

13 December 2018 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks
Despatched: 05.12.18



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, Reay and
Raikes

Agenda

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

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the minutes of the meeting of the Committee held on 15 November 2018 as a correct record.	(Pages 1 - 8)	
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 18/00690/FUL - Swan Inn, Swan Lane, Edenbridge TN8 6BA Development of a 3 storey residential building.	(Pages 9 - 24)	Sean Mitchell Tel: 01732 227349
4.2 18/02753/FUL - 18 St Botolphs Road, Sevenoaks TN13 3AQ Demolition of the existing building on site, and the erection of two buildings providing 2x4 bed semi detached, and 3x3 bed terraced houses with associated parking and waste storage.	(Pages 25 - 44)	Natalie Rowland Tel: 01732227234

- 4.3 **18/02608/HOUSE - 71 Newlands Cottages, Stones Cross Road, Crockenhill BR8 8LT** (Pages 45 - 54) Guy Martin
Tel: 01732 227351
Demolition of outbuildings and existing side extension. Proposed double storey side extension and single storey rear extension. Change of car parking from rear to front of property.
- 4.4 **18/02613/HOUSE - Keepers Cottage, Hill Hoath Road, Chiddingstone TN8 7AE** (Pages 55 - 66) Holly Pockett
Tel: 01732227136
Alterations to existing dwelling including rear single storey and part two storey extension, new bay window on front elevation.
- 4.5 **18/03413/HOUSE - 24 Dynes Road, Kemsing, Sevenoaks TN15 6RA** (Pages 67 - 72) Scott Fisher
Tel: 01732227405
Demolition of conservatory and erection of single storey rear and side extension.

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, 10 November 2018.

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

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

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

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

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

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 15 November 2018 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

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

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

Cllrs. London and Piper were also present.

36. Minutes

Resolved: That the Minutes of the Development Control Committee held on 18 October 2018 be approved and signed as a correct record.

37. Declarations of Interest or Predetermination

There were none.

38. Declarations of Lobbying

There were none.

Reserved Planning Applications

39. 18/02230/FUL - Quarry House, Chipstead Lane, Sevenoaks TN13 2RG

The proposal sought planning permission for demolition of existing shed and erection of four bedroom detached dwelling with new access.

The application has been referred to Development Control Committee by Councillor London due to there being an insufficient vehicle turning space creating a more dangerous access point.

Members' attention was brought to the main agenda papers and the late observations papers.

The Committee was addressed by the following speakers:

Against the Application: Michael Ryan

For the Application: Mr. Purdey

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Parish Representatives: Parish Cllr. Howard Dilley

Local Member: -

Members asked questions of clarification from Officers. Officers confirmed that the applicants had notified all landowners of the application and that any dispute over rights of way would be a civil matter rather than a planning matter.

It was moved by the Chairman and duly seconded that the recommendation within the agenda papers to grant planning permission be agreed.

Members also discussed whether vehicles would have enough space on the road to turn and whether there was a need to reverse onto the main road. It was agreed that the applicant agreed for their adjoining land to be used to turn if needed.

The motion was put to the vote and it was

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

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

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

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

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

- 3) Prior to occupation of the dwelling, details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The facilities shall be installed in accordance with the details so approved and be retained, maintained thereafter and be available for use at all times.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

- 4) Prior to first occupation, the parking areas shown on the approved plan shall be formed and brought into use and shall be retained for this purpose thereafter.

To ensure that adequate parking provision is provided as supported by policy EN1 of the ADMP.

- 5) Prior to occupation of the dwelling hereby approved, the 2m x 2m visibility splays shown on approved drawing QUARRY-HOUSE-02/B shall be provided in full and these shall be maintained at all times.

To maintain highway safety as supported by the NPPF and policy EN1 of the ADMP. The local planning authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

- 6) Prior to occupation 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: Hard surfacing materials; Planting plans; Boundary Treatments; 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 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.

To conserve and enhance the character of the AONB as supported by policy EN5 of the ADMP.

- 7) The development hereby permitted shall be carried out in accordance with the following approved plans and details: QWuarry-House-02B, 03A, 04B,

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

40. 18/02012/FUL - Land West Of 34 Witches Lane, Riverhead, Kent TN13 2AX

The proposal sought planning permission for the erection of a new dwelling to west of existing house and reconfiguration of existing garage.

The application has been referred to Development Control Committee by Councillor London due to the proposal resulting in overcrowding, that there is insufficient parking, that the road cannot sustain more traffic and that the proposal could impact detrimentally upon bats.

Members' attention was brought to the main agenda papers and the late observations papers.

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The Committee was addressed by the following speakers:

Against the Application: Anna Burns
For the Application: Matthew Hopkins
Parish Representatives: -
Local Member: Councillor London

Members asked questions of clarification from Officers. Officers confirmed the proposed dwelling had been moved out of the tree protection zone of the beech tree subject to a Tree Preservation Order. Officers advised Members that the width of the road was sufficient for lorries, refuse freighters or emergency service vehicles.

It was moved by the Chairman and duly seconded that the recommendation within the agenda papers to grant planning permission be agreed.

Members discussed the application and expressed sympathy with the neighbours and the Local Member. It was noted that there had been similar previous applications on Witches Lane. Members discussed the impact on the character of the area, the possible impact on the street scene and traffic in the vicinity of the school.

The motion was put to the vote and it was

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

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

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

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

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

- 3) Prior to occupation of the dwelling provision and maintenance of a 2.0 metre x 2.0 metre pedestrian visibility splay behind the footway on both sides of the access with no obstructions over 0.6m above footway level will be provided and maintained thereafter.

To ensure adequate visibility splays are provided and maintained as supported by policy EN1 of the ADMP.

- 4) The tree protection strategies as set out within Arboricultural Report dated 19th May 2018 shall be implemented in full. The protection measures shall be retained in position at all times until the completion of the development, 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.

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

- 5) 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 (including plants that benefit foraging bats), noting species, planting sizes and proposed numbers/densities where appropriate.- Implementation timetables. The close boarded fences shown on PL11J shall be erected prior to occupation of the new dwelling.

To safeguard the visual appearance of the area and to protect the amenities of neighbouring properties as supported by Policy EN1 and EN2 of the Sevenoaks District Local Plan.

- 6) Prior to occupation of the dwelling, details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The facilities shall be installed in accordance with the details so approved and be retained, maintained thereafter and be available for use at all times.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

- 7) The rooflight and ground floor window on the northern elevation shall be obscure glazed to level 3 and non-opening at all times unless the windows are more than 1.7m above the floor level of the room in which the windows are located and shall be retained and maintained thereafter.

In order to safeguard the residential amenities of 32 Witches Lane as supported by the NPPF and policies EN2 of the Allocations and Development Management Plan.

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- 8) The bat boxes as indicated on the proposed site plan PL11J shall be installed prior to the occupation of the dwellinghouse.

To protect biodiversity as supported by Policy SP11 of Sevenoaks District Councils Core Strategy.

- 9) Prior to the occupation, details of any external lighting shall be submitted to and approved in writing by the local planning authority. Lighting shall be installed in accordance with the approved plans. The local planning authority is satisfied that these details are fundamental to the acceptability of the scheme and that without these details the proposal should not be permitted. The external lighting will meet the requirements of Guidance Note 08/18 Bat Conservation Trust, Bats and artificial lighting in the UK.

To conserve local character and protect neighbouring amenity in accordance with EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans and details: PL11J, PL12J, PL13D, PL14A, tpp-01

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

41. 18/02368/HOUSE - 18 Witches Lane, Riverhead, Kent TN13 2AX

The proposal sought planning permission for the demolition of rear conservatory, to raise and alter roof in order to facilitate loft conversion with alterations to fenestration and new rooflights, dormers, terrace balcony, porch.

The application had been called to the Development Control Committee by Councillor London on the grounds of loss of privacy and overlooking of neighbours and over development.

Members' attention was brought to the main agenda papers and the late observations.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Paul McKeaveney
Parish Representatives: Parish Cllr. John Branton
Local Member: -

Members asked questions of clarification from Officers. Officers confirmed that as per condition 4 of the recommendation, details of the screens to be installed

across the northern and southern sides of the proposed first floor terrace, must be approved by the Council.

It was moved by the Chairman and duly seconded that the recommendation within the agenda papers to grant planning permission be agreed.

Members discussed the impact on the street scene and noted that the condition of the property would be improved and that the extension provided a better quality design.

The motion was put to the vote and it was

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

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 6373-PD-02, 6373-PD-03.

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

- 3) The materials to be used for the external finishes of the building shall be those described on the application form dated 20.07.2018.

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) Prior to the occupation of the first floor accommodation, details shall be submitted to and approved in writing by the Local Planning Authority of screening to the northern and southern sides of the proposed first floor roof terrace. The screening shall be no less than 1.7m in height and shall be installed in full accordance with the approved details prior to the first use of the roof terrace and shall be maintained as such at all times.

To protect the privacy of the neighbouring properties and to comply with policy EN2 of the ADMP.

THE MEETING WAS CONCLUDED AT 8.05 PM

CHAIRMAN

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4.1 18/00690/FUL Revised expiry date 14 December 2018

Proposal: Development of a 3 storey residential building.

Location: Swan Inn, Swan Lane, Edenbridge TN8 6BA

Ward: Edenbridge North & East

Item for decision

Councillors McGregor and Scholey are referring this application to Development Control Committee for following reasons:

Overdevelopment of the site;
Loss of amenity in terms of overshadowing and loss of light;
Noise issues arising from the pub, causing disturbance.

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

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

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

2) No further development shall be carried out above damp proof course level of the development hereby approved until details of the materials to be used in the construction of the external surfaces of the development 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.

3) No development shall commence prior to a noise survey and attenuation scheme, assessing potential impact from noise on the new dwellings, being submitted to and approved by the Local Planning Authority. The scheme should include predictions of noise levels within the new development to show compliance with BS 8233:2014. The work specified in the approved scheme shall then be carried out in accordance with the approved details and be maintained thereafter.

To safeguard the amenities of the future occupiers of properties hereby approved as supported by Policies EN2, EN7 of the Sevenoaks Allocations and Development Management Plan.

4) Prior to the commencement of the development (including demolition work), a scheme for the control of noise, vibration and dust shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with guidance found in BS5228-1:2009 (as amended) and BS5228-2:2009 (as amended) Noise and Vibration Control on Construction and Open Sites; and the

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Control of Dust from Construction Sites (BRE DTi Feb 2003). The work shall be carried out in accordance with the approved scheme.

To safeguard the amenities of the occupiers of surrounding properties as supported by Policies EN2, EN7 of the Sevenoaks Allocations and Development Management Plan.

5) The pedestrian and vehicular accesses shown on the approved plan no. pun 2896 pa 200 d shall be laid out and constructed concurrently with the carrying out of the development to which it relates and brought into use before the first occupation or use of the development.

In the interest of highway safety.

6) Prior to the occupation of the development hereby approved, further details of the proposed cycle and refuse store shall have been submitted to and approved by the local planning authority. The development shall accord with the approved details and maintained thereafter.

In the interests of highway safety, visual amenity and ensuring adequate on-site cycle and refuse provision.

7) Notwithstanding the details shown on the hereby approved plans a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The landscaping scheme shall include the following details: a) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible) and size; b) enclosures: including types, dimensions and treatments of boundaries (including a more appropriate boundary treatment to the front of the approved dwellings), walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges; c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and d) any other landscaping feature(s) forming part of the scheme. All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to preserve the appearance and character of the site and locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

8) Prior to the first occupation of the development hereby approved a schedule of biodiversity enhancement that includes a plan showing their locations have been submitted to and approved by the Local Planning Authority and completed in full

prior to the occupation of the new dwellings hereby approved. The scheme shall be implemented in accordance with the approved details.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy SP11 of the Core Strategy and guidance in National Planning Policy Framework 2018.

9) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown RT-MME-125719-02 in the Arboricultural Impact Assessment have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to preserve the appearance and character of the site and locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

10) No development shall take place on the land until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted by the applicant and approved in writing by the local planning authority.

The site is of high archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

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

To prevent disturbance to nearby residential properties in accordance with Policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

12) No part of the development hereby permitted shall be used or occupied until the visibility splays, in accordance with drawing no. pun 2896 pa 200 d, have been provided and thereafter shall be maintained free from obstruction at all times at a height not exceeding 0.9m above the level of the adjacent carriageway.

In the interest of highway safety.

13) No external lighting shall be installed within the site until details of floodlighting or other form of external lighting scheme has been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination. Any lighting, which is so installed, shall thereafter be maintained and operated in accordance with the approved details and shall not be altered other than for routine maintenance.

In order to safeguard the amenities of the occupiers of neighbouring properties and visual amenity in accordance with Policy EN1 of the Sevenoaks Allocations and

Development Management Plan

14) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. PUN 2896 PA 002, pun 2869 pa 220 d.

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

Informatives

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

2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Building Control team on 01732 227376 or visit www.sevenoaks.gov.uk for further details.

3) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

4) A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

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 The site is bounded to the west by Main Road and to the north and east by Swan Inn public house and its beer garden. To the southern boundary of the site is a tree/hedge buffer screen that separates the site from an access lane that serves three properties known as Uplands, Darent and Medway - all two storey properties.
- 2 The topography of the site is generally level with a slight fall across the site from west to east.
- 3 The general character and appearance of the area is very mixed with differing architectural styles, types of buildings. The scale of building is predominantly two storey in height, however there are other three storey buildings in close proximity to the site, namely Swan Court,

Description of proposal

- 4 It is proposed to subdivide that existing beer garden of the Swan Inn and erect a three storey building to accommodate 9, 2 bed flats. A new access is proposed onto Main Road with appropriate vehicle and pedestrian splays and off street parking providing parking 11 spaces for occupants and visitors. Cycle and refuse storage is also proposed.

Relevant planning history

- 5 17/02822 - Development of a 3 storey Residential Building. New access - WITHDRAWN

Policies

- 6 National Planning Policy Framework
- 7 Core Strategy
 - SP1 - Design of New Development and Conservation
 - SP2 - Sustainable Development
 - LO1 - Distribution of development
 - SP3 - Affordable Housing
 - SP5 - Housing Size and Type
 - SP7 - Density of Housing Development
 - SP11 - Biodiversity
- 8 Allocations and Development Management Plan (ADMP)
 - SC1 - Presumption in Favour of Sustainable Development
 - EN1 - Design Principles
 - EN2 - Amenity Protection
 - EN4 - Heritage Assets
 - EN7 - Noise Pollution
 - T2 - Vehicle Parking
 - T3 - Provision of Electrical Vehicle Charging Points

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9 Other:

- National Planning Policy Guidance (NPPG)
- CIL Regulations
- Edenbridge Village Design Statement (1998) - informal guidance only

Constraints

10 Area of archaeological potential

Consultations

Edenbridge Town Council

11 Recommends refusal for the following reasons:

- Noise complaints from Swan Lane - affecting residential amenity;
- Overdevelopment of site;
- Poor public transport links;
- Impact upon the amenities of adjacent residential properties;
- Out of character;
- Contrary to Edenbridge design statement;
- Highway safety concerns.

KCC Highways

12 No objection raised.

SDC Environmental Health

13 No objection raised, recommend conditions

SDC Tree Officer

14 No objection raised, recommend conditions

Southern Water

15 No objections raised, informative recommended

Representations

16 11 objections received (3 duplicated) - objecting for the following reasons:

- Inadequate off-street parking;
- Increases traffic generation;
- Overlooking and loss of privacy;
- Out of character;
- Loss of green space;
- Overdevelopment;
- Overshadowing/loss of light;
- Over supply of housing;
- Loss of privacy/overlooking;
- Disturbance from car parking area;
- Access too close to bus stop.

Chief Planning Officer's appraisal

- 17 The main planning considerations are:
- Principle of the development
 - Impact upon the character and appearance of the development
 - Impact upon the residential amenity
 - Highways
 - Biodiversity
 - Affordable Housing

Principle of Development

- 18 Policy L01 of the Core Strategy (2011) is relevant to the principle of development in this location and adopts a settlement hierarchy approach that seeks to accommodate new development within the most sustainable settlements. The site is located within a designated settlement and appropriate re-development of the site.
- 19 SC1 of ADMP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with policies in the LDF will be approved without delay unless material planning considerations indicate otherwise.
- 20 Paragraph 11 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 21 This site is within the built confines of Edenbridge, and as such there is a presumption in favour of development. The development of this windfall site would make a welcome, small contribution to the housing provision within the district; however it is not critical to the delivery of the Core Strategy's current housing targets. The broad location of development is accepted in an established residential suburb within the built confines of Edenbridge, and supported by the necessary infrastructure.
- 22 Subject to an assessment and compliance with other planning policies relating to appearance and impact, the presumption should be in favour of this development due to the sustainable location within the urban confines of Edenbridge.
- 23 Policy SP7 of the Core Strategy states that within the urban areas of Sevenoaks, Swanley and Edenbridge, new residential development would be expected to achieve a density of 40 dwellings per hectare. In suitable locations, close to the town centre, higher densities will be encouraged. However, the overriding assessment of an appropriate density relates to

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ensuring that development is consistent with achieving good design and does not compromise the character of the area in which it is situated. This is also reflected in paragraph 123 of the NPPF.

- 24 This proposal has a density of 78 dwellings per hectares(dph), which is above the expected density figure. Given the proximity of the site to Edenbridge Town Centre, along with the good transport links that the site benefits from, it is considered that a higher density can be achieved on this site. Furthermore it is noted that the previously permitted schemes adjacent to the corner of Swan Lane achieved a density of 68dph at Swan Court, 55dph Albion Way and therefore considered commensurate to other developments within the locality.
- 25 Taking into account of the above, the development proposed would constitute efficient use of land especially when the site can deliver a higher density without compromising the character and appearance of the area. This scheme complies with Policy SP7 of the Core Strategy and Policy SC1 of the ADMP.

Impact upon character and appearance of area

- 26 Policies SP1 and L01 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- 27 Policy EN1 of the ADMP state that the form of proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 28 Consideration has also been given to the Edenbridge Design Statement, which was adopted as informal guidance and 20 years ago. So only limited weight can be given in the consideration to this consideration.
- 29 With regard to the character of the area, there is a considerable variety of building sizes and styles in the immediate vicinity of the site. The area is generally characterised by relatively low to medium density housing, which is predominantly 2/3 storeys in nature.
- 30 The density of the scheme amounts to 78 dwellings per hectare, which is in excess of the minimum density of 40dph advised by Policy SP5 of the Core Strategy. The higher density reflects the form of accommodation, 9 x two bed flats over three storeys. The plot itself is modest in size and good separation gaps between the built form is retained and maintains to some degree, the openness of the area. Further to this, the landscaping to the western boundary of the site will be maintained ensuring a green frontage remains a common feature within this part of the street. This frontage could be strengthened by further soft landscaping planning condition.
- 31 The character of the existing building line on Main Road frontage is reinforced by designing the accommodation to reflect the relatively tall two/three-storey scale of residential development of Swan Court to the north and to the south a predominately 2 storey detached dwellings

interspersed with three storey buildings of Eden Chase and The Albion/Albion Mews. As mentioned previously, the architectural styles and types of buildings is very mixed ranging from late Victorian /early Edwardian properties and late 20th century buildings however, this does not necessary imply that the existing architectural styles should be replicated.

- 32 The apartment block is set back from Main Road by approximately 6m at its closest point. This allows the existing boundary treatment to be retained and strengthened. It also ensures that the development would not be so visually prominent within the street scene, when approaching the site from the south along Main Road and the existing mature trees to the southern corner of the site will also soften the visual impact of the development.
- 33 When approaching the site from the north, along Main Road, the development would be more visible within the street, however it would be set against a tapestry of differing roof heights and architectural styles. It is not considered that the development would have a detrimental enclosing effect upon this part of the street scene.
- 34 From Swan Lane, it is not considered that the development would have a detrimental visual impact due to the intervening existing mature landscaping that can be found within the southern side of the Lane and from the intervening built form.
- 35 In townscape terms, the development is considered to reflect the scale of developments within the locality. The proposed apartment block has a flat roof however, other flat roofs can be seen in close proximity of the site. The apartment block is intentionally is set back from the road and would be partially screened by landscaping from certain public vantage points. In addition, the massing of the building is visually broken by creating relief to it's frontage, so only a third of the building is more prominent than the other. The internal layout of the site would be such that the access road would create a divide between the public house and the apartment block. With the development, being setback from the roadside its impact upon the street would be minimal as it retains a sense of openness within this part of the street.
- 36 It is recognised that the form and design of the building would be very different to the existing, comprising a modern design, 3 storey building clad in various materials is suited to its contemporary appearance. As previously mentioned, the surrounding residential development in the wider area exhibit a range of styles, proportions and use of materials. Given this varied design backdrop, the building would not appear incongruous or out of character.
- 37 As part of the proposal, some trees and other landscaping will be removed. The applicant has submitted an aboricultural assessment and the Council's Tree officer has raised no objection to their removal. As previously mentioned, a soft landscaping scheme can be used to strengthen the existing landscaping within the site.
- 38 Overall, it is considered even though the scheme has more of a contemporary appearance than other properties within the locality. Due to

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the prevailing character and appearance of the surrounding residential and commercial development in the wider area which exhibit a range of styles, proportions and use of materials, given the variation in scale and design of the built form in the road, in general, the size of the plot and the development would have no harmful impact on the character and appearance of the area that would justify refusal of planning permission. This development would comply with policies L01 and SP1 of the Core Strategy and policy EN1 of the ADMP.

Impact upon residential amenity

- 39 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties.
- 40 The neighbouring properties potentially most affected by the development would be those that are found on the opposite side of Main Road to the west, those found to the south, adjacent the site.
- 41 The use of the land for residential purposes is not considered to result in any significant increase in excessive noise, vibration, odour, air pollution, activity or vehicle movements to the current and future occupiers of the adjoining or nearby properties and the future occupiers of the proposed development given the fact that the immediate area around the site is residential in use.
- 42 The proposed building would possess windows that are generally orientated in an east and westerly directions. No residential properties lie in close proximity to the east of the site. Oblique views of rear garden of Red Cottage maybe achieved, but due to the separation of approximately 32m to the northeastern boundary of Red Cottage, it is considered that property would not be unduly harmed by the proposed development.
- 43 With regards, to the relationship between the proposed building and the properties on Main Road, it's considered that overlooking or loss of privacy may occur from the windows proposed in the western elevations of the development. However, these views would be oblique and the separation distances between the properties affected (8,9 Marl Hurst and 2 Meadow Lane) are approximately in excess of 37m or greater. Furthermore, the properties affected have frontages that face onto Main Road and Meadow Lane. As such, it's not considered that these properties would be unduly affected by the development in terms of loss of privacy and overlooking issues.
- 44 There are no side facing windows in the south facing elevation of the development to cause harm to the adjacent properties to the south of the site.
- 45 In terms of overshadowing and loss of light, it is considered that the properties that would be affected is the flank first floor of Swan Inn and flank facing elevation of Uplands. The proposed building would be sufficient distance away from neighbouring and nearby properties to ensure that, an acceptable level of daylight would continue to be received by the nearby

properties. It is also the case that due to the relationship between the proposed building and neighbouring properties, due to the separation distances and locations, no detrimental loss of sunlight would occur.

- 46 The Environmental Health Officer has not raised any objections with regard to new residential development on this site and has recommended that that further acoustic protection measures will be required to ensure adequate living conditions are maintained. In light of the above, it would be reasonable and necessary to impose a condition of this nature in accordance with NPPG.
- 47 With regards to the potential impact on the future occupants of the development, it is recognised that the development is sited in close proximity to the Swan Inn public house. Furthermore, there has been recent history of noise complaints to the Council about the noise emanating from the public house. Upon considering this, it's noted that the apartment block has been designed in such a way that stairwells and non-habitable rooms face towards the public house. As such the habitable rooms of the public house should not be adversely affected.
- 48 With regard to vehicle movement within the proposed car parking area, it is considered that no neighbouring property would be unduly impacted by its siting due to the separation distances to other properties, intervening landscaping buffer and cycle storage structure.
- 49 In conclusion, the development is not considered to harm the amenities of neighbouring properties and is considered to provide a suitable standard of living accommodation with suitable levels of privacy, outlook and amenity. As such, the proposal would accord with the NPPF and policy EN2 of the ADMP.

Highways

- 50 Policy T2 of the ADMP requires that proposed development should ensure the satisfactory means of access for vehicles and provides parking facilities in accordance with the relevant standards. Policy T3 requires the provision of electric vehicle charging infrastructure.
- 51 Parking provision is proposed to be on site, with one space to be provided per unit and two additional spaces for visitor parking. A new access will be formed onto Main Road with adequate 2m x 2m pedestrian and 43m vehicle visibility splays. Off-street parking provision will be made to the rear of the site together with cycle storage provision.
- 52 It is recognised that the level of parking provision accords with maximum vehicle parking standards. Policy T2 requires parking to be provided for residential developments in accordance with KCC parking standards. This is contained in Appendix 2 of the ADMP. It states that a 2 bedroom unit located in an edge of centre location, should provide 1 independently accessible space per unit. Policy T2 states the Council may depart from the maximum or minimum standards in order to take into account of specific local circumstances.

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- 53 KCC Highways has not raised an objection in relation to off-street parking provision. Taking account that sufficient parking provision accords with parking standards and given that the development would be providing cycling provision on-site and has readily accessible to public transport links, no objection is raised in terms of highways despite the concerns raised by the Town Council and third parties.
- 54 It is noted that issues have been raised in the representations relating to the increase in traffic generation and pedestrian and highway safety matters. These matters have been considered, however as KCC Highways has raised no objection and that the NPPF requires decision makers to only refuse matters on highway grounds if a development has an unacceptable impact on highway safety or the impacts on the road network is severe (paragraph 109), so it would difficult to justify a reason for refusal on this ground, given that KCC Highways raise no objection to the scheme.
- 55 Policy T3 of the Local Plan states that ‘within new residential developments all new houses with a garage or vehicular accesses should include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles.’ This has not been provided and will be secured by condition.

Biodiversity

- 56 Paragraph 174 of the NPPF and SP11 of the Core Strategy sets out that new development should maximise opportunities to build in features which are of benefit to biodiversity as part of good design. Proposals do not include a range of features designed to enhance the ecological value of the site. As such a condition to secure those details to improve the ecological value of the site would be accordance with the advice of policy SP11 of the Core Strategy and the NPPF.

Affordable Housing

- 57 Policy SP3 of the Core Strategy no longer relevant and the recent revised NPPF has changed the threshold to when such a contribution to affordable housing would be required or not. As this development is for nine units, in accordance with paragraph 63 of the NPPF, an affordable housing contribution cannot be sought after for a development of this size.

Other issues

- 58 The site located within a designated Area of Archaeological Potential (Roman Road). The site has not previously been subject to extensive disturbance. Due to the extent of the works proposed and the level of disruption, it would be reasonable to condition any granted planning permission to require further archaeological investigations and recording in accordance with policy EN4 of the ADMP.

CIL

- 59 The development is CIL liable.

Conclusion

- 60 It is considered that the development would not cause demonstrable harm to the character and appearance of the area and upon the residential amenities of adjacent properties.
- 61 There are no other issues that could not be addressed by appropriate condition.
- 62 On considering the above, it is recommended that this application should be approved, as the development conforms to the relevant Development Plan policies and there are no other overriding material considerations to indicate otherwise.

Background papers

Site and block plan

Contact Officer: Sean Mitchell Extension: 7349

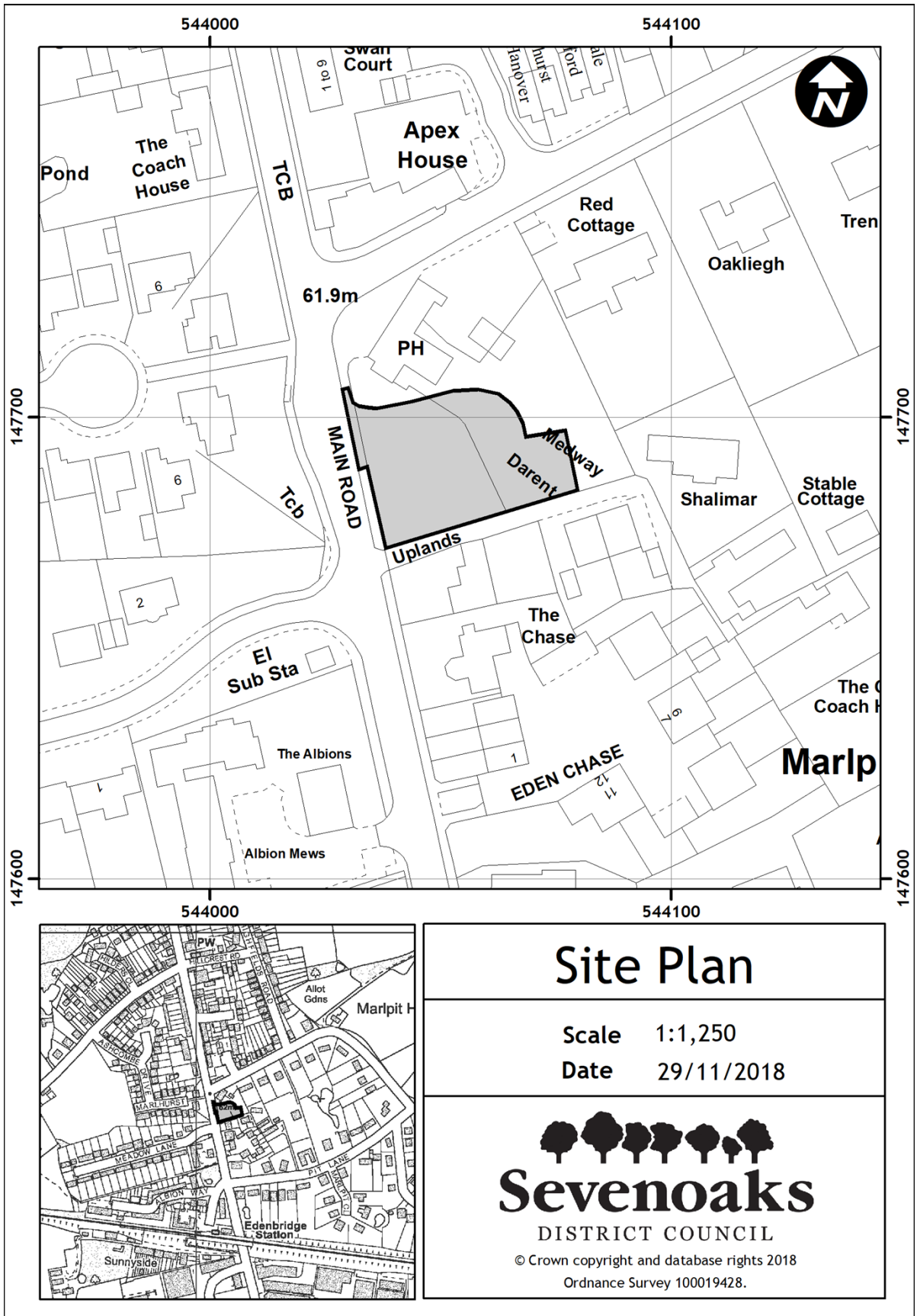
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P4VDZOBKJE000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P4VDZOBKJE000>



Site Plan

Scale 1:1,250
Date 29/11/2018



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Ordnance Survey 100019428.

Block Plan



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4.2 18/02753/FUL

Date expired 9 November 2018

Proposal: Demolition of the existing building on site, and the erection of two buildings providing 2x4 bed semi detached, and 3x3 bed terraced houses with associated parking and waste storage.

Location: 18 St Botolphs Road, Sevenoaks TN13 3AQ

Ward: Sevenoaks Town & St Johns

Item for decision

Councillor Fleming has referred the application to Development Control Committee due to the proposal being contrary to paragraph 127 of the NPPF with regards to design and appearance and the Sevenoaks Residential Character Area Assessment.

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 the commencement of development, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with 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: FP1 rev A, FP10 rev A, FP11 rev B, FP12 rev A, FP13 rev A, FP14 rev A, FP15 rev B, FP16 rev A, FP17 rev A and FP18 rev A.

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

4) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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5) The window(s) on the first and second floor of the western elevation of Block 2 and the windows on the second floor of the southern elevation of Block 1, of the development hereby permitted shall be glazed with obscure glass and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

To safeguard the privacy of the occupants of adjoining properties in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

6) All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on Appendix C and Appendix G in the Arboricultural Survey and Planning Method Statement have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

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

8) No development shall take place until details of all boundary treatment have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

9) No development shall take place until a Method Statement (detailing all aspects of construction and staging of works along the eastern and northern boundaries) and a cross sectional drawing of the site to include the retaining wall and the construction of the access has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

To protect the trees on site which are to be retained in the interests of the visual

amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

10) No development shall take place until details of all utility routes through the site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

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

11) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials used in constructing the development (d) programme of works (including measures for traffic management) (e) provision of boundary security hoarding behind any visibility zones (f) wheel washing facilities (g) measures to control the emissions of dust and dirt during construction (h) a scheme for the recycling/disposing of waste resulting from demolition and construction works (i) hours of operation.

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy T2 of the Sevenoaks Allocations and Development Management Plan.

12) Prior to occupation of the dwellings the ecological enhancements detailed within paragraph 5.2 of the Ecology Report (Greenlink Ecology; August 2018) must be implemented and thereafter maintained.

To preserve and enhance biodiversity and habitats in accordance with Policy SP11 of the Core Strategy.

13) The car parking spaces as shown on the approved plans shall be used solely for the benefit of the occupants of the dwelling(s) and their visitors and shall be permanently maintained for that purpose.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy T2 of the Sevenoaks Allocations and Development Management Plan.

14) Prior to any above ground works, full details of any proposed works to the railings on the northern front boundary have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

To safeguard the special architectural and historic interest of the locally listed asset in accordance with Policy EN4 of the Sevenoaks Allocations and Development

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Management Plan.

15) Prior to the occupation of the development communal electric vehicle charging points shall be provided within the site, sufficient to charge five vehicles at any one time.

To encourage the use of low emission vehicles in accordance with policy T3 of the Sevenoaks Allocations and Development Management Plan.

16) The proposed dwellings shall not be occupied until details of the construction of the footpath in the north eastern corner are submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be retained.

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

17) Prior to the commencement of any works, notice shall be given to the local planning authority five days prior to a hand dug trench being excavated to the depth of 1 foot, along the length of the driveway, in the RPAs of the Oak (T1) and Horse Chestnut (T2) trees. The Local Planning Authority shall inspect the trench and any appropriate mitigation measures put in place shall be formerly agreed by the Local Planning Authority in writing prior to any further works being carried out.

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

Informatives

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

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 The site comprises a detached two storey dwelling house on the southern side of St Botolphs Road in Sevenoaks. The site is large and rectangular in shape. The topography of the area means that the land slopes down steeply

in a north westerly direction and therefore the eastern and southerly boundaries are considerably higher than the rest of the plot. The surrounding area is residential and consists of other flats and dwellings of varying design.

Description of proposal

- 2 Planning permission is sought for the demolition of the existing dwelling on site, and the erection of two, three-storey buildings providing 2x4 bed semi detached dwellings and 3x3 bed terraced dwellings with associated parking and waste storage.
- 3 Block 1 is the eastern most building and comprises 2 x 4 bed houses. It measures approximately 12.8 metres x 11.4 metres. It will have an eaves height of 7.5 metres and a crown roof measuring 10 metres high from ground level. Two projections with gabled roofs are present on the principal elevation along with two recessed balconies.
- 4 Block 2 is the western most building and comprises 3 x 3 bed houses. It measures approximately 15.5 metres x 10.5 metres. It will have an eaves height of 7.5 metres and a crown roof measuring 10 metres high from ground level. Three projections with gabled roofs are present on the principal elevation and three on the rear. Six recessed balconies are proposed on the principal elevation; two per dwelling. The two blocks will be separated by a gap of approximately 4 metres.
- 5 A bin/recycling store is proposed to the north eastern corner of the plot. It will measure 3.3 metres x 4.5 metres and have a hipped roof measuring 3.4 metres from ground level.

Relevant planning history

- 6 18/00109/FUL - Demolition of existing garage. Erection of a new apartment block of five flats with ancillary parking on land north of 58A The Drive. Approved (Adjacent site).

Policies

- 7 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

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- 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.

8 Core Strategy

- SP1 Design of New Development and Conservation
- SP7 Density of Housing Development
- L01 Distribution of Development
- L02 Development in Sevenoaks Urban Area

9 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

10 Other

- Sevenoaks Residential Character Area Assessment
- Local List Supplementary Planning Document

Constraints

11 The site lies within:

- The built urban confines of Sevenoaks
- Sevenoaks Residential Character Area - St Botolphs (G02)
- Tree Preservation Orders cover trees to the east, west and south of the site
- The iron railings on the northern boundary are locally listed

Consultations

Sevenoaks Town Council

12 "Sevenoaks Town Council recommended approval, provided that -

- The Planning Officer is satisfied that the proposal does not amount to overdevelopment of the site with particular concern being expressed as to the size of the garden area.
- There will be no loss to amenity to neighbouring properties
- The proposal is in keeping with guidance contained in the Residential Character Area Assessment SPD."

Environment Agency

13 No comments to make

KCC Ecology

14 No objections

KCC Highways

15 No objections

Tree Officer

16 No objection (full comments below)

Representations

17 We received one letter of support relating to the following issues:

- Appropriate density
- Design in keeping
- Adequate parking

18 Also six letters of objection relating to the following issues:

- Contrary to Residential Character Area Assessment
- Increase of housing density
- Landscaping
- Traffic/highways
- Overshadowing
- Overlooking
- Out of character
- Plan inaccuracies
- Missing documents
- Lack of residential amenity space
- Visual amenity
- Noise and disturbance

Chief Planning Officer's appraisal

19 The main planning considerations are:

- Principle of development
- Impact on character and appearance
- Impact on neighbouring amenity
- Parking and Highways impact
- Trees and landscaping
- Locally listed building
- Biodiversity
- Sustainable development
- Community Infrastructure Levy (CIL)

Principle of development

20 The site falls within the built confines of Sevenoaks and therefore Policy LO2 of the Core Strategy applies. This policy seeks to protect the setting of the urban area and the distinctive character of the local environment. Given that the site currently has a residential use and is located close to the services offered within Sevenoaks, it is considered to be suitable for residential development.

21 An assessment as to whether the proposed dwellings would protect the setting of the urban area and the distinctive character of the local

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environment is carried out in detail below however provided that the scheme complies with all other relevant development plan policies, the proposal complies with Policy LO2.

- 22 The Local Plan and Core Strategy both contain policies to protect the character of local areas, but neither document sets out any express aim to resist inappropriate development of residential gardens. Policy LO1 of the Core Strategy advises that development will be focused within the built confines of existing settlements, with Sevenoaks being a location for development of a scale and nature consistent with the needs of the surrounding rural area.
- 23 Policy SP7 of the Core Strategy relates to density and states that all new housing will be developed at a density consistent with achieving good design and that does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration new residential development will be expected to achieve a density of 40 dwellings per hectare. The introduction of five dwellings on a site area of 0.15 hectares would result in a figure of 33.3 dwellings per hectare. This is significantly below the density of the extant permission on the adjacent site (18/00109/FUL) which will result in a density of 83.3 dwellings per hectare. Without prejudice to an assessment of the development against relevant design policies the proposal would not represent overdevelopment of the land.
- 24 It is recognised that the site is located within the built confines of Sevenoaks and it is clear that development plan policies seek to maximise the potential of such sites. This is especially important within Sevenoaks District where the majority of the District falls within the Green Belt. St Botolphs Road and the surrounding area is predominantly residential in character comprising a mixture of dwellings and flats. With this in mind, the principle of plot subdivision would reflect the general pattern of development in the area and is considered to be acceptable in land use terms provided the scheme complies with all other relevant development plan policies.
- 25 With this in mind, the development is acceptable in principle. It would therefore comply with policies LO1, LO2 and SP7 of the Core Strategy.

Impact on character and appearance

- 26 The Sevenoaks Residential Character Area Assessment describes the area as a predominantly residential, with detached two storey properties, some with attic rooms. *"Large individually designed detached houses are well spaced along the road. The houses are set well back from the road behind hedged and treed front gardens. Buildings are well screened and generally have a minimal impact on the street scene...The character of this part of St. Botolph's Road is unified not by the buildings themselves, but the verdant vegetation and the discrete appearance of buildings."* The prominent building materials consist of brick with render, timber framing and tile hanging.

- 27 The document requests that any new development within the St Botolph's Road Character Area, is set back behind hedged and treed front gardens and that the scale and mass of new development should fit unobtrusively within its setting and should not appear cramped on the site. Finally, the contribution that mature trees, boundary hedges and railings make to the area is noted with the document requesting that they be retained.
- 28 It is acknowledged that the proposed buildings are substantial in height however the plot has a particularly wide frontage and can accommodate the built form without it appearing cramped or overdeveloped. The proposed footprints mean that Block 1 is 12 metres away from the front of the plot with Block 2 approximately 14 metres away. Both these distances are relative to the existing dwelling and there are no objections in this regard.
- 29 The frontage landscaping is not proposed to be altered however the restoration/repair of the front railings may result in the removal and replacement of some of the laurel planting. As discussed in the landscaping section below, a detailed schedule of works regarding these works would be secured by condition.
- 30 While the Residential Character Area Assessment specifically references two storey detached dwelling houses, there is a mixture of development along the road including blocks of flats, detached dwellings and the medical centre which lies to the north west of the site. The recent approval under reference 18/00109/FUL on the adjacent plot to the east permitted a three storey property comprising five flats and measuring 11.4 metres at its highest point. When considered with the topography of the area, the proposed dwellings will still remain below the height of 18/00109/FUL assisting in the proposals visual integration to the street scene.
- 31 The National Planning Policy Framework emphasises the importance of well designed places, with paragraph 127 in part requesting that developments are *"sympathetic to the local character and history, including the surrounding build environment and landscape setting"* and *"are sympathetic to local character and history...while not preventing or discouraging appropriate innovation or change (such as increased densities)"*.
- 32 As already discussed, the increased density of the site is still below that required by the Development Plan and that approved on the adjacent site. The materials proposed to the external faces of the buildings are sympathetic to the surroundings and fit in with the Character Assessment. Although not truly reflective of the Arts and Crafts properties on the edge of the nearby Conservation Area, the brick walls with hanging tile detailing are characteristics found on numerous other nearby properties (including 4, 8, 10 and 12 St Botolphs Road) and would not appear out of place. The railings proposed on the balconies would respect that which currently exists on the front boundary of the plot. Specific details of the materials to be used would be required by condition.
- 33 The bin/recycling store although situated to the front of the plot is not a substantial building and despite the Tree Officers comments below, is considered to be appropriate in size as an ancillary building to the proposed

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built form. The boundary treatment will assist in obscuring this built form from the surrounding street scene.

- 34 For these reasons the proposed development will not detract from the character and appearance of the building or the surrounding area and complies with Policy EN1 of the ADMP, Core Strategy Policy SP1 and the Residential Character Area Assessment.

Impact on neighbouring amenity

- 35 Contrary to one of the third party comments received, the Council does not adhere to a minimum garden size for new developments. The development as proposed includes limited external amenity space in the form of a patio area which is steeply graded to the rear of the buildings and hard standing for parking to the front. Notwithstanding this, the site is located close to the centre of Sevenoaks and the facilities that are provided here (The Vine and Knole Park for example) mean that external space is readily available to the future occupiers of the development. The proposal is therefore considered to have adequate amenity space in line with Policy EN1 of the ADMP.
- 36 The relationship between the two blocks should also be considered as part of the assessment. With regards to fenestration, two windows are proposed to the ground floor of the eastern elevation of Block 2, one serving a toilet and one serving a utility room. The facing elevation of Block 1 would contain a door serving a utility room and therefore loss of privacy is not expected to be an issue.
- 37 A large window is proposed to the first floor of the east facing elevation of Block 2, which would serve an open plan dining room. It will face a window on the western elevation of Block 1 which serves a stairwell but overlooking or loss of privacy is not a concern.
- 38 One window is proposed to the second floor of the eastern elevation of Block 2 which would serve an en-suite bathroom. It will face a stairwell window on the western elevation of Block 1 and again, overlooking or loss of privacy is not a concern.
- 39 The distance between the two blocks is relatively narrow when compared to the height of the buildings and therefore some overshadowing to windows may arise. For the windows which do not serve habitable accommodation, this is not considered to be an issue. For the one window which does, additional windows are situated on the front and rear elevations and enough natural light is afforded to this space.
- 40 The site currently comprises a residential dwelling in a residential area. Any additional noise which maybe generated from additional residential properties on this site is not considered to be harmful or unacceptable in any way.

14 St Botolphs Road:

- 41 This neighbouring property is situated to the west of the site, with the dwelling sited close to the western boundary. The boundary treatment

between these plots consists of numerous established trees which are covered by Tree Preservation Orders.

- 42 The visual impact of the development would be reduced because it would be partly set into the slope of the land. The siting of Block 2 will be approximately 1.85 metres away from this boundary and follows a similar building line to number 14. The building would be visible from areas within this plot however the boundary treatment will assist in obscuring much of its appearance. Two windows are proposed to the ground floor on this flank elevation, two on the first floor and one on the second floor. Despite the vegetation, in order to protect the privacy of this neighbouring property, an obscure glazing condition would be added to the first and second floor windows on this elevation.
- 43 A loss of light analysis has been carried out to establish whether the proposal would cause a significant loss of daylight or the cutting out of sunlight for a significant part of the day to habitable rooms in neighbouring properties or private amenity space. For a significant loss of light to occur, the proposal would need to fail the '45 degree' test on both plan and elevation.
- 44 The proposal passes on elevation and floor plan. With this in mind, there would be no significant loss of light to habitable rooms or private amenity space.
- 45 A '25 degree test' has also been carried out to establish the effect the proposal may have on the existing properties with regards to obstructing daylight to existing windows/rooms. The floor plan for the original permission of this dwelling (88/2619) shows three ground floor windows on this flank elevation, serving a utility room, w/c and a secondary window serving the living room. One window exists at first floor, serving a bathroom.
- 46 The test fails on the ground and first floor however the only window serving a habitable room on either of these floors is a secondary window, with the main window to the living room situated on the rear elevation. With this in mind, the proposed development would not result in detrimental harm to the amenity of the neighbouring properties.

20 St Botolphs Road:

- 47 This property is situated to the south east of the site and is aligned with 60 The Drive rather than the other properties which front St Botolphs Road. The proposed development is not considered to result in any harm to number 20 due to the separation distance and geographical constraints.
- 48 The development approved under 18/00109/FUL will be sited 11-12 metres to the east and will follow the same building line as the proposed. The eastern elevation of Block 1 includes one window at first and second floor, both of which serve stairwells rather than habitable accommodation. All four windows proposed to the western elevation of 18/00109/FUL which would face the development site are to be obscure glazed and there are no issues with regards to overlooking.

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- 49 A '45 degree test' has been carried out and there would be no significant loss of light to habitable rooms or private amenity space.

60 The Drive:

- 50 60 The Drive is situated to the south of the plot, fronting in a south easterly direction. The spacing between the properties means that at its narrowest point, 18.2 metres separates the rear elevation of Block 1 from the rear of the number 60. Again, the topography of the area means that number 60 is on a considerably higher plateau than the development site.
- 51 A third party comment was received regarding the impact that the proposed development would have on the privacy of 60 The Drive and referred to a minimum separation distance of 28 metre distance (for a three storey dwelling). Policy EN2 of the ADMP does not reference a minimum privacy distance but states that proposals will be permitted where the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.
- 52 The finished floor levels shown on the second floor plan show +117.9 with the eaves level of number 60 stated to be 124.9. As mentioned above, the ground floor (of Block 1 and 2) will be built into the natural slope meaning that only the first and second floor will be visible from the rear elevation. The doors proposed to the first floor will serve the lounge/dining area and due to the slope of the land and the boundary treatment loss of privacy or overlooking is not considered to be a concern.
- 53 A total of eight windows are proposed to the second floor of Block 1, with six serving bedrooms and two serving en-suite bathrooms. There is more chance of overlooking arising from these windows, however number 60 is on a higher level and overlooks the site rather than the other way round. Nonetheless, an obscure glazing condition will be placed on all four of these first floor windows of the closest proposed unit, with the addition of rooflights ensuring that the living conditions of the bedrooms are not compromised.
- 54 The distance between the properties also means any overshadowing which may arise from the introduction of the built form will not result in an unacceptable level of harm to the rear elevation of number 60 or their private amenity space.

1 Ashley Road

- 55 1 Ashley Road is situated to the north of the site on the opposite of the highway. Although the dwelling fronts in a southerly direction, the vehicular access serving the property is off Ashley Road which runs along the eastern side of the plot. The dwelling is set back from the highway resulting in a distance of 61 metres between the principal elevation and that of the proposed development. There would be no adverse harm to this property.
- 56 For the above reasons the proposed development would not create a substantial impact on the amenities of the neighbouring properties or the local area and complies with Policy EN2 of the ADMP.

Parking and Highways Impact

- 57 Policy T2 of the ADMP state that vehicle parking provision in residential developments should be in accordance with the current KCC vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide. For 4+ bedroom houses in suburban areas, two independently accessible parking spaces per unit are recommended, with the NPPF stating that development should only be refused or prevented on transport grounds if residual impacts are severe.
- 58 The proposal would provide two off-street parking spaces per dwelling, on an area of porous block paving to the front of both blocks. Objections were received from third parties regarding the increased volume of traffic entering the site and the impact that this may have on the Medical Centre situated to the north west however, Kent Highways were consulted as part of the application and raised no objection.
- 59 The proposal utilises the existing access, which is adequate for the proposed development, the parking provision is in accordance with the requirements of KCC Residential Parking Standards (IGN3) at 2 spaces per unit, and there is sufficient turning space to enable vehicles to enter and exit in forward gear. As such, the development complies with policy T2 of the ADMP and the NPPF.
- 60 The Core Strategy identifies the Sevenoaks District has high average CO² emissions and energy consumption levels, therefore new development should take account of the need to mitigate and adapt to climate change and ensure development contributes to an improvement in the District's air quality.
- 61 To do this, the Council is encouraging the shift to low emission electrical vehicles but promoting charging point in appropriate locations throughout the District. Policy T3 of the Local Plan states that "within new residential developments all new houses with a garage or vehicular accesses should include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles." This has not been provided and will be secured by condition.

Trees and Landscaping

- 62 This site although well treed, does not have any formal protection upon it. Formal protection in the form of TPO's does exist upon trees on adjacent sites to the west and the south. Number 18 rises fairly steeply to the rear and south of the property from about 11 metres into the site. Conversely, the north western frontage has a level of approaching 2 metres lower than the entrance level. These differing levels make for a challenging development site whilst avoiding harm to the shown retained trees.
- 63 The first issue to overcome is the proposed driveway within the main entrance. The mature frontage trees to the east of the access are important features which need to be protected during works. The new driveway albeit constructed upon an existing parking area is shown to be extended and within expected root protection areas (RPA's). It will

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therefore be required to be by a no dig method whilst utilising a permeable finish.

- 64 The Tree Officer initially raised concerns that the levels on the proposed drawing (FP10) were lower than the existing (FP1), particularly around the existing drive which would be contrary to the notion of a no dig construction method. The Arboricultural Consultant has provided clarification that the "dished" reduction close to the front doors of Block 1 is largely outside of the RPA and would not cause harm to the oak tree (T1). Confirmation in the form of a cross sectional drawing would be conditioned.
- 65 The Tree Officer considered the bin and recycling building in the north eastern corner to be excessive however there is no objection to this on planning grounds. The proposed pathway through the RPA's of the frontage trees was also requested to be shortened however the current proposal is not considered to be result in actual harm. There is no objection to the removal of the four trees at this point.
- 66 Paragraph 8.2 of the arboricultural report is noted, particularly the reference to the Appeal decision (APP/G2245/A/06/2024143) for the neighbouring site at number 20, "*The special relationship of the proposed new building with the retained trees will create a sense of enclosure, but as with the site next door at No. 20, this was not regarded as being a matter of significance by the inspector for that appeal, as it would enhance privacy and reduce the overlooking into the site. To my mind exactly the same situation is presented by the proposal on the subject site*".
- 67 The above situation will not be exactly the same as this proposal has two large buildings within 10 metres of each other with mature trees in between. It is therefore expected that the buildings and trees will block natural light and will not be the same situation, as the new situation assuming grant of consent will be more enclosed.
- 68 There is a need to define the eastern excavation line without the need to excavate by creating a clear line for the retaining wall. Should this application proceed, a method statement would be required to show clearly how this is to be achieved without affecting the shown retained soil on the eastern side of the retention wall.
- 69 Paragraph 9.4 refers to RPA encroachment in three areas. It is suggested that these three areas are the main areas of required root protection and should be addressed. According to the levels shown, they will be raised to 1.06 metres from the lowest point. This figure is acquired by subtracting the existing levels from the proposed. Drawing FP10 shows the proposed levels adjacent to the mature Larch (T19) at 111.60 whereas the existing is 110.54. This is the same difference of 1.06 as aforementioned. The difference in levels at this point will require retention for the higher level and while it is not clear at this stage how this will be achieved, further plans and a method statement can be controlled by condition.
- 70 Details of the required utility routes through the site have not been provided but should be conditioned and attached to any consent given. Paragraph 9.20 refers to "other types of potentially damaging activities".

This will also need to be conditioned, as well as hard and soft landscaping and boundary treatments.

Locally listed building

- 71 The Adopted Local List states the following description for the railings along the front boundary on St Botolphs Road - *"Continuous iron railings punctuated by gate posts and fixing posts run on both sides of the western reaches of St Botolph's Road. They are hidden in some places by hedges or other vegetation... On the south side of the road, the railings run from No. 4 up to No. 18, the latter having an iron gateway with impressive iron posts."*
- 72 The arboricultural report refers specifically to the railings and states that *"every effort will be made to explore the repair of the road frontage railings and the footings which support them, but they should be replaced. The current appearance of the site is at odds with the rest of the road, and the proposal is of high calibre and it is logical to ensure that all aspects are correspondingly commensurate...Realistically the only option is to remove the laurels which would enable the repair or replacement of the railings and to replant."*
- 73 The applicant has been reminded that the items on the local list constitute a non-designated heritage asset and therefore are afforded some protection. However, there is no article 4 direction preventing their removal. The Local List Supplementary Planning Document states that the *"demolition of Locally Listed [structures] will normally only be permitted where the applicant is able to demonstrate clear and convincing evidence that the [structure] is no longer of local importance, that it is beyond repair, restoration or reuse, or that the proposed redevelopment would produce benefits for the community which would decisively outweigh the loss resulting from demolition."* Provided that a plan detailing the schedule and rationale of works is submitted by condition the proposal complies with Policy EN4 of the ADMP.

Biodiversity

- 74 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.
- 75 An Ecological report was submitted and reviewed by KCC Ecology. They agreed with the reports conclusion that there is limited potential for protected/notable species to be negatively impacted by the proposed development and there is no requirement for detailed mitigation strategies to be submitted. There is however, a need for measures to be implemented to avoid impact on foraging/commuting bats and breeding birds. An informative would be added to any permission regarding breeding birds and a condition added regarding the enhancements recommended in the report. As such, there are no issues in this regard.

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Sustainable development

- 76 In order to pursue sustainable development in a positive way, the NPPF requests a presumption in favour of sustainable development for both plan-making and decision-taking. In line with this, Policy SC1 of the ADMP confirms that when considering development proposals, the Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible.
- 77 As has been discussed within this report, the proposal accords with the development plan and there are no adverse impacts of granting planning permission which would significantly and demonstrably outweighs the benefits. For this reason, the proposal complies with Policy SC1.

Other issues

- 78 An objection was received noting inaccuracies with the submitted plans; particularly the positioning of the canopies of the oak trees, the southern boundary line and the property at 60 The Drive.
- 79 The plans showing landscaping and trees show indicative canopies only. An arboricultural survey has been carried out and assessed by the Tree Officer who raises no objection to the accuracy of the plans.
- 80 Regarding the southern boundary line, the applicant has confirmed that the plans submitted are accurate. Nonetheless, any boundary issues would be a private and civil matter.
- 81 While the outline of neighbouring properties has been shown on the submitted plans, there is no legal requirement for all extensions to be shown on each property. A site visit was carried out as part of the application process and the built form of the properties in the immediate vicinity considered.
- 82 An objection was also received stating that numerous documents were missing from the application, including a sun study, a solar panel feasibility study, overlay drawings and justification for the proposed distances of this development to existing buildings. None of these are validation requirements and are therefore not mandatory documents that are needed to be submitted in support of this application.
- 83 Further comments were received from the Tree Officer regarding the discrepancy in levels at the front of the plot on the existing and proposed plans. The Arboricultural Consultant has since provided clarification as to the impact of the works on the root protection area of the trees on the front boundary and the proposed conditions are considered to be acceptable with regards to confirming the staging and acceptability of the works.

CIL

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

Conclusion

85 The proposed buildings are significantly taller than the existing dwelling however considering the properties in the locality and the natural topography of the area, the proposal is not considered to harm the appearance of the surroundings or have a detrimental impact on the amenity of the neighbouring properties. The proposal therefore accords with the relevant local and national policies.

Background papers

Site and block plan

Contact Officer: Natalie Rowland Extension: 7234

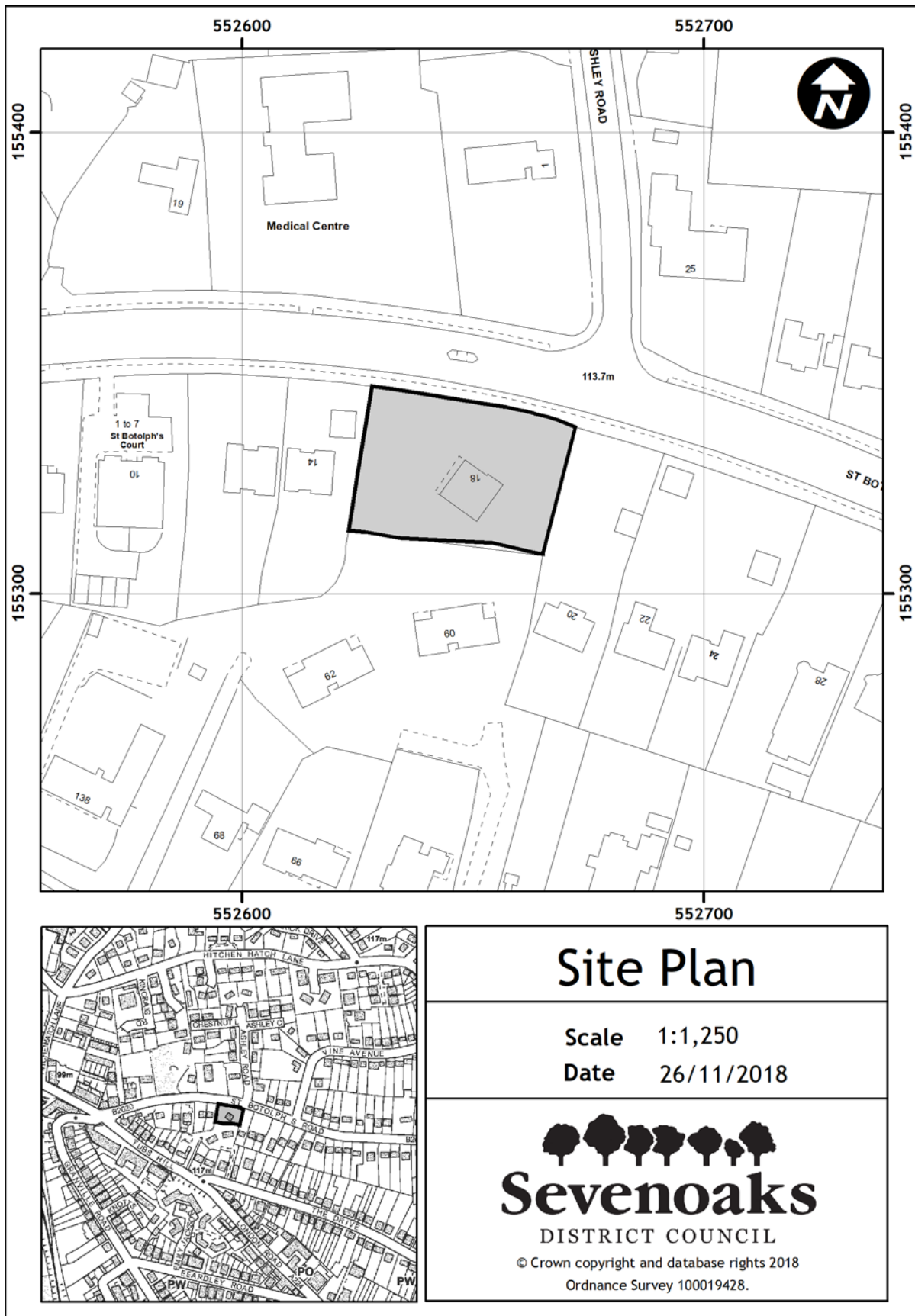
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PEA77DBKK7M00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PEA77DBKK7M00>



Block Plan



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4.3 18/02608/HOUSE Revised expiry date 14 December 2018

Proposal: Demolition of outbuildings and existing side extension. Proposed double storey side extension and single storey rear extension. Change of car parking from rear to front of property.

Location: 71 Newlands Cottages, Stones Cross Road, Crockenhill BR8 8LT

Ward: Crockenhill & Well Hill

Item for decision

This application has been referred to Development Control Committee by Councillor Lindsay who believes that the development does not represent inappropriate development that is harmful to the openness of the Green Belt.

RECOMMENDATION: That planning permission is REFUSED for the following reasons:

The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposed extensions would result in disproportionate additions to the original house and constitute inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. No very special circumstances exist to clearly outweigh the harm to the Green Belt, contrary to the National Planning Policy Framework, policy GB1 of the Sevenoaks Allocations and Development Management Plan, Policies SP1, LO8 of the Sevenoaks Core Strategy and Section 5 of the Sevenoaks Development in the Green Belt SPD.

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 Demolition of outbuildings and existing two-storey prominent flat roofed side extension, replaced with a two-storey side extension with a hipped roof together with a single storey rear extension. The proposal includes the relocation of off-road parking from the rear of the property to the front of the dwelling.

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Description of Site

- 2 71 Newlands Cottages is a semi-detached property located over 200m to the north of Crockenhill village within a rural location. The property is located adjacent to Stones Cross Road with a mature hedge to the northeastern boundary of the site.
- 3 The site is located within the designated Metropolitan Green Belt.

Planning History

- 4 TH/5/59/408- Proposed bathroom - Granted.
TH/5/71/144 - Erection of a garage and construction of vehicle access - Granted.
79/01218 - Extension to side of dwelling - Granted.
18/00995 - Demolition of outbuildings and existing side extension. Proposed rear and side double storey extension. Creation of new access and parking for two cars - Refused.

Building Control History

- 5 437/74 - Single storey extension to kitchen at rear - GRANTED.

Constraints

- 6 Metropolitan Green Belt
- 7 Listed Coal Tax Post opposite the property

Policies

National Planning Policy Framework (NPPF)

- 8 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.

9 Core Strategy (CS):

- SP1 - Design of New Development
- LO8 - The Countryside and Rural Economy

10 Allocations and Development Management (ADMP)

- EN1 - Design Principles Design Principles
- EN2 - Amenity Protection
- EN4 - Heritage
- GB1 - Residential Extensions within the Green Belt
- T2 - Vehicle Parking

11 Other

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
- SDC Development in the Green Belt SPD

Consultations

Crockenhill Parish Council

12 Supports the application

Representations

13 No representations have been received.

Chief Planning Officer's Appraisal

14 The main planning considerations are:

- Impact upon the Green Belt
- Design and impact on the character of the area
- Impact on neighbouring amenities
- Highways and parking
- Impact upon trees
- Impact upon heritage asset

Impact upon the Green Belt

15 As set out in paragraph 143 of the NPPF, where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.

16 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

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harm in principal to the Green Belt remains even if there is no further harm to openness because of the development.

- 17 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.
- 18 The NPPF states that the extension or alteration of a building could be appropriate in the Green Belt if it does not result in disproportionate additions over and above the size of the original building. This is also reflected in Policy GB1 of the ADMP.
- 19 The property is lawful and permanent.
- 20 In reviewing the history of the site the side extension was granted permission in 1959 and the kitchen was extended in 1974 presumably under permitted development rights (Building control reference 437/74). The proposal requires the replacement of the existing extensions. Accordingly, when considering the increase the floor area of the existing extensions, these have been excluded from the figures. The existing shed within 5m of the house will be relocated and accordingly its floor area has not been included.
- 21 On considering the above, the following floor area calculations have been derived for the purposes of GB1 of the ADMP. They are as follows:

	Floor area m ²	Total floor area m ²	% increase
Original dwelling	80.78		
Proposed extensions	67.74	145.52	80.9

- 22 From the table above, the proposal represents disproportionate additions over the size of the original dwelling and therefore is harmful by definition and constitutes as inappropriate development.
- 23 The extent of harm to the Green Belt arises from the proposal by the significant increase in bulk caused by the proposed extensions. The two-storey side extension, lies adjacent to Stones Cross Road and would be clearly visible from the street and approaches to the property from the north and south. This results in a development where the proposed extensions would be more prominent than the existing built form, by the introduction new hipped roof. As a result, the openness of the Green Belt is eroded. This together with the increase in floor area of the development would represent inappropriate development that harms the openness of the Green Belt. Accordingly, it fails to meet the requirements of the NPPF, Policy GB1 of the ADMP and section 5 of the Development in the Green Belt SPD.

Design and impact on the character of the area

- 24 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.
- 25 Newlands Cottages comprises of two semi-detached properties, nos. 71 and 72 with no. 71 located adjacent to Stones Cross Road
- 26 The proposal would replace the existing two-storey flat roofed side extension with a two- storey side extension with a hipped roof and a single storey rear extension. The proposed design would be in keeping with the character of the existing dwelling with materials in keeping with the existing house. The proposed two- storey side extension would give a symmetrical appearance to nos. 71 and 72.
- 27 The proposal includes two parking spaces on the front drive of the property and the installation of a new common boundary fence, adjacent to the access.
- 28 The existing garage is proposed to be demolished and a new fence would be erected, 'closing off' the existing rear access.
- 29 Overall, it is considered that the proposal is of an appropriate design that would meet the requirements of the NPPF and policy EN1 of the ADMP and SDC's Residential Extensions SPD.

Impact on neighbouring amenities

- 30 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application.
- 31 The dwelling is a semi-detached property with both houses possessing single storey rear extensions.
- 32 The single storey rear extension would match the depth of the single storey rear extension on the adjoining property no. 72, ensuring in terms of loss of light and overshadowing issues that this property would not be affected.
- 33 The two-storey side extension would be set on the southern facing side of the house and would not affect the adjoining property.
- 34 The only other residential properties within close proximity to the site are - Rushes, located approximately 50m to the southeast and Marlpit Hall, located approximately 40m to the north-east. These properties would not be affected by the proposed development.
- 35 In consequence of the above, the proposal would meet the requirements the NPPF, policy EN2 of the ADMP and SDC's Residential Extensions SPD.

Highways and parking

- 36 The extended property would retain two bedrooms and a loft, which could be converted to a bedroom at later date. However, the proposal meets the

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parking requirements of Appendix 2 of the ADMP in respect to off-street parking provision for a three-bedroom property. Therefore, no objection is raised in this instance.

- 37 In reviewing, the visibility splays of the new parking provision, sufficient visibility would exist to the north. However, there would be insufficient visibility to the south with the parking area being adjacent to a bend in the road with dense vegetation. Notwithstanding this, the proposal would provide enhanced visibility compared to the current arrangements and would improve overall highway conditions.

Impact upon trees

- 38 From the drawings submitted, the proposal shows the removal of the tree within the front garden. This element of the scheme matches the previous refused permission for which the Council's Tree Officer was consulted. He noted that the tree was not a specimen of merit and did not object to its loss.

Impact upon the setting of the heritage asset

- 39 Policy EN4 of the ADMP and Policy SP1 of the Core Strategy 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.
- 40 A grade II historic Coal Tax Post lies opposite the proposed dwelling adjacent to Stones Cross Road. It is considered that the proposed development would not impact upon the adjacent post ensuring that its character, appearance and setting would be conserved in accordance with Policy EN4 of the ADMP.

Assessment of very special circumstances

- 41 Paragraph 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 because of its inappropriateness and any other harm is clearly outweighed by any other considerations.
- 42 The harm in this case have been identified as:
- The harm in principal 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.
- 43 The applicant is claiming that there is a very special circumstance case being the removal of outbuildings to offset the proposed development.
- 44 The applicant is proposing to remove a detached garage and a summerhouse that are located more than 5m from the rear of the property. The floor areas of the proposed buildings measure 21.3m² and 6.3m² respectively,

giving a combined total floor area of 27.6m². Each building is flat-roofed with a height of 2.2m and 2.5m respectively.

- 45 It is considered that the current outbuildings are discrete in their design and appearance. Whilst the proposal would add a single storey rear extension that rises to a height of 6.0m and a two-storey side extension that extends to a height of 8.4m, it results in an increase in the scale and bulk of the dwelling, highlighting its visual prominence. Therefore, the loss of the floor area of the outbuildings does not wholly justify the development proposed as its impact brings no beneficial benefit to the openness of the Green Belt. As such, limited weight can be attributed to this circumstance.
- 46 It's noted that the adjoining property possesses a similar two-storey side extension. However, that proposal offset the bulk against earlier development that was demolished as part of the proposal, under planning application 11/00514/FUL. Therefore this proposal cannot be considered as directly comparable or

Balancing Exercise

- 47 In reviewing the extent of harm caused to the Green Belt by the proposal and the potential very special circumstances advanced by the applicant, it is concluded that due to the increase in the scale and massing of the property, the resultant development creates a more visually prominent feature that erodes the openness of the Green Belt. Whilst there is some benefit in the scheme by balancing the appearance of the semi-detached properties, however this would be at the expense in harming the Green Belt. In consequence, the proposal represents inappropriate development to which the very special circumstances case does not clearly outweigh the substantial harm to the openness of the Green Belt.

CIL

- 48 This proposal is not CIL liable.

Conclusion

- 49 In isolation from the Green Belt issue the proposal would represent an improved design that would be in keeping with the character and appearance of the area and the would not impact upon local amenity and would provide sufficient parking on site.
- 50 However, the proposal would represent inappropriate development harmful to the openness of the Green Belt. The very special circumstance case does not clearly outweigh the identified harm and accordingly the proposal fails to meet the requirements of national and local planning policies.

Background Papers

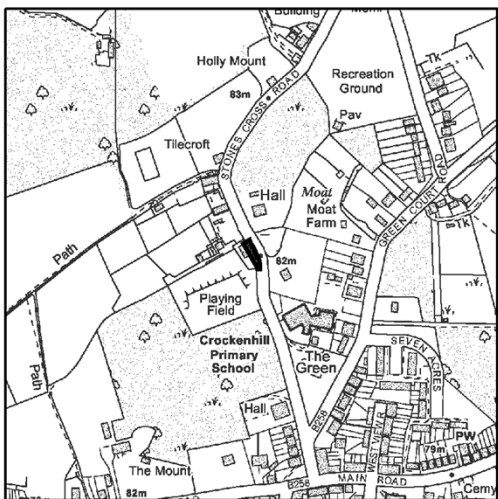
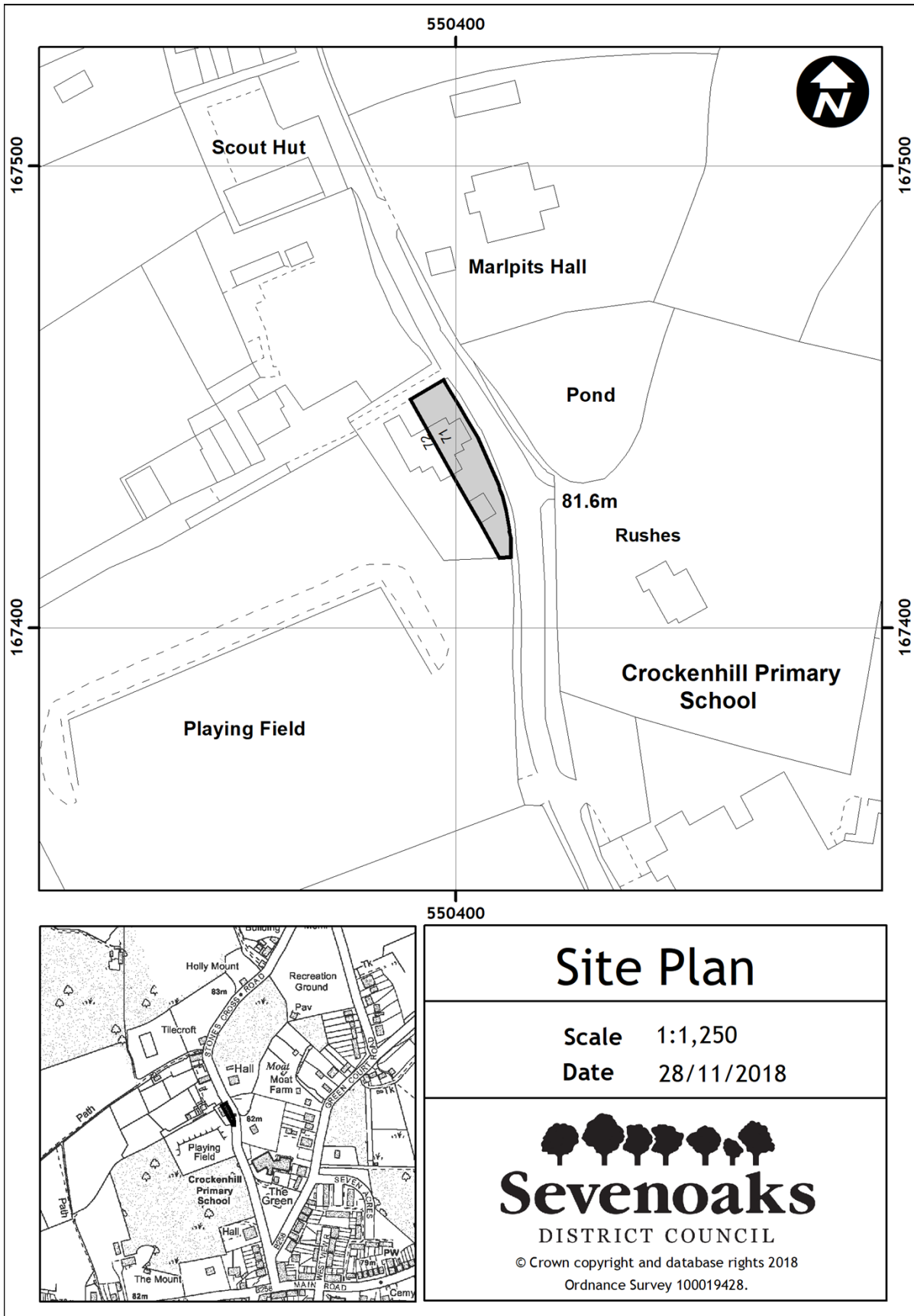
Site and Block Plan

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Contact Officer:

Guy Martin Extension: 7351

Richard Morris
Chief Planning Officer



Site Plan

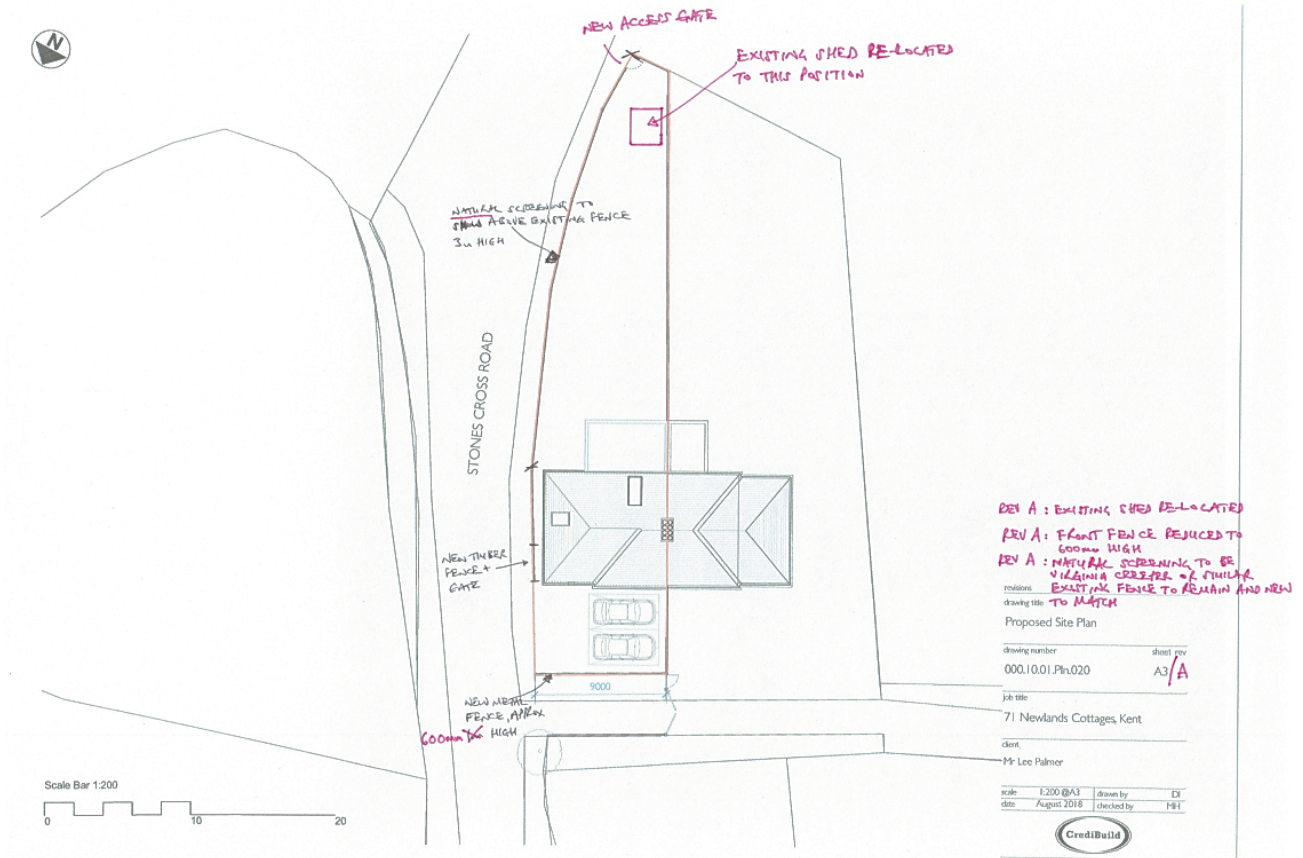
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Date 28/11/2018



DISTRICT COUNCIL

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4.4 18/02613/HOUSE Date expired 16 October 2018

Proposal: Alterations to existing dwelling including rear single storey and part two storey extension, new bay window on front elevation.

Location: Keepers Cottage, Hill Hoath Road, Chiddingstone TN8 7AE

Ward: Penshurst, Fordcombe & Chiddingstone

Item for decision

The application was referred to Development Control Committee by Councillor Coleman to consider the impact upon the openness of the Green Belt and the fall back position.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:

The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposed extensions would result in disproportionate additions to the original house and constitute inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. No very special circumstances exist to clearly outweigh the harm to the Green Belt, contrary to the National Planning Policy Framework, policy GB1 of the Sevenoaks Allocations and Development Management Plan, Policies SP1 and LO8 of the Sevenoaks Core Strategy and Section 5 of the Sevenoaks Development in the Green Belt SPD.

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 The application site comprises of a detached, two-storey house set back from the public highway within the rural location of Hill Hoath Road. The site is located within the Metropolitan Green Belt, High Weald AONB and Chiddingstone Conservation Area. Hoath Hill Road is set in a rural location with wide views of the countryside.

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Description of proposal

- 2 The proposal is for alterations to existing dwelling including a single storey and part two storey extensions to the rear with an overall height of approx. 7.2 metres, a projection of 5metres at ground floor level with a width of 8 metres and 4metres from first floor with a width of approx.5 metres. The proposal also seeks permission for the addition of a new bay window located to the front elevation; this would project 0.7metres from the rear wall and a width of 2.3 metres.
- 3 The materials proposed for the new extension will match the existing property, these consist of:-
 - Walls - Brick work
 - Roof - Clay tiles
 - Windows - Wood

Relevant planning history

- 4 86/02261/HIST - Two storey extension to dwelling - GRANTED

06/02635/FUL - Replacement of out-buildings. Resubmission of planning application SE/06/01887/FUL. - GRANTED

07/00587/FUL - Replacement of out-buildings. Resubmission of planning application SE/06/01887/FUL. - GRANTED

17/03587/LDCPR - Rear single storey extension. - GRANTED

17/03155/WTCA - Works to various trees (WTCA) - No Objection Lodged

Policies

- 5 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.

6 Core Strategy

- SP1 Design of New Development and Conservation
- L08 The Countryside and Rural economy

7 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- EN5 Area Of Outstanding Natural Beauty (AONB)
- GB1 Green Belt

8 Other:

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
- Sevenoaks District Council Development in the Green Belt SPD

Constraints

9 High Weald Area of Outstanding Natural Beauty (AONB)

10 Metropolitan Green Belt

11 Chiddingstone Conservation Area

Consultations

Chiddingstone Parish Council:

12 Supports this application.

SDC Tree Officer:

13 A no objection response to 17/03155/WTCA has been given. These trees are the nearest to the proposals, no objection to extension.

Representations

14 No representations have been received.

Chief Planning Officer's appraisal

15 The main planning considerations are:

- Impact on the character of the area
- Impact on neighbouring amenity
- Impact on the Metropolitan Green Belt
- Impact on Conservation Area
- Impact on AONB

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Impact on the character of the area

- 16 The proposed single storey and part two storey extensions will be clearly visible in the street scene; however the proposal is set back from the highway. Hoath Hill Road is set within the rural location of Chiddingstone Hoath.
- 17 The proposal is a good quality of design, the proposed part two storey extension roof to the rear is a pitched roof which integrates well with the existing finishes and is in keeping with the existing dwelling. Materials to be used are to match the existing dwelling and would be deemed appropriate.
- 18 As such the proposal would be in keeping with the residential character and appearance of the area and is in compliance with policy EN1of the ADMP.

Impact on neighbouring amenity

- 19 There are no neighbouring properties located in close proximity to the proposal, with the closest neighbour being at a distance over 54 metres from Keepers Cottage. Therefore, the proposal will not harm the residential amenity of neighbouring properties.
- 20 The proposal therefore complies with Policy EN2 of the ADMP.

Impact on Green Belt

- 21 As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development, there are some exceptions. Paragraph 143 states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.
- 22 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.
- 23 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.
- 24 The NPPF states that the extension or alteration of a building could be appropriate in the Green Belt if it does not result in disproportionate additions over and above the size of the original building; this is also stated in Policy GB1 of the ADMP.
- 25 In this case, if the increase in floorspace does not comply with the requirements of Policy GB1 subject to the impact on openness, the proposed form of development could be, by definition inappropriate development in the Green Belt.

- 26 The dwelling is both permanent and lawful and would comply with criteria (a) of policy GB1.
- 27 With regards to the size of the original dwelling, Keepers Cottage has been subject to a number of extensions and alterations. The extensions have included a two storey side extension to the south elevation and the addition of a large detached garage within 5m of the dwelling (which for the purpose of Green Belt is considered as an addition to the dwelling). As such, the following floor area calculations have been derived for the purposes of Policy GB1 of the ADMP -

	Total/sqm	Increase on original	% increase
Original dwelling	141.613	-	-
Original plus previous Extensions + Garage	213.783	72.17	50.96
Original dwelling plus previous extensions plus proposed	273.928	132.315	93.43

- 28 While floor-space calculations are not a substitute for volume calculations they provide an indicative guidance to the dwellings overall increase.
- 29 From the table above, the proposed development results in a total increase in floor area of 93.43% to the original dwellinghouse. It is considered that the proposed development would detrimentally harm the openness of the Green Belt due to the cumulative additions in relation to both the increase of volume and the bulk of the single and two storey rear extensions. As such the proposal would exceed the 50% limit of the original dwelling, contrary to Policy GB1 of the ADMP by definition constitutes as inappropriate development.
- 30 The existing two storey side extension increased the dwelling beyond 50% of its original floor-space. This together with the proposed two storey extension significantly increases the volume associated with the property particular at first floor which has wider and more visible impact.
- 31 The existing garage has further spread bulk and volume across the site towards the south. The spread of bulk and volume across the width of the site results in a sense of enclosure and prohibits wider views when viewing the dwelling from the east and west of the site. The existing extensions are already disproportionate to the 'original' dwelling.
- 32 The proposed two storey extension projects from the western elevation of the dwelling. The ridge height would be set down from the existing ridge and the development would be set in from the side elevations.
- 33 The extension would extend the dwelling further to the west extending the bulk/volume of the built from into areas currently free from development,

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eroding the openness of the Green Belt. The existing extensions to the original dwelling in combination with the proposed development would double the volume and bulk across the site. The proposal would significantly increase the volume of the dwelling from the 'original'.

34 The Development in the Green Belt SPD states:

'The impact of the development on the countryside is clearly greater if located in a highly visible location. However, the test of impact still applies even if there are limited or no public views of it as, if allowed, the argument could be repeated, with a potentially more serious cumulative impact on the openness of the Green Belt and the urbanisation of the countryside and for these reasons would be unacceptable. In some locations any extension or replacement dwelling may be inappropriate.'

35 The cumulative impact of development has already spread across the front elevation and encloses the western boundary with volume and bulk from the two storey extension. Overall the proposed extensions would double the bulk and volume associated with the site in comparison to the original dwelling to a degree which further erodes the openness of the Green Belt and is inappropriate development. Substantial weight must be given to this harm as a material consideration in accordance with the NPPF. The proposal would therefore be an inappropriate development within the Green Belt and is contrary with Policy GB1 of the ADMP.

Within or adjacent to a Conservation Area

36 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.

37 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.

38 The Chiddingstone Hoath Conservation Area Appraisal states that extensions should respect the form and character of the original house and its locality and use high quality materials and detailing. It also states that design should be of high quality, whether modern or traditional. Roof lines, roof shape, eaves details, verge details and the creation of new chimneys are all important considerations and that extensions should not dominate the original building.

39 In this instance the proposed materials and design are considered to fit in well with the character of the Conservation Area. The proposed materials such as the hang tiles and facing brick work matches well with the existing house. The design of the pitched roofing also integrates well with the existing finishes of the dwelling house. As such the proposed development is in keeping and conserves the character and appearance of the Conservation Area in accordance with Policy EN4 and the ADMP.

Area of Outstanding Natural Beauty (AONB)

- 40 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.
- 41 There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.
- 42 Given that the dwelling has already had previous extensions, the proposal would not add any additional harm to the landscape character of the AONB. The residential dwelling already exists and is an expected feature in this location within the AONB. The design of the extension reflects the house and conserves the views of the AONB and the wider countryside. The proposed does not detract from the special landscape characteristics of the AONB and conforms to Policy EN5 of the ADMP.

Assessment of very special circumstances

- 43 The harm in this case has been identified as:
- The harm in principal from inappropriate development in the Green Belt, which must be given substantial weight
 - The impact to the openness as a result of the proposed volume and bulk.

The applicant is claiming that there are very special circumstances

- 44
- In keeping with the character of the area
 - Previously approved Lawful Development Certificate
 - Does not impact the openness of the Green Belt

In keeping with the character of the area:

- 45 In regard to the design of the proposal, as stated above, the development would be in keeping with the character of the area. The impact from the creation of additional volume and bulk to the dwelling would have on the openness of the Green Belt, the overall design is not so exceptional or innovative as to significantly outweigh the harm. Very limited weight is attributed to this circumstance.

Previously approved Lawful Development Certificate:

- 46 In terms of the size of the existing property and the proposal, it is acknowledged that the property benefits from the Lawful Development Certificate for a single storey rear extension. The existing and permitted development scheme results in a total increase of 75.53% (248.576m²). The current proposals would increase the dwelling by 93.43% (273.928m²) from its original form. As such, the proposed development under the lawful

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development certificate would be single storey and would have a smaller floor-area, volume and bulk than the proposed two storey extensions. Therefore, limited to no weight can be attributed to this, as the Lawful Development scheme represents significantly less harmful proposal to the openness of the Green Belt than the proposed scheme.

Does not impact the openness of the Green Belt:

- 47 The agent has indicated that other dwellings in close proximity to the site are large in scale and such a proposal would be reasonable in light of the size of neighbouring properties. However, each application is taken on its own merits and in light of the sites individual context. The impact to the Green Belt is assessed by both local and national policy on its increase from the 'original' building. The NPPF considers an 'original' building to be:

'A building as it existed on 1 July 1948 or, if constructed after the 1st of July 1948 as it was built originally'.

- 48 Paragraph 145 of the NPPF states that:

'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exception to this are: ... (c) the extension or alteration of a building provides that it does not result in disproportionate additions over and above the size of the 'original' building'.

- 49 As such, extensions to existing dwellings in the Green are entirely dependant upon their original form. Therefore, the existence of large dwellings in close proximity to the site does set a precedent for similar sized development. Upon considering this limited to no weight can be attributed to this.

Balance exercise:

- 50 Upon considering the very special circumstances as a whole, it is considered that the set of circumstances advanced to significantly outweigh the substantial harm to the Green Belt has not been demonstrated here. Therefore a very special circumstances does not exist.

CIL

- 51 This proposal is not CIL liable.

Conclusion

- 52 The proposal would result in the overall addition of more than 50% floorspace over the original dwelling, combined with a significant increase in bulk, massing and volume over the original dwelling. Thus the proposals represent inappropriate development which would erode the openness of the Green Belt. As such, the proposals do not comply with the requirements of Policy GB1 of the ADMP.

- 53 Substantial weight has been given to this harm and the very special circumstances not subtract in outweigh this harm and that there are no other overriding material considerations to indicate otherwise.

CIL

This proposal is not CIL liable.

Background papers

Site and block plan

Contact Officer: Holly Pockett Extension: 7264

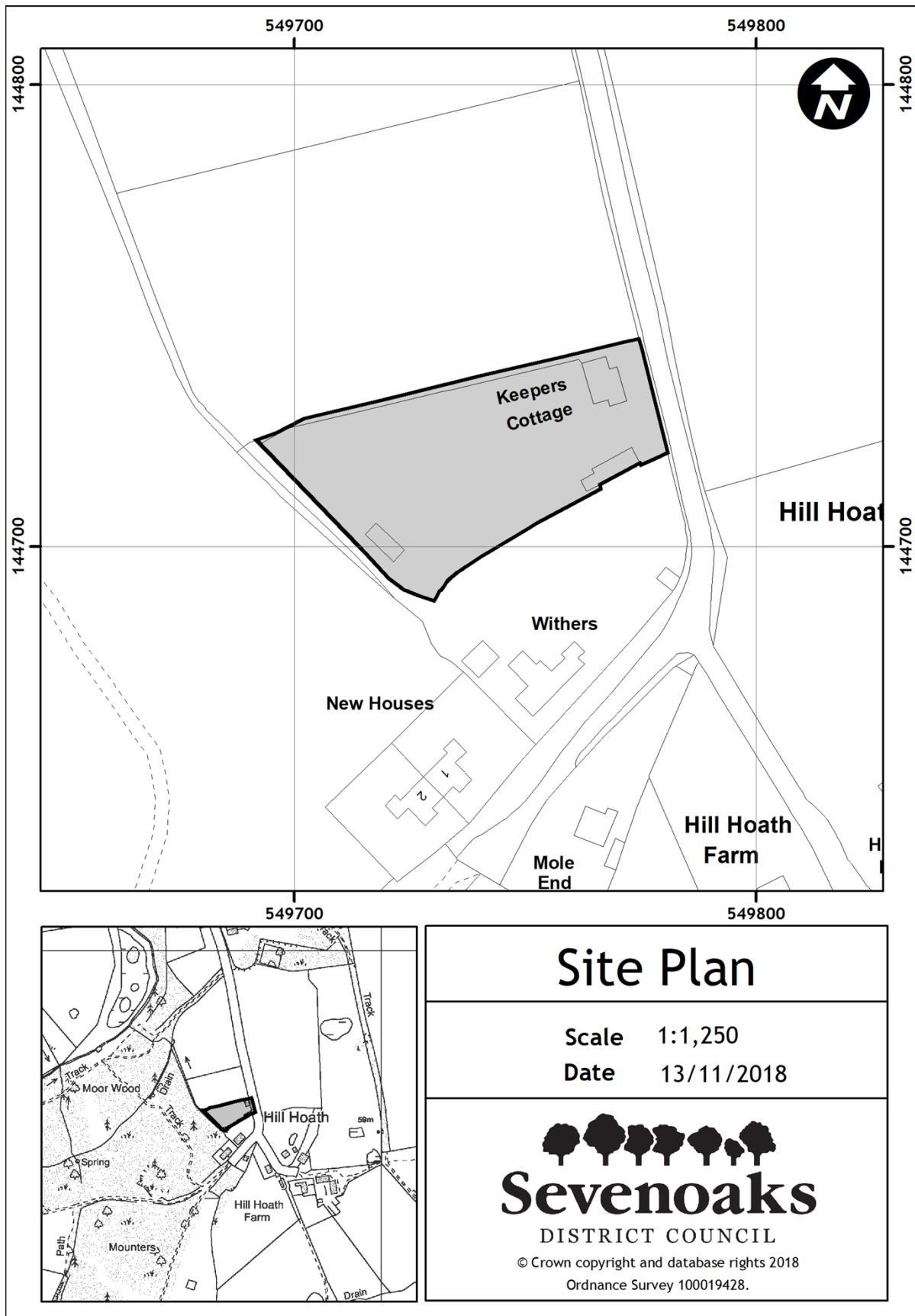
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PDIF9NBKM9W00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PDIF9NBKM9W00>



Block Plan



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4.5 18/03413/HOUSE

Date expired 31 December 2018

Proposal:

Demolition of conservatory and erection of single storey rear and side extension.

Location:

24 Dynes Road, Kemsing, Sevenoaks TN15 6RA

Ward:

Kemsing

Item for decision

The application has been referred to Development Control Committee as the applicant is an elected ward councillor.

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

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

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

2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

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

3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1815/01 and 1 unnumbered 1:250 scaled location plan, 1 unnumbered 1:500 scaled block plan.

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.

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Description of site

- 1 The application site relates to a two-storey semi-detached dwelling located along Dynes Road which is situated within the village of Kemsing. There are neighbouring dwellings situated either side and to the rear of the house also. The neighbouring dwellings are large in size and of differing architectural design, with no set street pattern within the road.

Description of proposal

- 2 The application seeks planning permission for the demolition of the existing rear extension and to erect a replacement single storey rear and side extension. The proposed extension will have a pitched roof with three roof lights and a height of 3.7m. It extends 3m from the rear of the dwelling matching that of the existing conservatory and will cover the width of the house, incorporating into the proposed side extension. The side extension will project 2.2m from the existing side elevation of the house.

Relevant planning history

- 3 04/00813/FUL - Erection of a rear conservatory - Grant

Policies

- 4 National Planning Policy Framework
- 5 Core Strategy
 - SP1 Design of New Development and Conservation
 - L07 Development in Rural Settlements
- 6 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles
 - EN4 Heritage Assets
 - T2 Vehicle Parking
- 7 Other
 - Sevenoaks Residential Extensions SPD

Constraint

- 8 Area of Archaeological Potential

Consultations

Parish/Town Council

- 9 Awaiting Kemsing Parish Council response to the application.

Representations

- 10 Views awaiting.

Chief Planning Officer's appraisal

- 11 The main planning consideration are:
- Impact on the Character & Appearance of the area
 - Impact on Residential Amenity
 - Impact upon Area of Archeologically Potential

Visual Impact on the Street Scene & Landscape

- 12 The relevant policies relating to design and the character of the area are EN1 of the ADMP, SP1 of the Core Strategy and the adopted Residential Extensions SPD.
- 13 The single storey rear extension element of the proposal due to its location would not have a visual impact on the street scene. The proposal has a mono-pitched roof that would match other neighbouring extensions within the street. Due to the height of the extension, it adds limited bulk to the rear of the house creating a subservient addition to it.
- 14 The street scene is formed of a mixture of different dwelling types. The side extension would be limited in its width and would be set back from the main road. The side extension would be single storey in height which incorporates into the rear element of the proposal. This creates a cohesive design that would wrap around the dwelling. For these reasons the visual impact of the side element would be limited on the street scene. The use of matching materials can be secured by condition.
- 15 Overall it is considered that this development would have a minimal impact upon the character and appearance of the street scene, in compliance with Policy EN1 of the ADMP and Residential Extensions SPD.

Impact on Residential Amenity

- 16 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application. The extension has the potential to impact on adjacent the neighbouring dwellings (22 & 26 Dynes Road).
- 17 Due to the height, siting and design of the extension it is considered that the proposed development would not detrimentally affect the existing residential amenities of the occupants of adjacent properties in regard to loss of light or overshadowing.
- 18 In terms of impact upon outlook and privacy on adjacent properties, again due to the height and siting of the development. It would not have an impact upon the privacy or outlook on adjacent properties.
- 19 This proposal would not have an adverse impact on amenities and would meet the requirements of the NPPF and policy EN2 of the ADMP.

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Area of Archaeological Potential

- 20 EN4 of the ADMP ensures that the Council must conserve the historic features of an area, and this includes archaeological finds.
- 21 The site is located in an Area of Archaeological Potential. However, the area to which the application relates is previously developed land and has been disturbed. Due to the siting of the building it is considered that it would unlikely involve any significant ground works which would result in any harm to any archaeological remains.

Other issues

- 22 As no additional bedrooms are being created. In accordance with Policy T2 of the ADMP, no off street parking provision is required.

CIL

- 23 This proposal is not CIL liable.

Conclusion

- 24 The scale, siting and design of the development would have a minimal impact upon the character and appearance on the street scene and residential amenities of adjacent properties. The development meets the requirement of both local and national policy.

Background papers

Site and block plan

Contact Officer: Mr Scott Fisher Extension: 7405

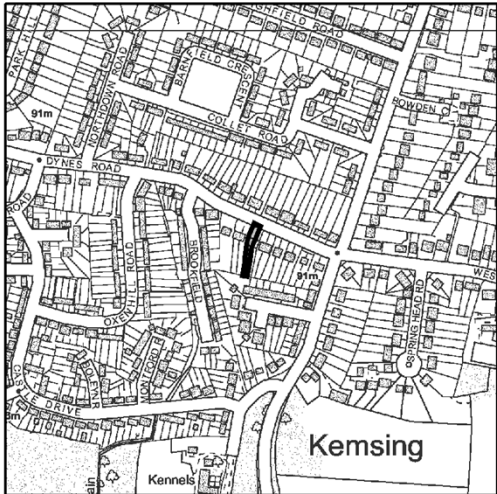
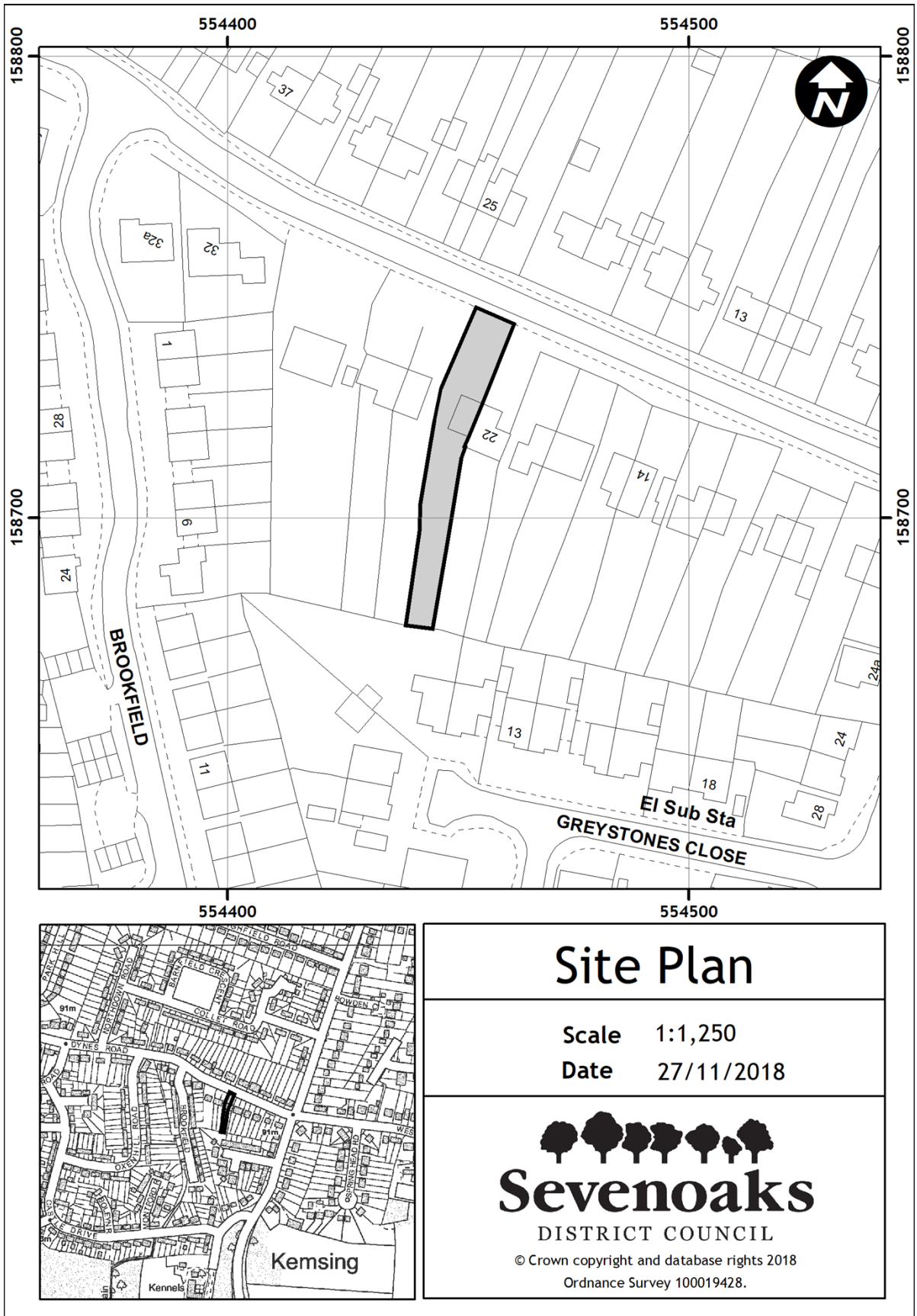
Richard Morris
Chief Planning Officer


Link to application details:

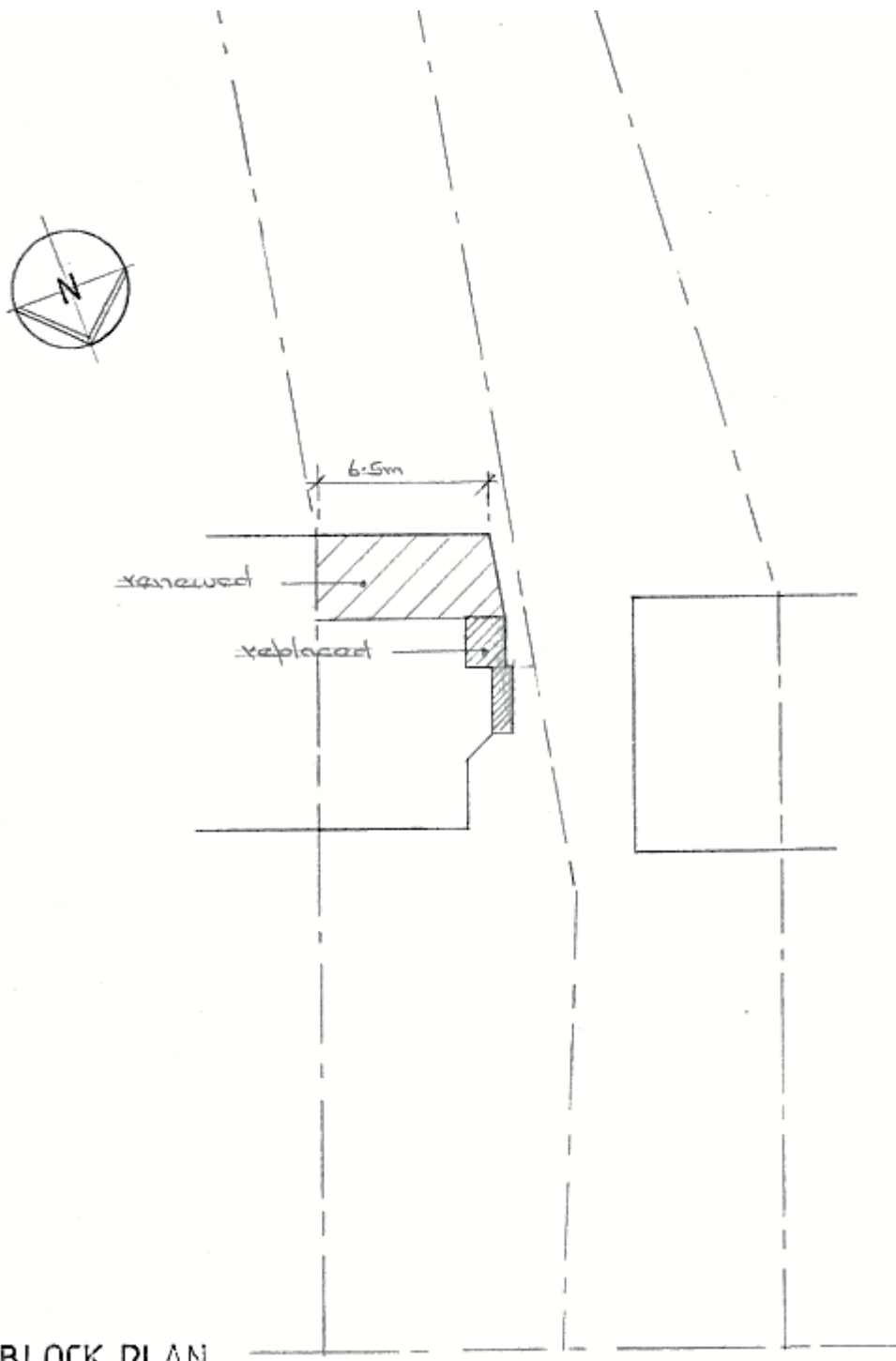
<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHPWOTBK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PHPWOTBK0L000>



<h1>Site Plan</h1>	
Scale	1:1,250
Date	27/11/2018
	
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BLOCK PLAN