

17 December 2020 at 7.00 pm

This meeting will be held virtually via Zoom,
And [livestreamed here.](#)

Despatched: 09.12.20



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

Agenda

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the minutes of the meeting of the Committee held on 19 November 2020, as a correct record.	(Pages 1 - 14)	
2. Declarations of Interest or Predetermination Including any interests not already registered		
3. Declarations of Lobbying		
4. Planning Applications - Chief Planning Officer's Report		
4.1 20/02448/FUL - Land North Of 2-6 Woodside Road, Sevenoaks, Kent, TN13 3HB Erection of three detached dwellings to incorporate a new vehicular access.	(Pages 15 - 34)	Alexis Stanyer Tel: 01732 227000
4.2 20/02543/HOUSE - 7 Wyndham Close, Leigh, Kent, TN11 8RD Proposed roof conversation and rear roof alterations.	(Pages 35 - 42)	Michael Clawson Tel: 01732 227000
4.3 20/02779/HOUSE - Farm Cottage, Walters Green Road, Penshurst, KENT, TN11 8HE Demolish three outbuildings, proposed link attached side extension with roof-lights and balcony, detached garage, landscaping with new driveway, relocation of one	(Pages 43 - 56)	Alexis Stanyer Tel: 01732 227000

outbuilding, porch and alterations to fenestration.

Proposed link attached side extension and detached garage.

- 4.4 **20/02780/LBCALT - Farm Cottage, Walters Green Road, Penshurst, Kent, TN11 8HE** (Pages 57 - 66) Alexis Stanyer
Tel: 01732 227000

Demolish three outbuildings, proposed link attached side extension with roof-lights and balcony, detached garage, landscaping with new driveway, relocation of one outbuilding, porch and alterations to fenestration.

- 4.5 **20/03400/AGRNOT - Land West Of Faulkners Hill Farm, Yorks Hill, Ide Hill, Kent, TN14 6LG** (Pages 67 - 74) Jim Sperryn
Tel: 01732 227000

General purpose steel framed building.

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.

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.

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

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

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 19 November 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, Osborne-Jackson, Pett, Purves, Raikes, and Roy

Cllrs. Fleming and Thornton were also present.

118. Minutes

Resolved: That the Minutes of the Development Control Committee held on 22 October 2020, be signed by the Chairman as a correct record.

119. Declarations of Interest or Predetermination

Councillor Raikes declared that for Minute 121 - 20/02270/FUL - Little Wood, Woodland Rise, Sevenoaks KENT TN15 0HZ, Minute 127 - 20/02439/HOUSE - Montreal Cottage, Amherst Hill, Riverhead, Kent TN13 2EL and Minute 125 - 20/01569/HOUSE - Melsetter, Woodland Rise, Sevenoaks, Kent TN15 0HY, he had previously considered the matters when it was discussed by Sevenoaks Town Council Planning Committee but remained open minded.

Councillor Hogarth declared that he sat on Sevenoaks Town Council Planning Committee.

Councillor Perry Cole declared that for Minute 123 - 20/02296/FUL - Westwood Car and Commercial, Hartley Garage, Ash Road, Hartley Kent, DA3 8EL that he had called the item to Committee and would speak against the application, therefore he would not take part in the debate or voting thereon.

Councillor Coleman declared that for Minute 124 - 20/01809/HOUSE - 27 Truggers Cottages, Truggers Lane, Chiddingstone Hoath KENT TN8 7BP, that she had called the item to Committee at the request of the Parish Council but remained open minded.

Councillor Brown declared that for Minute 126 - 20/02294/HOUSE - Montreal Cottage, Amherst Hill, Riverhead KENT TN13 2EL, that he had called the item to Committee but remained open minded.

120. Declarations of Lobbying

All Councillors declared that they had been lobbied in respect of Minute 122 - Little Wood, Woodland Rise, Sevenoaks, Kent, TN15 0HZ.

Councillor Perry Cole declared that he had been lobbied in respect of Minute 123 - Westwood Car and Commercial, Hartley Garage, Ash Road, Hartley Kent DA3 8EL

All Councillors, except for Councillors P. Darrington and Layland declared that they had been lobbied in respect of Minute 126 - Montreal Cottage, Amherst Hill, Riverhead Kent TN13 2EL

Councillors Hogarth and Raikes declared that they had been lobbied in respect of Minute 135 - Melsetter, Woodland Rise, Sevenoaks Kent TN15 0HY.

UNRESERVED PLANNING APPLICATIONS

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

121. 20/02399/HOUSE - Somerset Lodge, 12 Westerham Road, Bessels Green KENT TN13 2PU

The proposal sought planning permission for a single storey rear extension. 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 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.

CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman brought forward consideration of agenda item 4.6 - 20/01569/HOUSE - Melsetter, Woodland Rise, Sevenoaks Kent TN15 0HY to take place after agenda item 4.3 - 20/01809/HOUSE - 27 Truggers Cottages, Truggers Lane, Chiddingstone Hoath, Kent TN8 7BP.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

122. 20/02270/FUL - Little Wood, Woodland Rise, Sevenoaks KENT TN15 0HZ

The proposal sought planning permission for the demolition of existing dwelling house and garage and replacement with new dwelling house and garage and associated landscaping. The application had been called to the Development Control Committee by Councillor Thornton due to the impact to the Character and appearance of the Conservation Area.

Members' attention was brought to the main agenda papers and late observation sheet which did not amend the recommendation.

The Committee was addressed by the following speakers:

Against the Application: -

For the Application: Devi Abson

Parish Representatives: Town Cllr Rachel Parry

Local Member: Councillor Thornton

Members asked questions of clarification from the speakers and officers.

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

Members discussed the application noting the points raised by the Case Officer, Conservation Officer and the speakers. Members also discussed the design of the proposal.

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

It was moved and duly seconded that planning permission be granted on the grounds that the application would improve and enhance the conservation area and that delegated authority be granted to the Deputy Chief Executive and Chief Officer - Planning & Regulatory Services to draft planning conditions and informatives following consultation with the local ward members and Chairman of the Development Control Committee.

The motion was put to the vote and it was:

Resolved: That

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

123. 20/02296/FUL - Westwood Car And Commercial, Hartley Garage, Ash Road Hartley KENT DA3 8EL

The proposal sought planning permission for the 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). The application had been referred to the Committee by Councillor Perry Cole to consider the possibility of adverse effect on neighbouring residential properties amenities.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Alan Conroy
For the Application: Paul Nicholls
Parish Representatives: Vince Sewell
Local Members: Cllr Perry Cole

Members asked questions of clarification from the speakers and officer.

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

Members discussed the application and noted the conditions which had been proposed.

The motion was put to the vote and it was

Resolved: That planning permission be granted subject to 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.

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- 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.

- 6) 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.
- 7) 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

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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.

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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.

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

124. 20/01809/HOUSE - 27 Truggers Cottages, Truggers Lane, Chiddingstone Hoath KENT TN8 7BP

The proposal sought planning permission for the construction of a detached timber framed outbuilding. The application had been referred to the 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.

Members' attention was brought to the main agenda papers and late observation sheet which did not amend the recommendation.

The Committee was addressed by the following speakers:

Against the Application:	Geoff Edden
For the Application:	Emma Gregson
Parish Representatives:	Cllr Mitzi Quirk
Local Members:	-

Members asked questions of clarification from the speakers and officer. It was confirmed that 0.9m of the proposed building's roof line would be visible.

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

Members discussed the application giving consideration to the proposed height and location of the outbuilding and the impact this could have on the neighbouring properties.

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

It was moved and duly seconded that planning permission be refused on the grounds of location, elevations and its visual impact on neighbouring properties which would not conserve the AONB.

The motion was put to the vote and it was:

Resolved: That planning permission be refused on the following grounds

- 1) the impact, siting and design which would be visually prominent within AONB (policies EN1, EN5 of the ADMP and LO8 of the Core Strategy); and
- 2) the impact upon neighbours' amenity with an overbearing impact and loss of outlook due siting scale and bulk (Policy EN2 of the ADMP)

125. 20/01569/HOUSE - Melsetter, Woodland Rise, Sevenoaks KENT TN15 0HY

The proposal sought planning permission for the demolition of side extensions and detached double garage, erection of part two storey side extensions, part two storey/part single storey rear extension, link detached garage, alterations to the roof, enlarged porch and external alterations. The application had been referred to the Committee by Councillor Thornton who had reviewed the Wildernesse conservation area appraisal and considered that the proposed works appeared to conserve the character of the conservation area and appeared in accordance with local policy.

Members' attention was brought to the main agenda papers and late observation sheet which did not amend the recommendation.

The Committee was addressed by the following speakers:

Against the Application: -
For the Application: Emma Gregson
Parish Representatives: -
Local Members: Cllr Thornton

Members asked questions of clarification from the speakers and officer.

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

Members discussed the application.

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

It was moved and duly seconded that planning permission be granted and delegated authority be granted to the Deputy Chief Executive and Chief Officer, Planning and Regulatory Services for detailed conditions including material samples, joinery, rainwater goods, biodiversity mitigation measures.

Resolved: That

- 1) planning permission be granted subject to conditions; and
- 2) delegated authority be granted to the Deputy Chief Executive and Chief Officer, Planning and Regulatory Services to draw up the detailed conditions in consultation with the local member and Chairman of Development Control Committee.

126. 20/02294/HOUSE - Montreal Cottage, Amherst Hill, Riverhead KENT TN13 2EL

The proposal sought planning permission for the Erection of gates. The application had been referred to the Committee by Councillor Brown and Councillor Bayley for the consideration of compliance with the Riverhead Conservation Area Appraisal.

Members' attention was brought to the main agenda papers and late observation sheet which did not amend the recommendation.

Members asked questions of clarification from the officers in regards to why the matter was before them as the gates could be erected under permitted development. The Council's Solicitor advised that it had been suggested that the listed status of Barrow Way Cottage would make the historic right of way over the Montreal Cottage also listed and therefore it needed planning permission. The Council's Solicitor confirmed that the right of way was in the curtilage of the applicant's cottage and therefore it had the same status as that property namely was unlisted.

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

Members discussed the application. Concerns were expressed to the height and material of the fence in the Conservation Area. It was noted that the applicants could put the fence in as part of Permitted Development.

The motion was put to the vote and it was

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

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

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

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- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 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.

127. 20/02439/HOUSE - 23 Eardley Road, Sevenoaks, KENT TN13 1XX

The proposal sought planning permission for a rear first floor extension. The application had been referred to the Committee by Councillor Fleming in relation to the impact of the development upon neighbouring amenity.

Members' attention was brought to the main agenda papers and late observation sheet which did not amended the recommendation.

The Committee was addressed by the following speakers:

Against the Application: -

For the Application: -

Parish Representatives: Town Cllr Michaelides

Local Members: Cllr Fleming

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

Members discussed the application and expressed concern that the proposal would have an impact on light to the neighbouring property and would not enhance the conservation area.

The motion to grant planning permission was put to the vote and it was lost. It was moved and duly seconded that planning permission be refused due to the proximity and height on the extension, the tunnelling impact and detrimental impact on the neighbouring property.

The motion was put to the vote and it was

Resolved: That planning permission be refused due to proximity and height of the extension, it would have a detrimental impact in terms of loss of light, tunneling impact upon the existing residential amenities of No.25 Eardley Road contrary to Policy EN2 of the ADMP and Sevenoaks Residential Extensions SPD.

THE MEETING WAS CONCLUDED AT 11.20 PM

CHAIRMAN

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4.1 20/02448/FUL Date expired 20 October 2020

Proposal: Erection of three detached dwellings to incorporate a new vehicular access.

Location: Land North Of 2-6 Woodside Road, Sevenoaks, KENT
TN13 3HB

Ward(s): Sevenoaks Town & St Johns

Item for decision

The application has been called to be heard at the Development Control Committee by Councillor Fleming on the basis of the potential impact of the development upon the home at 60 Hitchen Hatch Lane.

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

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

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

2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: Design and access statement dated 21/08/2020, 05 Rev C, 06 Rev B, 07 Rev B, 12 Rev D, 13 Rev C, 14 Rev C, 15 Rev C, 16 Rev C, 17 Rev C, 18 Rev C, 19 Rev B, 20 Rev B, 21 Rev B, 22 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.

3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 01 Rev B, 03 Rev B, 05 Rev C, 06 Rev B, 07 Rev B, ,10 Rev B, 11 Rev B, 12 Rev D, 13 Rev C, 14 Rev C, 15 Rev C, 16 Rev C, 17 Rev C, 18 Rev C, 19 Rev B, 20 Rev B, 21 Rev B, 22 Rev B, 08 Rev C, 09 Rev B, Arboricultural Report prepared by Chartwell Tree Consultants Limited.

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

4) Prior to the first occupation of the development hereby permitted, one electric vehicle charging point shall be installed for each of the new dwellinghouses and retained thereafter.

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

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5) The development shall be constructed in accordance with the proposed finished site levels, finished floor and ridge levels of the dwellings to be erected as shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

6) No development shall take place above damp proof course level until full details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the Local Planning Authority. Any approved scheme shall be completed to the written satisfaction of the local planning authority prior to the occupation of the development.

To avoid overloading any of the existing drainage systems and to meet sustainability and environmental objectives.

7) Prior to the commencement of any soft landscaping works on the site, full details of any new planting including tree planting along the south-eastern and north eastern boundaries and any hard or soft boundary treatments to be removed, replaced or added to on the site are to be submitted to an approved in writing by the local planning authority.

Details shall include: -

- A planting plan clearly identifying existing planting, plants to be retained and any new planting);
- A schedule of the new plants to be included (noting species, size of stock at time of planting and proposed number/densities);
- A programme of implementation including any necessary protection measures during construction.

All landscaping in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

In the interest of visual amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

8) The first floor window along the south-eastern flank elevation of dwelling 6a shall be obscure glazed and non-openable at all times, unless positioned at least

1.7m above the internal finished floor level and it shall be retained as such thereafter.

In the interests of protecting the amenity of future occupants in accordance with Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

9) No external lighting shall be installed on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed and maintained thereafter.

In the interests of the amenities of the area as supported by policies EN1 and EN2 of the Allocation and Development Management Plan.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, AA, B, C, D, E, and Schedule 2 Part 2 Class B of that Order.

To ensure the integrity of the design of the development is safeguarded in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

11) Within 3 months of commencement of works on site, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. This will include clear ecological enhancement for breeding birds and bats and shall include provision of bat boxes, bird boxes and native planting. The approved details will be implemented prior to first occupation of the dwellings and retained as approved thereafter.

In order to protect and enhance local biodiversity in accordance with Policy SP11 of the Core Strategy.

12) Prior to the commencement of the development, the applicant shall submit a Construction Management Plan to the Local Planning Authority for their prior written approval. The Construction Management Plan shall include details of the following:

- Routing of construction and delivery vehicles to / from site
- Parking and turning areas for construction and delivery vehicles and site personnel
- Timing of deliveries
- Provision of wheel washing facilities
- Temporary traffic management / signage

In the interests of Highway Safety.

13) None of the dwellings hereby approved shall be occupied until pedestrian visibility splays of 2 metres x 2 metres behind the footway on both sides of the access with no obstructions over 0.6m above the footway level have been provided. The sightlines shall be maintained as approved thereafter.

In the interests of Highway Safety.

14) None of the dwellings hereby approved shall be occupied until visibility splays of 2.4 metres x 43 metres x 30 metres have been provided with no obstructions over 1.05m above carriageway level within the visibility splays. The visibility splays shall be maintained as approved thereafter.

In the interests of Highway Safety.

15) Prior to first use of the access road by occupants of the dwellings, a pedestrian footway shall be provided along the access route in accordance with details, which shall first have been submitted to and approved in writing by the Local Planning Authority.

In the interests of Highway Safety.

16) No development shall commence on site until full details of tree protection measures have been submitted to the Local Planning Authority for approval in writing. The development shall be implemented in accordance with the approved details.

In the interest of maintaining the visual amenity of the area in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

17) The proposed dwelling indicated as no.2a on the plans shall not be occupied until details of a screen to the southern elevation of the first floor Juliette balcony have been submitted to the Local Planning Authority for approval in writing. The screen shall be installed in accordance with the approved details prior to first occupation of the dwelling and retained as approved thereafter.

In the interests of the amenities of the neighbouring occupiers as supported by policy EN2 of the Council's Allocations and Development Management Plan.

Informatives

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

2) As lighting can be detrimental to roosting, foraging and commuting bats, the recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled 'Guidance Note 8 Bats and Artificial Lighting', should be adhered to, when designing any lighting scheme for the proposed development. Any lighting must not directly illuminate any ecological features for bats (such as suitable roosting features or habitats).

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

4) The applicant is reminded that reptiles are protected at all times by the Wildlife and Countryside Act 1981 (As amended). Under section 9 (1) this legislation makes it an offence to intentionally kill or injure any reptiles. Planning permission for development does not provide a defence against prosecution under this legislation. If reptiles or evidence of reptiles is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.

5) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would

expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

6) The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

7) The proposed development is located within 15m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Sewers for Adoption (7th edition). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise.

8) The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent

pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the

Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

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 comprised of garden land, which is situated at the rear of three detached dwellings on Woodside Road. The surrounding properties are detached houses, which are of varied architectural style and size. The site is located in a residential area within the urban confines of Sevenoaks.

Description of proposal

- 2 The current application relates to the creation of a new access road between 2 and 4 Woodside Road to facilitate the erection of three detached two-storey dwellings which are of modern design. The proposed new dwellings are large, two-storey family homes, which are set back from the access road and they benefit from private gardens. The application also allows for hard and soft landscaping works including the creation of two parking bays per dwelling.
- 3 This application seeks to address the reasons for recently refusing a similar application for three houses.

Relevant planning history

- 4 20/00129/FUL - Erection of three detached dwellings to incorporate a new vehicular access.

REFUSED on 6 April 2020, on the grounds that the proposals represented a cramped overdevelopment of the site at odds with the spatial character of the area and lack of satisfactory access and turning.

Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Core Strategy (CS)
 - L01 Distribution of Development
 - L02 Development in the Sevenoaks Urban Area
 - SP1 Design of New Development and Conservation
 - SP7 Density of Housing Development
- 7 Allocations and Development Management Plan (ADMP)
 - SC1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - T2 Vehicle Parking
 - T3 Provision of Electrical Vehicle Charging Points
- 8 Other:
 - Sevenoaks Residential Character Area Assessment (SPD)

Constraints

- 9 The following constraints apply
 - Urban Confines
 - Source Protection Zone
 - Great Crested Newt Risk Zone

Consultations

- 10 Sevenoaks Town Council:
Objection received to the scheme on the basis of the following:
- 11 “Sevenoaks Town Council recommended refusal on the following grounds:
 - Inadequate amenity
 - Not in keeping with other houses
 - Loss of privacy and overlooking for other houses at rear, numbers 6, 8, and 10 Pendennis Road.
- 12 Informative: Whilst it is noted and applauded that efforts have been made to reduce bulk, overlooking at rear, and increase the amenity area of the houses the new measures are still not in keeping with the other houses locally and further measures are within the proposals capabilities.”

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13 Thames Water:

With regards to waste water, the applicant will be expected to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer and a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. With regards to surface water drainage, if the applicant follows the sequential approach to the disposal of surface water then there is no objection. Various informatives should be added to any future consent, including one which highlights that the proposed scheme is to be located within 15 metres of a Thames Water Sewage Pumping Station.

14 Sevenoaks District Council Arboricultural Officer:

No objection, subject to a detailed landscaping scheme to show existing and proposed planting going forward and details of tree protection and build protection measures.

15 Kent County Council Highways Team:

No objection, subject to conditions:

16 “The vehicle visibility splays require amendment to provide an x value of 2.4 metres. However, I would be satisfied for this to be Conditioned appropriately. Therefore, I raise no objection on behalf of the local highway authority, and suggest the following conditions.”

17 A list of conditions are recommended including those relating to visibility splays, provision of a pedestrian footway within the site and a construction management plan.

18 Kent County Council Ecology:

No objection, subject to conditions relating to ecological enhancements and in informatives relating to lighting on the site, breeding birds and reptiles.

Representations

19 Ten representations have been received, objecting to the proposal on the following grounds:

- Overlooking/loss of privacy
- Loss of amenity enjoyment for neighbouring residents
- Overshadowing
- Traffic generation
- Safety of the proposed vehicular access
- Lack of amenity for the new proposed houses
- Site orientation/proximity to neighbouring dwellings
- Density
- Light spillage
- Noise pollution
- Loss of trees

- Inappropriate design which is out of character with the surrounding area
- Potential for surface water flooding/drainage issues

Chief Planning Officer's appraisal

20 The main planning consideration are:

- Principle of development
- Impact on the design and character of the area
- Impact upon neighbouring amenity
- Parking/Highways

Principle of the development

- 21 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.
- 22 Whilst the NPPF places an emphasis on encouraging the development of previously developed land, it does not necessarily preclude other land, including garden land, from being developed for residential use, provided such development is in a suitable location and relates well to its surroundings.
- 23 Policy L01 of the Core Strategy relates to the distribution of Development within the District and states that development will be focused within the built confines of existing settlements. Policy L02 supports development within Sevenoaks Urban Area subject to, amongst other things, protecting the local environment.
- 24 Policy SP7 of the Sevenoaks Core Strategy states that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated, subject to the following overriding consideration:
- 1) Within the urban areas of Sevenoaks, Swanley and Edenbridge, new residential development will be expected to achieve a density of 40 dwellings per hectare. In suitable locations close to Sevenoaks and Swanley town centres, higher densities will be encouraged.
- 25 The proposed development site occupies part of the rear gardens of 2-6 Woodside Road. The existing properties benefit from long rear gardens, which are considerably larger than those of neighbouring plots. The three sections of garden land are to be combined to provide three plots comparable in size to others in the immediate area. The site is to be accessed via a new access road running between 2 and 4 Woodside Road.

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- 26 The proposed properties would be located within the Sevenoaks urban area. The location is sustainable in terms of the transport links available and access to essential services.
- 27 The proposed two-storey houses would be sited within their own gardens, each on a plot broadly consistent in size to others in the locality. I consider that the proposals would strike an appropriate balance between the desire to focus housing within the existing urban areas, whilst seeking to preserve the character of the area.
- 28 On this basis, I am satisfied that, subject to meeting other material planning considerations as discussed below, the principle of development in this location is acceptable.

Impact on the design and character of the area

- 29 Policy L02 of the Core Strategy and Policy EN1 of the ADMP state that any new development should be designed to a high quality and should respond to and respect the distinctive character of the area and surrounding landscape.
- 30 With regards to the potential impact of the proposed development upon the character and appearance of the surrounding area, the proposed development site is located in area F04 of the Residential Character Area Assessment.
- 31 The Residential Character Area Assessment states that the properties in this location tend to be two-storey dwellings, which have been set back from the road and the properties generally follow a regular building line. The character of the plots is predominantly verdant and the properties are evenly spaced. Negative features include situations where new development has not been set back from the road, where dwellings have not respected the regular spacing pattern between buildings and where high-level fencing has been used next to the road, which detracts from the verdant character of the area. When considering any new proposed development, the views of the North Downs should be preserved, any new development should be set back from the road and respect a regular building line to avoid appearing overly dominant in the context of the street. Trees and hedges along the boundaries should also be retained.
- 32 With regards to the current proposed development and its potential impact upon the street scene, the properties will be set back in the plot. Owing to the fact that they would sit a considerable distance behind the existing houses along Woodside Road, they would not be widely visible from the street. The new proposed access road leading to the dwellings would measure approximately 65 metres in length from Woodside Road to the head of the access, with the dwellings set slightly further back still. Accordingly, the potential views of the new dwellings are likely to be fleeting at most from Woodside Road and they are unlikely to have a significant impact upon the character and appearance of the wider street scene. The land levels also drop down between Woodside Road and the development site so the new proposed dwellings will sit at a lower level to the street. The proposed

access will be delineated using fencing and native hedging along the boundary.

- 33 The design of the proposed new dwellings would be modern in appearance and they would be constructed with materials which include brick, stone, light and dark stained timber weatherboard cladding, slate and glass.
- 34 The previous application for houses on the site took a similar modern design approach. It was concluded that, in accordance with paragraph 127c) of the National Planning Policy Framework, the contemporary design of the scheme would be acceptable because the houses would be set back from the street and because the development would have resulted in the creation of a small enclave of properties with their own distinctive and cohesive character. I consider that the same principle applies in this case.
- 35 With regards to the proposed bulk and scale of the new dwellings, the previously refused scheme was criticised for being overly cramped owing as they were considered to be overly large relative to the size of the plot. This in turn resulted in private amenity space of poor quality. This scheme has been amended to reduce the amount of built form on the site. The design and access statement provided by the applicant confirms that 2a and 6a have been reduced in size by approximately 10% and 4a has been reduced by approximately 20% when compared to the previously refused scheme. The site layout has also been amended to ensure that 4a benefits from front and rear gardens. In addition, 2a has been moved forward to ensure that the property benefits from a more substantial rear garden area. In addition, the shape of the building has been reconfigured and a slatted timber screen has been added to ensure that the first five metres of private amenity space is not directly overlooked by the owners of the neighbouring property. Owing to the amendments proposed, the quality of the private amenity space afforded to future occupiers is considered to be improved and the proposed new dwellings sit more comfortably within their plots.
- 36 I have noted concerns raised regarding overdevelopment of the site. In comparison to the refused scheme, the houses have been reduced in size and re-sited further away from the properties in Pendennis Road. As now proposed, I do not consider the size of the dwellings to be excessive relative to their plot sizes or the context within which they are set. The proposed properties will sit comfortably within their own individual plots, with satisfactory space for access, parking and turning and the scheme allows for the retention of much of the established planting surrounding the site, with space for enhancement soft landscaping. I do not consider the proposals would represent an overdevelopment of the site and I consider that they would be in keeping with the character of the area.
- 37 With regards to the concerns raised in relation to light spillage from the new proposed glazing, it is accepted that the modern design of the dwelling allows for large windows. However, the site is within an urban area and slatted blinds have been proposed to reduce the amount of light spillage. I consider it appropriate to impose a condition to control external lighting so that the amount of lighting does not appear excessive.

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- 38 As a result of the above it is considered that the proposal meets the requirements of Policy EN1 of the ADMP and Policies L02 and SP1 of the Core Strategy.

Impact on the Neighbouring Amenity

- 39 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. Consequently, regard must be had to and excessive noise, odour, loss of light, overlooking or visual intrusion.
- 40 The detached nature of the properties and their distance from the nearest neighbouring dwellings would help to ensure that they do not result in significant overshadowing or in a loss of light.
- 41 With regards to the scale of the development and the potential visual impact of the scheme, whilst the new houses will be visible, there is no right to a view from a planning perspective.
- 42 In the case of the nearest neighbouring houses at 6-10 Pendennis Road and 1-3 Hunsdon Drive, it is considered that the immediate viewpoints from the rear windows of the properties will be towards their own rear gardens. Whilst the new proposed dwellings will be visible beyond the boundary line, the proposed dwellings will sit below the neighbouring dwellings owing to the difference in the land levels, which helps to reduce the impact of the properties in terms of their height and scale. The dwellings have been designed with shallow pitched roofs. In light of the above and because of their siting, scale and their precise relationship with the neighbouring properties, it is not considered that the dwellings would appear unduly dominant or overbearing.
- 43 With regards to the potential impact upon the outlook from 60 Hitchen Hatch Lane, the rear windows serving the kitchen and the first floor above would face directly towards the front corner of 2a Woodside Road with the ground floor projection to the flank of 2a broadly aligning with the boundary fence to no.60. However, as illustrated on the section drawing provided, the proposed house would be set at a lower ground level than no.60. Whilst the first floor and roof of the proposed house would be visible, it would be viewed from a distance of 15 metres (the closest point of the building at first floor level) and therefore it is not considered that the proposed house would appear unduly overbearing when viewed from the rear of no.60. Trees along the party boundary are also to be retained and they will afford partial screening. Any associated landscaping could be controlled by a suitable condition.
- 44 With regards to the potential for a loss of privacy and with regards to overlooking concerns, each of the proposed new dwellings are assessed below:
- 45 2a Woodside Road
- 46 Of the existing dwellings, the nearest neighbouring dwellings to 2a Woodside Road are 60 Hitchen Hatch Lane, which is located approximately

10.7 metres from the proposed new property at ground floor level, and 1 and 2 Hunsdon Drive, which are located approximately 24.5 metres from the new proposed dwelling. The design of the new proposed dwelling allows for new glazing along the front, side and rear elevations.

- 47 The front elevation of 2a would contain windows at ground and first floor level. These would directly face the rear of no.2 Woodside, but because the distance between the properties would be considerable, the potential for overlooking would be limited. Any overlooking of the rear of no.60 Hitchen Hatch Lane would be at an oblique angle only and at some distance and would not, in my view, be significant. Whilst there may be concerns that overlooking may occur from a first floor Juliette balcony, this could potentially be addressed by providing a small screen to the flank of the window. Because of the lower level of the site, intervening boundary treatment and planting, there would not be overlooking from ground floor windows in the flank elevation facing towards no.60 Hitchen Hatch Lane and nos.1 and 2 Hunsdon Drive. Upper level windows are set within the roof at high level to prevent overlooking.
- 48 With regards to the proposed new glazing along the side (south-eastern) elevation, the design of the dwelling allows windows at ground floor level and two roof-lights within the roof plane. The proposed windows at ground floor level face directly on to the boundary shared with 60 Hitchen Hatch Lane and 2 Hunsdon Drive. However, as shown on the section drawing, the land levels are such that the land on the neighbouring side of the boundary sits approximately 1.4 metres above the ground floor level of the proposed dwelling and, owing to the high level fencing along the boundary, the windows at ground floor level will not afford any significant direct or oblique views to the neighbouring plot. The roof-lights will be set at a high level in the roof pitch and will not afford any significant views to neighbouring plots.
- 49 The rear elevation would contain windows at ground and first floor level. These would face towards the boundaries shared with 3 Hunsdon Drive and 10 Pendennis Road, with potentially oblique views towards 2 Hunsdon Drive. However, because of the precise relationship between the properties and distances involved, any overlooking and consequence loss of privacy would not be significant.
- 50 Windows in the flank elevation facing the proposed house on Plot 4a would be largely screened by boundary fencing separating the properties, or set at high level within the roof.
- 51 4a Woodside Road
- 52 Of the existing dwellings, the nearest neighbouring dwellings to 4a Woodside Road are 8 and 10 Pendennis Road, which are located approximately 30 metres from the proposed new property. As with 2a, the design of the new proposed dwelling allows for glazing along the front, side and rear elevations.
- 53 As with 2a, there would be extensive glazing to the front (south-western) elevation of the house, including two balconies at first floor level. These

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would face the access road and the rear of no.4, but at a distance over 45m the potential for overlooking (of the host dwelling) would be very limited. Any overlooking of 2a and 6a would be oblique and mostly over the common access and parking areas.

- 54 Ground floor windows in the flank elevation would be likely to be screened from 2a by boundary treatments. Overlooking from upper level glazing would be restricted through the design of the internal layout (serving a void area above the ground floor room).
- 55 The rear elevation of this dwelling would include extensive glazing at ground floor level. However, the houses to the rear would be separated by a minimum 30m and the boundary treatment between nos.8 and 10 Pendennis Road would restrict the potential for overlooking. Higher level windows to the rear elevation either serve the extensive void above the ground floor kitchen, be obscured or set at high level to prevent overlooking.
- 56 Ground floor glazing facing towards 6a would be screened by high level fencing. There would also be a roof light above, but this would be set at high level to prevent overlooking.
- 57 6a Woodside Road
- 58 The proposed dwelling at 6a would be sited approximately 34m from the rear of no. 6 Pendennis Road and over 50m from 8 Woodside Road. As with the other two dwellings, the design of the new proposed dwelling allows for glazing along the front, side and rear elevations.
- 59 Again the front elevation would contain extensive glazing including a balcony at first floor level. However, these windows would largely overlook the front garden to the proposed house. Overlooking of neighbouring properties would be severely restricted because of the significant distances involved and intervening screening.
- 60 With regards to the proposed glazing along the side (south-eastern) elevation, the design of the dwelling allows for glazing at ground and first floor level. However, at ground floor level, owing to the high level fencing along the boundary, the windows will not afford any significant views to the neighbouring plot. With regards to the glazing at first floor level, it is acknowledged that the window may afford direct views to a ground floor living room window serving 4a. However, this can be dealt with via an obscure glazing condition. With regards to the proposed roof light, the velux window is to be set at a high level in the roof plane such that it will not afford any significant views to the neighbouring dwelling.
- 61 With regards to the proposed glazing along the side (north-western) elevation, new windows and roof-lights are proposed. With regards to the glazing at ground floor level, the existing vegetation along the boundary is likely to largely obscure any significant views to the neighbouring plot. The proposed roof lights are located at a high level and it is not anticipated that they will result in an unreasonable loss of privacy.

- 62 With regards to the proposed glazing along the rear elevation, two sets of sliding doors are proposed at ground floor level and three tilt and turn windows are proposed at first floor level. All of the proposed glazing will face directly on to the rear site boundary shared with 6 and 8 Pendennis Road. However, since the neighbouring properties are located approximately 30 metres away, it is not considered that an unreasonable loss of privacy is likely to occur and the existing screening along the boundary will help to limit any significant views.
- 63 I note the comments made in the representations received regarding the concern that the proposed new dwellings will impact the privacy of the residents at 6-10 Pendennis Road and 1-3 Hunsdon Drive. However, the new proposed properties are to be sited within an existing settlement where a degree of overlooking is to be anticipated. The proposed properties would be sited a sufficient distance from neighbouring properties to prevent any serious overlooking. In addition, they would be sited comfortably within their plots, set in from the party boundaries and separated from neighbouring properties by fencing and soft landscaping.
- 64 With regards to the potential for noise pollution from the proposed access road, an acoustic fencing has been proposed to reduce the potential impact of the access upon 2 and 4 Woodside Road.
- 65 With regards to the potential for light spillage, a certain amount of light spillage is to be expected in an urban location such as this. Any proposed external lighting schemes can be limited via condition.
- 66 As a result of the above and subject to the aforementioned conditions, I am satisfied that the development proposal meets the requirements of policy EN2 of the ADMP.

Parking and Highways Impact

- 67 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 68 Policy T2 of the ADMP states that parking provision should be in accordance with KCC guidance, which states that dwellings in this location and of this size require 2 parking spaces.
- 69 The proposal in this case allows for the creation of a new access road as well as parking spaces for each of the new proposed properties.
- 70 With regards to parking provision on the site, the new proposed dwellings have each been allocated two parking spaces in accordance with KCC guidance.
- 71 With regards to the creation of the new access road, I have consulted with Kent County Council Highways Team, who have confirmed that the applicant has addressed the previous concerns raised, which related to insufficient turning space and insufficient visibility. They have also confirmed that the proposed new access road is now wide enough to accommodate two-way vehicle movements.

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- 72 Subject to conditions, as outlined above, no highway objections are raised to the proposals and they are considered to be policy compliant.

Other issues

- 73 Ecology - Kent County Council Ecology Team have confirmed that the ecological information provided is sufficient and that the scheme is acceptable, subject to conditions relating to biodiversity - as listed in the consultee response above.
- 74 Trees - A plan has been provided by the applicant confirming that various trees are to be removed from the site, as highlighted in red. I have consulted with the Tree Officer who has confirmed that whilst it can be argued that some of the trees shown to be removed do offer amenity value to the area, they are not considered to be of sufficiently high quality to protect via a TPO. On this basis, no objection has been raised to the scheme. However, in view of the loss of trees which are identified as having some amenity value, I would recommend a condition be added to any future consent requesting a detailed landscaping scheme to show existing and proposed planting, as well as further details of tree protection. I would also suggest that any new planting should be concentrated along the boundary in order to provide further screening for the occupants of the neighbouring houses.
- 75 Thames Water - Thames Water have highlighted that the proposed development lies within 15 metres of a Thames Water Sewage Pumping Station. Although the Sewage Pumping Station is also in the vicinity of other residential properties, they have requested that an informative should be added to any future consent to make the applicant aware of the potential impact of the pumping station.

Community Infrastructure Levy (CIL)

- 76 The proposal is CIL liable.

Tilted Balance

- 77 As the Council cannot demonstrate a 5-year housing supply at this time, the tilted balance of NPPF paragraph 11d) is engaged. The site is not in an area which the NPPF policies specifically seek to protect and therefore, under paragraph 11d)ii), it must be considered whether 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.
- 78 The NPPF supports the continued provision of local housing supply and the three strands of sustainable development.
- 79 The proposed development will result in the provision of new housing in a sustainable urban location which will have some social and economic benefits for the wider area in terms of the resultant contribution to the District's housing stock and to employment opportunities for local firms. In addition, the impact of the proposed scheme upon the neighbouring properties and upon highway safety is considered to meet policy

requirements. Accordingly, the benefits identified would outweigh the potential harm of the scheme.

- 80 On this basis, the proposed development would benefit from the presumption in favour of sustainable development provided by paragraph 11 of the National Planning Policy Framework.

Conclusion

- 81 In light of the above, it is my conclusion that the proposals represent an acceptable form of development, which would satisfactorily balance the Council's desire to maximise the development potential of sites within the urban areas, whilst preserving the character of the area. The proposals are considered acceptable in highway and ecological terms. Whilst there would inevitably be some impact on the occupiers of neighbouring properties, having considered this matter carefully, it is my conclusion that the likely impact would not be significant. Bearing in mind the strong policy presumption in favour of sustainable housing development, subject to suitable conditions, I consider the proposals to represent an acceptable form of development.

- 82 It is therefore recommended that this application is APPROVED

Background papers

Site and block plan

Contact Officer(s):

Alexis Stanyer: 01732 227000

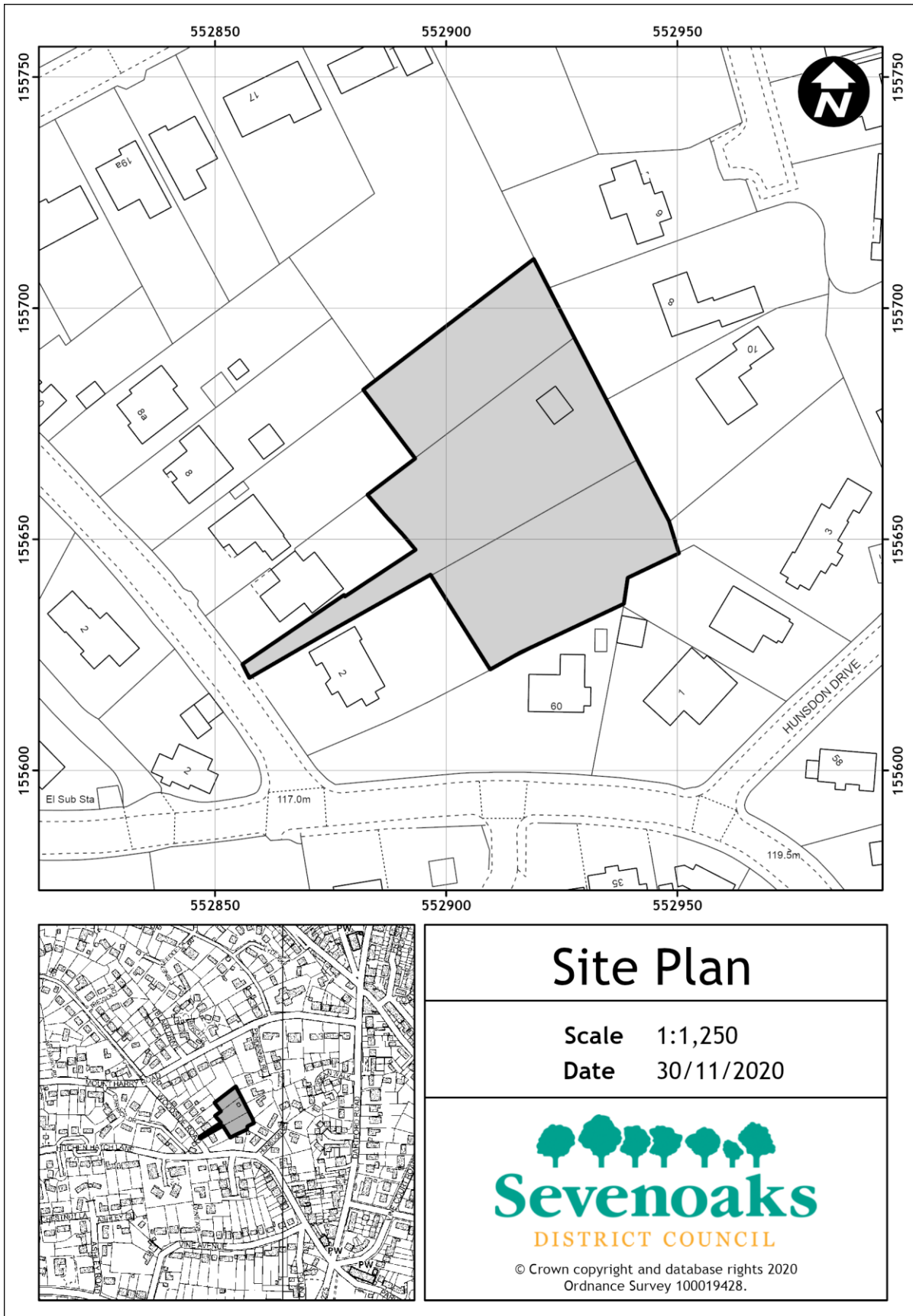
Richard Morris
Chief Planning Officer

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=QFMMYWBKL6R00>



BLOCK PLAN



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4.2 20/02543/HOUSE Revised expiry date 18 December 2020

Proposal: Proposed roof conversion and rear roof alterations.

Location: 7 Wyndham Close, Leigh, KENT TN11 8RD

Ward(s): Leigh & Chiddingstone Causeway

Item for decision

The application has been called in to committee by Councillor Osborne-Jackson in order to allow consideration of the impact of the development upon the character of the area and 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 development shall be those indicated on the approved plan 2020-07.

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 dormer on 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: 2020-01, 2020-02, 2020-03, 2020-06 and 2020-07.

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

Informatives

1) The applicant is advised that for the avoidance of doubt this decision does not purport to grant permission for the use of cladding to the garage, which should be subject to a separate application to be assessed on its own merits.

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 the cul-de-sac of Wyndham Close, within the urban confines of Leigh, and accommodates a singular detached bungalow (No.7).
- 2 Wyndham Close is characterised by similarly sized and designed detached bungalows, some of which contain roof alterations in the form of dormers to their roof slopes.

Description of proposal

- 3 Proposed roof conversion and rear roof alterations to incorporate a front gable including French windows and Juliette balcony, a dormer to the side elevation and a new pitched roof above the existing rear extension.

Relevant planning history

- 4 06/02143/FUL- Single storey rear extension & single front extension - GRANTED
- 5 05/01228/FUL - Extend existing garage forward 2m and change roof to slight pitch. Construct ensuite shower room and study behind garage - GRANTED
- 6 04/00362/FUL - Double garage - REFUSED

Policies

- 7 National Planning Policy Framework (NPPF)
- 8 Core Strategy (CS)
 - SP1 Design of New Development and Conservation

9 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- T2 Vehicle Parking

10 Other:

- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

Constraints

11 None

Consultations

12 Leigh Parish Council:

“Leigh Parish Council object to this application as the proposal will over-intensify the site and the development will be out of keeping with the other dwellings in Wyndham Close, the property is already much larger than the adjacent properties. The proposed new windows will overlook neighbours.”

Representations

13 No letters of objection have been received.

Chief Planning Officer’s appraisal

14 The main planning consideration are:

- Design and impact on the character of the area
- Impact on neighbouring amenity

Design - Impact on the character of the area

15 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.

16 The application proposes the development of a gabled roof to the principal elevation, a small dormer to the flank elevation and pitched roof alteration to the rear of the dwelling.

17 The gabled roof to be included on the principle elevation of the dwelling would extend the existing roofline out to sit almost flush in-line with the wall forming the front elevation of the existing dwelling. The gabled roof would retain the same eaves of the existing hipped roof of the dwelling, and would use the same pitch as the existing roof. Whilst the proposed gable is not a feature seen in Wyndham Close itself, it is a feature in the wider

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locality. The roof would be no higher than the ridge to the existing building and would not significantly increase the bulk and massing of the existing bungalow, in-line with guidance on roof alterations as outlined within para 4.31 of the Residential Extensions SPD.

- 18 The dormer proposed on the eastern flank of the dwelling would be relatively small in terms of its overall size. The dormer would be set in-line with existing windows found on the eastern elevation of the original dwelling, below the existing ridge line and well above the eaves, so that in terms of scale it would sit comfortably within the existing roof form, in accordance with para 4.35 of the Residential Extensions SPD. The proposed dormer would have a slight wrap-around onto the rear roof elevation and whilst in terms of design it is considered slightly uncomfortable, because of its precise siting it would not be readily visible to public view.
- 19 The proposed pitched roof to the rear of the dwelling would be modest in scale and design, and appear subservient to the existing dwelling. Furthermore, with the pitched roof being located to the rear of the property it would not be publicly visible and therefore would be of negligible visual impact to the character of the area. It is noted that railway tracks run adjacent to the southern boundary of the property, however existing vegetation in the form of large trees separating the tracks from the southern boundary of the property would ensure that any passengers on trains going past would be unlikely to gain a clear view of the proposals.
- 20 I have no objection to the use of timber cladding to the main face of the front gable or the exterior of the dormer. In my view it would soften the appearance of the extensions whilst being compatible in appearance with the existing materials.
- 21 I do not consider the extensions proposed would fundamentally alter the scale of the dwelling, which would remain a bungalow, albeit with modest accommodation in the roof. The building would remain sited comfortably within its plot with no increase in footprint and sufficient parking already available to accommodate the proposals. Therefore, I do not consider the proposals would represent an overdevelopment of the site. The proposed dwelling would be given a slightly more modern appearance with the use of timber materials, but they would be entirely compatible with character of immediate area.
- 22 The bungalow is set back from the street and its overall height would not be increased. In the circumstances, I do not consider the proposals would appear unduly prominent within the street scene and they would preserve the character of the surrounding area. The proposal would be considered compliant with policy related to the design of development and as a result, the proposal would comply with Policies EN1 of the ADMP and SP1 of the Core Strategy.

Impact to neighbouring amenity

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

- 24 The neighbouring properties at No.6 Wyndham Close and No.1 Wyndham Avenue are those likely to be directly affected by the proposed development.
- 25 The proposed roof windows to serve the first floor would be set at high level to prevent overlooking.
- 26 The window to the east elevation dormer would serve a bathroom. Whilst this does face onto the side elevation of the neighbouring property, because of its location, it would face the flank roof to this property and would not allow direct overlooking of the neighbouring private amenity space of No.6 Wyndham Close.
- 27 To ensure this remains the case, I would recommend this window be the subject of a condition to require the use of obscure glazing, thereby preventing any additional overlooking and ensuring the amenity area of the adjacent neighbouring property is protected.
- 28 The proposed front gable window would face towards the road and would not result in significant overlooking of properties within the Close. Whilst there would be an outlook towards the rear of no.1 Wyndham Avenue, because of the separation distance, and particularly the precise siting and orientation of the properties relative to one another, any overlooking would be very oblique and the impact on the occupiers of this neighbouring property would therefore be very limited, in my view.
- 29 Because of the precise siting and relationship to neighbouring properties in terms of distance and adjacent windows, it is my view that there would not be any significant loss of light, which would be detrimental to the amenities presently enjoyed by the occupiers of the neighbouring properties.
- 30 It is considered that the proposed roof conversion and alterations of No.7 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

- 31 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 house with 4 bedrooms or more in this rural location would require a minimum of 2 independently accessible spaces.
- 32 At present the property has off-street parking provision for 4 vehicles, 2 of which are available on the existing driveway and the other 2 as part of the existing garage. As such given the location of the property, it is considered that an additional bedroom to this property and the removal of one of the garage spaces would be unlikely to result in additional pressure for on-street parking spaces, and the 3 parking spaces that would remain as a result would meet policy requirements.

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Community Infrastructure Levy (CIL)

33 This proposal is not CIL liable.

Conclusion

34 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, nor on off-street parking availability.

35 It is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

Contact Officer(s): Michael Clawson : 01732 227000

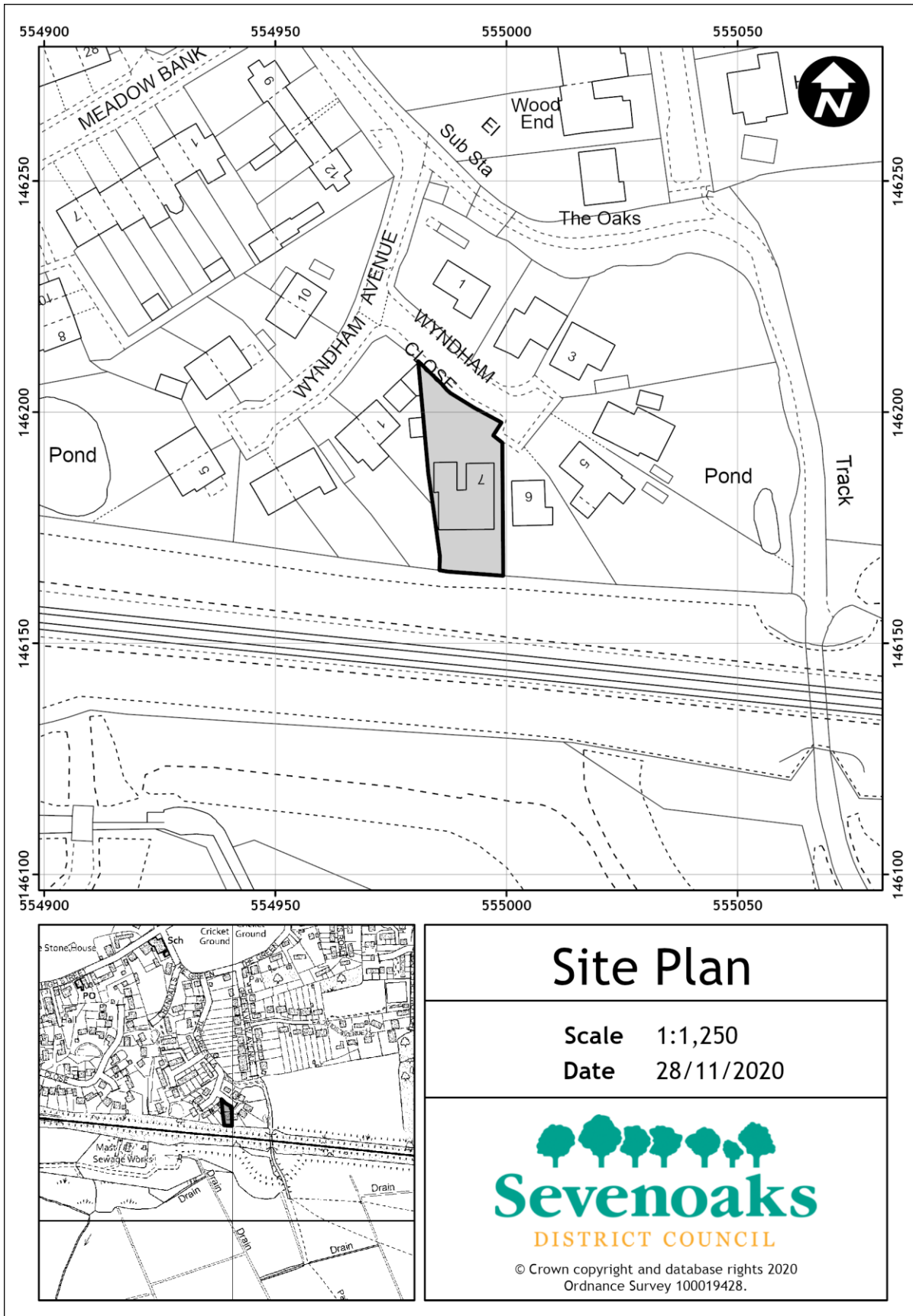
Richard Morris
Chief Planning Officer

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=QGAPLWBKMJ500>



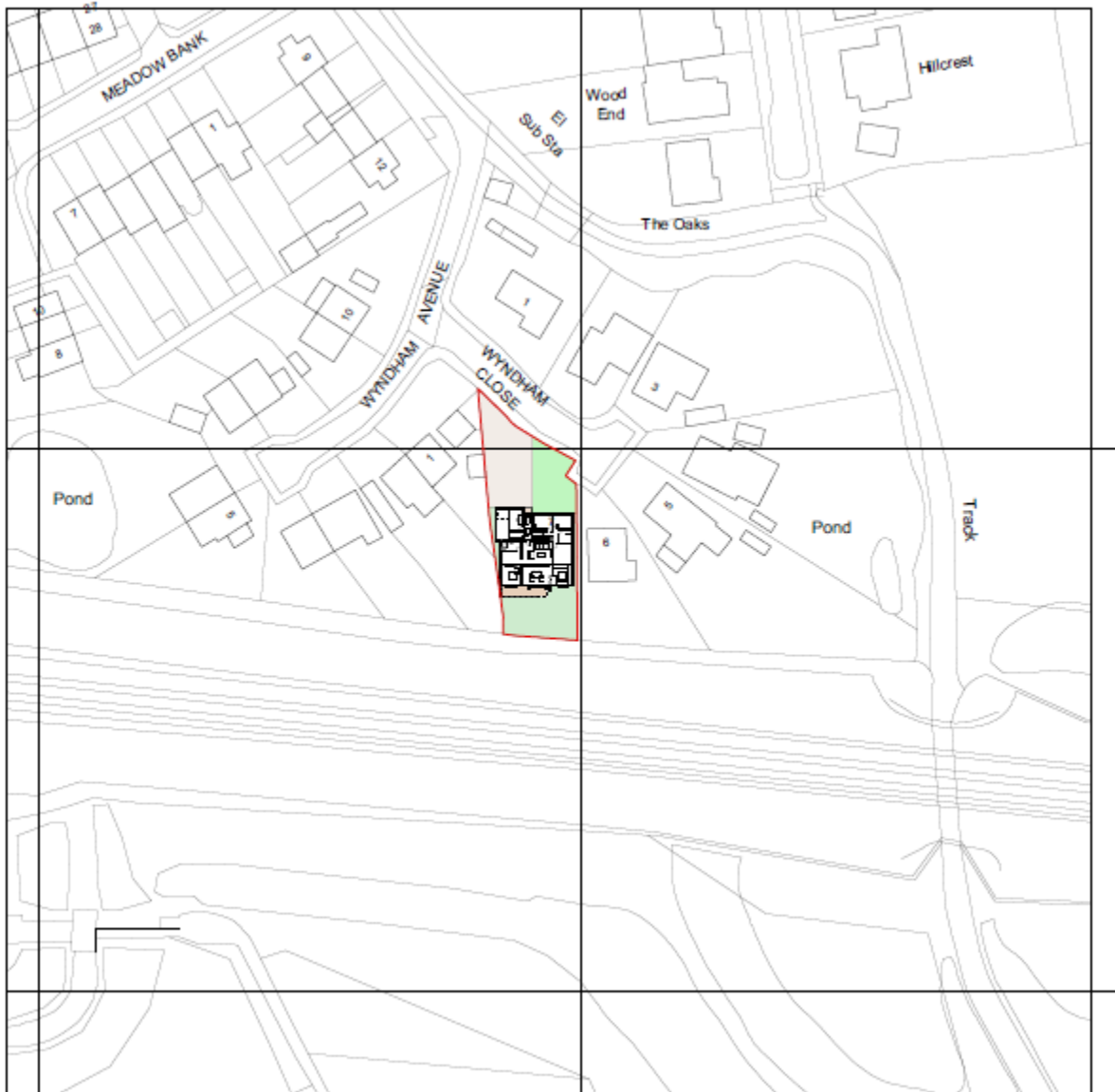
Site Plan

Scale 1:1,250

Date 28/11/2020



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Ordnance Survey 100019428.



4.3 20/02779/HOUSE Date expired 23 November 2020

Proposal: Demolish three outbuildings, proposed link attached side extension with roof-lights and balcony, detached garage, landscaping with new driveway, relocation of one outbuilding, porch and alterations to fenestration.

Proposed link attached side extension and detached garage.

Location: Farm Cottage, Walters Green Road, Penshurst KENT TN11 8HE

Ward(s): Penshurst, Fordcombe & Chiddingstone

Item for decision

This application has been called to Committee due to the fact that the applicant works for 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 be those indicated on the following approved plans and details: 20_252 - 140, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, Design and access statement

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: 20_252 - 140, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, 20_252 - 106, 20_252 - 101, 20_252 - 120.

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

4) The approved garage shown on the approved plans shall be constructed using a 'no dig' method of construction only. Prior to the commencement of any hard and soft landscaping works on the site and prior to the construction of the garage, further details in the form of an Arboricultural Method Statement to explain the tree protection measures to be adopted during the construction phase

shall be submitted to the Local Planning Authority for their prior written approval. The works shall be implemented in accordance with approved details.

In the interest of protecting and preserving the visual amenity of the area, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) No building materials should be stored within the root protection areas of the trees on the site.

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 subject property is a Grade II listed detached three-storey period cottage constructed in brick with a catslide roof and leaded lights. The property is located on a large plot with four ancillary outbuildings including a greenhouse. The property forms part of a former agricultural farmstead and the plot is located adjacent to a small cluster of former agricultural buildings which have been converted to residential use. The site is in a rural location in the vicinity of Penshurst village.

Description of proposal

- 2 The application proposal relates to the erection of a side extension with front gable feature, which will be joined to the main property via a link in order to facilitate the creation of a new kitchen and dining room at ground floor level and a new master suite with balcony at first floor level. In the main house, the existing attic rooms at second floor level and the rooms at ground and first floor level are also to be reconfigured and a new porch is proposed along the front elevation. Externally, the three of the four existing outbuildings are to be demolished and the fourth outbuilding (a brick log store) is to be relocated away from the house. A new double garage with pitched roof is also to be erected to the west of the main house and associated hard and soft landscaping works are proposed to facilitate the creation of a driveway where none exists currently.

Relevant planning history

- 3 20/01374/HOUSE Demolish three outbuildings, proposed two storey side extension with roof-lights and Juliette balcony, detached garage with log store, landscaping with new driveway, relocation of one outbuilding, open front porch and alterations to fenestration - WITHDRAWN
- 4 20/01375/LBCALT - Demolish three outbuildings, proposed two storey side extension with roof-lights and Juliet balcony, detached garage with log store, landscaping with new driveway, relocation of one outbuilding, open front porch and alterations to fenestration - WITHDRAWN
- 5 20/02780/LBCALT - Demolish three outbuildings, proposed link attached side extension with roof-lights and balcony, detached garage, landscaping with new driveway, relocation of one outbuilding, porch and alterations to fenestration - BEING CONSIDERED CONCURRENTLY WITH THIS APPLICATION

Policies

- 6 National Planning Policy Framework (NPPF)
- 7 Core Strategy (CS)
 - SP1 Design of New Development and Conservation
 - L01 Distribution of Development
 - L08 The Countryside and the Rural Economy
- 8 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage
 - EN5 Landscape
 - EN6 Outdoor Lighting
 - GB1 Limited Extensions to Dwellings in the Green Belt
 - GB3 Residential Outbuildings in the Green Belt
 - T2 Vehicle Parking
- 9 Other:
 - Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
 - Development in the Green Belt (SPD)

Constraints

- 10 The site lies within the following constraints
 - Metropolitan Green Belt
 - High Weald Area of Outstanding Natural Beauty

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- Grade II listed building
- Great Crested Newt Risk Zone
- Great Crested Newt Strategic Opportunity Area

Consultations

11 Peshurst Parish Council:

No response received

12 Sevenoaks District Council Conservation Officer:

No objection, subject to condition:

13 'Summary:

14 'The proposed side extension, and garage, will be clearly subservient to the historic parent building. In my opinion the extension will be a well-considered addition that creates a dialogue between old and new.

15 No details of proposed landscaping (including driveway) have been submitted; these have the potential to affect the setting of the listed building.

16 Notwithstanding the concern about landscaping proposals, the less than substantial harm caused by the removal of historic fabric is weighed against the benefit of securing the optimum viable use of the building as a singles family dwelling (NPPF para 196).

17 Please condition:

- Elevations (1:10) and horizontal and vertical sections (1:5) of windows details to be submitted and approved in writing
- The roof-lights to be flush with the roof slope.
- Material samples of sandstone, brick, roof tiles, timber boarding, as well as details of proposed mortar mix, to be submitted and approved in writing.
- Details of proposed landscaping/driveway to be submitted and approved in writing.'

18 Society for the Protection of Ancient Buildings:

No objection-agree with the comments of the Conservation Officer

19 Originally the Society raised the issue of a vaulted ceiling in the dining room. However, it later transpired that the vaulted ceiling was already in existence and did not form part of the proposed amendments to the building. As a result, no new comments were raised.

20 Arboricultural Officer:

There is no objection to the proposed works to the main house. If the garage is to be built in this location, a no dig method of construction should be used to prevent damage to the roots of the Oak tree and conditioned accordingly. The applicant should also provide a detailed arboricultural method statement and tree protection plan prior to the commencement of works.

Representations

21 No representations have been received.

Chief Planning Officer's appraisal

22 The main planning considerations are:

- Impact on the Green Belt
- Impact upon the character of the area
- Impact on neighbouring amenity
- Impact on the AONB
- Impact on the listed building

Impact on the Green Belt

23 As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development. There are some exceptions to this, such as “c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”

24 Paragraph 143 states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.

25 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.

26 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.

27 Policy GB1 of the ADMP sets out a number of criteria that extensions to dwelling in the Green Belt should comply with. In this case, I am satisfied that the property is lawful and permanent in nature. I am also satisfied that the form of the extension responds to the form of the main house and that the proposed side extension and porch are clearly subservient in their form

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and scale, such that they will not result in material harm to the openness of the Green Belt setting. Thus Criteria a) and b) are met.

- 28 Criteria c) limits extensions to no more than a 50% increase over the floorspace of original building. With regards to the extent to which the property has been and will be extended, the planning history and historic maps dating back to between 1894 and 1937 indicate that the property has not been extended and that the footprint as set out on the existing plans provided (excluding the modern outbuildings) constitutes the footprint of the original dwelling as at 1st July 1948. The footprint of the existing dwelling as set on the plans amounts to approximately 175sqm. The proposed side extension and porch will add approximately 87.5sqm of new floorspace to the property, which equates to 50% of the footprint of the original dwelling. Thus criteria c) is also met.
- 29 In light of the above these elements of the proposals would represent appropriate development within the Green Belt.
- 30 With regard to the garage, policy GB3 of the ADMP relates to residential outbuildings in the Green Belt. Outbuildings within 5m will be counted as an extension to the house, or if further than 5m under other criteria.
- 31 In this case, the proposed new garage would be located approximately 10.8 metres from the main house. I am satisfied that the outbuilding is clearly ancillary to the main house in its function and design. With regards to the size of the proposed outbuilding, the footprint of the proposed outbuilding equates to approximately 44sqm when measured externally. Whilst this is slightly larger than the maximum recommended guidance figure as set out the Green Belt Supplementary Planning Document, three existing outbuildings are also being removed from the site which will reduce the amount of built form on the site overall. Furthermore, the garage would be relatively modest in terms of height and overall scale and bulk. As such, the proposals would not result in visual intrusion and would preserve the openness of the Green Belt.
- 32 The proposals are therefore policy compliant in Green Belt terms.

Impact upon the character of the area

- 33 Policy L08 of the Core Strategy and Policy EN1 of the ADMP state that any new development should be designed to a high quality and should respond to and respect the distinctive character of the area and surrounding landscape.
- 34 As mentioned above, the application in this case relates to the demolition of three outbuildings and the erection of a two-storey side extension which is joined to the main property via a link. The applicant also seeks consent for the erection of a detached double garage, hard and soft landscaping works to include a new driveway, the relocation of an existing outbuilding, the erection of a new porch and alterations to the fenestration.
- 35 With regards to the demolition of three outbuildings, the outbuildings are in a poor condition and they are not of any historic significance. Their

appearance detracts from the significance of the main house so their removal from the site constitutes an improvement.

- 36 Owing to the nature of the development and the orientation of the buildings on the site, the proposed scheme should not be widely visible from the highway. The development site is set back from the road at the top of a sloping access track. The existing boundary treatments also provide an element of screening. Whilst the proposed side extension is two-storey, it will extend away from the road. It is also lower in height when compared to the existing building so much of the proposed structure will sit behind the main house when viewed from the road. The proposed new porch is modestly sized and it will not have a significant impact upon the bulk and scale of the building or upon its general appearance when viewed from the road. The existing outbuilding which is to be relocated on the site is also modestly sized and unlikely to impact the general appearance of the site in a negative manner. The proposed new garage structure is to be positioned in the corner of the site and it will be set back from the access.
- 37 In this case, the proposed side extension is to be attached to the main property via a two-storey link, which will be of modern design and appearance and feature thin steel-framed glazing. The extension will be set back from the principal elevation of the main house and the roof ridge roofline of the proposed extension will sit below that of the main house to ensure that the proposed extension appears clearly subservient and does not overwhelm or dominate the site. Accordingly, this element of the proposals would comply with the Council's design guidance.
- 38 With regards to the proposed new porch, the SPD states that any new proposed porches should be appropriate to the scale of the dwelling and its features. In this case, the new proposed porch is sufficiently discreet in its size and proportions.
- 39 The form and appearance of the proposed garage building is considered to be traditional and the proposed garage is considered to be appropriately sized. In view of the listed status of the building I consider that siting the garage close to the access road in order to keep the extent of hardstanding on the site to a minimum is preferable to positioning the garage elsewhere on the site. On this basis, it is considered to be acceptable.
- 40 The relocation of the existing outbuilding to the rear of the site is also acceptable and will be no more harmful to the character and appearance of the site than the existing arrangement.
- 41 With regards to the proposed changes to the fenestration, the proposed changes to the existing fenestration are considered to be appropriate and the new proposed windows include conservation style roof lights and windows which are of an appropriate size and style. Whilst the glazing to the new extension including the proposed balcony to the rear is a departure from the style of the glazing seen in the main house, it is appropriate in the context of the new extension, which is to be created in a more contemporary style.

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- 42 With regards to the materials proposed, the materials to be used in the construction of the new side extension include matching roof tiles, sandstone, vertical oak weatherboard cladding, steel framed glazing and frameless glass. The proposed materials are appropriate to the rural setting. The matching roof tiles will ensure that the proposed extension compliments the design of the main house whilst also providing a suitable contrast. The new proposed porch is to be created using oak framing and matching roof tiles. The proposed garage building is to be constructed using oak weatherboard cladding with a standing seam zinc roof. I consider that the proposed materials are appropriate in the context of the rural location and they will not detract from the character of the wider setting.
- 43 With regards to the hard and soft landscaping proposals, further information is required. However, I am satisfied that this can be dealt with via condition.
- 44 In light of the above, subject to condition, the development proposal is considered to meet the requirements of Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Impact on neighbouring amenity

- 45 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.
- 46 The house is sited comfortably within an extensive plot, well away from the boundaries with neighbouring properties.
- 47 As a result, owing to the distance between properties I am satisfied that the proposed extensions to the building are unlikely to result in overshadowing through a loss of daylight or sunlight, in a loss of privacy or in visual intrusion.
- 48 The proposed garage is to be located approximately 10 metres from the nearest neighbouring property and the design of the building does not include any glazing or new windows. The proposed building is also single storey and it is to be located behind the front boundary hedge. Accordingly the proposed new outbuilding is unlikely to adversely impact the amenity of neighbouring occupiers.
- 49 The relocated outbuilding is also to be located towards the rear of the site, behind the main property so it will be some distance away from the nearest neighbouring dwellings.
- 50 In light of the above, the proposal meets the requirements of policy EN2 of the ADMP.

Impact on the Area of Outstanding Natural Beauty

- 51 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.

- 52 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.
- 53 Policy EN5 of the ADMP states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
- 54 In this case, whilst the amount of built form on the site will increase as a result of the proposed extensions to the building, the proposed additions should not appear excessive in their form and scale in the context of the surrounding landscape. With regards to the proposed garage building, the scale of the building is also considered to be appropriate and sufficiently modest relative to its context. The design of the scheme incorporates the use of some natural materials which are considered to be appropriate for a building which used to form part of an agricultural farmstead, such that no harm should occur to the character of the wider setting. Whilst the proposed glazing to the new side extension is more modern, the new windows should not have an excessively harmful impact upon the surrounding countryside in terms of light spillage. Further information will be requested by way of condition with regards to any associated hard and soft landscaping works in order to ensure that the site retains its predominantly verdant qualities. Any future proposed external lighting schemes will also be limited via condition to ensure that the characteristic dark skies of the AONB are preserved.
- 55 In light of the above, the proposals would ensure the viability and longevity of this listed building, helping to strengthen and re-enforce the character of the AONB in accordance with the aims and objectives of Policy EN5.

Impact on the listed building

- 56 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 57 The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).
- 58 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.

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- 59 The subject property is Grade II listed. The historic interest in the building relates to its significance as an early example of a 17th-century timber-framed cottage in Kentish vernacular style which has been constructed using traditional materials. The exposed timber framing inside the building is also said to add to its special interest. The property boasts various architectural features of merit including the distinctive unbroken catslide roof.
- 60 The development proposal will result in extensions to the building as well as in internal alterations to the main building which include the loss of small sections of the external wall of the building which are to be opened up in order to create a passageway between the old and new elements of the building at ground and first floor level. The existing attic rooms at second floor level are also to be brought back into use and a replacement staircase is proposed to the first and second floors. Alterations are also proposed to the fenestration and new conservation style roof lights are to be introduced at second floor level. The rooms at ground and first floor level are also to be reconfigured and a new porch is proposed along the front elevation.
- 61 The Conservation Officer has been consulted and supports the proposals. The Society for the Protection of Ancient Buildings have also been consulted and they have confirmed that they are in agreement with the comments of the Conservation Officer and that they would be prepared to lend their support to the proposal.
- 62 Although it is acknowledged that some of the historic fabric will be lost through the creation of physical connections between the new and old elements of the building when the side extension is introduced, the existing plan form will remain legible.
- 63 The following observations have also been provided:
- 64 'There is no objection to the removal of existing fabric at ground floor in the front elevation; the fabric is modern infill and the new windows will help support the daily use of the historic building as a family dwelling, and will be detailed to match existing – high quality materials and careful detailing will be important. There is no objection to the removal of existing fabric at ground level of the side elevation, which is a secondary elevation. The less than substantial harm caused by the removal of historic fabric at first-floor level is weighed against the continued use of the historic parent building. The proposed new window at second-floor level will also incur loss of historic fabric, but will help utilise more space within the historic building by providing additional daylight and will be designed to match the existing window in this secondary elevation.
- 65 The link element will be a minimally steel framed glazed structure: modern in its materials and language and lightweight. The tiled roof of the link element reflects the traditional form and materials of the listed building.
- 66 The form of the proposed side extension with steeply pitched roof covered in tiles to match existing reflects the local vernacular. The gable front elevation of the proposed side extension is of local sandstone and its side (north-west) elevation as brick to match existing. The orientation of the extension helps to differentiate the new and old built elements. The form,

choice of material and detailing would result in my opinion in a well-considered addition that would succeed in complementing but not competing with the main building. The rear elevation (north-east) of the proposed extension features thin steel framed glazed doors: this modern design language is considered suitable for the rear of the site. The lightweight appearance of the glazing will not compete with the characterful tiled catslide roof of the historic house, which is to be retained as existing.'

- 67 With regards to the potential impact of the proposed garage building upon the setting of the listed building, it is considered that the proposed garage is an appropriate form and appearance and sufficiently detached from the main house to avoid causing harm to the historic setting.
- 68 Further information has been requested with regards to the hard and soft landscaping works on the site. However, I am satisfied that this information can be secured via condition.
- 69 In light of the above, although elements of the proposal are considered to result in less than substantial harm to the building as a result of the loss of historic fabric, particularly on the upper floors, government guidance states that this should be weighed against the public benefits of the proposals, in this instance ensuring the continued use of the building. In accordance of Paragraph 196 of the NPPF, I am satisfied that the benefit of securing the optimum viable use of the building as a single family dwelling would outweigh the modest loss of historic fabric. On this basis, the proposal is considered to be acceptable and in accordance with Policy EN4 of the ADMP.

Other issues

- 70 Trees - Owing to the location of the proposed garage and its proximity to the root protection area of an Oak tree on the site, the tree officer has requested that a 'no dig' method of construction should be used and any future decision will be conditioned on this basis.

Community Infrastructure Levy (CIL)

- 71 The proposal is not CIL liable.

Conclusion

- 72 The development proposals are considered to have a satisfactory impact and meet the requirements of the existing local plan policies, subject to conditions as listed above.
- 73 It is therefore recommended that this application is APPROVED.

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Background papers

Site and block plan

Contact Officer(s):

Alexis Stanyer: 01732 227000

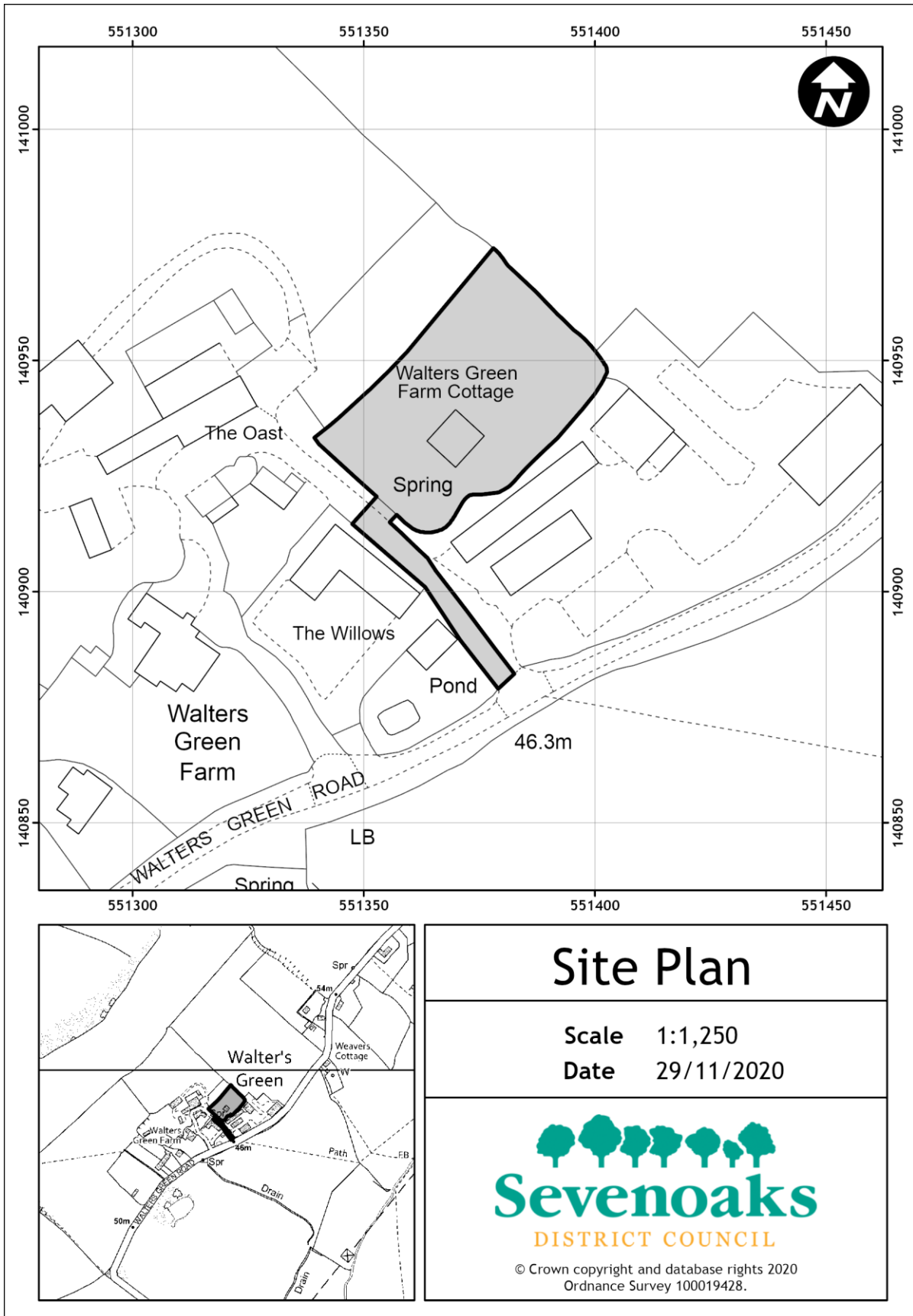
Richard Morris
Chief Planning Officer

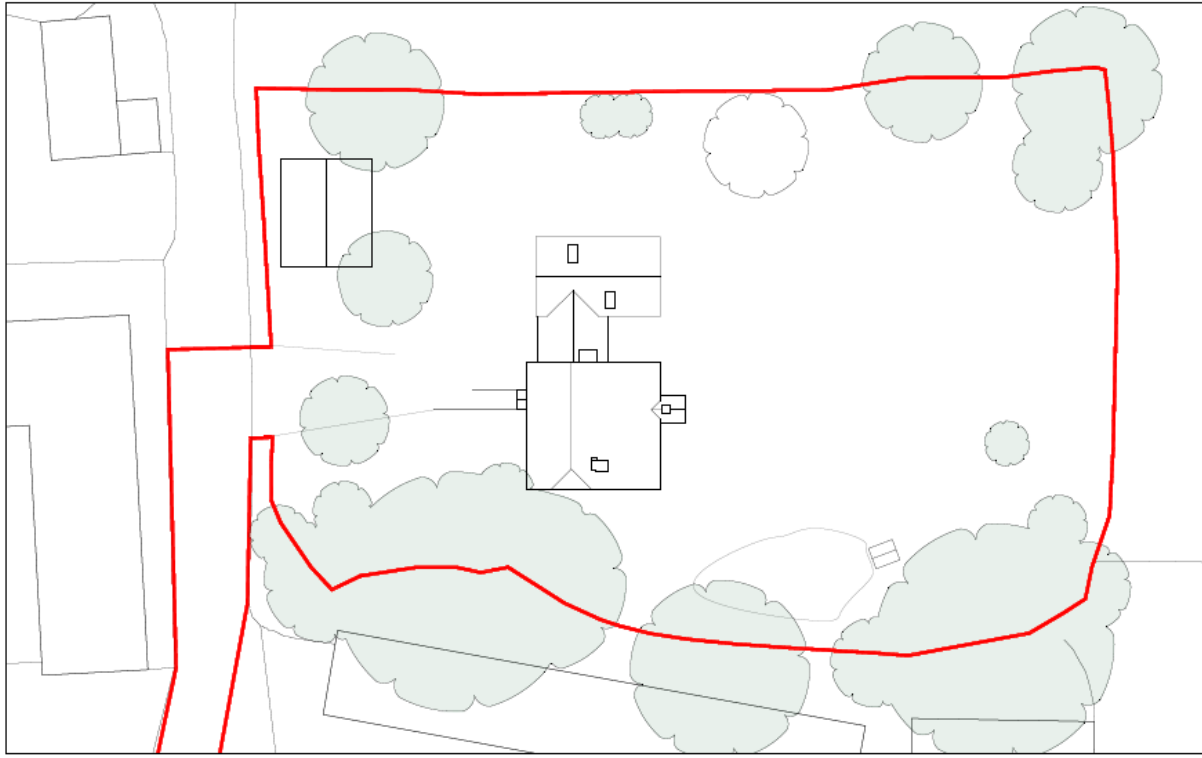
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Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QHDLN0BKH1G00>





4.4 20/02780/LBCALT Date expired 23 November 2020

Proposal: Demolish three outbuildings, proposed link attached side extension with roof-lights and balcony, detached garage, landscaping with new driveway, relocation of one outbuilding, porch and alterations to fenestration.

Location: Farm Cottage, Walters Green Road, Penshurst KENT TN11 8HE

Ward(s): Penshurst, Fordcombe & Chiddingstone

Item for decision

This application has been called to the Development Control Committee due to the fact that the applicant is employed by Sevenoaks District Council.

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

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

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

2) The materials to be used in the construction of the development shall be those indicated on the following approved plans and details: 20_252 - 140, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, Design and access statement

To ensure that the appearance of the development is in harmony with the existing character of the Grade II listed 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: 20_252 - 140, 20_252 - 120, 20_252 - 130, 20_252 - 122, 20_252 - 121, 20_252 - 111, 20_252 - 110 Rev A, 20_252 - 106, 20_252 - 101.

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

4) No development shall be carried out on the site until material samples of the sandstone, brick, roof tiles, and timber boarding and details of the proposed mortar mix have been submitted to the Local Planning Authority for their prior written approval. The works shall be carried out using the approved materials.

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In the interest of preserving the integrity of the Grade II listed building in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

5) Prior to the installation of any new windows and prior to any works commencing to alter existing windows to the main house, elevation drawings (at a scale of 1:10) and horizontal and vertical section drawings (at a scale of 1:5) of the windows are to be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

In the interest of preserving the integrity of the Grade II listed building in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

6) The new proposed conservation style roof-lights as delineated on the approved plans are to be flush with the roof plane.

In the interest of preserving the integrity of the Grade II listed building in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

Description of site

- 1 The subject property is a Grade II listed detached three-storey period cottage constructed in brick with a catslide roof and leaded lights. The property is located on a large plot with four ancillary outbuildings including a greenhouse. The property forms part of a former agricultural farmstead and the plot is located adjacent to a small cluster of former agricultural buildings which have been converted to residential use. The site is in a rural location in the vicinity of Penshurst village.

Description of proposal

- 2 The applicant seeks listed building consent in relation to the erection of a side extension with front gable feature which will be joined to the main property via a modern link. The proposed extension will facilitate the creation of a new kitchen and dining room at ground floor level and a new master suite with balcony at first floor level. In the main house, various stud partition walls are proposed and small sections of the external wall of the building are to be opened up in order to create a passageway between the old and new elements of the building at ground and first floor level. The existing attic rooms at second floor level are to be brought back into use and a replacement staircase is proposed to the first and second floors. The rooms at ground and first floor level are also to be reconfigured and a new porch is proposed along the front elevation. Alterations are also proposed to the fenestration and new conservation style roof lights are to be introduced at second floor level. Externally, the three of the four existing outbuildings are to be demolished and the fourth outbuilding (a brick log store) is to be relocated away from the house. A new double garage with pitched roof is also to be erected to the west of the main house and associated hard and

soft landscaping works are proposed to facilitate the creation of a driveway where none exists currently.

Relevant planning history

- 3 20/01374/HOUSE - Demolish three outbuildings, proposed two storey side extension with rooflights and juliette balcony, detached garage with log store, landscaping with new driveway, relocation of one outbuilding, open front porch and alterations to fenestration - WITHDRAWN
- 4 20/01375/LBCALT - Demolish three outbuildings, proposed two storey side extension with rooflights and juliette balcony, detached garage with log store, landscaping with new driveway, relocation of one outbuilding, open front porch and alterations to fenestration - WITHDRAWN
- 5 20/02779/HOUSE - Demolish three outbuildings, proposed link attached side extension with rooflights and balcony, detached garage, landscaping with new driveway, relocation of one outbuilding, porch and alterations to fenestration - TO BE CONSIDERED CONCURRENTLY WITH THIS APPLICATION.

Policies

- 6 National Planning Policy Framework (NPPF)
- 7 Core Strategy (CS)
 - SP1 Design of New Development and Conservation
- 8 Allocations and Development Management Plan (ADMP)
 - EN4 Heritage
- 9 Other:
 - N/A

Constraints

- 10 The site lies within the following constraints
 - Grade II listed building

Consultations

- 11 Penshurst Parish Council:
No response received

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- 12 Sevenoaks District Council Conservation Officer:
No objection, subject to condition:
- 13 'Summary:
- 14 'The proposed side extension, and garage, will be clearly subservient to the historic parent building. In my opinion the extension will be a well-considered addition that creates a dialogue between old and new.
- 15 No details of proposed landscaping (including driveway) have been submitted; these have the potential to affect the setting of the listed building.
- 16 Notwithstanding the concern about landscaping proposals, the less than substantial harm caused by the removal of historic fabric is weighed against the benefit of securing the optimum viable use of the building as a single family dwelling (NPPF para 196).
- 17 Please condition:
- Elevations (1:10) and horizontal and vertical sections (1:5) of windows details to be submitted and approved in writing
 - The rooflights to be flush with the roof slope.
 - Material samples of sandstone, brick, roof tiles, timber boarding, as well as details of proposed mortar mix, to be submitted and approved in writing.
 - Details of proposed landscaping/driveway to be submitted and approved in writing.'
- 18 Society for the Protection of Ancient Buildings:
No objection-agree with the comments of the Conservation Officer
- 19 Originally the Society raised the issue of a vaulted ceiling in the dining room. However, it later transpired that the vaulted ceiling was already in existence and did not form part of the proposed amendments to the building. As a result, no new comments were raised.
- 20 Arboricultural Officer:
There is no objection to the proposed works to the main house. If the garage is to be built in this location, a no dig method of construction should be used to prevent damage to the roots of the Oak tree and conditioned accordingly. The applicant should also provide a detailed arboricultural method statement and tree protection plan prior to the commencement of works.

Representations

21 No representations have been received.

Chief Planning Officer's appraisal

22 The main planning considerations are:

- Impact on Listed Building and its setting

Impact on Listed Building and its setting:

23 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.

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

25 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.

26 The subject property is Grade II listed. The historic interest in the building relates to its significance as an early example of a 17th-century timber-framed cottage in Kentish vernacular style which has been constructed using traditional materials. The exposed timber framing inside the building also adds to its special interest. The property boasts various architectural features of merit including the distinctive unbroken catslide roof.

27 The Conservation Officer has been consulted and supports the proposals. The Society for the Protection of Ancient Buildings have also been consulted and they have confirmed that they are in agreement with the comments of the Conservation Officer and that they would be prepared to lend their support to the proposal.

28 Although it is acknowledged that some of the historic fabric will be lost through the creation of physical connections between the new and old elements of the building when the side extension is introduced, the existing plan form will remain legible.

29 The following observations have also been provided:

30 'There is no objection to the removal of existing fabric at ground floor in the front elevation; the fabric is modern infill and the new windows will help support the daily use of the historic building as a family dwelling, and will be detailed to match existing – high quality materials and careful detailing will be important. There is no objection to the removal of existing fabric at ground level of the side elevation, which is a secondary elevation. The less than substantial harm caused by the removal of historic fabric at first-floor level is weighed against the continued use of the historic parent building. The proposed new window at second-floor level will also incur loss

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of historic fabric, but will help utilise more space within the historic building by providing additional daylight and will be designed to match the existing window in this secondary elevation.

- 31 The link element will be a minimally steel framed glazed structure: modern in its materials and language and lightweight. The tiled roof of the link element reflects the traditional form and materials of the listed building.
- 32 The form of the proposed side extension with steeply pitched roof covered in tiles to match existing reflects the local vernacular. The gable front elevation of the proposed side extension is of local sandstone and its side (north-west) elevation as brick to match existing. The orientation of the extension helps to differentiate the new and old built elements. The form, choice of material and detailing would result in my opinion in a well-considered addition that would succeed in complementing but not competing with the main building. The rear elevation (north-east) of the proposed extension features thin steel framed glazed doors: this modern design language is considered suitable for the rear of the site. The lightweight appearance of the glazing will not compete with the characterful tiled catslide roof of the historic house, which is to be retained as existing.'
- 33 With regards to the potential impact of the proposed garage building upon the setting of the listed building, it is considered that the proposed garage is an appropriate form and appearance and sufficiently detached from the main house to avoid causing harm to the historic setting.
- 34 Further information has been requested with regards to the hard and soft landscaping works on the site. However, I am satisfied that this information can be secured via condition.
- 35 In light of the above, although elements of the proposal are considered to result in less than substantial harm to the building as a result of the loss of historic fabric, particularly on the upper floors, government guidance states that this should be weighed against the public benefits of the proposals, in this instance ensuring the continued use of the building. In accordance of Paragraph 196 of the NPPF, I am satisfied that the benefit of securing the optimum viable use of the building as a single family dwelling would outweigh the modest loss of historic fabric. On this basis, the proposal is considered to be acceptable and in accordance with Policy EN4 of the ADMP.

Community Infrastructure Levy (CIL)

- 36 The proposal is not CIL liable.

Conclusion

- 37 The development proposal in this case is considered to be in accordance with the development plan for the District and in accordance with the requirements of the National Planning Policy Framework.
- 38 It is therefore recommended that this application is APPROVED.

Background papers

Site and block plan

Contact Officer(s):

Alexis Stanyer: 01732 227000

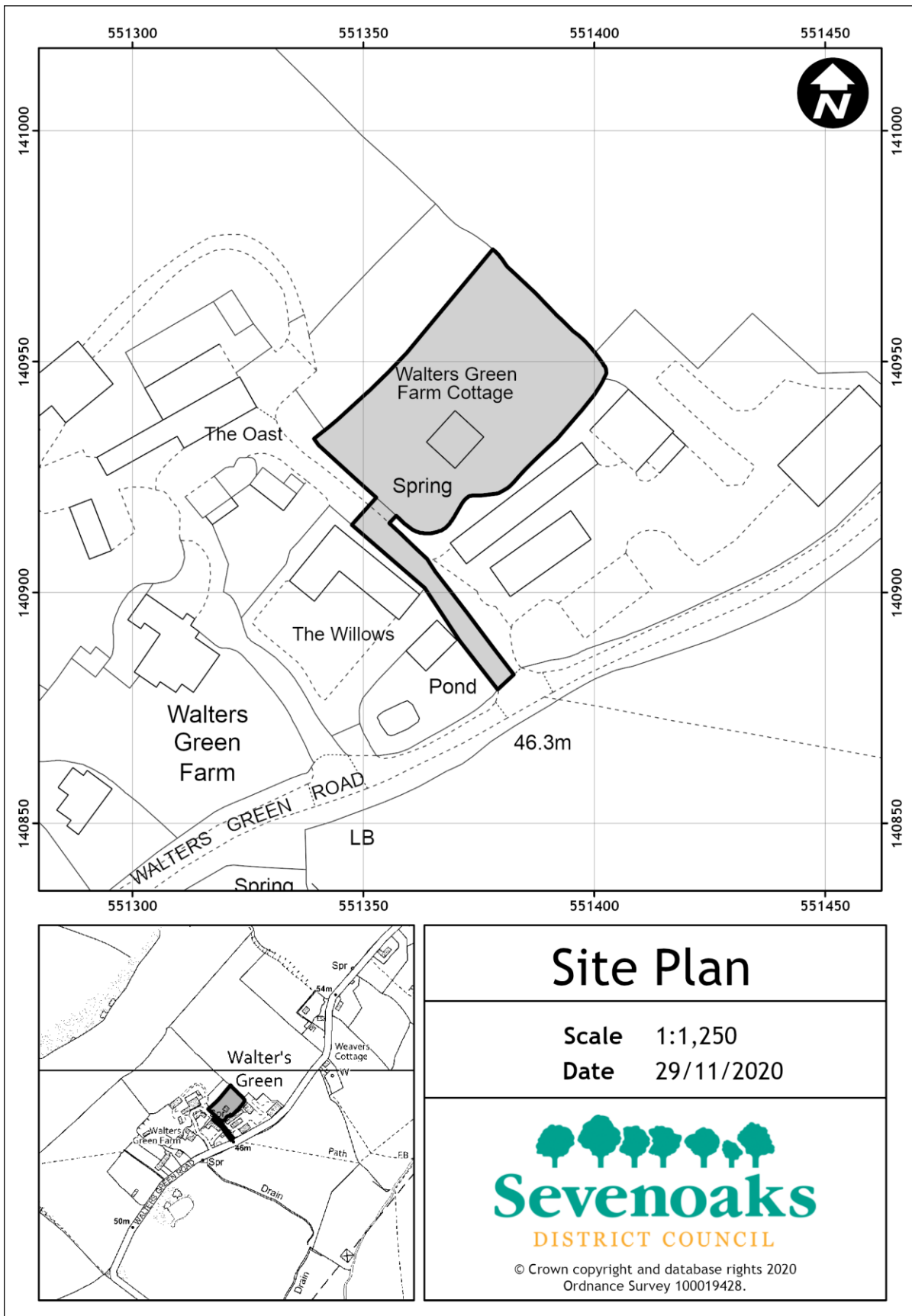
Richard Morris
Chief Planning Officer

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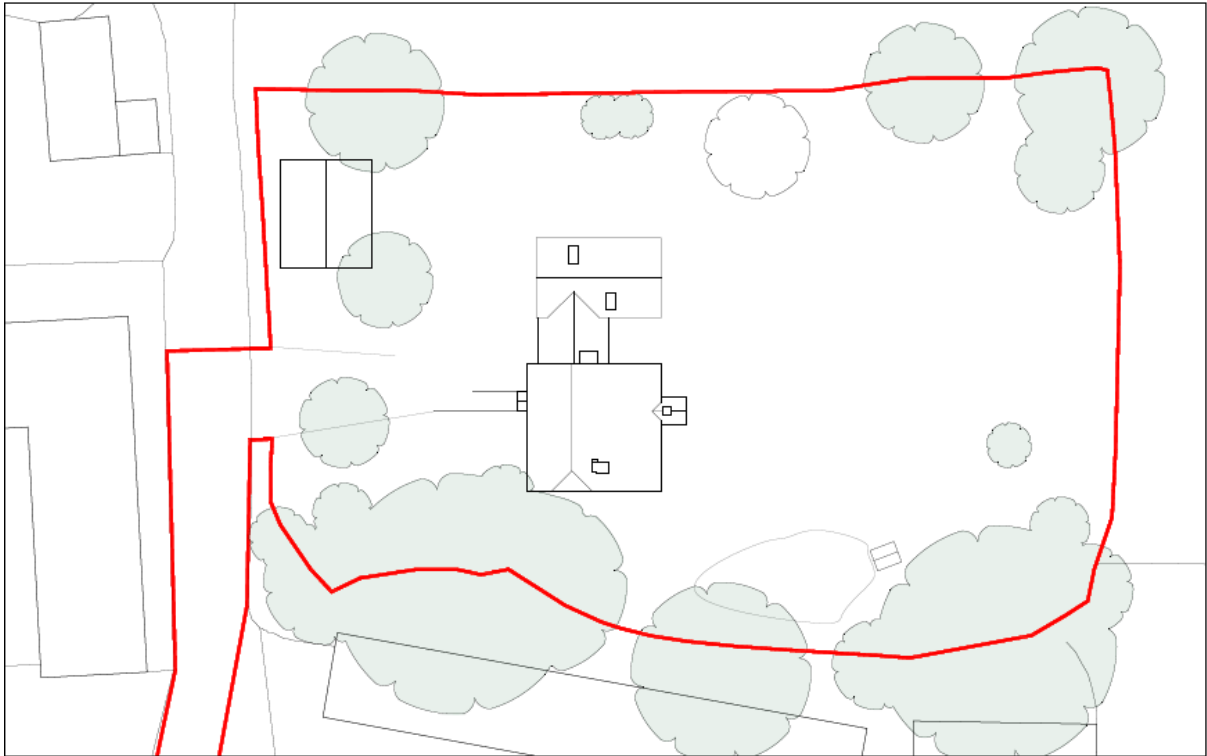
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Link to associated documents:

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BLOCK PLAN



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4.5 20/03400/AGRNOT Date expires 21 December 2020

Proposal: General purpose steel framed building.

Location: Land West Of Faulkners Hill Farm , Yorks Hill, Ide Hill
KENT TN14 6LG

Ward(s): Brasted, Chevening And Sundridge

Item for decision

This application is referred to Committee as the applicant is a relative of a member of staff.

RECOMMENDATION: That permission be PRIOR APPROVAL REQUIRED.

Having carefully considered these details, Sevenoaks District Council as the local planning authority has determined that the prior approval of the local planning authority will be required for this development and the development cannot therefore begin until such approval has been given.

INFORMATIVES

- 1 The submission of further details are required in order for the local planning authority to give formal consideration to the siting, design and external appearance of any building, extension or alteration; siting and means of construction of any private way; the siting of the excavation or deposit; or the siting and appearance of any tank.
- 2 Upon the submission of the further details required you are required by legislation to complete and display a site notice on or near the land to which the proposed development is to be carried out, leaving the notice in position for not less than 21 days. The notice will be supplied to you on receipt of the additional details.
- 3 If the site notice is removed, obscured or defaced before the period of 21 days have elapsed you must take reasonable steps for protection of the notice and if need be, its replacement.
- 4 The applicant is advised that details of the design and appearance of the barn will be required. In addition, further consideration should be given to the precise siting of the barn which, because of its close proximity, is considered to represent a potential fire risk to the adjacent woodland. You are advised to seek the advice of the Fire Service prior to submission of the additional details.

Description of site

- 1 The site occupies a rural location, located on a road known as Scallops, which runs from Winkhurst Green Road to Yorks Hill. The site for the barn is located on the northern side of the road, adjacent to an existing field access, with a small area of woodland immediately to the east and extensive open fields to the north (and south). The main Faulkners Hill Farm is located a short distance to the east, with an associated agricultural dwelling to the west and other associated agricultural grain stores to the south-west. The site forms part of a very extensive agricultural holding of approximately 800 hectares.

Description of proposal

- 2 The application seeks to erect a steel framed, fibre cement roof, open sided hay barn. It would measure 36m in length, by 24m in width, 7.5m to eaves and 9m to ridge.

Relevant planning history

- 3 None relate directly to this site. However, there are several relating to the larger agricultural holding as follows:
- 4 18/00596/FUL - Proposed new barn and silage clamp together with enlargement of existing brown water lagoon and new harvested clean water attenuation lagoon. Granted 5.7.18.
- 5 17/00818/AGRNOT - Extensions to a general purpose steel framed building. Prior Approval not required 6.4.17 (not implemented).
- 6 12/01251/AGRNOT - Erection of general purpose steel framed building - Prior Approval not required.
- 7 09/01822/AGRNOT - Erection of a general-purpose storage building - No objection raised.
- 8 08/00423/AGRNOT - Erection of new grain store - No objection raised (building not erected).

Constraints

- 9 The following Constraints apply:
 - Metropolitan Green Belt
 - Area of Outstanding Natural Beauty

Consultations

- 10 Note that the final expiry date for consultations for this application is 9 December. Any responses received after the drafting of this report will be referred to in late observations.

11 Parish Council - No response

12 Council's Agricultural Consultant:

"Whilst the submissions viewable online only give limited details, I am aware that this proposal relates to a relatively large (800 ha), well-established, local farm business.

The proposed building is described as open-sided and thus effectively would be providing the protection of a sheeted roof over stacks of hay and straw which, as it appears, have to stand outside at present; the total referred to being some 3500 bales (presumably larger format).

The building appears reasonably necessary for this purpose, and of a suitable size and general design.

However I am not so sure about the proposed location - I appreciate the concern to have the building fairly isolated to limit fire risk to the buildings at Faulkners Hill Farm (about 300m to the east), but by the same token there is woodland immediately east of the proposed building site, which presumably would be vulnerable to any fire in the hay/straw carried across by the prevailing wind.

I would recommend, therefore, that the proposal be "called in" under the Council's GPDO powers for approval of siting, as well as design and external appearance (the latter aspects being also relevant given that there seem to be no detailed plans/ elevations at present).

It may be that the Fire Service could be consulted on the safest positioning?"

Chief Planning Officer's appraisal

13 Whether the proposal complies with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and whether prior approval is required for the development proposed.

14 The above part of the legislation allows for the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of works for the erection of a building, which is reasonably necessary for the purposes of agriculture within that unit.

15 In assessing an application of this type, the local planning authority can only determine:

- Whether the proposal complies with the permitted development rights under the above legislation;

And

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- That prior approval is required for the siting, design and external appearance of the building or,
 - That prior approval is not required.
- 16 This part of the General Permitted Development Order requires proposals under this Class to be “*reasonably necessary for the purposes of agricultural within that unit.*”
- 17 In assessing whether the works are “reasonably necessary”, the Council’s independent agricultural consultant has examined the proposals and considers the proposals to be reasonably necessary for the purposes of agriculture on this unit and I concur with his conclusion.
- 18 Under paragraphs A.1 and A.2 of Class A, development is permitted subject to several criteria and several conditions respectively, as summarised below.
- 19 Paragraph A.1 states that development is not permitted by Class A if certain criteria fail to be met, for example the size of the land on which the building would be sited, the use to which it would be put, restrictions on the use and the size of the building.
- 20 The proposed barn has been assessed against the relevant criteria and complies.
- 21 However, this is subject to a number of conditions.
- 22 Conditions:
- 23 I am satisfied that the applicant has complied with the relevant conditions under paragraph A.2 (1).
- 24 A.2 (2) states that; development consisting of the erection of a building is permitted by Class A subject to the following conditions -
- the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;
- 25 In this instance, it is accepted that there is a genuine agricultural need for the barn. The barn has been located partly to reduce the risk of fire to adjacent buildings. However, concerns are been raised to the precise siting of the building, which would be sited immediately adjacent to an area of woodland, which itself would potentially be vulnerable to any fire in the hay/straw which could be carried across by the prevailing wind.

- 26 In addition, as no detailed plans have been submitted, I consider it necessary that details of the siting, design and appearance should be submitted for prior approval

Conclusion

- 27 In light of the above, it is my conclusion that the proposed hay barn is acceptable in principal but that prior approval is required for the siting, design and appearance of the building.

Background papers

Site and block plan

Contact Officer(s): Jim Sperryn 01732 227179

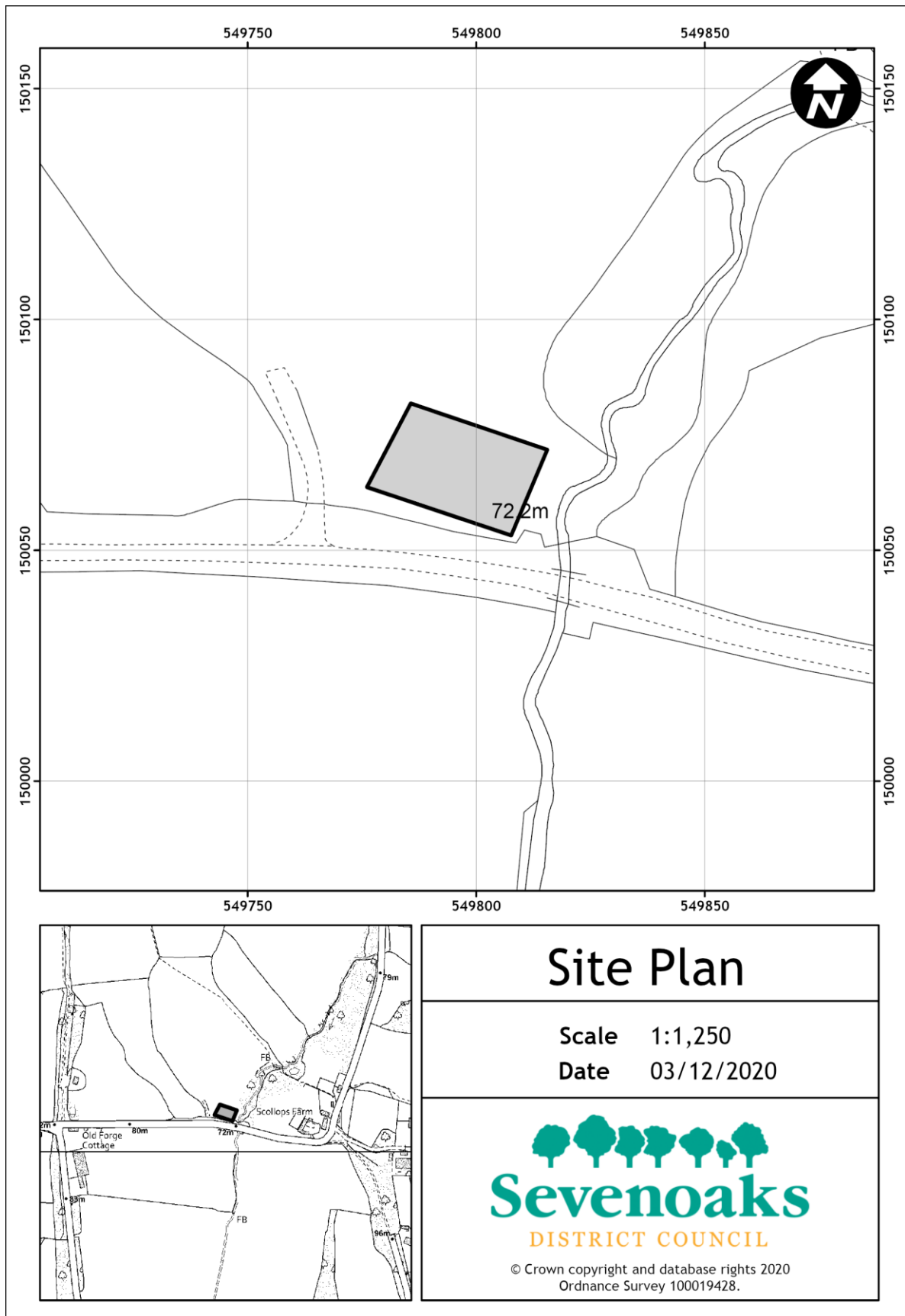
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