

19 November 2020 at 7.00 pm

This meeting will be held virtually via Zoom,
and livestreamed here:

https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g

Despatched: 11.11.20



Development Control Committee

Membership:

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

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the minutes of the meeting of the Committee held on 22 October 2020, as a correct record.	(Pages 1 - 12)	
2. Declarations of Interest or Predetermination Including any interests not already registered		
3. Declarations of Lobbying		
4. Planning Applications - Deputy Chief Executive & Chief Officer Planning & Regulatory Services' Report		
4.1 20/02270/FUL - Little Wood, Woodland Rise, Sevenoaks KENT TN15 0HZ Demolition of existing dwelling house and garage and replacement with new dwelling house and garage and associated landscaping.	(Pages 13 - 30)	Emma Gore Tel: 01732 227000
4.2 20/02296/FUL - Westwood Car And Commercial, Hartley Garage, Ash Road Hartley KENT DA3 8EL Change of use of the rear part of the motor vehicle repair and MOT centre from B2 (general industrial) to a mixed B2 and B8 use (to allow for storage and distribution)	(Pages 31 - 46)	Guy Martin Tel: 01732 227000

together with the retention of two storage containers in connection with the B2 use and the siting of nine additional storage containers for B8 storage use.

- 4.3 **20/01809/HOUSE - 27 Truggers Cottages, Truggers Lane, Chiddingstone Hoath KENT TN8 7BP** (Pages 47 - 60) Samantha Simmons
Tel: 01732 227000
Construction of detached timber framed outbuilding.
- 4.4 **20/02294/HOUSE - Montreal Cottage, Amherst Hill, Riverhead KENT TN13 2EL** (Pages 61 - 70) Anna Horn
Tel: 01732 227000
Erection of gates.
- 4.5 **20/02439/HOUSE - 23 Eardley Road, Sevenoaks, KENT TN13 1XX** (Pages 71 - 80) Michael Clawson
Tel: 01732 227000
Rear first floor extension.
- 4.6 **20/01569/HOUSE - Melsetter, Woodland Rise, Sevenoaks KENT TN15 0HY** (Pages 81 - 98) Samantha Simmons
Tel: 01732 227000
Demolition of side extensions and detached double garage, erection of part two storey/part single storey side extensions, part two storey/part single storey rear extension, link detached garage, alterations to the roof, enlarged porch and external alterations.
- 4.7 **20/02399/HOUSE - Somerset Lodge, 12 Westerham Road, Bessels Green KENT TN13 2PU** (Pages 99 - 106) Louise Cane
Tel: 01732 227000
Single storey rear extension.

As it is necessary to observe social distancing to limit the spread of Covid-19, currently the Council is unable to arrange site visits in the established manner and therefore requests for site visits will not be taken.

Please note speakers should register by 5pm on the day of the meeting.

Any slides speakers may wish to have displayed at the meeting should be emailed to dc.committee@sevenoaks.gov.uk, by 5pm the day before the meeting.

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.

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

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

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 22 October 2020 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Reay (Vice Chairman)

Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Hogarth, Hudson, Hunter, Layland, McGarvey, Pett, Purves, Raikes, Reay and Roy

Apologies for absence were received from Cllrs. Osborne-Jackson

Cllrs. Dickins, Fleming, Grint, Kitchener and Thornton were also present.

108. Minutes

Resolved: That the Minutes of Development Control Committees held on the 1 October 2020, be signed by the Chairman as a correct record.

109. Declarations of Interest or Predetermination

Councillor Hudson declared for Minute 114 - 17 Egerton Avenue and the Former Egerton Nursery, Hextable, Kent, BR8 7LG, that she was a Hextable Parish Councillor but she would remain open minded.

Councillor Hogarth declared for Minute 117 - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB that he was a councillor at Sevenoaks Town Council but he would remain open minded.

Councillor McGarvey declared for Minute 111 - Little Thyme, Calfstock Lane, Farningham, Kent, DA4 9JH that he had attended a Parish Council meeting which included discussions on the application but he would remain open minded.

Councillor Layland declared for Minute 112 - Land East of 17 Romani Way, Hever Road, Edenbridge, Kent, TN8 5NQ and Minute 113 - Tree Preservation Order 4 of 2020 at Swan Lane, Edenbridge, that both application were in his ward but he would remain open minded.

Councillor Raikes declared for Minute 117 - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB, he was a Sevenoaks Town Councillor where he had previously discussed the application. He had called the item to committee and would speak against the application, therefore he would not take part in debate or voting thereon.

110. Declarations of Lobbying

All Members declared that they had been lobbied in respect of Minute 114 - 17 Egerton Avenue and The Former Egerton Nursery, Hextable, Kent, BR8 7LG.

All Members except Councillors Ball, Cheeseman and Darrington declared that they had been lobbied in respect of Minute 115 - Worsley, Badgers Road, Badgers Mount, Kent, TN14 7AZ.

Although he had said he would not take part in voting or debate, for transparency, Councillor Raikes declared that he had been lobbied in respect of Minute 117 - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB.

UNRESERVED PLANNING APPLICATIONS

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

111. 20/01319/FUL - Little Thyme, Calfstock Lane, Farningham, Kent, DA4 9JH

The proposal sought planning permission for the replacement of an existing forestry building with new building to be used for storage associated with existing forestry yard. The application was referred to the committee as the applicant was an employee of the Council.

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

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

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

- 2) The materials to be used in the construction of the development shall be those indicated on the approved plan 3578-19-PL101 revision P2.

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

- 3) The bat and bird boxes as shown on plan 3578-19-PL101 revision P2 shall be installed prior to the occupation of the permitted building.

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

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

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

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

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

- 6) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 3578-19-PL101 revision P2

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

112. 20/02312/FUL - Land East of 17 Romani Way, Hever Road, Edenbridge, Kent, TN8 5NQ

The proposal sought planning permission for the replacement of a timber fence with a metal fence incorporating a gate, the erection of an 8m high CCTV column with a maximum of 4 cameras fitted with anti-climb spikes. The application had been referred to the Committee because the applicant was Sevenoaks District Council.

Resolved: That Planning Permission be granted subject to the following conditions

- 1) Prior to the erection of the column hereby permitted further details the column external finish/colour shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

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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.

- 2) When the CCTV column is no longer required or in use, the column and any resultant materials from its removal shall be removed from the land.

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1 unnumbered 1:1250 scaled location plan, 1 unnumbered 1:200 scaled block plan, PROPOSED FRONT ELEVATION, PROPOSED SIDE ELEVATION, PROPOSED REAR ELEVATION, PROPOSED SIDE ELEVATIONS OF FENCING

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

CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman brought forward consideration of the Tree Preservation Order.

113. Objection to Tree Preservation Order (TPO) 4 of 2020 - Situated upon the boundary within the rear gardens of properties Marlridge and Rough Close, Swan Lane, Edenbridge

The Assistant Arboricultural Officer brought Members' attention to the main agenda papers. TPO 4 of 2020 had been served in response to a local resident who had concerns that the large mature Oak tree would be felled following the felling of several other trees within the garden of Rough Close.

An objection had been received from the owner of Rough Close on the grounds that the tree had limited amenity value and the order was unnecessary as he had no intention of removing or damaging the Oak tree. However, it was noted that the tree was visible from the front of the property and neighbouring gardens and therefore of high amenity value. Having seen recent tree works within the rear garden of Rough Close, the order was considered to be necessary.

Resolved: That TPO 4 of 2020 be confirmed without amendment.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

114. 20/00992/FUL - 17 Egerton Avenue And The Former Egerton Nursery,

Hextable, Kent, BR8 7LG

The proposal sought permission for the demolition of existing house at No. 17 Egerton Avenue and clearance of commercial buildings at Former Egerton Nursery and development of 35no. 2, 3 & 4 bedroom houses with associated access and parking including on-site provision of 14no affordable houses. The application had been referred to the Committee by Councillor Kitchener so that the special circumstances regarding the shortfall of housing supply and the relevance of the emerging local plan can be considered.

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

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: David Bedford
Parish Representatives: Cllr Kitchener
Local Members: -

Members asked questions of clarification from speakers and officers. It was clarified that agricultural buildings were not considered previously developed land and there was an ongoing enforcement investigation parts of the site.

It was moved by the Chairman and duly seconded that the recommendations within the report, be agreed.

Members discussed the application and expressed disapproval over the current commercial use of the site. Members expressed concerns that the development proposed was not necessary and instead the site could be restored with enforcement action. However, it was argued that the development was an opportunity to provide affordable housing as well as an improvement to the site. It was noted that the Council had failed to meet its five year housing supply target. Members considered the support of the application from local residents and Hextable Parish Council. It was suggested that if Members were minded to grant planning permission, that it be ensured that sufficient affordable housing be provided.

The motion was put to the vote and was lost.

It was noted that the granting of planning permission would require the application to be referred to the Secretary of State as the scheme was a major application within the green belt.

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Councillor Williamson moved and it was duly seconded that planning permission be granted on the grounds that the benefits to the residential surroundings and provision of affordable housing outweighed the harm to the green belt. Furthermore, the Section 106 agreement would be completed within two months and if not, planning permission would be refused on the grounds that it does not provide sufficient affordable housing.

The motion was put to the vote and it was

Resolved: That provided the application was not recovered by the Secretary of State

a) planning permission be granted subject to the following

1) delegated authority be granted to the Deputy Chief Executive and Chief Officer - Planning & Regulatory Services to draft planning conditions and informatives after consultation with local ward members, Chairman and Vice Chairman of the Development Control Committee

2) an acceptable Section 106 agreement to secure affordable housing be completed within two months of the date of planning permission

b) in the event the Section 106 is not completed within two months of 22 October 2020, planning permission be refused on the following grounds

1) the proposal does not secure the provision of affordable housing as such proposal is contrary to policy SP3 of the Sevenoaks Core Strategy.

115. 20/01707/FUL - Worsley, Badgers Road, Badgers Mount, Kent TN14 7AZ

The proposal sought planning permission for the demolition of existing family dwelling and erection of a replacement five bedroom family dwelling with integral garage, replacement entrance gate and landscaping alterations. The application was referred to the Committee by Councillor Grint for the impact on the character of the area and the impact to the residential amenity.

Members' attention was brought to the agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Roger King

For the Application: Dugal Dick

Parish Representatives: Parish Cllr Gordon Plumb

Local Members: Cllr Grint

Members asked questions of the speakers and officers. In response to queries, it was clarified that the application had no additional windows overlooking the neighbouring amenity area. Members were advised that the replacement dwelling was more in keeping with the area than the existing property.

It was moved by the Chairman and duly seconded that the recommendations within the report, be agreed.

Members discussed 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those stated on the application form.

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: PD-01, PD-02

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

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, C, D or E 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.

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To maintain and protect the Metropolitan Green Belt as supported by Policies EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan

- 5) Prior to occupation, a full mitigation strategy as detailed in paragraph 5.4 to 5.8 of a bat survey report. Greengage, May 2020 shall be undertaken in accordance with the specifications set out in the strategy. The strategy will identify those areas/features on site that are particularly important for bats show how and where external lighting will be installed in accordance with guidance note 8 bats and artificial lighting (bat conservation trust and institute of lighting professionals). Specifications shall be maintained thereafter in accordance with the strategy.

To promote biodiversity as supported by Policy SP11 of the Core Strategy.

- 6) Prior to the occupation of the development hereby approved, an updated site and landscape plan detailing what ecological enhancements will be incorporated in to the site as well as amended location of bird boxes shall be submitted and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

To promote biodiversity as supported by Policy SP11 of the Core Strategy.

- 7) No development shall take place on the land until full details of the existing and proposed site levels have been submitted to and approved in writing by the local planning authority. The scheme shall be built wholly in accordance with the approved details.

To maintain the character of the area and the residential amenity of neighbouring properties as supported by Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 8) No development shall take place on the land until full details of boundary treatment have been submitted to and approved in writing by the local planning authority. The scheme shall be built wholly in accordance with the approved details.

To maintain the residential amenity of neighbouring properties as supported by Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 9) The first and second floor windows on the side (west) elevation shall remain obscure glazed and fixed shut below 1.7m at all times.

To protect the residential amenity of neighbouring properties as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan

116. 20/02154/CONVAR - Briona Stables, Spode Lane, Cowden, Kent, TN8 7HH

The proposal sought planning permission for a variation of conditions 2 and 3 of 17/01309/FUL for proposed relocation of stable block and kennel with amendments to materials and drawings. The application had been referred to the Committee by Councillor Dickins for the reason as to whether the proposal complied with policy LT2 of the Sevenoaks Allocations and Development Management Plan.

Members' attention was brought to the main agenda papers.

Against the Application: -

For the Application: Guy Eslon

Parish Representatives: Parish Cllr Stephen Boakes

Local Members: Cllr Dickins

Members asked questions of officers and it was clarified that the building would have an external finish of a brickwork.

It was moved by the Chairman and duly seconded that the recommendations within the report, be agreed.

Members discussed the application and expressed concerns that the brick finish including windows and a roof suggested a domestic use of the building.

The motion was put to the vote and it was lost.

Councillor Coleman moved and it was duly seconded that planning permission be refused on the grounds that the proposed use of brickwork and inclusion of windows on the stable block would result in a degree of permanence.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that the proposed use of brickwork and inclusion of windows on the stable block would result in a degree of permanence and could be adapted to other use in the future. As such the proposal would be contrary to policy LT2 of the Sevenoaks Allocations & Development Management plan.

117. 20/02205/HOUSE - Fern Cottage, 7 Pound Lane, Sevenoaks, Kent, TN13 3TB

The proposal sought planning permission for the demolition of an existing conservatory and construction of part single, part two storey replacement extension, new windows to southern elevation and repair and redecoration of render exterior and shutters and landscaping. The application had been referred to Committee by Councillor Raikes who had expressed concerns that the proposed extension would have a significant impact on the appearance of a locally listed building from the public realm and could undermine the established form, which formed part of the basis for the local listing.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Roger FitzGerald

For the Application: Claire Pragassen

Parish Representatives: Parish Cllr Michaelides

Local Members: Cllr Fleming and Cllr Raikes

Members asked questions of clarification from the speakers and officers. It was queried whether the building had previously been connected to the neighbouring property and advised that there were variations on the building's original build form, proximity to outbuildings and size of its back yard on historic maps.

It was moved by the Chairman and duly seconded that the recommendations within the report, be agreed.

Members discussed 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.

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- 2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: 7067-PD-11 Rev A

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 7067-PD-11 Rev A, 7067-PD-10 Rev A

(Having spoken against the application as a registered speaker, Cllr Raikes left the room during consideration of this item and did not take part in the debate or voting thereon.)

THE MEETING WAS CONCLUDED AT 9.59 PM

CHAIRMAN

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4.1 20/02270/FUL

Revised expiry date 23 October 2020

Proposal:

Demolition of existing dwelling house and garage and replacement with new dwelling house and garage and associated landscaping.

Location:

Little Wood, Woodland Rise, Sevenoaks KENT TN15 0HZ

Ward(s):

Seal & Weald

Item for decision

This application has been called to the Development Control Committee by Councillor Thornton due to the impact to the character and appearance of the Conservation Area.

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

The development proposal would result in the wholesale loss of the non-designated heritage asset resulting in harm to significance of the non-designated heritage asset within the Conservation Area. The proposal would result in less than substantial harm to the designated heritage asset, the Conservation Area. The proposal would be contrary to the policy requirements of Policies EN3 and EN4 of the Sevenoaks District Council Allocation and Development Management Plan and would fail to comply with the aims and objectives of the National Planning Policy Framework.

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 Little Wood is a detached two storey dwelling located to the northern side of Woodland Rise. The dwelling is set back from the street scene and is partially screened by vegetation along the boundary. The dwelling sits towards the front of the plot with a long narrow garden extending to the rear.

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- 2 The dwelling is located within the Wildernesse Conservation Area, and is identified within the Conservation Area Appraisal as a building which contributes to the character of the Conservation Area. The site is located within the urban confines of Sevenoaks and is sited within a widely residential area.

Description of proposal

- 3 Demolition of existing dwelling house and garage and replacement with new dwelling house and garage and associated landscaping.

Relevant planning history

- 4 18/00694/HOUSE - Demolition of existing garages, front porch and single storey side extension. Extension to basement. Erection of two storey front and side extensions, single storey and part two storey side extensions, single storey rear to include terrace at first floor. Alteration to fenestration and new chimney. Erection of a double garage and associated landscaping - GRANTED

Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Core Strategy (CS)
- LO1 Distribution of Development
 - LO2 Development in Sevenoaks Urban Area
 - SP1 Design of New Development and Conservation
 - SP11 Biodiversity
- 7 Allocations and Development Management Plan (ADMP)
- SC1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN3 Demolition in Conservation Areas
 - EN4 Heritage Assets
 - T2 Vehicle Parking
 - T3 Provision of Electrical Vehicle Charging Points
- 8 Other:
- Wildernesse Conservation Area Appraisal and Management Plan

Constraints

- 9 The site lies within the following constraints
- Wildernesse Conservation Area

- Building which contributes to the character of the Conservation Area

Consultations

- 10 Sevenoaks Town Council - Sevenoaks Town Council recommend approval.
- 11 Sevenoaks District Council Conservation Officer -

“Significance

- 12 Littlewood is a detached two-storey house dating from the inter-war period. The building is within the Wildernesse Conservation Area which comprises the Wildernesse Estate, an area of detached houses on large plots laid out from the mid-1920s to the mid-1930s. The Conservation Area Appraisal highlights that the original Estate was laid out and developed to the individual designs of some of the most eminent and most respected Arts and Crafts architects of their time. A documentary source identifies the architect J.E. Henderson RIBA, about whom not much is known, as responsible for the design of Littlewood in 1925. Woodland Rise was developed between the mid-1920s and the Second World War with some 34 houses, with another four post-war.
- 13 Page 28 of the *Wildernesse Estate Conservation Area Appraisal and Management Plan* explains that, ‘A further contributing factor to the area’s character is the generous size of plots on which many of the houses are placed and the relatively modest height and bulk of the original designs. The overall impression is thus of the trees and greenery of the gardens, with the buildings nestling in amongst them, subservient to the landscape.’ As a group, the historic houses within the conservation area illustrate the development of the Wildernesse Estate.
- 14 Littlewood is one of the original houses to the Estate (with later additions), built in an English Domestic style with Arts and Crafts influences. It is highlighted within the Wildernesse Conservation Area Appraisal as a building making a positive contribution to the character and appearance to the conservation area. Littlewood is identified as having a degree of heritage significance and is considered a non-designated heritage asset.
- 15 Littlewood’s positive contribution to the character and appearance of the conservation area can be summarised in it being:
- One of the original houses of the Wildernesse Estate, contributing to the historic interest;
 - One of the early modest sized houses on the Estate;
 - Designed in a simple English Domestic style which, in spite of later alterations made to the house, is clearly legible in the front elevation through the external appearance, materials and detailing;
 - A dwelling of traditional form and appearance; and Sited within a large verdant plot, set back from the front boundary. Large pockets of green

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space are visible between the houses, reflecting the planned built response to the local landscape.

- 16 The existing 1970s garage is acknowledged to detract from the character and appearance of the conservation area, due to its low quality materials and design, and being sited directly in front of the driveway onto Woodland Rise.
- 17 Impact Assessment
- 18 It is proposed to demolish the existing building and replace it with a new two-storey dwelling. The Design and Access Statement points out the Arts and Crafts precedents for the new design
- 19 Buildings that make a positive contribution to the character and appearance of the conservation area should be conserved (Policy EN3).
- 20 The Wildernesse Conservation Area Appraisal and Management Plan articulates that a factor contributing to the character of the conservation area is 'the relatively modest height and bulk of the original designs'. The proposed dwelling is not modest in its bulk and not considered to be in keeping with the character of the conservation area.
- 21 Conclusion
- 22 The loss of one of the modestly-sized original houses of the Estate would diminish both the architectural and historic interest of the conservation area. In my opinion, the proposed design is such that the net effect would be that the proposal would fail to sustain the special interest of the conservation area. In this case, I consider the loss of a building which makes a positive contribution to the significance of a conservation area as less than substantial harm (NPPF para 201 and 196)."
- 23 Sevenoaks District Council Tree Officer -

"I have no objections to the proposal to demolish and rebuild as shown. I can also confirm that I have no objections to the proposed pruning works as proposed within the A.I.S. by Broad Oak Tree Consultants. The protection measures as laid out within the aforementioned should be adhered to."

Representations

- 24 We received 16 letters of support relating to the following issues:
 - The new dwelling would better meet modern family needs,
 - The new design would support the use of building and prevent dwellings standing empty and deteriorating,
 - The existing property is not in a good state of repair and has little in the way of architectural or visual advantages,
 - The movement of the garage from east to west would see the garage situated in the sight line of the neighbouring property,
 - The new dwelling would be high quality with modern design features it would add merit to the character of the Conservation Area,

- The new dwelling would be well proportioned,
- Other dwelling which are considered to contribute to the character of the Conservation Area have been demolished including; Broomwood, Blackhall Barns, Briar Wood. The current dwelling is of no greater value than these and its loss is acceptable,
- The new house would add to the character of the street scene,
- The existing dwelling is extremely ugly and in need of demolition,
- The new dwelling is a significant improvement to the character of the area,
- The plot is sufficiently large enough to support the scale of the new dwelling,
- The dwelling would add value to the local environment and would support sustainability aims of the Conservation Area Management Plan,
- Existing property is ugly, ill positioned and does not fit into the character of the area or neighbourhood,
- The contribution of Littlewood is considered to be represented by the properties setting and acaridan nature of the site the loss of the building would not remove this contribution,
- Proposal is modest in bulk and size in relation to its plot,
- The proposed scheme maintains the consistency of traditional style of Wilderness Estate and would not appear pastiche,
- Proposal takes appropriate hues from the arts and craft style of the estate,
- Great weight should be given to the positive design features proposed,
- Just because a building is old does not mean its preservation is request is the building is of no architectural merit,
- The new design would be a better fit in the street scene with thoughtful traditional detailing,
- A number of dwellings have been established in the Conservation Area Appraisal as contributing to the character of the area. The buildings do not all contribute and previous documents only included a smaller degree. Details of its contribution are not included,
- Proposed dwelling an improvement to the 2018 extension scheme.

25 We received 3 letters of objection relating to the following issues, (1 of the letter states object but comments appear in support):

- The proposal will result in the loss of one of the original houses in the Conservation Area,
- As a building which contributes to the character of the Conservation Area there is a presumption in favour of refusal,
- The property should be extended, Craigower and Summerhill have been extended in a sympathetic manner which retains the character of the original style,
- Little Wood formally Bernina, was first listed in Sevenoaks Directory for Woodland Rise in 1927 having been designed by JE Henderson in 1925, presumed to have been built in 1925 or 1926.
- The Conservation Management Plan recognises the individual character of many buildings of importance and not just the woodland setting of the estate,

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- Little Wood is one of the few pre-war variety built area and is one of few left,
- New property would be 2m higher than the existing building.

26 We received 2 letters, neither objecting to, nor supporting the application relating to the following issues:

- The proposed tree works would involve works to silver birch tree between properties in neighbours' ownership. The tree is an important screen between the dwellings,
- Several birds nest in the trees,
- Do not want to see the removal of braches which would make new dwelling more visible,
- Removal of garage should not damage the hedge,
- Cutting back of the hedge G4 should not damage the barrier between dwellings.

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services' Appraisal

27 The main planning consideration are:

- Principle of the development
- Impact to the character and appearance of the Conservation Area and character of the area
- Impact to neighbouring amenity
- Parking and Highways
- Trees and Landscaping
- Other

Principle of the development:

28 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.

29 Policy LO1 of the Core Strategy seeks to retain development in existing settlements. The policy provides a hierarchy of settlements for which development will be situated with Sevenoaks Urban Area being a primary location for development. Policy LO2 also supports development in the urban area of Sevenoaks, for which the site is located.

30 The proposal would seek to replace an existing residential unit. The proposal would retain the degree of residential housing in this location and is located in a sustainable area. The proposal is considered principally acceptable. The other material planning considerations will be assessed below.

Impact to the character and appearance of the Conservation Area and character of the area:

- 31 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 32 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 33 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 34 Policy EN3 of the ADMP states that proposals involved in the demolition of non-listed building in the Conservation Areas will be assessed against the contribution to the architectural or historic interest of the area made by that building.
- 35 The policy continues to state that buildings that make a positive contribution to the character and appearance of the Conservation Area should be conserved. Where a building makes no significant contribution to the area, consent for demolition will be given subject to submission and approval of a detailed plan for redevelopment or after use of the site.
- 37 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 38 Little Wood is located within the Wildernesse Conservation Area, which is comprised of the Wildernesse Estate. The property is located to the north of Woodland Rise within the estate. The property is a two storey detached dwelling from the inter-war period. The dwelling is identified by the Wildernesse Conservation Area Appraisal as a building which contributes to the character and appearance of the area.
- 39 The Wildernesse Estate was laid out in the 1920s to mid-1930s. The Conservation Area Appraisal highlights that the original estate was laid out and developed with individual designs by some of the most eminent and respected Arts and Crafts architects.
- 40 Previous assessments as part of the 2018 planning application and other sources identify the architect of Little Wood as J.E. Henderson RIBA, about whom little is known. The original design of the property is considered to

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have occurred in 1925 and the Conservation Officer has considered Little Wood to be one of the original houses to the estate.

- 41 The specific date and architect of Little Wood is disputed by the Design and Access Statement, Planning Heritage Statement and rebuttals from the agent regarding Conservation Officers commentary. However, it seems undisputed that the dwelling was built prior to 1938. Regardless of the architect of the individual dwelling, the dwelling is built in an Arts and Craft style and as the Conservation Officer identifies the building has an English Domestic Style. These design types clearly were part of the original design intent of the wider estate.
- 42 The identification of Little Wood in historic maps in an around 1938 is indicative of its presence in the original estate. If this was 1925 or 1938 the building remains part of the original conception, being built in the inter war period. The dwelling does not represent a replacement dwelling or a dwelling built in the latter half of the 20th century. While additions to the property have been made the original form and character of the building can still be observed.
- 43 The Conservation Area Appraisal identifies that:
- 44 ‘The Wildernesse Estate was conceived as a coordinated development. Its architectural manner, materials and quality derive predominately from the English Arts and Crafts movement. Many of the 1920s and 1930s houses were designed in this comfortable, well-proportioned but simple manner exemplified by the works of the architect H M Baillie Scott and others of the same school. Baillie Scott’s early involvement probably attracted other Arts and Crafts figures to the area’.
- 45 Little Wood is subject to some extension, inducing the garage additions. The demolition of the garages is acceptable as they add little value to the character of the Conservation Area. However, the general form of the original building is still divisible. The buildings construction in either the 1920s or 1930s on the estate would have been part of the original coordinated development concept. The comfortable, simple manner of the building is still evident in the existing property and forms part of its character.
- 46 The Conservation Area Appraisal goes on to state that the Arts and Crafts style is still a dominate characteristic in the area. It is also stated that:
- 47 ‘A further contributing factor to the area’s character is the generous size of plots on which many of the houses are placed and the relatively modest height and bulk of the original designs. The overall impression is thus of the trees and greenery of the gardens, with the buildings nestling in amongst them, subservient to the landscape’.
- 48 As such, the use of modest proportions and bulk and massing is identified as a key component of the original designs present on the estate. The modesty of these dwellings is not to say they are small buildings but they sit in an unobtrusive manner in the plot subservient to the landscape. It is not the case that the size of a garden alone can justify an increased scale to the

building, but that the scale of the building was part of the original design concept.

- 49 The dwelling as it exists is one of the more modestly portioned buildings in the Conservation Area. The dwellings construction as part of the original estate makes it one of the few examples of this manner remaining in the Conservation Area. Weight is afforded to the Conservation Area Appraisal as an adopted Supplementary Planning Document.
- 50 As Policy EN3 of the ADMP states:
- ‘Proposals involved in the demolition of non-listed building in the Conservation Areas will be assessed against the contribution to the architectural or historic interest of the area made by that building’.*
- 51 Conservation Areas are not just designated for their visual aesthetic. The history of the Conservation Area, including its original planning and conception contribute to the understanding of the original design intentions of the area. The historical interest is as much a part of the consideration as the architectural features and visual assessment. The concept of the ‘attractiveness’ of a building is not the only guide as to its contribution, as this can be a subjective matter. Indeed, brutalist architecture may not be considered by some ‘attractive’, however its conception notes a movement of architecture and a physical illustration of historic thought.
- 52 In this instance the building is considered to be a non-designated heritage asset which contributes to the character of the Conservation Area. The identification of this is due to the building forming one of the original dwellings, which was part of the coordinated development of the estate in the 1920s and 1930s. Further, its modest height, bulk and visual appearance demarcate the Arts and Craft and English Domestic architecture, which formed part of the design intentions of the original estate.
- 53 The Design and Access Statement and Planning Heritage Statement identify ‘fall-back positions’ in justifying the demolition of Little Wood. Firstly, it is argued that the building benefits from permitted development rights and therefore extensions, without planning permission, could occur to the dwelling. This is argued to result in loss of features, interrupt the proportions and alter the materiality of the dwelling weakening its status.
- 54 However, the dwellings materiality is not the only factor in contributing to its value to the Conservation Area or as a non-designated heritage asset as stated above. The applicant could potentially utilise permitted development rights. However, such rights are limited in Conservation Areas. Further, any updates to the materials under these rights would have to be similar to the existing fabric. This would retain its appearance to a degree and would not significantly interfere with the form, bulk and massing.
- 55 As permitted development rights are more limited in Conservation Areas and extensions cannot not exceed the existing height of the dwelling, or exceed its principle elevation, the works would likely retain a subservient appearance to the original dwelling. Further, no lawful development certificates proposed have been submitted, if such submissions were made

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the principle façade of the original dwelling and its height would be retained.

- 56 In order to attribute weight to fall-back positions there has to be a clear intension that such works would be carried out. No certificates have been applied for and the agent's submission is to demolish the dwelling to create a more cohesive dwelling. The use of permitted development rights can create awkward development. Limited weight is therefore given to the utilisation of permitted development rights as a fall-back position in justifying the demolition of the dwelling.
- 57 The 2018 planning permission '18/00694/HOUSE' does increase the footprint and scale of the property. However, the extensions retain the original principle façade, do not increase the overall ridge height and result in set-back gable extensions. The permission was subject to lengthy discussions and iterations to arrive at a solution that the Conservation Officer considered a more sympathetic design approach, including an accompanying demolition plan.
- 58 The proposed extensions would retain the original proportions of the dwelling. As such, it is not considered the proposed development under the 2018 permission, were it to be built out, would result in harm to the non-designated heritage asset. The construction of the extensions would not significantly reduce the status of the building and its overall contribution to the Conservation Area.
- 59 The historic importance of the dwelling and its contribution to the designated heritage asset, i.e. the Conservation Area, would be retained with the design and proportions of the householder extensions. These matters are therefore given limited weight in justifying the demolition of a building that contributes to the character of the Conservation Area.
- 60 Third party comments and the combined heritage assessments submitted by the applicant point to other dwellings that have been identified as contributing to the character of the Conservation Area, that have been demolished and replaced. Each planning application has to be judged on its own context and in regard to its individual merits. The units have been subject to different planning histories, design and previous works. As such, these do not provide a significant precedent of demolition in the Conservation Area.
- 61 The demolition of Little Wood is therefore considered harmful to the character and appearance of the Conservation Area. The dwelling reflects the original design intention of the estate and positively contributes to the historical understanding of the Conservation Area. Its loss cannot be supported and the proposal is considered to fail against policy EN3 of the ADMP.
- 62 In considering development of this nature, and in accord with case law such as the Lakeland Case and Bohm judgements it is important to consider the whole of the proposal. The judgements identify that the 'statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by

development which leaves character or appearance unharmed, that is to say preserved'. The Bohm judgement clarified that it is necessary to consider the proposal as a whole, which is the demolition of the non-designated heritage asset within a Conservation Area and the proposed replacement building.

- 63 A loss and harm to the Conservation Area has been identified above. In considering the replacement dwelling it is noted it possesses some qualities of Arts and Craft architecture, such as the cat-slide roof and gables. Further, the bulk and mass does taper to the sides of the proposed dwelling.
- 64 However, the proposal would see an increase to the overall height of the dwelling. The bulk and massing of the dwelling would increase and would see less break up than the existing two tired gabled dwelling. This increase in height, width and perceived depth creates a dwelling of greater visual dominance.
- 65 The dominance is further emphasised by the degree of glazing and more contemporary proportions of the unit. While the creation of a family unit to meet modern standards is recognised, the existing dwelling and 2018 consented scheme would provide a home which can accommodate a family unit. The original design concept sees a dwelling subservient to the landscape and the house is nestled into the plot. The dominance of the proportions of the replacement dwelling would not sit subserviently to the plot, but result in a degree of assertiveness that detracts from the character of the Conservation Area.
- 66 The proposed replacement dwelling would not preserve the characteristics of the Conservation Area. The use of sustainable improvements is of course to the credit of the development and meets with aims of local planning policy. However, these matters do not overcome the statutory duty to preserve or enhance the character of the Conservation Area.
- 67 The proposed development would be considered to result in less than substantial harm to the character of the designated heritage asset, the Wilderness Conservation Area. The harm would be identified as the erosion of the Conservation Areas significance, in incremental steps, through the loss of an original building to the estate which illustrates the original design concept of the Wildernesse Estate and its contribution to the Arts and Crafts movement.
- 68 The proposal would also result in the loss of and as a result harm to the non-designated heritage asset, Little Wood.
- 69 The proposal would fail to comply with policies, EN1, EN3, EN4 and the aims and objectives of the National Planning Policy Framework.

Impact to neighbouring amenity:

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

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- 71 The site is located between two residential units Tara (to the west) and Summerhill (to the east). The site already has an existing residential use and while the plot sizes in the locality are spacious there is an existing residential relationship between units.
- 72 To the west and east elevations of the proposed dwelling, several openings would be present at ground floor. The ground floor windows would not be elevated and face toward well vegetated boundaries. Regardless of the treatments, the spacing between units and the existing relationship would ensure privacy at this level would be retained.
- 73 At first floor, the proposal would contain side roof lights to the west and east elevations. To the west these would serve a store room, which is non-habitable space, and provide light admittance, these could be obscure glazed via condition. To the east the roof lights would serve a dressing room, again non habitable accommodation. The roof lights could once again be obscure glazed via condition.
- 74 The first floor would have bay windows and rear and front openings. The opening would have oblique views of neighbouring properties. Such views are common in such residential areas and do not offer expansive direct views of private amenity space.
- 75 Openings within the attic space would be located on the front and rear elevations. Similarly these only offer oblique views and would not be considered to result in intrusive overlooking. The garage would have roof lights facing to the west at first floor and dormers facing east. The roof lights could be obscure glazed to preserve privacy as they adjoin the boundary. Sufficient distance would exist between the dormers and eastern boundary that they would not result in significant overlooking. The proposed dwelling is considered to preserve neighbouring privacy.
- 76 The proposed dwelling would see an increase in the proposed ridge height, bulk and massing. The siting of the dwelling would mirror the existing dwellings location within the plot. Both neighbouring units to the east and west have opening along the rear and front elevation which provide wide outlook.
- 77 The proposed dwelling introduces cat slide roofs to the east elevation and lower hipped gables to the west. The result means a tempering of bulk and mass to the side boundaries. The spacing around the dwelling and the boundaries would mean significant visual intrusion would not occur.
- 78 The proposed garage would be sited along the western boundary and would have two storeys. While the garage maybe in the line of sight of the neighbouring property, its oblique relationship would not significantly impair outlook from the dwellings windows. A view is not protected under planning legislation.
- 79 Due to the trajectory of the sun the neighbouring units would retain sunlight through the day to the front elevations which face south. Further, the side elevations would retain daylight in the morning and evening. The proposed dwelling has been designed such that the roof slopes and tappers either

side. The separation of the proposed dwellings to neighbours would mean a significant loss of daylight would not occur.

- 80 The proposed dwelling would have dual outlook with multiple openings. The benefit of this would be to secure outlook and natural light to filter into the dwelling. The proposal would provide spacious living accommodation for a family unit. A large degree of private amenity space would be retained for the unit.
- 81 The proposal would retain neighbouring amenity and ensure good quality accommodation for future occupiers. The proposal would be considered to comply with policy EN2 of the ADMP.

Parking and Highways:

- 82 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that dwellings in this location with 4 or more bedrooms require 2 parking spaces.
- 83 The site already has an existing access along Woodland Rise. The proposal would not see a net gain in the number of housing units. The access is therefore considered sufficient in accommodating a single dwelling given the residential nature of the road.
- 84 The proposed dwelling would contain more than 4 bedrooms. The site would see an expansion to the hardstanding on site to the front of the property. The extended hard surfacing would provide accommodation for two vehicles to park (excluding the garage) and manoeuvre on site to leave in a forward gear.
- 85 Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigate climate change. A vehicle charging unit would be secured by condition upon any grant of planning permission.
- 86 The proposal is considered complaint with policy T2 of the ADMP and highways policy.

Trees and Landscaping:

- 87 The proposal is located within a Conservation Area and as such the trees on the site do benefit from protection, due to the visual amenity they contribute to the character of the area. However, this protection is a blanket protection and as such not the trees within the area do contribute to the overall setting of the Wildernesse Conservation Area.
- 88 The application was accompanied by an Arboricultural Impact Assessment. The proposal would see the loss of some fruit trees, a Laburnum, Cypress and Cherry Laurel. Other works to the trees and vegetation on site would also occur. The tree protection fencing would extend around the front elevation and the side boundaries in and around the area for development.

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- 89 The Tree Officer has no objections to the proposal or the pruning works indicated as part of the Impact Assessment. The officer has requested that the tree protection measures are carried out in accord with the A.I.S. The proposal if approved would be conditioned as such.
- 90 Third party comments have concerns with potential thinning out of the hedgerow and works to a Silver Birch tree to the eastern boundary. The local planning authority does not have control of works to hedgerows directly, however the tree protection fencing appears to extend partially round the hedge and ground protection measures would also be installed.
- 91 In regard to the tree works to tree which overhang boundaries can be carried out by neighbours if the branches are returned. Amenity considerations are discussed above and view of development are not planning considerations in determining proposals. An informative could be added to any approval in regard to breeding bird legislation and party wall agreements.
- 92 The proposal, subject to condition, is considered to retain vegetation along the street scene which contributes to the character of the area. The proposal is considered policy compliant with regard to trees and landscaping.

Other issues

- 93 Allocation of buildings contributing to the character and appearance of the area:
- 94 Third party comments raised concerns with the number of dwellings identified as buildings that contribute to the character and appearance of the Conservation Area and the allocation process. The Conservation Area Appraisal is an adopted supplementary planning document. Each application is judged on its own merits. The dwelling in question is considered not just a dwelling which contributes but also a non-designated heritage asset.

Community Infrastructure Levy (CIL):

- 95 This proposal is CIL liable and there is an application for exemption.

Conclusion

- 96 The proposal would be considered to result in harm to a non-designated heritage asset through the loss of the original building. The proposal would also see harm to the designated heritage asset, Wildernesse Conservation Area, through firstly the loss of a building which contributes to the character and appearance of the Conservation Area. Secondly, through the construction of a replacement dwelling which would fail to assimilate to the setting of the Conservation Area in creating a dominant built form which would not appear subservient to the landscaped setting.
- 97 The proposal is not considered policy compliant.
- 98 It is therefore recommended that this application is REFUSED.

Background papers

Site and block plan

Contact Officer(s): Emma Gore: 01732 227000

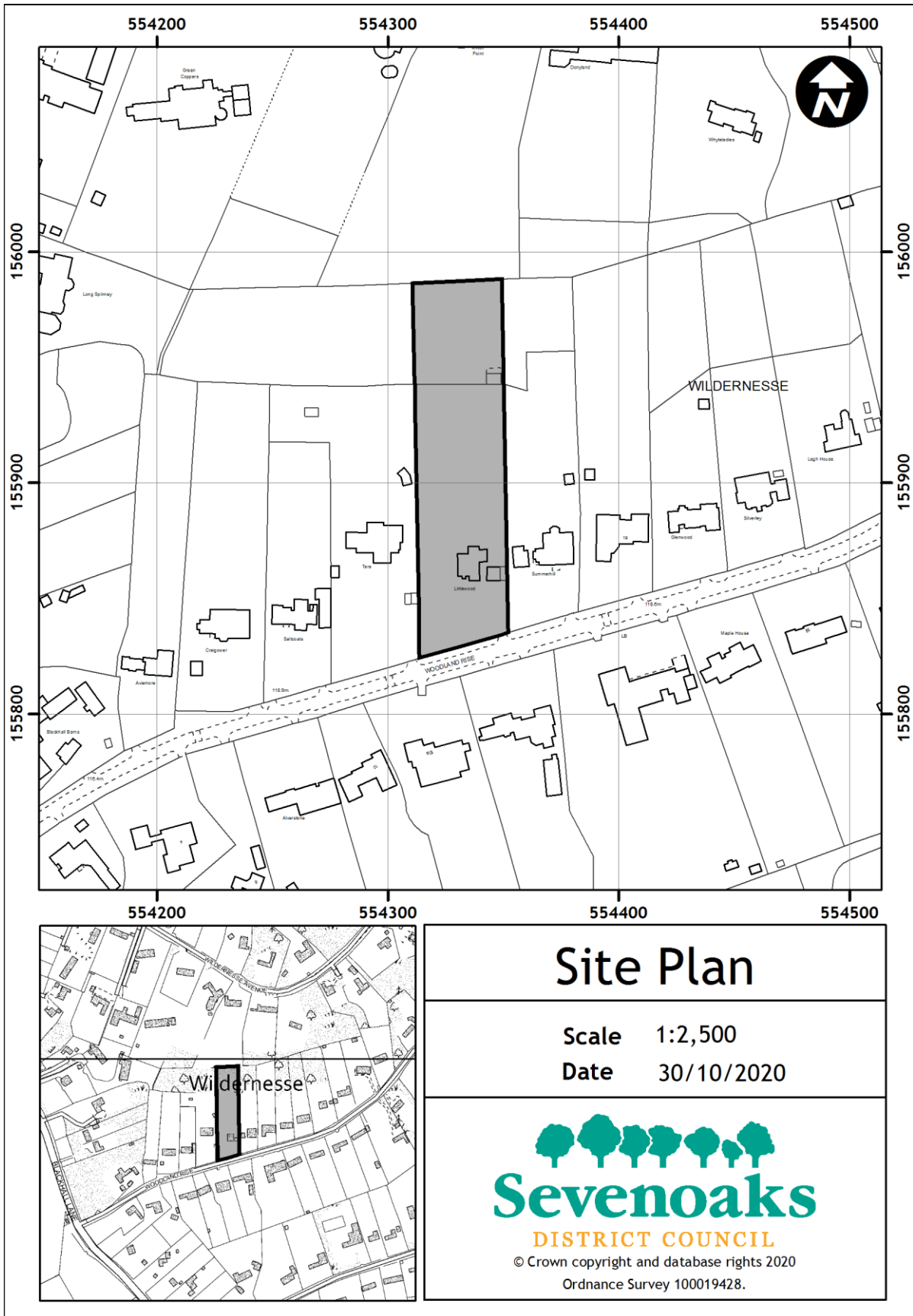
Richard Morris
Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

Link to application details:

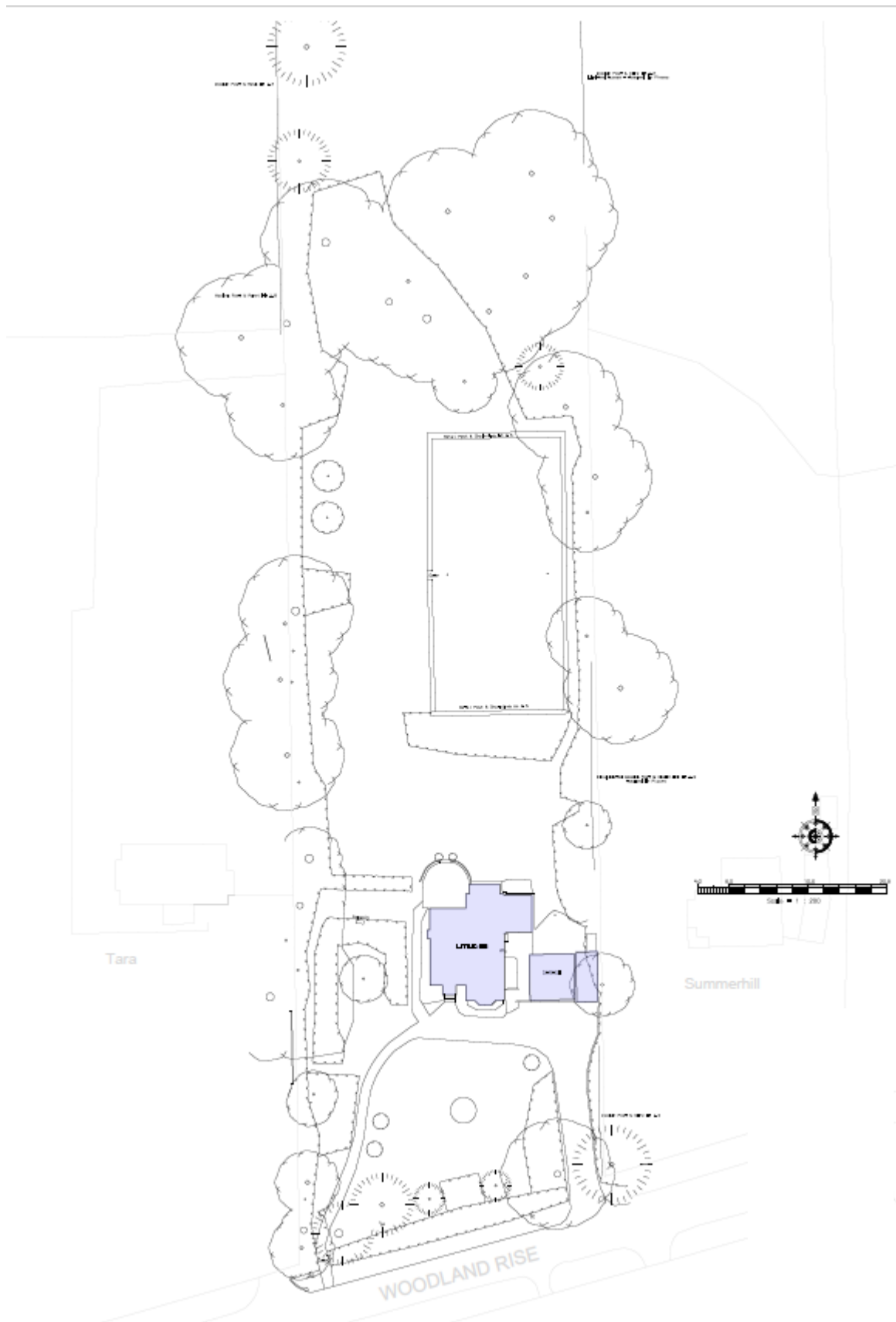
<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QEUIZMBKJDS00>



BLOCK PLAN



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4.2 20/02296/FUL

Revised expiry date 20 November 2020

Proposal:

Change of use of the rear part of the motor vehicle repair and MOT centre from B2 (general industrial) to a mixed B2 and B8 use (to allow for storage and distribution) together with the retention of two storage containers in connection with the B2 use and the siting of nine additional storage containers for B8 storage use.

Location:

Westwood Car And Commercial, Hartley Garage, Ash Road Hartley KENT DA3 8EL

Ward(s):

Hartley & Hodsoll Street

Item for decision

This application has been called to Committee by Councillor Perry Cole to consider the possibility of adverse effect on neighbouring residential properties amenities

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

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

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

2) No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1. A preliminary risk assessment which has identified: - all previous uses - potential contaminants associated with those uses - a conceptual model of the site indicating sources, pathways and receptors - potentially unacceptable risks arising from contamination at the site. 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

To reduce risk to controlled waters. Controlled waters are particularly sensitive in this location because the site is located upon a Principal aquifer within SPZ3. Due to the vulnerability of the aquifer every precaution should be taken to prevent any pollution of groundwater. Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use. To comply with the National Planning Policy Framework paragraph 170.

3) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

To reduce risk to controlled waters. Controlled waters are particularly sensitive in this location because the site is located upon a Principal aquifer within SPZ3. Due to the vulnerability of the aquifer every precaution should be taken to prevent any pollution of groundwater. Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use. To comply with the National Planning Policy Framework paragraph 170.

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

To reduce risk to controlled waters. There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters. To comply with the National Planning Policy Framework paragraph 170.

5) The development hereby permitted shall not be commenced until such time as a scheme to connect the property to foul and or surface water drainage system has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by remobilised contaminants present in shallow soils/made ground in line with paragraph 170 of the National Planning Policy Framework.

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

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by remobilised contaminants present in shallow soils/made ground in line with paragraph 170 of the National Planning Policy Framework.

8) Prior to the use of the containers details of the trees to screen the containers from the residents of Carmelite Way will be submitted to and approved in writing by the Local Planning Authority. Those details shall include:- planting plans (identifying 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. Development shall then be carried out in accordance with the approved details. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

9) The site shall only be open for customers between the hours of: 08:00 to 18:00 Monday to Saturday and 11:00 to 16:00 Sundays and Bank Holidays.

To safeguard local amenities as supported by policy EN2 of the ADMP.

10) Prior to the use of the containers details shall be submitted to and approved in writing by the Local Planning Authority in respect to the lighting on site with details of external lights strength, location, direction and orientation. The external lighting shall only be illuminated within the hours of 08:00 to 18:00 Monday to Saturday and 11:00 to 16:00 Sundays and Bank Holidays and shall be as agreed with the Local Planning Authority and shall be maintained thereafter.

To safeguard local amenities as supported by policy EN2 of the ADMP.

11) The containers hereby permitted shall not be refrigerated by any means.

To safeguard local amenities as supported by policy EN2 of the ADMP.

12) Within three months of this permission details shall be submitted to and approved in writing by the Local Planning Authority of an entry gate to the site to enable the site to be closed when the site is closed. The entry gate will be locked outside of the hours of opening. Development shall then be carried out in accordance with the approved details prior to the use of the containers hereby permitted.

To safeguard local amenities as supported by policy EN2 of the ADMP.

13) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 02, 03

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

Informatives

1) KCC Highways informative:

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

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

2) Environment Agency Guidance:

We note from the application form that surface water will be managed by the use of a soakaway. The site is located upon Clay-with-Flint superficial deposits which are relatively impermeable. The applicant should assess the viability of using a soakaway at this location. Additionally, the following points should be noted wherever infiltration drainage (such as soakaways) are proposed at a site:

- Appropriate pollution prevention methods (such as trapped gullies or interceptors) should be used to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. Clean uncontaminated roof water should drain directly to the system entering after any pollution prevention methods.
- No infiltration system should be sited in or allowed to discharge into land impacted by contamination or land previously identified as being contaminated.
- There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of the system and the water table.

- A series of shallow systems are preferable to systems such as deep bored soakaways, as deep bored soakaways can act as conduits for rapid transport of contaminants to groundwater

Disposal of soil Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

National Planning Policy Framework

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

Description of site

- 1 The site is located on the eastern side of Ash Road within the centre of Hartley village. The site comprises of four garages operating on the site with Hartley library to the north, Hartley village hall to the south and residential properties located within Carmelite Way to the east of the site. The proposal relates to the rear of the site.

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Description of proposal

- 2 Change of use of the rear part of the motor vehicle repair and MOT centre from B2 (general industrial) to a mixed B2 and B8 use (to allow for storage and distribution) together with the retention of two storage containers in connection with the B2 use and the siting of nine additional storage containers for B8 storage use.

Relevant planning history

- 3 20/00823/FUL - Change of use of the rear part of the motor vehicle repair and MOT centre from B2 (general industrial) to a mixed B2 and B8 use (to allow for storage and distribution) together with the retention of two storage containers in connection with the B2 use and the siting of nine additional storage containers for B8 storage use, re-arrangement of parking and landscaping. - REFUSED

Policies

- 4 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.
- 5 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
 - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
 - Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.
- 6 Core Strategy (CS)
 - LO1 Distribution of Development
 - LO7 Development in Rural Settlements
 - SP1 Design of New Development and Conservation
 - SP2 Sustainable Development
 - SP8 Economic Development and Land for Business
- 7 Allocations and Development Management (ADMP)
 - SC1 Presumption in favour of sustainable development
 - EN1 Design Principles

- EN2 Amenity Protection
- EN6 Outdoor Lighting
- EN8 Noise Pollution
- EMP5 Non Allocated Employment Sites
- T2 Vehicle Parking

8 Other:

- Hartley Village Design Statement

Constraints

9 The site lies within the following constraints -

- Area of Special Control of Advertisements
- Urban confines

Consultations

10 Hartley Parish Council

11 “Hartley Parish Council objects to the application

12 The Parish Council wishes that the following concerns are taken into consideration:

- a) There have been complaints from local residents already about the lighting which remains on all night;
- b) There should be restrictions on the size of the vehicles accessing the site;
- c) There should be restricted hours for accessing the containers such as no access on Sunday and Monday-Saturdays 08:00-20:00;
- d) There should be no dangerous / noxious goods stored in the containers;
- e) No units should be refrigerated due to the sound of generators running at night;
- f) The planting scheme should impose larger trees to protect the neighbouring amenities and these trees should be maintained to a reasonable height.

13 The Parish Council would also like to highlight that the existing two storage containers are sited without permission.

14 To conclude the Parish Council considers that this proposal would have a negative impact on the surrounding residential properties.”

15 Environment Agency

16 “We have reviewed the information submitted and we consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an

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unacceptable risk to the environment and we would object to the application.

- 17 The previous use of the proposed development site as MOT garage (with nearby potential refuelling activities to the west) presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Especially as we note that the applicant proposes to use a soakaway to dispose of surface water at this site.
- 18 **Condition** No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- 19 1. A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 20 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 21 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 22 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- 23 Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
- 24 **Condition** No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

- 25 **Reasons** To reduce risk to controlled waters. Controlled waters are particularly sensitive in this location because the site is located upon a Principal aquifer within SPZ3. Due to the vulnerability of the aquifer every precaution should be taken to prevent any pollution of groundwater.
- 26 Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.
- 27 To comply with the National Planning Policy Framework paragraph 170.
- 28 **Condition.** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- 29 **Reasons.** To reduce risk to controlled waters. There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters. To comply with the National Planning Policy Framework paragraph 170.
- 30 **Condition.** The development hereby permitted shall not be commenced until such time as a scheme to connect the property to foul and or surface water drainage system has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
- 31 **Condition.** Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
- 32 **Reasons.** To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by remobilised contaminants present in shallow soils/made ground in line with paragraph 170 of the National Planning Policy Framework.
- 33 SDC Environmental Health
- “I have reviewed the submissions and visited the site on a number of occasions and can confirm I have no adverse comments or observations as I believe the site is suitable for the intended use given the proposed operational hours.”

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34 KCC Highways

“I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

Adequate parking and turning facilities are proposed and traffic generation onto Ash Road via the existing access is unlikely to be significant.

35 SDC Tree Officer

“No objections to proposal but suggest that a condition to show details of tree planting to the rear of the proposed containers is attached to any consent given.”

Representations

36 Six objections to the proposal in respect to:

- That the existing containers are illegally positioned;
- Adverse impact upon outlook from neighbouring properties;
- That the containers are connected to an electricity supply and in consequence the containers would not only be used for storage;
- Detrimental impact upon amenities through noise, smell and disturbance of use;
- Adverse impact of trees planted to screen the site could undermine neighbouring properties and result in loss of light and overshadowing;
- Concern regarding the materials potentially stored within the containers;
- That there are sufficient self-storage facilities already within the wider area;
- That the proposed landscaping would be inadequate to reduce noise.

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services' appraisal

37 The main planning consideration are:

- Design and Impact upon the Street Scene
- Neighbouring amenity
- Contamination
- Access, parking and highways
- Trees and landscaping
- Biodiversity

Design and impact on the character of the area

38 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

39 The proposed location is to the rear of the site which is currently used for vehicle storage with two existing containers located on the northern side of the site to the rear of an MOT Service Centre. The proposal would retain

these two containers and add an additional nine containers along the rear of the site. The proposed nine containers would be located 5m from the rear boundary, 2.9m from the northern boundary and 2.1m from the southern boundary.

- 40 Each container would measure 6.1m x 2.4m and have a height of 2.6m. The proposal would introduce further landscaping that partially surrounds the proposed nine containers.
- 41 While the containers would be visible from the surrounding properties, the site is already commercial in its nature and the proposals overall would not cause harm to the character and appearance of the area. The existing site is occupied by cars ensuring that the proposal would have no greater harm than the existing use. Planting can be secured by condition to limit the wider visual impact and a condition could be used to ensure that any landscaping which dies within a period of 5 years is replaced, to ensure that it becomes established.
- 42 The proposal would accordingly meet the requirements of the NPPF and policies SP1 of the Core Strategy and EN1 and the ADMP.

Neighbouring Amenity

- 43 The NPPF notes that planning decisions should contribute to and enhance the natural and local environment by amongst other issues preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air water or noise pollution.
- 44 In addition the NPPF notes that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and quality of life.
- 45 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 46 The site is bounded by residential properties to the north, east and south. Planning permission was granted in 2019 for an additional detached dwelling directly to the south of the site (reference 19/02584/FUL).
- 47 The site currently comprises of an area of land with the buildings serving the four businesses to the west located more than 80 metres from the rear boundary of the site. Currently the site is hard surfaced and is used for the storage of motor vehicles and is frequently involves the movement of vehicles in and around the site.
- 48 The proposed nine containers would be set back from the rear boundary by 5m, from the northern boundary by 2.9m and the southern boundary by 2.1m with an additional intervening screening proposed. Due to the siting of these containers, their scale, it is not considered that they would have an adverse impact upon loss of light to the adjacent residential properties.

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- 49 To the north of the site lies 26 Carmelite Way which abuts the northern boundary. To the east lies 28 Carmelite Way which at its closest point is 11m from the boundary. The permitted new dwelling to the south would be approximately 3m from the boundary. To the west of this properties lies Ellerby Close with the nearest property, no. 5 lying 22m from the nearest container.
- 50 The two existing containers lie adjacent to the northern boundary of the rear garden of 26 Carmelite Way, located approximately 25m from this dwelling. These containers would be used by Hartley garage for the storage of equipment for Hartley garage providing a range of vehicle services such as servicing, MOTs, body repair and tyre fitting. Due to the separation distance of the two containers set adjacent to the garage building their impact upon the amenities of 26 Carmelite would not be so adverse as to warrant a refusal in respect to outlook or loss of light.
- 51 The proposed 9 containers would be used as self-storage facilities for customers within the wider area. The proposal would introduce screening adjacent to the north, east and south of the proposed containers. The containers would however rise above the height of the fencing and would be visible from the adjacent properties behind.
- 52 However, conditions to secure an appropriate boundary treatment and soft landscaping on the rear boundary as shown on the plans is recommended, to help mitigate this visual impact. While the containers would be visible it is not considered that they would cause unacceptable harm to the living conditions/outlook of those properties.
- 53 Concern has been raised that the proposed screening would result in a loss of light and overshadowing of their gardens however this would only be during part of the day and accordingly it is not considered that this would be a justified reason to refuse the proposal.
- 54 The current movement of vehicles on the site is considered to have only have a limited impact upon the adjacent properties. The applicant has stated that they are acceptable to the inclusion of a gate to prevent access to the site and a condition to restrict hours of operation. This would enable control of the site to ensure that the site is operated within acceptable hours.
- 55 A condition requesting details of lighting with hours of operation are recommended to ensure that any lighting is angled to minimise its impact upon neighbours and that lighting is not provided outside of reasonable operating times. A condition to ensure that none of the units are refrigerated is also recommended.
- 56 A noise assessment has been submitted with the application and the Council's Environmental Health officer has raised no objections.
- 57 Upon considering the above, subject to the imposition of conditions, the change of use of part of the site would not have an adverse impact upon local amenities and would meet the requirements of the NPPF and policy EN2 of the ADMP.

Contamination

- 58 The Environment Agency were consulted on the proposal and noted that the site has the potential to have been contaminated by previous uses on site. They have advised that if granted conditions could be imposed to offset the potential impact of the contamination of the site.

Parking and Highways Impact

- 59 The site is currently used for the storage of cars. The proposal incorporates a parking layout that would provide access to the containers with sufficient room on site for vehicles to manoeuvre. Through the inclusion of conditions it is not considered that there should be a restriction on the type of vehicle accessing the site. KCC Highways had no objections to the proposed development.

Other Issues

- 60 Concerns have been raised in respect to the storage of dangerous / noxious goods however this issue would be covered under Environmental legislation and would not be a matter that could be considered through a planning application.
- 61 In respect to the unlawful siting of the two containers currently on site, the applicant has submitted the current application to determine the acceptability of the containers and the uses as set out within the application.
- 62 Whilst there may be other storage facilities within the wider area, the economic viability of the proposal is not a matter that can be considered through the planning process.

Community Infrastructure Levy (CIL)

- 63 This proposal is not CIL liable.

Conclusion

- 64 The proposal would not have an adverse impact upon the street scene and the amenities of adjacent occupiers. Any potential impact from contamination, light pollution and hours of use can be addressed through the use of planning conditions. The proposal would provide sufficient space for vehicles to manoeuvre on site and no other highway safety issues have been identified. Overall, the proposal would meet the requirements of national and local planning policy.
- 65 It is therefore recommended that this application is GRANTED.

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Background papers

Site and block plan

Contact Officer(s): Guy Martin: 01732 227000

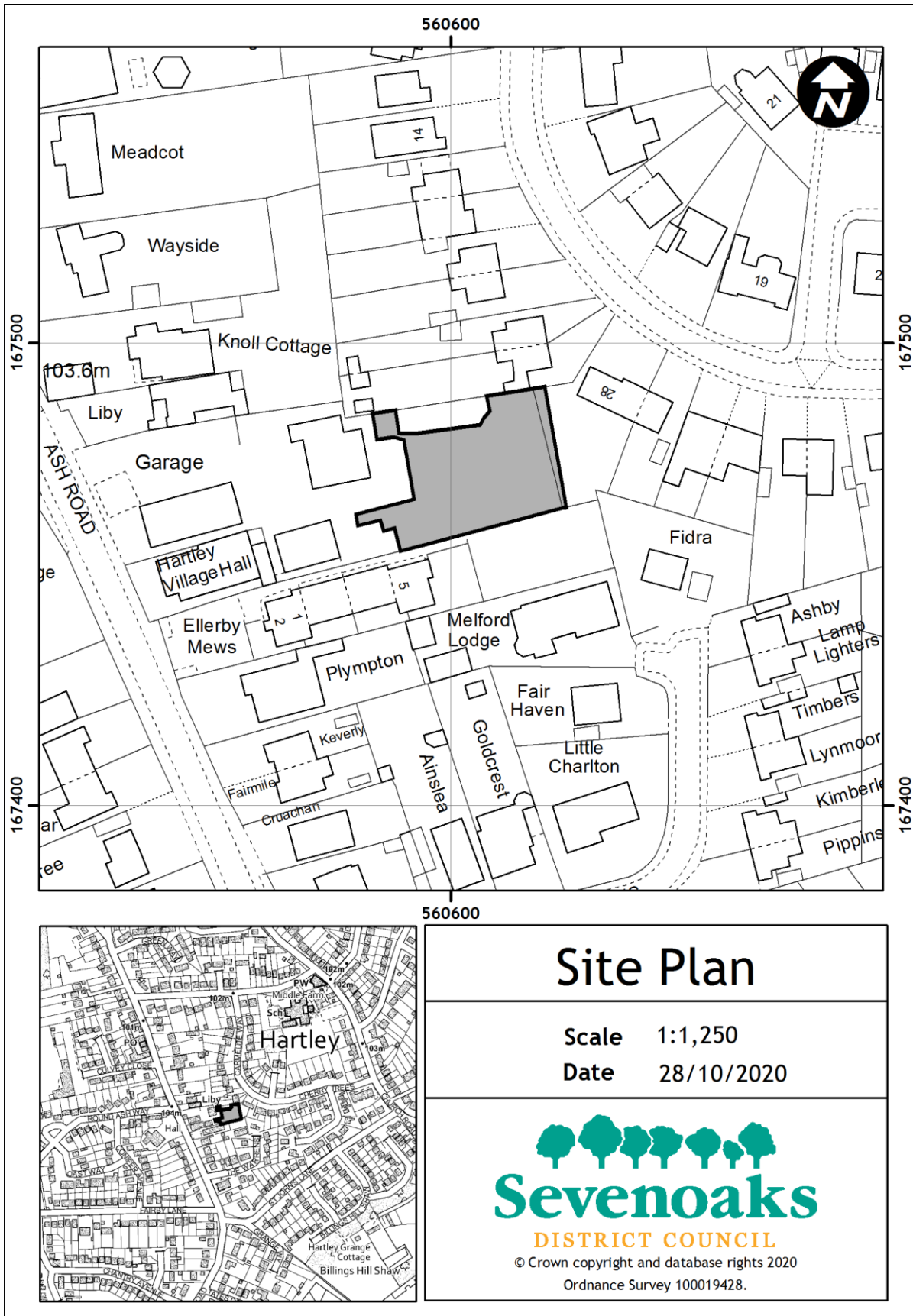
Richard Morris
Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

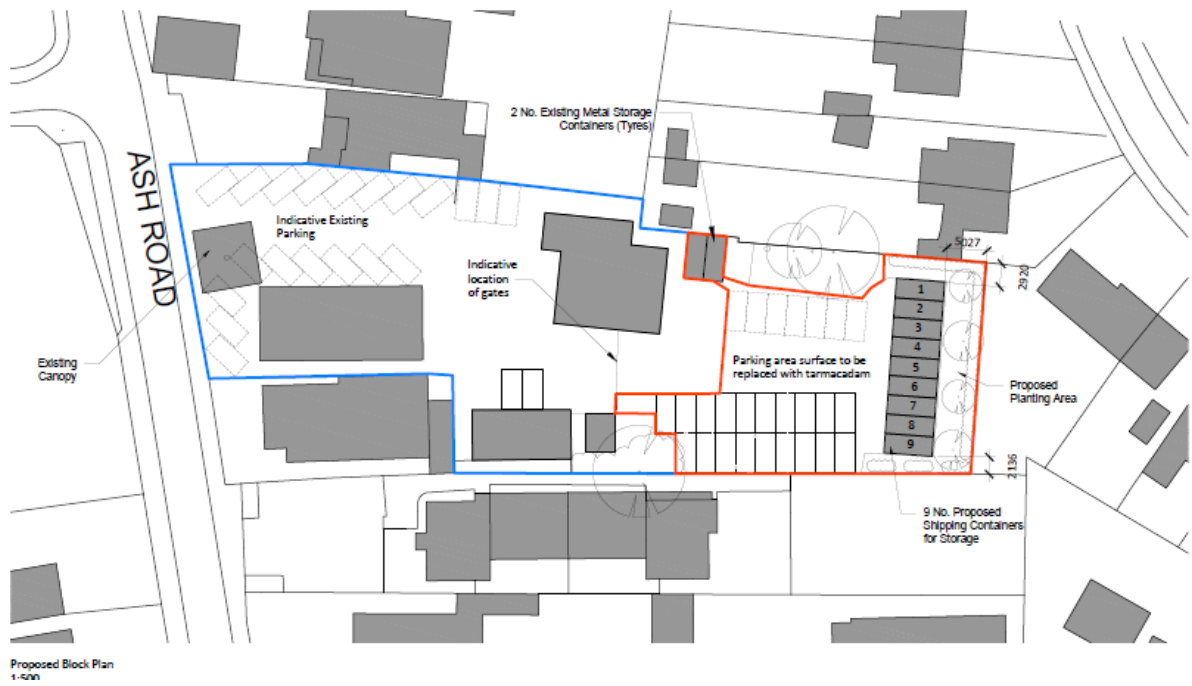
Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QEWPM3BKJKA00>





4.3 20/01809/HOUSE Revised expiry date 25 September 2020

Proposal: Construction of detached timber framed outbuilding.

Location: 27 Truggers Cottages, Truggers Lane, Chiddingstone Hoath
KENT TN8 7BP

Ward(s): Penshurst, Fordcombe & Chiddingstone

Item for decision

This application has been called to Committee by Councillor Coleman over concerns on the harm to the Green Belt, the overbearing and dominating impact of the development, its impact upon the street scene and proximity of the development to the common boundary.

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: Location Plan, Block plan 7160-P-02- B, Proposed Plan and Elevations, Proposed Section AA 7160-P-04 -A, Existing Section AA 7160-P-03- A and Application Form dated 29 Jun 2020

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

3) The laurel hedge shall be retained in accordance with plan 7160-P-02 -B and 7160-P-04 -A. If, within a period of five years from the completion of the development., any part of the laurel hedge is removed, dies, or in the opinion of the local planning authority, becomes seriously damaged or diseased, the hedge shall be replaced in the next available planting season with a hedgerow of similar size, height and species, unless otherwise agreed in writing by the local planning authority.

In order to preserve the open feeling of the Green Belt and to conserve the visual amenity of the local area, in accordance with Policies GB3 and EN1 of the Sevenoaks ADMP

4) The outbuilding hereby approved shall remain of a function which is ancillary to the dwelling and shall not be subdivided nor used as a separate dwelling.

To preserve the visual amenity of the area and existing parking provision for the site, in accordance with Policies EN1 and T2 of the Sevenoaks ADMP.

National Planning Policy Framework

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

Description of site

- 1 The application site forms one of four semi-detached dwellings set around a private track, creating an informal group of residential buildings within the hamlet of Chiddingstone Hoath. The site is located within the Green Belt and High Weald Area of Outstanding Natural Beauty. The site is also adjacent to Hoath Corner Conservation Area.
- 2 Dwellings are surrounded by open countryside to the south, west and north of the site, and by small clusters of residential and agricultural buildings located to the north east of the site. A small area of woodland is located to the east of the site.
- 3 Of the four dwellings, numbers 26 and 27 Truggers Cottages are located to the west of the private track and numbers 28 and 29 Truggers Cottages are located to the east of the private track. The four dwellings are accessed to the south of Truggers Lane. The four dwellings have small side and rear gardens which are generally enclosed behind formal hedges or partially screened by the dwellings themselves.
- 4 The application site has a side garden which is set at a slightly higher ground level than the adjacent dwellings (27 and 28 Truggers Cottages) and is forward of the main building line of the dwelling.
- 5 An existing laurel hedge screens the garden from public and private neighbouring views.

Description of proposal

- 6 It is proposed to construct an outbuilding in the side garden of the dwelling.
- 7 The outbuilding would be of a rectangular footprint, located forward of the dwelling's building line and would be positioned on a sunken area of ground behind an existing laurel hedge.
- 8 The outbuilding would have a dual pitched roof and timber cladded elevations, with an open fronted timber projection which would face the dwelling. The outbuilding would be used as a garden room/ garden store.

Relevant planning history

- 9 84/00465/HIST - Two-storey extension to dwelling and construction of vehicular access - GRANTED

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Policies

- 10 National Planning Policy Framework (NPPF)
- 11 Core Strategy (CS)
 - LO8 The Countryside and the Rural Economy
 - SP1 Design of New Development and Conservation
- 12 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN5 Landscape
 - GB3 Residential Outbuildings in the Green Belt
 - T2 Vehicle Parking
- 13 Other:
 - Residential Extensions Supplementary Planning Document (SPD)
 - Development in the Green Belt SPD
 - The High Weald AONB Management Plan 2019-2024
 - Hoath Corner Conservation Area Appraisal

Constraints

- 14 The following constraints apply:
 - Metropolitan Green Belt
 - High Weald Area of Outstanding Natural Beauty (AONB)
 - Adjacent to Conservation Area (CA) - Hoath Corner
 - Great Crested Newt Risk Zone

Consultations

- 15 Chiddingstone Parish Council - objection lodged
- 16 “Chiddingstone Parish Council object to this application due to the prominent position of the proposed outbuilding. It would be situated on an elevated piece of land and would have an intrusive and dominant impact on neighbouring properties.
- 17 The residents of both 28 and 29 Truggers Cottages have said that they would have severe loss of light in their properties due to the development. Green Belt policy GB3 states that it may be permitted to erect an outbuilding further than 5m from the existing dwelling if it would be ancillary to the main dwelling in terms of function and design, however the Parish Council

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feel that this proposal is contrary to this policy as the proposed outbuilding is not sited to minimise visual intrusion.

- 18 The Parish Council suggests that this application is withdrawn and the applicant considers re-submitting the application showing a proposal where either the existing site is dug down maybe half way to the car parking level, which would lower the overall height of the outbuilding, or alternatively site the outbuilding elsewhere on the plot. A condition of any approval must be the removal of the existing garden shed.”

Representations

- 19 Three representations have been received, raising objection to the proposal, relating to the following issues:

- loss of light;
- scale of development,
- visual amenity, visual intrusion,
- privacy,
- land covenants,
- purpose of development,
- impact on AONB,
- impact to Green Belt,
- permitted development rights,
- parking, siting of development.

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services' appraisal

- 20 The main planning considerations are:

- Impact on the Green Belt
- Impact on the Area of Outstanding Natural Beauty
- Impact on the character of the Conservation Area
- Impact on the character of the local area
- Impact on residential amenity
- Impact on parking and highways safety
- Other issues

Impact on the Green Belt

- 21 Paragraph 143 of the NPPF states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.
- 22 Paragraph 144 of the NPPF advises we should give substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. Therefore, the

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

- 23 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principal to the Green Belt from inappropriate development.
- 24 Policy GB3 of the ADMP provides the local policy on outbuildings in the Green Belt.
- 25 Policy GB3 states outbuildings located more than 5 metres from a dwelling will be permitted where the building, including the cumulative impact of other outbuildings and extensions within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.
- 26 The Development in the Green Belt SPD advises that outbuildings for domestic purposes should not normally exceed a single storey in height, should not detrimentally impact the space surrounding buildings, and should be limited to 40 square metres. It further advises that outbuildings should not compete with the main house, which can be reinforced through a simplicity in the design of outbuildings.
- 27 The Parish and neighbouring properties have expressed concern over the potential impact of the proposal on the Green Belt.
- 28 The proposed outbuilding would be located more than 5 metres from the dwelling and would be comfortably sited within the plot, to respect the existing space surrounding the dwelling.
- 29 The outbuilding would be of a modest size, measuring approximately 30.2 sqm. This includes the footprint of the open-fronted timber projection, so that the enclosed footprint of the outbuilding is further reduced, measuring less, at approximately 26.5 sqm.
- 30 The outbuilding would be single-storey and measure 3.9 metres in height. The outbuilding would be sited, on an area of sunken ground behind an existing mature laurel hedge, which is presently over 3 metres high. Although the land level of the garden is higher than the dwelling, the provided plans demonstrate that the laurel hedge would shield the majority of built form from view, with less than 1m of the development visible - showing part of the roof. As the roof is pitched, the massing of the roof would be further visually reduced.
- 31 A planning condition to secure that the laurel hedge is retained, is proposed to ensure effective screening of the development.
- 32 The width of the outbuilding would be approximately 4.65m and the length 5.7m. Together with the single storey nature of the outbuilding, its volume would be modest and subservient to the main dwelling. The function of the building would be ancillary, given its modest scale. Furthermore, the

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outbuilding is of a simple, rectangular, timber-framed design, to be constructed of timber cladding and clay tiles which visually reinforces the ancillary relationship to the main dwelling.

- 33 The Parish Council has requested for the existing shed on site to be demolished. The shed is of a modest bulk and scale and is read against a series of neighbouring sheds located to the rear of the site on its southern border. The proposed outbuilding would screen the existing shed from public vantage points of the site and both outbuildings would remain comfortably sited. As a result, it is not considered that the shed, in tandem with the outbuilding would result in the overdevelopment of the site. As a result, it would not be reasonable or necessary to apply a condition to demolish the shed, as both buildings would remain of visually modest proportions.
- 34 In summary, the outbuilding proposed is of a modest footprint and massing, with an ancillary function and simplistic design which has been appropriately sited to minimise visual intrusion. As a result, the proposed outbuilding would not materially harm the openness of the Green Belt and would accord with both Policy GB3 of the ADMP and supplementary planning guidance for development in the Green Belt.

Impact on the Area of Outstanding Natural Beauty

- 35 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 36 There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.
- 37 Policy EN5 of the ADMP states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty (AONB) and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
- 38 The Parish and neighbouring properties have expressed concern over the potential impact of the proposal on the High Weald AONB.
- 39 As highlighted in the High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024, the natural beauty of the High Weald is characterised by dispersed settlement and use of locally distinctive geological materials, which includes clay brick and tiles. Timber is also a prevalent construction material across the AONB.

- 40 The proposed outbuilding would be of a modest scale and largely screened from public and private vantage points within the AONB due to the existing laurel hedge which screens all but a portion of the pitched roof from view.
- 41 The outbuilding is proposed to utilise clay tiles, a brick plinth base and timber cladded elevations, that would be responsive to materials found across the wider landscape of the AONB and would conserve its visual beauty and rural settlement character.
- 42 Glazing is minimal on the proposed outbuilding, with one set of glazed double-doors on the west elevation, which would be sheltered by the roof which overhangs the doors, and with one window on the north-facing side elevation of the outbuilding. This is of a modest size and together with the doors, would be screened from public view by the laurel hedge. As a result, the proposed glazing would result in minimal light spillage, conserving the dark skies of the AONB.
- 43 Due to the modest scale and vernacular design of the proposal, the outbuilding would both conserve and enhance the character of the Area of Outstanding Natural Beauty, in accordance with Policy EN5 of the ADMP and the High Weald AIMB Management Plan.

Impact on the character of the Conservation Area

- 44 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 45 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 46 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 47 The eastern edge of the outbuilding would be sited within the Hoath Corner Conservation Area which includes two semi-detached neighbouring dwellings located opposite the application site.
- 48 The Hoath Corner Conservation Area Appraisal states that the Conservation Area contains examples of buildings of the Kentish vernacular with roofs typically covered with clay tiles. Brick and timber are also acknowledged to be typical construction materials across the Conservation Area.
- 49 The outbuilding would be of a modest scale, largely screened from view of the Conservation Area by the existing laurel hedge on site. As a result, it is considered that the siting of the development would conserve views in and out of the Conservation Area, and the design of the development would

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visually conserve the character and appearance of the Conservation Area, in accordance with Policy EN4 of the ADMP and Conservation Area Appraisal.

Impact on the character of the local area

- 50 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP.
- 51 Policy EN1 states proposed development would be permitted where it would respond to the scale, height, materials and site coverage of the area.
- 52 Concern has been raised over the siting of the outbuilding, forward of the main building line of the property and the potential to create a cul-de-sac effect.
- 53 The application site, together with the neighbouring dwelling located directly opposite the site on its eastern boundary, would be set back furthest from the public highway called Truggers Lane. The existing laurel hedge which encloses the side garden of the site, and part of the dwelling would be visible from the highway.
- 54 A shed is located on an area of raised ground which forms part of the side garden of the application site.
- 55 At present, the roof of the existing shed, and neighbouring sheds to the rear are visible above the existing laurel hedge. Although the development is sited nearer to the hedge, the view from the street would remain visually similar with the view continuing to be that of a laurel hedge with a pitched roof visible. This visual impact of the development upon the character and appearance of the area is considered to be minimal and would not create a 'cul-de-sac' effect nor appear visually prominent.
- 56 Concern has been raised with regard to the scale of development. The outbuilding would remain comfortably sited within the land plot, set over 4 metres from the nearest dwelling. A small shed exists on the site. Both the shed and outbuilding would remain sited comfortably on the land plot and are not considered of an excessive scale to present overdevelopment of the site.
- 57 As a result, the modest form of the development, together with the retention of the existing screening, would conserve the visual character of the street scene and accord with both Policy EN1 of the ADMP and the Residential Extensions SPD.

Impact on residential amenity

- 58 Policy EN2 of the ADMP states proposals will be permitted where they provide adequate residential amenities for present and future occupiers of the site, and where they safeguard the amenities of existing and future neighbours of the development. Development should not result in

unacceptable loss of privacy or light to nearby properties not be visually intrusive to neighbouring outlook.

- 59 The Parish Council and neighbouring properties have expressed concern over the potential impact of the proposal in terms of loss of light to neighbouring properties, visual intrusion loss of privacy.
- 60 The Sevenoaks Residential Extensions SPD seeks to ensure that a significant loss of daylight should not occur and a 45 degree light test is used, whereby a significant loss of daylight would only occur if the proposal fails to pass the 45 degree test at both plan and elevation view.
- 61 The outbuilding would be sited over 4 metres from the nearest neighbouring dwelling. As a result, the proposed development would pass the 45 degree light at both plan and elevation view and would have no impact upon daylight levels of neighbouring dwellings.
- 62 Due to the separation distances between the development and neighbouring dwellings, this together with the orientation of the sun's path, it is considered that the proposal would not reduce the sunlight levels received to neighbouring dwellings to a significant degree.
- 63 The proposed outbuilding would have one, small, window on its north-facing side elevation. This window would be located directly behind the hedge and would afford no outlook towards neighbouring dwellings. The proposed glazed double doors would be west facing and look back towards the applicant property, with no outlook towards neighbouring dwellings.
- 64 As a result the proposal would safeguard the existing privacy levels of neighbours of the development. The continued presence of the laurel hedge would protect the existing privacy levels of the occupants of the development.
- 65 It is considered that the outbuilding is appropriately sited and that it would not become visually intrusive to the neighbouring outlook of adjacent properties.
- 66 The proposed outbuilding would conserve the daylight, sunlight and privacy levels of both occupants and neighbours of the development. The siting of the outbuilding, at an oblique angle to the nearest neighbouring dwelling would safeguard the outlook from the neighbouring dwellings. The proposal accords with all aspects of Policy EN2 of the ADMP and Residential Extensions SPD.

Impact on parking and highways safety

- 67 Policies T2 and EN1 relate to residential parking. Appendix 2 of the ADMP also sets maximum and minimum parking requirements for residential developments.
- 68 Concern has been raised of a need for increased parking requirements for the site as a result of the outbuilding.

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- 69 The site has access for two vehicles to be parked to the front of the dwelling. No additional bedrooms have been indicated to be provided in the outbuilding. Should the outbuilding be used to provide an additional bedroom, the parking arrangements would remain satisfactory for dwellings in rural locations, in accordance with guidance on residential parking outlined in Appendix 2 of the ADMP. It is not considered that the outbuilding would generate on-site parking issues and a planning condition is recommended to ensure that the outbuilding is not used as a separate dwelling.

Other issues

- 70 Representations have highlighted land covenants on the land which restrict buildings being built, as well as concerns over the accuracy of the boundary line between the application site and the neighbouring site located to the east of the development.
- 71 The applicants have signed Certificate B to confirm the development may cross land not within the applicant's ownership and have served notice on neighbouring land owners. The applicant has therefore met the requirements of the planning process. Planning permission cannot restrict works which may affect neighbouring boundaries and neighbours are advised to seek separate legal advice with regards to land boundaries and the Party Wall Act.
- 72 Any covenants on the land are also the responsibility of the land owners and are not relevant material considerations in the determination of this application.
- 73 Neighbouring representations regarding the purpose of the development indicate the building is to be converted to a dwelling. A planning condition can be used to ensure the proposal remains of an ancillary function to the building and would not be used as a separate dwelling.
- 74 It has been highlighted that the development would not be a permitted form of development, due to the proximity of the development to a neighbouring boundary and this is why a planning application has been submitted.

Community Infrastructure Levy (CIL)

- 75 The development is not CIL liable.

Conclusion

- 76 The modest and simple form of the outbuilding, together with the palette of materials proposed, would visually conserve the character and appearance of the Conservation Area, AONB landscape and openness of the Green Belt. As a result, the proposed outbuilding would accord with the Sevenoaks Development Plan and there are no other material considerations to indicate otherwise.
- 77 It is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

Contact Officer(s): Samantha Simmons: 01732 227000

Richard Morris

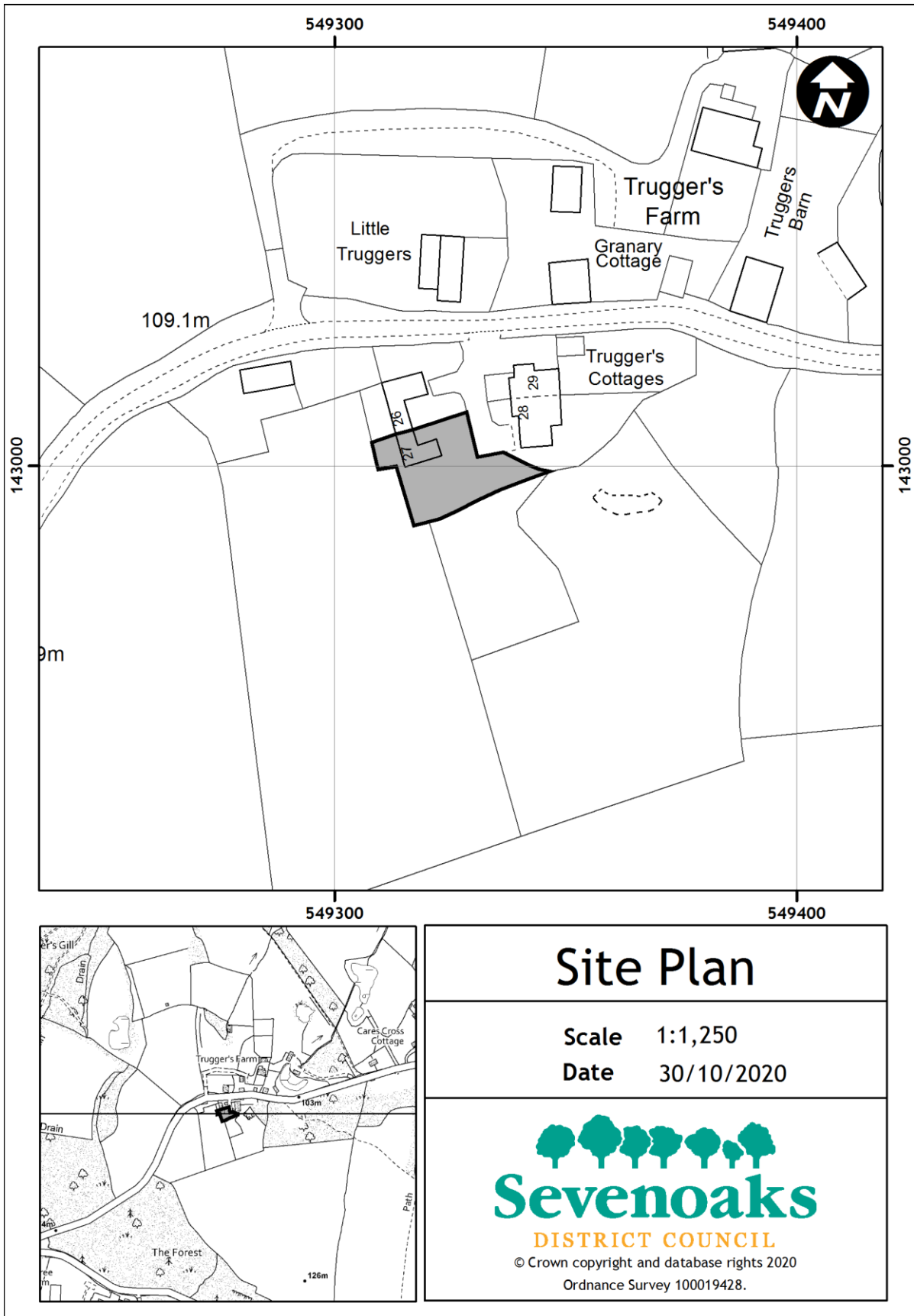
Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

Link to application details:

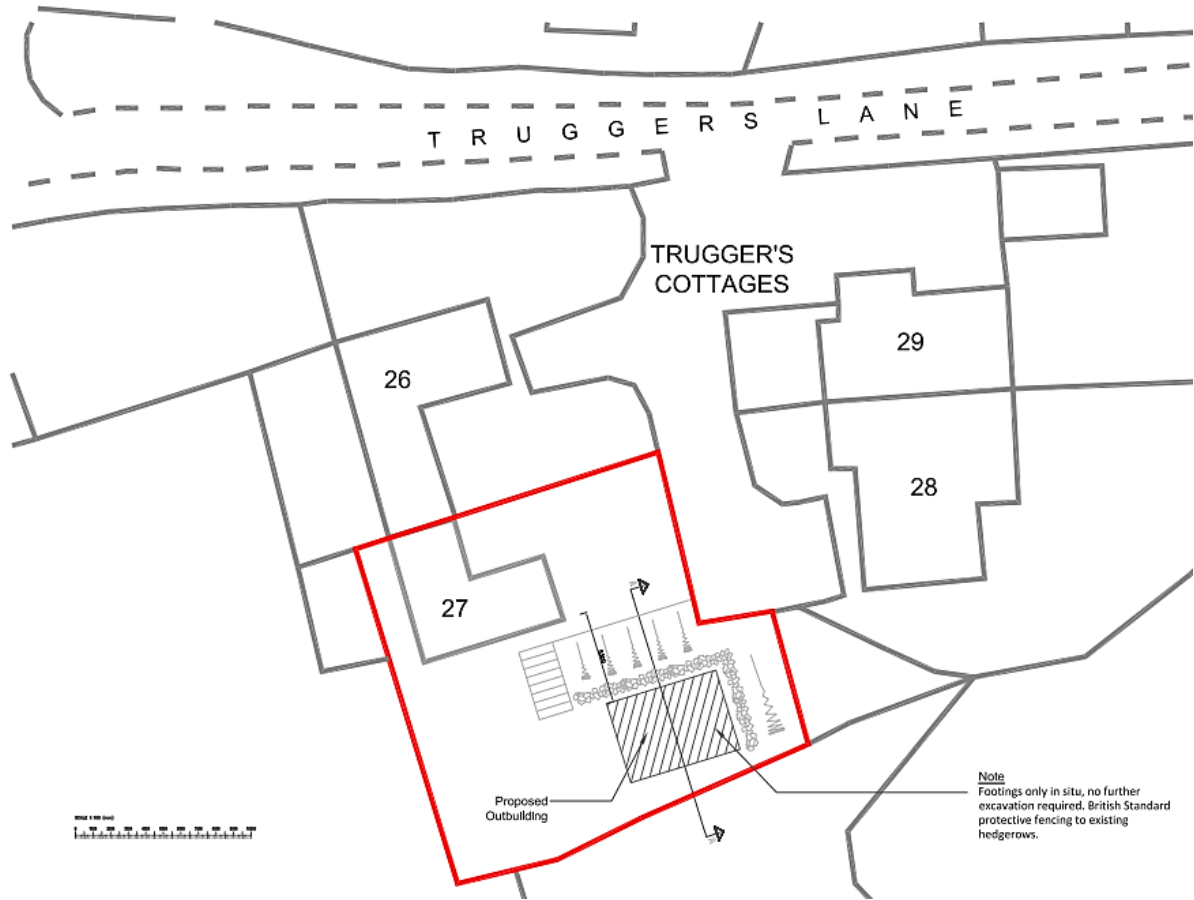
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Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QCP4FABKMPJ00>



BLOCK PLAN



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4.4 20/02294/HOUSE Revised expiry date 23 November 2020

Proposal: Erection of gates.

Location: Montreal Cottage, Amherst Hill, Riverhead KENT TN13 2EL

Ward(s): Dunton Green & Riverhead

Item for decision

Councillor Brown and Councillor Bayley have called the application to Development Control Committee for the following reason: compliance with the Riverhead Conservation Area Appraisal.

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: 680.4.TP1 rev B, 680.4.TP2 rev B, 680.4.TP3 rev B and 680.4.TP4 rev B.

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

3) The materials to be used in the construction of the development shall be those indicated on the approved plan 680.4.TP4 rev B.

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.

National Planning Policy Framework

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

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Description of site

- 1 The application site comprises a detached two storey dwelling and its curtilage on land sited to the east of Amherst Hill in Riverhead. The site is located within the Riverhead Conservation Area and is adjacent to several Grade II Listed Buildings, numbers 6 and 8 Amherst Hill, Amherst Cottage and Barrow Way Cottage.

Description of proposal

- 2 This application seeks permission for the erection of gates on the driveway and principle access to the site. The proposed gates would be sited 5m from the public highway and would be constructed of timber, measuring 1.8m high.

Relevant planning history

- 3 17/01583/HOUSE Erection of garage, drop kerb and widening of the driveway. Re-erection of retaining wall - WITHDRAWN
- 4 18/03188/HOUSE Dropped kerb to an existing vehicular access - GRANTED
- 5 19/01154/HOUSE Demolition of outbuilding to rear. Erection of car port, outbuilding and adjoining courtyard. Demolition of a return wall on northern side of existing driveway. Erection of replacement wall for a wider vehicular access -GRANTED

Policies

- 6 National Planning Policy Framework (NPPF)
- 7 Core Strategy (CS)
 - LO1 Distribution of Development
 - SP1 Design of New Development and Conservation
- 8 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
- 9 Other
 - Riverhead Conservation Area Appraisal and Management Plan

Constraints

- 10 The site lies within the following constraints -
 - Riverhead Conservation Area

Consultations

- 11 Riverhead Parish Council -
- 12 “Solid wooden gates will not contribute to the character or appearance of this Conservation Area.
- 13 1. All other gates on driveways on Amherst Hill are made of black metal railings and under 1.8m in height. A new gate should be compatible with and enhance the appearance of Amherst Hill and be consistent with other driveway gates as well as boundary and pavement railings - a characteristic feature in this Conservation Area. Paragraph 2.25 Allocations and Development Management plan - special attention must be paid in all planning decisions to the desirability of conserving or enhancing its character and appearance, as required by Core Strategy Policy SP1 Design of New Development and Conservation.
- 14 2. The application is also not consistent with the character assessment for Amherst Hill detailed in the Conservation Area Appraisal and Management Plan 2010 for Riverhead:
- 15 - Section 3.3 - 1.8m solid wood gates will be too ‘formal’ and block views of this period cottage in the Conservation Area.
- 16 - Section 12.2 - 1.8m solid wooden gates do not respond to the immediate environment and context, in terms of scale, density, form, materials and detailing.
- 17 3. The application refers to ‘existing’ gate posts. However these posts were only recently added without planning permission. Furthermore there is evidence of plans to open these gates electrically rather than manually as specified in the application. The Parish Council is aware that a neighbour has a right of way over this ancient driveway.”
- 18 Conservation Officer
- 19 “Reasons why the presence of the proposed gates causes no harm to the significance of any designated heritage assets.
- 20 Views
- 21 While the new gates will be visible from the street immediately in front of Montreal Cottage, they are well set-back from the front boundary line and will not feature in important longitudinal street scene views, the character of which will remain unchanged.
- 22 Due to site topography, Montreal Cottage is elevated above street level. While the proposed gates may obstruct a short view from the street into the private driveway at the side of the building, significant views of the Cottage will remain unimpeded. The building’s contribution to the special qualities of the conservation area will thus be entirely unchanged.

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- 23 Due to their set-back location, the gates will not feature in views of the Grade II listed buildings to the north and west of the site, and thus have no impact on their significance. Due to distance and visual separation, the significance of the Grade II listed Riverhead PH and Barrow Way Cottage will be similarly unaffected by the presence of the gates.
- 24 Compatibility
- 25 The front boundary of Montreal Cottage is tightly enclosed by high masonry walls, comprising red brick to the north of the driveway opening and coursed rubble stone to the south. The walls make a strong contribution to the locally distinctive qualities of the conservation area and installation of the proposed gates causes no harm to the existing masonry.
- 26 The height of the new gates is compatible with that of the high walls into which they are set and they correspond in style and materials to the existing pedestrian gate, thereby lending unity and consistency to the front boundary treatment. Similar well set-back plain, close boarded gates exist to the north of dwelling numbers 6 and 8 (listed buildings), while other plain, close boarded gates occur to the north of Amherst Cottage (a listed Building) on the opposite side of the street.
- 27 Conclusion
- While the proposed gates may not be entirely in accordance with recommendations in the conservation area design guidelines, they integrate well into the immediate context and their presence is far from causing harm to the extent that would justify refusal in terms of paragraph 195 of the NPPF.
- 28 Informative: Ownership and rights of way are not considered in terms of Policy EN4.”

Representations

- 29 Two objections received, raising the following concerns:
- Requirement of Listed Building Consent
 - Historic right of way to Barrow Way
 - Harm to ‘open’ character of Burrow Way and wider Conservation Area
 - Restricting views of Barrow Way
 - Restricting access to Barrow Way
 - Contrary to Conservation Area Appraisal
 - Dissatisfaction with Conservation Officer’s assessment

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services’ appraisal

- 30 The main planning consideration are:
- Design and impact on the character and appearance of the area
 - Impact on the Conservation Area
 - Impact on adjacent Listed Buildings

- Impact on residential amenity
- Historic Right of Way
- Impact on highways safety and parking provision

Design and impact on the character and appearance of the area

- 31 Policy SP1 of the Core Strategy and policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 32 The site directly fronts the public highway, with primary access taken from Amherst Hill. The existing boundary treatment along the site frontage consists of a high brick wall. The existing boundary treatment facing the public highway is prominent and distinctive within the street scene.
- 33 The proposed gates would be set back 5m from the public highway and would therefore not appear prominent or overly intrusive to the public realm. When considering the size and scale of the existing brick wall that fronts the public highway, the proposed gates would not be considered at odds with the scale, design and height of the existing boundary treatment.
- 34 The proposed gates would not be of a size, scale or design to be considered to have an increased impact on the street scene than the existing boundary treatment. The gates would be adequately set back from the street scene and are considered acceptable in height, design and materials.
- 35 Overall, the proposed gates are considered to be acceptable in terms of the character and appearance of the area and would not be of a design or scale that would appear visually intrusive or prominent within the street scene. The gates would not harm the character and appearance of the site or the surrounding area and are therefore considered to comply with policy SP1 of the Core Strategy and EN1 of the ADMP.

Impact on the Conservation Area

- 36 The site is located within the Riverhead Conservation Area. Policy EN4 of the ADMP states that proposals that affect heritage assets will be permitted where the development conserves or enhances the character, appearance and setting of the heritage asset.
- 37 As stated above, the proposal would be sited 5m from the street scene and would be constructed of traditional and high quality materials. The Conservation Officer has raised no objections to the proposal. As stated in the Conservation Officer comments, the proposed gates are of good quality and traditional materials, and are locally appropriate in design.
- 38 The front boundary of Montreal Cottage is enclosed by high masonry walls, comprising red brick to the north of the driveway opening and coursed rubble stone to the south. The walls are considered to make a strong contribution to the distinctiveness of the Conservation Area.

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- 39 In terms of compatibility, the proposed gates would cause no harm to the existing boundary treatment and the positive contribution it has to the setting of the Conservation Area. The proposed height of the new gates (1.8m) is compatible with the existing high walls and is also compatible in style and materials to the existing pedestrian gate, thereby lending unity and consistency to the front boundary treatment.
- 40 Additionally, wooden gates similar in design, style and height to that of the proposal, are sited on the eastern rear boundary of the site where the historic right of way allows access to Barrow Way. The proposed gates would mirror the existing gates to the rear that mark this historic right of way and would therefore be considered sympathetic and reflective of the existing boundary treatments that characterise and define this part of the Conservation Area.
- 41 In terms of the wider setting of the Conservation Area, while the proposed gates would be visible from the street scene, they are sufficiently set-back from the front boundary line and would not feature in the longitudinal street scene views along Amherst Hill, the character of which will remain unchanged. Moreover, wooden fencing and gates are present and visible along Amherst Hill. North of neighbouring dwellings 6 and 8 Amherst Hill, both Grade II Listed Buildings, are timber close boarded gates that are set back from the highway. Moreover, close boarded wooden gates occur to the north of Amherst Cottage, another Grade II Listed Building, on the opposite side of the highway from the application site.
- 42 The neighbouring objections and the Parish Council objection reference paragraph 3.3 of the Riverhead Conservation Area Appraisal and Management Plan which states that the solid timber gates shown in the photograph are considered too 'formal' and would block views within the Conservation Area. Whilst the proposed gates at Montreal Cottage would be solid wood, they are a different design and style to the gates depicted in the photograph under section 3.3 of the Conservation Area Appraisal. The gates proposed are considered to respect and be compatible with the existing character of the Conservation Area and are considered to enhance the conservation area through high quality design and materials, in accordance with the requirements stated within Section 3.3 of the Conservation Area Appraisal.
- 43 Therefore the presence of the proposed gates, when considering the surrounding character of the Conservation Area and the existing boundary treatment, are not considered to cause harm to the character and appearance of the Conservation Area. The proposal would be considered to integrate well into the immediate context of the site and would even mirror the existing gates present on the site and the boundary treatments in the wider street scene.
- 44 As such, in line with Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990, the proposal is considered to conserve and even enhance the setting, character and appearance of this part of the Conservation Area, in accordance with policy EN4 and the heritage principles of the NPPF.

Impact on adjacent Listed Buildings

- 45 As stated above, the site is located within proximity to multiple Grade II Listed Buildings, numbers 6 and 8 Amherst Hill to the north of the site, Barrow Way to the east and Amherst Cottage to the west. Policy EN4 seeks to protect the historic significance and setting of designated heritage assets.
- 46 It should be noted that Listed Building Consent is not required for the proposed gates as the works would not directly adjoin a Listed Building, the historic fabric of a Listed Building or a curtilage listed asset. The front boundary wall serving Montreal Cottage is not listed nor is it curtilage listed.
- 47 As stated in the Conservation Officer comments, due to the set-back location, the gates would not feature in views of the Grade II Listed Buildings to the north and west of the site, and would therefore not impact on their setting or significance.
- 48 Moreover, due to the distance and visual separation, the significance of the Grade II Barrow Way Cottage will also be unaffected by the presence of the gates. Barrow Way is already largely screened from the public highway along Amherst Hill due to the mature landscaping present. Therefore, the proposed gates would not be considered to restrict the views of this heritage asset to an increased level that would cause harm and warrant a reason for refusal.
- 49 Overall, whilst the proposed gates would be visible from the street scene, they are sufficiently set-back from the front boundary line and would be adequately separated from the Listed Buildings. Due to the siting of the gates in relation to the neighbouring heritage assets, the proposal would not be considered as harmful to the significance or setting of the Listed Buildings, in accordance with policy EN4 of the ADMP and the heritage principles of the NPPF.

Impact on residential amenity

- 50 Policy EN2 of the ADMP requires proposals to safeguard the amenities of existing and future occupants of nearby properties.
- 51 The proposed gates would be adequately separated from neighbouring properties. Due to the design and scale of the proposal, the gates would not be considered to pose any increased impact on neighbouring amenity. The gates would not cause a harmful loss of light, privacy or outlook to neighbouring properties and therefore are considered to accord with policy EN2 of the ADMP.

Impact on highways safety and parking provision

- 52 The existing access and onsite parking provision would be retained and the gates would be sited 5m from the public highway. The proposed gates would not be considered to impact upon the existing parking provisions or access to the site. The proposal therefore complies with the NPPF and policy T2 of the ADMP in this regard.

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Other Issues

- 53 The neighbouring objections received raise concerns regarding the historic right of way that exists across the site, allowing access to Barrow Way to the rear of Montreal Cottage.
- 54 The Council does not dispute the siting of the historic right of way, however this does not form a material planning consideration that can be assessed as part of this application.
- 55 The applicants have signed certificate B to state they do not own all the land within the red outline and have served notice on the occupiers of Barrow Way. As such, the Council is satisfied that the correct procedure has been followed. Any legal agreements regarding this right of way would be considered a civil matter that cannot form part of the assessment of this application.

Conclusion

- 56 As highlighted in the report above the proposed development accords with the NPPF and our adopted development plan.
- 57 It is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

Contact Officer(s):

Anna Horn: 01732 227000

Richard Morris

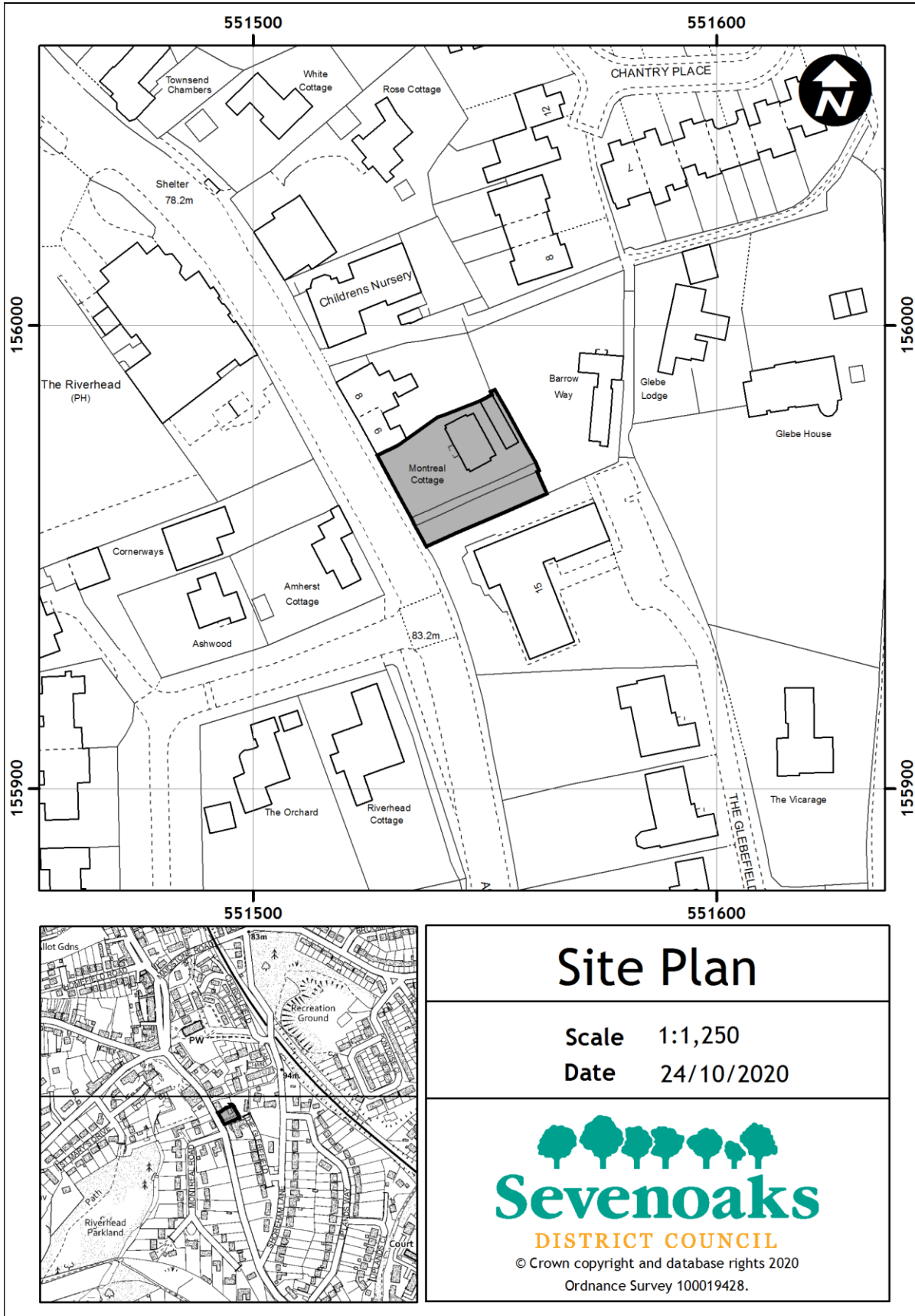
Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QEWPKXBKJK600>



Site Plan

Scale 1:1,250

Date 24/10/2020

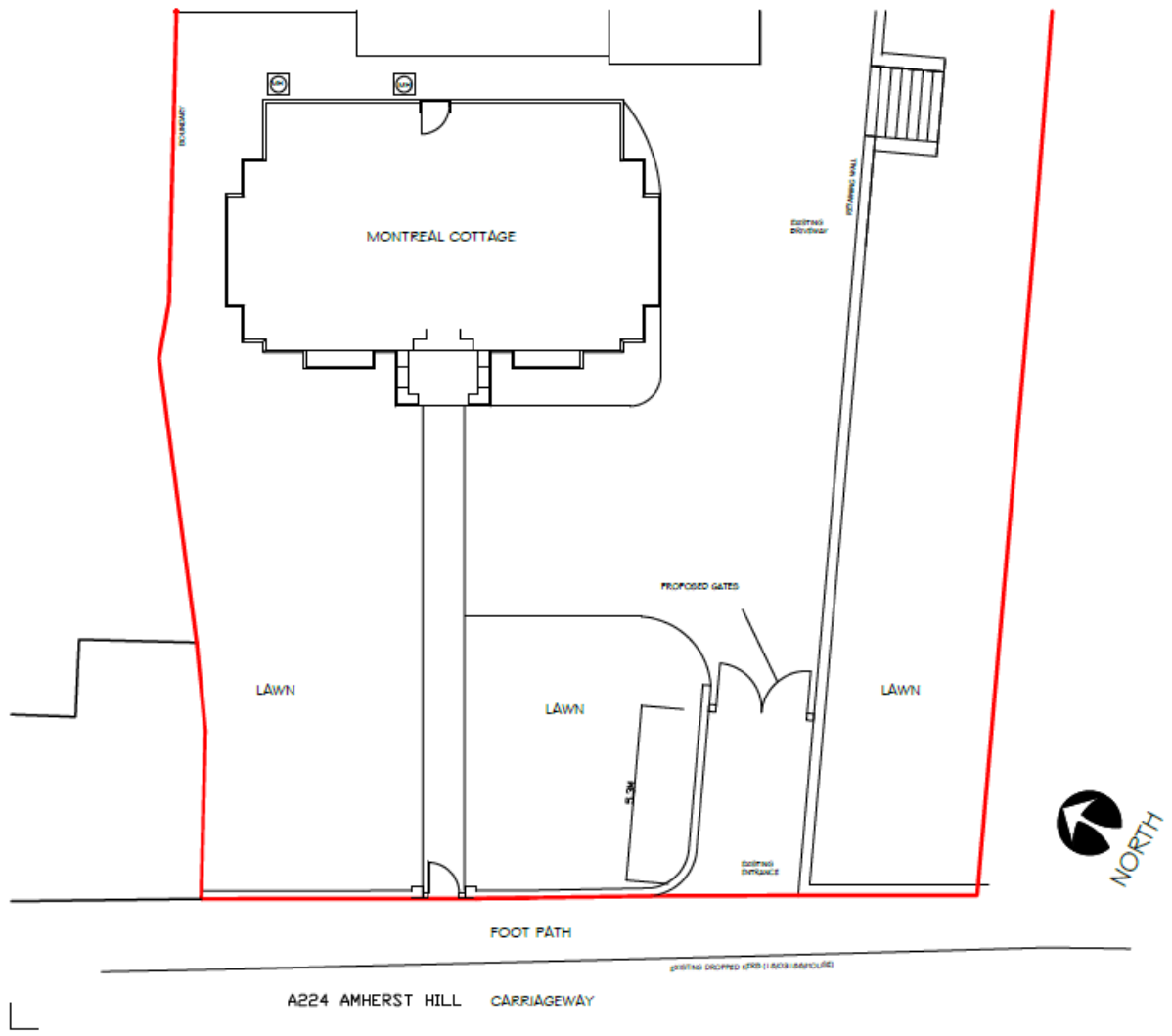


DISTRICT COUNCIL

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Ordnance Survey 100019428.

BLOCK PLAN



4.5 20/02439/HOUSE Revised expiry date 20 November 2020

Proposal: Rear first floor extension.

Location: 23 Eardley Road, Sevenoaks, KENT TN13 1XX

Ward(s): Sevenoaks Town & St Johns

Item for decision

The application has been called in to committee by Councillor Fleming in relation to the impact of the development upon 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 surrounding street scene as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) The window in the second floor window in the proposed east facing elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

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

4) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1 unnumbered 1:1250 scaled location plan, SP1264-20-PL03, SP1264-20-PL04 and SP1264-20-PL05 Rev.B

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

National Planning Policy Framework

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

Description of site

- 1 The application site is located along the southern side of Eardley Road, within the confines of Sevenoaks Town, and features a singular semi-detached dwelling house (No.23).
- 2 No.23 Eardley Road is a Locally Listed Building with an attractive frontage of a distinct architectural style, and was previously occupied by the historical figure H.G.Wells. The combination of both these factors is why the dwelling has been designated as a Locally Listed Building. The other semi-detached dwelling to which the proposal site adjoins (No.25) is not a Locally Listed Building.
- 3 The proposal site falls within the Granville Road and Eardley Road Conservation Area, and abounds a Locally Listed Asset in the form of paving which stretches from No.17 to No.29 Eardley Road.

Description of proposal

- 4 Rear first floor extension.

Relevant planning history

- 5 20/01696/HOUSE Rear first floor extension. - WITHDRAWN
- 6 08/00485/FUL First floor side extension. - GRANTED
- 7 02/00841/FUL Single storey side and rear extension. - GRANTED

Policies

- 8 National Planning Policy Framework (NPPF)
- 9 Core Strategy (CS)
 - SP1 Design of New Development and Conservation
- 10 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles

- EN2 Amenity Protection
- EN4 Heritage Assets
- T2 Parking

11 Other:

- Sevenoaks Residential Extensions SPD

Constraints

12 The following constraints apply:

- Conservation Area - Granville Road and Eardley Road
- Locally Listed Asset - House

Consultations

13 Parish/Town Council - Sevenoaks Town Council:

“Sevenoaks Town Council recommended refusal on the grounds of overshadowing of neighbouring properties.”

14 Other Consultees - SDC Conservation Officer:

15 “Significance

16 Number 23 is a locally listed building of the late 19th Century. It is part of an attached pair of symmetrically detailed villas which front the southern side of Eardley Road in the Granville/Eardley Road Conservation area, and it makes a positive contribution to the special qualities of the designated area.

17 The subject building has been locally listed due to its association with an important historical figure and the attached dwelling is not included in the designation.

18 Impact on Significance

19 The intention to construct a substantial addition to the rear is regretted from the conservation perspective. However the presence of the new work does not diminish the important historic associations for which the building was locally listed. The late Victorian character of the Villa as a whole remains clearly evident when viewed from Eardley Road and it continues to make a positive contribution to the street scene. Although bulky, the new addition is largely contained to the rear and it does not intrude into any locally distinctive conservation area views.

20 Policy Context

21 Paragraphs 193 & 194 of the NPPF require great weight to be given to the conservation of designated areas and while local listing provides no

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additional planning controls, the fact that a building is on a local list means that its conservation as a heritage asset is an objective of the NPPF, and a material consideration when determining the outcome of a planning application.

- 22 While the proposed development may not actively enhance or better reveal the significance of either the locally listed building or the conservation area (NPPF paragraph 200), it does not cause harm to the extent that would justify refusal in terms of paragraph 195. In consequence, refusal cannot be justified in terms of
- 23 Policy EN4 and the proposal is condoned.”

Representations

- 24 1 letter of objection has been received relating to the following issues:
- Significant loss of light to neighbouring property
 - Outlook from neighbouring window
 - Design and form of the proposed extension

Chief Planning Officer's appraisal

- 25 The main planning consideration are:
- Heritage and Design - Impact to the Conservation Area, Locally Listed Building and impact on the character of the area
 - Impact to neighbouring amenity

Heritage and Design

- 26 Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 27 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 28 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 29 The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).
- 30 Policy EN1 of the ADMP and Policy SP1 of the Core Strategy state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

- 31 The property is located within the designated Eardley Road Conservation Area, which is predominately characterised by Victorian architecture.
- 32 The proposed development being a first floor extension is to feature to the rear elevation of No.23, and would remain largely unobservable from public view along Eardley Road. Part of the roof of the proposed extension would be visible from the front elevation of the property, however due to the relatively minimal amount of roof visible, the impact that this would have on the overall character of the dwelling is minimal. This is further accentuated by the use of matching face brickwork in the construction of the extension to that of the existing dwelling (alongside the other materials proposed), further mitigating any adverse visual impact.
- 33 The proposed works would all be contained within the footprint of the existing dwelling, and would not be seen to lead to an over-development of the site nor would it appear overly prominent.
- 34 It is noted, that rear first floor extensions are featured on the adjacent dwellings at No.29, No.27, No.21 and No.19 Eardley Road, providing precedent to first floor rear extensions being an acceptable form of development within this Conservation Area and some weight is attributed to this, however it is not determinative factor.
- 35 The Council's Conservation Officer states that although the proposal would not lead to an enhancement of the Conservation Area or to the significance of the Locally Listed Building, the lack of harm caused as a result means that there is no justification for refusal based on paragraph 195 of the NPPF.
- 36 Overall, the development being proposed is seen to conserve the character of the Granville Road and Eardley Road Conservation Area, as well as the Locally Listed Building itself (No.23), and is therefore in-keeping with the surrounding area. The proposal would be considered compliant with policy related to the design of development and its impact on a heritage assets. As a result the proposal would comply with Policies EN1, EN4 of the ADMP.

Impact to neighbouring amenity

- 37 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 38 No.25 Eardley Road is the semi-detached dwelling connected to No.23, and sits directly west of the proposal site.
- 39 No windows are to feature on the western side elevation of the proposed extension facing onto No.25, and in doing so confirms that the proposal would not result in No.23 being able to have a direct overlooking effect into the neighbouring windows of No.25. The privacy of the habitable rooms on the ground floor of the neighbouring dwelling are considered to remain protected for current and future occupiers of the dwelling.
- 40 The window featured on the rear elevation of the proposed extension would be situated at a distance of approximately 6-7m from the rear private amenity space of No.25. Whilst there may be some concern of the harm to

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this rear amenity space for the neighbouring dwelling, the combination of the ground floor rear extension of No.25 and the boundary fencing separating the two properties, alongside trees and other vegetation along this fence, would provide adequate screening to ensure that the proposal would not result in any detrimental harm to this neighbouring amenity space, thus ensuring neighbouring privacy is protected.

- 41 Weight is given to the possibility of the additional bulk of the proposal resulting in a tunnelling effect for the outlook from the ground floor window on the southern elevation of No.25 Eardley Road. It is considered that the 3.6m depth of the first floor extension is of a short enough distance compared to the ground floor extension on which it will be placed that the staggered effect given off would prevent an overwhelming feeling of enclosure when viewing from inside the ground floor of No.25. This is also assisted by the 3.5m separation distance between the rear extensions of both properties, ensuring the proposal would not lead to the harmful tunnelling effect.
- 42 Concerns have been raised with regards to loss of light and overshadowing of the neighbouring property at No.25. In this instance a daylight/sunlight assessment has been submitted.
- 43 This assessment highlights how the proposed first floor extension at no.23 will impact the amount of daylight & sunlight received at either of the neighbouring properties at no.21 and no.25 Eardley Road. Whilst the daylight and sunlight assessment shows that there are indeed some variations in the light levels received at the neighbouring property (No.25) from the proposed extension, the majority of light received from existing windows aren't affected at all. Of those habitable rooms that are deemed to be affected (specifically the kitchen and dining room), none of the windows would receive reductions in light of above 20%, with the highest amount of light reduction being 14% for window 4 at No.25 Eardley Road. The majority of windows that would receive reduced light levels range from 1-10%, well below the BRE criteria for significantly harmful reductions in light levels, and overshadowing. In terms of loss of light to No. 21, the assessment shows that no loss of light over 20% would occur for any of the windows.
- 44 Furthermore, No.23 Eardley road and its neighbours all have rear elevations facing south. As a result, even with the proposed first floor extension, both neighbours would still receive a significant amount of light into their properties throughout the day as a result of the east-west movement of the sun.
- 45 The eastern facing window on the proposed first floor extension serves a non-habitable room in the form of an ensuite bathroom. This will be obscure glazed and a condition is recommended to ensure the amenity area of the adjacent neighbouring property is protected.
- 46 The rear window of the proposed first-floor extension would be situated at a far enough distance from the rear private amenity space of No.21 that the proposal would not be seen to lead to any significant harm of such amenity space. Any harm is further reduced as a result of the boundary fencing and

vegetation separating the two dwellings from one another. As such, the direct impact from overlooking, is considered to be minimal to justify a reason to object.

- 47 It is considered that the proposed first floor rear extension of No.23 would not result in any significant harm to the amenity space of either neighbouring property. The proposal would therefore safeguard the outlook, privacy and light levels of adjacent dwellings, and complies Policy EN2 of the ADMP.

Parking

- 48 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that a 4+ bed house in this location requires a maximum of 1.5 spaces.
- 49 At present the property has no off-street parking provision and utilises the existing on street parking facility. As such, given the location of the property being close to nearby shops/services and that it is within a designated Conservation Area, it is considered that an additional bedroom to this property would not require additional demand for off-street parking provision nor will it have an adverse impact upon highway safety.

Community Infrastructure Levy (CIL)

- 50 The proposal is not CIL liable

Conclusion

- 51 Upon considering this application as set out above, the development proposed, would not have a detrimental impact on the character and appearance of the area and would not have a significant impact on neighbouring amenity
- 52 It is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

Contact Officer(s): Michael Clawson 01732 227000

Richard Morris
Chief Planning Officer

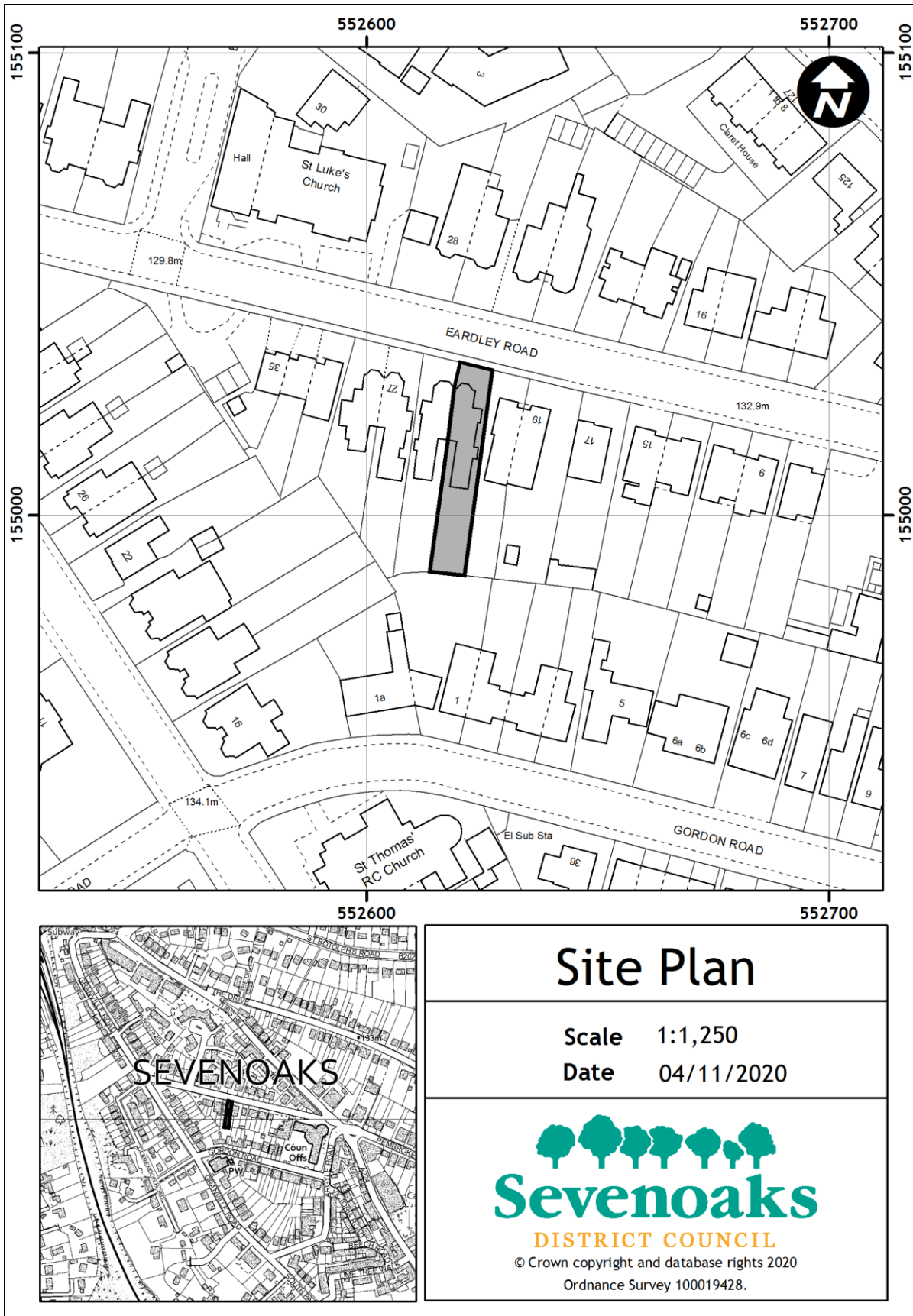
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Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QFKSCBKL2Y00>



<h1>Site Plan</h1>	
Scale	1:1,250
Date	04/11/2020
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4.6 20/01569/HOUSE

Revised expiry date 1 September 2020

Proposal: Demolition of side extensions and detached double garage, erection of part two storey/part single storey side extensions, part two storey/part single storey rear extension, link detached garage, alterations to the roof, enlarged porch and external alterations.

Location: Melsetter, Woodland Rise, Sevenoaks KENT TN15 0HY

Ward(s): Seal & Weald

Item for decision

This application has been called to Committee by Councillor Thornton who has reviewed the Wildernesse conservation area appraisal and considers that the proposed works appear to conserve the character of the conservation area and appear in accordance with local policy.

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

1. The proposed development would neither conserve nor enhance the Wildernesse Conservation Area as a result of the increase in massing to the dwelling and loss of features of architectural interest. The loss of such features would diminish the positive contribution that the dwelling makes to the Conservation Area, contrary to Policy EN4 of the Sevenoaks Allocations and Development Management Plan and would result in less than substantial harm to the Conservation Area as a designated heritage asset contrary to the aims and objectives of the National Planning Policy Framework. There are no public benefits which would outweigh the harm caused.
2. The proposed development would harm the character and integrity of the dwelling, through diminishing its architectural significance and the distinctive features of the non-designated heritage asset, contrary to the aims and objective of the National Planning Policy Framework. As such the proposal is contrary to Policy EN4 of the Sevenoaks Allocations & Development Management Plan, the National Planning Policy Framework.

National Planning Policy Framework

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

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Description of site

- 1 The application site constitutes a detached dwelling accessed to the south of a private road within the private residential estate of Wildernesse.
- 2 The dwelling is distinguished by its disruption of a relatively regular building line, being set back at distance from the private road and accessed via a long and undulating driveway to the dwelling.
- 3 The dwelling itself, called Melsetter, is identified as contributing to the character of the Wildernesse Conservation Area and is a large two storey dwelling set on an extensive and verdant land plot.

Description of proposal

- 4 The application seeks to demolish existing side extensions and a rear extension to the dwelling, as well as a detached double garage.
- 5 It is proposed to enlarge the existing porch to the front of the dwelling and to erect two storey and single storey side extensions to the dwelling.
- 6 It is further proposed to erect a two storey rear extension running across the width of the dwelling and to alter the roof to create a double pile dwelling.
- 7 A new garage is proposed to be sited in close proximity to the dwelling, and linked to the main dwelling via a glazed link.

Relevant planning history

- 8 SW/5/54/383 - Two storey side extension.
- 9 SW/5/63/397 - New bathroom and alterations to existing house.
- 10 SW/5/66/580 - Addition of 6 rooms
- 11 03/02704/FUL - Two first floor extensions to create an additional bedroom and bathroom
- 12 04/00346/FUL - Detached double garage.

Policies

- 13 National Planning Policy Framework (NPPF)
- 14 Core Strategy (CS)
 - SP 1 Design of New Development and Conservation
 - SP 11 Biodiversity

- 15 Allocations and Development Management Plan (ADMP)
- SC 1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN3 Demolition in Conservation Areas
 - EN4 Heritage Assets
 - T2 Vehicle Parking

- 16 Other:
- Sevenoaks Residential Extensions Supplementary Planning Document (Residential Extensions SPD)
 - Wildernesse Conservation Area Appraisal and Management Plan SPD
 - ADMP Appendix II: Guidance for Residential Parking

Constraints

- 17 The following constraints apply:
- Wildernesse Conservation Area - CA
 - Urban Confines of Sevenoaks

Consultations

- 18 Sevenoaks Town Council - Recommend approval
- 19 Seal Parish Council - no objection. The Parish Council has no objection provided the Conservation Officer is satisfied that the large size and location of the garage block are acceptable within the Conservation Area, and that the planning officer is content that the roof lights and glass conservatory will not cause loss of privacy or light glare for the neighbour on the eastern boundary. A condition should be attached to ensure that use of the accommodation in the garage block remains ancillary to the main dwelling.
- 20 Conservation Officer - Objection lodged
- 21 Significance
- 22 The existing building is well set back from the road, and the plot is particularly verdant – a characteristic of the Wildernesse Conservation Area.
- 23 Melsetter is identified as a building that contributes to the character and appearance of the Conservation Area; it is identified as having a degree of heritage significance and is considered a non-designated heritage asset. Its positive attributes include the verdant plot and setting of the house within the plot; the house and outbuildings being sited back from the road; and the

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more modest design and character of the original building. As a group, the historic houses within the Conservation Area illustrate the development of the Wildernesse Estate.

- 24 Overall, the quality of the house can be summarised in it being an understated and well-mannered musing on English country vernacular, sitting within the sylvan Wildernesse Estate; this is the quality that contributes to the character and appearance of the Conservation Area. The individual elements of the house that contribute to this, and in turn to the character and appearance of the Conservation Area are discussed below.
- 25 The house was constructed in 1938 by T. Woodham & Sons. The original house is two storeys high and three bays wide. The front elevation is of brick with a steeply pitched clay tiled roof and two single-storey wings on either side of the main building.
- 26 This principal elevation has a restrained neo-Classical character (thanks to the broken base pedimented door frame) and the wings which are connected via a curved wall, yielding a Palladian effect. Yet the steeply pitched roof lends a Kentish vernacular influence, and the proportions of the timber casement windows an English cottage character. The rear elevation of the house has an English cottage character, with its steeply pitched roof with end and off-set tall chimney stacks, clay tile hung first floor, and the timber-framed casement windows.
- 27 Vita Sackville-West was involved in the original design of the landscaped gardens, within which Melsetter comfortably sits. A portion of the house is visible from the public highway but this is somewhat shielded by a small clump of trees in the garden; the gentle meander of the driveway gradually reveals the house within its setting.
- 28 There are later additions to the house which detract from its character as articulated above and unbalance the overall composition. These include the single-storey extension with its curved bay window and balcony above with timber balustrade behind the south-west wing, and the single-storey extension behind the north-east wing. The two-storey extension with mansard roof with gable ends does offset the balance of the plan form but its scale respects that of the original building.
- 29 The existing detached garage, which was constructed in c. 2003/4, does not possess any particular architectural style or characteristics that contribute to the character or appearance of the Conservation Area but it is set back from the house and shielded in views from the public highway by trees.
- 30 Impact assessment
- 31 The proposals include the demolition of the existing single-storey wings and attached extensions to either side of the house, a two-storey extension to the rear and the existing garage that sits in front of the property. It is proposed to erect two-storey extensions to either side of the house and to the rear, and two single-storey extensions to the rear. A two-storey garage

set back from the front of the house but connected via a glazed link element is also proposed.

- 32 The proposals would increase the bulk of the dwelling which is not in keeping with the modestly sized existing building. The Wildernesse Estate Conservation Area Appraisal and Management Plan explains that, 'A further contributing factor to the area's character is the generous size of plots on which many of the houses are placed and the relatively modest height and bulk of the original designs.'
- 33 The proposals include several interventions to the principal elevation which will alter the subtle characteristics of the house that, taken as a whole, contribute to the character of the Conservation Area.
- The removal of the two characteristic 'Palladian' wings and their replacement with asymmetrical tile-hung gable ends would affect the character of the principal elevation; the existing curved wings are subtle but characterful elements of the existing building.
 - Likewise the replacement of the casement windows with sash windows and the aggrandisement of the front door will remove those features that contribute to the character of the elevation.
 - To the rear, the proposed gable and introduction of sash windows would alter the quiet English cottage character of the rear of the house and is considered a further aggrandisement of the house; this is not consistent with the attributes of the building that contribute to the character of the Conservation Area.
 - The proposed alterations will introduce different architectural styles, and would obfuscate the established character of the building. This would, in turn, diminish the dwelling's contribution to the character and appearance of the Conservation Area.
- 34 Conclusion
- The proposed alterations to the front elevation would remove those elements that contribute to the house being considered a well-mannered musing on English country vernacular; they would harm the significance of the non-designated heritage asset.
 - The proposals will do away with existing architectural elements of the house that contribute to the character and appearance of the Conservation Area.
 - The proposed increase in bulk to the house is not in keeping with the character of the Conservation Area, as defined in the Conservation Area Appraisal.
- 35 In my opinion the proposals would not preserve the character and appearance of the Conservation Area.

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- 36 Arboricultural and Landscape Officer - no objection
- 37 County Ecology Officer - no objection, subject to conditions to protect and enhance biodiversity, and to protect, compensate for and mitigate impacts to bats.

Representations

- 38 One letter of support has been received relating to the following issues:
- Impact on the Conservation Area
 - Impact on character of dwelling

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services' appraisal

- 39 The main planning consideration are:
- Design and impact on the character of the Conservation Area
 - Design and impact on the visual amenity of the local area
 - Impact upon Residential Amenity
 - Vehicle parking, ecology and trees

Design and impact on the character of the Conservation Area

- 40 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 41 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 42 The Sevenoaks ADMP describes Heritage Assets as highly valued components which make up the historic character of the District. These can include buildings as well as natural features and landscapes. The ADMP further states Heritage Assets can be designated locally by the Local Planning Authority, or be identified during the determination of planning applications.
- 43 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 44 Under the NPPF, paragraph 194 states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear

and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 45 Under paragraph 197, the NPPF also states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining applications and will require a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset.
- 46 Melsetter's contribution to the Conservation Area:
- 47 The Wilderness Conservation Area is characterised by its spacious and verdant setting, with large individually designed dwellings set on expansive land plots and discreetly located amongst extensive vegetation. Melsetter is of this typical character, being an example of an individually designed dwelling set on a spacious and verdant land plot. Indeed, in accord with the Conservation Officers commentary Vita Sackville-West was involved in the original design of the landscaped gardens, for which Melsetter sits comfortably in its spacious grounds. The contribution to the Conservation Area is defined by its verdant plot which adds to the setting of the house, the set back from the road and the more modest design and character of the building which emphasises the spacious scale of the dwellings plot.
- 48 The Wilderness Conservation Area appraisal denotes Melsetter as a building which is considered to contribute to the character and appearance of the Conservation Area. The dwelling is therefore considered a non-designated heritage asset.
- 49 The dwellings' quality is identified by its understated and well mannered musing on English Country vernacular. The dwelling was constructed, in accord with the Conservation Officer, in 1938 by T.Woodham & Sons. The original property is considered to be represented by its two storeys high and the three bays width.
- 50 The principle elevation of the dwelling has retained a neo-classical character, with a pediment doorframe and wings which are connected by the curved wall. The steep pitched roof makes reference to the Kentish vernacular influence. While the timber framed windows pay heed to the English cottage character.
- 51 The rear elevation of the property continues the English Cottage style, which reflects the more modest scale intensions of the building and adds to the sense of spaciousness around the dwelling which contributes to its setting and design intent of the estate.
- 52 Alongside its association with notable historic figures, the dwelling's discreet set back from the private highway and its architectural merit are positive attributes of the site and dwelling and contribute positively to the character of the Conservation Area.

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- 53 Across the Wildernesse Estate there are a number of dwellings which contribute to the character of the Conservation Area. Many of these dwellings are of individual designs and massing and have differing contributions to the character of the Conservation Area.
- 54 The more modest proportions of dwellings, within the Conservation Area, is reinforced within the Wildernesse Conservation Area Appraisal and Management Plan. The plan highlights the relatively modest height and bulk of the original design of dwellings to be a contributing factor to the Conservation Areas' character.
- 55 While there are latter additions to the dwelling which are detractors from its overall composition, these are considered of a scale and mass which respects the more modest proportions of the original dwelling.
- 56 Front and side extensions to the dwelling:
- 57 In addition to the modest form and bulk of the original dwelling, Melsetter's possesses a number of features which the Conservation Officer has highlighted as contributing positively to the distinct character of the building, as discussed above.
- 58 The dwelling is of a modest original design, with a simple rectangular three-bay form. The front gable is prominent however the plain brickwork, simple pitched roof and uncluttered symmetrical design of the windows contributes to the modest appearance of the dwelling.
- 59 To the front and sides of the dwelling, it is proposed to demolish the existing single-storey side extensions to the dwelling and a small two-storey, north-east, facing side extension to the dwelling.
- 60 It is proposed to erect two single-storey side and front extensions which include front-facing gables. In addition, it is proposed to erect two, two-storey, side extensions on either side of the dwelling, which would be set back from the front elevation of the dwelling, and set-down from the ridgeline of the main dwelling. A covered porch is also proposed to the front of the dwelling.
- 61 In terms of scale, both the two-storey and single-storey extensions proposed would remain of subservient proportions to the main dwelling.
- 62 Despite this subservience, the proposed extensions would involve several alterations to the principle elevation of the dwelling which directly detract from the existing character of the building.
- 63 Enlarging the porch, to create a grander entrance would alter its existing refrained and understated character. The removal of the existing single-storey curved 'Palladian' wings, which are considered subtle and characterful features of the existing dwelling, would dilute the attractive characteristics of the dwelling. Finally, the replacement of the casement windows with sash windows would further erode the existing understated

character of the building and are out of context with the historical design of the building.

- 64 Both the introduction of grander architectural features and the removal of features of architectural merit would alter the understated country-style character of the house. As a result, I am in agreement with the views of the Conservation Officer that the proposal would harm both the architectural significance of the house as a non-designated heritage asset, and would remove and alter features of the dwelling which contribute positively to the character of the Wildernesse Conservation Area.
- 65 Rear extensions:
- 66 To the rear of the dwelling, it is proposed to demolish the existing two storey side/rear wing of the dwelling. The footprint of the rear extension to be demolished is proposed to be re-sited to the immediate rear of the dwelling, centralising the bulk and mass in a two storey form. The current side/rear wing due to its separation from the main dwelling appears more subservient. The two storey rear extension would create a double-pile dwelling and include a rear facing central gable feature.
- 67 The proposal would double the depth, bulk and massing of the existing dwelling. This increase in massing and bulk is not considered of a responsive design to the modest bulk and form of the original building's design, which is highlighted as a contributing factor to the Conservation Areas' character.
- 68 Attractive original features of the simple English cottage style to the rear would be obscured by the more complex bulk and massing and larger portions to openings of the proposed rear extension. This would be considered to detract from the modest architectural style of the property.
- 69 It is further proposed to erect a single storey conservatory and single storey side and rear extension with balcony. These elements add to the clutter and massing of the proposal.
- 70 Although of a subservient design, the further increase to the width and depth of the dwelling, created through the single storey and two storey front, side and rear extensions, would further enlarge the bulk and massing of the dwelling created by the double pile arrangement. As a result, the suite of extensions read as a whole would increase the scale and bulk of the dwelling to create a larger and grander massing within the plot, which would not be responsive to the original modest bulk of the original dwelling and its spacious setting.
- 71 Accordingly, the scale of the development proposed would not conserve the modest scale and bulk of the original design of the dwelling. As this modest bulk is highlighted as an important contribution to the Conservation Areas' character, the design of the proposal would detract from the positive attributes of the dwelling which contribute to the character of the Conservation Area and would not conserve nor enhance the character of the Conservation Area as a whole.

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- 72 In terms of the architectural significance of the dwelling, the siting of the rear extensions would obscure the entire rear of the original dwelling which is considered to contribute to the cottage style character of the house. These extensions, to include a prominent rear facing gable end, a conservatory and flat roof extensions introduce architectural styles which would alter the quiet English cottage character of the rear of the house, creating a dwelling of grander appearance. This is further reinforced by replacement of the casement windows with sash windows.
- 73 Proposed Garage:
- 74 An existing detached two bay garage is proposed to be demolished and replaced with a three bay garage of a greater height, width and depth. The garage is not considered to represent a building of quality and the principle of its demolition is accepted.
- 75 Although of a larger massing, the proposed garage would remain of a visually subservient design and siting in relation to the dwelling, and remain comfortably sited on the land plot.
- 76 The height of the garage would be set down from the ridgeline of the dwelling and its perpendicular siting to the dwelling would reduce its massing when viewed from the principle elevation and reinforce the visual separation and ancillary appearance of the garage.
- 77 The barn hipped roof profile and palette of materials proposed would respond sympathetically to the character of the dwelling and due to the gentle meander of the driveway and vegetation on site, the garage would be entirely screened from public vantage points of the site and from the private highway.
- 78 As a result of its design and siting, the proposed garage would respect the character of the existing dwelling and conserve the discreet appearance and setting of the dwelling within its verdant land plot, conserving the character of the Wildernesse Conservation Area as a designated heritage asset.
- 79 Conclusion on impact on Conservation Area:
- 80 In summary, the planning assessment has identified two areas of harm to the character of the Conservation Area. Firstly, the increased scale and massing of the dwelling created by the double pile rear extension and suite of front, side and rear extensions. These would fail to respond to the design and modest bulk and massing of the original building. Further, the proposed scale would reduce the sense of spaciousness around the dwelling which would not be in keeping with the key characteristics of the area as defined by the Conservation Area Appraisal.
- 81 Secondly, the proposed design and siting of extensions would remove and obscure features of architectural merit which would alter the subtle and understated cottage-style character of the dwelling.

- 82 It is considered that the proposed scale, design, and siting, of the extensions to the dwelling would diminish the positive attributes of the dwelling, which contribute to the wider character of the Conservation Area.
- 83 The proposal would therefore not conserve nor enhance the character of Wildernesse Conservation Area and be contrary to Policy EN4 of the Sevenoaks ADMP. Therefore, the overall harm caused to the designated heritage asset to be 'less than substantial harm' under the definition of the NPPF.
- 84 In line with the NPPF, the harm caused has not been justified and I consider there to be no public benefits which would outweigh the harm caused to the Conservation Area.
- 85 Furthermore, I consider the harm caused to the architectural merit and character of the building to cause harm to its architectural significance as a non-designated heritage asset, contrary to the NPPF and policy EN4 of the Sevenoaks ADMP.

Design and impact on the visual amenity of the local area

- 86 In considering the design of development, Policy EN1 states the form of proposed developments should respond to the scale, height, materials and site coverage of the area.
- 87 Supplementary planning documents confirm that the scale and form of an extension are important in the successful design of development, highlighting that extensions should respond positively to the features of the area which contribute to local distinctive character and should be of scale, proportion and height which would read as ancillary to the main dwelling and which would not harm the integrity of the design of the original dwelling.
- 88 Supplementary planning documentation advises that garages should be smaller in scale and clearly ancillary to the dwelling. Particular care will be taken where garages or outbuildings are set in front of the building in view of the likely greater impact on the street scene.
- 89 Proposed garage:
- 90 It is proposed to demolish the existing two bay garage and erect a three-bay garage with barn-hipped roof in closer proximity to the dwelling, to be attached to the dwelling via a short glazed link.
- 91 Although large, the garage would remain of an ancillary height to the host dwelling and would be sited within proximity to the building to reduce the visual prominence of the glazed link extending from the dwelling to the garage. Due to its siting, the massing of the garage would largely be screened by existing mature vegetation when approaching the dwelling the private highway and the dwelling would remain of visual prominence.

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- 92 The proposed garage would not be of excessive scale for its function for facilitating three cars and providing a first floor recreational and living space. The function, due to its proximity to the dwelling is likely to remain of ancillary use to the house. This could be controlled through planning condition if required.
- 93 The proposed barn-hipped roof would reduce the visual massing of the extension and the proposed dormers and roof lights would be modest in size and visually subservient to the roof plane of the garage.
- 94 In summary, the proposed garage and glazed link would remain of a subservient design and form to the host dwelling and would sit comfortably within the expansive land plot, screened from view of the private road. Furthermore the garage would be of a design which is compatible with the design of garages across the wider Estate, as well as respect the immediate character of the site.
- 95 Extensions:
- 96 It is proposed to demolish existing extensions to the house, to be replaced with a number of single and two-storey extensions to the dwelling.
- 97 The extensions to the dwelling would remain comfortably sited within the land plot and would include appropriate set-backs and heights which (with the exception of the two-storey rear extension) would be of subservient proportions to the dwelling. All materials proposed would be of similar appearance to those used on the existing dwelling.
- 98 The dwelling is largely screened from the private road, with its set back from the road and various forms of vegetation breaking the visual massing of the dwelling when viewed from the street scene. The existing vegetation on the long approach to the dwelling and along the front boundary of the site is to be retained and would continue to suitably screen the bulk and massing of the extended dwelling.
- 99 I therefore consider the proposed extensions would not detract from the visual amenity of the local area and the character of the street scene.

Summary of Design and Impact on the visual amenity of the local area:

- 100 The proposed garage and extensions as a result of their siting, would respect the visual amenity of the local area, in accordance with Policy EN1 of the Sevenoaks ADMP.
- 101 Residential Amenity
- 102 A site visit has confirmed the extended dwelling would be situated on an ample land plot located over 25 metres from the nearest neighbouring dwellings. As such the proposal would pass daylight and sunlight tests and would not significantly alter the outlook of neighbouring dwellings nor detrimentally alter existing privacy levels due to this distance of the development from neighbouring windows.

- 103 Seal Parish Council has asked the Planning Officer to consider the impact of the rear roof lights of the garage on the neighbouring dwelling located to the north east of the site. This proposed garage would be sited over 25 metres from the windows of the neighbouring dwelling, called Broomwood. The proposed roof lights are of a modest height and width which would not be considered to allow excessive light spillage for their ancillary function. In addition, the verdant landscaping of both plots would largely screen and break up the massing of the built development and light emitted from the proposed development. As such, the development is not considered to be adversely harmful to neighbouring dwellings.
- 104 The rooflights would be sited at an oblique angle to Broomwood which would not afford views over any protected private amenity space of the dwelling.
- 105 In summary, the proposed development would preserve the residential amenities of occupants and neighbours of the development.

Vehicle parking, ecology and trees

- 106 Vehicle Parking
- 107 The proposed development would remain a five-bedroom property and is identified as a residential suburb of Sevenoaks within Supplementary Planning Guidance.
- 108 Parking guidance outlined with the appendices of the Sevenoaks ADMP outlines two independently accessible parking spaces are expected to be provided on-site. The site would retain parking for at least two independently accessible vehicles on the forecourt of site and would fully accord with Policy T2 of the Sevenoaks ADMP, as well as aspects of Policy EN1 which relate to parking provision.
- 109 Ecology
- 110 The applicants have submitted a Preliminary Ecological Appraisal and Bat Presence and Absence Surveys Report to identify potential impacts to bats, breeding birds, badgers, great crested newts, reptiles and hedgehogs as a result of the proposed development.
- 111 The County Ecology Officer has been consulted on the proposed development and with the exception of bats is satisfied that as the proposal is largely sited on existing areas of built form and hard standing, the avoidance and mitigation measures outlined within the Preliminary Ecological Appraisal will adequately manage potential impacts to the above species and species groups. A planning condition would be used to secure the implementation of these avoidance and mitigation measures.
- 112 It is confirmed through the Bat Presence and Absence Surveys Report that the main dwelling supports roosting bats in at least eight locations. The County Ecology Officer is satisfied that the level of mitigation and compensation measures outlined by the applicant is sufficient, provided this

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amount is retained and is not reduced (secured via planning condition). The County Ecology Officer has also advised submission and implementation of a bat-sensitive lighting scheme to protect on-site habitats for roosting, foraging and commuting bats, as well as measures to enhance biodiversity of the site. These details can be secured via condition in accordance with Policy SP 11 of the Core Strategy.

113 Trees

114 The site includes a variety of trees, shrubs and hedgerows at differing stages of maturity across the site, and bordering the site on all sides, which contribute to the attractive verdant setting of the site, and aid in softening and screening much of the formal landscaping and built development of the dwelling and grounds from public views of the site.

115 The proposed demolition and development to be constructed would not be sited in proximity to any mature trees or vegetation and as such would conserve the verdant visual amenity of the site. This is in line with the views of the District Arboricultural and Landscape Officer who raises no objection to the proposed development. As a result, the proposal would respect the natural features of the site, in accordance with aspects of policy EN1.

Community Infrastructure Levy (CIL)

116 CIL liable, as no exemption has been sought.

Conclusion

117 The proposed extensions to the dwelling would be unresponsive to the original bulk and design of the dwelling, and harm the architectural significance of the dwelling, altering the subtle and understated character of the dwelling and diminishing the positive contribution it makes to the character of the Wilderness Conservation Area as a whole.

118 As a result, the proposal would neither conserve nor enhance the character of the dwelling (as a non-designated heritage asset) and would neither conserve nor enhance the character of the Conservation Area (as a designated heritage asset), contrary to Policy EN4 of the Sevenoaks ADMP.

119 There are considered to be no public benefits which would outweigh the less than substantial harm caused to designated heritage assets and the proposal is considered to cause harm to non-designated heritage assets, contrary to the NPPF.

120 It is therefore recommended that this application is REFUSED.

Background papers

Location Plan/ site plan / Front Elevation Section A-A

Proposed Floor Plans dated 7 August 2020

Existing and Proposed Roof Plans dated 7 August 2020

Site Location Plan / Block Plan / Proposed Front Section A-A dated 7 August 2020

Proposed Elevations dated 7 August 2020

Existing Site Plan dated 5 June 2020

Existing Floor Plans dated 5 June 2020

Existing Elevations dated 5 June 2020

Roof Plans dated 5 June 2020

Arboricultural Report

Tree Survey Plan

Tree Protection Plan

Bat Survey Report

Ecological Appraisal Report

Final Ecology Report

Planning/Heritage Statement

Contact Officer(s):

Samantha Simmons: 01732 227000

Richard Morris

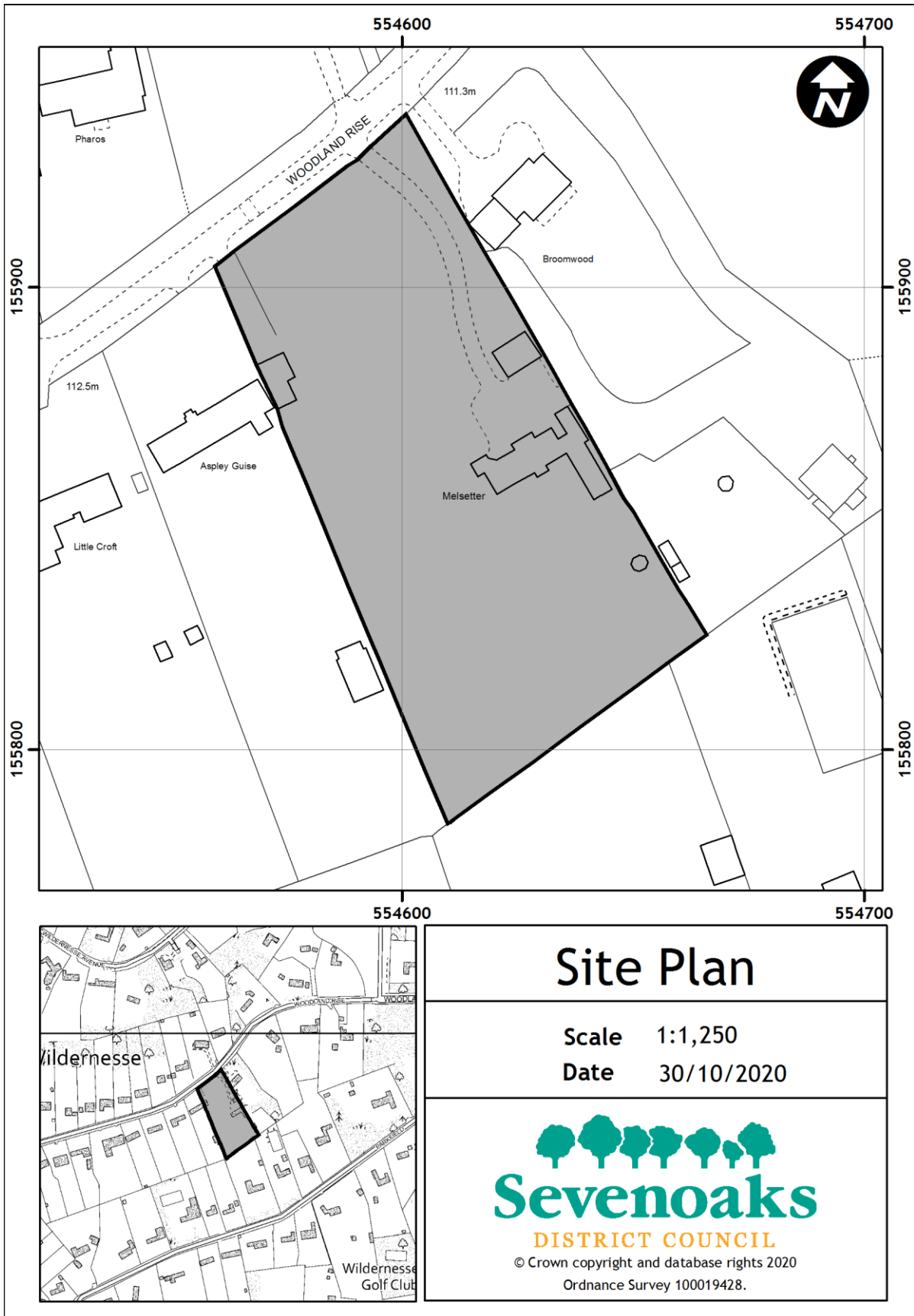
Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

Link to application details:

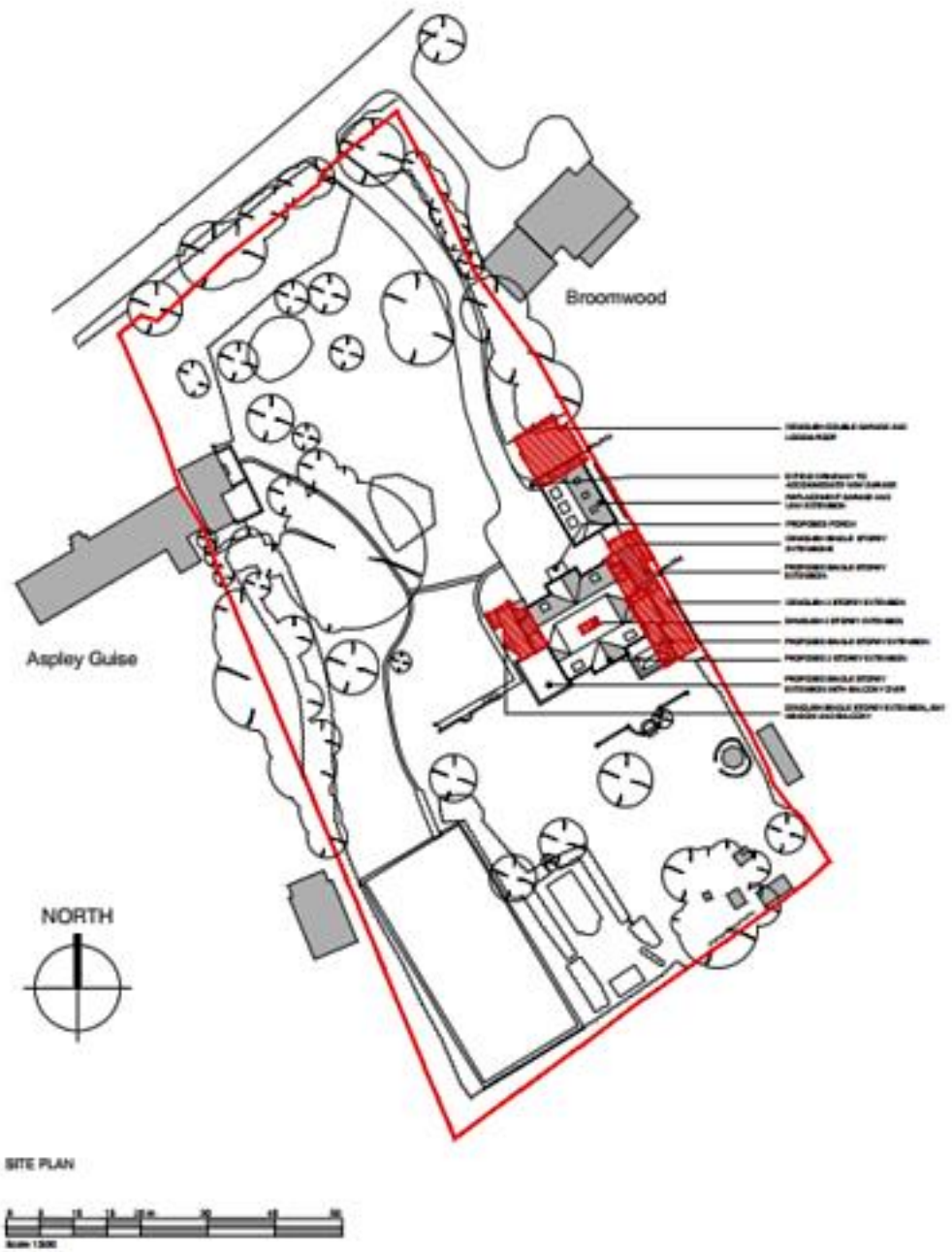
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Link to associated documents:

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BLOCK PLAN



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4.7 20/02399/HOUSE Revised expiry date 20 November 2020

Proposal: Single storey rear extension.

Location: Somerset Lodge, 12 Westerham Road, Bessels Green
KENT TN13 2PU

Ward(s): Brasted, Chevening And Sundridge

Item for decision

This application has been called to Development Control Committee as the applicant is an employee of Sevenoaks District Council.

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

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

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

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

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

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1963-01, 1963-02, 1963-03, 1963-06, 1963-07.

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

National Planning Policy Framework

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

Agenda Item 4.7

Description of Site

- 1 The application site currently comprises of a large detached property located within Westerham Road. Westerham Road is located within a urban location, with a varied of both detached and semi-detached dwellings, which differ in appearance and design.

Description of Proposal

- 2 Single storey rear infill extension.

Relevant Planning History

- 3 08/01286/FUL - Erection of three detached houses and construction of new access drive with alterations to existing highway access. Replacement double garage for 14 Westerham Road - REFUSED

Policies

- 4 National Planning Policy Framework (NPPF)

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

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

- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; 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) related to policies including SSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

- 5 Core Strategy (CS)

- SP1 Design of New Development and Conservation

- 6 Allocations and Development Management Plan

- SC1 Presumption in favour of Sustainable Development

- EN1 Design Principles
- EN2 Amenity Protection

7 Others:

- National Planning Policy Framework
- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

Constraints

8 Area of Archaeological Potential (part of the site)

Consultations

9 Chevening Parish Council- No objection

Representations

10 No representations have been received.

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services' appraisal

11 The main planning considerations are:

- Impact on the character of the area
- Impact on neighbouring property

Impact on the Character of the Area

12 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

13 The proposed single storey rear infill extension would approximately project 3.1metres from the existing rear elevation and have an overall height of approximately 3.6 metres, infilling the existing space between the existing rear two storey extension and the western boundary of the site. The proposed roof and part of the existing flat roof of a single storey side extension would be altered to integrate as one.

14 It is considered that the proposal, due to its scale, height and design would appear subservient to the host dwelling and would not become a prominent feature. To assist in assimilating the proposal with the existing property, the proposed materials are to match.

Agenda Item 4.7

- 15 Overall, the development would maintain the existing appearance of this property and does not harm the overall character and appearance of the street. This proposal would conform, policy EN1 of the ADMP and are there are no sufficient reasons to refuse this application on design or street scene grounds.

Impact on neighbouring amenity

- 16 Policy EN2 of the ADMP requires proposals to safeguard the residential amenities of existing and future occupants of any properties which are situated in the vicinity.
- 17 The neighbours located opposite the site and to the rear would be unaffected by the proposal, due to the existing intervening boundary treatments and the separation distances between properties.
- 18 With regards to the impact of the development upon no.10 Westerham Road, it is considered that the development would not harm their existing amenities due to the nature and scale of the proposal not projecting beyond the rear building line of the existing two storey projection of the property.
- 19 The proposed extension would be visible to no.14 Westerham Road, as the development would be positioned right up to the common boundary. It is noted that this neighbouring property does not have any windows at ground floor facing the site, but does have a flank first floor window. However, due to the single storey scale of the development, this flank window would not be unduly impacted by the proposal in terms of loss of light and outlook.
- 20 Upon considering the above the residential amenities of surrounding properties would not adversely impacted by this proposal and would comply with Policy EN2 of the ADMP and Sevenoaks Residential Extensions SPD.

Parking

- 21 The parking on the site would be unaffected by the proposed development.

Conclusion

- 22 Upon considering the above, the proposal conforms to the relevant Development Plan policies and that there are no other overriding material considerations to indicate otherwise.
- 23 It is therefore recommended that permission is GRANTED.

Background papers

Site and block plan

Contact Officer(s): Louise Cane: 01732 227000

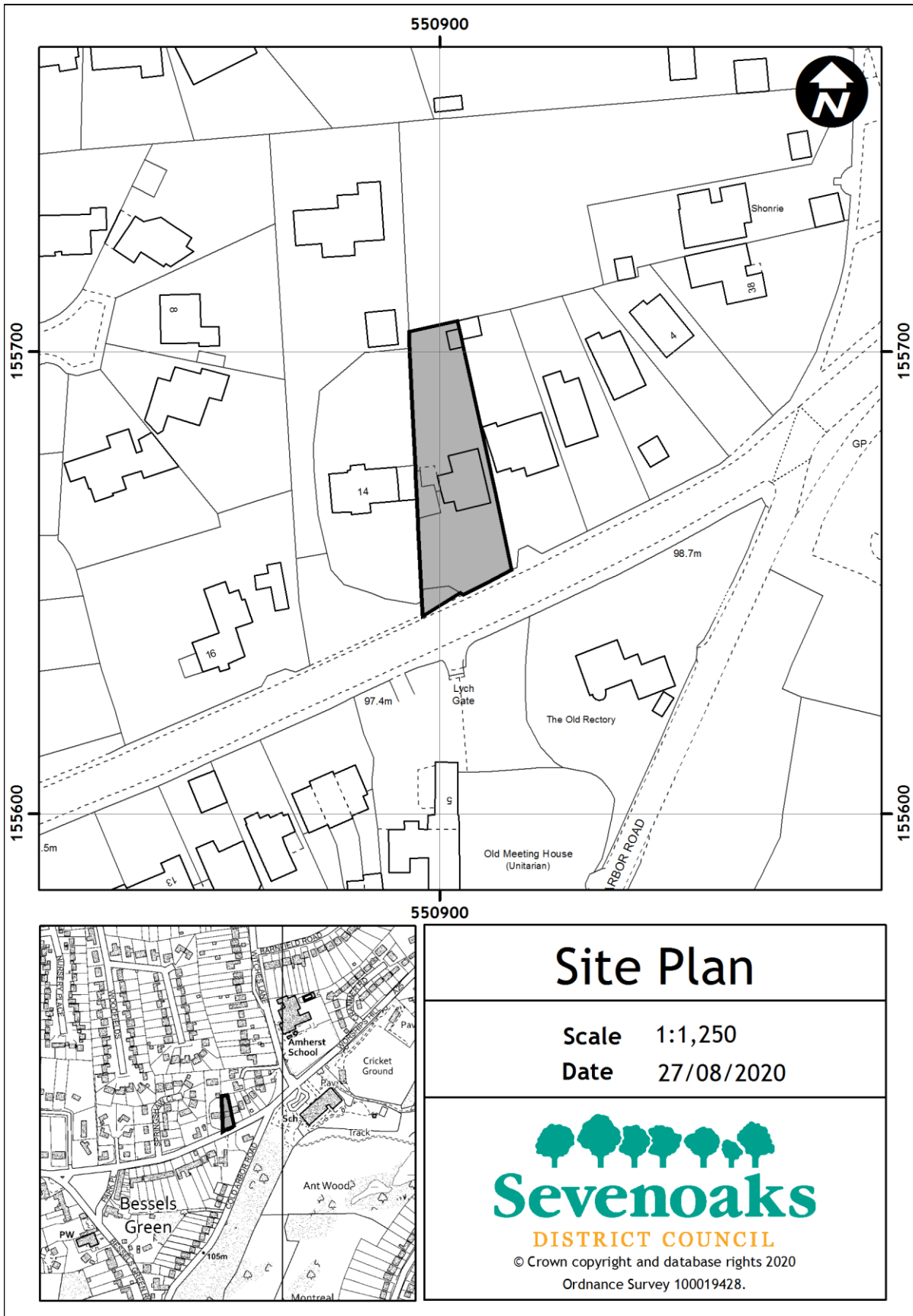
Richard Morris
Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 19 November 2020

4.1 20/02270/FUL

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Link to associated documents:

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4.2 20/02296/FUL

Link to application details:

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Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QEWPM3BKJKA00>

4.3 20/01809/HOUSE

Link to application details:

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Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QCP4FABKMPJ00>

4.4 20/02294/HOUSE

Link to application details:

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Link to associated documents:

Supplementary Information

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QEWPKXBKJK600>

4.5 20/02439/HOUSE

Link to application details:

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Link to associated documents:

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4.6 20/01569/HOUSE

Link to application details:

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4.7 20/02399/HOUSE

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