resident permits and resident visitor vouchers. Other "visitors" can park for up to 2 hours free of charge.

14 Any increase in the number of occupiers in a property in Eardley Road, for example its use in part as "bed and breakfast" accommodation is likely to have a consequential detrimental impact on the parking situation in Eardley Road, where there is already high demand for parking in this residential road located close to Sevenoaks town and Sevenoaks station'.

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Sevenoaks District Council Environmental Health Team

15 We have no objections or adverse comments in respect of this application.

Representations

16 6 objections received in respect of:

- Parking.
- Infringes the 1999 planning permission.
- The Coach House is entirely self-contained with no reliance on the main house.
- Concerns that consent for a commercial use could be used in the future to argue for wider commercial/business use on the site.
- Noise.
- The new hotel will have substantially met the need for B&B accommodation.
- Multiple parking in front of the house could fatally delay emergency services.
- Question if the Coach House is compliant with building regulations.
- Lack of privacy/overlooking.
- Sevenoaks Town Council never takes into account impact on neighbours.
- Not notified about the development.
- The owners have not accurately represented the situation.
- A noticeable increase in traffic.
- More strangers coming and going.
- Visitors do not arrive by train and bicycle.
- The occupancy rate is nearer to 60%.
- Increase in car emissions.
- How do neighbours know if strangers in the garden of No.17 are potential burglars or B&B guests.
- Intensive use of an ancillary building built as stables or for storage of carts.
- Air pollution.
- The Coach House is surplus to the requirements of the family and is used solely for B&B purposes.
- The figures outlined in the Planning Statement relating to occupancy rates and travel to and from the B&B are unsupported.
- If used by family such as an older generation or additional children this would not add to the car ownership at the property.

17 1 support received in respect of:

- A benefit to the surrounding area.
- All residents are in their right to use their property to provide B&B accommodation, so see no difference in allowing the residents at No.17 to use their Coach House.

- Parking issues are caused by local businesses, not by residents and busy times are during the working day and not at weekends or evenings when the B&B is most likely to be used.
- No.17 has ample space for 4 or 5 off street parking without using the parking bays on the street.

18 1 comment received in respect to:

- A guest who went on to buy in Eardley stated they were offered free off street parking during their stay.

Chief Planning Officer's appraisal

19 The main planning consideration is:

- Principal of Development
- Impact on the character of the area
- Impact on residential amenity
- Parking

Background

20 This planning application seeks to regularise the functional use of the Coach House. Planning permission under SE/98/2433 was granted in January 1999 for the 'Change of Use of part of the ground floor and entire 1st floor of The Coach House to ancillary residential use'. Two conditions on the permission which are relevant in this particular application are;

3. The building shall be used solely as additional living accommodation in connection with the existing dwelling unit and shall not be used as a separate unit of accommodation

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

4. The use of the building shall be incidental to the enjoyment of the dwelling and shall not be used for any commercial or other purposes.

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

21 The conditions attached to the previous planning permission were not imposed to stop future development of the Coach House. The conditions mean that a planning application is required should the occupant/owner wish to use the building for a separate unit of accommodation or for commercial purposes. As this has now happened, a planning application has been submitted to be fully assessed.

Principle of Development

22 The application site falls within the Sevenoaks Urban Area. Policy LO2 seeks to protect the setting of the urban area and the distinctive character of the local environment. The Coach House is an existing building within a residential area, close to Sevenoaks Town Centre. The principle of the use of The Coach House for B&B accommodation is accepted.

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- 23 Policy LT1 of the Allocations and Development Management Plan states that the benefits to the local economy will be recognised in considering proposals for tourist accommodation or facilities.
- 24 The existing Coach House is being used as guest accommodation which provides a double bedroom and bathroom at ground floor and a kitchenette and living area at first floor level.
- 25 Whilst Sevenoaks has a Premier Inn Hotel, which has helped to meet a need in the District for tourist accommodation, the guest accommodation provided by the applicants (albeit small scale in comparison to the hotel) would add a different type of guest accommodation not seen within the town, and would only further benefit the local economy.

Impact on the Character of the area

- 26 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 27 The building exists and no external alterations are proposed, as such there will be no change to the visual amenity of the local area.
- 28 The planning statement states that the occupancy rate for the accommodation over the past 12 months is 31%. The applicant has confirmed that this figure is derived from analysis provided by Airbnb themselves. Whilst this has not been verified it is not a determining factor as to the acceptability of this proposal.
- 29 The use of The Coach House as accommodation for paying guests would not change the residential nature of the site; ultimately the main use and functional use would be that of a family dwelling.
- 30 The use of the Coach House for guest accommodation would conserve the character and appearance of the Granville and Eardley Road Conservation Area.

Impact on amenity

- 31 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.

Outlook and Loss of Light

- 32 The building exists on the site and no additions or alterations are proposed to the building. Outlook is the visual amenity enjoyed by a dwelling. Due to the distance of the building from other residential properties, the use of the Coach House for guest accommodation would not result in any loss of light to windows of habitable rooms in neighbouring properties or be visually intrusive to neighbouring outlook.

Loss of privacy

- 33 It was established by the permission granted in January 1999 that the Coach House can be used for residential accommodation and can therefore be occupied.
- 34 Although the use of the Coach House for guest accommodation would mean non-family members could use the accommodation, there would be no loss to privacy. Currently any member of the family could permanently occupy the building and would enter and exit the building in the very same way (through the garden) as a paying guest.
- 35 Further to this, The Coach House contains 4 windows at first floor level. The window on the front elevation (facing towards the rear of 17 Eardley Road and neighbouring properties) is entirely obscure glazed with no outlook. The two roof lights on the front elevation are high level and provide no outlook. The side (west) elevation contains a window which is also entirely obscure glazed.

Noise

- 36 The site is located within an urban environment where vehicle movements are expected. The use of the Coach House would still provide residential accommodation and noise levels would be expected to remain the same as any larger residential family unit. In addition, Sevenoaks District Council Environmental Health Team were consulted on this application and concluded that they had no objection or comments to make on this application.
- 37 In light of the above it is considered that the use of The Coach House as guest accommodation would have no greater detrimental impact to neighbouring amenity, complying with the NPPF and Policy EN2.

Parking

- 38 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that a 4+ bed house (17 Eardley Road) in this location requires a maximum of 1.5 spaces. The Coach House would require a maximum of 1 space.
- 39 Unlike the majority of houses to the south of Eardley Road, the application site has the benefit of a driveway and can accommodate 4 cars. Consequently, the existing driveway provides suitable parking for the use of both the main dwelling and the Coach House and complies with Policy T2 of the ADMP.
- 40 Sevenoaks District Councils Parking Manager was consulted on this application. He has stated that any increase in the number of occupiers in a property on Eardley Road, for example its use in part as 'bed and breakfast' accommodation is likely to have a consequential detrimental impact on the parking situation in Eardley Road.

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- 41 Given that the existing driveway can accommodate 4 cars, which means it exceeds the parking standards, the proposal will not result in any on-street parking or hazardous parking conditions.
- 42 A condition will be imposed to ensure that 1 parking space is allocated for guests to the Coach House to ensure a dedicated parking space will be provided for the bed and breakfast when needed.

Other

43 Neighbour comments not addressed within the report

- Concerns that consent for a commercial use could be used in the future to argue for wider commercial/business use on

This application must be assessed on its on merit and not any potential future use.

- Not notified about the development.

All neighbours who adjoin the site were notified. In addition a site notice was displayed on the front boundary.

- The owners have not accurately represented the situation.

Figures of occupancy rates and transport to and from the accommodation were provided in the planning statement. The Officer requested information to demonstrate how these figures were calculated. This information was supplied by the applicant. Although these figures have not been verified, it is not a determining factor as the acceptability of this proposal.

- Increase in car emissions/air pollution

17 Eardley Road is located close to Sevenoaks Train Station, with guests able to arrive by alternative modes of transport to the car. That said, if guests did choose to arrive by car this would not singularly generate emissions great enough to have a significant detrimental impact on local residents, given it would be a single vehicle arriving/leaving.

- If used by family such as an older generation or additional children this would not add to the car ownership at the property.

There would be no restriction in place preventing a family member or a teenage child, for example from owning a car if they lived in the Coach House.

44 Neighbour comments that are not material planning considerations

The following comments are not material planning considerations and were not taken into account when determining this planning application;

- Question if the Coach House is complaint with building regulations.
- More strangers coming and going.
- How do neighbours know if strangers in the garden of No.17 are potential burglars or B&B guests.
- Multiple parking in front of the house could fatally delay emergency services.

CIL

45 This proposal is not CIL liable.

Conclusion

46 Upon considering this application as set out above, use of part of the ground floor and all of the first floor of The Coach House at 17 Eardley Road for guest accommodation, would not have a detrimental impact on the character of the area and would not have a significant impact on neighbouring amenity

Recommendation

47 It is therefore recommended that this application is granted.

Background papers

Site and Block plans.

Contact Officer: Rebecca Fellows Extension: 7390

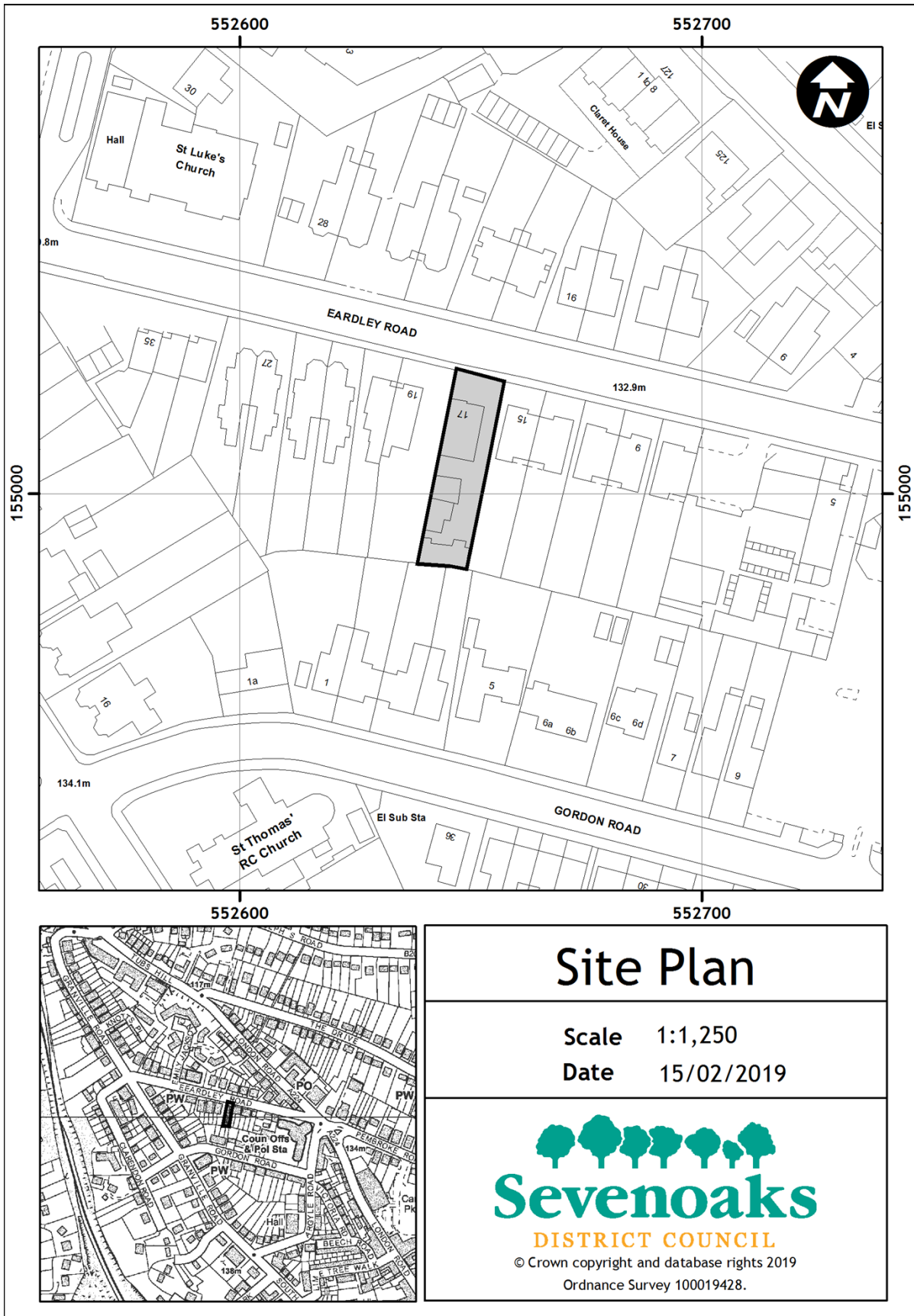
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PJQ649BK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PJQ649BK0L000>



4.3 18/03369/FUL

Revised expiry date 11 February 2019

Proposal: Provision of external bar to wider site associated with The Lion.

Location: Lion Hotel, High Street, Farningham DA4 0DP

Ward(s): Farningham, Horton Kirby & South Darenth

Item for decision

Councillors McGarvey and Carroll have referred the application to Development Control Committee due to the impact of the proposal on the Listed Building and the Conservation Area in accordance with Policy EN1 of the Sevenoaks District Council's Allocations and Development Management Plan and the National Planning Policy Framework.

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 proposed materials should match the materials stated within the application form and the supporting statement.

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

3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 4367-004 B, 4367/003, 4367/701, 4367-005, 4367-204

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

4) The use of the external bar shall only occur during the hours of: Sunday-Thursday 1100-2200 and Friday-Saturday 1100-2230

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

5) No outdoor music shall be played in the front beer garden or seating area at any time.

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

6) Prior to the first use of the external bar details of how the bar will be serviced shall be submitted to and approved in writing by the local planning

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authority. The use of the bar shall be in accordance with approved details thereafter.

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

Informatives

- 1) Details for condition 6 shall include the method of disposal of bottles from the bar and should include the use of rubber wheels on bottle bins/skips.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of Proposal

- 1 The application seeks permission for the provision of an external bar to serve the existing external seating area of The Lion. The bar is to be located in front of the front elevation of the hotel.
- 2 The bar is already present on site and the applicant is seeking its retention. It has been on site for a considerable time, however has been in storage at the rear of the hotel. The exact time in which this has been on site is not known, but consent for the bar was granted at appeal on 19 April 2007 following an appeal against an enforcement notice to remove the bar structure.

Description of Site

- 3 The building is a detached public house and hotel located within Farningham High Street. The site is surrounded by residential and retail units. The application site is located within the parish of Farningham.

Constraints

- 4 Grade II Listed Building
- 5 Kent Downs Area of Outstanding Natural Beauty (AONB)
- 6 Conservation Area
- 7 Metropolitan Green Belt
- 8 Area of Archaeological Potential

9 Flood Zone 2

Policies

10 National Planning Policy Framework

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

11 Core Strategy--

- SP1 Design of New Development and Conservation
- LO1 Distribution of Development
- LO7 Development in Rural Settlements
- LO8 The Countryside and the Rural Economy

12 Sevenoaks Allocations and Development Management Plan-

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- EN5 Landscape
- EN7 Noise Pollution

Other

13 Farningham Conservation Area Appraisal

14 Countryside Character Assessment SPD

15 Development in the Green Belt SPD

Planning History

16	05/02620/LDCEX	Existing operation. Garden Bar	Refuse	09/12/2005
	06/00154/FUL	Erection and use of	Refuse	06/06/2006

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temporary mobile garden
bar (Retrospective
application)

- 17 Planning permission was refused under application 06/00154/FUL and an enforcement notice was issued for the removal of the external bar. The enforcement notice was appealed and the appeal was allowed and therefore the enforcement notice was quashed and the bar was permitted to remain.

Consultations

Farningham Parish Council--

- 18 Objection-Effect on Listed Building and Conservation Area. A similar application was refused in June 2006 as the external bar was considered incongruous to its setting within the Farningham Conservation Area with within the curtilage of a listed building as well as to the Green Belt, Special Landscape Area and AONB. The current application does not change that incongruity, given the positioning remains to the front of the building, and so all the reasons still exist for its previous objection. Disturbance resulting from use. An external bar situated to the front of the building would encourage late night drinking outside, near residences. If the application was for an external bar in the car park area, then we would be more supportive. It would not impact the Listed Building or cause unnecessary disturbance.

Environmental Health-

- 19 In order to protect nearby residents from potential noise nuisance, we would suggest the hours of operation of the external bar are controlled. We would suggest the following opening hours:

Sunday-Thursday 1100-2200

Friday-Saturday 1100-2230

Bottle skips are to be fitted with rubber wheels to reduce noise when being removed from the bar.

SDC Conservation Officer--

- 20 The Lion Inn is a grade II listed building originating in the 16th century and with extensive later additions. Attached to the east of the inn is a listed (former) stable building of the mid 19th century. The two designated heritage assets occupy an attractive river-side garden setting which makes an important contribution to their significance and to the locally distinctive qualities of the Farningham Conservation Area. Para 200 of the NPPF requires works with the settings of listed buildings to 'enhance or better reveal' the significance of the designated heritage assets. In this case, the relocated bar is a diminutive mobile structure with a modest visual presence and it can be easily moved. The proposed, rather prominent location is not entirely welcome with the conservation perspective and the relocated cabin neither enhances or better reveals the significance of the adjacent listed buildings. However, it is acknowledged that the purpose of the structure complements the present, sustainable use of the designated heritage assets

and that its ephemeral presence causes no permanent harm to their significant. In consequence, there is no objection in terms of Policy EN4.

Representations

21 Three objections were received and the following issues were raised:

- Hours of operation
- Out of context to the Listed Building
- Noise
- Signage

Chief Planning Officer's Appraisal

22 The main planning considerations are:

- Impact on Metropolitan Green Belt
- Impact on the Conservation Area and Listed Building
- Impact on Area of Outstanding Natural Beauty
- Impact on the character of the area
- Impact on residential amenity
- Very Special Circumstances

Impact of the Metropolitan Green Belt

23 Paragraph 144 of the NPPF advises we 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. Therefore, the harm in principal to the Green Belt remains even if there is no further harm to openness because of the development.

24 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 principal to the Green Belt from inappropriate development.

25 The proposal would be an inappropriate addition to the Metropolitan Green Belt and therefore does not comply with the NPPF.

Impact on the Conservation Area and Listed Building

26 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.

27 The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).

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- 28 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.
- 29 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning 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.
- 30 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 31 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.
- 32 The Lion Hotel is a Grade II Listed building and is located within the Farningham Conservation Area. As stated within the Conservation Area Appraisal, the lands surrounding the Lion Hotel have key features within the character of the conservation area. The importance of the red brick elevation of the hotel also plays a key feature and overall is important due to its prominent settings within the area.
- 33 The proposal would not alter these features and would represent a modest addition to the built form of the site. The development would therefore conserve the character of the Conservation Area.
- 34 The Conservation Officer has also provided comments in relation to the impact of the development on the setting of the Listed Building and has stated that it would be an acceptable addition and not harmful to the listed building.
- 35 The bar would be a movable structure which would not be positioned against a listed building and therefore structurally would not impact the building. The bar would be a minimal addition in relation to the scale of the site and hotel itself. The materials already vary on site and therefore the addition of this to the front of the hotel would conserve the setting of the Listed Building.
- 36 The proposal complies with Policy EN4 of the ADMP.

Impact on the Area of Outstanding Natural Beauty

- 37 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Area 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.

- 38 Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.
- 39 Policy EN5 of the ADMP states that 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.
- 40 The application site is located in Farningham which is within the Kent Downs Area of Outstanding Natural Beauty. The site is surrounded by both residential and retail units which vary in scale and design. The proposed bar would be a minimal addition to the site in relation to the form and bulk of the building on the application site. Due to this, the proposal would not be a prominent addition to the landscape and would preserve the character of the AONB. The proposal would be within the confines of the existing development of the site and would not be out of keeping. The proposed use of the materials would be sympathetic to the site and the overall character of the area.
- 41 The proposal would therefore conserve the character of the area and complies with Policy EN5 of the ADMP.

Impact on the character of the area

- 42 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP states that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 43 The Lion Hotel is a public house and hotel located within the centre of Farningham. The area consists of both retail and residential units. The site fronts the High Street and Dartford Road. The character of the area varies.
- 44 The proposed bar would be located within the existing outside seating area of the application site and is to be positioned against the backdrop of the front elevation of the Lion Hotel. The bar would be visible within the street scene, however as it is set in and at a distance of approx. 18 metres from the highway it would not be detrimentally harmful.
- 45 The bar would be a sympathetic addition to the site in relation to the scale of the building as it would be a moderate size of 3 metres in width and 2.4 metres in height. In comparison to the considerably large scale of the building, the bar would be a minimal addition.
- 46 The materials would be timber boarded walls and doors in a dark muted grey/blue colour (RAL 5008) with a slate roof. Due to the varied material finish within the locality of the area, this would not be out of keeping. In addition to this, a recently approved advert application has granted permission for signage of a similar colour and therefore the bar integrates well on the application site.
- 47 Therefore, the proposal complies with Policy EN1 of the ADMP.

Impact on residential amenity

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- 48 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 49 There are neighbouring properties surrounding the application site. As the proposed bar is located at a distance of over 20 metres from the highway, the proposal would not harm the outlook, privacy or level of light to neighbouring properties.
- 50 Concerns have been raised in relation to the hours of operation of the external bar. Outside seating and the use of this external area is already present on the application site and therefore the addition of this bar would not result in any additional harm subject to conditions which are required by Environmental Health. The hours of operation for the external bar will be a condition to the below hours, as recommended by Environmental Health:
- Sunday-Thursday 1100-2200
Friday-Saturday 1100-2230
- Details of how the bar will be serviced are also requested.
- 51 Therefore based on the above, the proposal complies with Policy EN2 of the ADMP.

Area of Archaeological Potential

- 52 The application site is located within an area of Archaeological Potential. The proposal would not include any foundations and therefore would not alter the land.

Flood Zone 2

- 53 The application site is located within Flood Zone 2. As the proposal is not to include any foundations and is to be positioned higher than the ground level, the proposal would not be detrimentally harmful.

Assessment of any Very Special Circumstances

- 54 Para 144 of the NPPF states that when considering any planning application, we should ensure that substantial weight is given 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 any other considerations.
- 55 Possible very special circumstances - these can be summarised as:
- The appeal allowed against the enforcement notice relating to the retention of a timber structure used as a garden bar.
- 56 The harm in this case has been identified as:
- The harm in principle from inappropriate development in the Green Belt, which must be given significant weight.
 - The harm to the openness of the Green Belt which is also given significant weight.

- 57 The fact that the applicant is able to site the same structure in a very similar location within the external area of the building creates a very strong fall back position, which must be afforded significant weight in this instance.
- 58 In reviewing the extent of harm and the potential very special circumstances, it is concluded that the fall back position that exists in this instance clearly outweighs the harm to the Green Belt.

Other Issues

- 59 A concern was raised in relation to the proposal being refused under application 06/00154/FUL. This application was refused based on that it would neither enhance nor protect the character of the area, harm the setting of the listed building, not protect the AONB and would be inappropriate within the Green Belt.
- 60 As noted above, an enforcement notice was served for the removal of the garden bar structure. However, an appeal against the enforcement notice was successful, which quashed the enforcement notice.
- 61 The appeal was allowed as the Inspector concluded that the garden bar they were considering did not require planning permission since it was a moveable structure and it was therefore a land use alone that the Inspector considered. The garden bar did not result in a change of use of the land.
- 62 A concern was also raised in relation to the signage on the building. This proposal does not include any signage and if any was to be added to the site it would require separate permission. Permission has been granted for new signage under application 18/03248/ADV.

Community Infrastructure Levy

- 63 The proposal is not CIL liable.

Conclusion

- 64 The proposal would conserve the character of the Area of Outstanding Natural Beauty and Conservation Area. The proposal would not harm the setting of the listed building, would not be out of keeping with the character of the area and would not harm the residential amenity of neighbouring properties. The proposal would be inappropriate development within the Metropolitan Green Belt, however very special circumstances justify the result in no greater harm to the openness than currently. The proposal therefore complies with the development plan and is recommended for approval.

Background Papers

Site and Block plans

Contact Officer:

Louise Cane Extension: 7390

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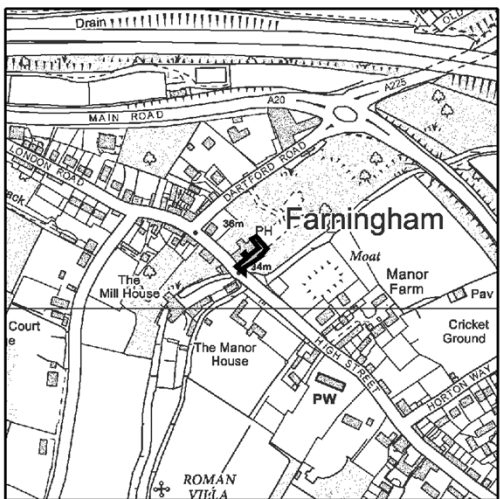
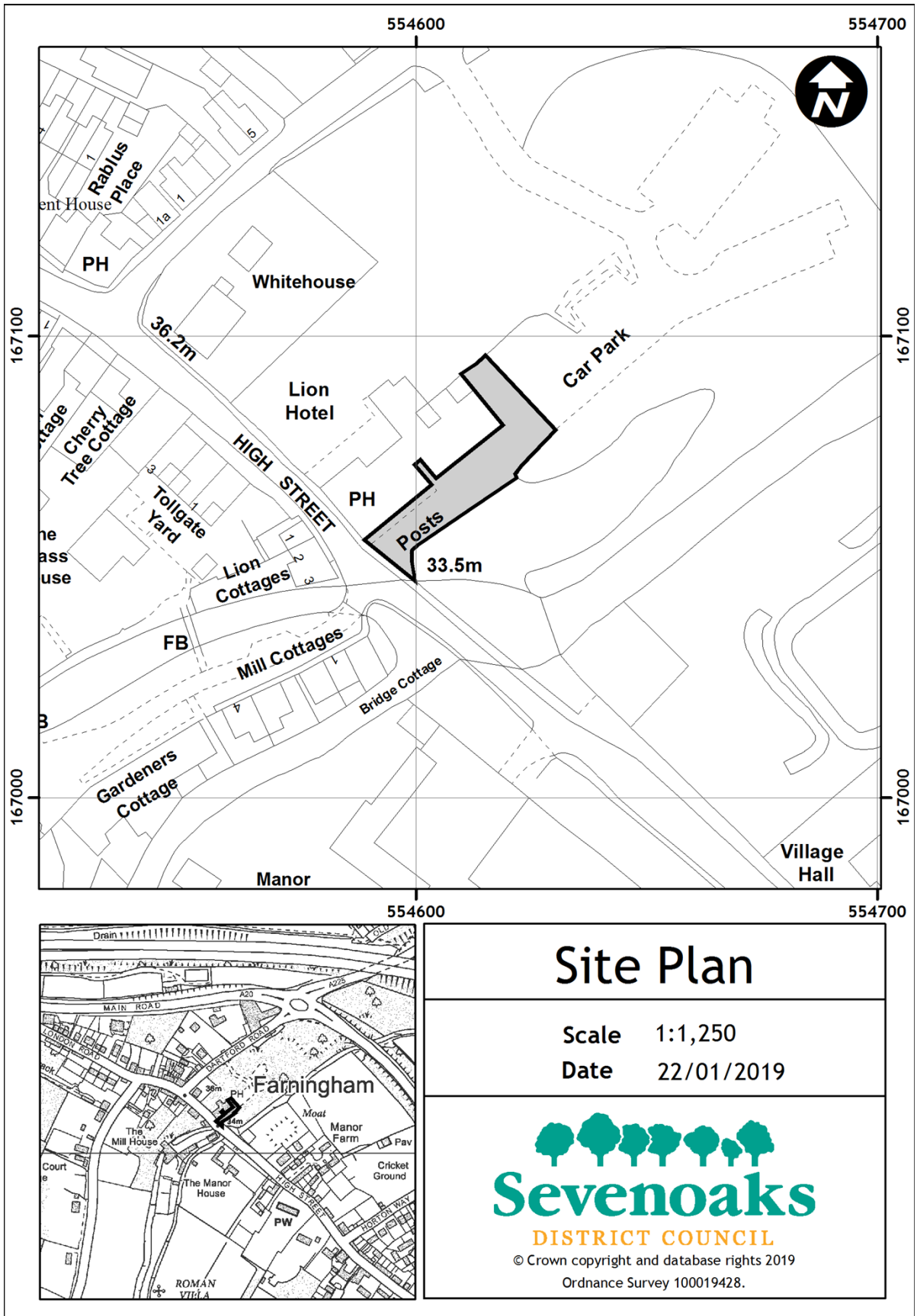
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHH3BHBKJY500>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PHH3BHBKJY500>



Site Plan

Scale 1:1,250
Date 22/01/2019



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Ordnance Survey 100019428.



4.4 18/03395/FUL Revised expiry date 13 February 2019

Proposal: Demolition of existing detached garage and outbuilding. Erection of two three-bedroomed, two-storey, semi-detached houses with new vehicular access to Ash Road. Creation of replacement vehicular access to the existing house.

Location: North Lodge, Ash Road, Ash TN15 7HR

Ward(s): Ash And New Ash Green

Item for decision

This application has been referred to Development Control Committee by Councillor Cameron-Clark on the grounds that the scale, width, bulk and design would result in a cramped overdevelopment on this site and that the design would adversely affect the appearance and character of the street scene.

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) Prior to completion of the development, a detailed site plan, including the incorporation of biodiversity enhancement recommendations in sections 4.5.3, 4.5.4, 4.5.5 and 4.5.6 of the Preliminary Ecological Appraisal (Corylus Ecology January 2019) will be submitted to the local planning authority for approval. Once approved, the enhancements will be implemented and retained thereafter."

To promote biodiversity as supported by Policy EN1 of the ADMP and SP11 of Sevenoaks District Council's Core Strategy.

3) No development shall be carried out above the damp proof course of the hereby approved dwelling until full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall cover as appropriate: Proposed finished levels or contours; Hard surfacing materials; Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate. Implementation timetables.

Development shall then be carried out in accordance with the approved details. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

4) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection of the hedges located on the boundary of West Yorke Road and James Lance Cottages in accordance with BS5837 : 2012 Trees in Relation to Construction are to be submitted and approved in writing by the Local Planning Authority and the land so enclosed shall be kept clear of all contractors materials and machinery. The existing soil levels around the boles of the trees shall not be altered. The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land.

To prevent damage to the hedges during the construction period as supported by Policy EN1 of the Sevenoaks District Councils Allocation and Development Management Plan.

5) The materials to be used in the construction of the development shall be those indicated on the approved plan 02, 305, 306, 308,.

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.

6) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 302, 303, 304, 305, 306, 307, 308,

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

Informatives

1) Breeding Birds

Vegetation on-site, which offers nesting potential for breeding birds (protected under the Wildlife and Countryside Act 1981), is due to be removed. As such, any work to vegetation which may provide suitable nesting habitats should be undertaken outside of the bird breeding season (between March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, mitigation measures need to be implemented during construction in order to protect breeding birds. To secure this, we advise an informative is included with any planning permission. Suggested wording:

"The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present."

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as

appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

- 1 North Lodge is a detached property located between Ash Road and West York Road with the 1960s built New Ash Green village to the east, north and west.

Description of proposal

- 2 Demolition of existing detached garage and outbuilding. Erection of two three-bedroomed, two-storey, semi-detached houses with new vehicular access to Ash Road. Creation of replacement vehicular access to the existing house.
- 3 There have previously been two refusals for similar applications at this site. The initial proposal was significantly larger in respect to height and footprint. The current proposal results in amendments to the design of the proposal.

Relevant planning history

4	18/00622/FUL	Demolition of existing detached garage, outbuilding and fence. Erection of a 2 x 4 bed semi-detached dwellings, new accesses, fences and landscaping works.	REFUSE	03/05/2018
	18/01810/FUL	Demolition of existing detached garage and outbuilding. Erection of two three-bedroomed, two-storey, semi-detached houses with new vehicular access to Ash Road. Creation of replacement vehicular access to the existing house.	REFUSE	27/09/2018

Constraints

- 5 Within the settlement confines of New Ash Green

Policies

- 6 National Planning Policy Framework

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

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Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

7 Core Strategy (CS):

- LO1 Distribution of Development
- LO7 Development in Rural Settlements
- SP1 Design of New Development
- SP6 Housing Size and Type
- SP7 Density of Housing Development
- SP11 Biodiversity

8 Allocations and Development Management (ADMP)

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

9 Other

- KCC Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards 2006

Consultees

Ash-cum-Ridley Parish Council

- 10 “Object: The Parish Council objects to this application as the scale, width, bulk and design would result in a cramped overdevelopment on this site. The design would adversely affect the appearance and character of the street scene. Opposite the proposed site, there is a green strip between Punch Croft and Ash Road which gives the sense of a rural road.”

KCC Ecology

- 11 Support subject to a condition relating to the inclusion of ecological enhancements on site and an informative that works should not take place outside of the bird breeding season (March to August) unless mitigation measures are implemented to protect breeding birds.

SDC Arboriculture

- 12 “In order to carry out this proposal numerous Conifer trees of varying varieties and sizes will need to be removed. None of the aforementioned are of the quality that I would expect to see in order to warrant the serving of a new TPO. Some of these Conifers are located internally to the grounds and are not therefore readily visible from the road. Others are larger and readily visible. It is also an unknown factor at this stage what affects the sight lines for a new egress will have on the roadside vegetation. This project will clearly alter the frontage highway vegetation. It would be prudent to ensure that a soft landscaping scheme is conditioned should consent be given for this proposal.”

South East Water

- 13 No response received

Thames Water

- 14 No response received

Representations

- 15 Two objections received in respect to:
- over development of the site;
 - loss of light;
 - overshadowing;
 - overlooking of neighbouring properties;
 - loss of privacy;
 - insufficient parking;
 - highway safety due to the additional access;
 - impact on amenities through additional noise;
 - detrimental impact upon the street scene due to the close proximity to the almshouses.

Chief Planning Officer’s appraisal

- 16 The main planning consideration are:
- Principle of Development
 - Density
 - Design and impact on the character and appearance of the area
 - Impact upon neighbouring amenities;
 - Highway considerations
 - Impact on ecology

Principle of the development

- 17 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 previously developed land. Land in ‘built up

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areas', such as private residential gardens, is excluded from the definition of previously developed land (Annex 2 NPPF).

- 18 The NPPF excludes land in built-up areas, such as private residential gardens, from the definition of previously developed land; however it does not preclude development on garden land as a matter of principle. The Core Strategy and ADMP both contain policies to protect the character of local areas but neither sets out any express aim to resist inappropriate development of residential gardens.
- 19 Local policies L01 and L07 of the Core Strategy restrict the location and form of development within the district through an assessment of the suitability of sites for development.
- 20 Policy L07 'Development in rural settlements' includes New Ash Green within its definition of 'rural settlement' and states that within New Ash Green amongst others, development on a modest scale will be permitted where it can take place in an acceptable manner consistent with local character.
- 21 Given the above, the proposed works are acceptable in principle with regards to policy L01 and L07, in that the works are of a small scale, and represent a suitable geographical location for infill development in a suitable location within the village.

Density

- 22 Policy SP5 of the Core Strategy reads that all new housing developments should be at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Development that fails to make efficient use of land for housing, having regards to the character and location of the area, may be refused.
- 23 Policy SP7 states that 'All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated'. The policy goes on to state that in development outside Sevenoaks and Swanley, development will be expected to achieve a density of 30 dwellings per hectare. *'development proposals that fail to make efficient use of land for housing, having regard to the character and location of the area, may be refused permission'*.
- 24 In this instance the proposal would represent a density of 36 dwellings per hectare which would not be out of character with the wider area.

Design, impact on the character and appearance of the area

- 25 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 in respect to guidance
- 26 North Lodge is a detached property, which with the two cottages to the north and the dwelling to the south has been largely surrounded by the

1960s neighbourhoods that created New Ash Green village. North Lodge is set within a good sized plot with a detached garage to the north of the plot. The site is bordered by Ash Road to the east and West York Road to the west and other than views through the access the site is predominantly screened from the adjacent roads by close boarded fencing with mature trees set behind.

- 27 The proposed development would demolish the existing garage and add two semi-detached properties rising to a height of 7m with clay hung tiled gables, red multi facing brickwork, white upvc fenestration and grey composite front doors that would be in keeping with the materials used on North Lodge. The two properties would mirror each other's design. The two properties would have a combined width of 13.5m and a depth of 12m with a cat-slide roof as viewed from Ash Road.
- 28 The proposal would incorporate an appropriate design, for a semi-detached property, with materials in keeping with other properties in the locality. Three bat boxes to enhance biodiversity on site.
- 29 The proposed dwellings would be set back from Ash Road at a distance of between 8-12m and set back from West York Road at a distance of between 7-12m. The plots width would measure 20m wide with hard standing to provide parking in front of the houses set behind an extent of soft landscaping. Two new accesses would be created to replace the existing access. One access would serve the new dwellings and one would serve North Lodge. New hard surfacing with parking for two cars would be created in front of North Lodge to accommodate for the loss of its garage.
- 30 Two previous applications were refused due to the design resulting in a cramped over development of the scheme impacting adversely upon the character of the street scene. The proposal through changing the design of the dwelling is considered to have overcome these earlier concerns.
- 31 As viewed from the street the two new dwellings would be set back from the two Alms Houses at a distance of 7m and set back from North Lodge by 2m. Whilst the wider areas character comprises of the New Ash Green estate the proposal through infilling between North Lodge and the two Alms Houses would not be out of character with the higher densities of development within the adjacent estate.
- 32 Conditions could be imposed in respect to landscaping and in respect to tree protection strategies to ensure the protection of the trees during the construction process.
- 33 In consequence, the proposal would incorporate with an appropriate design meeting the requirements of national and local policy.

Impact on neighbouring amenity

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

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- 35 The proposed dwellings would be located on the north western part of the site with the two dwelling located between North Lodge and nos. 1 and 2 James Lance Cottages which would be located approximately 8m from the northern most house.
- 36 The two semi-detached Alms-houses, nos. 1 and 2 James Lance Cottages, are each L shaped with kitchen windows facing south-west towards the site. The boundary comprises of a line of trees rising to a height of approximately 6m with the kitchen windows set 10m from the proposed dwelling. Obscure glazed bathroom windows are located within the cottages facing towards the road closer to the boundary with North Lodge.
- 37 Through incorporating the tests for light as set out within SDC's Residential Extensions SPD the proposal would not impact detrimentally upon the light of the two Alms houses to the north-east of the proposed development.
- 38 North Lodge to the south-west incorporates secondary windows at ground floor and a first floor bedroom, which would be impacted upon in respect to light, but through there being other windows or the rooms being non-habitable (porch) the proposed impact would not be so detrimental as to warrant a refusal. The first floor bedroom window would result in an uncomfortable outlook from the window however, due to it being a secondary window its impact would not be so harmful as to warrant a refusal.
- 39 The proposal would incorporate two ground floor side windows serving a dining area however through the boundaries comprising of a 1.8m close boarded fence and the existing trees the ground floor windows would be screened from the neighbouring properties.
- 40 The proposal would add first floor windows within the rear elevation of the property however due to the mature trees along the rear boundary and through separation distance of the properties to the north-west being nearly 50m away the proposal would not have an adverse impact upon these properties amenities.
- 41 The proposal would not have an adverse impact upon local amenities and meet the requirements of the NPPF, policy EN2 of the ADMP and SDC's Residential Extensions SPD.

Highway considerations

- 42 The proposal would result in two semi-detached four-bedroom properties for which two parking spaces are provided per house, which would meet the requirements of Appendix 2 of the ADMP. The proposal would also provide two parking spaces for North Lodge. As set out within KCC Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards 2006, 6m between bays is sufficient where parking bays lie opposite each other, which the proposed development would meet.
- 43 The proposal would result in two new accesses replacing the existing access to serve North Lodge and the two new properties respectively. A 0.6m high wall would be erected to separate the new properties access from the

parking spaces with new plantings adjacent to Ash Road. Both properties would have bound gravel drives and there would be new planting erected along the boundary of North Lodge. The existing trees to the south and east of North Lodge will be retained.

- 44 Ash Road approaching North Lodge from the north and south is a straight stretch of road and the proposed development would have acceptable sightlines for the two new accesses however a landscaping condition could be imposed to ensure that the new plantings adjacent to the access grow no higher than 0.6m.
- 45 In consequence, the proposal would not have an adverse impact upon highway safety.

Impact upon Ecology

- 46 A preliminary ecological appraisal was submitted which KCC Ecology reviewed which confirmed that the site was not suitable for roosting bats. KCC Ecology had no objections subject to an informative in respect to nesting birds and a condition in respect to ecological enhancements.

CIL

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

Conclusion

- 48 The proposal would result in an appropriate design that would not have an adverse impact upon the character and appearance of the area, residential amenities, highway safety or ecology.

Recommendation

- 49 It is therefore recommended that this application is granted.

Background papers

Site and block plan

Contact Officer: Guy Martin Extension: 7351

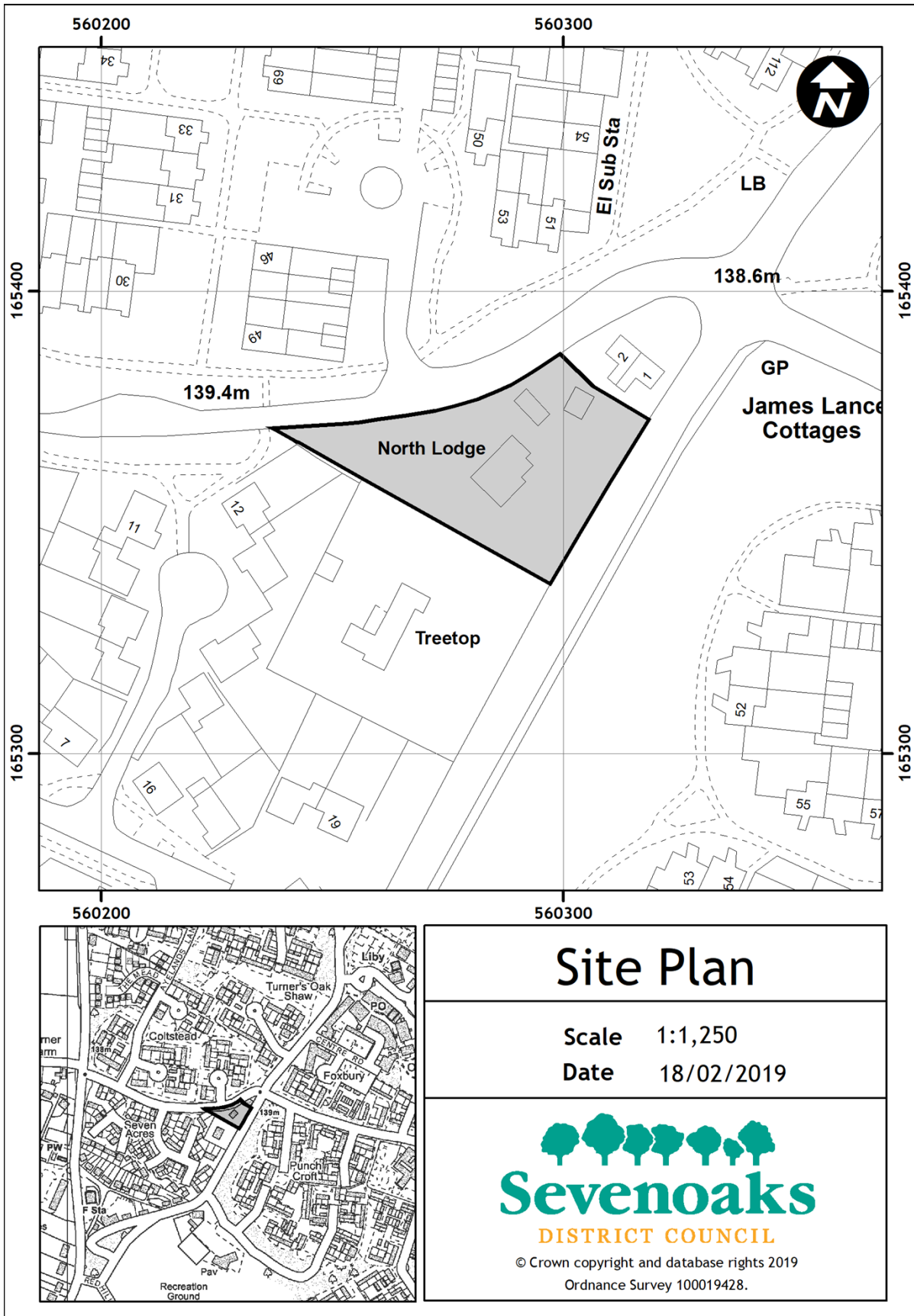
Richard Morris
Chief Planning Officer

Link to application details:

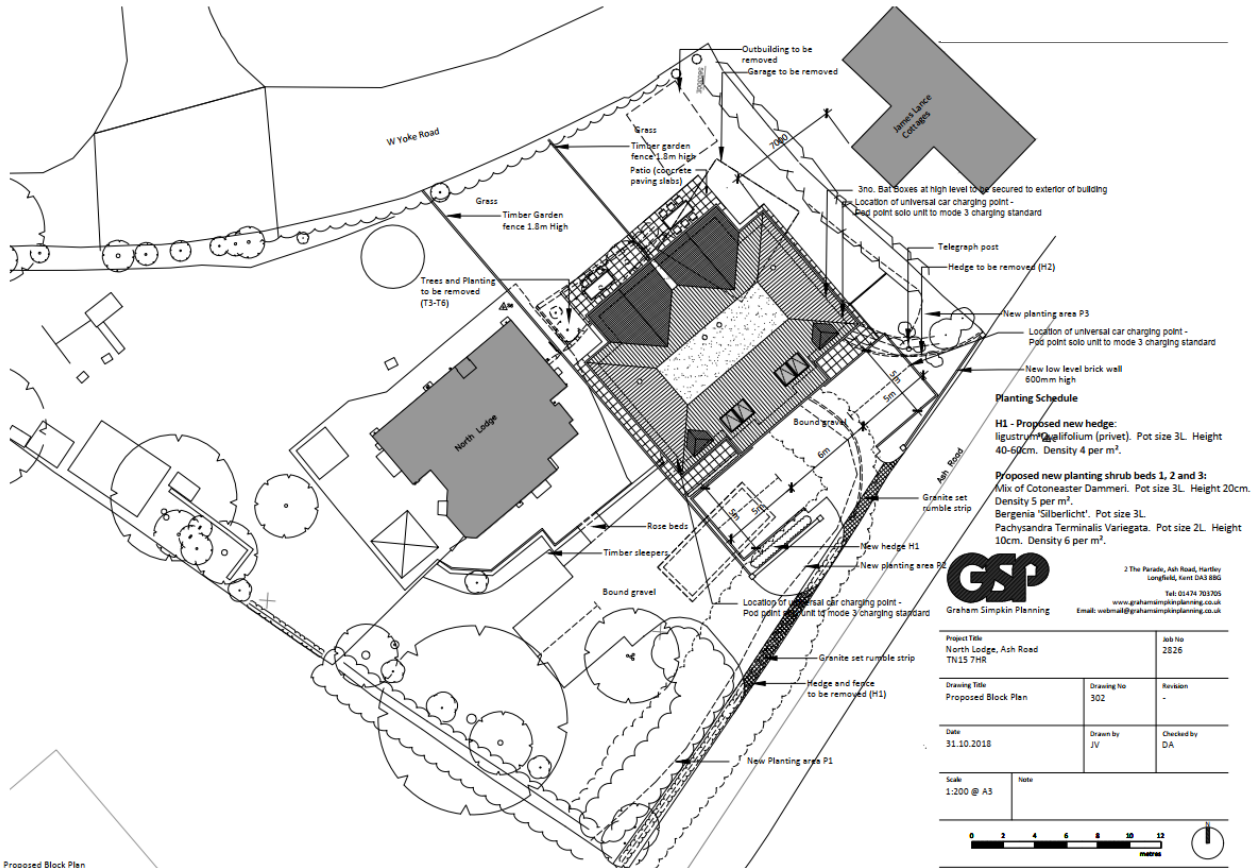
<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHK6T0BK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PHK6T0BK0LO00>



Proposed Block Plan



Proposed Block Plan

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4.5 18/03256/HOUSE Revised expiry date 22 March 2019

Proposal: Proposed double storey side extension, to replace existing garage including the removal of existing chimney; proposed single storey front extension with balcony above to replace existing entrance porch with balcony above. Proposed bay window to replace existing bay window to the front. Proposed first floor side extension above utility room. Proposed single storey rear extension, addition of two dormers to the existing bedrooms to the rear. Proposed garden wall with gate to the side. Associated fenestration, roof windows and sun tunnels. Additional driveway access from existing dropped kerb with additional parking. Patio and landscaping works.

Location: 20 Chipstead Park, Sevenoaks Kent TN13 2SN

Ward(s): Brasted, Chevening And Sundridge

Item for decision

Councillor London has referred the application to Development Control Committee due to the proposal: resulting in an over development on the site; would result in a terracing effect; and would not meet the 1 metre guidance in accordance with Policy EN 1 of the Sevenoaks District Council's Allocations and Development Management Plan and the National Planning Policy Framework.

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) Unless the District Planning Authority otherwise agrees in writing prior to the construction of the development, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match though used on the existing building.

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

3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: P-00 00, P-01 03, P-02 03, P-03 01, P-04 01, P-05 02, P-06 03, P-07 01, P-08 01, P-09 02, P-10 02, P-12 00, P-14 01.

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

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of Proposal

- 1 Proposed double storey side extension to replace existing garage including the removal of existing chimney; proposed single storey front extension with balcony above to replace existing entrance porch with balcony above. Proposed bay window to replace existing bay window to the front. Proposed first floor side extension above utility room. Proposed single storey rear extension, addition of two dormers to the existing bedrooms to the rear. Proposed garden wall with gate to the side. Associated fenestration, roof windows and sun tunnels. Additional driveway access from existing dropped kerb with additional parking. Patio and landscaping works.

Description of Site

- 2 The property is a detached dwelling located within Chipstead Park. There are neighbouring properties located either side of the application site, opposite and to the rear. A number of properties on the street exhibit alterations to them including those to 22 Chipstead Park. The site is located within the parish of Chevening.

Constraints

- 3 Partly within an Area of Archaeological Potential

Policies

- 4 National Planning Policy Framework

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

5 Core Strategy-

- L01 Distribution of Development
- L02 Development in Sevenoaks Urban Area
- SP1 Design of New Development

6 Sevenoaks Allocations and Development Management Plan-

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principle
- EN2 Amenity Protection
- T2 Vehicle Parking

7 Other

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
- Sevenoaks Residential Character Area Assessment SPD

Planning History

- 9 98/01343/HIST Single storey side extension with pitched roof. GRANT

Consultations

Chevening Parish Council -

- 10 Objection- we object to the proposal on the scale of the development which will lead to the appearance of terracing. We are unhappy that the extension will bring the property to less than 1 metre from the neighbouring property.

Representations

- 11 No representations have been received.

Chief Planning Officer's Appraisal

- 12 The main planning considerations are:
- Impact on the character of the area
 - Impact on residential amenity
 - Impact on Area of Archaeological Potential

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Impact on the character of the area

- 13 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 14 The proposal has the potential impact the character of the area as elements of the extensions are to alter the front elevation of the property. However, due to the varied design and character between the properties within the street scene, this would not be detrimentally harmful.

Two storey and first floor side extensions:

- 15 The proposed extensions are to be visible from the front elevation. The two storey addition is to be positioned where the existing garage is currently and would be in keeping with neighbouring two storey side extensions. The first floor addition is to be positioned on top of the existing utility room. Both extensions would be sympathetic to the form of the dwelling and would be significantly lower in height than the overall dwelling. The proposed roofs would match the existing on site and would integrate well within the property.
- 16 A gap of approximately 2m would be retained between the left hand first floor extension and the first floor of the neighbouring property at no.22. The two storey extension to the right hand side would be a minimum of 1m from the side wall of the ground floor side projection to no.18. This would increase to 3.4m between the proposed extension and the first floor element of no.18.
- 17 The Residential Extension SPD provides guidance on the design of domestic extensions within the District. This suggests that the retention of a 1m gap to the boundary is an appropriate design approach. As noted above, whilst the development would not achieve this spacing it would retain at least 2m between the first floor sections of the two neighbouring properties.
- 18 This combined with the slight stagger of the frontage of the properties and the variance of materials (in the case of No.18) means that the development would not create visual terracing within the street scene.

Front porch with balcony:

- 19 This proposal would be acceptable and sympathetic to the overall form of the front elevation. The porch would be an infill addition between both the existing dwelling and the proposed two storey side extension. It would not exceed the overall front building line of the property and due to there being an existing balcony; the proposed would not be out of keeping.

Single storey rear extension, rear dormers and patio:

- 20 The rear extension would not exceed the full width of the dwelling. The rear extension would comply with the Sevenoaks Residential Extensions SPD as it would not exceed the overall recommended depth of 4 metres and would not exceed an overall height of 4 metres. The proposed patio area would be located from the rear extension, would be sympathetic to the

scale of the proposal and would be located within the set residential amenity area.

- 21 In addition, the proposed rear dormers would also be sympathetic. There are no rear dormers in the locality of the area however they would not exceed the overall roof height and would be in keeping with the existing roof. The dormers would also not alter the eaves of the dwelling.

Driveway, proposed shed, garden wall and gate:

- 22 The proposed driveway would be altered and extended to include an in-an-out driveway. Both the dropped kerbs are existing and therefore would not alter the impact of the highway. The materials of the proposed driveway would match the existing and would integrate well within the site.
- 23 The proposed garden wall and gate is to be located to the right of the side, positioned between the two storey extension and the boundary. This would be similar in appearance to the wall and gate located on the left boundary and therefore would be acceptable.
- 24 The proposed shed is to be located to the rear of the application site and is to be the replacement of the existing. The proposed is to be smaller in size than the existing and therefore would be more sympathetic to the application site.

Fenestration, roof lights and sun tunnels:

- 25 The proposed scheme is also to include alterations to the current fenestration on site along with the addition of roof lights and sun tunnels. This proposal would be proportional to the dwelling and the application site and due to the varied character and design of the dwellings with Chipstead Park it would not be out of keeping.
- 26 In addition to the above, the proposed materials appear to match the existing; however the application form does not confirm the exact material finish in terms of the windows. Therefore, a condition will be imposed to clarify this.
- 27 Overall, the development would preserve the character and appearance of the area and would not comprise an overdevelopment of the site given the fact that a large proportion of the front and rear garden would be retained.
- 28 The proposal therefore complies with Policy EN1 of the ADMP.

Neighbouring Amenity

- 29 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 30 There are neighbouring properties surrounding the application site.
- 31 The neighbouring properties located opposite and to the rear are located at a significant distance from the proposal. There is also tall vegetation along the rear boundary which shields the proposal to these neighbours.

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Therefore, there are no residential amenity concerns in relation to the neighbours located to the rear or opposite the site.

- 32 The proposal has the potential to impact the residential amenity of neighbouring property no.18 as the proposal is to include a two storey extension a metre from this shared boundary. The development is to include roof lights and a window at ground floor facing this neighbour. However as these windows are all high level, there are no privacy concerns. There are also minimal outlook concerns as no.18 possesses no windows that face no.20. No.18 has a garage up to the shared boundary and due to this; the proposal would also not result in a loss of light. Therefore, it would minimally impact this neighbouring property.
- 33 The neighbouring property No. 22, could also be impacted upon in terms of the residential amenity of this neighbour. The proposal would include roof lights and a window at ground floor. These would both minimally impact the privacy of this neighbour as the roof lights are high level and the ground floor window accommodates a non habitable room and would be shielded by the brick boundary wall between both the properties. This neighbour also does not have any windows overlook the site and therefore raises no outlook concerns. The gap between both the extension and the neighbouring property would not result in any loss of light.
- 34 Therefore, the proposal complies with Policy EN2 of the ADMP

Area of Archaeological Potential

- 35 The site is dissected by an Area of Archaeological Potential. The proposal included within this area are to be the rear extension and the first floor extension. The first floor element would not harm the Area of Archaeological Potential as this extension is to be located on top of an existing extension. The rear extension would also be acceptable as it is located in a confined area close to the dwelling in which the land has already been disturbed from previous development.

Parking and Highways Impact

- 36 The proposal complies with Policy T2 as it would provide at least two independently assessable parking spaces.

Community Infrastructure Levy (CIL)

- 37 This proposal is not CIL liable.

Conclusion

- 38 The proposal therefore complies with the relevant policies of the ADMP and the Core Strategy.

Background Papers

Site and Block plans

Contact Officer: Louise Cane Extension: 7390

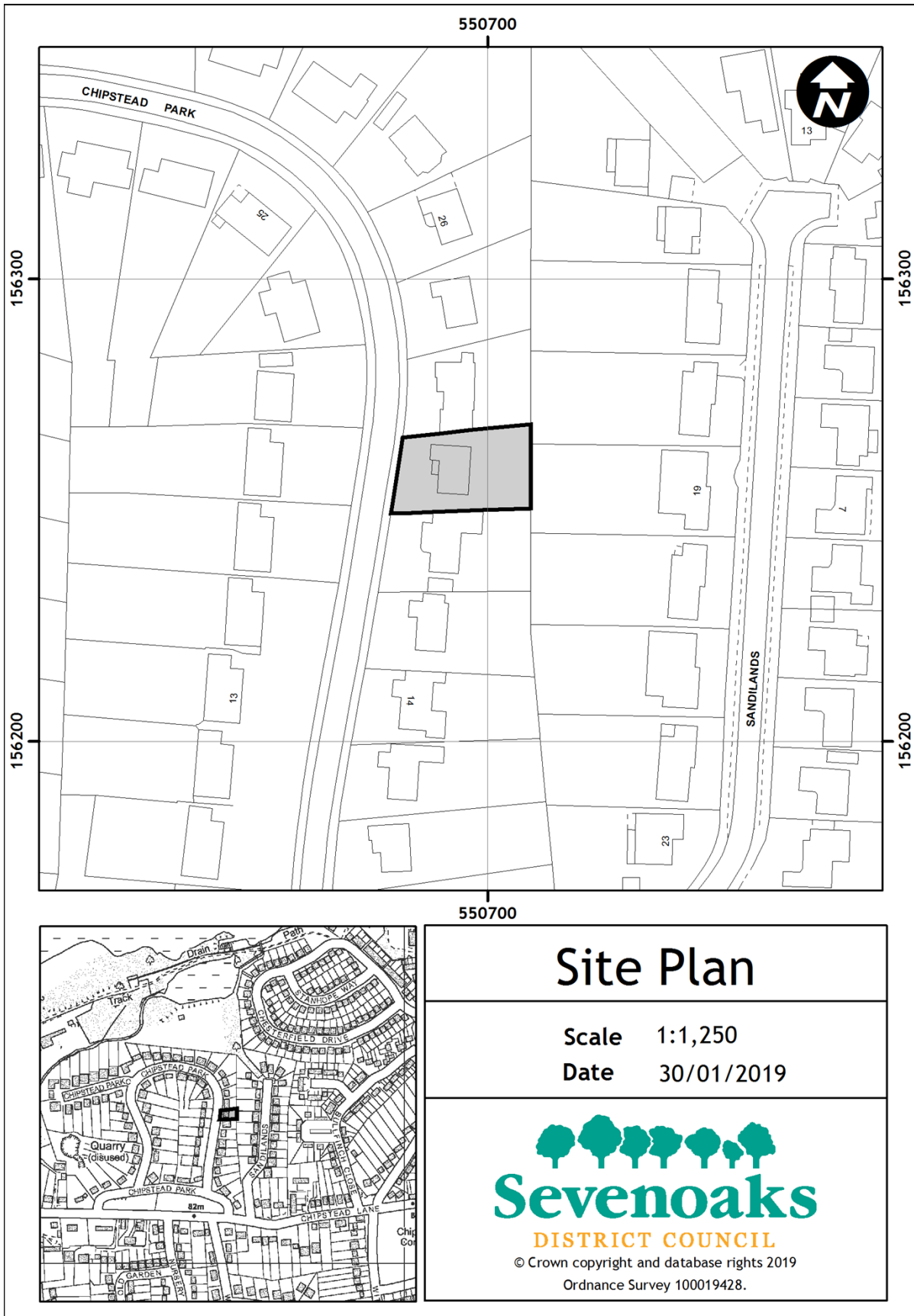
Richard Morris
Chief Planning Officer

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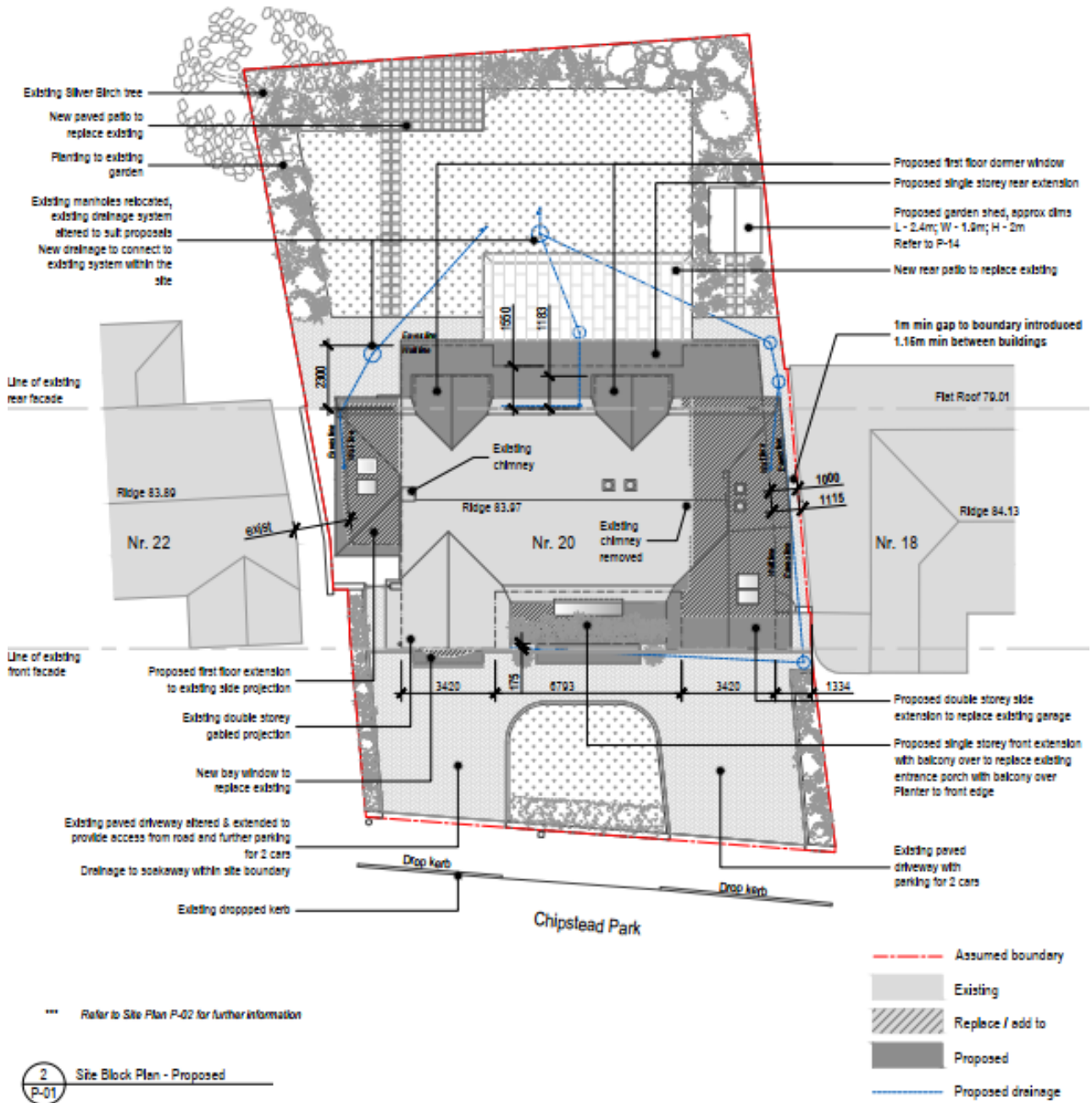
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Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PGUSL3BKFGU00>



Proposed Block Plan



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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 14 March 2019

4.1 18/00928/FUL Land South of Trotts Cottage, Trotts Lane, Westerham TN16 1SD

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P5WFCXBKI0300>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P5WFCXBKI0300>

4.2 18/03829/FUL 17 Eardley Road, Sevenoaks TN13 1XX

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PJQ649BK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PJQ649BK0L000>

4.3 18/03369/FUL Lion Hotel, High Street, Farningham DA4 ODP

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHH3BHBKJY500>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PHH3BHBKJY500>

4.4 18/03395/FUL North Lodge, Ash Road, Ash TN15 7HR

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHK6T0BK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PHK6T0BK0L000>

4.5 18/03256/HOUSE 20 Chipstead Park, Sevenoaks TN13 2SN

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PGUSL3BKFGU00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PGUSL3BKFGU00>

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