

30 June 2022 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 22.06.22

The meeting will also be livestreamed to YouTube here

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



Development Control Committee

Membership:

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

Agenda

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

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the minutes of the meeting of the Committee held on 8 June 2022, as a correct record.	(Pages 1 - 8)	
2. Declarations of Interest or Predetermination Including any interests not already registered		
3. Declarations of Lobbying		
4. Planning Applications - Chief Planning Officer's Report		
4.1 22/00859/FUL - Garage Block North Of 32, Bethel Road, Sevenoaks Kent TN13 3UE Demolition of existing garages to be replaced with a proposed two-storey detached dwelling with carport and associated landscaping.	(Pages 9 - 24)	Ashley Bidwell Tel: 01732227429
4.2 22/00376/FUL - Meadowside, Beesfield Lane, Farningham Dartford Kent DA4 0BZ Erection of a bungalow on an infill plot with dormers on the rear elevation and velux windows on the front elevation to accommodate rooms in the roof.	(Pages 25 - 40)	Louise Cane Tel: 01732227260

Alterations to windows.

- 4.3 **22/00613/FUL - 73 Bradbourne Vale Road, (Pages 41 - 56) Samantha Simmons**
Sevenoaks, Kent TN13 3DN Tel: 01732227146

Proposed replacement detached dwelling with associated garage, parking and landscaping. New outbuilding.

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, 27 June 2022.

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 8 June 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Barnett, Brown, Edwards-Winser, Hogarth, Layland, McGarvey, Osborne-Jackson, Pett, Purves, Raikes, Reay and Williams

Apologies for absence were received from Cllrs. Ball, Cheeseman, Perry Cole, P. Darrington and Hudson

Cllrs. Dickins and McArthur were also present.

1. Minutes

Resolved: That the Minutes of the Development Control Committee held on 19 May 2022, be approved and signed by the Chairman as a correct record.

2. Declarations of Interest or Predetermination

There were none.

3. Declarations of Lobbying

Agenda Item 1

Development Control Committee - 8 June 2022

All Members declared that they had been lobbied in respect of Minute 4 - 21/02890/FUL - Seven Acres Farm, Hever Road, Edenbridge, Kent TN8 5DJ and Minute 6 - 19/0028 MCU - Rear of Little Buckhurst Barn, Hever Lane, Hever TN8 7ET.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

4. 21/02890/FUL - Seven Acres Farm, Hever Road, Edenbridge KENT TN8 5DJ

The proposal sought planning permission for the enlargement of Gypsy Travellers' site by way of additional 5 mobile homes and 5 touring caravans. The application was referred to Committee by Cllr McArthur as the proposal was considered inappropriate development within the Metropolitan Green Belt.

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

The Committee was addressed by the following speakers:

- Against the Application: -
- For the Application: -
- Parish Representative: -
- Local Members: Cllr McArthur

Members asked questions of clarification from the Officers. In response to questions Members were advised that there would be no additional families on site, but rather the planning permission was for the current family to expand on the site to avoid being over crowded in their current position.

It was moved by the Chairman that the recommendations be agreed.
It was moved and duly seconded that additional wording be included in condition 7 that following temporary permission the site be cleared and go back to its original condition.

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

Debate continued on the substantive motion.

Members discussed the lack of planning policy in place for Gypsy Traveller sites, and whether there were sufficient 'very special circumstances' to outweigh the harm to the Green Belt. Members considered the location and character of the area, and noted there was pitches on a Council site nearby.

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

It was moved and duly seconded that planning permission be refused and reasons for refusal were discussed by the Committee to include that the development would be inappropriate in the Green Belt due to insufficient Very Special Circumstances existing and harm to character and appearance of area, with the final wording be delegated to the Principle Planning Officer, following consultation with the Local Members and Chairman.

The motion was put to the vote and it was

- Resolved: That planning permission be refused for the following reasons
5. 21/00462/FUL - Hollows Wood, Chelsfield Lane, Shoreham KENT BR6 7QT

The proposal sought planning permission for the construction of a new loading/turning bay. The application had been referred to the Committee by Cllr Grint on highway grounds.

Members' attention was brought to the main agenda papers, late observation sheet and they were advised that condition two needed to be amended to remove the plan reference and condition 5 was a repetition of condition 4 and so needed to be removed.

The Committee was addressed by the following speakers:

- | | |
|--------------------------|---|
| Against the Application: | - |
| For the Application: | Peter Coles |
| Parish Representative: | - |
| Local Members: | Cllr Grint (Submission read by Cllr Edwards-Winser) |

Members asked questions of clarification from the speaker. The route of the lorries to and from the site were confirmed to use the A225 and pass through Eynsford.

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

Members discussed the application and it was proposed and duly seconded that condition 6 be amended to include that lorries did not pass through Eynsford on school days between 8.30am - 9.30am and 2.30pm to 3.30pm.

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

Debate continued on the substantive motion.

The motion was put to the vote and it was

Agenda Item 1

Development Control Committee - 8 June 2022

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

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Block Plan, Barrier Details and Tree Removal Plan, Design and Access Statement, Rationale for Construction.

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

- 3) No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the local planning authority during development and for a period of five years after completion of the development hereby approved. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), in the end of the first available planting season following their loss or removal.

In the interests of protecting the ancient woodland and protected species as supported by policy SP11 of the Sevenoaks District Core Strategy and EN4 of the Sevenoaks Allocations and Development Management Plan.

- 4) No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all

equipment, machinery and surplus materials have been moved from the site.

In the interests of protecting the ancient woodland and protected species as supported by policy SP11 of the Sevenoaks District Core Strategy and EN4 of the Sevenoaks Allocations and Development Management Plan.

- 5) Prior to the commencement of development, a Construction and Operational Traffic Management Plan should be submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to throughout operational periods and shall include:
(a) traffic planning and coordination including confirmation that no related Heavy Goods Vehicle traffic shall pass through Eynsford (A225) between the hours of 08:30 to 09:30am and 2.30pm to 3.30pm on any Monday to Friday during school term time, (b) on site traffic management policy, (c) impact and management on adjoining road network, public footpath SR569 and public bridleway SR649, (d) hazard and risk identification and mitigation measures, (e) implementation of traffic management such as traffic control diagrams and signs/line marking, (f) any parking for vehicles of site personnel, operatives and visitors, (g) loading and unloading of plant and materials.

To ensure that the development and operation 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.

Informatives

- 1) The developer is advised that Public Footpath SR569 and Public Bridleway SR649 crosses the application site. The grant of planning permission does not entitle developers to obstruct a public right of way. The diversion or stopping up of footpaths, bridleways and restricted byways is a separate process which must be carried out before the paths are affected by the development. It cannot be assumed that because planning permission has been granted that an Order under section 257 will invariably be made or confirmed. Development, in so far as it affects a right of way, must not be started and the right of way should be kept open for public use, unless or until the necessary order has come into effect. It is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.
- 2) It is the responsibility of the applicant to ensure before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid

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

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

6. 19/0028 MCU - Rear of Little Buckhurst Barn, Hever Lane, Hever, TN8 7ET

It was moved by the Chairman and it was

Resolved: That under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting when considering agenda item 5.1, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraph 6a (Information which reveals that the authority proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person.)

At 9.12pm the Chairman allowed a short adjournment for the comfort of Members and Officers.

At 9.25pm the meeting resumed.

The Planning Enforcement Team Manager set out the report which requested Members to consider whether it was expedient to take enforcement action against the residential use of the converted stable building.

Members were advised that following the Inspectorate's decision to dismiss the Lawful Development Certificate, come August 2022 the dwelling would have been in continuous use since 2018 and it would be deemed that matter be immune from enforcement action. He further explained that under planning policy should a retrospective planning application be submitted the change of use to residential would be found acceptable based on current planning policies.

Members discussed the report.

Resolved: That authority be given to conclude the matter as non-expedient for planning reasons relating to local policies and the NPPF, and that enforcement action not be taken in this instance.

That the change of use of the converted stables to a residential property was compliant with planning policies and that the works had not resulted in any actual planning harm.

THE MEETING WAS CONCLUDED AT 10.10 PM

CHAIRMAN

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4.1 22/00859/FUL

Date expired 23 May 2022

Proposal: Demolition of existing garages to be replaced with a proposed two-storey detached dwelling with carport and associated landscaping.

Location: Garage Block North Of 32, Bethel Road, Sevenoaks Kent TN13 3UE

Ward(s): Sevenoaks Eastern

Item for decision

Councillor Clayton and Councillor Purves have referred the application to Development Control Committee on grounds of impact on the conservation area.

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: PD02 RevB and PD 03 Rev B

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

3) No development including any works of demolition or preparation works prior to building operations shall take place on site until a 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: (a) parking for vehicles of site personnel, operatives and visitors, (b) loading and unloading of plant and materials, (c) storage of plant and materials used in constructing the development, (d) hours of operation.

In the interest of highway safety.

4) No development shall be carried out on the land until full details of soft landscaping and proposed boundary details have been submitted to and approved in writing by the local planning authority. Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting);
- details of boundary heights and materials. All soft landscaping shall be implemented not later than the first planting season following the first occupation of any part of the development.

To preserve the visual appearance of the area as supported by EN1 and EN4 of the

Sevenoaks Allocations and Development Management Plan.

5) Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include a native species-only landscape scheme. The approved details will be implemented and thereafter retained.

To ensure the development results in a net gain in biodiversity in accordance with paragraph 180 of the National Planning Policy Framework and policy SP11 of the Core Strategy.

6) No development shall take place until a strategy of surface water drainage has been submitted to and approved in writing by the local planning authority. The approved development shall be implemented in accordance with the approved strategy prior to the first use/or occupation of the building and thereafter retained in that condition.

To ensure suitable means of surface water drainage are incorporated into the development in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) The dwelling shall be provided within an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles prior to its occupation.

To provide opportunities for low carbon sources of transport, in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.

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

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

9) The parking space shown on the approved plans shall be provided and kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the parking space.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

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

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 area or the occupiers of the neighbouring properties in accordance with Policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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.

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 a three-bay garage block situated between 32 and 36 Bethel Road belonging to 17 Sandy Lane to the east of the site. The application site is located towards the northeast of the Sevenoaks Urban Area and within the Hartsland Conservation Area. The existing site comprises of a single storey flat roof building with a pebbledash finish, it is setback from the road and at a higher level with a large area of hardstanding to the front.
- 2 The application site is situated in a predominantly residential area set out in a linear form with Cobden Road, Bethel Road and Sandy Lane running parallel to one another. Bethel Road mostly comprises of terraced blocks of small to medium sized dwellings, most of which have an eaves fronted design creating a sense of uniformity and cohesion. The current building on site does not contribute to this form and character. The material palette of the area largely consists of brick with a scattering of stone or pebbledash finishes.

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Description of proposal

- 3 It is proposed to replace the existing garages with a two-storey dwelling constructed from brick with a clay tile roof. The dwelling will have a maximum height of 8m and a width of 8.3m. The proposed design is an eaves fronted dwelling, with a timber porch overhang, part two-storey part single storey extension to the side and a single storey extension to the rear. The proposed dwelling will feature a carport to the front of the dwelling, under part of the first floor, UPVC windows and brick quoin detailing to the front elevation. The proposed garden will be created through sub-dividing part of the garden of 17 Sandy Lane with a 1.8m timber fence.

Relevant planning history

- 4 No planning history relevant to the proposal.

Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Core Strategy (CS)
- LO1 Distribution of Development
 - LO2 Development in the Sevenoaks Urban Area
 - SP1 Design of New Development and Conservation
 - SP11 Biodiversity
- 7 Allocations and Development Management Plan (ADMP)
- EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
 - T1 Mitigating Travel Impact
 - T2 Vehicle Parking
 - T3 Provision of electric vehicle charging
- 8 Other:
- Hartsland Conservation Area Appraisal SPD

Constraints

- 9 The following constraints apply:
- Hartsland Conservation Area
 - Sevenoaks Urban Confines

Consultations

- 10 Sevenoaks Town Council 1st Consultation:

- 11 Sevenoaks Town Council recommend refusal on the following grounds:
- the proposed dwelling is out of scale with other modern houses nearby, and too intrusive to the street scene in Bethel Road and the Hartsland Conservation Area.
 - by reason of its height and mass, and its close proximity, the proposed house would dominate houses immediately opposite in Bethel Road, taking away light and damaging their residential amenity.
 - by reason of its height and mass, and its close proximity, the proposed house would enclose, overshadow and dominate the garden space of neighbouring houses in Bethel Road.
 - It would not preserve or enhance the wider conservation area, including the setting of the locally listed early Victorian pub 'Bricklayers Arms' in Sandy Lane - whose garden part of the application site lies.
 - The Town Council regrets the loss of off street parking spaces which are at a premium in the Hartsland Area.
- 12 Sevenoaks Town Council 2nd Consultation:
- 13 Sevenoaks Town Council reiterate its recommendation for refusal on the grounds previously raised and add:
- the proposed house does not preserve the open view from Sandy Lane to St Johns church.
- 14 SDC Conservation 1st Consultation (summary):
- 15 Based on the grain of the street a house in this plot would be acceptable although it would be equally acceptable to allow this site to remain as gap site (or for any building to be quite low) in order for views from Sandy Lane towards the church of St John to be maintained.
- 16 However, the scale of the property is out of keeping and it should be reduced in height, and possibly reduce the width slightly as well to allow a good gap between both sides. The proposed front elevation i.e. the design, detailing and the roof form are not appropriate either, and the pitched front gable of the roof as well as inappropriate, is too high.
- 17 The proposed design and scale of the house would not be in keeping with the character of the CA. The optimum approach would be to maintain the simple and modest architectural language of Bethel Road. If you are minded to recommend approval in principle, I would therefore encourage the design of a modest house based on the local 'pastiche' i.e. Victorian to turn-of-the-century typology.
- 18 SDC Conservation 2nd Consultation:
- 19 The existing streetscene is eclectic and in accordance with preceding design recommendations, the revised proposal - while remaining stylistically neutral - makes some reference to the form and scale of locally typical models at the turn of the 19th/20th centuries.

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- 20 Although there has been little reduction in the bulk of the new built form, the amended roofscape results in the building as a whole having a considerably less overwhelming presence in the streetscene. First floor windows are set immediately below an uninterrupted front eaves line and the simplified design treatment now proposed sits more comfortably in the unassuming, local context.
- 21 The proposed materials palette remains unchanged. While clay-roofing tiles were not identified as locally distinctive materials, it is noted that both clay and concrete roofing tiles exist widely in the immediate surroundings and that in consequence, the proposed roof covering will not appear unduly alien in the Bethel Road streetscene.
- 22 The inclusion of UPVC windows and doors is regretted, as they are characterless, 'anywhere' elements. However, it is conceded that considerable precedent exists to either side of the development site and the modern material will not appear unduly alien to the context.
- 23 The amended design proposal has largely resolved the preceding conservation issues and there is no further objection in terms of Policy EN4.
- 24 KCC Highways 1st and 2nd consultation (in summary)
- 25 The development does not meet the criteria for involvement from the Local Highway Authority.
- 26 Request for informative regarding works the highway.
- 27 SDC Arboriculture:
No comment
- 28 Thames Water (in summary):
- 29 Thames Water would advise that with regard to wastewater network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 30 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Representations

- 31 23 letters of objection have been received relating to the following issues:
- Bulk and scale of the proposed dwelling is not in keeping with the area
 - Loss of light for properties opposite and garden areas of adjacent dwellings
 - Proposed dwelling will enclose this part of Bethel Road
 - Dwelling is too large for the plot
 - Overlooking towards houses on Sandy Lane, loss of privacy

- Loss of parking, parking is an issue in the area, proposed dwelling will increase parking demand
- Loss of footpath from Sandy Lane to Bethel Road
- Loss of view of St John church from Sandy Lane
- Construction would impact neighbours due to the narrow nature of the lane
- Loss of amenity in garden, proposed house will have a raised garden which will allow for overlooking
- Proposed fencing will result in a loss of outlook due to siting on a higher level
- Development is larger than other modern dwellings to the north of the site (36, 38, 39).
- Site currently being used to store materials for development opposite, where will materials be stored for this site is granted
- Proposed fencing will result in a loss of light to garden area and interior living spaces
- Bethel Road is already being overdeveloped
- The scale of the dwelling requires more parking
- Increased traffic is a danger to pedestrians
- Character of the conservation area is being eroded
- Style is not in keeping with the locally listed buildings on Sandy Lane
- Building sits right against the boundary with two properties on Sandy Lane
- Properties to the east side of Bethel Road are at higher than those on west side so the proposed dwelling will result in a loss of light for properties opposite
- Request restrictions of enclosures to the front
- Can the LPA insist on soakaways for rainwater?
- Can the LPA restrict the size and amount of vehicles used during construction if permission is granted
- Proposed dwelling will fill the width of the site and leave no gap
- Multiple references to gable fronted design not being in keeping with the character of the existing dwellings in the area
Officer note - the design has been amended to an eaves fronted dwelling.
- Amended plans result in the dwelling being more in keeping with the rest of the area but the scale is still too great

32 1 Letter of support received raising the following matters:

- Proposed design is a good use of the space and is not overbearing for the plot
- Proposed development removed the unsightly garages

Chief Planning Officer's appraisal

33 The main planning consideration are:

- Principle of development
- Heritage impact

Agenda Item 4.1

- Design and impact on the character and appearance of the area
- Impact on highway safety and parking provision
- Impact on residential amenity
- Biodiversity
- Other matters

Principle of development

- 34 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.
- 35 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 is also located near services and provisions making the location sustainable.
- 36 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 almost entirely residential in character, the proposal is therefore considered to be acceptable in land use terms provided the scheme complies with all other relevant development plan policies.
- 37 Paragraph 11d of the National Planning Policy outlines that: *“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.”*
- 38 Members will be aware that our Local Plan is out of date for some of the most important policies (i.e. housing) and that the Local Authority (LA) cannot demonstrate a five-year housing supply, thus the tilted balance could be engaged for this proposal. In addition to this, the Housing Delivery Test shows that the LA is only delivering 70% of the five-year housing supply, and has consequently been placed in the bracket of a Presumption Authority.
- 39 Notwithstanding the above, the application site is located within a designated heritage asset (conservation area) and thus the tilted balance and presumption of sustainable development is not automatically engaged in accordance with footnote 7 of the NPPF. However, if it is considered that there is no harm to the conservation area, then as a matter of principle, the proposed development would be acceptable.

Heritage impact

- 40 The National Planning Policy Framework states that great weight should be given to the conservation of heritage assets (paragraph 199). Meanwhile, policy EN4 of the Allocations and Development Management Plan outlines 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.
- 41 The application site is located within the Sevenoaks Hartsland Conservation Area, it also lies within the setting of two locally listed buildings to the east - 17 Sandy Lane and Emerly Cottage (21 Sandy Lane). The Hartsland area was developed heavily in the Victorian Era, with the Conservation Area Appraisal describing the architectural character of the area as one that is dominated by small blocks of terraced housing in linear streets. The residential properties in the area are small to medium sized and are mostly eaves fronted in style, there is however more variation in the materials. The commercial or community buildings in the area are larger in scale and often have a gable-fronted design, which also gives the impression of a larger scale.
- 42 The application site, which resides between 32 and 36 Bethel Road, is identified in the Conservation Area as an ‘area detracting from the character’. The conservation area appraisal states *“The modern infill development included within the area is generally of no great architectural merit and most are relatively unassuming and do not detract from the character of the area. Flat roof garage courts within Bethel Road are out of keeping with the street scene”*. Consequently, the re-development of the site, even with a design that is unassuming and of limited architectural merit, has the potential to enhance the character of this part of the conservation area. The development would therefore be considered to comply with paragraph 206 of the NPPF, which states: *“Local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance”*.
- 43 It is proposed to construct a two-storey dwelling in place of the existing garage block, the dwelling will sit further forwards and in-line with number 32 and 36 Bethel Road either side. The design of the proposed dwelling is somewhat neutral and understated, though it reflects the established design of dwellings in the conservation area, that being the aforementioned eaves fronted design with a pitched roof and relatively narrow form. The bulk of the dwelling is comparable to the neighbouring property of number 32 Bethel Road and other dwellings in the area, though at ground floor the footprint is greater courtesy of a lean to extension at the side and a flat roof extension to the rear. The ground floor extensions, whilst resulting in a greater footprint than other dwellings, do not add to the overall bulk and massing of the dwelling (particularly the rear extension). The conservation officer has confirmed that the amended design better preserves the character of the conservation area despite no reduction in scale and height - though the superseded gable fronted design would have appeared more dominant and bulky in the street.

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- 44 The walls of the proposed dwelling will be constructed from brick with a clay tiled roof and UPVC windows. Brick and tiles are some of the most prevalent materials in the area and are a vast improvement on the current pebbledash and flat roof finish of the current garage block. As for the UPVC windows, whilst timber would be preferred, it is noted that UPVC is not uncommon in the area and as outlined by the conservation officer its inclusion for the proposed dwelling is not considered detrimental to the character of the conservation area.
- 45 In addition to ensuring the design is sympathetic to the character of the conservation area, the proposed development needs to be mindful of important views across/within the conservation area. As identified in the conservation appraisal, there is a key view between 17 Sandy Lane and Emerly Cottage (21 Sandy lane) past the application site and beyond to St Johns Hill United Reformed Church four streets away on St Johns Hill. The viewpoint is at a high point in the conservation area and thus it benefits from distant views of the church. It is noted that the current single storey scale of the application site allows for uninterrupted views from the gap in Sandy Lane to this church. However, due to the siting at a lower level, the re-orientated roof form of the amended proposal, and the offset siting of the application site from the key view, the view to the church will not be prohibited.
- 46 As outlined above the proposed development sits within the setting of two locally listed buildings (otherwise referred to as non-designated heritage assets). The curtilage (in this case rear garden) of the proposed dwelling will be created by sub-dividing the end of the garden of number 17 Sandy Lane. A close-boarded fence will delineate the border. Fencing of this type and scale is very prevalent in the area, including in the garden of this non-designated heritage asset. Consequently, the use of fencing is not considered overly detrimental to the significance, setting and character of the locally listed buildings. Nevertheless, a landscaping scheme will be conditioned; here options softening of the boundaries can be proposed. In terms of the dwelling itself, it is considered that the replacement of the garage block with a more sympathetic building would enhance the setting of the non-designated heritage assets.
- 47 In summary, it is considered that the proposed dwelling is sympathetic to the design and character of the conservation area. The proposed development will preserve the identified key views and the significance of the locally listed buildings. The proposal would therefore accord with policy EN4 of the Allocations and Development Management Plan, the guidance of the Hartsland Conservation Area Appraisal and paragraphs 199 to 203 of the National Planning Policy Framework.

Design and impact on the character and appearance of the area

- 48 Policy SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan state that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Policy EN1 of the Allocations and Development Management Plan also states that the form of proposed development should be compatible in terms of scale, height, density and site coverage with

other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.

- 49 The proposed dwelling has a ground floor footprint of 80m² courtesy of the single storey side and rear extensions. As such, it is noted that the ground floor footprint is greater than the neighbouring dwellings and other dwellings in the area. However, at first floor level, the proposed dwelling has an area of 66m² which is comparable to number 32 Bethel Road. The scale of the ground floor is masked from the street scene due to the extension to the rear and the small lean-to to the side. These extensions make a limited impression on the massing of the dwelling due to their siting, height and scale. Consequently, the overall scale, bulk and massing (particularly at first floor level) is comparable and sympathetic to the existing area.
- 50 The proposed dwelling will measure 8m in height, however, this is not 8m above the site as it currently stands. Rather, the steep incline of the hardstanding in front of the existing garage block will be removed and the dwelling will be cut into the ground. It is noted that the dwelling will front the roadside with a minimal setback and thus may be perceived to be a dominant building in the street. However, it is consistent with number 32 Bethel Road to the south and as outlined in the Conservation Area Appraisal, *“a strong sense of enclosure is provided by the narrow street with no footway. Buildings are generally set close to road on both sides of the street”*. Thus, the siting of the dwelling is typical of the Hartsland area.
- 51 It is considered that the scale, height, bulk and massing of the proposed dwelling would be comparable to those of neighbouring properties, compatible with neighbouring development in the locality and sympathetic to the character of the area. The proposal therefore accords with policy EN1 of the Allocations and Development Management Plan and SP1 of the Core Strategy.

Impact on neighbour amenity

- 52 Policy EN2 of the Allocations and Development Management Plan requires proposals to provide adequate residential amenities for existing and future occupiers of the development. While ensuring it would not result in excessive overlooking, visual intrusion, vibration, odour, air pollution, vehicle movements, or a loss of privacy and light enjoyed by the occupiers of nearby properties.
- 53 32 Bethel Road
- 54 With regard to the immediate neighbour of 32 Bethel Road. This property does not feature any side elevation windows facing the application site and will not be subject to a loss of daylight or sunlight. There is a first floor window to the front, above the garage, which is set back from the front of the proposed dwelling. The proposed dwelling does not, however breach the 45 degree guideline from this window and thus will preserve daylight and sunlight amenity. In terms of overlooking the amenity garden of this property, there are no side elevation windows proposed and the proposed

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garden is set further back. In summary, it is considered the proposed development will preserve the amenity of the occupiers of this neighbouring dwelling.

55 36 Bethel Road

56 The proposed dwelling will sit in close proximity to the outbuilding/former garage of number 36 Bethel Road, then approximately 5m from the side wall of the main dwelling. There are no windows to the side of the outbuilding and thus there will be no loss of light amenity. As for the side windows of number 36 Bethel Road, one appears to serve a W.C. or a stairway and one is likely a secondary window to a room. Due to the windows not being sole windows to a primary habitable space, in addition to the gap between the neighbour and the application site remaining similar to present, that there will be no loss of amenity.

57 In terms of outlook and loss of light to the garden area of this property, as the proposed dwelling is shorter than number 32 Bethel Road it will not block the sunlight detrimentally earlier in the day to result in a loss of amenity. The proposed dwelling will of course be visible from the garden/patio area of number 36, however due to the reasonable height and the separation distance there will be no detrimental loss of outlook amenity.

58 21 Sandy Lane

59 Due to the level differences and arrangement of buildings/extensions to the rear of this neighbouring property, the proposed development has the potential to affect 21 Sandy Lane. Concerns have been raised that the raised garden (within the land of number 17 Sandy Lane) will allow for overlooking. The edge of the raised garden is approximately 9m to the amenity garden area (first 5m from the rear of the dwelling - chapter 5 of the Residential Extensions SPD). It is further still to the indoor living areas, these separation distances are considered sufficient to preserve privacy amenity. Moreover, the proposed garden would result in no greater overlooking than the existing garden of 17 Sandy Lane. Concerns have also been raised regarding a loss of outlook due to the proposed fencing around the raised garden. It is noted that the garden area of number 17 Sandy Lane is already enclosed by fencing and the view from number 21 Sandy Lane will therefore not be significantly altered. It is accepted that the garden area of number 21 is at a lower level, however the proposed development is not considered to appear unduly dominant or overbearing when viewed from this neighbouring property.

60 In terms of the relationship to dwellings on the other side of Bethel Road, the separation distance is approximately 8m which is consistent with the other dwellings in the area and more than some gaps. The proposed cutting of the dwelling into the incline will ensure the height is not excessive, and as shown by the plans the ridgeline is similar to number 36 and less than 32 Bethel Road. In terms of amenity for the properties along Sandy Lane, the rear of the proposed dwelling is over 20m from the rear of these dwellings and 15m from the outdoor amenity areas. This is considered sufficient for preserving privacy amenity. Equally, the rear of the proposed dwelling is a

lower level than the properties along Sandy Lane, further reducing the ability overlook.

- 61 In terms of amenity for the future occupiers of the development, the proposed dwelling accords with the requirements of the Nationally Described Space Standards. The proposed primary living spaces i.e. living room and bedrooms will have ample daylight and ventilation.
- 62 Overall, it is considered that the proposed development will accord with policy EN2 of the Allocations and Development Management Plan.

Impact on highway safety and parking provision

- 63 Policy EN1 of the Allocations and Development Management Plan states that proposals that would ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking and refuse facilities will be permitted. Policy T2 of the ADMP states that vehicle parking provision in residential developments should be in accordance with the current KCC vehicle parking standards (appendix 2 of the ADMP). For a 3-bedroom house in the town centre, or even edge of town, one parking space is the requirement.
- 64 The NPPF states that development should only be refused or prevented on transport grounds if the impacts are severe. The lack of parking in the area is acknowledged, however, as the proposed parking accords with the adopted guidance and policy it is considered acceptable. As for the parking loss for 17 Sandy Lane, this garage block is not protected via conditions and/or restrictions and therefore its replacement is considered acceptable. The loss of parking for one dwelling (17 Sandy Lane) is not considered to result in severe loss of highway safety and is therefore acceptable in terms of the NPPF.
- 65 Numerous representations received refer to a deed/covenant for a footpath between 17 Sandy Lane and Emerly Cottage. As this is not a designated footpath like that of SU47 to the south of the site it cannot be protected through planning and would instead be a civil/legal matter. Moreover, there is little evidence of the footpath being useable as it appears to cut through the garden of 17 Sandy Lane which is now a private dwelling.
- 66 Policy T3 of the ADMP states “within new residential developments all new houses with a garage or vehicular accesses should include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles.” Details of this have not been provided, however, such provisions will be secured by condition.
- 67 Overall, it is considered that the proposed development will preserve highway safety in accordance with the NPPF and policies T1, T2, T3 and EN1 of the Allocations and Development Management Plan.

Biodiversity

- 68 Policy SP11 of the Core Strategy outlines the need for new development to maximise opportunities to build in features which are of benefit to

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biodiversity as part of good design. It has not been demonstrated that the development will result in a net gain in biodiversity, as such a condition for ecological enhancements will be included.

Other matters

- 69 Some representations have commented on the issues of construction on this narrow road, this is noted and accepted but is not a justifiable reason to withhold permission. To overcome this a construction management plan will be conditioned, such a plan will need to detail the storing of materials, routing of vehicles, hours of construction and more.

Community Infrastructure Levy (CIL)

- 70 The proposed development is CIL liable, a liability notice will be issued with any grant of permission.

Conclusion

- 71 The proposed development is considered acceptable in principle. It is also considered to conserve the character and significance of the conservation area and the setting of the non-designated heritage assets. There will be no severe loss of highway safety or residential amenity. The proposal therefore accords with local and national policy.
- 72 Additionally, as no harm to the character of the conservation area has been identified, the tilted balance is engaged and the proposal has a presumption in favour of sustainable development and should be granted.
- 73 It is therefore recommended that this application is GRANTED.

Background papers

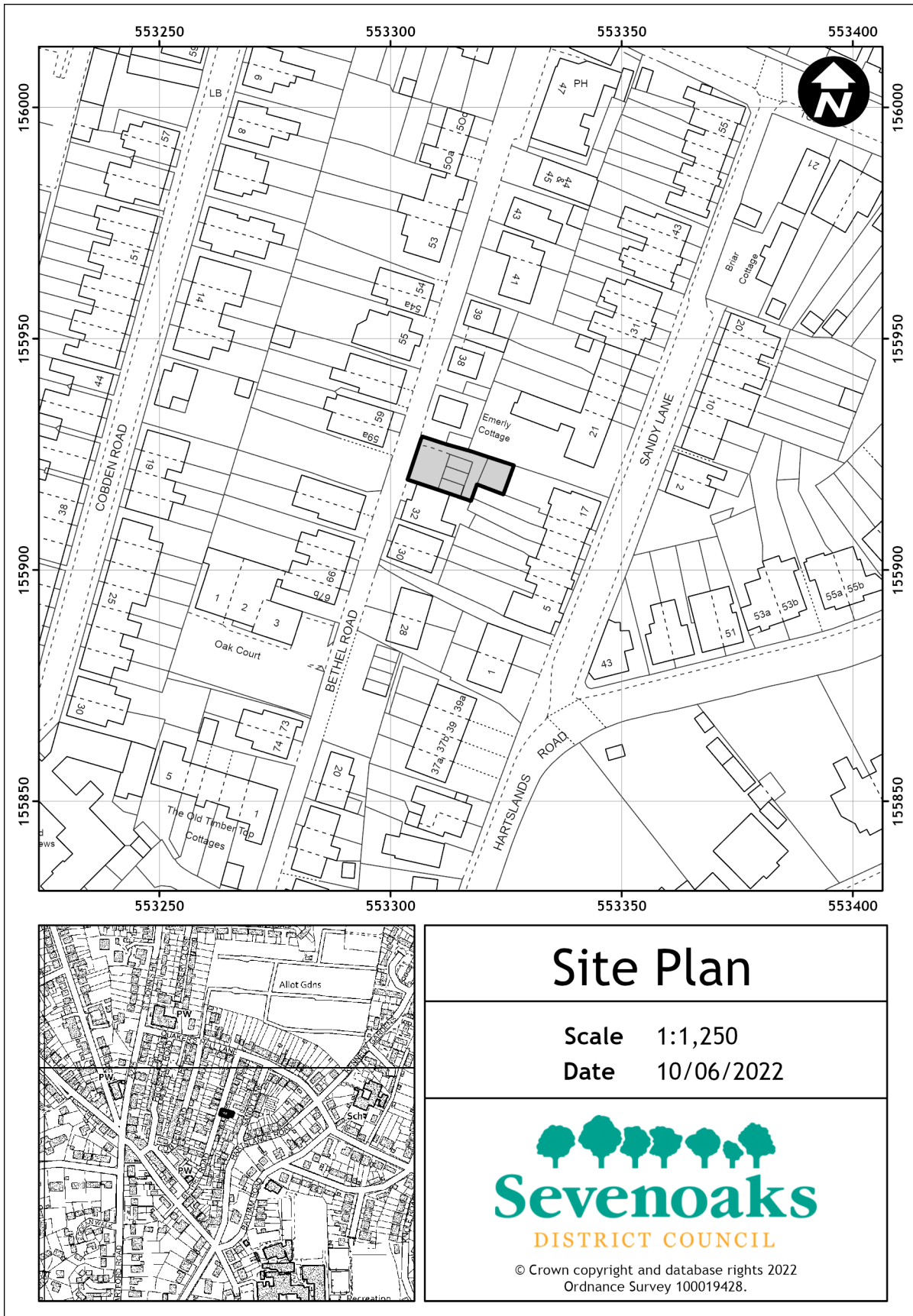
Site and block plan

Contact Officer(s): Ashley Bidwell 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:1,250

Date 10/06/2022



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Ordnance Survey 100019428.



thereafter retained.

To promote biodiversity on the application site, as supported by Policy SP11 of the Sevenoaks Core Strategy.

5) Prior to first occupation of the dwelling details of an electric vehicle charging point, including details of the location and specification of the unit, 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 prior to first occupation of the dwelling and retained on site at all times.

To promote sustainable development as supported by Policy T3 of the Sevenoaks Allocations and Development Management Plan.

6) The bathroom window located on the north west (side) elevation of the new building shall be obscured glazed and fixed shut below 1.7m at all times.

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

7) Prior to first occupation of the dwelling, the parking spaces indicated on plan number 101A shall be made available for use and shall thereafter be retained on site at all times.

To support highway safety as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.

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

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, EN5 and EN2 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are present on the application site and are assumed to contain nesting birds between 1st March and 31st August unless a recent survey has been

undertaken by a competent ecologist and has shown that nesting birds are not present.

2) A groundwater risk management permit from Thames Water will be required for discharging ground water into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water Risk Management Team by telephoning 02035779483 or by emailing trade.effluent:thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale, Business customers, groundwater discharges section. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposed to discharge to a public sewer, prior to approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

3) The applicant is advised of Kent Fire and Rescue advice that the access routes, hardstanding and turning facilities should comply with the requirements of approved document B volume 1:2019, table 13 of the Kent Fire and Rescue Services.

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 the site

- 1 The application site formerly comprised garden to the rear of Meadowside. The site is located within the parish of Farningham and there are neighbouring properties located to the north, south and west of the site.

Description of proposal

- 2 Erection of a bungalow with accommodation within the roof served by two dormers to the rear elevation and rooflights to the front.

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- 3 The proposed development has already been constructed and therefore the application is retrospective.

Relevant planning history

- 4 20/01491/FUL - Erection of detached bungalow on plot to rear and extensions/alterations to existing house - GRANT - 23/09/2020
- 5 20/03576/FUL - Erection of a detached bungalow on an infill plot to the rear of the existing house together with extensions/alterations to the existing property - GRANT - 01/02/2021
- 6 21/04210/MMA - Minor material amendment to 20/03576/FUL - WDN

Policies

- 7 National Planning Policy Framework (NPPF)
- 8 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development and that development proposals that accord with an up-to-date development plan should be approved without delay.
- 9 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 proposed⁷ 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.
- 10 Footnote 7 (see reference above) relates to policies including SSSIs, Green Belt, AONB, designated heritage assets and locations
- 11 Core Strategy (CS)
 - SP1 Design of New Development
 - L01 Distribution of Development
 - L07 Development in Rural Settlements
 - SP5 Housing size and type
 - SP7 Density of Housing Development
 - SP11 Biodiversity

12 Allocations and Development Management Plan (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Point

Constraints

13 The following constraints apply:

- Urban Confines of Farningham
- Area of Outstanding Natural Beauty
- Area of Archaeological Potential (front of site only)
- Adjacent to the Metropolitan Green Belt (surrounding the site to the north and east)

Consultation Responses

14 **Farningham Parish Council: objection-** original application 20/03576/FUL that was approved by SDC included a single storey bungalow but this has become a very large 2 storey dwelling which would not have been approved if originally applied for, so a retrospective application should also be refused. This is firstly a blatant disregard of the planning permission previously given, and a cynical attempt to build something unacceptable in the hope that once it is already built, the planning system will fail to initiate enforcement action and will let it go through.

15 Reasons for objection include:

- Increased bulk (including adding a master bedroom, with en-suite facilities) upstairs
- Bulk of this detached property is about twice the size of the existing bungalows in the row (which are semi-detached) so that property is very much out of keeping with existing
- Change of character of the street scene, and on a massive scale
- Increased habitable floor area of the house by approximately 59 square metres at first floor level and introducing two large dormer windows and three Velux windows into what was a bungalow.
- The extra windows including windows upstairs overlook the neighbour's bungalow and garden (to the north-west) and even if obscure-glazed (or

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higher off the floor) add to the perception of overlooking the neighbour's much lower bungalow

- New upstairs window overlooks adjoining field in AONB next door
 - This large construction is highly visible from footpath and adjoining roads and impacts the openness of the AONB.
 - Expansion into bungalow roof space when it was expressly requested that the roof space should not be a habitable space
 - Exterior finish (which was not detailed in the original application) of bungalow is oppressive (dark blue/grey) which in its elevated position also adds to the sense of overbearing on the neighbours
 - Some sympathetic allowance had been made for the medical situation of the first applicant, but she then sold up and moved away negating any consideration for very special circumstances
 - Erection of 2m high fence at far side of extended driveway (at rear garden of existing house) creates acoustic tunnel, funnelling the vehicle noise into the neighbour's bungalow immediately adjacent.
 - The absence of any measurements on the plans or elevations (and only a tiny scale bar) makes it very difficult for the lay reader to assess the true size of this huge building on a screen.
- 16 **KCC Highways-** "I note that in highway terms the proposals do not differ materially from the previous scheme for this site, under application SE/20/03576. Parking provision is in accordance with the requirements of Kent Residential Parking Standards (IGN3). I would request that an electric vehicle charging point and secure covered cycle storage is provided. Subject to the above, I would raise no objection on highway grounds to this application".
- 17 **Kent Fire and Rescue-** "From drawing number 006 it appears that the access driveway is in excess of 20m with no designated turning facilities. Applicants should be aware that in the event of planning permission being granted, the fire and rescue service would require the access routes, hardstanding and turning facilities on to meet the requirements of approved document B volume 1:2019, table 13.1.
- 18 Fire service access and facility provisions are also a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the fire and rescue service".

- 19 **Tree Officer-** “I have no objection to the proposals to carry out a new build to the rear as well as extension works to the existing dwelling. Should you be of a mind to provide consent I suggest that a landscaping condition be attached to show a mixed indigenous boundary hedge along the southern boundary. Suitable boundary treatment fencing along the southern boundary should also be conditioned”.
- 20 **KCC Ecology-** concerns were originally raised regarding the lack of ecological information submitted. However, following consideration of the information submitted in support of the previous application, they have made the following comments:
- 21 “No ecological information has been submitted as part of this application. However, we have referred to the ecology report submitted as part of the previously granted SE/20/03576/FUL application at this site, which is still considered valid. Therefore, our advice below is mostly a repeat of that previously provided for application SE/20/03576/FUL”. If permission granted KCC Ecology request a breeding bird informative and an ecological enhancement condition to be imposed on the decision.
- 22 **KCC Archaeology-** no comments.

Representations

- 23 Objections have been received by seven neighbours and a comment from one other neighbour. The responses are based on the following comments:
- Fire and safety officer has concerns
 - Inadequate hardstanding and turning point
 - Lack of parking
 - Loss of light and overshadowing
 - Overlooking and privacy concerns
 - Noise, air pollution and smell concerns
 - Design, elevated and appearance
 - Material finish
 - Impact on Conservation Area
 - Layout, dominance and density of development
 - Deadline for comments
 - Neighbour approached by builders
 - Concerns with fences erected
 - Very special circumstance/reasoning why the previous scheme was granted
 - Outlook concerns
 - Traffic and highway concerns
 - Change to the existing approved permission and that work has already commenced
 - Process of the Development Control Department
 - Impact on the value of neighbouring properties
 - Process if permission is refused

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- Concerns with the proposal description (infill, bungalow, not including retrospective)
- Loss of grassland/greenery
- Precedent for future applications
- Breach of planning permission
- The need for the development
- Massing
- Overbearing
- Result in a wind tunnel
- Not in keeping and overbearing

Planning Appraisal

24 The main planning considerations are:

- Principle of Development
- Impact on the Area of Outstanding Natural Beauty and Character of the Area
- Impact on Residential Amenity
- Parking and Highway Safety
- Trees and Landscaping
- Biodiversity
- Other Issues

Principle of Development

25 The site is within the built confines of Farningham.

26 Policy L07 of the Core Strategy relates to Development in Rural Settlements. Within the settlement confines of Farningham, the policy states that infilling and redevelopment on a small scale only will be permitted taking into account the limited scope for development to take place in an acceptable manner and the limited range of services and facilities available.

27 Planning permission was granted in 2021 for the erection of a detached bungalow.

28 Thus the principle of an additional detached dwelling on this site has been established. This is a material consideration of weight in the determination of this application.

29 However, it is noted that the building constructed on site is not in accordance with the approved plans. Specifically two dormers have been added to the rear roof slope and rooflights added to the front. In other respects the footprint, height, roof form and general design of the building remain as approved.

- 30 As the principle of development on the site has been established, this application will focus on the departures from the approved scheme and assess the impact of these. This will be considered further below.

Impact on the Area of Outstanding Natural Beauty and Character of the Area

- 31 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area, in which it is situated.
- 32 The Countryside and Rights of Way 2000 states that the local planning authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 33 There are two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.
- 34 Policy EN5 of the ADMP states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty.
- 35 The dwelling is located within the existing residential garden of Meadowside, within the residential confines of Farningham There is a built up frontage to Beesfield Lane, but there are also properties set back and also development extending further south-eastwards along Beesfield Lane. Therefore, a dwelling in this location would not be out of keeping.
- 36 As noted above, planning permission has been granted for a bungalow on the site under application 20/03576/FUL. No objections were raised to the siting, footprint, height and general design approach taken on the approved scheme.
- 37 The differences between the approved scheme and the proposed is the addition of a habitable room in the roof, Velux windows on the front elevation, two dormer windows within the rear roof slope and alterations to the fenestration on the side/rear elevation to accommodate bi-fold doors.
- 38 The bungalow is no greater in height than that approved and does not exceed the height of Meadowside, to the front of the site. The bungalow sits comfortably within its plot and, because of the distance between the houses, has an acceptable relationship with Meadowside.
- 39 The proposed dormers are modest in size on the property and would sit comfortably within the roof slope. Therefore, it is not considered to

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significantly increase the bulk and massing on the roof form. Also, as the dormers are located on the rear elevation, they are not widely visible.

- 40 The locality of Beesfield Lane is characterised by properties of varying design and the design of the application dwelling is considered acceptable in this context.
- 41 The dwelling does include habitable space within the roof, however the street scene includes both two-storey dwellings and bungalows and the scale of the building is also considered compatible in this context. The dwelling is located no closer to the boundaries than the approved scheme and sits comfortably on the site. It does not, in my view, appear overbearing and provides sufficient outdoor residential amenity area for both dwellings. Thus, I do not consider the development represents an overdevelopment of the site.
- 42 The proposed materials are as the approved under application 21/02684/DETAIL.
- 43 The addition of soft landscaping and ecological enhancements to the site, which are the subject of a proposed condition, would assist in softening the visual impact of the proposals and enhance the appearance of the site. A condition to remove permitted development rights is also proposed, in order to control future development on the site. The proposals would help define the built edge to Farningham on the northern side of Beesfield Lane and, together with the landscaping and ecological enhancements proposed, would conserve and enhance the character and appearance of the Area of Outstanding Natural Beauty.
- 44 In light of the above, I consider the proposal complies with Policies EN1 and EN5 of the ADMP.

Impact on Residential Amenity

- 45 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 46 There are neighbouring properties located opposite the site and to the north.
- 47 In granting approval for 20/03576/FUL, the form, height and scale of the dwelling was considered to have an acceptable impact on the amenities of neighbouring occupiers.
- 48 As built, the dwelling includes two dormer windows within the rear elevation. These are not readily visible to neighbouring properties and do not result in direct overlooking. The rooflights to the front elevation are installed at high level, which restricts an outlook that could otherwise result in overlooking and loss of privacy.

- 49 The bi-fold door would not result in harm to residential amenity as they would not directly face any neighbouring properties and would be at a considerable distance from any neighbours to the south along Beesfield Road.
- 50 A concern has been raised in relation to the impact to the noise, air, smells and wind tunnel effect the development would result in. However, I consider the impact to be limited, due to the development comprising the addition of a single dwelling within an already established, built up, residential area.
- 51 A concern has also been raised in relation to the CCTV, which has been erected on the proposed dwelling. This has been assessed by both the Enforcement Team and Environmental Health and it can be confirmed that this is not a breach of planning permission or policies.
- 52 In light of the above, it is my conclusion that the proposals comply with Policy EN2 of the ADMP.

Parking and Highway Safety

- 53 Policy EN1 of the ADMP states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that dwellings in this location with four bedrooms require two independently assessable parking spaces. The proposed block plan indicates sufficient parking, including an extra space for visitors. Sufficient parking would also be retained for the existing dwelling. The proposal therefore complies with Policy T2 of the ADMP.
- 54 Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigated climate change. A condition could be imposed to ensure that this is included on the site.
- 55 The proposed dwelling would use the existing access point on the site to access the highway and therefore would not result in any additional accesses to Beesfield Lane. There would be an increase in vehicle movement to the site, however due to this only being an increase of one property, the impact would not be significant.
- 56 KCC Highways were consulted on the scheme and raised no objections.
- 57 I have noted the concern raised by the neighbouring occupier with regard to the access and highway concerns. However, paragraph 111 of the NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be

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severe. In light of this, noting that the Highway Authority raise no objections, I consider the proposals to be acceptable in this regard.

- 58 In note also that Kent Fire and Rescue have highlighted the need to comply with various standards. However, their requirements are subject to separate legislation and are a matter for Building Control, independent of planning.

Trees and Landscaping

- 59 The Tree Officer has been consulted on the scheme and raised no objection subject to the inclusion of a condition to be imposed in relation to further details in relation to landscaping and boundary treatment. This information has already been approved under application 21/02735/DETAIL and therefore can be conditioned to ensure that this is carried out in accordance with these details.
- 60 A concern has been raised in relation to the fence, which has been erected on the site. Our Enforcement Team have investigated this and conclude that this was not a breach of planning control as it falls within the remits of permitted development.

Biodiversity

- 61 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity.
- 62 KCC Ecology were consulted on the scheme and requested further information, however after reviewing the ecological information submitted under the approved scheme, they raise no objection subject to the inclusion of an ecological enhancement condition.

Other Issues

- 63 Third parties have raised a concern has been raised in relation to application process. It can be confirmed that what has been built on site is a breach to the previously approved scheme 20/03576/FUL. This application falls to be judged on its own merits in light of the relevant material considerations, as set out above.
- 64 Concern has also been raised in relation to the reasoning behind the approval with the previous scheme and that this was in relation to the applicant's medical needs. It can be confirmed that this was not a justification used to obtain planning permission for the approved application, nor is it part of the justification for the current proposal.
- 65 Concerns have also been raised in relation to the permitted development condition included with the previous scheme, the impact on the value of neighbouring properties, the small scale bar included on the plans, the

proposal description and the fact that the neighbour was approached by a builder. The removal of permitted development rights was included on the previous scheme and will also be included on this scheme. This removes the right to alter or extend the house or erect outbuildings within the grounds, without planning permission. In regard to the value of neighbouring properties being affected and the neighbour being approached by the builders, this does not affect the process of approving planning permission and is a civil matter.

- 66 The Validation Checklist requests for a scale bar to be included on the plans, in which the plans do include. The size of the scale bar does not form part of the requirements.
- 67 The proposed description has been assessed and it clearly sets out the proposed development and reflects what is shown on the plans.
- 68 Concern has been raised in relation to the impact of the development on the Conservation Area and the Metropolitan Green Belt. However, the development is not located within the Conservation Area or the Green Belt.

Community Infrastructure Levy (CIL)

- 69 The proposal is CIL liable and there is no application for exemption.

Conclusion

- 70 In summary, in light of the above, the proposals are considered to comply with the relevant local and national policies and to represent an acceptable form of development.

Background papers

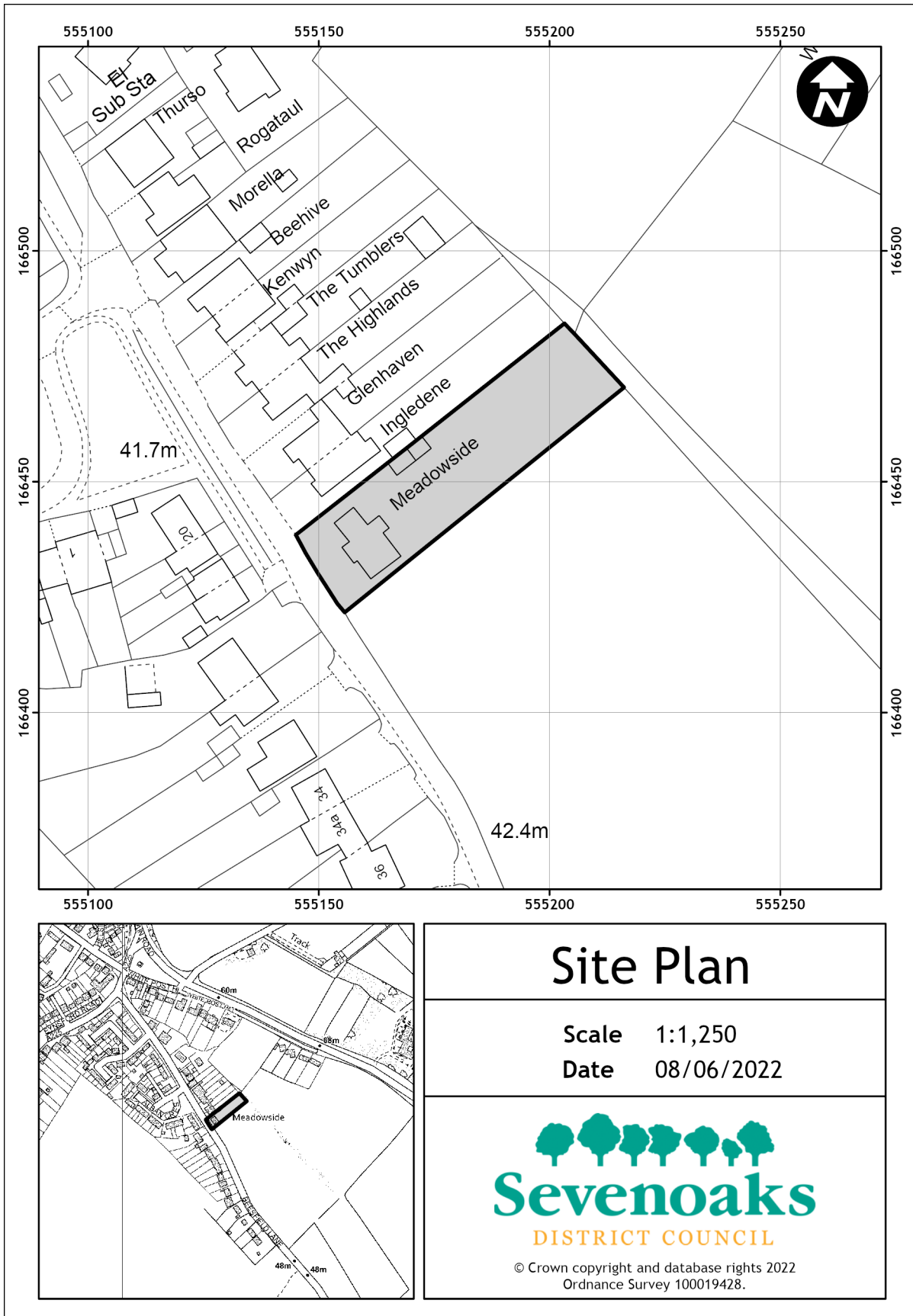
Site and block plan

Contact Officer(s): Louise Cane: 01732 227000

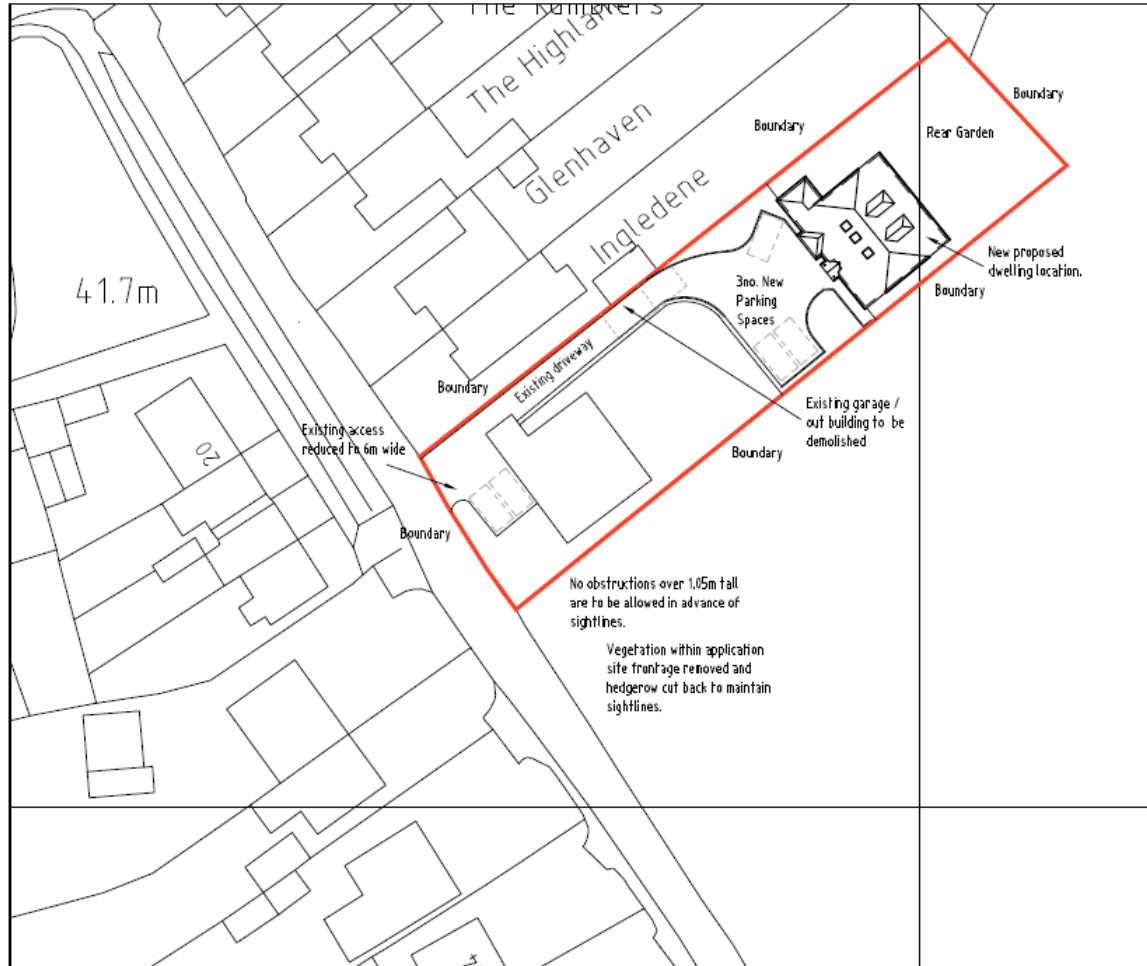
Richard Morris
Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



BLOCK PLAN



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4.3 22/00613/FUL Revised expiry date 7 July 2022

Proposal: Proposed replacement detached dwelling with associated garage, parking and landscaping. New outbuilding.

Location: 73 Bradbourne Vale Road, Sevenoaks, Kent TN13 3DN

Ward(s): Sevenoaks Northern

Item for decision

This application has been referred by Councillor Canet, in line with the Town Council reasons for refusal, which area:

1. The large block garage and single storey outbuilding in the garden would constitute overdevelopment of the site
2. The design is not in keeping with the Residential Area Character Assessment
3. Loss of amenity to no.71

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

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

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

- 2) Prior to the erection of the rear outbuilding hereby approved, a tree protection plan shall be submitted to and approved in writing by the local planning authority. The tree protection plan shall include details of the schedule and implementation of protective measures (compliant with BS5837:2012) to protect the mature Birch Tree to the east of the site. The approved tree protection plan shall be implemented in accordance with the schedule of protection measures outlined in the approved plan.

To protect the mature Birch tree within the neighbouring site, to the east of the development, in the interests of the verdant visual amenity of the Lambarde Road Character Area, in accordance with Policy EN1 of the Sevenoaks ADMP

- 3) Prior to development above the damp proof course layer of the new dwelling hereby approved, a landscaping plan shall be submitted to and approved in writing by the local planning authority. The landscaping plan shall confirm details of the planting to be removed, planting to be introduced, and planting to remain, on site and include a schedule of landscape maintenance for a minimum period of 5 years. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved.

To conserve the verdant visual amenity of the Lambarde Road Character Area, in

accordance with Policy EN1 of the Sevenoaks ADMP

4) The first floor windows in the east and west 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.

5) Access to the flat roof area of the development hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not be used as a balcony, roof garden, patio or similar amenity area.

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

6) The driveway gate, as shown on drawing 3266 - 004 Rev B, shall open inwards into the site and shall not obstruct nor open onto the public highway.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) Prior to the completion of the garage, hereby approved, one electric vehicle chargepoint shall be installed within the garage.

To ensure the development helps to mitigate the effects of climate change and poor air quality across the district, in accordance with Policy T3 of the Sevenoaks ADMP

8) The materials to be used in the construction of the development shall be those indicated in the Application Form dated 10 March 2022 and in the Design and Access Statement dated 04 March 2022

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

9) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 3266-001 Rev F, 3266-002 Rev I, 3266-004 Rev B

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

National Planning Policy Framework

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

solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

- 1 The site contains a bungalow located along the south side of Bradbourne Vale Road, which is a busy arterial road (known as the A25) linking to the north of Sevenoaks.
- 2 The site is located within the built confines of Sevenoaks, and is located within the Lambarde Road residential character area. The site is bound by residential dwellings on its south, east and west sides.
- 3 Dwellings across the residential area are set along a grid of roads laid out in the 1930s and contain dwellings of predominantly one and two storeys, which vary in architectural design.
- 4 Dwellings generally have rectangular land plots and are set back from the highway behind enclosed boundary treatments. The site is typical of this arrangement, being a rectangular land plot with a deep set back from the highway and remaining enclosed by tall mature vegetation.
- 5 Dwellings along Bradbourne Vale Road are detached and are set back behind deep front gardens, with ample off-street parking.

Description of proposal

- 6 It is proposed to demolish the bungalow and erect a two-storey dwelling in the same position, in a contemporary design.
- 7 The dwelling would have a gable-end roof profile and incorporate two storey and single-storey rear additions with flat roofs.
- 8 The new dwelling would include a single-storey L-shaped garage of three bays to the front driveway of the site and a single-storey outbuilding in the rear garden.

Relevant planning history

- 9 None.

Policies

- 10 National Planning Policy Framework (NPPF)
- 11 Core Strategy (CS)
 - LO1 Distribution of Development
 - LO2 Development in Sevenoaks Urban Area
 - SP1 Design of New Development and Conservation

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- SP2 Sustainable Development
 - SP11 Biodiversity
- 12 Allocations and Development Management Plan (ADMP)
- SC1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
 - T2 Vehicle Parking
 - T3 Provision of Electrical Vehicle Charging Points
- 13 Other:
- Sevenoaks Residential Extension Supplementary Planning Document (SPD)
 - Sevenoaks Residential Character Area Assessment SPD (SRCAA) - reference C01 Lambarde Road

Constraints

- 14 The following constraints apply:
- Urban Confines of Sevenoaks

Consultations

- 15 Sevenoaks Town Council - Objection lodged
- 16 Refusal is recommended on the following grounds:
- The large block garage and single storey building in the garden would constitute overdevelopment of the site
 - The design is not in keeping with the Residential Area Character Assessment
 - Loss of amenity to no.71
- 17 Arboriculture and Landscaping - No objection lodged, subject to condition
- 18 I can inform you that there are no protected trees located at this property and it is not situated within a conservation area.
- 19 Several trees and shrubs are located at this property. They are generally of low amenity value but do provide an effective screen from the neighbouring properties. The proposed garage would result in the loss of several trees and shrubs from the western boundary. These could be replaced as a part of an approved landscaping scheme.
- 20 The principle tree located at this site is actually situated within the neighbouring rear garden, beyond the eastern boundary. This is a mature Birch tree. I have estimated that it requires a RPA of 6.0m. According to the

plan provided, 3266-001, the proposed outbuilding would be constructed within 5.50m from the base of this tree. It can be seen any excavation would be taking place on the outer edges of the RPA. Providing it is adequately protected, I have no objection to the proposed development.

- 21 Details of protective measures to be used should be submitted for comment and should comply with BS5837:2012.
- 22 Kent County Council Archaeology - No Comment
- 23 Kent County Council Highways Authority - No objection lodged
- 24 The application proposes a replacement detached dwelling with no changes to the existing access. There is sufficient parking proposed and an electrical charging point will be provided within the new garage.
- 25 Consequently, 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.
- 26 Scotia Gas Networks - information only
- 27 To confirm the location of nearby gas lines, to inform the construction phase of the development, and avoiding disruption to this network.
- 28 UK Power Networks - information only
- 29 To confirm the location of cables and overhead lines owned by the network.
- 30 Zayo Group - Information only
- 31 To confirm the location of nearby fibre-optic lines, to inform the construction phase of the development, and avoiding disruption to this network

Representations

- 32 One letter of objection have been received relating to the following issues:
 - Overdevelopment of the site and impact on the street scene
 - Obtrusive development
 - Loss of outlook
 - Loss of daylight and sunlight
 - Loss of privacy
 - Removal of landscaping outside of the applicant's ownership

Chief Planning Officer's appraisal

- 33 Policy SC 1 of the ADMP, in line with paragraph 11 of the National Planning Policy Framework, highlights there is a presumption in favour of Sustainable Development and planning applications which accord with the policies in a Local Plan should be approved without delay, unless material considerations indicate otherwise.

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34 The material planning considerations in this instance are as follows:

- Principle of Development
- Design and Impact on the character of the area
- Impact on neighbouring amenity
- Parking and Highways Safety

Principle of Development

35 Para 124 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change.

36 The site is located within the built confines of Sevenoaks. Location policies LO1 and LO2 direct development to this area stating the Sevenoaks urban area will be the principal focus for development.

37 Policy LO2 further states new development in such areas must protect the distinctive character of the local environment, and this is consistent with design policies SP1 and EN1, which state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

38 The presumption in favour of sustainable development under the NPPF (paragraph 11) further states that for decision-taking, where policies may be out-of-date, permission should be granted for the development unless

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- 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.

39 As such, the principle of development must account for protected assets and any adverse impacts must be significant and demonstrably outweigh the benefits, to warrant refusal.

40 Assessment:

41 The site is located within the built confines of Sevenoaks and is therefore a focal point for development.

42 The site itself is not within a protected area and does not contain assets of importance. As such, there will be a presumption in favour of this development unless demonstrable harm is identified by other material considerations.

- 43 Material considerations in this instance relate to the development's impact on the prevailing character of the area as a whole, the impact on the amenities of neighbouring occupiers and on highway safety.
- 44 The planning assessment against relevant policy of the Sevenoaks Development Plan, related to these material considerations, is considered below.

Design and Impact on the character of the area

- 45 The site is located within the built confines of Sevenoaks, where Policy LO1 and LO2 of the Core Strategy directs development. The thrust of these policies has been outlined above.
- 46 Policy EN1 states the form of a development should be compatible with the scale, height, materials and site coverage of an area. The layout of the development should also respect the topography and character of the site and maintain important natural features such as trees.
- 47 In addition to the above, the Residential Extensions SPD states that garages and outbuildings should not have an unacceptable impact on the space surrounding buildings. These buildings should be smaller in scale and clearly ancillary to the property.
- 48 Character of the area:
- 49 Concern has been expressed by the Town Council and third parties, that the design of the proposed development does not respect the wider character of the area. This is assessed below.
- 50 In identifying the distinctive local character of the area, the site is situated within the Lambarde Road Character Area which consists of 1930s inter-war housing set out in a grid formation to the south of the A25 (Bradbourne Vale Road).
- 51 The Sevenoaks Residential Character Area Assessment SPD (SRCAA) highlights the spatial, architectural and verdant characteristics of the area.
- 52 With regards to spatial characteristics, the SRCAA describes the Lambarde Road area as consisting of bungalows and two storey dwellings, set on regular building lines on similar sized plots, creating an orderly, planned character. The low building height, long straight roads, set back of the houses and limited on-street parking contribute to an open, unenclosed character. Dwellings can have individual garages or communal parking blocks.
- 53 The SRCAA further observes that bungalows generally dominate the east side of the area, and two-storeys the west side of the character area. Dwellings facing the A25 are behind deep grass verges and/or deeper front gardens.
- 54 In terms of the areas architectural characteristics, the SRCAA observes that considerable alterations have taken place to dwellings across the area,

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including many loft conversions with the introduction of dormer windows and other alterations to the roofline.

- 55 Dwellings across the area are of varied design and roof lines but many exhibit common design features such as hipped or gabled tiled roofs and wide casement windows. Many have curved bays and porches and are embellished with hung tiles and mock half-timber elevations. These traditional architectural details are highlighted as a positive feature of the character area.
- 56 The SRCAA outlines the verdant character area, created by the verges and belts of trees visible behind and between the houses, landscaped front gardens and boundary hedges. Sections of the A25 are also verdant with tall trees. The low building heights of the area allow views northwards towards the North Downs.
- 57 The SRCAA concludes by stating that new development should respect the area's regular building lines, materials palette and traditional details (for example brown roofing and white render / pebbledash and half-timbered elevational treatment). Characteristic roof profiles and mature vegetative boundary treatments should also be respected, as well as the area's heritage assets, and views towards the North Downs.
- 58 Assessment of impact:
- 59 Third party representations have expressed concern that the design of the new dwelling and outbuildings would not be in keeping with the Lambarde Road Residential Character area, and that the outbuildings would present an overdevelopment of the site. This is assessed below.
- 60 Spatial characteristics of the Lambarde Road area:
- 61 The new dwelling on site would replace the existing bungalow with a dwelling of a two-storey height. At present, the bungalow on site is atypical of the west side of the Lambarde Road area, where the dwellings situated along the southern side of the A25 are predominantly of two storeys, including the neighbouring dwellings immediately to the east and west.
- 62 As such, the proposed two-storey dwelling would be entirely compatible with neighbouring properties.
- 63 In addition, the siting of the dwelling would continue to respect the regular building lines of the area and retain spacing between dwellings.
- 64 In addition to the comfortable siting of the dwelling, two outbuildings are proposed to the site. These comprise one L-shaped garage sited to the front of the house and a rectangular outbuilding within the sites rear garden.
- 65 The site is typical to the area, in benefitting from a large and spacious rectangular land plot with the dwelling maintaining a significant set back from the highway (some 33 metres) behind a long front driveway. The dwelling also benefits from a long rear garden. Because of this, the proposed outbuildings, together with the dwelling would cover only a third

of the land plot and would not be considered to amount to an overdevelopment of the site, with the majority of the site remaining free from built form.

- 66 Both outbuildings would be inset from all surrounding site boundaries and would remain spaciouly located within the plot. As such I consider the scale of the site can comfortably accommodate the two single-storey outbuildings in addition to the replacement dwelling on site.
- 67 Furthermore, garages forward of the building line of dwellings are an existing feature of the streetscene. Whilst the footprint of the front garage would be large, it would be single-storey and well screened from the street scene by the brick wall and mature vegetation which lines the boundary and which screens other garages to the frontage of neighbouring dwellings. A planning condition can be secured to ensure the planting is retained on site.
- 68 In summary, the proposed development would remain discreet within the immediate streetscene where dwellings and garages are well screened by vegetative front boundary treatments. The dwelling and outbuildings as a whole would remain comfortably situated within the land plot and respect the scale of built form across the Lambarde Road character area.
- 69 Architectural characteristics of the Lambarde Road area:
- 70 Whilst taking legible design cues from the residential character area (including a front facing gable and a pitched gable roof), the design of the house is deliberately designed to provide a contemporary look and feel, utilising glass, brickwork, grey cladded elevations and render. Grey roof tiles are also proposed.
- 71 The Design and Access Statement confirms that the intention is to create a house which is legible to its period (2022) rather than copy a previous period, resulting in a pastiche design. The Lambarde Road area does not have a uniform architectural design and this allows for variation.
- 72 As such, whilst the contemporary design is not typical of the design palette and traditional detailing used across the Lambarde Road character area, I consider the contemporary design successfully blends old and new styles to introduce a distinctive design, which continues to respect the prevailing scale, siting and design of built form across the character area. The significant set-back of the dwelling from the highway and the compatible scale of the dwelling in relation to surrounding dwellings, further ensure the new dwelling would protect the prevailing visual amenity of the area, and I do not consider the difference in design to be of demonstrable harm to outweigh the presumption in favour of development.
- 73 Verdant characteristics of the Lambarde Road area:
- 74 The Arboriculture Officer has reviewed the proposal and accepted the loss of several trees and shrubs, provided that boundary vegetation is replaced as a part of an approved landscaping scheme. In addition, the Arboriculture Officer has highlighted that details of measures to protect one neighbouring

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tree which is located within vicinity of the rear outbuilding on site, should be secured via planning condition.

- 75 Both existing vegetation and new vegetation can be secured via planning condition to ensure the prevailing verdant character of the Lambarde Road character area is duly preserved.
- 76 In conclusion, the proposed development would present a dwelling and outbuildings of a contemporary design which would remain discreetly positioned within the street scene and which would continue to respect the prevailing character and scale of built form across the wider Lambarde Road character area. I therefore consider the proposal accords with local design policy, taking due consideration of supplementary design guidance.

Impact on neighbouring amenity

- 77 Policy EN2 of the ADMP states that development should safeguard the amenities of existing and future occupants of a development and of nearby properties.
- 78 Development should not subject residents to excessive noise, vibration, odour, overlooking (unacceptable loss of privacy), visual intrusion (loss of outlook) nor loss of light.
- 79 Further details on the Councils' assessment of neighbouring amenity is outlined with the Residential Extensions SPD.
- 80 The Town Council and third party representations have raised concern that the proposed works would harm the amenities of surrounding neighbours. The two neighbours in proximity to the development are no.71 and no. 75 Bradbourne Vale Road, which directly flank the site on its east and west sides. No other neighbours would be affected due to the separation distances from the development. The impacts on neighbours are assessed below.
- 81 Daylight and Sunlight:
- 82 With regards to daylight, the proposed site plan confirms that the new dwelling would largely follow the existing building line to the front of the dwellings. As such, the new dwelling would pass the daylight test on the habitable rooms located along the principle, north-facing, side of neighbouring dwellings, and would safeguard acceptable levels of daylight to these rooms.
- 83 To the sides of neighbouring dwellings, no.71 has two ground floor windows, which are dual aspect and already receive impaired daylight due to existing mature vegetation which separates this neighbouring dwelling from the application site. This is an existing situation and the proposed new dwelling would not materially alter this existing situation.
- 84 To the side of no.75, one ground floor window serves a non-habitable room (a garage) whilst the first floor side-facing room is triple-aspect and receives daylight from windows to the north and south of the dwelling. As,

such the development would safeguard acceptable daylight to all habitable rooms served by side-facing windows.

- 85 To the rear of the neighbouring dwellings, the two-storey ranges of the house are recessed and as such, the proposed dwelling would pass the daylight test performed at plan view. Therefore, whilst the dwelling would fail at elevation view, the development would pass the daylight test overall and daylight levels would remain within acceptable limits under this policy. Conversely, the single storey extensions to the house would fail on plan view but pass on elevation. Consequently, whilst the development would result in some impact on daylight, the impact would not be considered demonstrably harmful and would continue to accord with local policy.
- 86 With regards to sunlight, the two-storey extent of the dwelling would not alter the sunlight received to no.75 due to its recessed position in relation to the rear built form of no.75. The single-storey rear addition would shade the garden of no.75 in the early morning hours, however sunlight would remain unaffected for the majority of the day and therefore the impact on sunlight would not be severe.
- 87 Furthermore, the rear gardens of dwellings have a south-facing orientation and benefit from the highest levels of sunlight throughout the year. Owing to this, the impact of overshadowing would be limited.
- 88 There is a mature hedgerow on the eastern boundary of the site, which already partially shades no.71. Thus the proposals would not have a significant impact on the levels of light currently enjoyed by the occupiers of this property.
- 89 In summary, the proposal would pass both the daylight and sunlight tests performed and would conserve acceptable levels of daylight and sunlight to neighbouring sites.
- 90 Outlook and overbearing development:
- 91 Owing to the rectangular land plots, with houses oriented in parallel to one another, the outlook from neighbouring dwellings of the proposed development would remain oblique and restricted, rather than a direct and immediate aspect from habitable rooms. Consequently, the development would not be considered to be sited such as to appear unduly overbearing or imposing. The planning process is unable to protect long-range views, however in this instance the development does not interrupt short nor long-range views.
- 92 In summary, the proposed outlook of neighbours would remain within the acceptable limits of this policy, and the siting of the development would not amount to an overbearing impact.
- 93 Privacy:
- 94 Bedroom 4 at first floor level, and the en-suite to the Master bedroom together with one east-facing en-suite window serving bedroom 2, all introduce a direct outlook towards neighbouring dwellings and would

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require obscure glazing and being fixed shut to safeguard the privacy of neighbouring dwellings. This can be secured by planning condition.

- 95 In addition, owing to the flat expanse of roof adjacent to windows on the rear elevation of the site, a condition can be imposed to prevent use of the flat roofs as balconies, to safeguard the privacy of neighbours. This can also be secured by planning condition.
- 96 All other windows are not oriented to directly overlook neighbouring private amenity space, whilst site boundaries would protect the privacy of neighbours from the new outbuildings introduced at ground floor level.
- 97 In summary, subject to two privacy conditions, the development would conserve the amenities of surrounding neighbours. In addition, the new dwelling would meet the Nationally Prescribed Space Standards for new dwellings and is designed to provide good levels of daylight, ventilation and amenity space to future occupiers of the development.
- 98 In summary, the development is policy compliant.

Parking and Highways Safety

- 99 Policies EN1 and T2 of the Sevenoaks ADMP seek to ensure satisfactory means of access for vehicles and pedestrians, and to provide adequate parking facilities. Policy T3 requires electric vehicle charging infrastructure to be provided in new developments.
- 100 In suburban locations, local policy guidance on residential parking requires dwellings with four or more bedrooms to provide two parking spaces on site.
- 101 Parking provision would remain on the site for two vehicles as a result of the proposed development and as such would not be considered to materially affect any local parking issues, nor compromise the existing highways safety of the site.
- 102 The existing site access would remain unaltered, except for an amended design for the vehicular gate which provides entrance to the site. This gate can be conditioned to remain inward opening to preserving existing sightlines for vehicular movements. The driveway allows sufficient space for the turning of vehicles to ensure they can enter and exit the site in a forward gear.
- 103 As a result, the proposal would maintain satisfactory parking arrangements for the scale of development proposed, and maintain highways safety conditions.
- 104 Provision of one electric vehicle charging point can also be secured by planning condition. The Highways Officer has reviewed the proposals and raised no objection to the development.
- 105 In summary, the proposal would accord with local policy and policy guidance.

Other issues

- 106 Third party representation has referred to the loss of landscaping outside of the applicants ownership. Planning consent does not override any other consents which the applicant must obtain prior to works commencing. Discussions regarding boundary landscaping is a civil matter for discussion amongst land owners and does not have material bearing on this application. Notwithstanding this, as advised by the Arboriculture Officer, a landscaping scheme can be secured via planning condition, to ensure the removal and introduction of vegetation on site is managed, to safeguard the visual amenity of the area.
- 107 Third party representation has also highlighted Grade II Listed Buildings which lie to the north-west of the site (called Tadorna and Bradbourne Farmhouse). Given the significant separation distance from the site (over 80 metres) and the visual separation of the site by the busy A25 arterial road and surrounding vegetation, I do not consider the setting of these heritage assets would be harmed. As such, the proposal would comply with policy EN4 of the Sevenoaks ADMP.

Community Infrastructure Levy (CIL)

- 108 The proposal would create over 100m² of habitable internal space and is therefore CIL liable. There is no application for an exemption. As such, the development will be charged CIL.

Conclusion

- 109 Subject to a landscaping condition to protect the visual amenity of the Lambarde Road area, privacy conditions to safeguard neighbouring privacy, and an electric vehicle charging condition and driveway gate condition, the development would comply with all relevant policies of the Sevenoaks Development Plan and there are no material considerations, which would outweigh the presumption in favour of development.
- 110 It is therefore recommended that this application is GRANTED.

Background papers

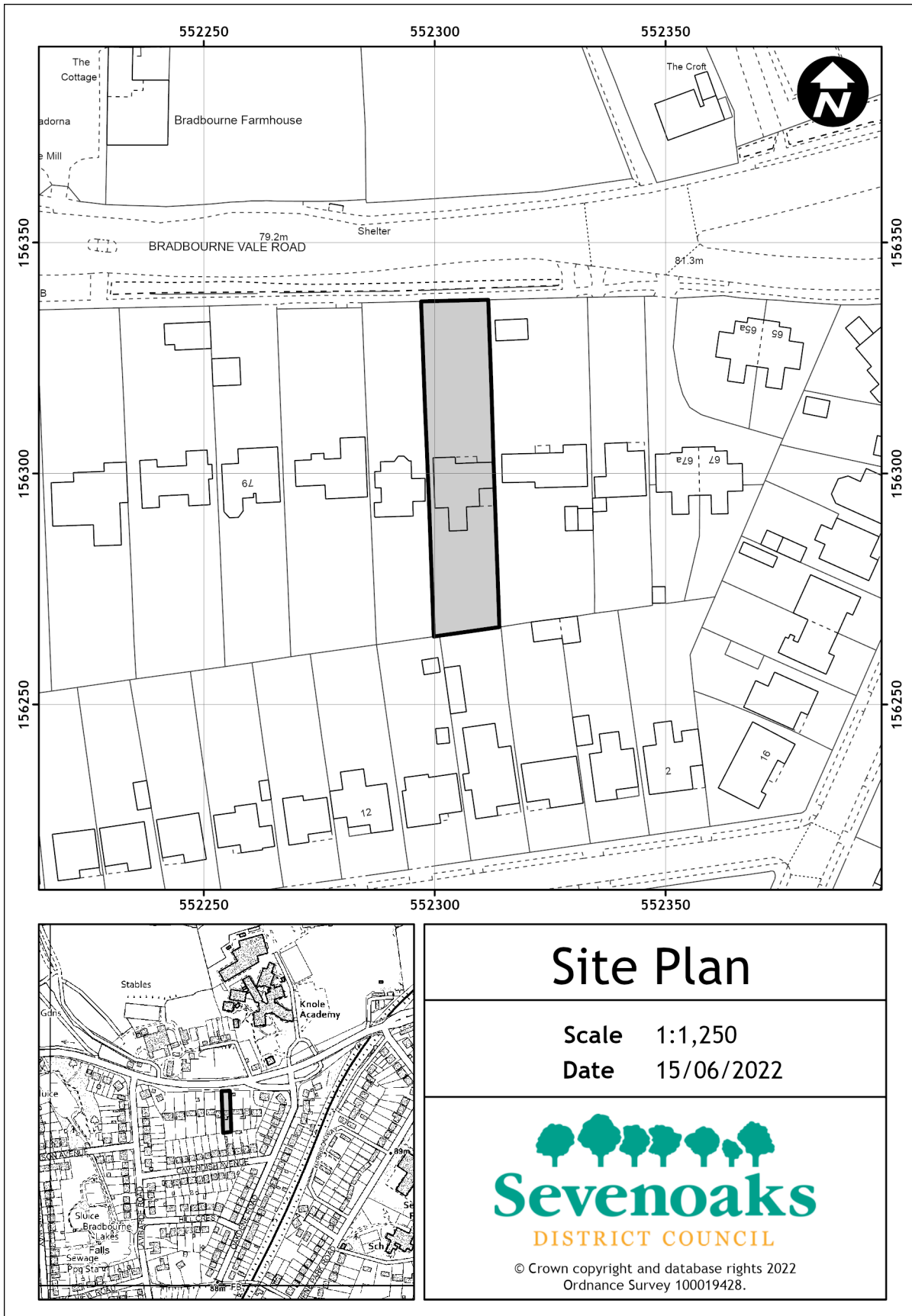
Site and block plan

Contact Officer(s): Samantha Simmons 01732 227000

Richard Morris
Chief Planning Officer

Link to application details:

Link to associated documents:



Site Plan

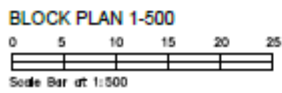
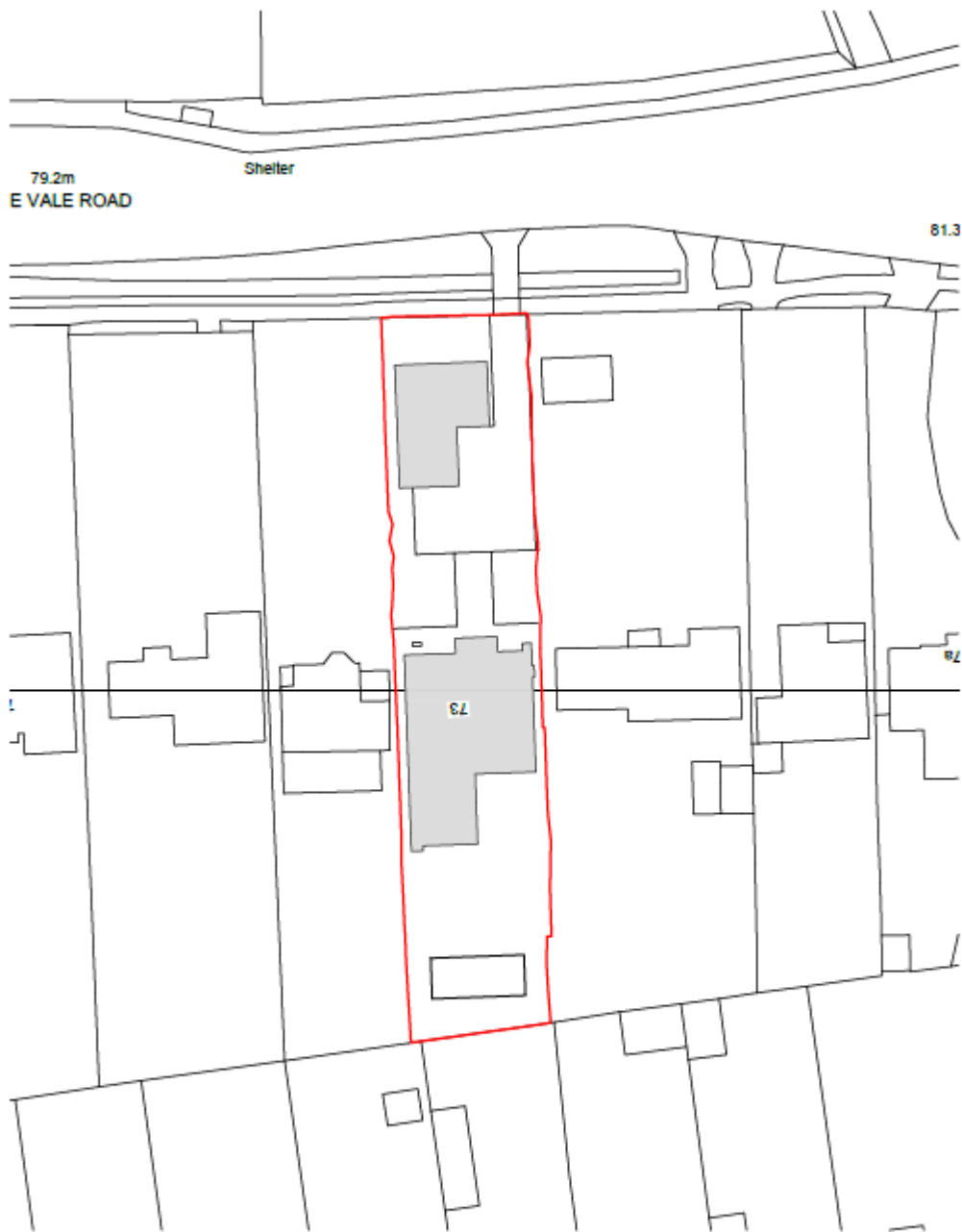
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Date 15/06/2022



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BLOCK PLAN



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