

16 December 2021 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 08.12.21



This meeting will be livestreamed to YouTube here:

https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g . Members of the public who wish to attend in person are requested to wear face masks and observe social distancing procedures. For health and safety reasons access may be limited and will be on a first come first served basis.

Development Control Committee

Membership:

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

Agenda

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

| | Pages | Contact |
|--|-----------------|-------------------------------------|
| Apologies for Absence | | |
| 1. Minutes | (Pages 1 - 10) | |
| To approve the minutes of the meeting of the Committee held on 18 November 2021, as a correct record. | | |
| 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 21/02144/FUL - Sunny Hatch, 91 Hitchen Hatch Lane, Sevenoaks KENT TN13 3BD | (Pages 11 - 26) | Ashley Bidwell Tel: 01732 227000 |
| Demolition of existing building and erection of an apartment block containing 7 flats (6 x 2 bedroom & 1 X 3 bedroom) with basement car park and associated cycle parking, | | |

refuge storage facilities and amenity areas/

- 4.2 **21/03546/CONVAR - White Oak Leisure Centre, Hilda May Avenue, Swanley KENT BR8 7BT** (Pages 27 - 46) Nicola Furlonger
Tel: 01732 227000
- Variation of condition 10 of permission 19/02951/HYB to allow for a temporary car park layout using part of the existing car park, until the old leisure centre is demolished for the new car park.
- 4.3 **21/03318/DETAIL- The Castle House, Sevenoaks Road, Otford KENT TN14 5PB** (Pages 47 - 50) Hannah Donnellan
Tel: 01732 227000
- Details pursuant to condition 2 (roof lights) of planning permission 21/02431/LBCALT.
- 4.4 **21/03246/DETAIL - The Castle House, Sevenoaks Road, Otford KENT TN14 5PB** (Pages 51 - 54) Hannah Donnellan
Tel: 01732 227000
- Details pursuant to condition 3 (window details) of planning permission 21/02431/LBCALT.

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday, 13 December 2021.

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

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

- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

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

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

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

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 18 November 2021 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Ball, Barnett, Perry Cole, Coleman, P. Darrington, Edwards-Winsler, Hogarth, Hudson, Hunter, Layland, McGarvey, Osborne-Jackson, Pett, Purves, Raikes and Reay

An apology for absence was received from Cllr. Brown

Cllr Grint was present via a virtual media platform, which does not constitute attendance as recognised by the Local Government Act 1972.

39. Minutes

Resolved: That the Minutes of the Development Control Committee held on 21 October 2021, be approved and signed as a correct record.

40. Declarations of Interest or Predetermination

Cllr Perry Cole, for reasons of transparency, declared for Minute 44 - 21/03208/NMA - White Oak Leisure Centre, Hilda May Avenue, Swanley, Kent BR8 7BT, that he was the Kent County Council Member for Swanley and would remain open minded.

Cllr Edwards - Winsler, declared for Minute 42 - 21/03097/LBCALT - The Castle House, Sevenoaks Road, Otford Kent TN14 5PB and Minute 44 - 21/03394/DETAL - The Castle House, Sevenoaks Road, Otford Kent TN14 5PB that he was the local ward Member but would remain open minded.

Cllr Hogarth, declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL and Minute 49 - 21/00882/FUL - 1C Wickenden Road, Sevenoaks, Kent TN13 3PL that he had previously looked at the application at the Town Council, but would remain open minded.

Cllr Pett declared, for Minute 45 - 21/03134/HOUSE - 102 Manor Forstal, New Ash Green, Kent DA3 8JQ, that he was the local ward Member but remained open minded.

Cllr Purves declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL and Minute 49 - 21/00882/FUL - 1C Wickenden Road, Sevenoaks, Kent TN13 3PL that she was the local ward Member but would remain open minded.

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Cllr Reay, for reasons of transparency, declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL that he attended a neighbouring property on a regular basis but remained open minded. Cllr Reay also declared for Minute 46 - Objection to Tree Preservation Order (TPO) 3 of 2021 - situated to the north of Pilgrims Way, Kemsing. Between Eastlea to the west and Chalkpit Cottage to the east, that he was predetermined and would not take part in the debate or voting thereon.

Cllr Raikes declared for Minute 48 - 21/01126/FUK - Rear of 49 and 51 Wickenden Road, Sevenoaks, Kent TN13 3PL and Minute 49 - 21/00882/FUL - 1C Wickenden Road, Sevenoaks, Kent TN13 3PL that he had previously looked at the application at the Town Council, but would remain open minded.

Cllr Williamson declared for Minute 47 Objection to TPO 2 of 2021 - situated on Milton Avenue, Badgers Mount, TN14 7AU that he was the local ward Member but remained open minded.

41. Declarations of Lobbying

All Members, except for Cllr P. Darrington declared they had been lobbied in respect of Minute 48 - 21/01126/FUL - Rear of 49a and 51 Wickenden Road, Sevenoaks Kent TN13 3PL.

All Members except for Cllrs. Williamson, Ball, Coleman, P. Darrington, Hudson, Pett and Purves declared they had been lobbied in respect of Minute 46 - Objection to TPO 3 of 2021 - situated to the north of Pilgrim Way, Kemsing. Between Eastlea to the west and Chalkpit Cottage to the east.

All Members except for Cllrs. Ball, Barnett, Hudson, Layland and McGarvey declared they had been lobbied in respect of Minute 47 - Objection to TPO 2 of 2021 - situated on Milton Avenue, Badgers Mount TN14 7AU.

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 matters were considered without debate.

It was moved by the Chairman that the recommendations as set out within the reports be agreed.

42. 21/03097/LBCALT - The Castle House, Sevenoaks Road, Otford KENT TN14 5PB

The proposal sought listed building consent for the conversion of a second floor anteroom into an en-suite bathroom. The application had been referred to the Committee as the applicant was a District Councillor.

Resolved: That listed building consent be granted, subject to the following conditions:

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: PL-010; PL-007; PL-009; Design and Access Statement.

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

43. 21/03394/DETAIL - The Castle House, Sevenoaks Road, Otford KENT TN14 5PB

The proposal sought planning permission for details pursuant to condition 1 (internal gutter) of planning permission 21/02431/LBCALT. The application had been referred to the Committee as the applicant was a District Councillor.

Resolved: That Condition 1 pursuant to 21/02431/LBCALT be approved.

44. 21/03208/NMA - White Oak Leisure Centre, Hilda May Avenue, Swanley KENT BR8 7BT

The application sought permission for the non-material amendment to the approved scheme 19/02951/HYB. The application was referred to Committee as Sevenoaks District Council was the applicant.

Resolved: That the alterations can be treated as a non-material amendment to the approved scheme and no further planning permission be required in this instance.

45. 21/03134/HOUSE - 102 Manor Forstal, New Ash Green, KENT DA3 8JQ

The proposal sought planning permission for the demolition of sunroom with side infill, rear extension and rooflights. The application had been referred to the Committee as the applicant was a District Councillor.

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

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

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

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

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: Drawing No. PL-1691-01.

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

46. Objections to Tree Preservation Order (TPO) 3 of 2021 - Situated to the north of Pilgrims Way, Kemsing. Between Eastlea to the west and Chalkpit Cottage to the east.

TPO 3 of 2021 was served in response to the auctioning of lots at Kemsing Nature Reserve Leisure Plots. Concern had been raised that multiple ownership within a large area would alter the overall amenity benefits that the site currently offered.

Resolved: That TPO 3 of 2021 be confirmed without amendment.

(Having made a declaration of predetermination, Cllr Reay did not take part on voting thereon.)

- 46.1 Objection to Tree Preservation Order (TPO) 2 of 2021 - Situated on Milton Avenue, Badgers Mount, TN14 7AU

TPO 2 of 2021 was served in response to a report of change of ownership of the property and that the new owner intended to remove the mature Oak tree located at the frontage of the dwelling.

Resolved: That TPO 2 of 2021 be confirmed without amendment.

(Cllr Reay did not take part on voting thereon.)

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

47. 21/01126/FUL - Rear Of 49 And 51 Wickenden Road, Sevenoaks, KENT TN13 3PL

The proposal sought planning permission for the erection of a pair of semi-detached dwellings of two-storey design with associated parking, amenity space, bicycle and bin storage. The application had been referred to the Committee by Cllr Clayton and Purves to assess whether the proposal was overdevelopment of the site, its impact upon the character and appearance of the street neighbouring amenities, wildlife and set a precedent.

Members' attention was brought to the main agenda papers. The Committee was addressed by the following speakers:

Against the Application: Deborah Tessier
For the Application: Pete Hadley
Parish Representative: Cllr Clayton
Local Members: Cllr Clayton

Members asked questions of clarification from the Officer. It was confirmed that both dwellings would be required to each have an electric charging point.

It was moved by the Chairman and duly seconded that the recommendations within the report, and condition 6 be amended to include 'each' be agreed.

Members discussed the application and some concerns were raised in regards to flooding and surface water drainage being sufficient for additional properties. Members debated the principle of development on the site and amenity space.

The motion was put to the vote and it was

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

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

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

- 2) No development shall be carried out above damp proof course level of the development hereby approved until details of the external finish materials including rainwater goods to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To 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) A hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works above damp proof course level. The landscaping scheme shall include the following details: a) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible) and size; b) enclosures: including types, dimensions and treatments of walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges; c) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, steps, driveway and if applicable synthetic surfaces; and d) any other landscaping feature(s) forming part of the scheme. All landscaping in accordance with the approved scheme

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shall be completed / planted during the first planting season following practical completion of the development hereby approved or in accordance with a programme agreed with the Local Planning Authority. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

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

- 4) Prior to completion of the development a schedule of biodiversity enhancements that includes a plan showing their locations have been submitted to and approved by the Local Planning Authority and completed in full prior to the occupation of the new dwelling hereby approved. The scheme shall be implemented in accordance with the approved details.

To ensure that the proposed development will enhance biodiversity value of the site, in accordance with Policy SP11 of the Core Strategy and guidance in National Planning Policy Framework.

- 5) No external lighting within the site until details of any form of external lighting has been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination. Any lighting, which is so installed, shall thereafter be maintained and operated in accordance with the approved details and shall not be altered other than for routine maintenance. To maintain the integrity and character of the area as supported by Policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.
- 6) The dwellings hereby permitted shall each provide an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles within the residential curtilage prior to its first occupation and maintained 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.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Classes A, A-A, B, C, F of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried

out or made to the dwelling without the grant of a further planning permission by the local planning authority.

To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development or the amenities of future occupants of the development or the occupiers of adjoining property in accordance with Policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

- 8) The windows in the first floor, east facing elevation(s) 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 the occupants of adjoining properties in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 9) No building shall be occupied until details of permeable surfacing and any surface water drainage provision of the access and parking areas have been submitted to and approved in writing by the local planning authority. All surfacing and any surface water drainage provision shall be carried out in accordance with the approved details and completed prior to the first occupation of the dwelling hereby permitted.

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

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans: 593/A1/01 Rev. A, 593/A1/02 Rev. B, 593/A1/03 Rev. B, 593/A1/04 Rev. B, 593/A1/06 Rev. A.

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

Informatives

- 1) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.
- 2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit www.sevenoaks.gov.uk for further details.

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- 3) The applicant should note that under the terms of The Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species.

You should note that the work hereby granted consent does not override the statutory protection afforded to these and other protected species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Further details can be found at:

<https://www.gov.uk/environmental-management/wildlife-habitat-conservation>

48. 21/00882/FUL - 1C Wickenden Road, Sevenoaks, KENT TN13 3PJ

The proposal sought planning permission for the sub division of land with demolition of existing garage and storeroom to form new two-story dwelling and formation of vehicle access to number 1c. The application had been referred to the Committee by Cllr Clayton and Cllr Purves for the assessment on the impact of the development upon the character and appearance of the street, impact upon the neighbouring properties and these issues were outweighed by the presumption in favour for the development.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

| | |
|--------------------------|------------------|
| Against the Application: | Jacqueline Kiley |
| For the Application: | Sean Millenstead |
| Parish Representative: | Cllr Clayton |
| Local Members: | Cllr Clayton |

Members asked questions of clarification from the speakers and officer. Questions were centred on the possible impact of loss of light to the neighbour. In response to questions Members were advised that a kitchen was considered to be a non-habitable room but a kitchen diner as detailed in the report was considered habitable.

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

Members discussed the application and concern was expressed of the loss of light to the neighbouring property and whether the design was in keeping with the street scene.

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

It was moved and duly seconded that planning permission be refused due to the loss of light on the neighbouring property.

Resolved: That planning permission be refused on the grounds that the proposed development would result in loss of light to the adjacent ground floor windows of No. 1 Nursery Close contrary to Policy EN2 of the Sevenoaks Allocations and Development Management Plan and Section 5 of the Sevenoaks Residential Extensions Supplementary Planning Document.

THE MEETING WAS CONCLUDED AT 8.46 PM

CHAIRMAN

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4.1 21/02144/FUL

Revised expiry date 10 September 2021

Proposal: Demolition of existing building and erection of an apartment block containing 7 flats (6 x 2 bedroom & 1 X 3 bedroom) with basement car park and associated cycle parking, refuse storage facilities and amenity areas.

Location: Sunny Hatch, 91 Hitchen Hatch Lane, Sevenoaks KENT TN13 3BD

Ward(s): Sevenoaks Town & St Johns

Item for decision

Councillor Fleming has referred the application to Development Control Committee on grounds of impact on neighbouring amenity and access arrangements

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

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 103-PD-03, 103-PD-04 and the Design & Access Statement received 01/07/2021 along with the amended plans 103-PD-01 REV G, 103-PD-02 REV E and 103-PD-05 REV B all received 14/09/2021.

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

3) No flat shall be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:

-planting plans - identifying existing planting, plants to be retained and new planting (including more planting to the north east of the site);

-schedules of new plants (noting species, size of stock at time of planting and proposed number/densities where appropriate); and

-a programme of implementation and protection of the proposed soft landscaping for a minimum of 5 years.

All hard and soft landscape works shall be carried out in accordance with the approved details and programme of implementation.

To preserve the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan and part H04 of the

Sevenoaks Residential Character Area Assessment.

4) The development hereby permitted shall not be used or occupied until the visibility splays shown on the approved site plan have been provided and anything which obstructs visibility at any height greater than one metre above the surface of the adjoining carriageway has been removed. Thereafter the visibility splays shall be maintained free from obstruction at all times.

In the interest of highway safety.

5) No development above the damp proof course shall take place until details of the proposed traffic light system for the basement parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully operational prior to first occupation and retained thereafter.

In the interest of highway safety and to accord with policy T2 of the ADMP.

6) No development, including any works of demolition or preparation works prior to building operations, shall take place on site until a Construction and Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include details of: (a) Parking for vehicles and turning areas for construction and delivery vehicles and site personnel, operatives and visitors, (b) Loading and unloading of plant and materials, (c) Storage of plant and materials used in constructing the development, (d) Programme of works, (e) Provision of boundary security hoarding behind any visibility zones, (f) Wheel washing facilities, (g) Measures to control the emissions of dust and dirt during construction, (i) Hours of operation, (j) Temporary traffic management / signage, (k) Routing of construction and delivery vehicles to / from site, (L) Timing of deliveries. The development shall be carried out in accordance with the approved construction management plan and details.

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan and the amenity of local residents in accordance with policy EN2 of the Sevenoaks Allocation and Development Management Plan.

7) The dwelling hereby permitted shall provide an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles within the residential curtilage prior to its first occupation and maintained thereafter.

To allow for the use of low carbon emission vehicles and to accord with policy T3 of the ADMP.

8) No development above damp proof course shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

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

and Development Management Plan.

9) Notwithstanding the parking layout shown on drawing 103-PD-02 REV E, details of revised parking layout shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development above damp proof course.

To ensure suitable parking provisions are provided in accordance with policy T2 of the ADMP.

10) Prior to completion of the development a schedule of biodiversity enhancement that includes a plan showing their locations shall be submitted to and approved by the Local Planning Authority and completed in full prior to the occupation of the any dwelling hereby approved. The scheme shall be implemented in accordance with the approved details.

To provide opportunities to conserve and enhance biodiversity on the site, in accordance with Policy SP11 of the Core Strategy.

Informatives

- 1) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer
- 2) 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.
- 3) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4) It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.
- 5) It is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.
- 6) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the

processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

- 1 The application site comprises of a detached two-storey property set back from the street and on a higher plot than the road. The property is constructed from brick with a tiled roof; it is currently obscured courtesy of the dense tree cover to the street front. It is accessed by a steep and curved driveway directly off Hitchen Hatch Lane, which is a straight residential road with a moderate to low level of traffic.
- 2 The property is located within an existing residential area with a number of flats in the local vicinity either already occupied or under construction, with the general design, scale and character of the local area being mixed and non-uniform. The application site is generously spaced away from neighbouring buildings and benefits from mature, dense vegetation to all borders. It is located within the Sevenoaks Urban Confines and is within walking distance to an abundance of services and provisions.

Description of proposal

- 3 The proposal is to demolish the existing property and constructed 7 flats within one apartment building. The flats will be set over 4 floors with an underground basement for vehicular parking. The proposed design is that of a hipped roof building with two main fronting gable projections and a smaller central gable projection for the hall and staircase.

Relevant planning history

- 4 There is no planning history at this site that is relevant to the current application.

Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.
- 7 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
 - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

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

8 Core Strategy (CS)

- LO1 Distribution of Development
- LO2 Development in Sevenoaks Urban Area
- SP1 Design of New Development and Conservation

9 Allocations and Development Management Plan (ADMP)

- N1 Design Principles
- EN2 Amenity Protection
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Design of New Development and Conservation

10 Other:

- National Design Code

Constraints

11 The following constraints apply:

- Sevenoaks Urban Confines

Consultations

12 Sevenoaks Town Council

13 Recommend approval, though a proper landscaping plan will be required to replace some of the lost trees. It would be prudent for the developer to provide two visitor additional parking spaces for visitors.

14 Thames Water

15 No objection with regard to waste water or sewage treatment. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Agenda Item 4.1

- 16 Request for informatives - see full comments online.
- 17 KCC Highways
- 18 Following amended plans and additional information - Visibility splays have been illustrated. This is acceptable and should be conditioned appropriately.
- 19 Note that the access has been widened to 5 metres and, and the previously denoted parking space at the access has been removed. This enables two cars to pass at the access, should another be exiting the car park. The traffic light system is an appropriate method of managing the access, further details of which can be secured by condition.
- 20 Note comments regarding delivery vehicles and accept that deliveries can be accommodated on street.
- 21 A dedicated pedestrian footway has been included, which is acceptable.
- 22 Remaining concerns regarding the layout of the basement car parking, making movements extremely tight.
- 23 KCC Archaeology
- No comments to make.
- 24 SDC Arboriculture
- 25 There are no protected trees located at this property and it is not situated within a conservation area. Existing trees would not be considered to be worthy of protection due to their poor form or poor condition. This is unfortunate as those trees present provide effective screening for this property from the road and from the neighbouring properties. However, they are not of sufficient amenity value to prevent this development from proceeding. Should you be of a mind to grant consent I recommend that landscaping be a condition of consent being granted.

Representations

- 26 4 letters of objection have been received relating to the following issues:
- Loss of trees in an area where tree cover is characteristic.
 - Significant loss of trees.
 - The existing property is currently relatively unobtrusive. The proposed building will be 5 metres closer to the south boundary.
 - It will dominate and significantly overlook from the proposed balconies to the rear (south).
 - Impact on number 91A has been ignored in the Design and Access Statement.
 - Impact of noise from the use of the balconies.
 - Proposed tree to the southeast corner is too close to the boundary.
 - Nearest point of existing building is single storey. This will change to four storeys.

- 27 1 letter of support has been received relating to the following points:
- It is in keeping with the changing nature of the immediate vicinity, as a cluster of low rise, small and medium size apartment buildings.
 - Provides much needed housing within easy walking distance of both the station and town centre
 - Property sits nicely within the site and maintains an attractive streetscape

Chief Planning Officer's appraisal

- 28 The main planning consideration are:
- Principle of development
 - Design and impact on the character and appearance of the area
 - Impact on residential amenity
 - Arboriculture impact
 - Impact on highway safety and parking provision

Principle of the development

- 29 With regard to adopted policies within the Council's Development Plan, policy LO1 and LO2 of the Core Strategy outline that new development in the district will be focused within the built confines of existing settlements. With the primary focus for new development in the Sevenoaks urban area.
- 30 The application site is within the built confines of Sevenoaks, and as such, there is a presumption in favour of development. The development of this site would make a welcome, contribution to the housing provision within the district. The application site also located near an abundance of services and provisions making the location evermore sustainable.
- 31 It is recognised that the site is located within the built confines of Sevenoaks and it is clear that development plan policies seek to maximise the potential of such sites. It is especially important within Sevenoaks District where the majority of the District falls within the Green Belt. Moreover, the surrounding area is predominantly residential in character and there are other examples of flats in the local and immediate vicinity. This proposal is considered to be acceptable in land use terms provided the scheme complies with all other relevant development plan policies.
- 32 It should be noted that paragraph 11d of the NPPF and titled balance applies to this site when assessing residential schemes in urban locations.
- 33 *"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

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- 34 Members will be able that be aware that our Local Plan is out of date for the most important policies that have (i.e., housing) and that we cannot demonstrate a five year housing supply. Therefore, the titled balance is engaged. In addition, under the Housing Delivery Test, as we only delivering 70% of our five year housing supply, we have now been placed in the bracket of a Presumption Authority. **Therefore, applications bringing forward residential development in urban locations, such as this site should be approved, even if some harm is identified.** Applications can only be refused if the harm is so significant and demonstrable that it would outweigh the benefits of delivering much needed housing. Therefore, as a matter of principle the proposed development is acceptable.
- 35 Policy SP7 of the Core Strategy is relevant to density and states that all new housing will be developed at a density consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. The proposed development will result in a density of over 70 dwellings per hectare. The development makes efficient use of the land and its similar to that approved at 97 Hitchen Hatch Lane and the site opposite the application site. Therefore such density would not be harmful to the local area.

Design and impact on the character and appearance of the area

- 36 Policy EN1 of the Allocations and Development Management Plan (ADMP) is for general design principles, it requires proposed development to respond to the scale, height and materials of the area. The policy also outlines the requirement for suitable landscaping, crime prevention design and measures, suitable drainage measures.
- 37 Context
- 38 The application site comprises of a two storey mid-20th century building constructed from brick. It features a hipped roof with a front gable projection. The existing dwelling is not visible from the streetscene and neither detracts or adds to the character of the area.
- 39 The application site is surrounded by other residential uses, though they are mixed in size and form. To the south (rear) is a single storey L-shaped dwelling (no.91A) sited close to the border with the application site and its outdoor amenity space to the south side. Next to the application site resides number 93 which is a large dwelling seemingly constructed early to mid-20th century also. Further round Hitchen Hatch Lane, and to the other side of number 91A is number 97 which has been replaced by a set of flats, by the same developer as this application, of a similar design to the proposal at number 91. Then to the east side resides a large, squared footprint, building of Burlington Place which accommodates numerous flats. Lastly, opposite the application site resides a new flat development currently under construction.
- 40 The site falls within the Hitchen Hatch (H04) part of the Sevenoaks Residential Character Area Assessment (SRCAA). This outlines that the area is primarily made up of individually designed two storey properties that are setback from the road with vegetation screening the properties. It states

that new development should be setback from the street and should retain, or replace, vegetation.

- 41 Assessment
- 42 The proposal is for a four storey building to replace the existing dwelling on site. This building that will house 7 flats will be constructed from brick with a rendered centre. It features two main forward projecting gables with a narrower central projection for the stairwell. To the rear there will be a further two projecting gables containing balconies for the first, second and third floors. The building will feature a hipped roof design and will include an underground parking area.
- 43 The proposed building will be sited away from the street front and thus accords with the character of the area, as outlined in part H04 of the SRCAA. The form and scale is also reflective of other developments in the area and is comparatively small compared to Burlington Place. Despite the increase in the height, the proposed building will be no taller than the neighbouring buildings of number 93 and Burlington Place due to the siting within the terrain, the levelling of the plot and the fact these neighbouring plots are on a higher level. In terms of the design, the proposal is reflective of the area without being generic, it incorporates a simple form yet includes forward projections to add some visual character and ‘breaks up’ the massing through the use of a render inner section to the front. The proposed building includes a mix of traditional and more contemporary materials in a good balance that will retain the character of the area.
- 44 In terms of landscaping, part H04 of the SRCAA outlines that brick walled driveways have unduly urbanised the area and streetscene. The proposed development will not include any more hardstanding than necessary and seeks to utilise the existing access as much as possible whilst making it more useable through lessening the steep incline. As for the loss of natural screening proposed, this will be assessed later in the report.
- 45 In summary it is considered that the proposed development is reflective of the design, siting, scale and material palette of the area. Therefore, the proposal is considered to accord with policy EN1 of the ADMP.

Impact on residential amenity

- 46 The application site is within an existing residential area and has other properties and flats to either side and to the rear. Policy EN2 of the ADMP requires proposals to safeguard the amenities of existing and future occupants of nearby properties by ensuring that development does not result in excessive noise, vibration, odour, air pollution, overlooking or loss of light.
- 47 The loss of privacy and overlooking is one of the main objections to the scheme. The Council does not have any specific local privacy standards or distances, set out in any local plan policy or supporting SPD. Historically we have used a distance of 21 metres, as a rule of thumb, from previous iterations of the Kent Design Guide dating back to the 1990s. However, the NPPF now requires use of the National Model Design Code where no local

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design guide exists covering the relevant aspect. Therefore, we have to now use the National Model Design Code for assessing the impact of development on residential amenity in terms of potential loss of privacy and overlooking.

- 48 A number of objections have been received regarding the impact on neighbouring amenity particularly for number 91A. This property is a single storey L-shaped dwelling with an attached garage, number 91A sits on a lower plot than the application site and the border is delineated by dense trees and hedgerows. Number 91A has a small strip to the rear (north) of the dwelling between it and the application site with the garden area and the majority of the windows serving primary living spaces to the south side and away from the application site.
- 49 In terms of separation distances, the rear windows/balconies of the proposed development are approximately 10m away from the rear of number 91A. The rear of the neighbouring property contains a bathroom window, utility room and two windows serving a kitchen dinner. These ground floor windows exist face onto a small strip of land and the extensive hedging on the boundary. It is then approximately 23m to the garden area and primary habitable rooms on the other side of the dwelling. The National Model Design Code Guidance outlines separation distances of 15m to 20m for windows facing garden areas and/or primary habitable rooms i.e. a living room. In this case the separation distance to the outdoor amenity (garden) area is in excess of the minimum standard with the dwelling of number 91A obscuring the view as well.
- 50 The proximity to the rear (north) windows and the strip to the rear of number 91A is less than the recommended separation distances, however, all applications should be assessed on their own merits. In this case, the siting of number 91A at a noticeably lower level and the presence of mature screening (which can be bolstered/retained through conditions) ensures that it will not be possible to overlook these rear windows of number 91A. In fact, all that will be visible is the roof slope of the dwelling and little else. It is accepted there will be an increase in height and of course number of floors and understandably concerns have been raised regarding this. Nevertheless, due to the level change between the plots, and the acute angle from the upper floors down to the nearest part of the neighbouring dwelling, it will not be possible to overlook the occupiers and cause a loss of privacy. Therefore, it is considered that there will not be a significant loss of privacy or overlooking resulting to 91A.
- 51 Due to the orientation of number 91A and the siting of the proposed development to the north it is also considered that the development will not result in a loss of sunlight and daylight.
- 52 In summary, overlooking towards number 91A (if any) will be minimal and is not considered substantial or significant enough to warrant a refusal under paragraph 11d of the NPPF which is for the presumption of sustainable development.
- 53 With regard to overlooking of the other neighbouring properties, the application site is located between number 93 and Burlington Place. The

proposed building features one window per flat on each side and two for flat 7 on the top floor. The first-floor inter-window separation tonono.93 is approximately 16-17m. This is considered to fall within the National Model Design Code Guidance and is acceptable. As for Burlington Place the window to window distance being is approximately 14-15m. It should also be noted there is an abundance of screening from mature and dense vegetation both sides of the application site. Therefore, these distances are considered to preserve the amenity of neighbouring occupiers in accordance with policy EN2 of the ADMP and the National Model Design Code Guidance.

- 54 With relation to amenity for the proposed occupiers of the development, each flat receives natural light to every habitable room i.e. bedroom, kitchen and living room, and will allow for ample ventilation. The layout and orientation of the flats are considered acceptable and all meet the requirements of the nationally described space standards document.
- 55 In conclusion, the proposed development will protect neighbour amenity whilst allowing for suitable amenity of the proposed occupiers. The proposal is therefore considered to accord with policy EN2 of the Allocations and Development Management Plan as well as relevant material considerations including national space standards and National Design Code Guidance.

Arboriculture impact

- 56 Numerous comments have been received regarding the loss of trees and to an extent inappropriate siting of new trees. This has been reviewed and it is noted that the loss of trees is unfortunate as natural screening is characteristic of the area, as outlined in part H04 of the Sevenoaks Residential Character Area Assessment. The proposed trees to be removed are of little visual amenity value to the local area and were not considered sufficient quality to be protected by a tree preservation order. The tree officer raises no objection the extent of the tree loss, subject to replacement planting being secured and implemented. Consequently, a condition has been included for a comprehensive landscaping scheme, detailing the exact numbers, species and locations of all trees and hedgerows, as well bolstering up existing boundary treatment. The landscaping scheme to be submitted would supersede the suggested tree planting and therefore concerns over the proposed new planting can be controlled by condition.

Impact on highway safety and parking

- 57 Policies EN1 and T2 state that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. The proposed development seeks to alter the existing steep access to the site by intermittently lowering the access via ramps to create a steadier level change. The proposal also seeks to construct a pedestrian access that is separate to the vehicular access. The parking area will be located in a basement under the proposed building.

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- 58 In terms of highway safety, the developer has submitted amended plans to address comments from KCC Highways. These now detail visibility splays, a segregated pedestrian and vehicular access, surfacing materials and more details regarding the ramps. All of this has been reviewed by KCC Highways and their updated comments confirm the development will maintain highway safety for all users.
- 59 The underground parking includes 8 spaces, which for a 7 unit building in a town centre location is sufficient in accordance with Appendix 2 of the ADMP which requires one space per unit. The Parish Council outlined that two additional spaces for visitors would be useful, however, this is not considered necessary due to the accessibility of the site via means other than private cars and the presence of nearby car parks and designated on road parking on Hitchen Hatch Lane. KCC Highways still have concerns that the underground parking is tight and it appears that not all the space within the basement is being utilised, so a revised parking layout is being sought by condition.
- 60 Policy T3 also requires new development to include electric vehicle charging infrastructure, this has not been detailed currently and is therefore conditioned.
- 61 Overall, the proposed development is considered to accord with policy T2, and subject to conditions T3 as well. Consequently, the proposal will preserve highway safety for all users and will provide sufficient parking provisions.

Other issues

- 62 Thames Water has commented regarding use of public sewers and have requested an informative to be included on the decision notice.

Community Infrastructure Levy (CIL)

- 63 The proposal is CIL liable.

Conclusion

- 64 The proposal is considered acceptable in principle due to its compliance with policies LO1 and LO2 of the Core Strategy. Additionally, by virtue of its siting, design and use of sympathetic materials the development will preserve the character of the area and will accord with policy EN1 of the ADMP, Section 12 of the NPPF and part H04 of the Sevenoaks Residential Character Area Assessment. The proposal will maintain highway safety for all users and provides sufficient parking. It is considered that the development will result in limited harm to neighbour amenity and that it does not outweigh the presumption of sustainable development outlined in paragraph 11 of the NPPF. The development will contribute to the housing stock in the district and should be approved.
- 65 It is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

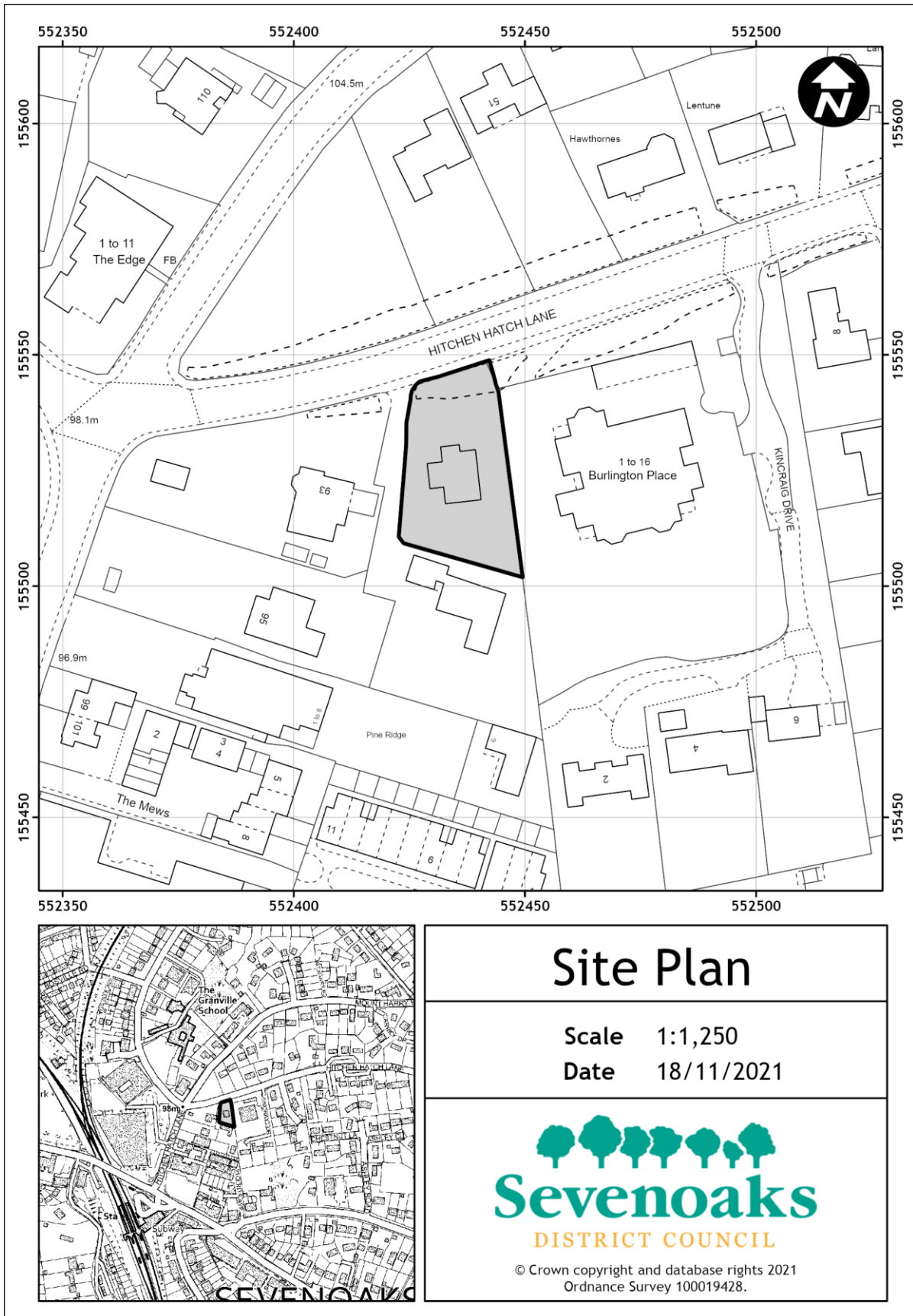
Contact Officer(s):

Ashley Bidwell: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



BLOCK PLAN



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4.2 21/03546/CONVAR Date expired 24 January 2022

Proposal: Variation of condition 10 of permission 19/02951/HYB to allow for a temporary car park layout using part of the existing car park, until the old leisure centre is demolished for the new car park.

Location: White Oak Leisure Centre, Hilda May Avenue, Swanley
KENT BR8 7BT

Ward(s): Swanley White Oak

Item for decision

The reason that the application is before the Development Control Committee is because Sevenoaks District Council is the applicant for the application.

RECOMMENDATION: That planning permission be **GRANTED** for the variation of Condition 10 of planning permission 19/02951/HYB as follows:

“Prior to the first use of the leisure centre, the temporary parking spaces shown on 169-SBA-XX-XX-DR-A-0535 Rev C2 shall be made available to users of the leisure centre for a temporary period until such time as the vehicle parking spaces shown on the approved plan 1689 SBA-XX-XX-DR-A-0501N (as amended under non-material amendment 21/00635/NMA and 21/03208/NMA) shall be provided. The latter shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

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

Grant Planning Permission subject to the following conditions:

1) The levels for the leisure centre development shall be in accordance with those shown on the approved plans drawing numbers 1689 SBA-XX-XX-DR-A-101D, 1689 SBA-XX-XX-DR-A-0202B, 1689 SBA-XX-XX-DR-A-0203E, 1689 SBA-XX-XX-DR-A-0204D and 1689 SBA-XX-XX-DR-A-511A or alternative levels details of which shall be submitted to and approved in writing by the local planning authority.

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

2) Details of the residential development relating to the layout, scale and appearance of the proposed buildings, and the landscaping of the site (hereinafter

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called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development is commenced.

No such details have been submitted.

3) The application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of planning permission 19/02951/HYB. The development hereby permitted shall be begun no later than the expiration of two years from the date of approval of the last of the reserved matters.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: 1689 SBA-XX-BO-DR-A-009A, 1689 SBA-XX-00-DR-A-010K, 1689 SBA-XX-01-DR-A-011E, 1689 SBA-XX-02-DR-A-012F, 1689 SBA-XX-XX-DR-A-101D, 1689 SBA-XX-XX-DR-A-0202B, 1689 SBA-XX-XX-DR-A-0203E, 1689 SBA-XX-XX-DR-A-0204D, 1689 SBA-XX-XX-DR-A-0501N (as amended by the non-material amendments approved by the local planning authority under references 21/00635/NMA and 21/03208/NMA), 1689 SBA-XX-XX-DR-A-502C, 1689 SBA-XX-XX-DR-A-508E, 1689 SBA-XX-XX-DR-A-0510B, 1689 SBA-XX-XX-DR-A-511A and SK21957-001.

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

5) Unless carried out in accordance with the materials approved by the local planning authority on 11.01.2021 under decision reference 20/03351/DETAIL, samples of the materials to be used in the construction of the external surfaces of the new leisure centre building shall be submitted to and approved in writing by the local planning authority prior to installation. The development shall be carried out using the approved materials.

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

6) No development shall be carried out relating to the new residential development until full details of the materials to be used in the construction of the external surfaces of the new residential development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

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

7) Unless carried out in accordance with the details of landscaping works approved by the local planning authority on 30.09.2020 under decision reference 20/02417/DETAIL, full details of landscape works shall be submitted to and

approved in writing by the local planning authority prior to first use of the new leisure centre building. Those details shall include:- hard landscaping plans (identifying any existing hard standing, new hard standing and details of surfacing materials);- existing boundary treatment to be retained and all proposed boundary treatment; - planting plans (identifying existing planting, plants to be retained and new planting);- a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities);- appropriate pruning works to retained trees;- tree protection measures to be installed during construction; and- a programme of implementation. The development shall be carried out in accordance with the approved details.

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

8) If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die for both the new leisure centre and the residential development are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

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

9) The development shall be implemented in accordance with the (i) archaeological field evaluation approved by the local planning authority on 16.06.2020 under reference 20/00933/DETAIL and (ii) the further archaeological investigation approved by the local planning authority on 26.10.2020 under reference 20/02560/DETAIL.

To ensure that features of archaeological interest are properly examined and recorded in accordance with the National Planning Policy Framework.

10) Prior to the first use of the leisure centre, the temporary parking spaces shown on 169-SBA-XX-XX-DR-A-0535 Rev C2 shall be made available to users of the leisure centre for a temporary period until such time as the vehicle parking spaces shown on the approved plan 1689 SBA-XX-XX-DR-A-0501N (as amended under non-material amendment 21/00635/NMA and 21/03208/NMA) shall be provided. The latter shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

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

11) The provision of parking spaces for the proposed residential development shall be in accordance with the Kent Residential Parking Standards (IGN3) and permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

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

12) Unless carried out in accordance with the details approved by the local planning authority on 29.04.2020 under decision reference 20/00934/DETAIL, prior to the first occupation of the new leisure centre building, details of the secure, covered cycle parking facilities for the development shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved cycle parking facilities shall be maintained thereafter.

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

13) Prior to the first occupation of the new residential development, details of secure, covered cycle parking facilities for the development shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved cycle parking facilities and shall be maintained thereafter.

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

14) Prior to the first use of the permanent car park to serve the new leisure centre, visibility splays of 33m x 2.4m x 33m shall be provided and maintained thereafter at the vehicular access to serve the development, with no obstructions over 1.05m above carriageway level within the splays. These shall be carried out in accordance with the details approved by the local planning authority on 29.04.2020 under decision reference 20/00935/DETAIL.

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

15) Prior to the first use of the new residential development, visibility splays of 33m x 2.4m x 33m shall be provided and maintained thereafter at both respective vehicular access to serve the development, with no obstructions over 1.05m above carriageway level within the splays.

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

16) Unless carried out in accordance with the Travel Plan approved by the local planning authority on 5.10.2020 under decision reference 20/02206/DETAIL, the leisure centre shall not be brought into use until a Travel Plan to reduce dependency on the private car has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include objectives and modal-

split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

To reduce dependency on the private car as supported by the National Planning Policy Framework.

17) The construction of the new leisure centre shall be carried out in accordance with the details approved by the local planning authority on 29.04.2020 under reference 20/00936/DETAIL, unless an alternative Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include the following:(a) Routing of construction and delivery vehicles to / from site(b) Parking and turning areas for construction and delivery vehicles and site personnel(c) Timing of deliveries(d) Provision of wheel washing facilities(e) Temporary traffic management/signage. The Construction Management Plan shall be fully adhered to during the course of the construction phase.

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

18) Prior to the commencement of residential development on the site a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan shall include the following:(a) Routing of construction and delivery vehicles to / from site(b) Parking and turning areas for construction and delivery vehicles and site personnel(c) Timing of deliveries(d) Provision of wheel washing facilities(e) Temporary traffic management/signage. The Construction Management Plan shall be fully adhered to during the course of the construction phase.

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

19) Unless carried out in accordance with the details approved by the local planning authority on 22.03.2021 under decision reference 21/00292/DETAIL, prior to the first occupation of the new leisure centre development details of the electric charging points to be provided for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

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

20) Prior to the first occupation of the new residential development details of the electric charging points to be provided for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

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

21) From the commencement of the development, all measures will be carried out as detailed within section 6.1.2 of the Preliminary Ecological Appraisal & Bat Emergence Survey (Ecologic September 2019).

To ensure the long term retention of bats on the site and in the local area in accordance with policy SP11 of the Sevenoaks Core Strategy.

22) Unless an alternative scheme is submitted to and approved in writing by the local planning authority, the development shall be carried out in accordance with details of how the development will enhance biodiversity approved by the local planning authority on 30.09.2020 under decision reference 20/01653/DETAIL. The submitted details shall include integrated bird nesting bricks and the planting of native species. The approved details shall be implemented and thereafter retained.

To ensure the development provides a net gain to biodiversity enhancements as supported by the National Planning Policy Framework.

23) If emptying the swimming pools into a public sewer the pools shall be emptied overnight in dry periods and the discharge rate shall not exceed a flow rate of 5 litres/second into the public sewer network.

To avoid overloading the drainage system in accordance with the National Planning Policy Framework.

24) Unless carried out in accordance with the details approved by the local planning authority on 04.06.2020 under decision reference 20/00937/DETAIL, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of works on the drainage scheme. The detailed drainage scheme shall be based upon the Drainage Strategy dated October 2019 by Furness Partnership and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters. - appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk

of on/off site flooding as supported by the National Planning Policy Framework.

25) Prior to the commencement of the works to erect the new residential development, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy dated October 2019 by Furness Partnership and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding as supported by the National Planning Policy Framework.

26) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the local planning authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of the National Planning Policy Framework.

27) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the local planning authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

To protect vulnerable groundwater resources and ensure compliance with the

National Planning Policy Framework.

28) Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

To avoid the potential risks associated with the use of piling where contamination is an issue as supported by the National Planning Policy Framework.

29) 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, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority.

To avoid the potential for unexpected contamination impacting the development in accordance with the National Planning Policy Framework.

30) On completion of the works to construct the permanent car park (part 2 of the leisure centre site), a contamination validation report, demonstrating that all remedial and precautionary measures have been taken during the course of construction, shall be submitted to and approved in writing by the local planning authority. [The contamination validation report relating to the works to construct the new leisure centre (part 1 of the leisure centre site) was approved by the local planning authority on the 08.10.2021 under decision reference 21/02060/DETAIL].

To demonstrate that the development has not caused contamination to the site in accordance with the National Planning Policy Framework.

31) On completion of the works to construct the new residential development a ground contamination validation report, demonstrating that all remedial and precautionary measures have been taken during the course of construction, shall be submitted to and approved in writing by the local planning authority.

To demonstrate that the development has not caused contamination to the site in accordance with the National Planning Policy Framework.

32) During the operation of the leisure centre building, the level of music emitted from the site measured as an LAeq,T shall not be less than 10 dB below the background sound level (measured as LA90,T) at any time. In addition, the music emitted measured as Leq,T in the 63 Hz and 125 Hz octave bands, shall not be less than 10 dB below the corresponding background sound level (measured as L90,T) in these octave bands. All measurements shall be made at the nearest residential receptor to the site.

To safeguard the residential amenity of the occupiers of existing and proposed nearby properties as supported by the National Planning Policy Framework.

33) During the operation of the leisure centre building, the Rating Level (determined as defined in BS 4142:2014 Methods for rating and assessing industrial and commercial sound, at the nearest residential receptor) of noise from all plant, operating at its maximum design duty shall not exceed the Background Sound Level at any time.

To safeguard the residential amenity of the occupiers of existing and proposed nearby properties as supported by the National Planning Policy Framework.

34) Unless carried out in accordance with the details approved by the local planning authority on 14.09.2020 under decision reference 20/02108/DETAIL, prior to the first use of the new leisure centre building, details of mitigation measures to minimise the impact of vehicle emission on the nearby Air Quality Management Area shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.

To avoid increasing vehicle emissions within the Air Quality Management Area as supported by the National Planning Policy Framework.

35) Unless carried out in accordance with the details approved by the local planning authority on 19.02.2021 under decision reference 21/00064/DETAIL, prior to the first occupation of the new leisure centre development, full details of a lighting scheme for the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To safeguard the character and appearance of the area and the residential amenity of the occupiers of existing and proposed nearby properties as supported by policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

36) Prior to the first occupation of the new residential development full details of a lighting scheme for the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To safeguard the character and appearance of the area and the residential amenity of the occupiers of existing and proposed nearby properties as supported by policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

37) Unless carried out in accordance with the details approved by the local planning authority on 08.06.2021 under decision reference 21/00114/DETAIL, prior to the first occupation of the new leisure centre building, a scheme for crime prevention shall be submitted to and approved in writing by the local planning

authority. The development shall be carried out in accordance with the approved details.

In order to design out crime within the development and the surrounding area as supported by the National Planning Policy Framework.

38) Prior to the first occupation of the new residential development a scheme for crime prevention shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

In order to design out crime within the development and the surrounding area as supported by the National Planning Policy Framework.

39) No development shall be carried out in relation to the new residential development until full details of the required alterations to the White Oak Indoor Bowls Centre building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To safeguard the character and appearance of the area and the residential amenity of the occupiers of existing and proposed nearby properties as supported by policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

National Planning Policy Framework

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

Description of site

- 1 The application site is the site of the White Oak Leisure Centre, which is currently under redevelopment. It is sited on a large irregular shaped plot at the junction of Hilda May Avenue and Garrolds Close in Swanley. The site lies to the northeast of London Road, approximately 400m to the north-west of Swanley Town Centre.

Description of Proposal

2 The application seeks approval for the variation of Condition 10 of Hybrid Planning Permission 19/02951/HYB, which granted approval for a new leisure centre (approved in detail) and residential development (approved in outline), as described in the planning history below.

3 Condition 10 of the hybrid planning permission requires that:

“Prior to the first use of the leisure centre the vehicle parking spaces shown on the approved plan 1689 SBA-XX-XX-DR-A-0501N shall be provided and permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

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

4 The plan referred to in the Condition is the approved Proposed Site Plan, which shows the new leisure centre (currently nearing completion) in the southern part of the site with the permanent car park to the north east, accessed via Hilda May Avenue. The permanent car park is in the location of the existing White Oak Leisure Centre that is to be closed and demolished as part of the proposals. The demolition of the existing Centre to make way for the car park will not, however, happen until the new leisure centre is open. This phasing of the build programme means that the vehicle car parking spaces shown on the approved plan cannot practically be provided before the intended date of the opening of the new leisure centre in early 2022.

5 The applicant is therefore seeking an amendment to Condition 10 to allow for a temporary car parking arrangement until the existing leisure centre can be demolished and the permanent car park laid out. The temporary parking arrangement would make use of existing spaces serving the leisure centre and adjoining Bowls Club (broadly to the west /northwest of the new leisure centre), as well as the new car parking area on the west side of the new leisure centre building and two spaces at the north eastern corner of the site. These spaces are within the ownership of Sevenoaks District Council. The applicant has confirmed that agreement has been made with the Bowls Club over shared use of their spaces on the southern side of the Bowls Club.

6 While there was some discrepancy in the parking numbers submitted with the application, the applicant has clarified that the temporary car park would provide a total of 106 spaces, comprising nine accessible parking spaces and 97 standard spaces. This compares to the 144 spaces to be provided as part of the permanent layout, including 12 accessible spaces.

7 With the exception of the two spaces at the northeast corner of the site, access to the car park would be via Garrolds Close (past the Bowls Centre frontage) from Hilda May Avenue. Pedestrian access to the leisure centre

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from the car park areas would utilise footpaths along Garrolds Close and Hilda May Avenue.

Relevant planning history

- 8 The principal decisions of relevance to the current application are:
- 9 19/02591/HYB Hybrid application comprising, in outline: residential development of between 35 and 40 residential units - residential mix to be either 2 or 3 bed units with integral or on-street parking. Units to be either 2 or 3 storeys high. In detail: demolition of existing leisure centre building and erection of replacement leisure centre and associated car park.
GRANTED 14.02.2020
- 10 21/00635/NMA Non-material amendment to 19/02951/HYB. APPROVED 30.04.2021
- 11 21/03208/NMA Non-material amendment to 19/02951/HYB. APPROVED 19.11.2021

Legislation / Policies

- 12 Town and Country Planning Act 1990 (as amended):
- Section 73: Determination of applications to develop land without compliance with conditions previously attached.
- 13 National Planning Policy Framework (NPPF):
- NPPF, Chapter 9: Promoting Sustainable Transport
- 14 Allocations and Development Management Plan (2015):
- Policy T1 - Mitigating Travel Impact
 - Policy T2 - Vehicle Parking
- 15 Other:
- Planning Practice Guidance (PPG): Flexible Options for Planning Permission - Amending the conditions attached to a permission including seeking minor material amendments (application under Section 73 TCPA 1990)

Consultations

- 16 Overall expiry date: 29 November 2021
- 17 Swanley Town Council: No response.
- 18 KCC Highways and Transportation: No objection raised.
- 19 SDC Environmental Protection: No objection raised.
- 20 Public Realm Commissioner: No comment received.

Representations

- 21 213 consultees. No public comments received on the amendments.

Chief Planning Officer's appraisal

- 22 Section 73 of the Town and Country Planning Act 1990 (as amended) allows applicants to seek planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted; in effect, to vary or remove a condition. The PPG confirms that a planning permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. Applicants are then at liberty to choose which permission is implemented.
- 23 Section 73(2) confirms that, in determining an application to vary or remove a condition, the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted. It can then decide either that:
 - a. planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, or
 - b. if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, refuse the application.
- 24 In this case, the principle of the redevelopment of the White Oak Leisure Centre is established and conditions were attached to the planning permission to regulate or mitigate the impacts of development.
- 25 The main planning consideration relates, therefore, to the purpose of Condition 10 and whether amending the Condition to allow for a temporary car parking arrangement would be acceptable in relation to parking provision and traffic and travel impacts.

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- 26 Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Parking provision

- 27 Policy T2 of the ADMP confirms that vehicle parking in connection with non-residential developments should be made in accordance with advice by Kent County Council as Local Highway Authority.
- 28 The number of car parking spaces provided over the temporary construction period would be reduced from a total of 144 to 106 (-38 spaces), with accessible spaces also reduced from 12 to 9 (-3 spaces). There would be also be some sharing of spaces with the neighbouring Bowls Club.
- 29 The Transport Assessment (SK Transport Planning, 2019) submitted with the hybrid planning application included a survey of parking demand within the existing leisure centre car park. This survey showed that the maximum demand for parking during the core leisure centre opening hours was for 91 spaces between 18:00 and 19:00; the next highest being 73 between the hours of 17:00 and 18:00; followed by 47 between 16:00 and 17:00 hours. Using this data as a benchmark for future car parking usage, whilst there would be a reduction in available car parking for a temporary period, the provision would be adequate to accommodate the parking demand generated by the leisure centre.
- 30 Having regard Policy T2, KCC Highways and Transportation has raised no objection, stating that; ... *“I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.”*
- 31 The site is sustainably located, close to Swanley town centre and the transport links associated with it. It therefore provides a good opportunity to access the development by means other than the private car. I also note that the Hybrid Planning Permission was granted subject to a condition (no.16) that required:
- “The leisure centre shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.”*
- 32 The Travel Plan was submitted by the applicant pursuant to Condition 16 and approved by Sevenoaks District Council on 5 October 2020 (reference 20/02206/DETAIL). It provides a comprehensive set of measures intended to

reduce the number of single-occupancy car journeys and support sustainable transport choices. The Travel Plan further commits the leisure centre management and Travel Co-ordinator to monitoring the use of the car park through regular observations at various times to ensure that the car park is being used appropriately. In operation, it is hoped that this will further suppress demand for parking spaces and ensure efficient operation of the parking arrangements.

- 33 Taking into account the above considerations, the parking numbers proposed are considered appropriate.

Travel Impacts

- 34 Policy T1 of the ADMP requires new developments to mitigate any adverse travel impacts, including their impact on congestion and safety, environmental impact, such as noise and tranquillity, pollution and impact on amenity and health. The proposal would utilise the existing vehicular accesses to Garrolds Close from Hilda May Avenue, which currently serves the residential properties on Garrolds Close, the Bowls Club and provides a secondary access to the leisure centre. Appropriate visibility splays are already in place.
- 35 The access route to the south and west of the Bowls Club would meet the carriageway width requirement for a 'Major Access Route' under the Kent Design Guide. As such, it should provide a suitable arrangement for traffic to access and exit the car park without causing congestion.
- 36 An increase in traffic using Garrolds Close is to be expected, which would have some environmental impact on residents to the south west. Taking into account that this access already exists and measures are proposed to manage and reduce demand for parking through the Travel Plan, it is considered that this impact would be acceptable over a limited period of time.

Other issues

- 37 The requirement for the temporary car parking arrangement is the result of SDC's commitment to ensuring continuous provision of leisure facilities on the site to serve the Swanley community. The current requirement of Condition 10 as existing would mean that the new Leisure Centre would be unable to open until the existing Leisure Centre had been closed down, demolished, and the permanent car park laid out. This would result in a period of months when there would be no operational leisure facility. The proposed revision to the Condition to allow for a temporary car parking arrangement would ensure that the communities continue to benefit from leisure provision on the site.

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Conditions

- 38 In light of the change to Condition 10, a related amendment is proposed to Condition 14 to require that visibility splays are provided prior to first use of the permanent car park, rather than the first use of the leisure centre.
- 39 The amended Planning Permission will retain amend conditions of Planning Permission 19/02951/HYB, updated only to reflect the details already discharged and the fact the original planning permission has already commenced.

Community Infrastructure Levy (CIL)

- 40 The leisure element of the Hybrid Planning Permission is not CIL liable. The current application would have no impact on any CIL charge arising from the proposals.

Conclusion

- 41 The temporary car parking arrangement is proposed in order to allow continuous operation of leisure facilities on the White Oak Leisure Centre site. Having taking into account the policies of the NPPF and SDC's development plan, it is considered that the temporary parking arrangement would provide appropriate parking arrangements over a limited period while the existing leisure centre is demolished and the permanent car park is laid out.
- 42 It is therefore recommended that this application is GRANTED.

Conditions

- 43 Alterations have been made to the conditions attached to the Hybrid Planning Permission to reflect those details already discharged. In light of the change to Condition 10, a related amendment is proposed to Condition 14 to require that visibility splays to the car park entrance are provided prior to first use of the permanent car park, rather than the first use of the leisure centre.

Background papers

Site Plan and Temporary Car Park Layout

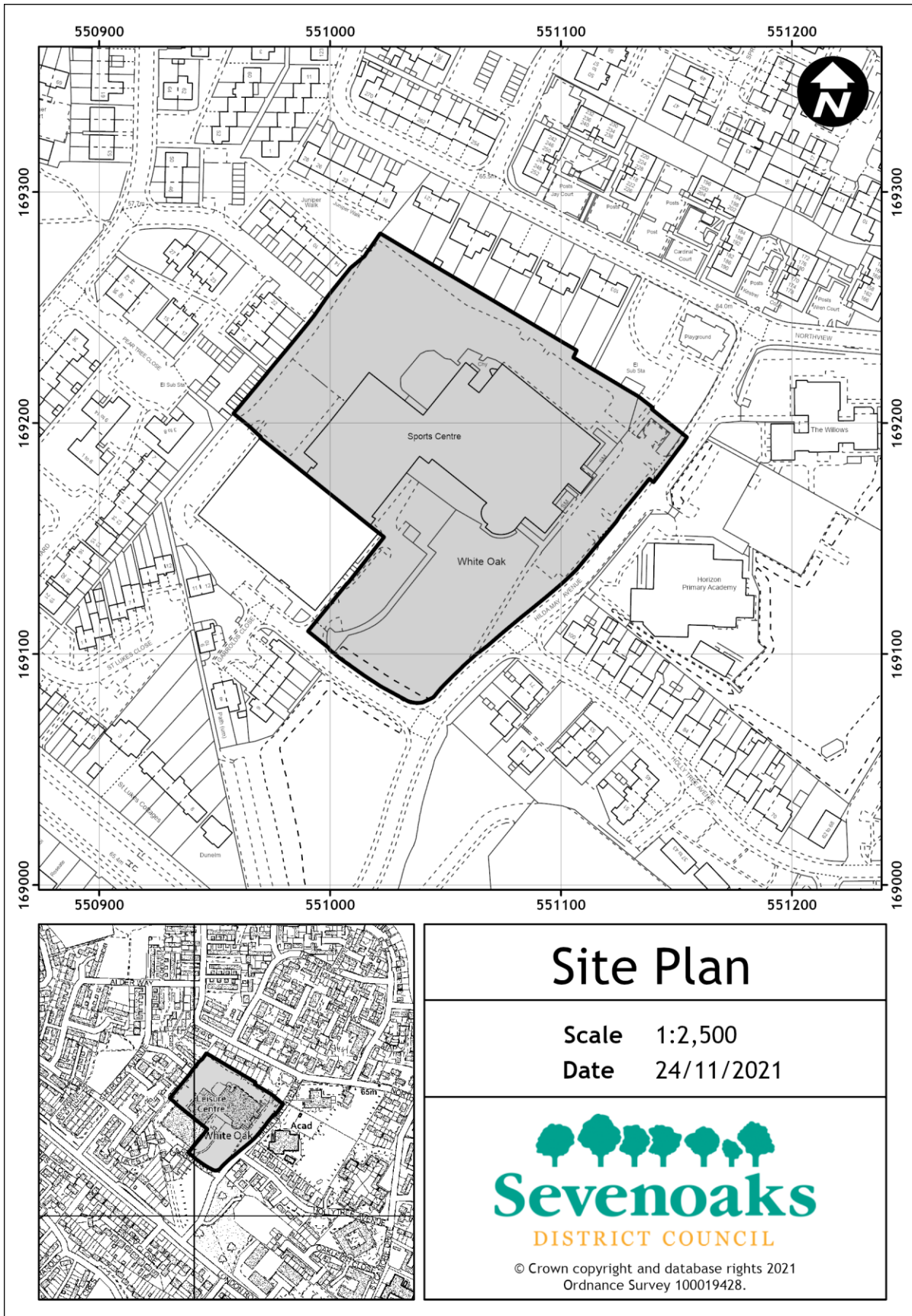
Contact Officer(s):

Nicola Furlonger: 01732 227000

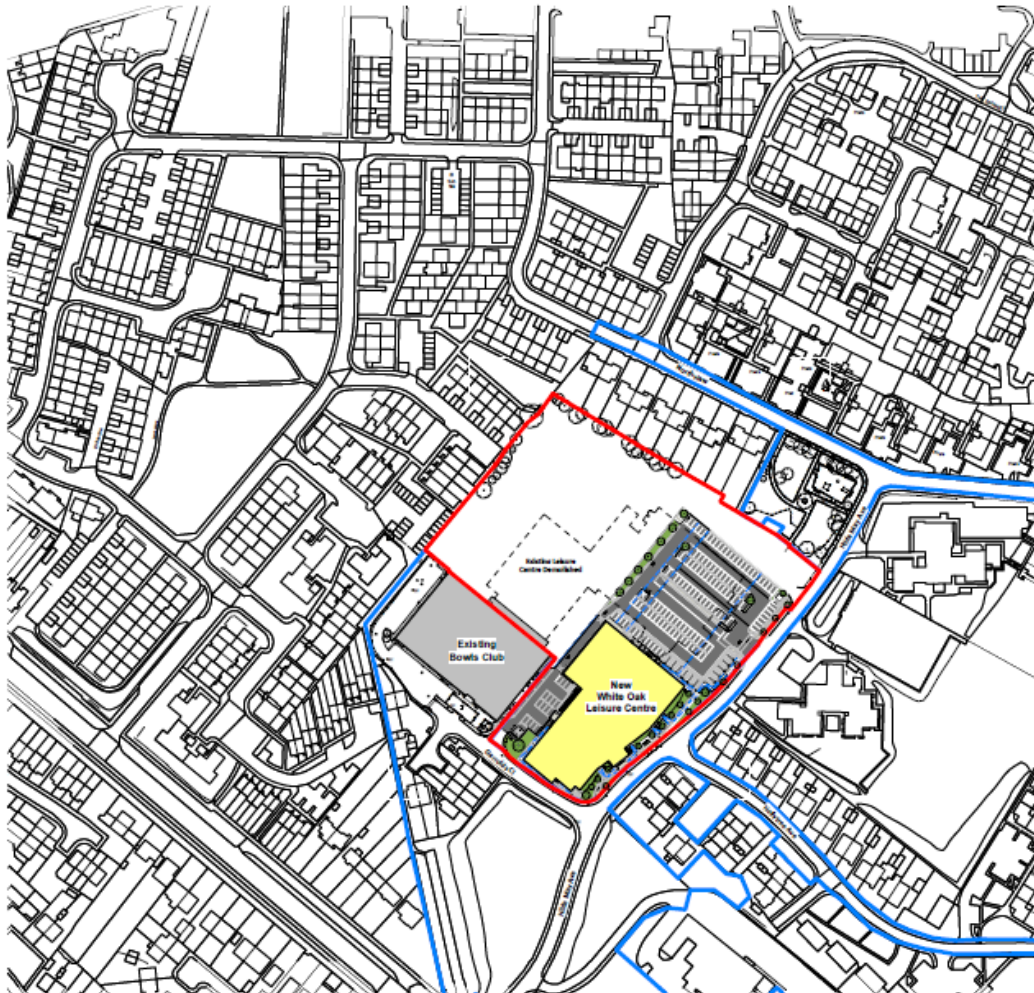
Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated Documents:](#)



BLOCK PLAN



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4.3 21/03318/DETAIL Date expired 26 November 2021

Proposal: Details pursuant to condition 2 (roof lights) of planning permission 21/02431/LBCALT.

Location: The Castle House, Sevenoaks Road, Otford KENT TN14 5PB

Ward(s): Otford & Shoreham

Item for decision

This application is referred to the Development Control Committee for a decision as the applicant is a District Councillor.

RECOMMENDATION: That Condition 2 pursuant to 21/02431/LBCALT is discharged

Description of site

1 The application site comprises of a detached Grade II listed property

Description of proposal

2 The application seeks the discharge of condition 2 pursuant to 21/02431/LBCALT.

Relevant planning history

3 21/02431/LBCALT -Removal of a small cupboard area, replacing the modern spindles to the banister, enlargement of second floor gable window, skylight facing southern elevation and works to increase capacity of internal gutter and outlet into external gutter at front of property - GRANTED - 01/10/21

Policies

4 National Planning Policy Framework (NPPF)

5 Core Strategy (CS)

- SC1 Design of New Development and Conservation

6 Allocations and Development Management Plan (ADMP)

- EN4 Heritage Assets

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Constraints

- 7 The following constraint applies:
- Grade II Listed Building

Consultations

- 8 Conservation Officer - Support: “The section detail drawing confirms that the roof light will sit flush with the roof slope and Condition 2 may be discharged in terms of Policy EN4.”

Representations

- 9 None received

Chief Planning Officer’s Appraisal

- 10 The main planning consideration is:
- Impact on the Listed Building

Impact on the Listed Building

- 11 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 placed a duty on a local planning authority, in considering development, which affects a listed building or its settings, to having special regard to the desirability of preserving the building or its setting, or any features or architectural or historical interest it possess. The NPPF also states that great weight should be given to the conservation of heritage assets (para 199).
- 12 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.
- 13 The installation of a roof light was approved in principle under 21/02431/LBCALT. Condition 2 of the permission read:
- “The roof light(s) hereby granted consent shall have steel or cast metal frames with central vertical glazing bar] fitted flush with the adjoining roof surface and shall not project above the plane of the roof. Prior to their installation, elevation drawings at a scale of 1:10 and horizontal and vertical section at a scale of 1:5 will be submitted to and approved in writing by the local planning authority”.
- 14 The applicant has submitted detailed drawings including a detailed section drawing of the proposed roof light and a drawing showing the proposed joinery details. The details are consistent with the approved scheme and show that the roof light would sit flush within the roof plane which would be appropriate within the historical context of the building. SDC’s conservation officer has considered the detailed drawings and has no objection.

- 15 It is therefore considered that the details would preserve the special interest of the listed building in accordance with EN4 and therefore would meet the requirements of condition 2

Conclusion

- 16 The proposals would preserve the special interest of the listed building.
- 17 It is therefore recommended that Condition 2 pursuant to 21/02431/LBCALT is discharged.

Background papers

Site and block plan

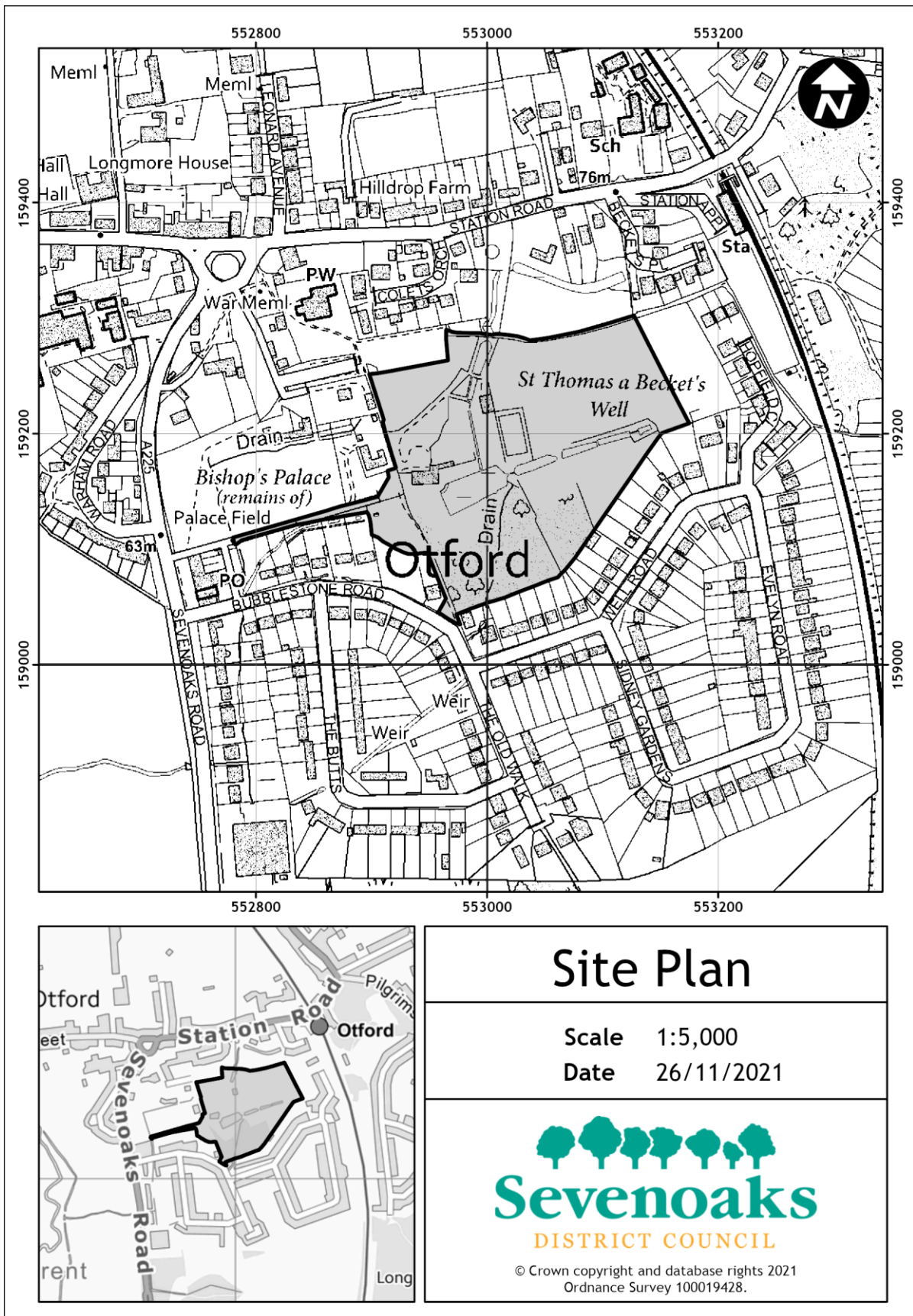
Contact Officer(s):

Hannah Donnellan: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:5,000

Date 26/11/2021



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4.4 21/03246/DETAIL Date expired 26 November 2021

Proposal: Details pursuant to condition 3 (window details) of planning permission 21/02431/LBCALT.

Location: The Castle House, Sevenoaks Road, Otford KENT TN14 5PB

Ward(s): Otford & Shoreham

Item for decision

This application is referred to the Development Control Committee for a decision as the applicant is a District Councillor.

RECOMMENDATION: That Condition 3 pursuant to 21/02431/LBCALT is discharged.

Description of site

1 The application site comprises of a detached Grade II listed property

Description of proposal

2 The application seeks the discharge of condition 3 pursuant to 21/02431/LBCALT.

Relevant planning history

3 21/02431/LBCALT Removal of a small cupboard area, replacing the modern spindles to the banister, enlargement of second floor gable window, skylight facing southern elevation and works to increase capacity of internal gutter and outlet into external gutter at front of property - GRANTED - 01/10/21

Policies

4 National Planning Policy Framework (NPPF)

5 Core Strategy (CS)

- SC1 Design of New Development and Conservation

6 Allocations and Development Management Plan (ADMP)

- EN4 Heritage Assets

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Constraints

- 7 The following constraint applies:
- Grade II Listed Building

Consultations

- 8 Conservation Officer - Support: “The glazing bar detail drawing confirms that the bars are structural, functional elements, as required. The new, timber framed window complements existing, adjacent windows and Condition 3 may be discharged in terms of Policy EN4.”

Representations

- 9 None received

Chief Planning Officer’s appraisal

- 10 The main planning consideration is:
- Impact on the Listed Building

Impact on the Listed Building

- 11 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 placed a duty on a local planning authority, in considering development, which affects a listed building or its settings, to having special regard to the desirability of preserving the building or its setting, or any features or architectural or historical interest it possess. The NPPF also states that great weight should be given to the conservation of heritage assets (para 199).
- 12 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.
- 13 The replacement of the window was approved in principle under 21/02431/LBCALT. Condition 3 of the permission read:
- “Prior to the commencement of works, window details (including architrave, frame, heads, glazing bars and mouldings, reveal, cill, lintel and method of opening) shown in elevation drawings at a scale of 1:10 and horizontal and vertical section at a scale of 1:5, will be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details”
- 14 The applicant has submitted detailed drawings including a detailed elevation drawing, section drawing showing the cill detail, jamb detail, head detail, and glazing bar. The window would fit with limited intervention to the historic fabric and would be appropriately detailed appropriate with the historic context of the heritage asset and would be entirely consistent

with the approved scheme. SDC's conservation officer has considered the detailed drawings and has no objection.

- 15 It is therefore considered that the details would preserve the special interest of the listed building in accordance with EN4 and therefore would meet the requirements of condition 3

Conclusion

- 16 The proposals would preserve the special interest of the listed building.
- 17 It is therefore recommended that Condition 3 pursuant to 21/02431/LBCALT is discharged.

Background papers

Site and block plan

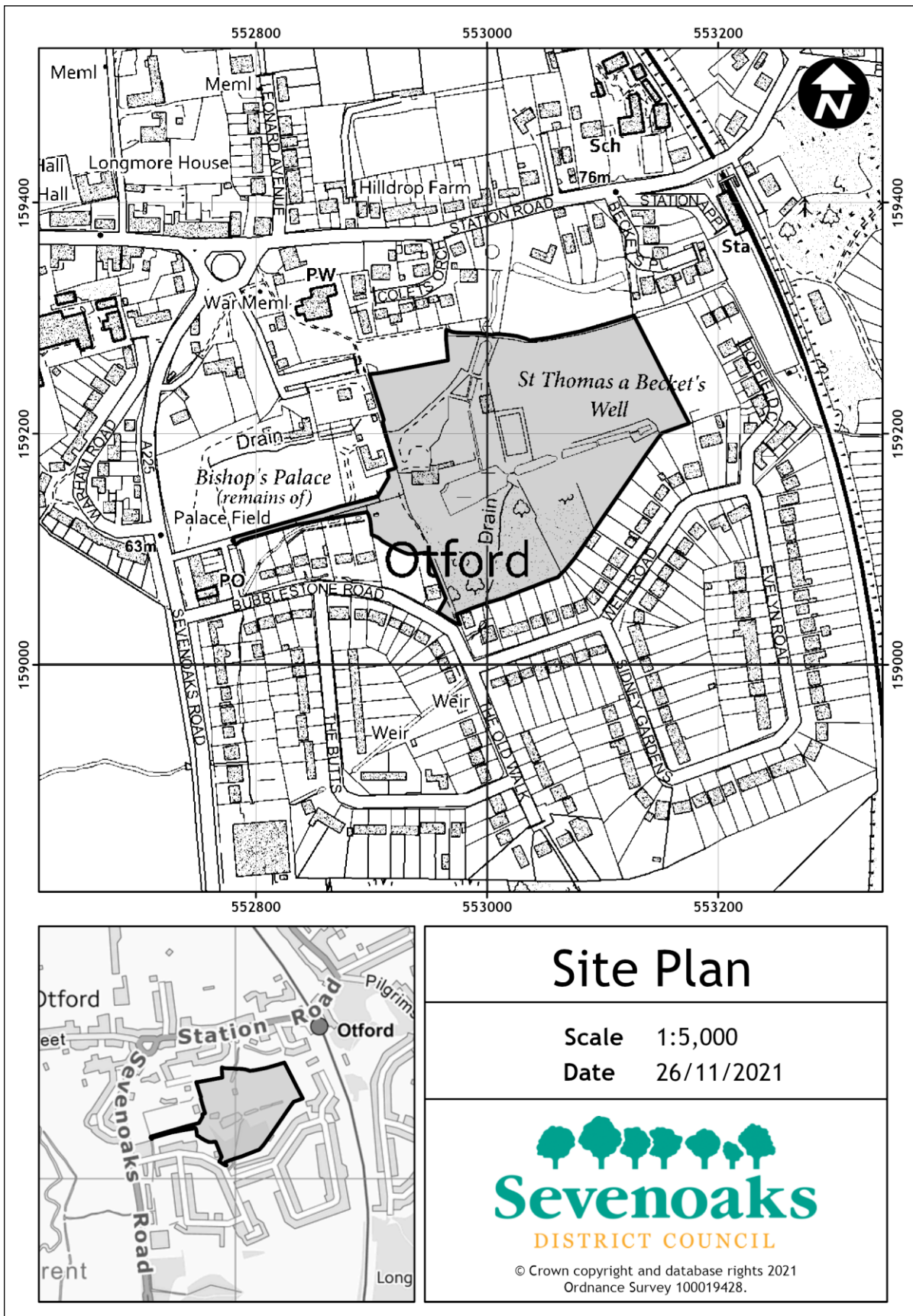
Contact Officer(s):

Hannah Donnellan: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:5,000

Date 26/11/2021



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