

06 June 2019 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks
Despatched: 29.05.19



Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Reay
Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Firth,
Hogarth, Hudson, Mrs. Hunter, Layland, McGarvey, Pett, Purves, Raikes, and Roy

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 25 April 2019, as a correct record.	(Pages 1 - 6)	
2. Declarations of Interest or Predetermination Including any interests not already registered		
3. Declarations of Lobbying		
4. Planning Applications - Chief Planning Officer's Report		
4.1 19/00116/FUL - 95 Dartford Road, Sevenoaks, Kent TN13 3TF	(Pages 7 - 26)	Mark Mirams Tel: 01732 227000
4.2 19/00802/HOUSE - Lannacombe, 1 Harrow Road, Knockholt, Kent TN14 7JT	(Pages 27 - 38)	Scott Fisher Tel: 01732 227000
4.3 18/03518/MMA - Land South Of 162, Hever Avenue, West Kingsdown, Kent TN15 6DU	(Pages 39 - 52)	Claire Shearing Tel: 01732 227000
5. Tree Preservation Order		
5.1 Objection to Tree Preservation Order Number 3 of 2019	(Pages 53 - 58)	Harry Walker Tel: 01732 227000

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, 3 June 2019.

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

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

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

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

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

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 25 April 2019 commencing at 7.00 pm

Present: Cllr. Thornton (Vice Chairman) (In the Chair)

Cllrs. Ball, Barnes, Bosley, Brown, Clark, Coleman, Edwards-Winser, Horwood, Mrs. Hunter, Layland, Purves, Raikes and Reay

Apologies for absence were received from Cllrs. Gaywood, McArthur, Parkin and Williamson

Cllrs. Piper and C Barnes were also present.

76. Minutes

Resolved: That the minutes of the Development Control Committee held on 3 April 2019 be approved and signed as a correct record.

The Vice Chairman expressed thanks to the Committee on behalf of herself and the Chairman for their hard work and commitment over the past four years.

77. Declarations of Interest or Predetermination

Councillors Horwood and Barnes declared that for Minute 80 - 19/00009/FUL - Post Office, Post Office Counters Ltd, London Road, Swanley BR8 7AA they had previously considered the matter when discussed by Swanley Town Council, but that they remained open minded.

78. Declarations of Lobbying

There were none.

Unreserved Planning Applications

There were no public speakers against the following item and no Member reserved the item for debate, therefore, in accordance with Part 7.3(e) of the constitution, the following matter was considered without debate:

79. 19/00317/ADV - Buckhurst 2 Car Park, Buckhurst Lane, Sevenoaks TN13 1JJ

The proposal sought permission for the installation of an illuminated sign to the north elevation of the Sevenoaks Town car park.

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Development Control Committee - 25 April 2019

The application was referred to Development Control Committee as Sevenoaks District Council was the applicant.

Officers clarified that the application was retrospective and the method of illumination/intensity of the signage.

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

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

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

- 2) No advertisement shall be sited or displayed so as to:-

- a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)

- b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

- c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

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

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

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

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

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

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

- 6) The intensity of the illumination shall not exceed 400 candelas /m2.

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

Reserved Planning Applications

The Committee considered the following planning application.

80. 19/00009/FUL - Post Office, Post Office Counters Ltd, London Road Swanley BR8 7AA

The application was for the change of use of a ground floor unit from A1 (retail) to D1 (Christian place of worship) and various associated community facilities.

The application had been referred to the Development Control Committee by Councillor Dyball due to concerns relating to inadequate parking, noise and loss of a prime site for retail.

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

The Committee was addressed by the following speakers:

Against the Application: Melissa Foster
For the Application: -
Parish Representatives: Town Councillor Paul Darrington
Local Member: Councillor Dyball

Members asked questions of clarification from Officers and were advised that a parking survey had not been carried out in Swanley Town Centre for the expected peak time of Sunday morning. Officers noted that only current parking arrangements were relevant and the Committee were unable to consider the parking implications of any future developments in the Town Centre. Members requested an informative be included to cover fire safety assurances. It was noted that the 120-person capacity had been proposed by the applicant and would be subject to inspections if the Council were to receive complaints relating to this capacity being exceeded.

It was moved by the Chairman and duly seconded that the recommendation within the report and late observations be agreed subject to an additional informative to cover fire safety.

Members debated the application.

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: Site Location Plan, 1903-02, 1903-03

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

- 3) The use hereby permitted shall not commence until details of a noise attenuation scheme, assessing potential noise breakout from the proposed use and measures to control it, has been submitted to and approved in writing by the Local Planning Authority. The use shall be carried out only in accordance with the approved details.

To protect the amenities of nearby residential properties and to comply with policy EN2 of the ADMP.

- 4) The premises shall be used only as a place of worship and shall not be used for any other purposes falling within the D1 use class without the benefit of further planning permission.

To protect the amenities of nearby residential properties and to ensure the use does not result in adverse highway or parking conditions, to comply with policies EN2, T1 and T2 of the Sevenoaks ADMP.

- 5) The premises shall be occupied by no more than 120 people at any one time.

To protect the amenities of nearby residential properties and to ensure the use does not result in adverse highway or parking conditions, to comply with policies EN2, T1 and T2 of the Sevenoaks ADMP.

- 6) The use hereby permitted shall take place only between the hours of 08:00 and 20:00 on any day.

To protect the amenities of nearby residential properties and to comply with policy EN2 of the ADMP.

- 7) Prior to the first use of the premises, a Travel Plan, including details of the promotion of sustainable means of transport for future users, shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall be implemented in accordance with the approved details.

To ensure the development has an acceptable impact on local traffic and parking, and to mitigate the potential impact of the development on the Air Quality Management Plan, to comply with policies T1 and EN2 of the Sevenoaks ADMP.

Informatives

- 1) The applicant is reminded that this planning permission does not include any external alterations to the building, including any new plant or mechanical equipment. Further planning permission may be required for these elements.
- 2) The applicant is advised to contact Environmental Health, Food Safety Team at the initial design stage, with respect to advice on compliance with food safety legislation in relation to the kitchen use.
- 3) Owing to the likelihood of the existing buildings containing or being constructed of asbestos products, the applicant is advised contact the Health and Safety Executive (HSE) for advice on the submission of a suitable method statement for removal. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator.
- 4) The applicant is reminded that the Advertisement Consent may be required for external signage associated with the use.
- 5) The applicant is reminded that separate building regulations approval may be required for any associated internal alterations or changes associated with the change of use of the building.

THE MEETING WAS CONCLUDED AT 8.00 PM

CHAIRMAN

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4.1 19/00116/FUL Date expired 28 March 2019

Proposal: Erection of a pair of semi-detached dwellings with parking and gardens and extending drop kerb. Demolition of outbuildings.

Location: 95 Dartford Road, Sevenoaks, Kent TN13 3TF

Ward(s): Sevenoaks Town & St Johns

Item for decision

The application has been referred to Development Control Committee by Councillor Fleming due to concerns over its impact on car parking and highways safety due to the parking and vehicle access arrangements.

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

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 17507 P-150 REV P517507 P-200 REV P417507 P - 450 REV P317507 E-00117507 E -010 REV A

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

3) Notwithstanding the approved plans no development shall take place above damp proof course level until samples of the external materials for the new dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To maintain the integrity and character of the area and Locally Listed Building as supported by EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

4) No development shall be carried out above damp proof course level until full details of hard and soft landscape works and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:-details of all boundary planting and enclosures, planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The landscaping works shall be implemented prior to occupation of the dwellings and retained thereafter, unless otherwise agreed in writing by the local planning authority. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft

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landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To protect the visual appearance of the area as supported by Policy EN1 of the ADMP.

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

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

6) No development, including any works of demolition or preparation works prior to building operations, shall take place on site until a Construction Management Plan is submitted and the details should include the following: (a) Routing of construction and delivery vehicles to / from site (b) Parking and turning areas for construction and delivery vehicles and site personnel (c) Timing of deliveries (d) Provision of wheel washing facilities (e) Temporary traffic management / signage

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 T1 of the Sevenoaks Allocations and Development Management Plan.

7) Prior to the use of the site commencing provision and maintenance of 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6m above footway level shall be implemented and retained as such thereafter.

In the interests of pedestrian and highway safety.

8) No development shall commence until details of all tree protection measures are submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained on site for the duration of the development, and no works, storage or activities within a protected area shall take place unless specifically set out in the above report or agreed in writing by the local planning authority.

To protect existing trees on site, in order to safeguard the character of the area and soften the impact of the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

9) No development shall take place until details of the layout and construction of areas for the parking of cars and means of access have been submitted to and approved in writing by the Local Planning Authority. The parking areas approved shall be provided and kept available for parking in connection with the use hereby permitted at all times. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before

development commences and that without this safeguard planning permission should not be granted.

To ensure a permanent retention of vehicle parking for the property as supported by Policy EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

10) The demolition of the existing garages and outbuildings shall not take place until full details of all boundary treatment to the north west boundary of the application site have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be implemented and retained as such thereafter.

To protect the visual appearance of the area as supported by Policy EN1 of the ADMP

Informatives

1) Any discharge to a public sewer, requires prior approval from Thames Water Developer Services. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

2) The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-largesite/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009

3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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 site currently forms part of the private enclosed garden area of number 95 Dartford Road and is within an area of mixed character with Dartford Road to the south and St. Johns Hill to the north.
- 2 The area to the north and south predominantly consists of larger scale development of a greater height and mass with buildings in residential and commercial use. To the west is the smaller scale development of Bradbourne Road which consists of predominantly 2 storey residential properties. The site is located within the St John's Road Residential Character Area. This area historically forms the beginning of Sevenoaks as a commuter town and comprises a Victorian dormitory suburb.
- 3 The existing building at 95 Dartford Road is a two-storey detached house built 'built before 1840 and thought to date back as far as 1750. The building is painted render under a hipped slate roof. There is a canopied entrance door on Dartford road with sash windows above. The Bradbourne Road frontage has three sash windows to each floor with margin glazing bars, small brackets under cills, shallow moulded window heads to ground floor windows. The windows appear to be later replacements.
- 4 The existing house is one of the oldest houses in this part of the road, this has rarity value and retains original features. There is strong supporting evidence for a link with the former military barracks in Sevenoaks, hence the name Barrack Corner. The building is an example of a style of building unique to the local area. It adds significantly to the street scene and appearance of the area. The building is also Locally Listed.
- 5 The existing outbuildings and garage are located towards the north west of the existing house and front Bradbourne Road. The garage building is two storeys in height with a pitched roof and consists of a garage at ground floor and a storage area above. This building is attached to the neighbouring property at number 1 Bradbourne Road. Behind this building further towards the rear of the application site is a single storey pitched roof building used as a workshop. The outbuildings and garage are not included as part of the listing description for 95 Dartford Road as a locally listed building.
- 6 The Site is located within the St John's Road Residential Character Area. It is not within a designated Conservation Area but is adjacent to the Hartslands Conservation Area.

Description of proposal

- 7 The proposal retains the existing property at 95 Dartford Road. To the west of 95 Dartford Road and fronting Bradbourne Road the plot is proposed to be sub divided to accommodate a pair of semi-detached dwellings with associated access, parking and amenity space.
- 8 The proposed dwellings would be set back from Bradbourne Road and would accommodate two 3 bedroom residential properties. Each property would benefit from its own pedestrian access from Bradbourne Road with private amenity space to the rear. Brick elevations are proposed with stone headers

and cill surrounds. High quality timber sash windows are proposed and the roof would be finished in slate.

- 9 The parking for the existing dwelling at 95 and for the proposed dwellings is located at the western end of the application site and this will be enabled by use and adaption of the existing dropped kerb. In terms of the parking layout, the tandem spaces shown are for the retained property (95 Dartford Road) and replace the existing tandem parking arrangement currently serving the property (garage with one space forward of it). The garage is currently used for storage. As such, the existing dwelling is provided with 1 usable parking space. The proposal provides 2 new usable off street parking spaces for 95 Dartford Road, and one off street car parking space for each new dwelling.

Relevant planning history

- 10 17/01267/FUL - Demolition of existing dwelling and outbuildings and erection of 6 two bedroom dwellings, landscaping and associated parking. Refused 23/06/2017. Appeal dismissed 9 May 2018.

Policies

- 11 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.

- 12 Sevenoaks Core Strategy

- L01 Distribution of Development
- L02 Development in Sevenoaks Urban Area
- SP1 Design of New Development and Conservation
- SP2 Sustainable Development
- SP5 Housing Size and Type
- SP7 Density of Housing Development

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13 Allocations and Development Management Plan (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

14 Other

- Sevenoaks Residential Character Area Supplementary Planning Guidance - St Johns Road Area
- Local List Supplementary Planning Document September 2017.

Constraints

15 The site lies within:

- The built urban confines of Sevenoaks
- Sevenoaks Residential Character Area - St Johns Road Area
- Adjacent to Hartslands Conservation Area
- 95 Dartford Road is a Locally Listed Building

Consultations

Sevenoaks Town Council

16 Sevenoaks Town Council recommends approval provided that

- The Conservation Officer being satisfied with the proposal, particularly with regards to the setting of the Locally Listed Building.
- That the Arboriculture Officer is satisfied with the proposals and their potential impact on any mature trees.
- That Kent Highways are satisfied with the parking and access arrangements.
- The Town Council suggests a condition requiring vehicles to exit the site in forward gear rather than reversing out onto the main road.

Kent County Council Transport and Highways

17 Comments as follows:

- The extended vehicle crossover would be located approximately 16 metres from the give way markings at Barrack Corner.
- A swept path analysis has been submitted to illustrate the movement of vehicles in and out of the proposed spaces. The proposal extends the existing access to provide 3 parking spaces for two additional dwellings and the retained dwelling at 95 Dartford Road. While the tracking diagram identifies that the manoeuvre of vehicles in and out of the site would be tight (especially adjacent to 1 Bradbourne Road),

I do not consider that this warrants a reason for refusal due to the existing access.

- A construction management plan should be requested by planning condition.

18 No objection on behalf of the local highway authority is raised.

Sevenoaks District Council Conservation Officer

19 Comments as follows:

- There is no objection. As the quality of material is key to the success of this scheme please condition a sample of the brick, stone and slate used in the external construction.

Sevenoaks District Council Arboricultural & Landscape Officer

20 Comments as follows:

- Views awaited and any comments received will be reported in the late observation papers.

Representations

21 We received six letters of objection relating to the following issues:

- Harm to the streetscene, visual amenity and character and appearance of the area.
- Harm to setting and viability of Locally Listed Building.
- Overlooking and loss of privacy.
- Results in poor standard of accommodation for existing and proposed dwellings due to a lack of residential amenity space
- Increased traffic congestion and parking problems.

Chief Planning Officer's appraisal

22 The main planning considerations are:

- Principle of development
- Impact on character and appearance
- Impact on setting of Locally Listed Building
- Impact on neighbouring amenity
- Parking and Highways impact
- Trees and landscaping
- Sustainable development
- Community Infrastructure Levy (CIL)
- Other issues

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Principle of development

- 23 Whilst the NPPF places an emphasis on development on previously developed land, it does not preclude other land, including garden land, from being developed for residential use, provided such development is in suitable locations and relates well to its surroundings. Residential gardens outside built up areas' can be previously developed land. Land in built up areas such as private residential gardens is excluded from the definition of previously developed land (Annex 2 NPPF).
- 24 Para 122 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change.
- 25 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.
- 26 An assessment as to whether the proposed dwellings would protect the setting of the urban area and the distinctive character of the local 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.
- 27 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.
- 28 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.
- 29 Currently the application site provides a density of approximately 12 dwellings per hectare. This is significantly below the expected density range for this urban area and indeed the wider context for the site. Currently Bradbourne Road varies between 125 dwellings per hectare to 90 dwellings per hectare. The proposed development would result in a density of approximately 38 dwellings per hectare and is therefore broadly consistent with our Core Strategy and the local area.

- 30 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 urban sites. This is especially important within Sevenoaks District where the majority of the District falls within the Green Belt. Dartford 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.
- 31 With this in mind, the development is acceptable in principle. It would therefore comply with policies LO1, L02 and SP7 of the Core Strategy and the NPPF.

Impact on character and appearance

- 32 The NPPF states at para 127 that planning policies and decisions should ensure developments function well and add to the overall quality of an area and optimise the potential of a site to accommodate and sustain an appropriate mix and amount of development. Policies SP1 of the Core Strategy and Policy EN1 of the Allocations and Development Management Plan (ADMP) indicates that *“all new development should be designed to a high quality and respond to the distinctive local character of the area in which it is situated.....”* and that *‘the form of the proposed development ... should be compatible in terms of scale height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard’*.
- 33 Policy EN1 of the ADMP requires high quality design and lists a number of criteria against which proposed development will be considered, including requiring the layout of proposed development to respect the topography and character of the site and the surrounding area and requirement for appropriate landscaping.
- 34 With regards to the design and appearance of the proposed dwellings, the elevations are detailed, with references to the local architectural character.
- 35 The site is located within the St Johns Road Residential Character Area. Appropriate landscaping and materials are proposed which reflect the existing character and appearance of the location. The proposed dwellings would not project forward of the existing building line of 95 Dartford Road and would be set back from the building line of the short terrace to the north west (1-5 Bradbourne Road). This siting allows the provision of a landscaped frontage and enables 1-5 Bradbourne Road to remain visible in views from Dartford Road.
- 36 The ridge height of the proposed dwellings would be slightly below the adjacent terrace and slightly above 95 Dartford Road. This design provides an appropriate height transition between the existing built form of 95 Dartford Road and the properties located towards the north west. The

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proposal has been designed with a hipped roof which is considered to relate appropriately to 95 Dartford Road and the properties along Bradbourne Road. The proposed dwellings have been designed with a recessed two storey side 'wing' which appears subordinate to the main two storey core of the dwellings in terms of their height, width, mass and bulk. This element of the design reflects that of a number of properties along Bradbourne Road and reinforces this locally distinctive feature. The traditional appearance, pitched roofs, scale and form of the properties reflected other terraced blocks of properties on the locality. The proposed dwellings are not considered harmful to the character or appearance of the area or street scene.

- 37 As such the design of the buildings are not unacceptable in this regard and it would not be in conflict with, harmful or contrary to Policies EN1 of the ADMP or Policy SP1 of the Core Strategy.
- 38 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 setting of Locally Listed Building.

- 39 Sevenoaks District contains many historic and modern buildings and structures, which, while not on the statutory list of buildings which are considered to meet strict criteria that afford them statutory protection, are of local architectural and historic interest or make a significant contribution to the character and appearance of our District.
- 40 The Adopted Local List is a Supplementary Planning Document (SPD) dated September 2017 which raises awareness and enhances protection of the many unlisted but interesting and locally notable historic assets which make up the historic environment of Sevenoaks District. The Local List does not require any additional planning permissions to be sought but buildings on the list have the status of heritage assets and their conservation is an objective of the National Planning Policy Framework (NPPF).
- 41 The National Planning Policy Framework (NPPF) provides the national policy context for plan making and decision taking. Paragraphs 184-202 in Section 16 of the NPPF are concerned with conserving and enhancing the historic environment and in particular the importance to be attached to the conservation and enhancement of heritage assets when considering development proposals.
- 42 At the District level, the Core Strategy development plan document adopted in February 2011 contains Strategic Policy SP1- Design of New Development and Conservation. Policy SP1 includes the paragraph:
- 43 *The District's heritage assets and their settings, including listed buildings, conservation areas, archaeological remains, ancient monuments, historic parks and gardens, historic buildings, landscape and outstanding views will be protected and enhanced.*

- 44 The Allocations and Development Management Plan (ADMP) adopted in February 2015 gives further definition to the conservation and enhancement of Heritage Assets. At paragraph 2.12 Locally Listed Buildings are specifically identified as representing a Heritage Asset.
- 45 The first part of Policy EN4 - Heritage Assets states:
- 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.*
- 46 The inclusion of a building or structure on the list is therefore a material consideration the Council will take into account when considering planning applications. This means that when a planning application is made for a property on the Local List, or an application which will affect the setting of a locally listed building then any proposed alterations or extensions will be looked at with regard to the potential impact of any development on the heritage significance of that property, including its setting.
- 47 The implication of Policy EN4 - Heritage Assets in the ADMP is that planning permission or other relevant consents, when required, will not normally be granted for the demolition of a building identified on the Local List.
- 48 The application proposes to retain the existing Locally Listed building at 95 Dartford Road. The existing outbuildings and the frontage wall are not explicitly referred to in the Local List and are to be demolished, which is not opposed, which is a view shared with the Conservation Officer.
- 49 The existing house at 95 Dartford Road does not lie within a conservation area, but the Hartsland Conservation Area includes land on the opposite side of Dartford Road. The property was included on the Local List on 20 April 2017. On the same day the Local List Supplementary Planning Document (SPD) was published.
- 50 In terms of the impact of the proposed dwellings on the setting of number 95 Dartford Road, the proposed dwellings would be located around 5.2 metres away from the existing flank wall of 95 Dartford Road. The new dwellings would not project forward from the existing building line along Bradbourne Road and would be set behind the existing building at 95 Dartford Road. The existing house at 95 Dartford Road is to be retained. No external alterations to this property are proposed. As such, the local architectural and historic significance of the property and its setting is not harmed. The retained property would still benefit from a garden area and a generous separation distance would be retained between the side elevation of the property and that of the proposed new dwellings. The host property would not appear cramped in its setting and its identified significance would not be unduly harmed by the proposal.
- 51 With regards to the impact of the proposed dwellings on the setting of the conservation area, the Hartsland Conservation Area is located further towards the east of number 95 Dartford Road. By reason of the siting,

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height and design of the proposal, it would not interrupt any views into or out of it. The design of the dwellings is responsive to the character of Bradbourne Road. The scale, form and materials proposed are sympathetic to the local character and appearance of the area. The proposed dwellings reflect some of the distinguishing characteristics and features of the existing buildings in the area and are considered to relate appropriately to the prevailing pattern and character of development in the area. Bradbourne Road is characterised by short terraces or pairs of period properties, the proposed dwellings would be subordinate to the scale and character of those properties located along Dartford Road.

- 52 Given the above, the proposed development would conserve the setting and character of the Locally Listed building at number 95 Dartford Road and the Hartsland Conservation Area and therefore the proposal would not conflict with Policy EN4 of the Allocations and Development Management Plan.

Impact on neighbouring amenity

- 53 Policy EN2 of the ADMP requires development to provide adequate amenities for existing and future occupants and to safeguard outlook, privacy, light and visual amenities of neighbouring properties. Of relevance to this is the Supplementary Planning Document entitled Residential Extensions 2009. This provides design guidance on matters such as the need to preclude overlooking/loss of privacy to rear gardens. Within this document paragraph 5.2 states that “The District Council will normally calculate the private amenity area as a depth of 5m from the back of the property”
- 54 In the previous appeal decision the Planning Inspector concluded that the development of the site for six new dwellings would cause overlooking and loss of privacy to 93 Dartford Road. The Inspector considered that the inclusion of rear facing windows at first and second floor level would result in overlooking and loss of privacy to the first 5 metres closest to 93 which the Inspector found to be “more likely to be used for sitting out.” To address these concerns the amended scheme now being proposed only includes two dwellings, both of which are located at the most western end of site. At its nearest point the rear elevation of the dwelling would be located some 18.6 metres away from the existing rear elevation of number 93 and the first floor windows would not face towards the more intimate garden area of 93 Dartford Road. The views are now over the rear sections of the rear garden of number 93 with views towards the more private amenity area being more acute and oblique. In comparison the previous application included first and second floor windows on rear elevations which were only around 11 metres away from the existing flank and rear elevation of number 93. In addition, there are now no second floor windows being proposed with only one bedroom window and one obscure glazed bathroom window now proposed at first floor level on the rear elevation of each dwelling.
- 55 The rear facing bedroom windows would be located around 8 metres away from the rear boundary with 93 Dartford Road. This when taken with the

significantly greater distances (some 18.6 metres away from the existing rear elevation of number 93) to the more intimate parts of the rear garden area of 93 (taken as the 5m depth from the rear elevation of no.93) and the oblique angle of sight, ensures no significant overlooking or loss of privacy would occur as a result of this proposal.

- 56 The oblique relationship and distances between the proposed rear facing windows of the Proposal and the rear facing windows of 93 Dartford Road ensure no mutual overlooking between rooms would occur.
- 57 The development as proposed includes external amenity space for both the existing dwelling at number 95 Dartford Road and the two new dwellings. The two new dwellings would front Bradbourne Road and the rear of the properties would face towards the end of the existing rear garden area of 93 Dartford Road which lies at a slightly lower ground level to the application site. No 93 Dartford Road has a generously sized garden, which is surrounded by the gardens of No 95 Dartford Road to the north, and Nos 2 to 14a Mount Harry Road to the south and east.
- 58 With regards to numbers 2 - 14 Mount Harry Road, the rear garden boundaries which join the rear garden of number 93 Dartford Road, but as these face broadly north west they do not have the same relationship with the application site in comparison to the rear garden area of number 93 Dartford Road. The rear garden boundaries of nos 2 - 14 are located between 17 to 18 metres away from the application site boundary. The rear elevations of nos 2 - 14 are some 40 metres away from the proposed rear elevations of the new dwellings. With regards to 14a this is positioned at an oblique angle with its main rear elevation facing primarily towards the rear elevations of nos 1 - 5 Bradbourne Road. A small part of the north west boundary of the application site is shared with the boundary of 14a. This area of the site is currently occupied by a single storey outbuilding/ workshop. The proposed dwellings would not project any further towards the rear of the site than the existing rear boundary of 1 Bradbourne Road. Taking this into account the rear garden area and rear elevation of 14a would therefore not be harmed as a result of the proposal. The proposed development would remove the outbuilding however further details of the boundary treatment can be secured by planning condition.
- 59 Taking into account the above distances and existing boundary treatments there would be no significant impact upon residential amenity to these properties.
- 60 Number 1 Bradbourne Road is located adjacent to the application site. This property has a flank window that is obscure glazed and appears to serve a bathroom. No flank windows are proposed on the north west elevation of the new dwellings and as a result no overlooking would occur.
- 61 The rear facing bedroom window would result in some oblique views towards the garden of no.1. However, this relationship is not unusual in an urban context and does not give rise to any significant overlooking or loss of privacy concerns.

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- 62 In terms of the garden sizes of the existing dwellings and the proposed dwellings and the standard of accommodation provided, the Council does not have minimum garden size for new developments. Appropriate provision is made for private amenity space, with the rear gardens level, accessible, functional and proportionate to the size of the dwelling it would serve. Future occupants would experience a good standard of amenity. The existing dwelling at 95 Dartford Road retains a private enclosed amenity area to the front, side and rear.
- 63 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.
- 64 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.
- 65 Due to the location of the neighbouring properties and the proposed dwellings and the distances between them, the proposal passes on elevation and floor plan. With this in mind, there would be no significant loss of daylight or sunlight to habitable rooms or private amenity space.
- 66 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 proposal also passes this test.
- 67 With regards to outlook, the flank elevation of the proposed dwelling would at its nearest point be located some 7 metres away from the flank boundary of number 1 Bradbourne Road and some 18.6 metres away from the rear elevation of number 93 Dartford Road. Taking into consideration the location of the existing and proposed dwellings and existing boundary screening no significant loss of outlook would occur.
- 68 With this in mind, the proposed development would not result in detrimental harm to the amenity of the neighbouring properties.
- 69 The distance between the properties also means any overshadowing or impact on sunlight which may arise from the introduction of the built form will not result in an unacceptable level of harm to the neighbouring properties or their private amenity space.
- 70 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

- 71 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, which form part of our adopted ADMP.
- 72 The site is located approximately 600m from the Bat and Ball train station and 700m from Sevenoaks train station and the area is served by a number of bus routes. It is accordingly considered an edge of centre location and is accessible by a number of public transport links. Therefore our parking standards requirement is a maximum of one parking space per dwelling for 2 and 3 bedroom houses.
- 73 The NPPF states that development should only be refused or prevented on transport grounds if residual impacts are severe.
- 74 The proposal would provide four off-street parking spaces located adjacent to 1 Bradbourne Road. Two spaces for the existing dwelling at 95 Dartford Road and then one parking space for each of the new dwellings. Objections were received from third parties regarding the increased volume of traffic entering the site, the tandem parking arrangement and the impact that this development may also have on the existing parking and traffic situation. Kent County Council as the Highway Authority have not raised an objection to the car parking arrangements or indeed any impact of the proposal on highway safety. The proposed development would result in a small increase of two vehicles entering and exiting the site. A swept path analysis has been submitted with the application which demonstrates that vehicles can enter and exit the site safely. Whilst the proposal may result in vehicles reversing out onto the highway, the application site already has a tandem parking arrangement which serves the existing dwelling at 95 Dartford Road. KCC Highways do not formally object to this arrangement, as set out in their response. The proposed parking layout replaces one pair of tandem spaces (garage with driveway in front) with another.
- 75 The proposal would provide 1 off street parking space for each of the proposed units and the host property. The level of parking provided is compliant with our adopted parking standards. The existing dropped kerb at the northern end of the site would be retained and widened. No objections to the access and parking arrangements have been raised by KCC Highways. The submitted plans also include vehicle tracking to demonstrate the access arrangements are safe and will not compromise highway safety.
- 76 With regards to the bin store, the full details of the arrangements for bin storage can be provided through an appropriate planning condition as there is space within the site to facilitate the siting of the bins to enable ease of movement to kerb side.
- 77 The proposal utilises the existing access, which is adequate for the proposed development, the parking provision is in accordance with our parking requirements of a maximum of 1 space per unit. As such, the development complies with policy T2 of the ADMP and the NPPF.

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- 78 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.
- 79 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

- 80 The proposal as submitted does not include full details of the hard and soft landscaping of the site. There are no significant mature trees or vegetation on the site which are proposed to be removed. The existing boundary vegetation at the site is to remain and full details of all hard and soft landscaping and boundary treatments can be provided through a planning condition. The details of how any existing trees on the site can be protected during construction to ensure they are retained can also be provided through a planning condition.
- 81 The Tree Officer has been consulted but their comments have not yet been received. Any comments received will be reported in the late observation papers.

Sustainable development

- 82 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.
- 83 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.

CIL

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

Other issues

- 85 An objection was received raising concerns about the demolition of the outbuildings and how this would impact on the existing boundary wall and the neighbouring outbuildings. As part of the works proposed would cross over the neighbouring boundary shared with 1 Bradbourne Road a formal notice was served on the owners of this property. Notice was also served on

KCC Highways as the application includes an extension to the existing dropped kerb. Certificate B was completed on the planning application forms submitted which details this. These are the only works proposed which include works on a shared boundary. All other boundary issues including any potential damage to neighbouring boundary walls and outbuildings is a private and civil matter. However details of the proposed boundary treatment along the north western boundary will be controlled by a planning condition as the outbuilding on the boundary is being removed.

- 86 Concerns have been raised as to the viability of number 95 Dartford Road as a family dwelling as the redevelopment would result in a much smaller garden area for 95 Dartford Road and there is concern it would result in the demolition of the dwelling. Any application to demolish this Locally Listed building as part of any redevelopment of this site would not be supported. The existing dwelling as a result of this proposal would still have a suitably enclosed private amenity area which would not be dissimilar in size to other private amenity areas for other family dwellings located along Mount Harry Road and Bradbourne Road.

Conclusion

- 87 The proposal is not considered to harm the appearance of the surroundings, the setting of the Locally Listed building or have a detrimental impact on the amenity of the neighbouring properties. The proposal therefore accords with the relevant local and national policies and is recommended for approval.

Background papers

Site and Block plans

Contact Officer(s): Mr Mark Mirams Contact : 01732 227000

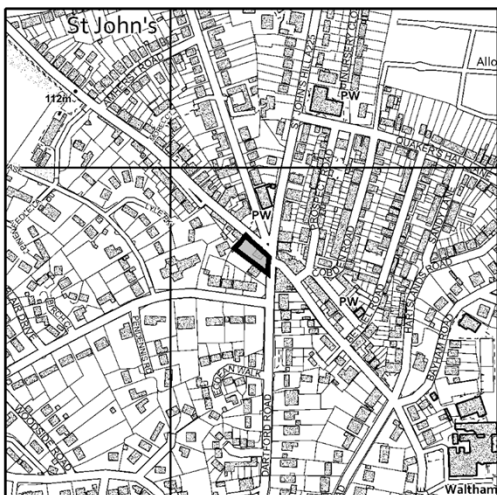
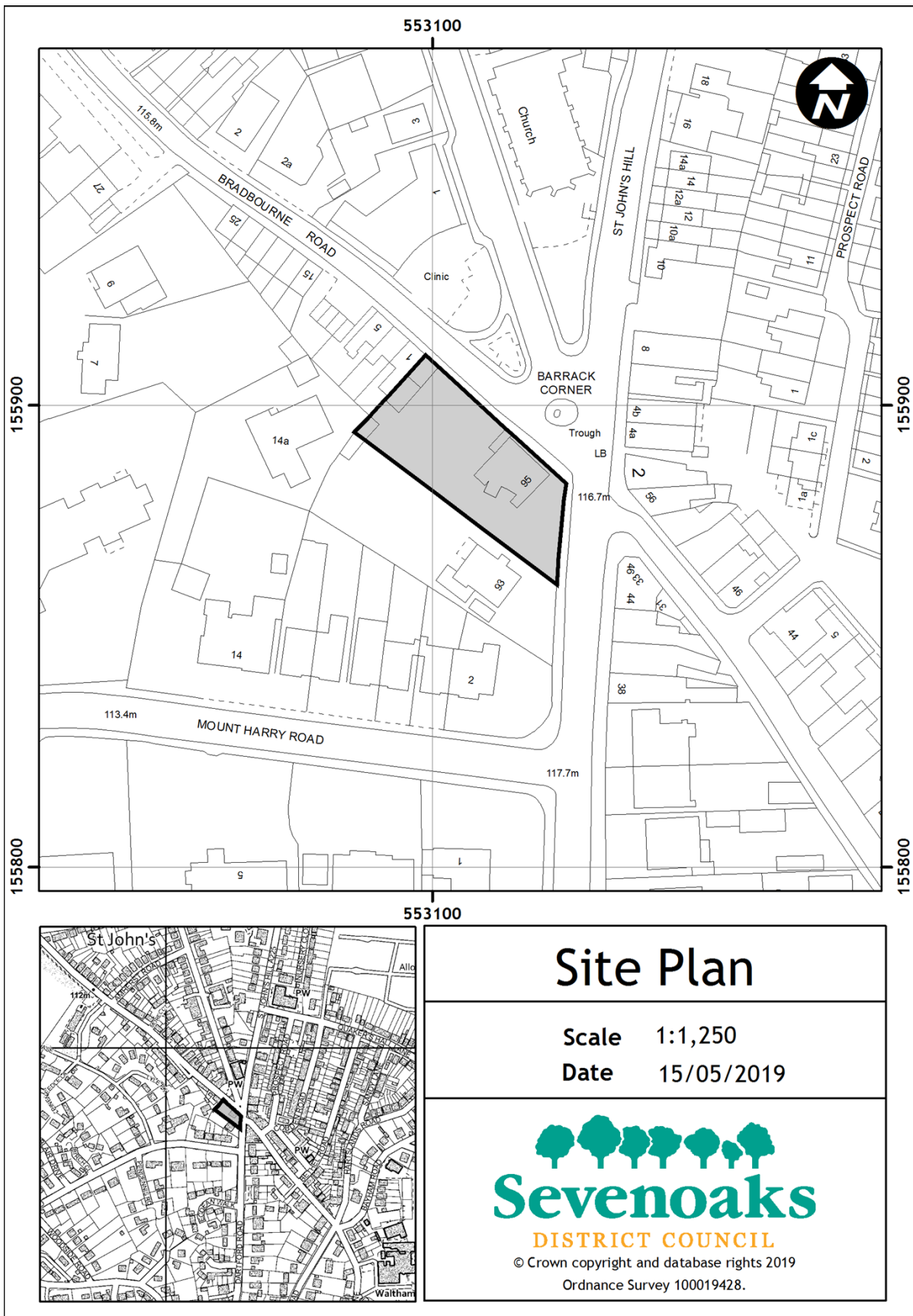
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PLDU0ZBKLI900>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PLDU0ZBKLI900>



Site Plan

Scale 1:1,250

Date 15/05/2019



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Ordnance Survey 100019428.

Existing and Proposed Block Plan



Existing



Proposed

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4.2 19/00802/HOUSE Date expired 21 May 2019

Proposal: Demolition of existing garage and workshop. Erection of part single part two storey extension with basement. New front porch and alterations to fenestration.

Location: Lannacombe, 1 Harrow Road, Knockholt, Kent TN14 7JT

Ward(s): Halstead, Knockholt & Badgers Mount

Item for decision

The application has been referred to the Development Control Committee by Councillor Grint due to the adverse impact on neighbouring amenity.

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

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

4) No development shall commence until the following details are submitted and approved in writing:

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

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

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- c) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.
- d) Details of any proposed alterations in existing ground levels and of the position of any proposed excavations or other engineering operations. These details shall be illustrated by a series of cross-sections showing existing and proposed levels with details of how the excavated soil will be dealt with.
- e) Details of the specification and position of fencing or other measures to create a 'retained tree protected area' for the protection of any retained tree from damage before or during the course of development.
- f) Details of the location and extent of any area on the land to be used during the construction period for storage (including materials, excavated soil, plant and machinery) and/or for siting any temporary ancillary structures, such as a site office.

To prevent damage to the existing trees during the construction period of the proposed extensions and basement as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting those Orders) no development falling within Classes A, B, C, D and E of Part 1 of Schedule 2 to the said Order shall be carried out.

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

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 dwelling is a two storey detached house with an attached garage. The site is situated on the south side of Harrow Road and located in the village of Knockholt. The Green Belt is located on the land behind the site. The dwelling has an overall depth of some 60m and has a frontage to the road of

12m, rising sharply towards the rear (south) of the site at which point it also considerably increases in width to 27m. Neighbouring properties along the southern side of the road to the west of the site are of similar design and frontage (including the adjoining property no.2 - attached by single storey garage only), whilst the property to the east is set further forward and is older. On the opposite side of the road there is a variety of dwelling types and architectural styles of various ages.

Description of proposal

- 2 The application is a resubmission of previously approved 16/01112/HOUSE which granted planning permission for demolition of existing garage and workshop. Erection of a single side/rear extension, front porch and alterations to fenestration. The new application includes a two storey element that will sit on top of the proposed single storey extension. The extension would mirror the pitch of the existing roof and would match the eaves height of the house.
- 3 The application consists of the removal of the existing garage and workshop located on the side elevation of the house. The proposal will see the creation of a new single storey rear extension that will have a length of 8m. The extension will cover the width of the house and would extend out from the side elevation where the previous garage and workshop was in situ. The space created by their removal will see the creation of a wraparound with an attached garage to the side elevation, the garage will extend from the side elevation by 2.8m. The wraparound and single storey rear extension will have a pitched roof and a height of 3.7m and an eaves height of 2.5m.
- 4 The application will include the creation of a basement that will have the same footprint of the proposed single storey element of the application. The proposal includes the addition of a front porch to the house. The porch would be an open structure with a pitched roof. The porch would have a height of 3.5m

Relevant planning history

5	78/00686/HIST	Part single, part two storey extension to side of dwelling	GRANT	12/07/1978
	87/00133/HIST	Extension to dwelling	GRANT	23/04/1987
	83/00979/HIST	Part single part two storey extension to dwelling previously approved under ref se/78/686	GRANT	19/09/1983
	98/02402/HIST	Extension to garage	GRANT	12/01/1999
	13/02547/PAE	Prior notification of a single storey rear extension which extends 8m beyond the rear wall of the original dwelling house with a maximum height	PRAG	01/10/2013

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	of 4m and eaves height of 2.6m.		
15/01810/HOUSE	Erection of a two storey and single storey extensions, including basement.	REFUSE	27/08/2015
16/01112/HOUSE	Demolition of existing garage and workshop. Erection of a single side/rear extension, front porch and alterations to fenestration. Creation of a basement.	GRANT	29/07/2016

Policies

6 Allocations and Development Management Plan

- EN1 Design Principles
- EN2 Amenity Protection

7 Core Strategy

- SP1 Design of New Development and Conservation

8 Other:

- National Planning Policy Framework 2019
- Sevenoaks Residential Extensions SPD

Constraints

9 Tree Preservation Order

Consultations

Parish/Town Council

10 Knockholt Parish Council has objected to the application on the following grounds:

KPC would like to refer back to the original structure in the 1960's. Taking into account the original footprint of the dwelling it would seem that extensive rearward extensions have taken place at a 2 storey level. Accordingly, we would question the application of permitted development rights in this case. We will also support any neighbour concerns.

SDC Tree Officer

11 The proposal to build directly out to the rear instead of previously to the rear/side. Keeps construction away from protected trees and therefore more acceptable. I have no objections to this proposal. Tree protection conditions need to be attached to any consent provided as does details of how the excavated soil is to be dealt with.

Representations

- 12 One objection received raising the following concerns:
- Impact on the visual street scene
 - Impact and damage on the protected trees within the vicinity
 - Impact on the drainage system
 - Impact on parking and the road safety in particular the sight lines

Chief Planning Officer's appraisal

- 13 The main planning considerations are:
- Visual Impact on the Street Scene & Landscape
 - Impact on Residential Amenity
 - Other Issues

Visual Impact on the Street Scene & Landscape

- 14 The relevant policies relating to design and the character of the area are EN1 of the ADMP, SP1 of the Core Strategy and the Residential Extensions SPD.
- 15 The immediate and wider street scene is varied in style, design and size of dwellings, as there is no set defined pattern within it. The proposed single storey side extension would incorporate a new garage into the structure. The extension would have some impact on the visual amenity of the street scene due to its location at the side of the house. The extension would maintain adequate spacing between the neighbouring dwellings, maintain the built form of side garages and respect the visual amenity of the street and area. The extension would be limited in its width and height which would create a subservient addition to the main dwellinghouse. The extension would match the height of the rear element ensuring a cohesive design in keeping with the dwellinghouse.
- 16 The proposed porch would be located on the front elevation of the house. The porch would be seen within the context of the wider local area as it would match others already in situ in both the immediate and wider local area.
- 17 In addition, it is noted that the previous appeal inspector concluded that *"the impact of the proposal on the street scene would be limited to the garage/single storey extension on the western side of No 1 and the oblique view of the two storey extension through the gap between Nos 1 and 2. I agree with the previous inspectors that this would not cause significant harm"* (APP/G2245/D/15/3135744). For these reasons the proposed alterations to the garage, side extension and porch would not harm the character of the street scene or wider area.

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- 18 The basement works, whilst significant in floor space, would have no impact beyond the boundaries of the site. With the exception of the open wells, it would be below ground level. There would be no harm to the visual amenity to the local area.
- 19 The proposed single storey rear extension element would be situated to the rear of the dwelling and would not have an immediate impact on the street scene due to its location. The proposed rear extension would however add bulk to the rear of the dwelling due to its length and width. While the rear extension would extend across the whole width of the property, due to its single storey nature and use of a relatively shallow pitched roof, it would be relatively subservient to the main dwelling in terms of its overall bulk and design. It is acknowledged that 13/02547/PAE granted permission for an 8m extension along with the scheme being an almost identical re submission of 16/01112/HOUSE which was granted planning permission under the same ADMP policies as now. These two applications are acknowledged as fall back positions for this current proposal. Particular attention is paid to 13/02547/PAE which would allow for a single storey rear extension to be created under permitted development. Whilst this extension would extend the width it would be set in at the side. It is therefore felt that due to this and its single storey nature, the proposed rear extension would not be overbearing or harmful to the character of the existing property in this instance
- 20 The proposed two storey element would be situated at the rear of the dwelling and would create an extra storey in a more central location over the proposed single storey rear extension. The two storey element would be set in from the rear of the single storey extension by which would offset its impact to a degree. The extension would mirror the height of the front pitch, whilst also matching the eaves height of the house, this would create a sympathetic design. The proposed length of the two storey element is reduced compared to that which was refused under appeal reference APP/G2245/D/15/3135744 (15/01810/HOUSE). The reduction in length is seen as more acceptable as it reduces the extent of first development visible from public vantage points and relationship with the neighbouring property.
- 21 The proposal would be seen within the context of the other dwellings within the street and the alterations would although add bulk it would not be obtrusive to the street scene. For this reason the proposal would not be detrimental or have an adverse impact upon the immediate street scene. The proposal would meet the requirements of the NPPF and the relevant policies relating to design and the character of the area are SP1 of the Core Strategy, EN1 of the ADMP and the Residential Extensions SPD.

Impact on Residential Amenity

- 22 Policy EN2 of the ADMP and the Residential Extensions SPD are relevant in the consideration of this application. Paragraph 17 of the NPPF states that new development should seek to ensure a high quality design and good standard of amenity for all existing and future occupants.

- 23 16/01112/HOUSE granted planning permission for the demolition of existing garage and workshop. It includes the erection of a single side/rear extension, front porch and alterations to fenestration with the creation of a basement. The current proposal is the same proposal but with the addition of a first floor element. The previous applications (14/02474/HOUSE and 15/01810/HOUSE) were refused and dismissed at appeal on the grounds that the proposal would have an unacceptable impact on the amenities of Antique House only. This was in relation to the development creating a sense of enclosure under the 2014 appeal. Under the 2015 appeal, this was dismissed due to “unacceptable harm to the living conditions of the occupiers of Antique House in relation to outlook” (APP/G2245/D/15/3135744).
- 24 The proposed first floor extension has been reduced by 2m in length and is now further away from the neighbouring property Antique House. The reduction in size would see the extension set behind the side elevation of the house. In the 2015 appeal the inspector stated “the impact on the outlook from the easternmost rear windows of Antique House would be about the same but from the patio and most of the rear garden this change would increase the perceived length of the extension, actually increasing the sense of enclosure”. The reduction in length of the extension would limit its impact on the neighbour reducing the sense of enclosure to the neighbour. The applicant has provided sight line test in their Planning Statement A. Views of the first floor element from Antique house would be limited to views only from the rear of the garden. Therefore, the proposed first floor element will not harm the outlook.
- 25 The two storey element would have a limited visibility due to its location and the existing landscaping would offset this as well. Having conducted my own tests, it is evident the proposal would address the impact that was raised by the planning inspector.
- 26 It is acknowledged that the proposal would still retain a 4 metre rear single storey extension directly adjacent to the shared boundary, however, this will not extend above 2.5 metres in height to the eaves and 3.5 metres high to the ridge. There is an existing 2 metre close boarded fence along this boundary. It is therefore felt that this fence would reduce the built impact of the extension on this neighbouring property.
- 27 It is noted that part of the rear extension would extend 8 metres from the original rear wall, however this would be set in over 5 metres from the shared boundary and would be angled away from neighbours. In addition, consideration has to be given to the approved application. The proposal would pass the 45 degree daylight test on plan and elevation as set in the Sevenoaks Residential Extensions SPD. Therefore, for the reasons above it is considered that the proposed rear extension would not detrimentally impact on the neighbouring amenity of Antique House.
- 28 In relation to 2 Harrow Road, the side extension would be sited closer to this neighbour compared to Antique House. However, it would be sited adjacent to the boundary where currently sits a garage serving number 2. This garage extends along the majority of the depth proposed for the side

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extension and as such, would offset any overbearing impact the extension could have on number 2. In addition, while the proposed extension would protrude beyond the line of the neighbour's garage, the proposal passes the 45 degree test on elevation in relation to number 2, and as the garage is not considered a habitable room and the current boundary treatment would offset any impact due to the relatively modest height of the extension, there would not be a detrimental loss of light to this property. There would be no additional windows proposed in the side elevation of the house and the windows located to the rear would offer no additional views. It is therefore considered that the proposal would not detrimentally impact the residential amenity of 2 Harrow Road.

- 29 Therefore, the proposal would not have an adverse impact on amenities and would meet the requirements of the NPPF and policy EN2 of the ADMP.

Other Issues

Trees

- 30 Due to the excavation required for the basement, the Tree Officer has requested that conditions are attached to any permission requiring further details of how any excavated soil is to be dealt with and how the trees would be protected during the construction phase. It is considered that these conditions would be entirely relevant and appropriate in this instance due to the works proposed and the need to protect the trees which provide amenity value.

Parking

- 31 The existing property has 2 bedrooms and a dressing room. The proposed dwelling would have three bedrooms. Policy T2 of the ADMP states that for a three bedroom property in this location, two spaces would be required. The access and parking is already available on the site that already serves the parking of two vehicles on the driveway which meets the parking standards. The proposal would therefore comply with Policy T2 of the ADMP.

Drainage

- 32 With regards to the drainage concerns raised by the neighbour this would fall under the requirement of any building control submission and would be addressed at this point during construction and development.

Permitted Development

- 33 It is considered that the removal of all Classes of permitted development rights in relation to the dwelling should be given significant weight as there is scope to carry out other works to the dwellings within other classes that would be harmful to the residential amenity of the neighbours and to ensure over development of the dwelling does not occur. If this permission is granted, then the removal of permitted development rights for outbuildings would not take effect until development has commenced.

CIL

34 This proposal is CIL liable, however no exception has been sought.

Conclusion

35 The proposal would meet the requirement of both local and national policy and therefore is recommended for approval.

Contact Officer(s): Mr Scott Fisher Contact: 01732 227000

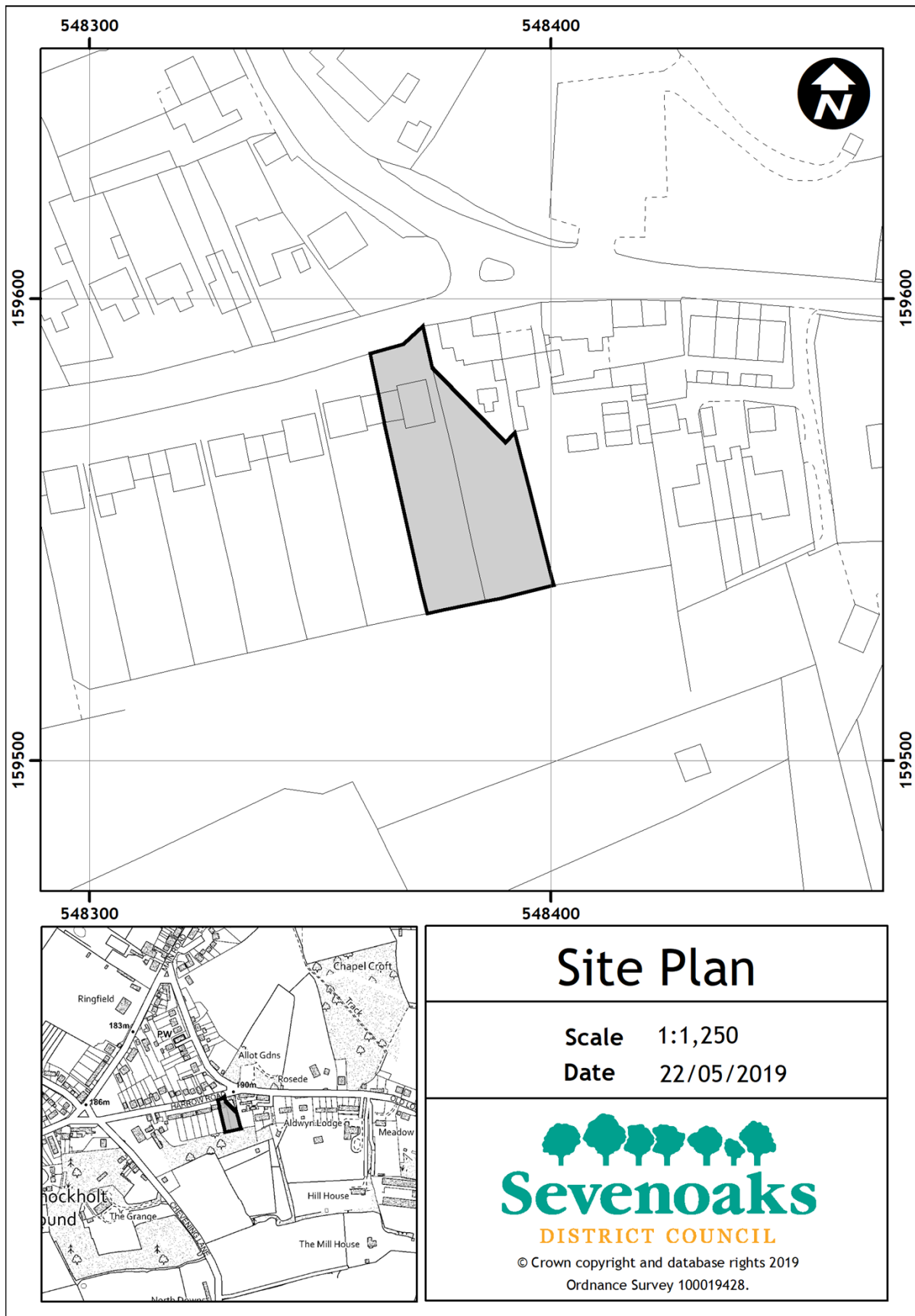
Richard Morris
Chief Planning Officer

Link to application details:

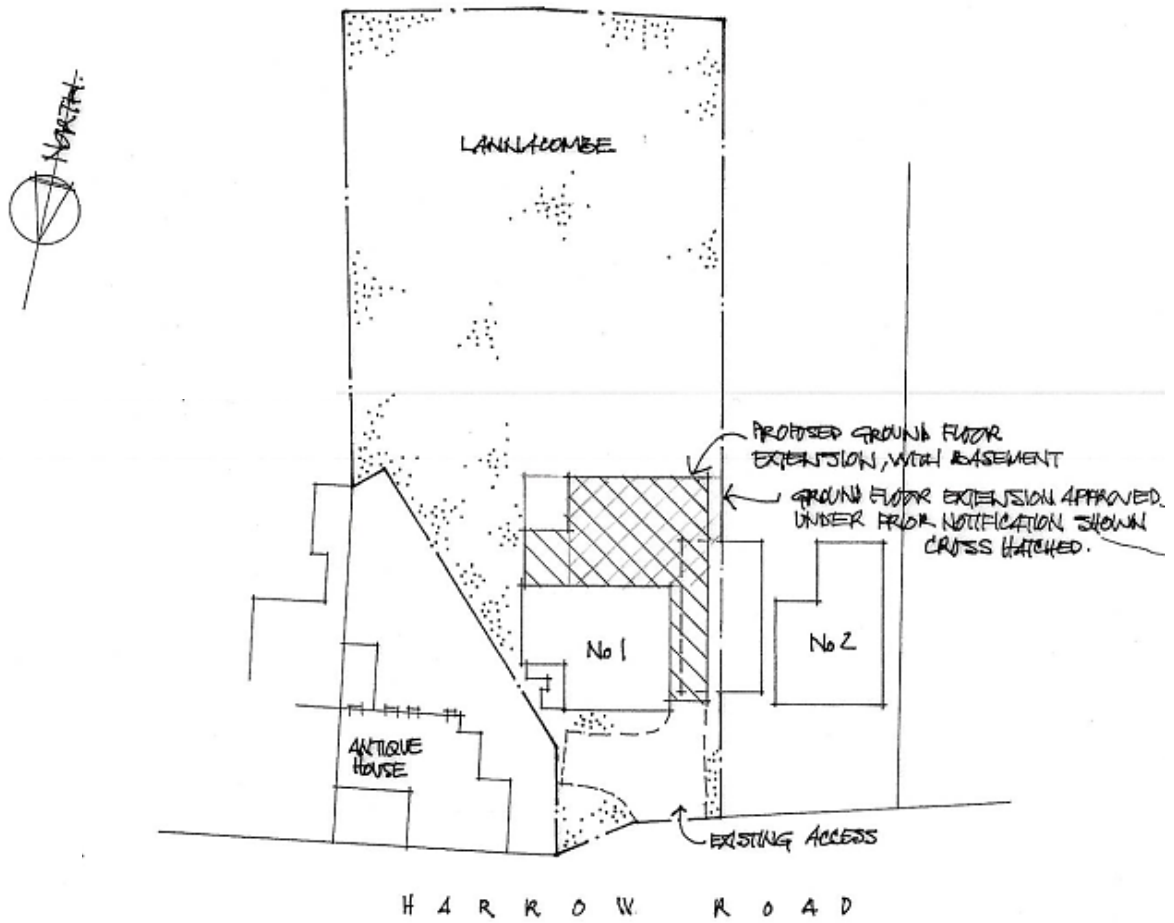
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Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=POF3AWBKJ0N00>



Block Plan



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4.3 18/03518/MMA Date expired 3 May 2019

Proposal: Minor material amendment to 16/02931/FUL.

Location: Land South Of 162, Hever Avenue, West Kingsdown,
Kent TN15 6DU

Ward(s): Fawkham & West Kingsdown

Item for decision

This application is referred to the Development Control Committee as the Council is the landowner of the application site and the applicant of the original planning permission. The Parish Council have also objected to the application.

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

1) The development hereby permitted shall be begun before the expiration of the earlier planning permission 16/02931/FUL.

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: 6642-PD-01/B, 6642-PD-02/A, Acoustic Assessment (by Able Acoustics, dated August 2016), Reptile Survey Report (dated 21 April 2016 / Ref. 2016/02/09), Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03), Arboricultural Method Statement (dated 22 October 2015), Tree Protection Plan, Design and Access Statement.

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

3) Unless in accordance with details approved on 04.01.2019 under reference 18/03186/DETAIL, no development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the 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. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

4) Unless in accordance with details approved on 13.12.2018 under reference 18/03241/DETAIL, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:

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- 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.

To enhance the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

5) Unless in accordance with details approved on 13.12.2018 under reference 18/03242/DETAIL, no development shall be carried out on the land until full details of appropriate measures to enhance the biodiversity and nature conservation value of the site have been submitted to and approved in writing by the Local Planning Authority. The details may include, but not be limited to the recommendations set out in section 4.10 of the Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03). No development shall take place other than in accordance with the approved details prior to the first occupation of the development.

In order to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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) Unless in accordance with details approved on 13.12.2018 under reference 18/03243/DETAIL, prior to the commencement of development, full details of the noise mitigation measures set out in section 6.5.1 of the hereby approved Acoustic Assessment (by Able Acoustics, dated August 2016), including details of a mechanical ventilation system, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwelling

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and the noise mitigation measures shall be retained and maintained as such thereafter.

To ensure the provision of adequate residential amenities for future occupiers in accordance with paragraph 123 of the National Planning Policy Framework and policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

7) Before the first occupation of the development hereby permitted, the car parking and turning areas shown on the approved drawing 6642-PD-01/B shall be provided and shall be kept available for the parking of cars at all times.

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

8) Unless in accordance with the details approved on 13.12.2018 under reference 18/03244/DETAIL, no development shall be carried out on the land until details for the provision of an electric vehicle charging point for the dwelling has been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging point shall be installed in accordance with the details so approved prior to the first occupation of the dwelling hereby approved and retained and maintained as such thereafter.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

9) The first floor level windows in the side (north and south) elevations of the dwelling shall be obscure glazed and fixed shut below 1.7m from finished floor level and shall be retained and maintained as such thereafter.

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

10) Unless in accordance with details approved on 13.12.2018 under reference 18/03245/DETAIL, prior to the commencement of any development on the site, full details regarding the protection of the protected Oak tree to the front of the site and trees located immediately adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved. The details shall include:

- a) Details of the no-dig construction method for the hereby approved access and driveway and timetable for implementation;
- b) Details of the utility routes, method for installation and timetable for implementation;
- c) Details of the specification and position of fencing or other measures to create a 'retained tree protected area' for the protection of retained trees from damage before or during the course of development and a timetable for implementation;

d) Details of the location and extent of any area on the land to be used during the construction period for storage (including materials, plant and machinery) and/or for siting any temporary ancillary structures, such as a site office. The development shall be carried out in accordance with the details so approved.

To secure the retention and long term health of existing trees as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

11) Unless in accordance with details approved on 13.12.2018 under reference 18/03246/DETAIL, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development. Despite any development order, outside lighting shall only be provided in accordance with the approved details.

To mitigate the impact of development on nature conservation and to preserve the visual appearance of the area as supported by policy SP11 of the Core Strategy (2011), policies EN1 and G11 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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.

12) Unless in accordance with details approved on 12.03.2019 under reference 18/03247/DETAIL, no development shall be carried out on the land until a detailed method statement setting out a precautionary mitigation approach in relation to the potential presence of dormice on the site has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall be implemented in accordance with the details so approved.

In order to enhance the protect and enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and G11 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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.

13) The development shall be implemented in accordance with the recommendations for mitigation contained in the hereby approved Preliminary Ecological Appraisal (dated 20 October 2015 / Ref. 2015/10/03).

In order to enhance the protect and enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and G11 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no development within the curtilage of the dwelling house permitted by Classes A, B or C of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried out or made to the dwelling without the grant of a further planning permission by the Local Planning Authority.

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

Informatives

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

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

National Planning Policy Framework

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

Description of Proposal

- 1 The application seeks to make amendments to an earlier planning permission which was granted in 2017 for the construction of a detached chalet bungalow on the land south of 162 Hever Road, West Kingsdown.
- 2 The proposed amendments can be summarised as follows:
 - Relocation of the building 500mm to the south (away from 162 Hever Avenue);
 - Removal of the external chimney breast to the northern elevation;
 - Conversion of integral garage into a habitable room with insertion of window instead of garage doors;
 - Removal of window in the southern side elevation.

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Description of Site

- 3 The application site is rectangular in shape and comprises approximately 0.0962ha of relatively flat land located on the east side of Hever Avenue. The site is located within the built confines of West Kingsdown.
- 4 The northern side boundary is shared with 162 Hever Avenue and the southern boundary is shared with a 3 metre wide tract of land which serves as an access to an area of woodland behind the site and the rear of the neighbouring properties beyond. The other side of the access is 156 Hever Avenue.
- 5 The site is partially enclosed to the front by a post and rail fence. As existing the site contains a number of mature trees, one protected by a Tree Preservation Order, and scrub. The site and the adjacent woodland is owned by Sevenoaks District Council.

Constraints

- 6 Urban Confines of West Kingsdown
- 7 Tree Preservation Order

Policies

- 8 Allocations and Development Management Plan:
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN6 Outdoor Lighting
 - EN7 Noise Pollution
 - GI2 Loss of Open Space
 - SC1 Presumption in Favour of Sustainable Development
 - T2 Vehicle Parking
 - T3 Provision of Electrical Vehicle Charging Points
 - LT3 Brands Hatch
- 9 Sevenoaks Core Strategy:
 - L01 Distribution of Development
 - L07 Development in Rural Settlements
 - SP1 Design of New Development and Conservation
 - SP2 Sustainable Development
 - SP3 Provision of Affordable Housing
 - SP5 Housing Size and Type
 - SP7 Density of Housing Development
 - SP10 Green Infrastructure, Open Space, Sport and Recreation Provision
 - SP11 Biodiversity

10 Other

- National Planning Policy Framework
- Planning Practice Guidance

Planning History

11 16/02931/FUL:

On 20.10.2017 planning permission was granted (following the decision of the Development Control Committee on 19.10.2017) for works described as:

“Construction of a new 4/ 5 bedroom detached chalet bungalow with integral garage”

Following the approval, a number of the planning conditions were subsequently discharged:

- Condition 3 (details of materials)
- Condition 4 (details of hard and soft landscaping)
- Condition 5 (details of ecology enhancements)
- Condition 6 (details of noise mitigation)
- Condition 8 (details of an electric charging point)
- Condition 10 (details of tree protection measures)
- Condition 11 (details of external lighting)
- Condition 12 (details of mitigation for dormice)

Consultations

- 12 A process of re-consultation was undertaken following amended plans from the applicant, which amended the red line boundary of the application site. The red line is now consistent with that of the earlier planning permission.

West Kingsdown Parish Council

- 13 “The Parish Council objects to the application on the grounds that it would reduce the amount of parking space available within the curtilage of the property. Bearing in mind the size of the dwelling (five bedrooms), the proposal would be likely to cause a loss of parking space to the extent that household vehicles could not be accommodated within the curtilage of the site without causing severe compaction damage to the large feature oak tree in the front garden.”
- 14 Further comments: “If the large oak tree in the front garden is not covered by a TPO then Members request that such action is taken to protect it forthwith, in the interest of visual amenity.”

SDC Tree Officer

- 15 “Tree protection details will need to be adhered to as previous”

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KCC Ecology

16 “We have no comments to make on this application.”

Natural England

17 Comments of 7 December 2018: “Natural England currently has no comment to make on the variation of conditions 2 and 7. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again...”

18 Comments of 19 March 2019: “Natural England has previously commented on this proposal and made comments to the authority in our email dated 7 December 2018. The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.”

SDC Environmental Health

19 “No adverse comments or objections with respect to this proposal.”

Environment Agency

20 “We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.”

Kent Wildlife Trust

21 No response received.

South East Water

22 No response received.

Representations

23 No representations have been received.

Chief Planning Officer’s Appraisal

24 Planning permission (16/02931/FUL) exists for a new detached bungalow which was approved on 20th October 2017. Members may recall that this application was reported to the Committee on 19th October 2017. The report sets out the reasons why the development was considered acceptable and its assessment against development plan policies. The permission runs for three years and is still extant.

25 Since the earlier grant of planning permission a new NPPF has been published (February 2019). However insofar as this development is concerned, there have been no substantial changes to the NPPF which would result in the need to reassess the principle of the development. There have also been no significant changes in local adopted policies, or material changes in

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circumstances on the site itself which would result in the need for reassessment of the scheme in its entirety. The applicant is simply seeking a minor material amendment to the previous approval.

26 As this is a minor material amendment, this report will only focus on the acceptability of the changes now proposed.

27 Therefore the main planning considerations are:

- Whether the proposals can be dealt with as a “Minor Material Alteration” to the earlier planning permission;
- Design and impact on the street scene;
- Highways and parking;
- Impact on trees and ecology;
- Impact on neighbouring amenities

Whether the proposals can be dealt with as a “Minor Material Alteration” to the earlier planning permission

28 National guidance contained in ‘Planning Practice Guidance’ confirms that there is no statutory definition of a ‘minor material amendment’ but states that it is likely to include any amendment where the scale and/or nature results in a development which is not substantially different from the one which has been approved.

29 In light of the scale and nature of the approved scheme, the proposed alterations would constitute only a ‘minor’ change.

Design and impact on the street scene

30 The overall design of the proposed dwelling would not be significantly altered by these proposals. As viewed from the street the perceived changes would include the slight realignment of the chimney and the replacement of the garage door with a window.

31 The design of the proposed window would match that of the other windows approved throughout the house. It would remain the case that the development would be sympathetic to the local character of the area and the development would remain compliant with policies EN1 of the Sevenoaks ADMP.

32 It is recommended that the same conditions relating to materials are carried over from the earlier permission to ensure the palette of materials would sit comfortably within this context.

33 On the southern site boundary, adjacent to the access route, the previously approved hedge would be replaced instead with a fence, due to the siting of the proposed house 0.5m closer to this boundary. While a hedgerow would provide a softer appearance to the boundary, the fencing would appear similar to that on the other side of the access track which borders the rear garden of 156 Hever Avenue. The proposed fencing would still respect the overall character and appearance of the area. The repositioning of the proposed house will not harm the visual appearance or spacing between

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properties in this location. As such, the proposal would comply with policy EN1 of the ADMP.

Highways and Parking

- 34 The previous approval included an internal garage within the footprint of the new dwelling. This application seeks to remove the garage space and instead provide living accommodation. This would result in the removal of a parking space on the site.
- 35 In line with Kent County Council's parking standards, a dwelling of this size (with 4/5 bedrooms) should have two independently accessible off-street parking spaces. The driveway to the front of the dwelling would be of a sufficient size to accommodate two parking spaces which would be independently accessed. The development would therefore continue to comply with policy T2 of the ADMP and the associated parking standards.
- 36 The scale and location of the driveway remains unchanged since the earlier permission.

Impact on trees and ecology

- 37 The proposed alterations do not entail the removal of any additional trees from the site. There are currently 3 notable oak trees on the site, the most prominent of which is located to the front of the site and is protected by a Tree Preservation Order.
- 38 The approved scheme would see the removal of two of those trees which were previously not considered of sufficient quality warrant a Tree Preservation Order. The Council's Tree Officer raised no objection to their removal at the time.
- 39 The proposals would continue to retain the protected oak tree at the front of the site and the Tree Officer is satisfied that the development is far enough from the tree that its retention would be possible.
- 40 As with the earlier permission, conditions are recommended to ensure that protection measures are installed around the oak tree to ensure it would not be damaged during the construction process.
- 41 West Kingsdown Parish Council have raised concern that the proposed increased need for parking in the front garden could cause harm to the oak tree. The proposed area of driveway remains unchanged by this application and would remain as previously approved. Condition 10 would ensure that the driveway is constructed using a no-dig method of construction to preserve any roots of the tree within the front garden area.

Impact on neighbouring amenities

- 42 The proposals entail moving the entire footprint of the dwelling approximately 500mm to the south and away from the side boundary with 162 Hever Avenue. The impact of the development on 162 and 156 Hever Avenue are considered in turn below.

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162 Hever Avenue

- 43 The proposals would move the bulk of the development away from this property, creating a clear gap of 1.5m to the shared boundary. The side wall of no.162 is set back from the shared boundary by approximately 1m and there is a 'covered way' built on the side of 162 comprising a glazed roof.
- 44 The earlier application considered the impact of the proposed development on the provision of sunlight and daylight to the windows within 162 Hever Avenue. This was informed by a sunlight and daylight assessment submitted by the applicant. In summary the earlier Committee Report found that the secondary dining room window in the side of 162 Hever Avenue would benefit from sufficient daylight from its primary windows including a window to the rear and that, overall, the loss of daylight resulting from the proposed development would not result in unacceptable harm to the residential amenity of 162 Hever Avenue.
- 45 While an internal site visit to 162 has not been undertaken during the course of this application, Building Control records suggest this property has not undertaken any further replacement or alterations to windows since December 2016.
- 46 Given that the earlier permission can still be implemented, and as the proposals now seek to move the development further away from this property, it remains that the impact of the development on the provision of sunlight and daylight to 162 is acceptable. Any impact on outlook would also be slightly improved by this proposal.
- 47 The impact of the development on 162 Hever Avenue remains acceptable. Again a condition is recommended to ensure the first floor windows in the side elevation would be obscure glazed to protect privacy of this neighbouring property.

156 Hever Avenue

- 48 At its closest point the development would be approximately 5.5m from this neighbouring property and it would remain the case that the properties would be separated by the access which leads to the woodland behind. By reason of the orientation and separation distance, the proposed dwelling would not have a harmful impact on the sunlight/daylight or outlook from the windows in the side elevation of 156.
- 49 As with the earlier permission, a condition is recommended to ensure that the proposed first floor windows in the side elevation of the proposed new dwelling are obscure glazed to protect the privacy of occupants of 156.
- 50 Overall the development would remain compliant with policy EN2 of the ADMP.

Other Issues

- 51 The standard of amenity of the proposed dwelling also remains acceptable subject to imposition of conditions to secure appropriate mitigation to
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protect future occupants from harmful noise disturbance arising from Brands Hatch. This includes mechanical ventilation which has previously been accepted by Environmental Health.

- 52 The development remains acceptable in terms of its impact on biodiversity and ecology. It is recommended that conditions are imposed again to ensure an appropriate scheme of soft landscaping for the site and ensure that biodiversity enhancement measures are installed before the dwelling is first occupied.
- 53 It is recommended that all the conditions which formed the earlier planning permission are repeated and updated where necessary to reflect where their details have been approved.

CIL

- 54 The application is CIL liable and there has been no application for any exemption.

Background Papers

Site and Block Plan

Contact Officer(s): Claire Shearing Contact: 01732 227000

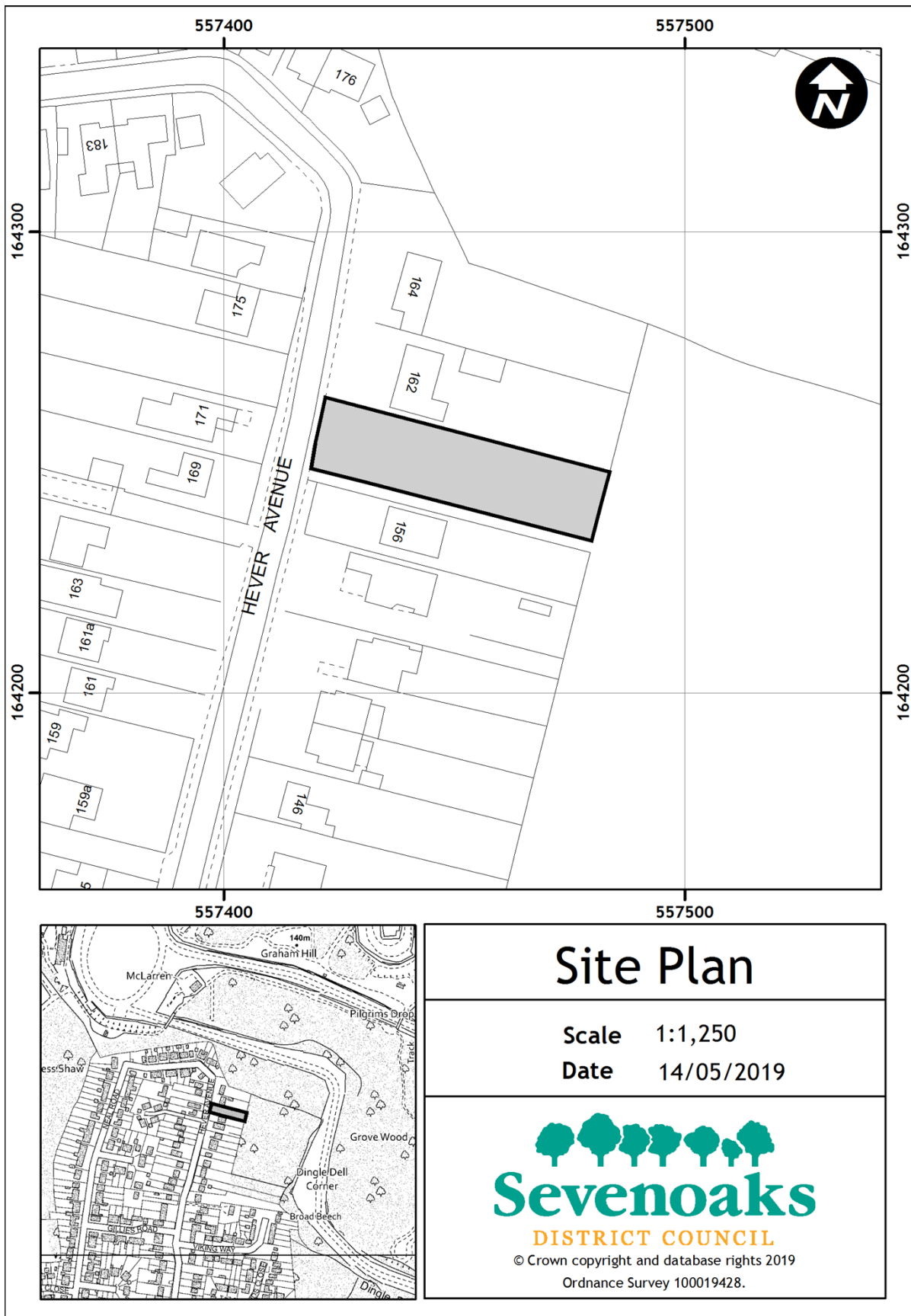
Richard Morris
Chief Planning Officer

Link to application details:

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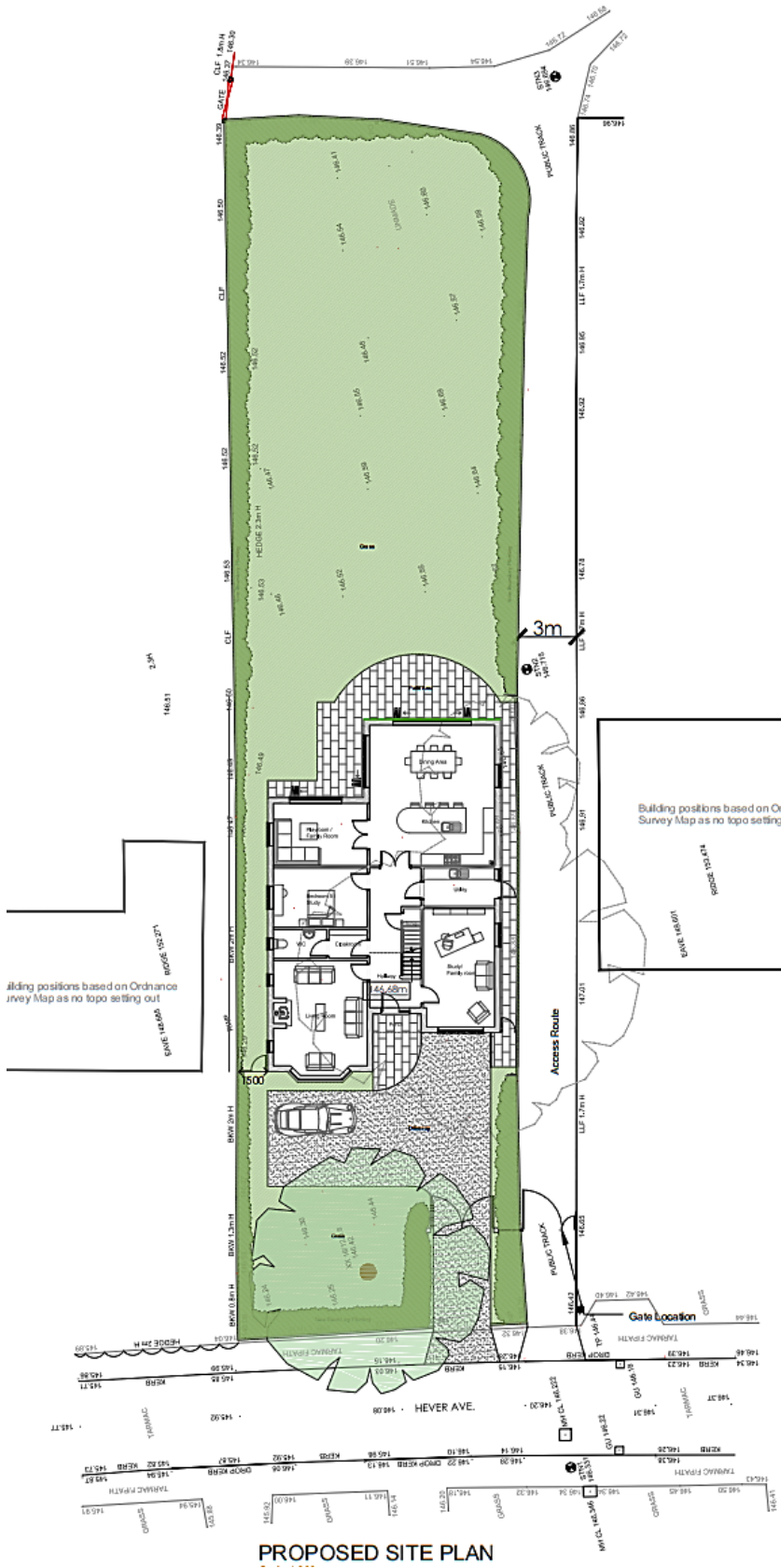
Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PI70MTBKHGX00>





Block Plan



PROPOSED SITE PLAN

5.1 - Objection to Tree Preservation Order Number 3 of 2019

LOCATION Situated on the southern boundary of St Martins Churchyard, High Street, Eynsford.

WARD(S) Eynsford

ITEM FOR DECISION

TPO 3 of 2019 has been served in response to 19/00301/WTCA a conservation area notification to fell 4 Sycamore trees located on the southern boundary of the churchyard.

RECOMMENDATION: That TPO 3 of 2019 is confirmed without amendment.

Description of Site

1 The 4 Sycamore trees are situated on the boundary of St Martins Churchyard, High Street, Eynsford and The Rectory, Pollyhaugh, Eynsford.

Constraints

- 2 AONB
- 3 Eynsford Conservation Area.
- 4 TPO 03 of 2019.

Amenity Value and Visibility of the Hornbeam tree

5 The four Sycamore trees are located on the southern boundary of the churchyard. They can be seen from the churchyard and the public footpath which is located beside The Rectory. These trees appear to be in a sound and healthy condition and so offer a degree of amenity to the local area, as well as users such as residents and visitors to the church. The serving of this TPO would prevent their removal, thus preserving their amenity value.

Representations

- 6 One objection has been received to the serving of TPO 3 of 2019. The objector is Rev Owen of The Rectory, Pollyhaugh, Eynsford.
- 7 Rev Owen objects on the grounds that the Sycamore trees have a detrimental effect on the churchyard, in that they block light to it and they drop seeds on the surrounding graves and damage monuments. Rev Owen also claims that the trees have a detrimental effect on the garden of The Rectory by sapping goodness from the soil, dropping seeds into the garden, blocking light to the vegetable garden and that the Sycamore trees have a detrimental effect on two bedrooms at The Rectory by making them dark and damp and that if they fell, two of the trees would land on the property.

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- 8 Rev Owen claims that it would be more beneficial to remove the trees and replace them with an “edible hedge”, and that this would be more beneficial to wildlife and be more attractive. The removal of the Sycamore trees and subsequent replacement with a hedge would be more financially viable than retaining the Sycamores.
- 9 Eynsford Parish Council, when considering the WTCA notification, would prefer the trees to be managed rather than the complete removal of all four Sycamores. There have always been trees located on the boundary between the churchyard and The Rectory. By allowing these trees to be removed could set a precedent for future tree removal. They also state that a hedge could be planted without the need for the proposed felling to take place.

Appraisal

Consideration of Objections

- 10 TPO 03 of 2019 was served to prevent the felling of the Sycamore trees from taking place. It was felt that their removal would be detrimental to the local amenity. By protecting these trees with a TPO, does not mean that no tree works are possible, but that control would be exerted to the extent of any future pruning works.
- 11 With regard to the problem of light obstruction, this could be overcome by carrying out pruning works and the management of the Ivy which is growing on the main stems of all four trees. This also applies to the dropping of seeds, this could be alleviated by pruning works and grounds management within the churchyard.
- 12 With regards to the effects on the garden of The Rectory, this could also be alleviated by carrying out sensible pruning works. Pruning would reduce the number of seeds shed by the Sycamores and allow more light to the garden and to the property.
- 13 With regards to the risk to The Rectory, at the time of inspection these trees appeared to be in a sound and healthy condition. Providing they are in a sound and healthy condition, they should pose little or no threat to the neighbouring properties. They are the responsibility of the diocese and it is important that they are inspected on a regular basis. No evidence has been submitted to demonstrate the potential harm or actual harm that may have occurred to the property as a result of these trees.
- 14 It is claimed that there would be greater benefit from removing the Sycamores and replacing them with an “edible hedge”. Any replacement planting would take several years to become established. It could be argued that a mature tree is of greater benefit to wildlife than a young hedge. This also applies to the amenity value of the trees compared to a hedge. It is also feasible to plant such a hedge between the trees so that hedge and trees could thrive together as a suitable boundary backdrop to separate the publicly used grave yard and the family garden. The trees do not have to be felled to accommodate the planting of a new hedge.

- 15 With regards to the financial benefit of removing the existing trees and replacing with a hedge, no evidence has been submitted to support this claim. The cost of felling the existing trees and planting the replacement hedge could be quite considerable.

Expediency of Preserving the Hornbeam tree

- 16 The Sycamore trees are prominent within their setting. The loss of these trees would be detrimental to the local amenity. They are ideally located as a boundary marker between the publicly used church yard and the family used garden. By serving, this order would retain these trees and control would be exerted on the extent of any future pruning works to them. Any future application to carry out reasonable tree works could be looked upon favourably.

Conclusion

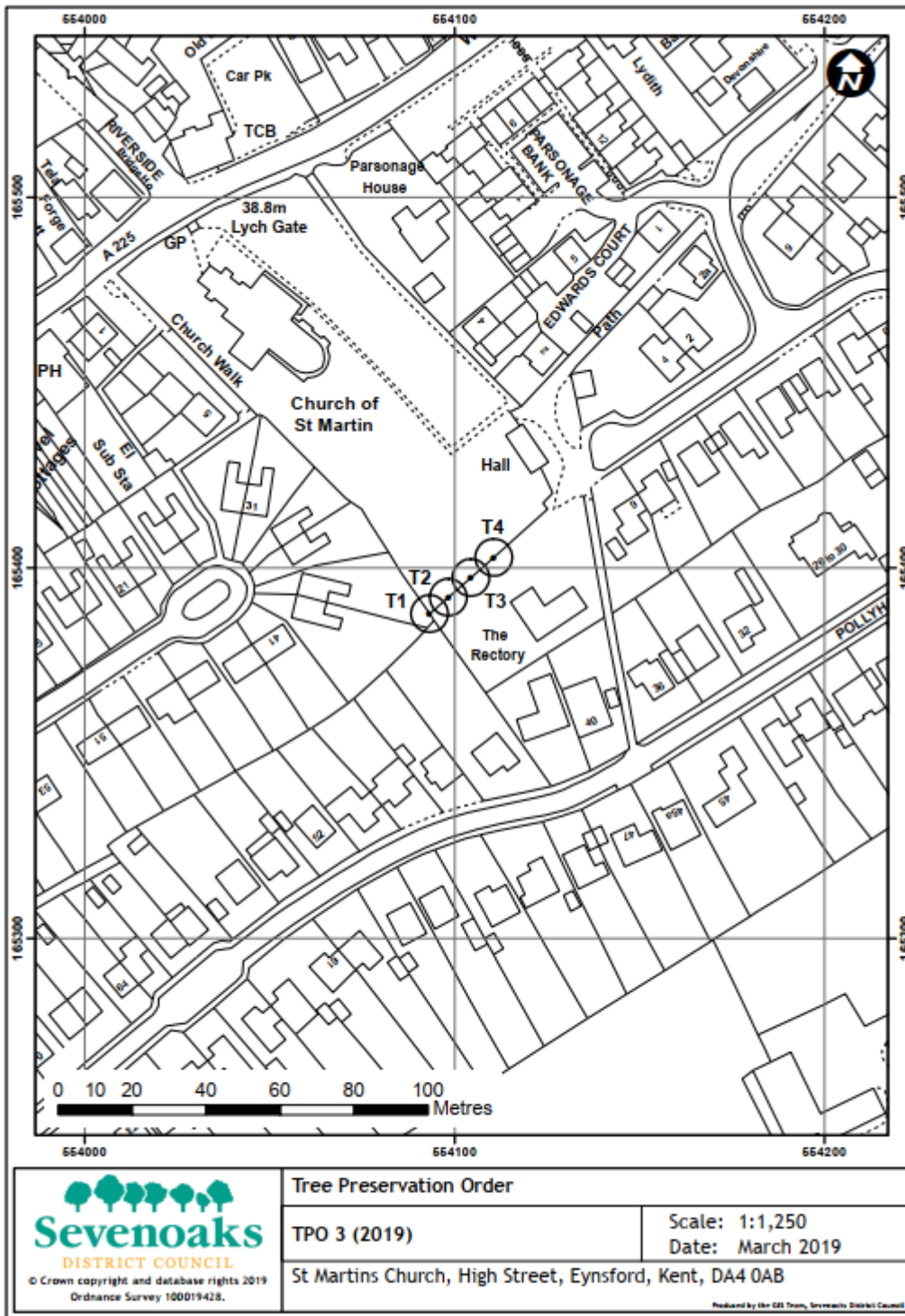
- 17 It is therefore my recommendation that TPO 3 of 2019 be confirmed without amendment.

TPO Plan and Schedule 1 attached as (Appendix 1).

Contact Officer(s): Harry Walker - Contact: 01732 227000

Richard Morris
Chief Planning Officer

Agenda Item 5.1



SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
T1	Sycamore	Situated on the southern boundary of St Martins Churchyard, High Street, Eynsford, Kent.
T2	Sycamore	Situated on the southern boundary of St Martins Churchyard, High Street, Eynsford, Kent.
T3	Sycamore	Situated on the southern boundary of St Martins Churchyard, High Street, Eynsford, Kent.
T4	Sycamore	Situated on the southern boundary of St Martins Churchyard, High Street, Eynsford, Kent.

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

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

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

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

Woodlands
(Within a continuous black line on the map)

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

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

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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 6 June 2019

4.1 19/00116/FUL 95 Dartford Road, Sevenoaks TN13 3TF

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PLDU0ZBKLI900>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PLDU0ZBKLI900>

4.2 19/00802/HOUSE Lannacombe, 1 Harrow Road, Knockholt TN14 7JT

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=POF3AWBKJ0N00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=POF3AWBKJ0N00>

4.3 18/03518/MMA Land South of 162 Hever Avenue, West Kingsdown TN15 6DU

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PI70MTBKHX00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PI70MTBKHX00>

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