

21 July 2022 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 13.07.22

The meeting will also be livestreamed to YouTube on the Council's channel here:

https://www.youtube.com/channel/UCLT1f_F5OfvTzxjZk6Zqn6g



Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Pett

Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, P. Darrington, Edwards-Winsor, 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 30 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 | | |
| RESERVED PLANNING APPLICATIONS | | |
| The Committee considered the following planning applications: | | |
| 4.1 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. Alterations to windows. | (Pages 9 - 24) | Louise Cane Tel: 01732 227000 |
| 4.2 21/03851/FUL - Land North of Pilgrims Oasts, Station Road, Otford, KENT TN14 | (Pages 25 - 56) | Nicola Furlonger Tel: 01732 227000 |

5QX

Erection of pair of 3 bedroom semi-detached dwellings, parking and associated works.

- 4.3 **22/00893/HOUSE - The Old Bakehouse, Six Bells Lane, Sevenoaks Kent TN13 1JE** (Pages 57 - 72) Sean Mitchell
Tel: 01732 227000
Conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom annexe.
- 4.4 **21/03402/FUL - Land East Of 168 St Johns Hill, Sevenoaks, KENT TN13 1PF** (Pages 73 - 96) Sean Mitchell
Tel: 01732 227000
Erection of part 3/part 4 storey building containing 8 flats as affordable housing (5 x 1 Bedroom and 3 x 2 Bedroom Flats) with associated cycle/refuse storage.
- 4.5 **22/00443/FUL - Land East Of 1 Fruiterers Cottages, Eynsford Road, Crockenhill Swanley Kent BR8 8JS** (Pages 97 - 114) Hayley Nixon
Tel: 01732 227000
Construction of detached two storey dwelling with associated access, parking and landscaping.
- 4.6 **22/01038/HOUSE - Little Oaks, Burlings Lane, Knockholt Sevenoaks Kent TN14 7PE** (Pages 115 - 124) Louise Cane
Tel: 01732 227000
Erection of two storey side extension and enlargement of basement.
- 4.7 **22/00590/ADV - Land South Of Dunbrik Waste Transfer Site, 2 Main Road, Sundridge Kent TN14 6EP** (Pages 125 - 132) Hayley Nixon
Tel: 01732 227000
Replacement of non-illuminated sign.

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, 18 July 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 30 June 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllrs. Ball, Brown, P. Darrington, Edwards-Winser, Hogarth, Hudson, Layland, Osborne-Jackson, Purves, Raikes, Reay and Williams.

Apologies for absence were received from Cllrs Pett, Barnett, Cheeseman, McGarvey.

Cllrs. Dr. Canet and Clayton were also present.

Cllrs Thornton and Perry Cole were present via a virtual media platform that did not constitute attendance as recognised by the Local Government Act 1972.

7. Minutes

Resolved: that the tabled minutes of the meeting held on 8 June 2022 be approved and signed by the Chairman as a correct record.

8. Declarations of Interest or Predetermination

Councillor Purves declared that she was the ward member in respect of item 4.1 - 22/00859/FUL - Garage Block North of 32, Bethel Road, Sevenoaks Kent TN13 3UE (minute 11) but would remain open-minded.

Councillor Raikes declared that applications had been considered through Sevenoaks Town Council Planning Committee which he chaired in respect of item 4.1 - 22/00859/FUL - Garage Block North of 32, Bethel Road, Sevenoaks Kent TN13 3UE (minute 11) and item 4.3 - 22/00613/FUL - 73 Bradbourne Vale Road, Sevenoaks, Kent TN13 3DN (minute 12) but would remain open minded.

Councillor Hogarth declared similarly that applications had been considered through Sevenoaks Town Council Planning Committee on which he was a Member in respect of item 4.1 - 22/00859/FUL - Garage Block North of 32, Bethel Road, Sevenoaks Kent TN13 3UE (minute 11) and item 4.3 - 22/00613/FUL - 73 Bradbourne Vale Road, Sevenoaks, Kent TN13 3DN (minute 12) but would remain open minded.

CHANGE IN ORDER OF AGENDA ITEMS

The Chairman, with the committee's agreement, brought forward consideration of item 4.2 - 22/00376/FUL - Meadowside, Beesfield Lane, Farningham Dartford Kent DA4 0BZ (minute 9).

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Development Control Committee - 30 June 2022

9. 22/00376/FUL - Meadowside, Beesfield Lane, Farningham Dartford Kent DA4 0BZ

Member's attention was brought to the late observations sheet which altered the Officers recommendation as follows: during Committee briefing it was agreed that a site inspection would be carried out on the morning of Committee. Unfortunately, notification advising Members of the site inspection did not provide the usual period of notice, as it was only sent during that morning. Prior to commencement of the site inspection, it was concluded that Members had not been given sufficient opportunity to attend the site to view the application proposals. Because of this, Members may not have been aware of the site inspection and/or been unable to attend at short notice. For this reason, the site inspection was cancelled.

It was Officer's recommendation that the item be deferred to the next Development Control Committee in order to allow the site inspection to be undertaken following full notification to Members. Therefore there was no Officer presentation of the report and no public speaking took place.

The Chairman moved from the Chair that the item be deferred as per the late observations sheet. The motion was put to the vote and it was

Resolved: that the item be deferred to the next meeting of the Committee to allow the site inspection to be undertaken following full notification to Members.

10. Declarations of Lobbying

It was accepted that all Councillors had been lobbied in respect of item 4.2 22/00376/FUL - Meadowside, Beesfield Lane, Farningham Dartford, Kent, TN13 3DN (minute 9).

11. 22/00859/FUL - Garage Block North Of 32, Bethel Road, Sevenoaks Kent TN13 3UE

The proposal sought planning permission for Demolition of existing garages to be replaced with a proposed two-storey detached dwelling with carport and associated landscaping.

The application had been referred to the Committee by Councillor Clayton and Councillor Purves on grounds of impact on the conservation area.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: James Ford

For the Application: -

Parish Representative: Parish Cllr Shea

Local Members: Cllr Clayton

Members asked questions of clarification from the officer regarding the impact of the development on the neighbouring properties and the distances between amenities. It was confirmed that the development passed the relevant light test and Members were referred to paragraphs 54 and 56 of the report.

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

Members discussed the application regarding loss of light and privacy to neighbouring properties and over development.

The motion was put to the vote and it was

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

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

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

- 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

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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.

12. 22/00613/FUL - 73 Bradbourne Vale Road, Sevenoaks, Kent TN13 3DN

The proposal sought planning permission for proposed replacement detached dwelling with associated garage, parking and landscaping. New outbuilding.

The application had been referred to the Committee by Councillor Canet, in line with the Town Council reasons for refusal, which were that the large block garage and single storey outbuilding in the garden would constitute overdevelopment of the site, that the design is not in keeping with the Residential Area Character Assessment and on the loss of amenity to no.71.

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Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

| | |
|--------------------------|------------------|
| Against the Application: | Joe Alderman |
| For the Application: | Ranjit Mundair |
| Parish Representative: | Parish Cllr Shea |
| Local Members: | Cllr. Dr. Canet |

Members asked questions of clarification from the officer regarding the drawings and elevations of the proposed development and the size of the garage and driveway. It was also clarified that the hedge at the front of the site would remain.

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

Members discussed the application and whether the design of the building was in keeping and harmonious with the residential area. Concern was raised that the modern design was incongruous with the 1930s and 1950s character. This included the material, which should reflect brick and paint rather than glass and steel.

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

It was moved and duly seconded that planning permission be refused by reason of the scale of the house and outbuildings, the proposals would represent an overdevelopment of the site and because of the design, style and use of materials for the dwelling the proposals would be at odds with the established character of the area. As such the proposals would be contrary to SP1 of the Council's Core Strategy, policy EN1 of the Council's Allocations and Development Management Plan and guidance contained within the Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

The motion was put to the vote and it was:

Resolved: That planning permission be refused contrary to recommendation for the following reasons

By reason of the scale of the house and outbuildings, the proposals would represent an overdevelopment of the site and because of the design, style and use of materials for the dwelling the proposals would be at odds with the established character of the area. As such the proposals would be contrary to SP1 of the Council's Core Strategy, policy EN1 of the Council's Allocations and Development Management Plan and guidance contained

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within the Sevenoaks Residential Character Area Assessment Supplementary Planning Document.

THE MEETING WAS CONCLUDED AT 8:11PM

CHAIRMAN

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4.1 22/00376/FUL Revised expiry date 4 July 2022

Proposal: 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. Alterations to windows.

Location: Meadowside, Beesfield Lane, Farningham Dartford Kent DA4 0BZ

Ward(s): Farningham, Horton Kirby & South Darenth

Item for decision

The application has been referred to Development Control Committee by Councillor McGarvey and Councillor Carroll due to the impact on the Area of Outstanding Natural Beauty, the Metropolitan Green Belt, the impact on the character of the area, impact on the residential amenity of neighbouring properties and the disregard to the previously approved scheme.

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

1) 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.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 001, 003A, 004, 006B, 101A

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

3) Unless the Local Planning Authority agree in writing to any variation prior to implementation of these details, the proposed landscaping and boundary treatment shall be carried out in accordance with the details approved under application number 21/02735/DETAIL dated 30 November 2021.

In the interests of the visual amenities of the locality and amenities of the neighbouring occupiers in accordance with Policy EN1 and EN2 of the Sevenoaks

Allocations and Development Management Plan.

4) Within two months of the grant of permission, details of ecological enhancements shall be submitted and approved in writing by the Local Planning Authority. This shall include recommendations in 6.2 of the ecological appraisal (Kate Baldock May 2020) submitted with the approved scheme 20/03576/FUL. The approved details will be implemented within three months of approval and 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.

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.

Background

- 1 Members will recall that this application was deferred from the Development Control Committee on the 30 June 2022. Unfortunately, notification advising Members of the site inspection did not provide the usual period of notice, as it was only sent on the morning of Committee.
- 2 Prior to the commencement of the site inspection, it was concluded that Members had not been given sufficient opportunity to attend the site to view the application proposals. Because of this, Members may not have been aware of the site inspection and/or been unable to attend at short notice. For this reason, the site inspection was cancelled.
- 3 The application is now being reported back in order to allow the site inspection to be undertaken following full notification to Members on the 21 July 2022.
- 4 The original report is attached in **Appendix A**, which sets out the officer's recommendation to approve. An additional comment on the application was received within the late observations which is reproduced as follows:

Agenda Item 4.1

- 5 An email has been received from MP Laura Trott, and the following points have been raised:
- To ensure that all neighbour, Parish Council and Local Councillor's comments are taken into consideration at Development Control Committee.
 - To assess the impact on the Area of Outstanding Natural Beauty, Metropolitan Green Belt, character of the area and residential amenity.

Conclusion

- 6 For clarity, planning permission (20/03576/FUL) has already been granted for a bungalow in this location, which is a significant material consideration. The current differs from the approved scheme through the insertion of three rooflights in the front elevation and two dormers in the rear elevation. Therefore these aspects of the scheme are elements most relevant for Members consideration.
- 7 The three roof lights in the front elevation do not create any bulk and are visually acceptable in the local area and AONB. The roof lights are positioned 29 metres away from the rear elevation of Ingledene. Under Residential Extensions SPD we seek to protect the private amenity space of neighbouring properties, which is defined as the first five metres from the rear elevation of the property. There would still be a distance of 24 metres between the roof lights and the closest part of the defined private space of Ingledene. It should also be remembered the National Design Model Code only requires a minimum distance of 15-20 metres back to back between properties. Therefore the roof lights do not result in a significant loss of privacy or overlooking to justify a refusal, as they comfortably pass the local and national privacy standards.
- 8 The two rear dormers face onto fields to the rear and do not result in any loss of privacy or overlooking of neighbouring residential properties. The dormers are relatively modest in size on the property and would sit comfortably within the roof slope. They do not significantly increase the bulk and massing on the roof form, given that are actually relatively small. Given they are sited on the rear elevation, they are not visually prominent in the local area and would not harm the landscape character of the AONB compared to the approved scheme. Landscape planted and biodiversity enhancements are being secured by condition, which will enhance the AONB.
- 9 In summary, in light of the above and officer's original report contained within Appendix A, the development is considered to comply with the relevant local and national policies and to represent an acceptable form of development.

Background papers

Site and block plan

Appendices:

Appendix A

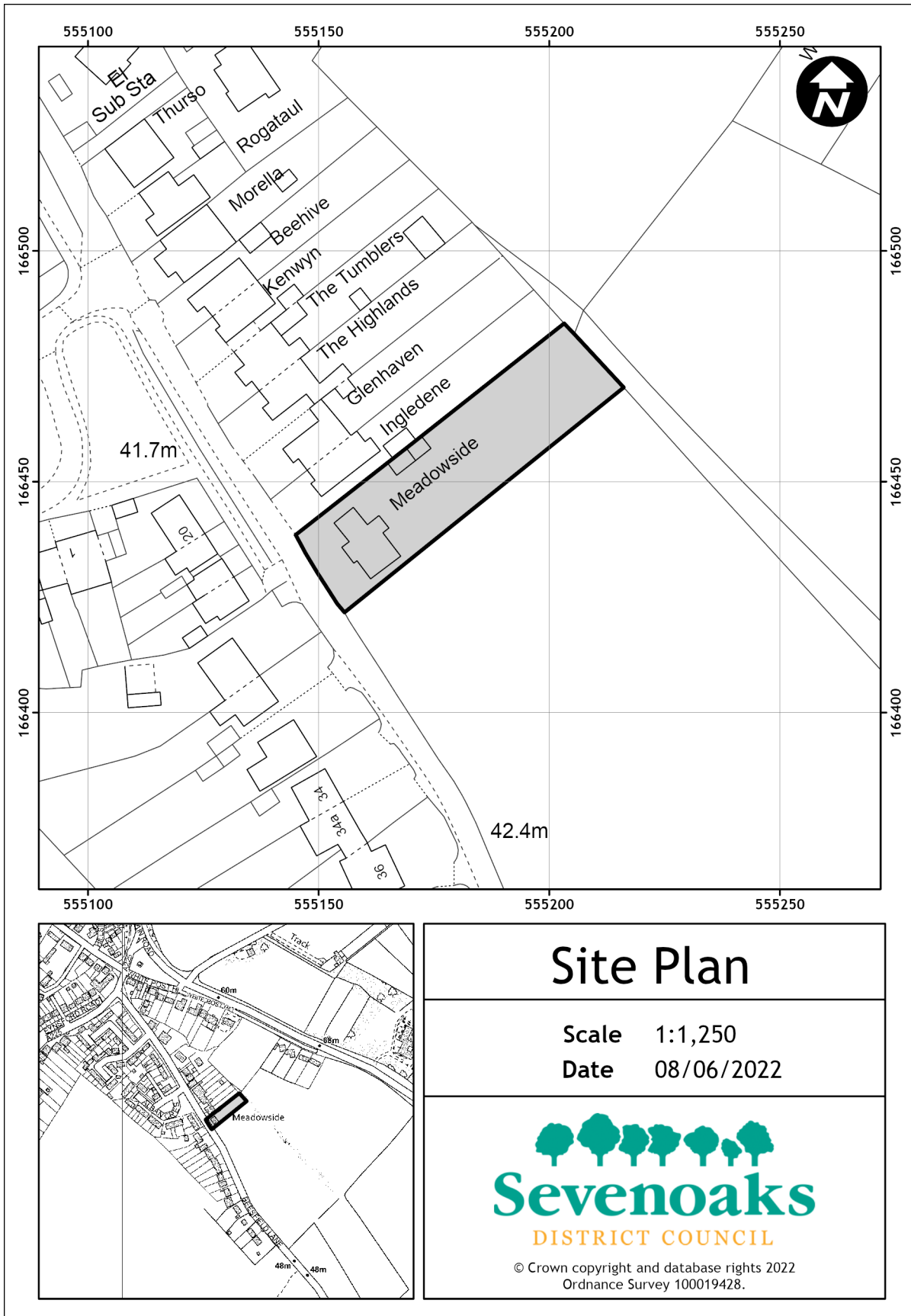
Contact Officer(s):

Louise Cane: 01732 227000

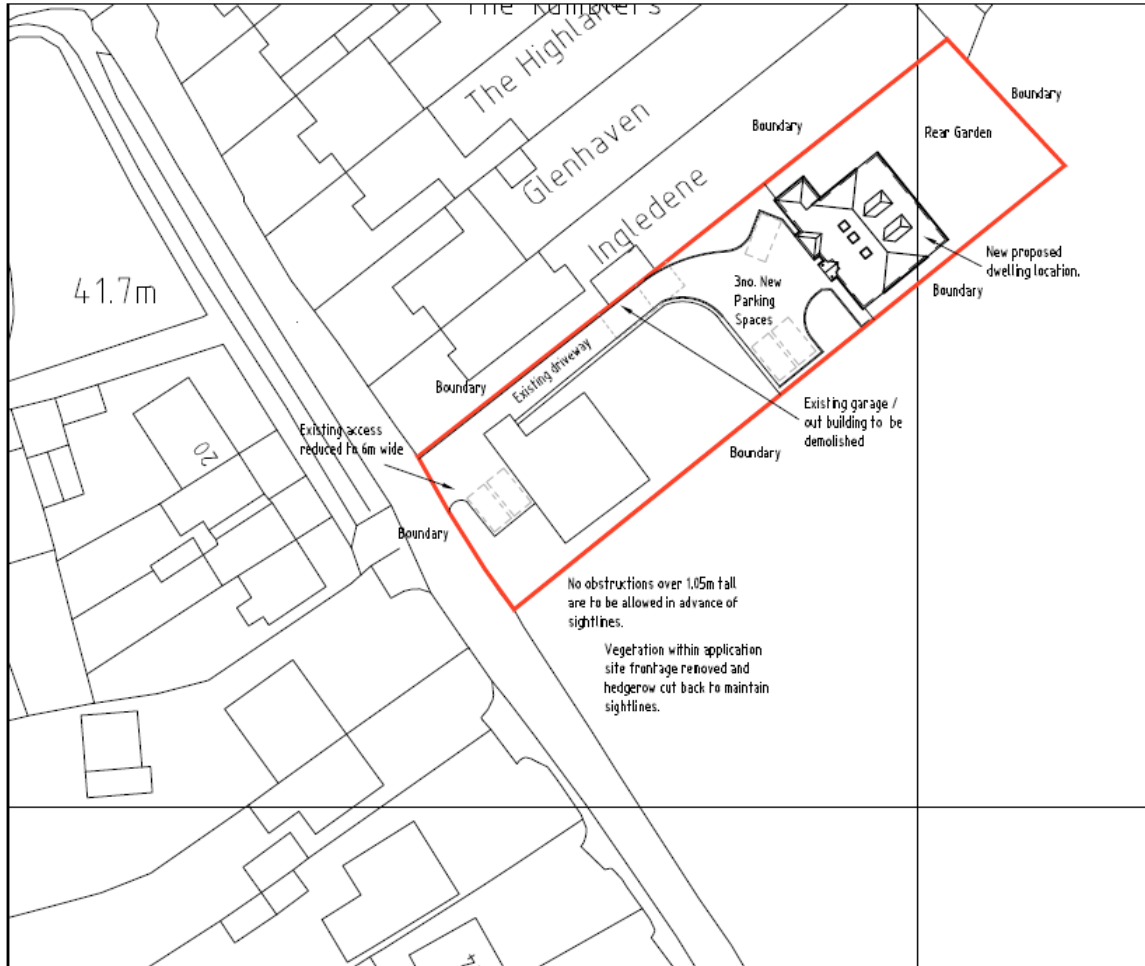
Richard Morris
Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



BLOCK PLAN



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22/00376/FUL

Revised expiry date 4 July 2022

Proposal: 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.
Alterations to windows.

Location: Meadowside, Beesfield Lane, Farningham Dartford Kent DA4 0BZ

Ward(s): Farningham, Horton Kirby & South Darent

Item for decision

The application has been referred to Development Control Committee by Councillor McGarvey and Councillor Carroll due to the impact on the Area of Outstanding Natural Beauty, the Metropolitan Green Belt, the impact on the character of the area, impact on the residential amenity of neighbouring properties and the disregard to the previously approved scheme.

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

1) 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.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 001, 003A, 004, 006B, 101A

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

3) Unless the Local Planning Authority agree in writing to any variation prior to implementation of these details, the proposed landscaping and boundary treatment shall be carried out in accordance with the details approved under application number 21/02735/DETAIL dated 30 November 2021.

In the interests of the visual amenities of the locality and amenities of the neighbouring occupiers in accordance with Policy EN1 and EN2 of the Sevenoaks

Allocations and Development Management Plan.

4) Within two months of the grant of permission, details of ecological enhancements shall be submitted and approved in writing by the Local Planning Authority. This shall include recommendations in 6.2 of the ecological appraisal (Kate Baldock May 2020) submitted with the approved scheme 20/03576/FUL. The approved details will be implemented within three months of approval and 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.

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.

Background

- 1 Members will recall that this application was deferred from the Development Control Committee on the 30 June 2022. Unfortunately, notification advising Members of the site inspection did not provide the usual period of notice, as it was only sent on the morning committee.
- 2 Prior to the commencement of the site inspection, it was concluded that Members had not been given sufficient opportunity to attend the site to view the application proposals. Because of this, Members may not have been aware of the site inspection and/or been unable to attend at short notice. For this reason, the site inspection was cancelled.
- 3 The application is now being reported back in order to allow the site inspection to be undertaken following full notification to Members on the 21 July 2022.
- 4 The original report is attached in **Appendix A**, which sets out the officer's recommendation to approve. An additional comment on the application was received within the late observations which is reproduced as follows:

Agenda Item 4.1

Item 4.1 - Appendix A

- 5 An email has been received from MP Laura Trott, and the following points have been raised:
- To ensure that all neighbour, Parish Council and Local Councillor's comments are taken into consideration at Development Control Committee.
 - To assess the impact on the Area of Outstanding Natural Beauty, Metropolitan Green Belt, character of the area and residential amenity.

Conclusion

- 6 For clarity, planning permission (20/03576/FUL) has already been granted for a bungalow in this location, which is a significant material consideration. The current differs from the approved scheme through the insertion of three rooflights in the front elevation and two dormers in the rear elevation. Therefore these aspects of the scheme are elements most relevant for Members consideration.
- 7 The three roof lights in the front elevation do not create any bulk and are visually acceptable in the local area and AONB. The roof lights are positioned 29 metres away from the rear elevation of Ingledene. Under Residential Extensions SPD we seek to protect the private amenity space of neighbouring properties, which is defined as the first five metres from the rear elevation of the property. There would still be a distance of 24 metres between the roof lights and the closest part of the defined private space of Ingledene. It should also be remembered the National Design Model Code only requires a minimum distance of 15-20 metres back to back between properties. Therefore the roof lights do not result in a significant loss of privacy or overlooking to justify a refusal, as they comfortably pass the local and national privacy standards.
- 8 The two rear dormers face onto fields to the rear and do not result in any loss of privacy or overlooking of neighbouring residential properties. The dormers are relatively modest in size on the property and would sit comfortably within the roof slope. They do not significantly increase the bulk and massing on the roof form, given that are actually relatively small. Given they are sited on the rear elevation, they are not visually prominent in the local area and would not harm the landscape character of the AONB compared to the approved scheme. Landscape planted and biodiversity enhancements are being secured by condition, which will enhance the AONB.
- 9 In summary, in light of the above and officer's original report contained within Appendix A, the development is considered to comply with the relevant local and national policies and to represent an acceptable form of development.

Background papers

Site and block plan

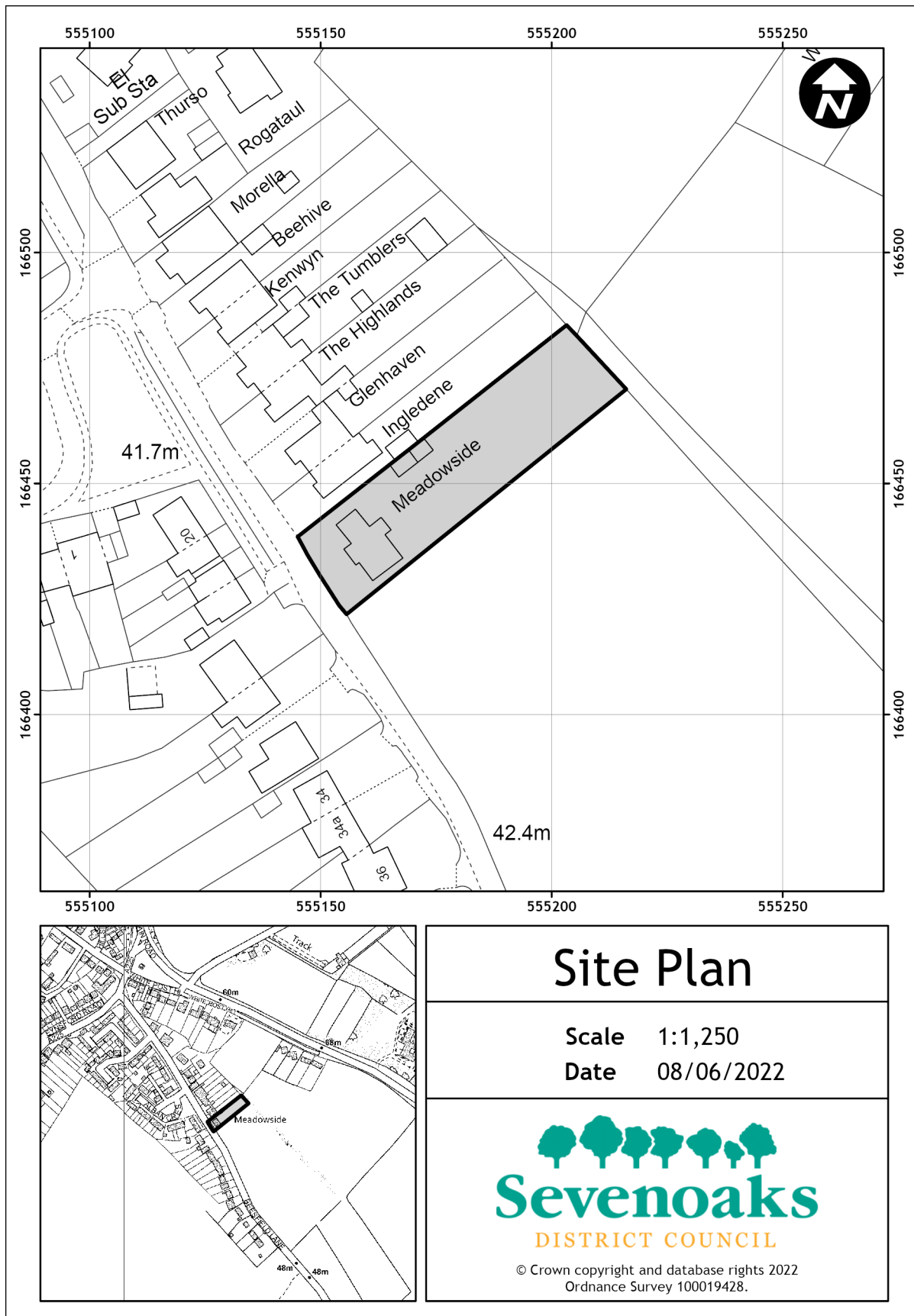
Contact Officer(s):

Louise Cane: 01732 227000

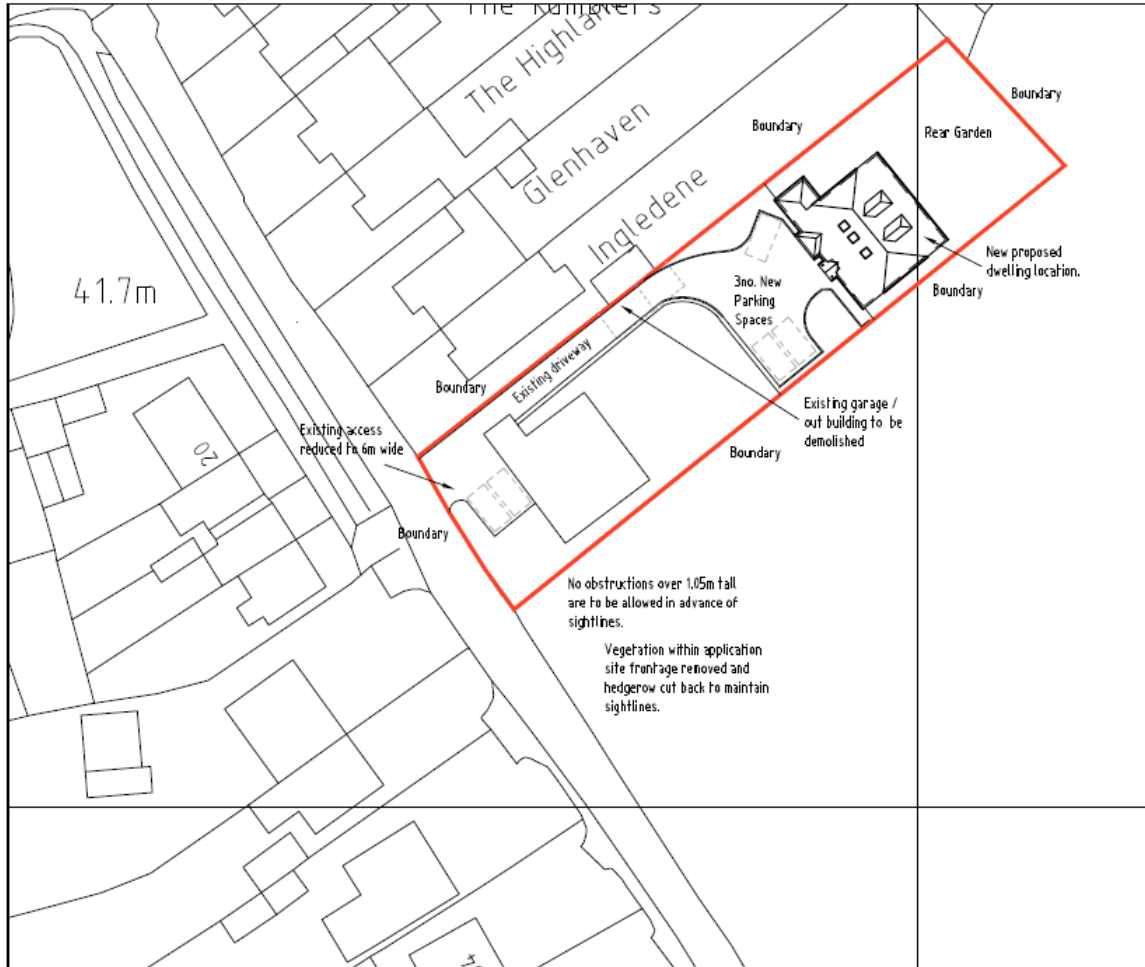
Richard Morris
Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



BLOCK PLAN



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4.2 21/03851/FUL

Proposal: Erection of pair of 3 bedroom semi-detached dwellings, parking and associated works.

Location: Land North of Pilgrims Oasts, Station Road, Otford, KENT

TN14 5QX

Ward(s): Otford & Shoreham

Item for decision

The application has been referred to Committee by Councillor Roy in light of concerns that the special rural character of this part of the village, and an area of designated open green space, would be lost as a result of the development, and that the harm arising would significantly and demonstrably outweigh the benefits of housing delivery.

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 shall be carried out in accordance with the following plans and details: Planning Application Forms; drawings 6509-PD1-01 Rev. A; 6509-PD1-02 Rev. L; 6509-PD1-03 Rev.D; 6509-PD1-04 Rev.G;

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

3. Prior to the commencement of development above damp proof course, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4. Prior to commencement of development above damp proof course, full details of hard and soft landscaping on the site, which shall be in accordance with the approved plan 6509-PD1-04 Rev.G, shall be submitted to and approved in writing by the local planning authority. This shall include full planting plans and specifications; details of hard surfacing materials; and a plan for the management and maintenance of the landscaped areas. The approved hard

landscaping scheme shall be implemented prior to the occupation of the development hereby approved and the soft landscaping shall be implemented not later than the first planting season following the first occupation of the development. If within a period of 5 years from the completion of development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of a similar size and species.

To ensure the provision and ongoing maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality and in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

5. Prior to commencement of development above damp proof course, details of all boundary treatments within and around the site shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

6. From the commencement of development on the site, full tree protection measures for the site shall be installed, in full accordance with the measures detailed in the Arboricultural Report by Sylvanarb (reference SA/1844/21). The protection measures shall remain in situ and in accordance with those details throughout the course of construction.

To ensure the ongoing protection of trees, to comply with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7. From the commencement of works, the precautionary mitigation measures detailed within Chapter 10 of the Preliminary Ecological Appraisal by Native Ecology (reference 0802_R01_PEA) shall be implemented and shall be maintained throughout the course of construction.

To ensure the development safeguards biodiversity in accordance with policy SP11 of the Core Strategy.

8. Prior to commencement of development above slab level, a full biodiversity enhancement plan and strategy shall be submitted to and approved in writing by the Local Planning Authority. This will include full details of the measures incorporated within the approved Biodiversity Enhancement Plan (reference 6509-PD-04 Revision G) and the enhancement measures set out within the Preliminary Ecological Appraisal by Native Ecology (reference 0802_R01_PEA). This shall include a native species landscape scheme (trees and hedgerows) and the incorporation of integrated bat and bird boxes and bee bricks along with other habitat creation and protection measures, together with a timetable for

implementation. The development shall be carried out in accordance with the approved details prior to the occupation of the dwellings and maintained as such thereafter.

To ensure the development delivers ecological enhancements in accordance with policy SP11 of the Core Strategy.

9. No external lighting shall be affixed to the building or erected within the curtilage unless in accordance with a lighting design plan for biodiversity which shall have been submitted to, and approved in writing by, the Local Planning Authority. The plan shall show the type, specification and locations of external lighting, demonstrating that areas to be lit will not disturb bat activity. The external lighting shall be maintained as approved thereafter.

To ensure the development does not cause harm to protected species, in accordance with policy SP11 of the Sevenoaks Core Strategy.

10. No development shall take place on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The approved CMP shall be adhered to throughout the construction period and shall include details of the:

- (a) Routing of construction and delivery vehicles to and from the site;
- (b) Parking and turning areas for construction and delivery vehicles and site personnel;
- (c) Timing of deliveries;
- (d) Provision of wheel washing facilities;
- (e) Measures to control the emissions of dust and dirt during construction;
- (f) Temporary traffic management / signage;
- (g) Storage of plant and materials used in constructing the development;
- (h) Hours of operation.

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other users, and to safeguard the amenity of neighbouring residents in accordance with Policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

11. No development shall take place until arrangements have been made for an archaeological watching brief to monitor development groundworks and to record any archaeological evidence revealed. These arrangements are to be submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the watching brief proposals agreed pursuant to this condition and shall be carried out by a suitably qualified investigating body approved in writing by the Local Planning

Authority.

To ensure that any archaeological evidence discovered during ground works is adequately recorded in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

12. The development hereby approved shall not be occupied until the proposed vehicular access to the site from Station Road as shown on drawing reference 6509-PD1-02 Revision L has been constructed and provided with visibility splays of 43 metres x 2.4 metres x 43 metres at the access with no obstructions over 1.05 metres above carriageway level within the splays. The access shall be permanently maintained thereafter and the visibility zones shall be kept permanently clear of any obstruction.

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.

13. The development hereby approved shall not be occupied until the car parking spaces and vehicle turning space has been laid out within the site in accordance with the approved plan reference 6509-PD1-02 Revision L. The parking and turning areas shall be permanently retained exclusively for its designated purpose.

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

14. Prior to the commencement of works associated with the proposed car park area, details of the Electric Vehicle Charging Points as shown on the Proposed Site Plan (reference 6509-PD1-02 Revision L) shall be submitted to and approved by the local planning authority. The development shall be carried out only in accordance with the approved details and those charging points shall be available for use prior to the occupation of the dwellings and maintained thereafter.

To ensure the delivery of Electrical Vehicle Charging Points, to comply with policy T3 of the Sevenoaks Allocations and Development Management Plan and to maximise the sustainability benefits of the charging points, in line with Policy SP2 of the Sevenoaks Core Strategy.

15. Prior to the first occupation of the development hereby approved details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the cycle parking shall be maintained thereafter.

To preserve the character and appearance of the area and to ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with Policy SP2 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

16. The development shall be carried out in accordance with the recommendations held within the submitted Contaminated Land Risk Assessment by Soil Environmental Services Limited, dated October 2021. In the event that unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the local planning authority immediately. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared and approved in writing by the local planning authority. The development must accord with the approved details. Following completion of the remediation works, a verification report must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework.

17. The development shall be carried out in accordance with the recommendations of the Noise & Vibration Assessment (Lustre Consulting Report Reference 3036\NJ-NL\04-2022 dated April 2022). Should the foundations and structural design of the development differentiate from the assumptions in the Lustre report, a further vibration and re-radiated noise assessment shall be undertaken, and details submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To ensure the dwellings achieve appropriate environmental noise conditions, in line with Policy EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

18. 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 any development falling within Schedule 2, Part 1, Classes A, B, C, D, E, F, G, H or Part 2 Class A 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 character of the locality, in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1. Highways: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

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. 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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil. Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

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 0.06 ha site is located to the east of the centre Otford and just to east of the Otford railway station. The front of the site faces onto Station Road and has a boundary formed of a post and rail timber fence and laurel hedging. The rest of the site has been cleared and adjoins the former ‘Bank Building’ site where, currently, a new two-storey block of four 2-bedroom flats is under construction, as approved under planning permission reference 20/03662/FUL.
- 2 To the south west, adjoining the Bank Buildings site to the rear, is 1-4 Pilgrims Oasts dwellings. The northern side of Station Road, opposite the site, is also residential in character - directly opposite is a pair of white rendered semi-detached cottages (45 & 47 Station Road). The south and east of the site is surrounded by the Chalk Pits Recreation Ground, which is densely wooded and crossed by a network of footpaths, with an area of open space in the centre.

Description of proposal

- 3 The application proposes the development of a pair of two-storey, 3-bedroom semi-detached cottages. These would run in a north-south orientation. The southern cottage would have its principal elevation and entrance facing south west into the site; the dwelling on the north side would face Station Road to the north.
- 4 Each dwelling would have two allocated parking spaces, with one additional visitor space provided. These would be located to the south west of the dwellings. Access from Station Road would be via the shared access with the new dwellings under construction on the former Bank Building site.

Relevant planning history

- 5 The site has a long history of proposals for dwellings and other development, all of which have been refused; a number have progressed to appeal where they have been dismissed.
- 6 Key decisions relating to the site are identified below:

| | | | |
|--------------|--|---------|------------|
| 08/00642/FUL | <p>Erection of 4 Bed Detached House with associated parking.</p> <p>Reasons for refusal:</p> <ol style="list-style-type: none"> 1. Loss of allocated open space 2. Harm to visual amenity / character and appearance of the area. 3. Unsafe access onto distributor road. | REFUSED | 08/05/2008 |
|--------------|--|---------|------------|

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| | | | |
|------------------|---|---|--|
| 08/01780/FU L | <p>Erection of 4 Bed Detached House with associated Parking.</p> <p>Reasons for refusal:</p> <ol style="list-style-type: none"> 1. Loss of allocated open space 2. Harm to visual amenity / character and appearance of the area. | <p>REFUSED</p> <p>APPEAL DISMISSED</p> | <p>28/08/2008</p> <p>11/02/2009</p> |
| 10/00541/FU L | <p>Erection of a 4-bedroom dwelling house with integral garaging.</p> <p>Reasons for refusal:</p> <ol style="list-style-type: none"> 1. Loss of allocated green space. 2. Harm to visual amenity / character and appearance of the area. | <p>REFUSED</p> <p>APPEAL DISMISSED</p> | <p>07/05/2010</p> <p>22/11/2010</p> |
| 13/00562/FU L | <p>Erection of single subterranean Class C3 dwelling house.</p> <p>Reasons for refusal:</p> <ol style="list-style-type: none"> 1. Harm to the natural and open quality of protected open space this space. 2. Harm the visual amenity / character and appearance of the area. 3. Insufficient information has been submitted to allow adequate consideration of the impact of the proposed scheme upon the trees lying in the adjacent woodland. | <p>REFUSED</p> <p>APPEAL DISMISSED</p> | <p>22/04/2013</p> <p>07/02/2014</p> |
| 15/00881/FU L | <p>Construction of a 10 room care home with 3 staff apartments.</p> <p>Reasons for refusal:</p> <ol style="list-style-type: none"> 1. Harm to the natural and open quality of protected open space. 2. The siting and layout of the proposed building, would fail to conform to the existing spatial pattern of development in the area. The proposed building, by virtue of its height, scale, mass and bulk would be out of keeping with the prevailing character and appearance of the existing built form. The introduction | <p>REFUSED</p> <p>APPEAL DISMISSED</p> | <p>12/06/2015</p> <p>07/01/2016</p> |

| | | | |
|--------------|---|---------|------------|
| | <p>of this building would result in a prominent and incongruous feature within the street scene.</p> <p>3. Inadequate off-street parking provision for staff and visitors.</p> <p>4. Lack of information to confirm that the proposed development will not have a harmful impact on protected species and habitats.</p> <p>5. By reason of the siting of the building the proposal would be likely to result in harm to the long-term health of the adjacent trees.</p> | | |
| 16/03657/FUL | <p>Erection of a detached commercial storage building with 4 additional car parking spaces.</p> <p>Reasons for refusal:</p> <p>1. Loss of allocated open space /harm to the character and appearance of the area.</p> | REFUSED | 30/01/2017 |

Policies

- 7 National Planning Policy Framework (NPPF)
- 8 Paragraph 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 The same paragraph 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 Out-of-date polices include, for housing applications, situations where the local planning authority cannot demonstrate a 5-year supply of deliverable sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement of the previous 3 years.

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- 11 Footnote 7 (as referenced in the second bullet above) relates to policies including SSSIs, Green Belt, Local Green Space, AONBs, irreplaceable habitats, designated heritage assets and locations at risk of flooding.
- 12 Core Strategy (CS) policies:
- LO1 Distribution of Development
 - LO7 Development in Rural Settlements
 - SP1 Design of New Development and Conservation
 - SP2 Sustainable Development
 - SP5 Housing Size and Type
 - SP10 Green Infrastructure, Open Space, Sport and Recreation Provision
 - SP11 Biodiversity
- 13 Allocations and Development Management (ADMP) policies:
- SC1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
 - EN5 Landscape
 - GI1 Green Infrastructure and New Development
 - GI2 Loss of Open Space
 - T1 Mitigating Travel Impact
 - T2 Vehicle Parking
 - T3 Provision of Electric Charging Points.
- 14 Other material documents:
- Otford Parish Plan 2012
 - Otford Village Design Statement 2015
 - Kent Downs Area of Outstanding Natural Beauty Management Plan 2021-2026

Constraints / Designations

- 15 The key policy constraints and designations are as follows:
- Allocated Open Space: the site is designated as part of open space allocation GI 2:698 (Chalk Pit Recreation Ground), defined as 'natural and semi-natural' open space.
 - Within the Urban Confines of Otford
 - Area of Archaeological Potential
 - Adjacent Area of Outstanding Natural Beauty - directly north of the site on the opposite side of Station Road, and further east (other side of rail line) and west of Pilgrims Ways East.

Publicity (second consultation) expired on: 03/06/2022

- 16 Parish Council - Otford Parish Council
- 17 Objection. The Parish notes that the area has been subject to six previous applications and four lost appeals. It states that the proposed construction of two dwellings would result in the loss of allocated open space and cause harm to the character and appearance of the area, contrary to policies GI2 and EN1 of the Sevenoaks ADMP and policies LO7, LO8, SP10 and SP11 of the Core Strategy. Further, the building was demolished before the adoption of policy for the protection of the open space. Protected Species Survey is required if approved.

Consultations responses

- 18 SDC Policy: (in summary)
- The Policy officer confirms that the key strategic planning policy issues are (i) Policy GI2 Open Space Allocation and the loss of open space and, (ii) the presumption in favour of sustainable development.
- 19 The ADMP Policy GI2 requirements for the protection of open space are summarised. This states that the loss of open space will not be permitted except where certain criteria are met (as detailed in the appraisal below).
- 20 The officer states that it has not been demonstrated that the proposal to redevelop this site meets the policy tests of Policy GI2 and notes the redevelopment of the site has been proposed and refused on multiple occasions.
- 21 The open space designation was not proposed for removal in the pre-submission version of the Local Plan.
- 22 With regards the presumption in favour of sustainable development, the officer states that the Council cannot demonstrate a 5 year land supply of housing and therefore decisions are subject to the presumption in favour of sustainable development as per paragraph 11 of the National Planning Policy Framework (NPPF).
- 23 This site lies outside of the Green Belt and the Area of Outstanding Natural Beauty (although it is considered to be in the setting) and therefore it is subject to NPPF paragraph 11d(ii) which states that the development should be granted unless “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”.
- 24 SDC Environmental Health Officer (EHO):
- 25 In his initial response, the EHO stated that the noise assessment has not evaluated or characterised ground borne noise and vibration and has failed to provide details of the likely noise exposure to any proposed amenity space. It is therefore difficult to determine if the guidance provided by BS 8233:2014 is met.

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- 26 He further recommended that conditions be attached requiring a further contamination survey, remediation and validation requirements. The EHO later confirmed that “A phase 2 will not be necessary but the normal unexpected contamination [condition] should be added to cover anything that may have been missed by the desk top study.”
- 27 Updated comments were provided by the EHO following submission of a further noise survey. He stated that;-
- 28 “Having reviewed the document entitled ‘Land Adjacent to Bank Buildings - Otford | Noise and Vibration Assessment | Reference: 3036\NJ-NL\04-2022’ (dated July 2022) [produced by Lustre consulting] I find the report, methodology and findings to be reliable. I therefore recommend that any future permission granted is in accordance with the Lustre report such that glazing and ventilators shall meet the performance criteria detailed in section 4.3 of the Lustre report. The noise mitigation measures for external amenity areas detailed in section 4.9 of the Lustre report shall be implemented. All noise mitigation measures must be implemented and maintained thereafter.
- 29 Prior to first occupation and following installation of the glazing, ventilators and acoustic fencing, sound testing shall be carried out to demonstrate that noise levels for internal and external amenity areas detailed in the Lustre report have been achieved.
- 30 If the foundations and structure design differentiate from the assumptions in the Lustre report, a further vibration and re-radiated noise assessment must be undertaken to factor for the alternative designs.”
- 31 SDC Tree Officer:
Notes trees proposed for removal have already gone. No objection.
- 32 Natural England:
No comments. Reference to standing advice.
- 33 KCC Ecological Advice Service:
- 34 Revised comments received 15 June 2022:
- 35 “Protected/notable species
- 36 We advise that we are satisfied that sufficient ecological information has been provided - we have taken this view as the site is largely unvegetated and has limited opportunities for protected/notable species to establish on site.
- 37 However the presence of protected/notable species cannot be completely ruled out and we advise that are satisfied that the impact can be avoided through the implementation of the recommended precautionary approach.

- 38 If planning permission is granted and we recommend that this is implement as a condition of planning permission. Suggested wording at the end of the report.
- 39 Lighting
- 40 Bats and other nocturnal animals are likely to forage /commute within the site and we recommend that any lighting condition requires the lighting plan to follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals. [link provided]
- 41 Woodland habitat
- 42 The ecological report has detailed that there is an area of lowland mixed deciduous woodland within the northern corner of the site and we understand from speaking to the planning officer this area has been cleared since the ecological report was carried out. The ecological report recommend that this habitat was retained in its entirety or if that was not possible at least partially.
- 43 When we previously commented we recommended that this area is replanted with woodland to replace the woodland which was recently cleared. The site plan has subsequently been updated to confirm that native trees will be planted within that area. We recommend that this area has minimal management once the trees have established and encourage a copse /mini woodland to establish.
- 44 The proposed development site is adjacent to an area of open space which is primarily woodland and therefore the creation of the copse will reduce the impact of the proposal on the adjacent habitat.
- 45 Ecological Enhancements
- 46 One of the principles of the National Planning Policy Framework is that “opportunities to improve biodiversity in and around developments should be integrated as part of their design” The report has made a number of recommendations to enhance the site for biodiversity and the site plan has confirmed that they will be incorporated in to the site. The site plan has been updated to demonstrate that integrated bird, bad and insect boxes will be incorporated into the buildings. We recommend that the measures detailed within the proposed biodiversity enhancement plan (Offset Architects; April 2021) is implemented as a condition of planning permission.”
- 47 KCC Highways and Transportation:
- 48 No objection. Access is acceptable. Parking accords with Kent Residential Parking Standards. Pleased to note provision of EV charging points. Secure covered cycle storage required.

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- 49 Conditions recommended regarding requirements for: Construction Management Plan; visibility splays; provision and retention of parking spaces; provision and retention of cycle parking; provision and retention of EV charging points.
- 50 KCC Public Rights of Way Officer:
Notes public footpath running parallel to railway. No concerns raised.
- 51 KCC Archaeology:
Confirmed no comment.

Representations

- 52 Twenty-five addresses were notified of the proposals. A site notice was erected outside the site on 22/12/2021 and on 11/05/2022.
- 53 Fourteen responses have been received from neighbours and members of the public, nine in support and five objecting. A detailed response has also been submitted by the Otford and District Historical Society. The issues raised these representations is summarised as follows:
- 54 In support:
- Proposal complements the approved development on the adjoining site;
 - Houses would be attractive and in keeping with the area;
 - Urgent need for small family homes within Otford;
 - Development would lead to an improvement in overall appearance and address longstanding poor appearance of site;
 - Effective use of scrubland;
 - Site previously accommodated two cottages;
 - Access already established;
 - Would help reduce traffic speeds.
- 55 Objections:
- Site is designated open space - number of applications/appeals already refused;
 - Access onto busy road would be difficult and dangerous;
 - Danger to all users of Station Road given high vehicle, pedestrian and cyclist use of road, and character of road, narrow width of footpath etc.
 - Objection to previous and proposed tree removal;
 - Design quality;
 - Safety of unattended children within and around site;
 - Detrimental to character of the area;
 - No evidence of previous building on site and their relevance is questioned;
 - Not brownfield land.

Chief Planning Officer's appraisal

56 The main issues for consideration are:

- Principle of use, including:
 - Loss of Open Space, including impact on the character and appearance of the area;
 - Acceptability of the Proposed Residential Use.
- Design
- Impact on the amenities of adjacent properties
- Ecology and Trees
- Impact on highways and parking

Principle of Use

57 Loss of open space and impact on the character and appearance of the area

58 The District's proposals map identifies the site as part of a larger area of designated open space (reference GI2:698); Appendix 9 identifies it as the Chalk Pits Recreation Ground comprising Natural and Semi-Natural open space. The application site forms the north western corner of the designated open space.

59 Policy SP10 of the Core Strategy relates to open spaces, confirming that open space of value to the local community will be retained. Development may exceptionally be allowed where replacement provision of at least equivalent value to the local community is provided. Paragraph 5.6.1 of the reasoned justification acknowledges that open spaces are an important feature, contributing positively to the environment in many areas of the District.

60 Policy GI2 of the ADMP also relates to the loss of open spaces in the District. It states that change of use or redevelopment of Green Infrastructure, Open Space, Sport or Recreation sites within the urban confines of towns and villages, as defined on the policies map, will not be permitted unless the applicant demonstrates that:

- The open space is surplus to requirements and that there is no need for an appropriate alternative community, sports or recreational use, or
- The loss will be mitigated by equivalent replacement provision (in terms of quality, quantity and accessibility) or
- The development is for alternative sports/ recreational use.

61 It further confirms that there should be no significant adverse impact on the character of the local environment and any biodiversity interests should be mitigated.

62 The applicant's submission responds to Policy GI 2 and the open space designation with a number of points, responding specifically to the need criteria within the policy. The submission notes that the site forms 0.06 ha

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of a wider 3.33ha designation, representing 1.8% of the space. It is not in public use, is aesthetically unattractive and is physically and functionally divorced from the wider recreation ground. The findings of the 2018 Open Space Study also show that the area is well-provided with Natural and Semi-Natural Open Space, identifying a “large oversupply of open space in this category” (pg.61). The applicant suggests that the loss of this application site as open space would represent a “de minimus change” to open space in the area.

- 63 It is accepted that the site is not publically accessible or used for recreation purposes, and that it is of a distinctly different character to the wider Chalk Pits open space. I would further agree that the site itself comprises a small proportion of the wider designation. Further, it is evident that the site in its current cleared state cannot be defined as a “Natural or Semi-Natural” open space and that it is distinct and separate from the wider Chalk Pits recreation grounds, which is densely wooded.
- 64 The state of the site must be recognised, however, to be a result of the management of the site by those responsible for its upkeep, and has arisen outside of the planning process. Trees and vegetation that were previously present within the site and along its boundaries, as evidenced in earlier aerial photographs, have been removed, including the recent removal of trees at the northern end of the site. At present, the site is being used as part of the construction site for the neighbouring Bank Buildings development, albeit this is largely concealed behind the tall laurel hedgerow on the road frontage. The clearance of the site over a number of years, nonetheless, has happened without the need for permission and the suggestion that its resultant appearance should justify its re-development is erroneous.
- 65 It is nonetheless accepted that the site does not perform a public recreation function or offer the natural/ semi-natural environment that is present on the wider Chalk Pits open space.
- 66 The multi-purpose function of open spaces is pertinent here and the role of the application site needs to be considered in this context - both as part of the wider designation and in isolation.
- 67 In this respect, accompanying text to Policy GI 2 at paragraph 6.20 highlights the importance of open space for health and wellbeing and its value to the local community, which goes beyond recreation use. Paragraph 7.16 of the Sevenoaks Open Space Study further notes that, of the sites allocated as Natural and Semi-Natural Space, ... “not all sites are publically accessible but all have public value in terms of landscape character and the setting of settlements”.
- 68 Policies of the development plan require that developments respond to, and be consistent with, local distinctive character. This includes policies SP1 and LO7 of the Core Strategy, and the principles laid out in ADMP Policy EN1, which specifically resist the loss of open space that would have an

unacceptable impact on the character of the area. These policies require that account should be taken of guidance adopted by the Council, for example, in the form of Village Design Statements.

- 69 The Otford Village Design Statement (2015) highlights the importance of existing green spaces, including the Chalk Pits, within the village to the community. Design Principle 1e confirms that the community supports the preservation of all remaining areas of woodland within and adjoining the village envelope and which contribute to the sense of open space within the village.
- 70 The importance of this particular site is reflected in its policy designation within the development plan and is perceivable at the local scale where it is sited in a prominent location at a gentle bend and incline in Station Road when approaching from Otford Station. Here, the site provides part of a visual break as it marks the transition between built development and green open space, offering views towards the Chalk Pits woodland. The openness of the site, despite being stripped of soft landscaping internally, continues to contribute to the openness and rural character which characterises this part of Otford Village.
- 71 The importance of the allocated open space, and the weight attached to its protection, has been recognised by earlier refusals of planning permission and associated appeal decisions relating to the site. The Inspector for the most recent appeal decision relating to a proposed 10-bedroom care home, issued in January 2016 (reference APP/G2245/W/15/3131304), stated that:
- ‘Physically, the site remains undeveloped, and whilst it has been cleared and a close boarded fence erected along the Station Road boundary, the site has retained its overall open nature, which is reinforced by its prominent location on a bend in the road towards the top of a hill rising from the Otford Station direction. ...
- ... Taking into account the unacceptable nature of the design and the loss of open space, both which would be at odds with the character of the area, I find the proposal would fail to promote or reinforce local distinctiveness and therefore result in material harm to the character and appearance of the street scene.’
- 72 Prior to that, when considering an appeal for a ‘subterranean dwellinghouse’ (appeal APP/G2245/A/13/2204274), the Inspector concluded in February 2014 as follows:
- ‘Concerning the character of the area, the development proposed, by providing a new dwelling within the safeguarded area, would result in harm to the character of the greenspace.... It has not been demonstrated that the development would safeguard the important area of greenspace.’
- 73 The site continues to offer an open frontage to Station Road, providing views through to the woodland beyond, in a way that contributes to the semi-rural, verdant and spacious character of the Village.

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- 74 By introducing a two-storey built form, the proposal would erode part of the undeveloped frontage and change the character of the site from one of openness and visual permeability, to being developed and domestic, interrupting views of the wooded belt beyond. The dwellings would be perceivable in views from the west when travelling up the hill from Otford Station, and would erode the transition between built form and open space that the site currently offers. The site may not be regarded as being as attractive as the remaining parts of the green space, but it still contributes to the visual amenity and undeveloped character of this area.
- 75 Given the contribution of this open space to the character and visual amenity of this village, it is not therefore possible to conclude that the space is “surplus” to open space requirements, nor is there a proposal - or is it practical - to mitigate its loss in line with the requirements of Policy GI 2.
- 76 It is therefore concluded that the loss of open space would be contrary to CS Policy SP10 and ADMP Policy GI 2 and would lead to a degree of harm to the visual amenity in this part of the Village, contrary to Core Strategy Policies SP1 and L07 and ADPM Policy EN1.
- 77 This harm must, however, also be seen in the context of the wider Chalk Pits open space that would continue to offer an open and green frontage as you travel eastward beyond the site - the verdant and open character of the Village would be retained, albeit this will be reduced.
- 78 Further, I would note the prominence and scale of the trees that would provide the backdrop to the proposed dwellings - the new dwellings would sit at their base behind a newly planted hedgerow and the woodland would continue to have a prominent presence in views travelling west along Station Road. Passing the site, the space between the proposed cottages and the new Bank Building development would open up and allow views through the site to the tree line beyond. Travelling further east, the wooded frontage of the Chalk Pits area would continue along Station Road and eastward along Pilgrims Way East, providing that verdancy and relief from the built form. From the junction with Pilgrims Way East looking back towards the site, while the new building on the Bank Building site is visible, the proposed cottages would be concealed behind woodland.
- 79 The application submission provides historic evidence within the Design and Access Statement and Historic Environment Desk Based Assessment (including historic photos and mapping) of the pair of cottages that were formerly present on the site (footprint shown on the Proposed Site Plan, drawing 6509-PD1-04). Mapping indicates these to have been in position from the mid C19th (being present on a Parish Tithes Map of 1844) until at least the mid-1960s. SDCs records similarly show this building on site on plotting sheets for the period 1974-1987; the applicant advises that they had been demolished prior to the 1980s OS map. Photos show the presence of the white cottages on the Station Road frontage, visible from the west from the bridge over the railway.

- 80 In this respect, I note that the open space designation was made following the demolition of these cottages and reflects the changed role of the site and its value and contribution as an area of open space, irrespective of the former use. I therefore attach limited weight to this point in considering the loss of the open space.
- 81 The existence of the semi-detached cottages in this location holds some relevance, however, to the consideration of the historic character and distribution of development within the village and how that would be reflected in the proposed development. The application similarly proposes a pair of semi-detached dwellings in a similar (not identical) position to the previous cottages, with a frontage onto Station Road, reflective of the historic built form in this location. I regard this as a material consideration to which I attach a small amount of weight.
- 82 I also note that the character of the locality will be changed by the new housing development on the adjoining 'Bank Buildings' site, which will be visible in views from Station Road. This development, being more intensive than the former Bank Building, has changed the visual context of the site, establishing a residential presence along the street frontage.
- 83 Principle of Residential Use
- 84 As set out in Section 36(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. For Sevenoaks, the Development Plan is made up of the Core Strategy (CS) and Allocations and Development Management DPD (ADMP). National Planning Policies, such as those contained in the National Planning Policy Framework (NPPF) are material considerations.
- 85 The adopted Sevenoaks Core Strategy and ADMP planned for the delivery of 3,300 homes over the period 2006 to 2026 with the main site allocations being located around the urban areas of the District and on brownfield land.
- 86 Paragraphs 74 - 76 of the NPPF require the Council to identify a five-year supply of deliverable housing sites, including an appropriate buffer. As the result of the Housing Delivery Test for 2021 was 62%, the NPPF considers this as a significant under delivery of housing over the previous 3 years, and requires the application of a 20% buffer in line with para 74c). Furthermore, as the Core Strategy (2011) policies are more than five years old, the standard method figure for housing need must be used in place of adopting housing requirement for calculating the five-year housing supply. As a result of these factors the Council cannot currently demonstrate a five year housing land supply.
- 87 As acknowledged in the Council's Housing Delivery Test Action Plan, the five-year housing land supply calculation finds 2.9 years of supply of deliverable housing sites including a 20% buffer. Therefore, the lack of five-year housing supply is a significant consideration that the Council will have to balance with this application.

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- 88 Given all of the above circumstances, we are now a presumption authority, where residential development should be allowed even if there is some harm. Applications should only be refused where is substantial and significant harm.
- 89 The implications of the ‘tilted balance’ described in paragraph 11 of the NPPF is discussed above, whilst we will consider the balance of the case later on within the report.
- 90 Paragraph 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. The site lies within the Urban Confines of Otford and, as such, is in a location where Core Strategy Policy LO1 seeks to focus new development.
- 91 Policy LO7 confirms that development on a modest scale will be permitted within Otford, which is identified as a Local Service Centre, albeit in locations “where it can take place in an acceptable manner consistent with local character”. The site is adjacent to the new housing development on the former Bank Building site and, as noted above, previously accommodated a pair of semi-detached cottages. The site is within easy reach of the village centre and less than 100 metres walk of Otford Station entrance.
- 92 In this respect, and whilst recognising the conflict with the open space designation and the impact on character of the Village, the site would otherwise be considered a sustainable location for housing development, consistent with the aims of the development plan and the NPPF.
- 93 I note also that a number of public comments from Otford respondents have highlighted the need for new housing of this size proposed in the village, and the inability for local people to stay in the village due to the lack of housing stock.
- 94 Taking into account the Government’s objective of significantly boosting the supply of housing (NPPF, para.60) and the presumption in favour of sustainable development, significant weight must be attached to the delivery of two new family homes within the urban confines of Otford and its contribution to delivering a mix of housing types within a broadly residential area, in line with Policy SP5.

Quality of Design and Impact on Character

- 95 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.
- 96 The proposed cottages would run perpendicular to Station Road, with Plot 1 overlooking Station Road (reflecting the previous cottages on the site) and

Plot 2 facing south west into the site overlooking the courtyard towards the Bank Building development. A traditional style is adopted, with a gabled roof form, low eaves line and single storey bay windows in each of the dwellings' frontages.

- 97 The dwellings would be constructed from red brick with a soldier course detail at window head height, tile hanging to the first floor with clay roof tiles. The proposed features and traditional material palette are common to the wider context and a condition requiring material samples would ensure the final choice of materials is of the necessary quality, noting also the Otford Village Design Statement's preference for natural materials.
- 98 Mindful of the guidance set out in the Otford Village Design Statement regarding inappropriate roof forms, and the need to preserve the open setting of the dwellings as much as possible, it is proposed that a condition would also be attached removing permitted development rights to prevent incremental changes to the dwellings and their grounds.
- 99 The dwellings are of relatively small scale for three bedroom dwellings, evidenced by their modest internal floorspace, and set within open space. From views from the west and north, they would be set against the wooded backdrop of the Chalk Pits, with further landscaping greening and softening the site frontage - landscaping is discussed further below. They would not be visible in views from further east, from where they would be shielded by the Chalk Pits Woodland.
- 100 Overall, notwithstanding the conclusions regarding the loss of open space above, the form of the proposed development would respond appropriately to the scale, height, materials and site coverage reflective of the local area.
- 101 Impact on the Kent Downs Area of Outstanding Natural Beauty (AONB)
- 102 The site and the Chalk Pits lie outside the AONB and there would therefore be no direct physical impact on the character of the landscape within the AONB. The AONB, however, encompasses the dwellings on the opposite side of Station Road and extends along the west side of the rail line (to the west of the site) and around the north/east side of Pilgrims Way East.
- 103 The Countryside and Rights of Way Act 2000 places a statutory duty on local planning authorities, in performing functions in relation to, or so as to affect, land in an AONB, to have regard to the purpose of conserving and enhancing the natural beauty of the area. Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB which have the highest status of protection. Further, development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
- 104 The Planning Practice Guidance goes on to state that land within the setting of AONB often makes an important contribution to maintaining their natural beauty - development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.

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- 105 Policy EN5 protects the setting of AONB, noting that the AONBs and their settings will be given the highest status of protection in relation to landscape and scenic beauty.
- 106 The Kent Downs AONB Management Plan 2021-2026 offers further guidance on how developments within the setting of AONB's should be treated, stating that;
- 107 "Proposals which would affect the setting of an AONB are not subject to the same level of constraint as those which would affect the AONB itself. The weight to be afforded to setting issues will depend on the significance. Matters such as the size of proposals, their distance, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact. Where the qualities of the AONB which were instrumental in reasons for its designation are affected by proposals in the setting, then the impact should be given considerable weight in decisions."
- 108 The AONB Management Plan notes the special components, characteristics and qualities of the AONB, including its:
- Dramatic landform and views; a distinctive landscape character;
 - Biodiversity rich habitats;
 - Farmed landscapes;
 - Woodland and trees;
 - A rich legacy of historic and cultural heritage;
 - The heritage coasts;
 - Geology and natural resources;
 - Tranquillity and remoteness.
- 109 Amongst the Management Plan's Sustainable Development Principles, Principle SD9 states that; ... "The particular historic and locally distinctive character of rural settlements and buildings of the Kent Downs AONB will be maintained and strengthened. The use of sustainably sourced locally-derived materials for restoration and conversion work will be encouraged. New developments will be expected to apply appropriate design guidance and to be complementary to local character in form, siting, scale, contribution to settlement pattern and choice of materials."
- 110 Considering these matters further, while the development lies adjacent to the AONB, it would be small in scale and closely related to existing buildings in the vicinity, with other dwellings to their north, west and south. The proposed dwellings, as I have noted, would be of traditional design and would sit against a wooded backdrop. They are expected to be of good design quality that would appropriately reflect the character of the Village. There would be no extension of the Village boundary and further planting would be provided that would soften the development and complement the verdant character of the area.
- 111 While I have recognised above the harm resulting from the loss of open space in this part of the settlement, I do not consider the proposals would

cause harm to the above principal characteristics of the AONB and, in particular, would not materially erode the character or cultural heritage of Otford as a village set (in part) within the AONB. The fact that the site previously accommodated a pair of cottages is of some relevance here in considering the historic evolution of Otford over time and the ability of settlements to adapt over time, including through appropriate development.

- 112 Having regard to guidance set out in the AONB Management Plan, I have found that isolated harm to this part of the village outside the AONB would be well contained in views. When taking into account the design, scale, setting and materials of new development and its relationship with the adjoining AONB, I consider that the development would appropriately protect the setting of the AONB in line with Policy EN5.
- 113 Finally it should also be noted that the impact upon the setting of the AONB has not been a reason for refusal in previous decisions.

Residential Amenity

- 114 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 115 Separation distances between the new units and neighbouring dwellings would ensure that appropriate privacy standards would be maintained within existing and proposed dwellings - and that the dwellings and their neighbours would benefit from an attractive outlook. Given these distances, the proposal is not expected to give rise to harmful impacts on sunlight and daylight.
- 116 The south west elevation of the dwellings would face the new flatted scheme to the south, separated by over 21 metres. The Pilgrims Oasts dwellings would be further away still, some 28 metres to the south and screened by dense vegetation to the rear of the site. The closest of the proposed dwellings to Station Road, 'Plot 1', would have its principal elevation to overlooking the road; again, there would be over 21 metres between the new dwelling and the closest dwelling on the north side of Station Road (no.47 Station Road), forming a typical relationship of dwellings across a street.
- 117 Also accounting for changes in land levels (the site drops down from east to west), it is considered that this would achieve acceptable levels of privacy and would not give rise to overlooking or an overbearing development.
- 118 In terms of the proposed living accommodation, both new dwellings would have living and kitchen/dining spaces on the ground floor and three bedrooms with a family bathroom at first floor. Internally, the dwellings would meet the space standards set out within the nationally described space standards for a three-bedroom, four-person family dwelling, at 87m² and 89m² GIA respectively. Both would have private garden space to the rear, with woodland wrapping around their perimeter.

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- 119 A Noise and Vibration Assessment has been submitted with the application, which has been reviewed by the Environmental Health Officer. Manned and unmanned noise and vibration surveys were undertaken at the application site, and noise modelling predictions carried out to assess the levels that may affect the proposed residential properties and amenity areas. The dominant noise source was found to be that generated by the adjoining road.
- 120 The Assessment concludes that acceptable internal noise levels from external sources could be achieved in the proposed dwellings subject to a suitable external façade construction being implemented; the report provides recommendations for the acoustic performance of the façade and glazing which would include laminated double glazing and acoustic trickle ventilators to the windows. These measures can be secured by condition.
- 121 With regards to rear gardens the Assessment finds that, while Plot 2 furthest from the road would achieve appropriate sound levels, the levels to the garden of Plot 1 would exceed the guidance noise levels without any mitigation. With the use of acoustic fencing, however, the noise report shows that the recommended noise guidance levels can be achieved within the rear garden. The elevated noise levels to the front part of the garden to Plot 1 are deemed appropriate in relation to its context and guidance set out in British Standard BS 8233. Further, these would reflect the noise environment in other nearby front gardens.
- 122 Vibration levels have been found to be at an acceptable level.
- 123 As noted in the comments section above, the Environmental Health Officer has confirmed acceptance of the noise assessment and the mitigation measures proposed. These matters will be subject to conditions, as recommended by the Officer.
- 124 Overall, I am satisfied that the proposed dwellings would create appropriate levels of amenity for existing and future residents of the development and would safeguard the amenities of neighbouring residents, in accordance with Policy EN2 of the ADMP.

Trees and Landscaping

- 125 ADMP Policy EN1 requires that proposed developments respect the topography and character of a site, and sensitively incorporate natural features such as trees, hedges and ponds.
- 126 An Arboricultural Report is submitted with the application, including Tree Survey and Tree Protection Method Statement. The Report notes that two small groups of trees identified as being of low value and one individual tree identified as being in a poor condition - all at the northern end of the site adjacent to Station Road - are to be removed to accommodate the scheme. The loss of these trees is considered to be “of no significance to the visual amenity of the locality and will be mitigated through the landscape proposals for the site.” I note separately, as considered below, that these

trees were considered to have some ecological value as a Habitat of Potential Importance.

- 127 From visiting the site, it is evident that these trees have already been removed from the site prior to the application being submitted, so it is not possible to fully assess the impact from their loss. Nonetheless, the application proposes a landscaping scheme incorporating new tree planting along the site frontage and at the northern end of the site, replacing those trees removed and providing a further buffering to the adjoining woodland. This provides the opportunity to replace the former 'low value' trees with specimens of greater landscape amenity and biodiversity value.
- 128 The proposed landscape scheme also provides for the replacement of the invasive laurel hedgerow to the road frontage with a more suitable native species. This hedgerow would sit behind a post and rail fence and be planted at height that would both obscure the acoustic fence that shields the northern corner of the site and soften the road frontage.
- 129 The rear gardens would be lawned, with other areas of grass, hedgerow and soft landscaping created around the dwellings. The car parking spaces would be permeable grass crete. These measures would limit those parts of the site that would be hard surfaced.
- 130 The Tree Protection Measures, as recommended in the Arboricultural Report, would be conditioned to ensure that off-site trees are subject to ongoing protections. SDC Tree Officer has confirmed that he has no objection in this respect.
- 131 Overall, while noting the change in the views into the site from an open frontage to views of the new built form, I consider that an appropriate landscaping scheme has been put forward that will soften the impact of built development and assist in blending it with the woodland beyond, while also protecting existing trees. I therefore consider the scheme to be compliant with ADMP Policy EN1.

Biodiversity

- 132 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.
- 133 A Preliminary Ecological Appraisal (PEA) has been submitted with the application, which assesses the site for its ecological value and recommends a set of mitigation and enhancement measures. The site in its current condition has limited ecological value in its own right, save for the former area of deciduous woodland at the northern end of the site which had been removed following the evaluation within the PEA. The site is, nonetheless, bound by the woodland and open space of the Chalk Pits, which holds more value as an ecological resource and the site is recognised for its foraging potential and as a potential commuting route into the surrounding habitats.

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- 134 A series of mitigation and enhancement measures are therefore recommended in the report and, with the exception of the protection of the trees within the site, have been incorporated within the proposals and/or can be secured by condition. These include:
- 135 Mitigation:
- Removal of invasive laurel hedgerow and planting of non-invasive species.
 - Enhanced boundary habitat planting to improve opportunities for foraging and commuting bats and increase connectivity within the surrounding habitat.
 - Careful lighting design.
 - Protection of boundary woodland.
 - Native tree and shrub planting to enhance habitats for nesting birds.
- 136 Enhancement:
- Native tree planting,
 - Species rich hedgerow planting
 - Inclusion of native and nectar rich planting around buildings.
 - Provision of integrated bat boxes and bird boxes.
 - Provision of bee bricks.
 - Inclusion of permeable boundaries.
- 137 The Biodiversity Enhancement Plan provided by the applicant further confirms the provision of new planting comprising species of native trees, shrubs and bushes aimed at attracting insects and birds; accompanied by a range of biodiversity features that include bird and bat boxes, bee bricks, insect boxes and log piles. These mitigation and enhancement measures would be subject to conditions as recommended by KCC Ecological Services.
- 138 The KCC Ecology Officer has reviewed the submission and confirmed that they are satisfied that sufficient ecological information has been provided. Further recommendations were made regarding the replacement of woodland in the north of the site, which have been brought forward through an amended Biodiversity Enhancement Plan. Details regarding other biodiversity features, which are proposed within the above Biodiversity Enhancement Plan and PEA, can be further secured through condition.
- 139 Alongside the tree protection measures incorporated within the Arboricultural Report, the proposal would deliver on the policy objectives of CS Policy SP11 to conserve and enhance biodiversity.

Parking and Highways Impact

- 140 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that dwellings in this location

(suburban/village) with three bedrooms would require a minimum of 1.5- 2 parking spaces per unit.

- 141 I note the comments received regarding the busyness of this road and the potential for conflict between existing and new users resulting from the access. KCC Highways has confirmed that the widened access, which would be shared with the neighbouring Bank Building development and has been approved under this application for the adjoining site (SE/20/03662), is acceptable. Parking provision, which would be provided as two allocated spaces for each dwelling plus one visitor space, is also agreed as acceptable.
- 142 The proposed site plan shows that an electric vehicle charging point would be provided for each property in line with the aims of Policy T3 of the ADMP. Secure space for bicycle storage would also be provided within the parking area. In this way, and taking into account the site's proximity to Otford rail station and services, the development would offer the opportunity to reduce the reliance on travel by car in line with CS Policy SP2.

Other Matters

- 143 Archaeology: The Site lays within an Area of Archaeological Potential, where Policy EN4 of the ADMP requires that provision is made for the preservation of important archaeological findings. The Desk Based Assessment submitted with the application notes that the site has the potential for the presence of buried archaeological remains from the prehistoric, Bronze Age, Romano-British and medieval periods. The Senior Archaeological Advisor from KCC has confirmed she has no comments on the application. Given the potential for archaeology to be discovered, however, it is considered appropriate to attach a condition requiring an archaeological watching brief to be implemented in accordance with a scheme to be submitted and approval by the Council, in line with Policy EN4 and the NPPF.
- 144 Contamination: A Phase I Desk Top Contaminated Land Risk Assessment is submitted with the application and confirms that no potential sources of contamination or pollutant links are considered to exist on or within a significant distance of the site; no further intrusive investigation is deemed necessary. The Environmental Health Officer has confirmed agreement with this approach and has recommended that a condition be attached that addresses the potential for unexpected contamination to be found during the works; in which case, a further risk assessment and remediation strategy would be necessary.

Conclusions and Planning Balance

- 145 As the Council cannot demonstrate a 5-year housing supply at this time, the tilted balance of NPPF paragraph 11d) is engaged. As noted above, the NPPF requires in these circumstances that planning permission is granted unless any adverse impacts of doing so would "significantly and demonstrably outweigh the benefits".

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- 146 In this respect, I have identified a conflict with Policy GI 2 for the protection of designated open space and, related to this, harm to the character of this part of Otford through the depletion of this green space and visual break in the built up area, contrary to Policy SP1 and EN1 and L07.
- 147 On the other hand, the development provides much needed housing in the District and within Otford, located within the urban confines of Otford, a short distance from the station, and on a site that accommodated a pair of semi-detached cottages over a significant period.
- 148 I have also taken into account the fact that the site represents a small proportion of the Otford Chalk Pits designated area of open space and that the site is physically and functionally separate from the wider designation. These in themselves do not justify the development but they restrict the level of harm and the potential threat to the wider area of open space. The development would still be seen in the context of the woodland that would wrap around it and would give way to wooded frontage when travelling east along Station Road. The visual break and softening would be retained.
- 149 I also consider that the application includes an appropriate response to design quality, landscaping and biodiversity measures, to help the new development sit comfortably within the site over time.
- 150 Overall, therefore, I have found that the harm from visual intrusion and loss of open space would not “significantly and demonstrably” outweigh the benefits taking all factors into account.
- 151 I note that this conclusion differs from that of the previous decisions, including those considered at appeal, and these have been carefully considered in reaching a position on this site. I would note that, in each of these cases, the balance has taken into account a range of factors in reaching a conclusion, and a number have been refused additionally on the basis of other matters. For example, the appeal decision relating to the 10-bed care home noted not only the impact on the character and appearance of the area, but also the harm to local highway infrastructure, the failure to protect local biodiversity and the unacceptable harm to nearby trees; noting the lack of evidence on the level of demand for this type of housing, the Inspector concluded that the harm would not be outweighed by the benefits. It is also of relevance that the appeal scheme was substantially larger than the development now proposed.
- 152 The subterranean dwelling was also refused at appeal in 2014, with the Inspector noting the absence on evidence to satisfactorily demonstrate that the development would not be harmful to adjoining trees, so potentially extending harm beyond the site boundary.
- 153 In this instance, I have found that the current application proposal has adopted a suitable approach to other matters.

- 154 Most significantly, in the five years plus since the most recent appeal decisions on the site, the housing land supply position in Sevenoaks has become far more pronounced, and the weight applied to delivering housing in the district has significantly increased. By way of comparison, for example, the Sevenoaks' Authority Monitoring Report for 2015/16, reported that the local authority exceeded housing delivery targets in the year to 31 March 2016 and was further able to demonstrate that it exceeded the requirement for a 5 year supply of housing land. The Housing land Supply and Housing Delivery tests are substantially different from five years ago and the need for housing within our district is now significant, which weighs heavily in favour of approving schemes.
- 155 Therefore, although I have found harm in the delivery of the development through the loss of a visual relief in the urban form and minor loss of a designated open space, when applying the NPPF's presumption in favour of sustainable development and the tilted balance, it is not considered that the harms identified would significantly and demonstrably outweigh the benefits of the contribution of two appropriately designed new dwellings within Otford.

Community Infrastructure Levy (CIL)

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

Conclusion

- 157 In conclusion, I have found that harm will arise as a result of the development through the loss of part of a protected open space and its contribution to the character of the village in providing relief and contrast to the built areas of the settlement. This would conflict with policies for the protection of open space and the character and appearance of the area. The local planning authority is required, however, to take into account other material considerations and, in this respect, the "tilted balance" of the NPPF paragraph 11 must be applied. In doing so, given the sustained under-delivery of housing and pronounced housing need within the District, significant weight must be attached to the delivery of two new dwellings in a sustainable village location.
- 158 In considering the balance, I have noted that the substantial part of the protected open space would be retained, including open frontage along Station Road to the east of the site and that the Chalk Pits Woodland would maintain their prominence as a backdrop to the development. The proposal also has a historic link to earlier dwellings on the site and this has been highlighted as being of some limited relevance in the historic development of the Village. The proposal would also accord with policies relating to design, landscaping, biodiversity and amenity.
- 159 As noted above, the NPPF requires that where a local planning authority cannot demonstrate a 5-year supply of housing or where housing delivery is substantially below the required rate, planning permission should be granted unless (i) it would conflict with national policies for protected areas

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or, (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In applying the planning balance to the current application, I have found that the harms would not significantly and demonstrably outweigh the delivery of good quality new homes that would meet local needs.

160 On balance, and subject to the conditions set out above, I therefore recommend that the application is approved.

Recommendation

161 It is recommended that this application is GRANTED

Background papers

Site and block plan

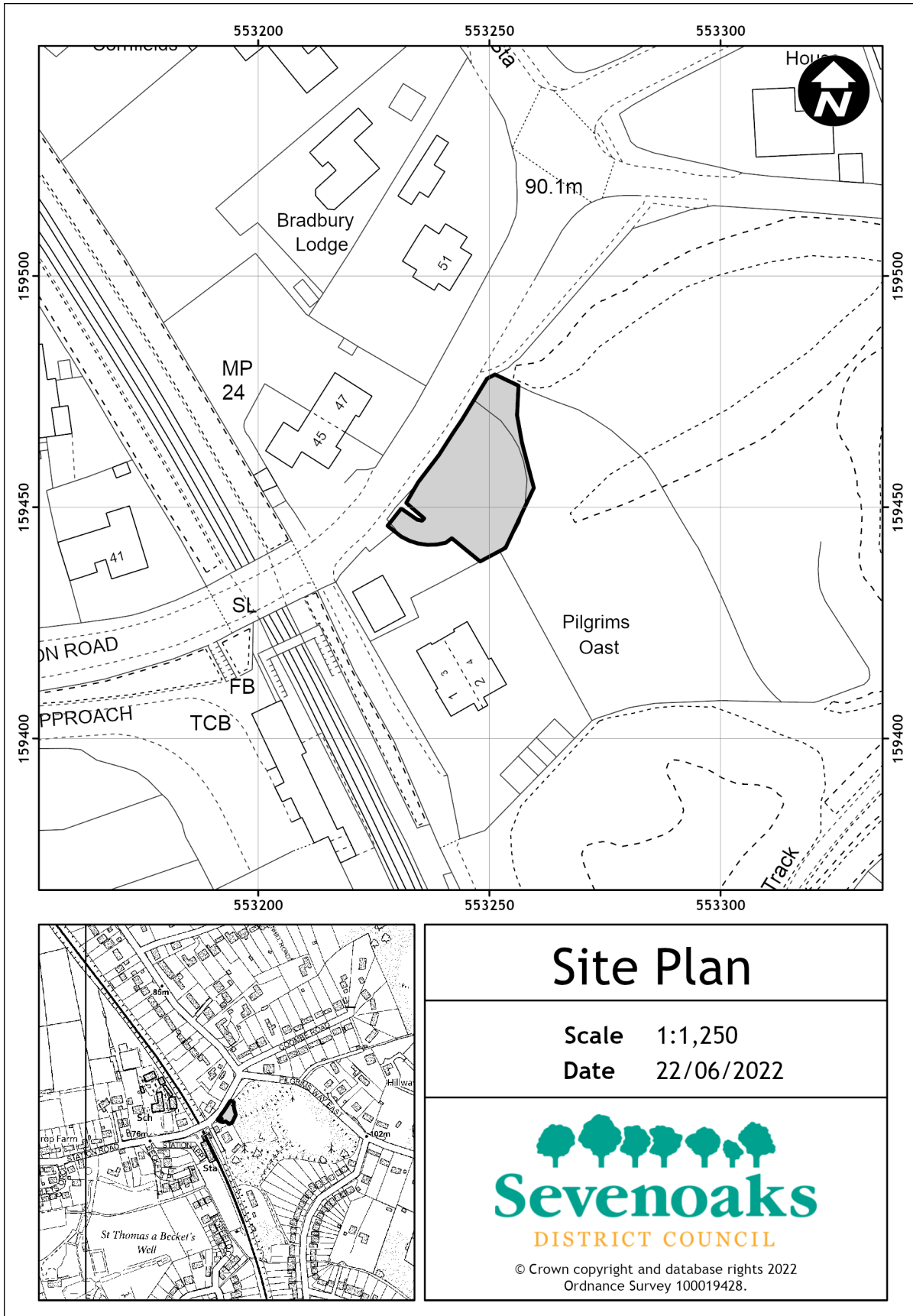
Contact Officer(s): Nicola Furlonger

Extension: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents](#)



BLOCK PLAN



4.3 22/00893/HOUSE Date expired 3 June 2022

Proposal: Conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom annexe.

Location: The Old Bakehouse, Six Bells Lane, Sevenoaks Kent TN13 1JE

Ward(s): Sevenoaks Town & St Johns

Item for decision

Councillor Fleming has referred this application to Development Control Committee as the proposal is no different to the previously refused/dismissed application and that it would harm this part the character and appearance of the High Street 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) Prior to the commencement of works to the external walls of the development hereby approved, specifications (including, where applicable, size, colour, texture, profile, finish, bonding and pointing) and samples of the external surface materials and roofing and a scaled plan (at a scale of 1:100) showing the location of the rain water goods shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

3) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction 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) programme of works (including measures of protection of the existing Public Right of Way SU35)(e) hours of operation/construction.

To ensure that the development does not prejudice conditions of safety on the

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highway or cause inconvenience to other highway users in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) No installation of doors or windows shall take place to the development hereby permitted until further external joinery details including windows (depth of reveal, method of opening, details of heads, cills and lintels), doors frames (architraves, linings, mouldings and beading) and door have been submitted to and approved in writing by the local planning authority. The submitted details of sample elevations shall be at a scale of not less than 1:20, and horizontal/vertical frame sections (including sections through glazing bars) at a scale of not less than 1:10. The works shall be carried out in accordance with the approved details.

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

5) The annex accommodation hereby permitted shall not be occupied any time other than for purposes ancillary to the residential use of the dwelling known as The Old Bakehouse, and shall not be used as a separate unit of accommodation.

Any other use of the annexe could be harmful to the character of the area and neighbouring amenity and to use a single unit of occupation as a dwelling would be undesirable due to insufficient internal and lack of amenity space provided contrary to Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

6) The development hereby permitted shall be carried out in accordance with the following approved plans: EX) 01 Rev.D, PL(01), PL(02), PL(03), PL(04), PL(05) and statement from Daniel Cooper Historic Building Consultants dated March 2022.

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

National Planning Policy Framework

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

Description of site

- 1 The application site comprises a detached dwelling and two small single storey outbuildings and an open walled courtyard that links the two buildings, located opposite the house and adjacent to a number of properties on Six Bells Lane.

- 2 The outbuildings and courtyard previously served as an outdoor toilet, wash yard and washroom associated to the Old Bakehouse. More recently the outbuildings have been used for storage purposes.
- 3 The site is accessed via footpaths from the High Street and Six Bells Lane.

Description of Proposal and Background

- 4 Planning permission is sought to convert the outbuildings and courtyard to an annexe to The Old Bakehouse. The site contains two existing single storey outbuildings, with a courtyard space between them. The proposal would incorporate a central pyramidal roof form broadly over the courtyard area, a mono-pitched roof over the outbuilding attached to that at 8 Six Bells Lane and a shallow dual pitched roof over the outbuilding at the other end.
- 5 A door opening and three window openings are proposed in the front, south facing, elevation of the altered building, the existing east facing window would be retained and a conservation styled roof light window would be installed in the western facing plane of the roof.
- 6 The annexe would provide ancillary living space, kitchen and a shower room.
- 7 The application is a revision to an earlier application which was refused and dismissed at appeal under application ref: 21/00703/HOUSE.
- 8 In essence the scheme proposed with this application more or less identical to the previously dismissed scheme with a differing roof profile to the right hand corner juncture to the of the proposed roof to the existing mono-pitch and further information that addresses the following issues:
 - The extent of demolition and rebuilding necessary as part of the proposed works
 - An assessment of nearby potentially historic fabric and its significance.

Background

- 9 The Planning Inspector dismissed previous application for the following reason under appeal reference APP/G2245/D/21/3280857. Paragraphs 9-12 of the Inspectors decision states:
- 10 “9. The scheme would therefore address the concern raised by the previous Inspector in respect of the single large roof form proposed in the previous appeal scheme (Ref: APP/G2245/D/19/3240094). However, this appeal was also rejected because there was only limited evidence that properly identifies nearby potentially historic fabric and assesses its significance. There was also no firm evidence about the extent of demolition and rebuilding that would be necessary in connection with the proposed development.
- 11 10. Moreover, I consider that these concerns also apply in this case and also acknowledge that interested parties have raised such issues. These matters

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are particularly important given that the toilet building is attached to a similar structure at no. 8 Six Bells Lane. There are also other nearby potentially historic structures, such as walls, that may well be affected.

- 12 11. I am aware that the requirement of such assessments to support proposals should be proportionate. However, on the evidence before me, I cannot reach the conclusion that the nature and extent of the development would not at least lead to harm that is less than substantial to nearby heritage assets as set out in paragraph 202 of the National Planning Policy Framework (the Framework). Although less than substantial harm would arise, great weight should still be attached to it, as the Framework indicates in relation to the conservation of designated heritage assets.
- 13 12. It would not be appropriate to deal with this matter by means of a condition. This is because of the weight attached to the heritage impact and the need to understand the significance of all potentially affected structures and the potential effect of the proposed development on this which I am unable to understand using the submitted evidence. To allow the development in these circumstances would be to unacceptably risk harming the setting of nearby listed buildings, as well as compromising the character and appearance of the Conservation Area which would not therefore be preserved or enhanced.”
- 14 With further reference to the Inspectors Decision, the Inspector did not find any harmful impact from the proposed development upon the character appearance of the area and that no harm would be caused to the neighbouring amenities of surrounding occupiers - paragraphs 8 and 16, see below:
- 15 “8. The pyramidal roof sloping down to all sides, as well as the fairly modest height of this and the two other relatively shallow sloping roofs, would ensure no undue loss of daylight, sunlight or outlook at the surrounding properties. The position of the windows would ensure no unacceptable loss of privacy.....
- 16 16. The pyramidal roof sloping down to all sides, as well as the fairly modest height of this and the two other relatively shallow sloping roofs, would ensure no undue loss of daylight, sunlight or outlook at the surrounding properties. The position of the windows would ensure no unacceptable loss of privacy.”
- 17 Upon considering the above it clear in case law, namely *North Wiltshire DC v Secretary of State for the Environment (1992) 65 P&CR 137*, the Court of Appeal held that it was indisputable that a previous appeal decision concerning the same application site was a ‘material planning consideration’ in the determination a subsequent application.
- 18 In light of the above, significant weight is afforded to the previous Planning Inspectors Appeal decision it’s in consideration of this scheme.

Relevant planning history

- 19 17/03684 - Conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one-bedroom dwelling - WITHDRAWN
- 20 18/00577 - Conversion of disused outbuildings (washroom and outdoor WC) and an enclosed courtyard into a one-bedroom annex for the Old Bakehouse - REFUSED - Dismissed at Appeal
- 21 21/00703 - Conversion of disused outbuildings (washroom and outdoor WC) and an enclosed courtyard into a one-bedroom annexe - REFUSED - Dismissed at Appeal

Policies

- 22 National Planning Policy Framework (NPPF)
- 23 Core Strategy (CS)
 - LO1 Distribution of Development
 - LO2 Development in Sevenoaks Urban Area
 - SP1 Design of New Development and Conservation
- 24 Allocations and Development Management Plan (ADMP)
 - SC1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
- 25 Other:
 - Sevenoaks High Street Conservation Area Appraisal
 - Residential Extensions Supplementary Planning Document (SPD)

Constraints

- 26 The following constraints apply:
 - Built urban confines of Sevenoaks;
 - Sevenoaks High Street Conservation Area:
 - Area of Archaeological Potential
 - Adjacent listed building and locally listed buildings.

Consultations

- 27 Sevenoaks Town Council - Recommends refusal on the following grounds -

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- The failure to preserve or enhance the character and appearance of the Sevenoaks High St Conservation Area and setting of nearby curtilage/listed and locally listed buildings;

28 SDC Conservation Officer - No objection raised for the following reason:

29 “Significance

30 The site is within the Sevenoaks High Street Conservation Area. The Conservation Area Appraisal and Management Plan identifies the area as including the historic focus of the town. Six Bells Lane is characterised as a picturesque backwater off the High Street, with a footpath leading steeply downhill past a series of cottages, small scale with a distinctively different character from the High Street.

31 It is surrounded by listed buildings on the High Street and Six Bells Lane and so any changes may impact on the surrounding listed buildings through change within their setting.

32 The Old Bakehouse is identified as a Locally Listed Building, by virtue of it being a former bakehouse, thought to date from the early 19th century. It is now a residential property with extensive renovation and alteration, including replacement doors and windows, but original external features still recognisable. It is locally listed as it exhibits important characteristics of design, decoration, craftsmanship or use of materials, has an important association with the history of Sevenoaks's economic development as a rare surviving example in the town of an early 19th century commercial building, and contributes significantly to the townscape, street scene or appearance of the area.

Background

33 The design of the current proposal is the same as that submitted under application number 21/00703/HOUSE. The conservation comments provided stated that a small single storey ancillary outbuilding, which reflects the established quality of the site, characterised by small outbuildings, would not be out of keeping. With regard to the proposed design, it was considered that the treatment of the courtyard and outbuilding as three connecting roofs, which retains the legibility of the three elements and break up the bulk and massing, maintains the small scale of the outbuildings, which are subservient to their host buildings. The use of mono-pitched standing seam lead roofs and a central clay tiled pyramidal roof were considered appropriate to the area.

34 The Inspector provided similar comments in his appeal decision on the aforementioned application (Appeal Ref: APP/G2245/D/21/3280857), stating that because of the separate roof forms breaking up the bulk and mass and maintaining the small scale of outbuildings found in the vicinity, the overall expanse would not appear overly large. In consequence, the resultant linked buildings would be subordinate to the host dwelling at the Old Bakehouse. The pyramidal roof form would reflect the variation in roof forms and orientation of outbuildings found in the locality.

- 35 It is therefore considered that the principal of converting the outbuildings and enclosing the courtyard is established in the Inspector's decision, subject to understanding the impact on historic fabric. This is outlined further below.
- 36 The outstanding issue identified by the Inspector is the lack of information that properly identifies nearby potentially historic fabric and assesses its significance. Additionally, there was no firm evidence about the extent of demolition and rebuilding that would be necessary in connection with the proposed development. These matters are particularly important given that the toilet building is attached to a similar structure at no. 8 Six Bells Lane (a grade II listed building). There are also other nearby potentially historic structures, such as walls, that may well be affected.
- 37 Assessment
- 38 The comments below consider whether the applicant has now provided enough information to identify nearby potentially historic fabric and assesses its significance, as well as clearly set out the extent of demolition and rebuilding that would be necessary in connection with the proposed development. Based on this information, it should also be possible to conclude whether the development would lead to harm to nearby heritage assets, either directly through their alteration and/or loss, or through harm to the setting of nearby listed buildings and/or the character and appearance of the Sevenoaks High Street
- 39 Conservation Area.
- 40 The development site contains two existing single storey outbuildings, with a courtyard space between them.
- 41 The outbuildings shown on 19th century maps, but have not been identified as curtilage listed or locally listed. Their significance therefore is primarily in the contribution they make to the character and appearance of the conservation area and the setting of the nearby listed buildings and locally listed buildings.
- 42 The applicant has commissioned a statement to consider the extent of demolition and rebuilding necessary as part of the proposed works; and an assessment of nearby potentially historic fabric and its significance (prepared by Daniel Cooper, Historic Building Consultant, March 2022). The statement identifies the individual structures and walls impacted by the proposals, including an assessment of their age, fabric and significance, as well as how any changes proposed will impact on their significance or the conservation area and the setting of the nearby listed buildings. In summary, the statement concludes that proposals are not harmful to the significance of the historic fabric or the conservation area and the setting of the nearby listed buildings due to the low heritage significance of the walls affected, relatively modest extent of demolition required, and overall preservation of the character and appearance of the walls and outbuildings. I agree with the conclusions drawn.

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Conclusion

- 43 The proposals now address the previous concerns raised by the Inspector and demonstrate that the proposals will not harm the fabric, character or appearance of heritage assets either directly or through change to their setting.
- 44 In conclusion, the proposals are supported from a heritage perspective when assessed against local policy EN4.”

Representations

- 45 11 letters of objection have been received relating to the following issues:
- No services are present;
 - Overload existing sewage provision;
 - Rainwater run-off from roof into adjacent property/lane;
 - Walls as currently neglected, and have no foundations;
 - Disruption caused by construction works;
 - Insufficient detail, submitted i.e. materials, party walls not shown;
 - Impact upon privacy;
 - Loss of light and overshadowing;
 - Establish a precedent;
 - Should be described as a studio flat;
 - The building is too small for habitation;
 - Construction management plan is required;
 - Inappropriate siting of site notice/consultation;

Chief Planning Officer’s appraisal

- 46 The main planning consideration are:
- The principle of the development;
 - The impact on the character and appearance of the area and to the setting of listed buildings, locally listed buildings and Conservation Area;
 - The impact on residential amenity;
 - The impact on highway safety

The principle of the development

- 47 The application seeks the approval of the use of the existing building and structure as an annex to the main, adjacent house. The site is within a Town Centre location whereby the principle of development is accepted.
- 48 The proposal includes accommodation that comprises a shower room, living area, and kitchen area. Within the applicant’s submission it is also evident that the use of the annexe would be ancillary to the main house.
- 49 In respect to whether an annex is ancillary or not a leading case is *Uttlesford DC v SSE & White [1992] PLR76* which determined that, even if the accommodation provided facilities for independent day-to-

day living, it would not necessarily become a separate planning unit from the main dwelling - instead it would be a matter of fact and degree. In that case the accommodation gave the occupant the facilities of a self-contained unit although it was intended to function as an annex with the occupant sharing their living activity in company with the family in the main dwelling. There was no reason in law why such accommodation should consequently become a separate planning unit from the main dwelling.

- 50 Whilst the extension and conversion of the outbuilding would provide all the facilities for day-to-day living, it would function as an annex with the primary occupants sharing living space and socialising with the rest of their family in the main dwelling. There is a paved footpath between the annex and the main house allowing easy access between the two. As such, the outbuilding conversion would remain part of the same planning unit as the main dwelling.
- 51 Based upon the evidence, it is considered that the proposal relates to an annex, despite the concerns raised by third parties claiming it's a self-contained dwelling. Although it is agreed that the proposal, as a new dwelling, would not provide a sufficient level of internal floor space, the lack of internal floor space for a dwelling that would not be linked to Old Bakehouse, together with the fact that the proposal is for an ancillary annexe, provides the reasonable and necessary justification for a condition to control its use. By doing so, would ensure the certainty as to what has been approved and to prevent the sub-division of the planning unit in the future. If the building is not used as proposed, or if there is a material change of use to create a separate dwelling, then a separate grant of permission would be required. Any unauthorised use of the building would be at risk of enforcement action.
- 52 As such upon considering the above, the principle of the development is accepted subject to further considerations below.

The impact on the character and appearance of the area and to the setting of listed buildings, locally listed buildings and Conservation Area

- 53 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 54 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 55 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

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- 56 The NPPF also states that great weight should be given to the conservation of heritage assets.
- 57 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 58 8 Six Bells Lane is a grade II listed building and 5, 6 and 8 Six Bells Lane are locally listed.
- 59 The proposal comprises alterations to the existing building and structure that include the creation of a new pitched roof, a small extension to the south-west corner of the building and new door and window openings.
- 60 With its small scale cottages, tight confines and sequence of cobbled courtyards, Six Bells Lane has a distinctively different character from the bustle of the High Street. It is a sensitive historic site located in the Sevenoaks High Street Conservation Area with a high concentration of listed buildings and locally listed heritage assets. It is highlighted in the Conservation Area Appraisal as an important grouping of buildings contributing to character. The area has a more functional quality due to the provision of simple outbuildings and reflects a hierarchy of development.
- 61 It is proposed to convert a disused outbuilding and enclosed courtyard to create a one bedroom annexe to the Old Bakehouse. It is not known whether the enclosed courtyard was historically covered as only the walls have survived.
- 62 Regard has been had to the previous Planning Inspectors decision whereby the proposal and as cited in in the above paragraphs, the previous appeal decision did not find a harmful impact created by the proposed scheme. With this in mind, together with the unchanged character/form of the annexe, as case law dictates and substance weight is given to the previous Inspectors decision, this together with the Conservation Officer comments, it would be unjustified to to object on this ground. The proposed development would not harm the character and appearance of Sevenoaks Conservation Area nor that of the setting and the significance of the nearby locally or statutory listed buildings.
- 63 The development would remain as a subservient outbuilding to the other surrounding built form. The proposal overcomes the previous concerns raised by the Planning Inspector through the submission of additional information and would conserve the character and appearance of Sevenoaks High Street Conservation Area in compliance with Policy EN4 of the ADMP and NPPF.

The impact on residential amenity

- 64 The existing development is in close proximity to a number of neighbouring properties and so currently has some bearing on the residential amenity enjoyed by the occupiers of these houses.

- 65 The proposed roof would pitch away from the neighbours to the east, meaning it would have minimal impact on amenities.
- 66 The roof would rise up in height adjacent to 8 Six Bells Lane to the north. No.8 possesses some window openings to the south of the property, one being a roof light steeply angled away from the site and an obscure glazed window, both serving non-habitable rooms. In terms of overshadowing, there is a small courtyard area that serves No.8 that adjacent to the boundary of the site. Some overshadowing may occur, however it is not consider sufficient to justify a reason to object. Given the proposed relationship of the development, it is considered that all amenities of this property would be preserved.
- 67 7 Six Bells Lane to the west of the site is off-set from the building and so, again, all amenities would be preserved for this property.
- 68 The proposed extension to the southern elevation of the building would be modest in size and would preserve neighbouring amenity.
- 69 New openings would be to the southern elevation facing on to the Old Bakehouse, a new conservation style rooflight within the western facing roof plane and retained in the eastern elevation. It is considered that that these arrangements would not result in overlooking or a loss of privacy.
- 70 The ancillary residential use of the building would not create an unneighbourly level of noise locally.
- 71 In terms of outlook or right to a view, planning legislation and policy cannot protect views from neighbouring properties despite the objections raised by third parties.
- 72 As with the previous consideration, significant weight is given to the previous Inspectors decision whereby no harm was found to the existing amenities of surrounding neighbouring occupiers. Despite the objections raised by neighbours, this application is not materially different to the previous scheme. In the balance, it is considered that the development would therefore provide adequate residential amenities for future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties in compliance with Policy EN2 of the ADMP.

The impact on highway safety

- 73 The proposed use would be ancillary to the main house and so would not have any detrimental impact upon highways safety. The use of the outbuilding to an annexe would not necessarily imply that further parking provision is required. The site is within Sevenoaks Town Centre whereby adequate car parking facilities and access to good transportation links are available. It is not considered necessary to seek for further car parking provision.
- 74 Given the location of the site and the comments raised by several third parties, it is considered to be appropriate and necessary to require a

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construction management plan to ensure that highway pedestrian safety is preserved, the existing public right of way is appropriately used and that the amenities and private ways of the immediate area are preserved, if planning permission were to succeed.

- 75 Consideration has been given to the request for condition to be imposed relating to the protection of the existing Public Right of Way SU35, the cobbled walkway of Six Bells Lane. It is not anticipated that large machinery would be used, as the size of the access is very restricted. Furthermore, it not considered appropriate for surveys to be undertaken with regard to the condition of the footpath, as any damage to it is covered by other highways legislation and therefore such condition would not met the test of necessity as cited by the National Planning Policy Guidance.
- 76 With the inclusion of the above construction management condition the proposal, it is considered that the development would preserve highway safety in compliance with Policy EN1 of the ADMP.

Other issues

- 77 With regard to issues raised by third parties in relation to run-off drainage, further details can be secured by condition. Furthermore, the lack of services to the site does not necessarily imply that development cannot proceed. The services and utilities to the site can be sought from the relevant statutory providers.
- 78 A number of third party comments and reports have been received regarding the accuracy of the plans, land ownership and party wall issues. The site plan submitted with the application does not show the development encroaching onto neighbouring boundaries, however relevant Certificate B notices have been served on relevant landowners. Notwithstanding this, party wall/boundary issues are not a material planning considerations but a private legal matter between the interested parties as planning legislation cannot determine land ownership.
- 79 The application has been submitted on the basis that the proposed development would be ancillary to the Old Bakehouse. Any potential future development, which requires permission, would need to be considered under a fresh planning application submission. This includes a change of use to a separate residential dwelling.
- 80 If the development were to be granted it would not necessarily create a precedent for other landowners in the locality to follow. Each application should be judged on its own merits.
- 81 A third party cited the need for a listed building consent application, as the development would maybe affect a curtilage listed building. Whilst it is normal practice for a listed building and planning application to be submitted at the same time for consideration, there is no statutory requirement set out in legislation that requires joint submission or indeed determination at the same stage.

- 82 It has been noted by Third Party representation regarding consultation. Neighbours in the locality have been notified in writing and the application was publicly advertised and a site notice placed on Six Bells Lane. This far exceeds the statutory requirement to consult on this particular application and it is not considered that the local planning authority has failed in its statutory duties.

Community Infrastructure Levy (CIL)

- 83 The proposal would be CIL liable.

Conclusion

- 84 For the reasons given above, the scheme would comply with the development plan when considered as a whole. It can be demonstrated that the scheme has overcome the issues raised in the previous appeal decision to which significant weight is attached to, in its consideration. As no harm can be found upon the impact upon the amenities of neighbouring occupiers and that the development would conserve and enhance the character and appearance of High Street Conservation Area, it is therefore recommended that this application is GRANTED.

Background papers

Site and block plan

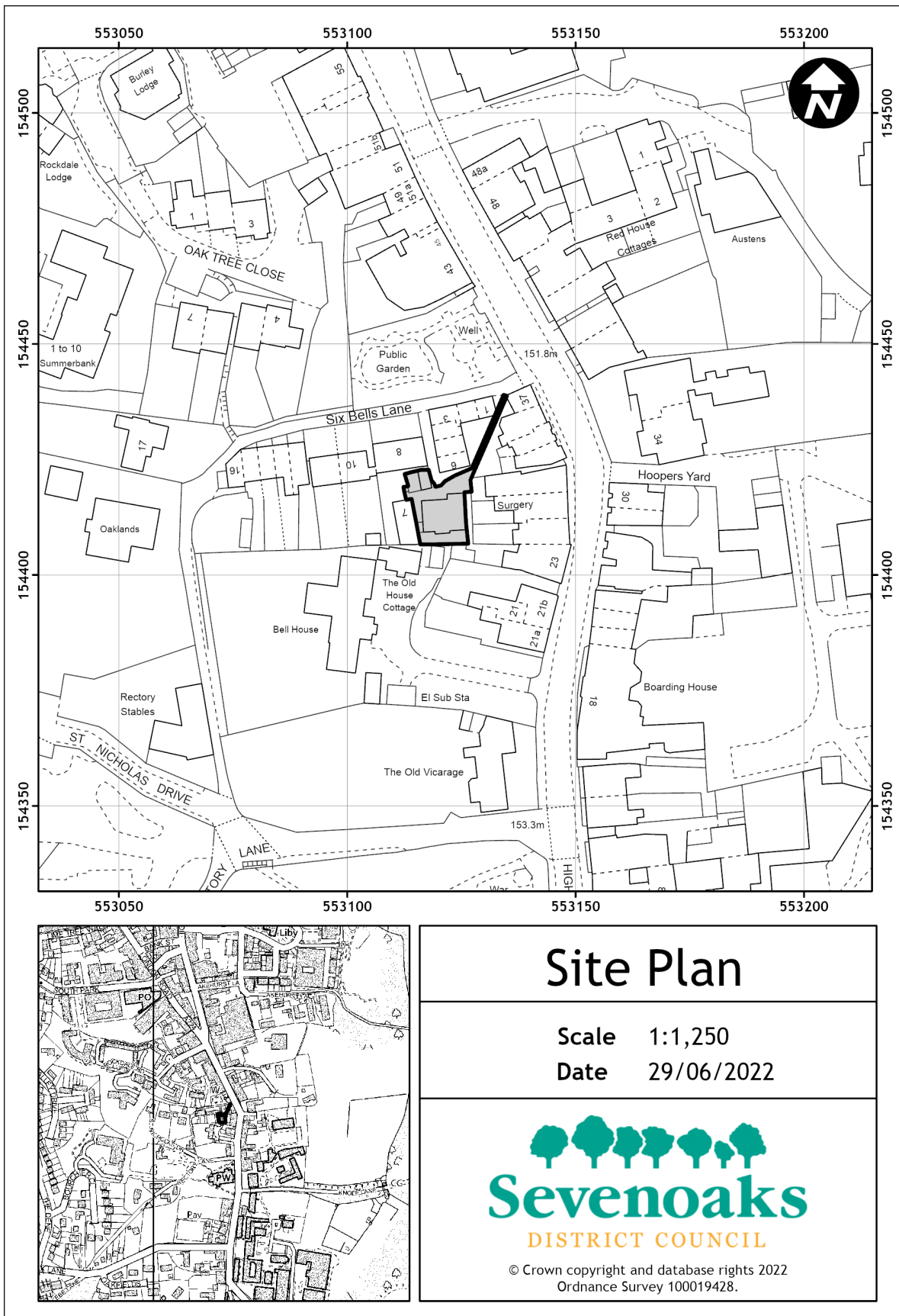
Contact Officer(s):

Sean Mitchell: 01732 227000

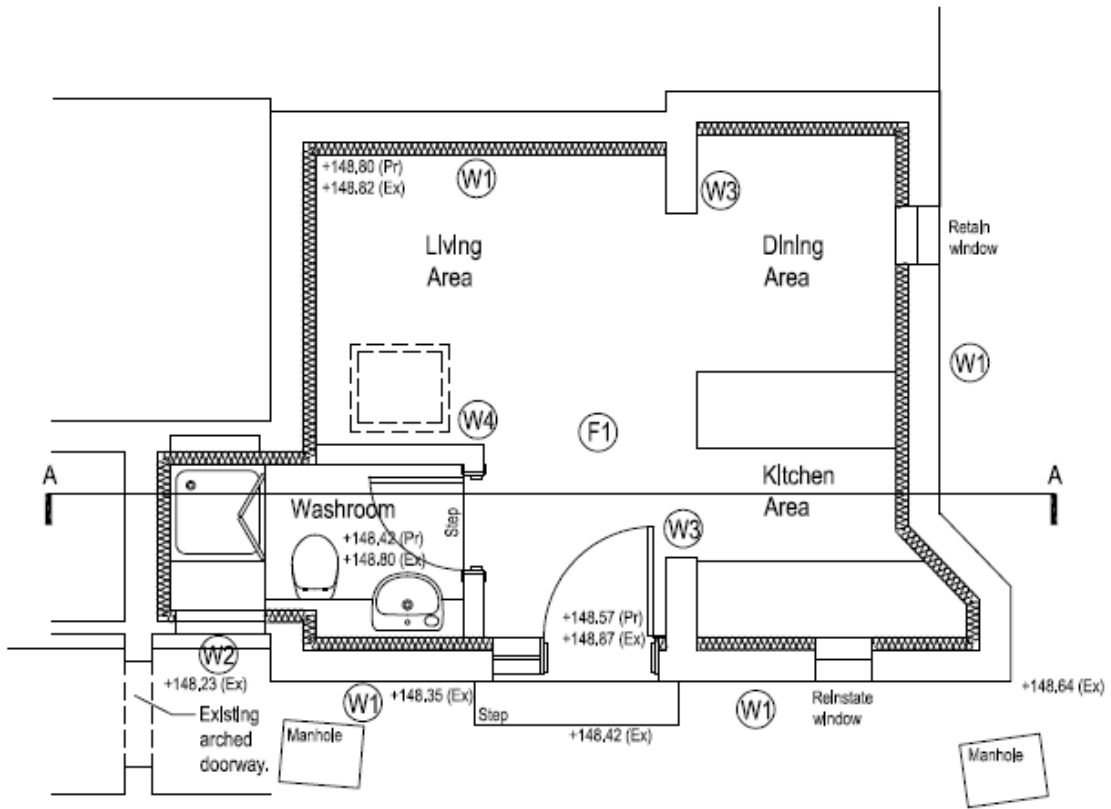
Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



PROPOSED BLOCK/FLOOR PLAN



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4.4 21/03402/FUL Revised expiry date 22 July 2022

Proposal: Erection of part 3/part 4 storey building containing 8 flats as affordable housing (5 x 1 Bedroom and 3 x 2 Bedroom Flats) with associated cycle/refuse storage.

Location: Land East Of 168 St Johns Hill, Sevenoaks, KENT TN13 1PF

Ward(s): Sevenoaks Town & St Johns

Item for decision

Councillor Fleming has referred this application to Development Control Committee due to the affects the development would have upon the air quality of neighbouring occupiers and future occupants of the development.

RECOMMENDATION : That the committee resolve to GRANT planning permission subject to:

a) A satisfactory legal agreement made under section 106 of the Town and

Country Planning Act 1990 (as amended) being completed no later than three months of the date of this decision, unless in accordance with a new timescale otherwise agreed in writing by the Chief Officer for Planning and Regulatory Services.

The Section 106 Agreement shall include the following requirements:

- Air Quality Monitoring Contribution - £1680 (index linked)
- Secure - 8 no. Affordable Housing units

b) The conditions set out below, subject to any minor changes to wording being agreed in writing by the Chief Officer for Planning and Regulatory Services:

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:

7518-PD-01, 7518-PD-02, 7518-PD-03

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

3) Prior to the commencement of development above damp proof course level of the development hereby permitted, further details of external materials to be

used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

4) 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, including delivery times;(c) storage of plant and materials used in constructing the development;(d) programme of works (including measures for traffic management);(e) provision of boundary security hoarding behind any visibility zones;(f) wheel washing facilities;(g) measures to control the emissions of dust and dirt during construction;(h) a scheme for the recycling/disposing of waste resulting from demolition and construction works(i) hours of operation.

To ensure that the development does not prejudice the free flow of traffic, conditions of safety on the highway or cause inconvenience to other highway users and safeguard the amenity of the area in accordance with Policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

5) Prior to the commencement of the development hereby approved, a contaminated land assessment and associated remedial strategy, together with a timetable of works, shall be submitted to and approved by the Local Planning Authority. The investigation and report shall be conducted and presented in accordance with the guidance from Environment Agency - Land contamination risk management (LCRM): The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology. A) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. b) Approved remediation works shall be carried out in full on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. c) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling

and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and aims and objectives National Planning Policy Framework.

6) Prior to the commencement of work above damp proof course level of the dwellings hereby approved, further details of the air quality mitigation and any mechanical ventilation measures as recommended by the Air Quality Assessment ref: AQ1997, Feb 2022 have been submitted to and approved by in writing by the local planning authority. The development shall be built in accordance with the approved details and installed and in operation prior to the first occupation of the dwellings approved. and fully implemented and verification of installation to be submitted and agreed in writing by the local planning authority

To provide a satisfactory amenity for the future occupiers of the development in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) No development shall take place until further details by the submission of a piling method statement that includes:- details the depth and type of piling to be undertaken and the methodology by which such piling will be carried out;- measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure;- programme/timetable for the works.) shall have been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

To safeguard existing water infrastructure.

8) Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement: I) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority; iii) programme of post excavation assessment and publication.

To ensure that features of archaeological interest are properly examined, recorded, reported and disseminated in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

9) Prior to the works above damp proof course level, further details of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, any boundary treatments have been submitted to and approved in writing by the local planning authority. The approved landscape

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scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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.

10) Prior to the first occupation of the dwellings hereby approved, the glazing of each unit shall be in accordance with proposed glazing/ventilation specifications as cited in the submitted Noise Impact Assessment by Acoustics Plus, Ref: 104168. ad.Issue 2, shall be fully implemented and verification of installation to be submitted and agreed in writing by the local planning authority.

To ensure the occupiers of the development are not unduly affected by noise disturbance in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

11) Prior to the first occupation of the development hereby permitted, the pedestrian footway as shown on the approved plan no. 7518-PD-01 shall be completed in full unless otherwise agreed in writing by the local planning authority.

In the interests of highway safety in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

12) The development hereby permitted shall not be occupied until the on-site bicycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

In accordance with policy T2 of the Sevenoaks District Council Allocations and Development Management Plan

13) The development hereby permitted shall not be occupied until the storage facilities for bins and recycling shown on the approved plans have been provided and made available for use. These facilities shall be maintained in accordance with the approved details thereafter.

In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

14) Prior to the development completing work above damp proof course level further details of the proposed external balustrades serving the balcony areas of the development hereby approved shall be submitted to a and approved by the local planning authority. The details shall show that the balustrades are either obscure glazed or block panelled

To safeguard the appearance of the development and protect the amenities of future occupants of the development, in accordance with policies EN1 and EN2 of

the Sevenoaks Allocations and Development Management Plan.

15) No external plant (including ventilation, refrigeration, air conditioning and air handling units) fans, louvres, ducts, meter boxes or other similar apparatus shall be installed externally on the building hereby permitted without the prior written approval of the Local Planning Authority.

To ensure a satisfactory appearance upon completion of the development in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

16) 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 modifying the Order) no satellite dishes shall be installed on any elevation of the building hereby approved, or on any part of the roof.

To ensure that the appearance of the development is not compromised as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

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

2) 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.

3) Please be aware that this development is also the subject of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

4) The Council cannot guarantee that resident parking permits will be available for future occupiers

National Planning Policy Framework

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

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Description of site

- 1 The application site is approximately 0.042ha in size and is located within the urban area of Sevenoaks, located adjacent to A25 and Bat and Ball junction.
- 2 Within the site comprises of scrubland which once previously developed. This is a predominantly residential area containing properties of varying designs, with commercial uses to the west. Sevenoaks Hospital sits to the south, upon higher ground than the site. An existing wall to the east retains the hospital land to the south which falls away from the east, down to the Bat and Ball junction in the west.
- 3 To the south west of the site is No.168 St Johns Hill which is a Locally Listed Building (Non-designated Heritage Asset).

Description of proposal

- 4 The scheme proposed responds to the constraints and context of the site. The scheme will present as a 4 storey building that responds to the topography of the site, giving it a staggered appearance. It will deliver 8no. affordable housing units that conform to national space standards. The mix will be in the form of 5no. x 1 bedroom and 3no. x 2 bedroom flats.
- 5 No car parking provision is proposed within the development, however 12 cycle spaces with electric charging provision will be provided.
- 6 23m² of private amenity space is proposed on the third floor with this space to be utilised by flats and an amenity space proposed for Flat 1 (17m²).

Relevant planning history

- 7 None

Policies

- 8 National Planning Policy Framework (NPPF)
- 9 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.
- 10 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:
 - 11 application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or
 - 12 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.

- 13 Footnote 7 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.
- 14 Core Strategy (CS)
- SP1 Design of New Development and Conservation
 - LO1 Distribution of Development
 - LO2 Development in Sevenoaks Urban Area
 - SP3 Provision of Affordable Housing
 - SP5 Housing Size and Type
 - SP7 Density of Housing Development
 - SP11 Biodiversity
- 15 Allocations and Development Management (ADMP)
- EN1 Design Principles
 - EN2 Amenity Protection
 - EN4 Heritage Assets
 - EN7 Noise Pollution
 - T1 Mitigating Travel Impact
- 16 Other
- Sevenoaks Residential Character Assessment SPD -
 - Affordable Housing SPD update 2021
 - National Planning Practice Guidance
 - National Design Code

Constraints

- 17 The following constraints apply:
- Built confines of Sevenoaks
 - Air Quality Management Area (AQMA)

Consultations responses

- 18 Sevenoaks Town Council: Recommends a refusal on the following grounds:
- Design and appearance of the development;
 - Overdevelopment of the site
 - Scale of the development
 - No parking provision
 - Servicing of building
 - Light pollution from hospital

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- 19 SDC Housing Officer:
- 20 “It is noted the application is for a scheme comprising 8 x new build flats -5 x 1bed 2person flats and 3 x 2 bed 3 person flats. Under Core Strategy Policy SP3, this scale of development does not trigger the provision of affordable housing.
- 21 Over the course of the last year, the applicant, in conjunction with West Kent HA, has been in discussion with Housing Policy, with the ambition of delivering a 100% affordable housing scheme. The planning application is made on this basis and is welcomed by Housing Policy.
- 22 The scheme will provide 1 and 2 bedroom homes, which the Housing Register shows are the District Council's priority need. It is noted all the homes will meet the Nationally Described Space Standard and each will have access to private or shared outdoor amenity space. These features are welcomed.”
- 23 SDC Tree Officer:
- 24 “Vegetation on the bank here has recently been cut to the ground. Some taller trees are located towards the rear of the bank but overall the general condition of all of the vegetation here is poor. Certainly not the type of trees that I would consider for a TPO. As a collective, a green bank with mixed ground cover does offer some amenity but not to the extent that it would warrant refusal of a build proposal. I suggest a landscaping condition be attached to any consent showing any proposed and retained soft landscaping.”
- 25 SDC Environmental Health Officer: No objection subject to conditions -
- 26 Ground Contamination.
- 27 The applicant will need to undertake an intrusive investigation and submit a remediation strategy to be agreed in writing by the local planning authority prior to implementation. On completion of all remedial works a validation report must be submitted and agreed in writing prior to first habitation. This could be achieved by a pre-commencement condition.
- 28 Air Quality:
- 29 It is clear that those opposite the development will experience a worsening of air quality by a minimal amount and while it is not so substantial to result in the refusal of the application it is still felt that it would be proportionate for the applicant to undertake something to offset this or compensate those affected in some way.
- 30 I believe it would be proportionate for the applicant to provide funds to be used for the continuing monitoring and evaluation of air quality in the area as other development proposed for the area may have a further impact in the area. It would proportionate for any development that may influence the locality by built form or vehicle traffic should be required to assist in funding the evaluation of the area. This is something that cannot be

achieved by CIL but could by other funding means not constrained by the restrictions placed on CIL.

31 Noise:

32 The proposal that external amenity areas can be subject to noise levels in excess of current guidance is not acceptable, therefore the applicant must submit details of how noise levels for amenity areas will be attenuated to ensure the day time LAeq,16Hr does not exceed 55 dB, the details shall be agreed in writing by the local planning authority prior to habitation of any dwelling. The proposed glazing recommended in the Acoustics Plus document Ref: 104168.ad.Issue2, shall be fully implemented with verification of installation to be submitted and agreed in writing by the local planning authority prior to first habitation of the dwellings. “

33 KCC Highways: No objection subject to condition -

34 “The proposed development for 8 flats, is in a sustainable location with access to local amenities and public transport, including a regular train service, within walking distance.

35 I would consider that the proposed dwellings are within an edge of centre location with parking restrictions on the roads around the immediate vicinity. I am pleased to note that a Highway Technical Note has been submitted. This includes a parking stress survey, which does show some additional on street parking capacity, and further parking within a public car park, although this is some distance from the development site.

36 On balance, I consider the nil provision of vehicle parking to be acceptable. A minimum of one cycle space is proposed per unit, which is in line with IGN3 parking standards. Any cycle storage will need to be covered and secure.”

37 KCC Archaeology:

38 The site of proposed development may have been occupied by a post medieval building associated with the Bat and Ball inn. Remains associated with post medieval or later activity may be encountered, a condition recommended.

39 Thames Water:

40 No objection subject to condition for further details on piling as development is near to water infrastructure.

41 Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

42 South East Water:

No response.

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Representations

- 43 We received 1 written representation of support and 1 written representation objecting to the proposal on the following grounds:
- Out of character;
 - Air Quality issue;
 - Overlooking/loss of privacy;
 - Lack of parking
 - Reduction of sunlight and daylight.

Chief Planning Officer's appraisal

- 44 The main planning considerations are:
- Principle of development
 - Housing Size and Type
 - Density
 - Impact to the design and character of the area
 - Impact to amenity
 - Impact to Highways and Parking
 - Impact to Trees and Landscaping
 - Affordable Housing
 - Area of Archaeological Potential
 - Tilted Balance
 - Community Infrastructure Levy
 - Other Issues

Principle of Development

- 45 As set out in Section 36(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. For Sevenoaks, the Development Plan is made up of the Core Strategy (CS) and Allocations and Development Management DPD (ADMP). National Planning Policies, such as those contained in the National Planning Policy Framework (NPPF) are material considerations.
- 46 This application proposes 8 affordable residential units, which would make a positive valued contribution to the District's Housing Stock.
- 47 The adopted Sevenoaks Core Strategy and ADMP planned for the delivery of 3,300 homes over the period 2006 to 2026 with the main site allocations being located around the urban areas of the District and on brownfield land.
- 48 Paragraphs 74 - 76 of the NPPF require the Council to identify a five-year supply of deliverable housing sites, including an appropriate buffer. As the result of the Housing Delivery Test for 2020 was 70%, the NPPF considers this as a significant under delivery of housing over the previous 3 years, and requires the application of a 20% buffer in line with para 74c). Furthermore,

as the Core Strategy (2011) policies are more than five years old, the standard method figure for housing need must be used in place of adopting housing requirement for calculating the five-year housing supply. As a result of these factors the Council cannot currently demonstrate a five year housing land supply.

- 49 As acknowledged in the Council's Housing Delivery Test Action Plan, the five-year housing land supply calculation finds 2.9 years of supply of deliverable housing sites including a 20% buffer. Therefore, the lack of five-year housing supply is a significant consideration that the Council will have to balance with this application.
- 50 As the Council cannot demonstrate a five-year housing land supply at this time, it is considered appropriate and welcome that the site accommodates a number of dwellings to meet the Council's needs and in particular affordable housing units, subject to the other policy considerations discussed in turn below.
- 51 The implications of the 'tilted balance' described in paragraph 11 of the NPPF is discussed above, whilst we will consider the balance of the case later on within the report.
- 52 Paragraph 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.
- 53 The National Planning Policy Framework defines previously developed land as:
- 54 'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure'.
- 55 The site is considered to represent previously developed land. Due to the location, development is required by the NPPF to make efficient use of said land.
- 56 Policy LO1 of the Sevenoaks District Council Core Strategy (CS) states that development will be focused within the built confines of existing settlements. The policy continues to state that Sevenoaks urban area, which includes Sevenoaks town centre, will be the principal focus for development in the District.
- 57 It's recognised that the site is located within the built confines of Sevenoaks and it is clear that development plan policies seek to maximise the potential of such sites. This is especially important within Sevenoaks District where the majority of the District falls within the Green Belt.
- 58 The application site is located in Sevenoaks, which is considered a sustainable location for development. The proximity to local shops, services

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and transport hubs including the bus stop and main line rail station that reduces the reliance on vehicles.

59 Contamination issues

60 In accordance with National Planning Practice Guidance which states:

61 “Responsibility for securing a safe development rests with the developer and/or landowner. However, local planning authorities should be satisfied that a proposed development will be appropriate for its location and not pose an unacceptable risk.

62 Local planning authorities should work with applicants to find acceptable ways forward if there are concerns about land contamination...”

63 (Paragraph: 009 Reference ID: 33-009-20190722)

64 The applicant as submitted a land contamination assessment to which has recommended detailed investigations. The Environmental Health has raised no objections to the findings of the submitted desktop study and recommends a condition for further investigation and verification of any remediation required.

65 With this in mind it can be concluded that the proposal would not have an unacceptable effect on the public health of the future occupiers of the proposed dwellings and surrounding development with regard to land contamination. As a result, it would comply with paragraphs 183 and 185 of the NPPF where it concerns land that is affected by contamination and matters in relation to identifying the risk and remediation, ensuring that a site is suitable for its proposed use taking account of ground conditions, and the likely effects on health and living conditions.

66 Air Quality

67 The site is within an Air Quality Management Area (AQMA) where concentrations of pollutants UK National Air Quality objectives.

68 National Planning Policy Guidance states that “Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity”.

69 Guidance also sets the information that may be required in an air quality assessment, making clear that “Assessments need to be proportionate to the nature and scale of development proposed and the potential impacts (taking into account existing air quality conditions), and because of this are likely to be locationally specific”. It also provides guidance on options for mitigating air quality impacts, as well as examples of the types of measures to be

considered. It makes clear that “Mitigation options will need to be locationally specific, will depend on the proposed development and need to be proportionate to the likely impact”.

- 70 With regard to this development it is known the area around the Bat and Ball Junction, the concentrations of pollutants exceed national objectives. It is recognised that the development is car-free and promote other modes of travel, however the principle concern is raised in terms of the siting and height of building and its effect on the dispersal of pollutants within the AQMA.
- 71 Due to the existing topography of the area and the form of existing built form opposite the site, the development would in effect create a small street canyon. That said, it can be maintained that some form of street canyon already exists along the A25 Seal Road, with pollutants trapped along the road due to the existing embankment and foliage to the south (part of the site) and the existing residential dwellings to the north. Further analysis/assessment has been submitted in relation to this.
- 72 The assessment has predicted for annual mean NO₂ concentrations in 2019 and 2024 indicate that the annual mean concentration would be exceeded across the lower ground floor, ground floor and first floor of the development. This is primarily due to the formation of a street canyon following completion of the proposed development. The predicted concentrations at the future occupants are not so great to warrant a refusal of the scheme, meaning mitigation measures will need to be adopted. This can be secured by planning condition or within a Section 106 agreement. No mitigation is required at second floor level as the concentrations are within acceptable limits.
- 73 In respect to the existing occupiers of opposite the site on Seal Road, the assessment predicted changes takes into account the improved vehicle emissions, means that the impacts are considered negligible at the ground floor level and slight at the first-floor level and results in no exceedances of the national air quality objective, as result.
- 74 Upon considering the above, even though there is a slight affect upon some of the future occupants of the building, the impact is not so significant to justify a reason to object on this basis and is not contrary to technical guidance. That said, The Council Environmental Health Officer has recognised this and has suggested that it would be ‘...proportionate for the applicant to provide funds to be used for the continuing monitoring and evaluation of air quality in the area, as other development proposed for the area may have a further impact in the area.’ In light of this, the applicant has agreed to make a commuted sum so further monitoring can be secured for the immediate future. This can be secured by an s106 agreement, as the contribution would be necessary, relevant to the development proposed.
- 75 Summary
- 76 Taking into account of the above the principle of the redevelopment of this site is acceptable in line with policy LO1 of the Sevenoaks Core Strategy

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subject to conditions and securing of a commuted sum for air quality monitor in the immediate area.

Housing size and Type

- 77 Policy SP5 of the Core Strategy states that the council will expect new development to contribute to a mix of different housing types in residential areas, taking into account of specific local circumstances. The policy guidance indicates that the Strategic Housing Market Assessment (SHMA) recommends the following targets:
- 20% - 1 bedroom
 - 30% - 2 bedroom
 - 35% - 3 bedroom
 - 15% - 4 bedroom
- 78 The guidance states that an average of 50% 2 bedroom units across all developments. The proposal seeks the creation of 8 residential units. These would be broken down into:
- 5 x 1 bedrooms
 - 3 x 2 bedrooms
- 79 The proposal would provide an elevated number of 1 bedroom properties, however, the policy applies generally across the district. In this instance the development would be located in the urban area with links to public transport and the provision of 1 bedroom properties would be appropriate to the location.
- 80 The proposal would overall reflect the housing size and type required by policy SP5 of the Core Strategy.
- 81 Overall, the proposal would seek the redevelopment of previously developed land this urban area location. The housing type reflects the requirements of the District.
- 82 The proposed development would be considered principally acceptable, subject to other material planning considerations against policies LO1 and LO2 of the Core Strategy.

Density

- 83 Policy SP7 of the ADMP states that new housing will be developed at a density that is consistent with achieving good design. The policy states that within Sevenoaks town centre new residential development would be expected to achieve a density of 40 dwellings per hectares (dph). The policy recognises that development that fails to make efficient use of land for housing may be refused permission.
- 84 The density figure of 40dph is a base line figure i.e. development should at least meet 40dph as a minimum. Density of development calculations do not always illustrate the formation of a development. Density is not a proxy for

well-designed buildings and functional open spaces. Flatted development clearly will have a greater density than detached properties.

- 85 The key test of policy SP7 is how the proposal would perform against design criteria and impact on the character of the area, rather than how the development performs against the density figure. Efficient use of land in urban environments is a key planning principle utilised to protect the countryside, including the 93% Green Belt that covers Sevenoaks District. Increased densities are therefore a requirement in the Districts urban areas.
- 86 Paragraph 125 of the National Planning Policy is clear that:
- 87 ‘....Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site’.
- 88 The proposed development would result in an approximate density figure of 190dph. Against the design criteria the proposal is considered of good quality design and as such the density is considered appropriate for this location. The density provides additional housing in a sustainable location. The proposed density ensures a high density in accord with the Districts aims of protecting the high value countryside.
- 89 It should be noted that in more recent developments, such as the Berkeley development (14/02075/FUL - allowed at appeal) along London Road achieved an appropriate density of 182dph for 60 units. This demonstrates that density levels can appropriately be higher and achieve well designed buildings that make efficient use of land.

Design and impact on the character of the area

- 90 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.
- 91 As mentioned previously the existing topography of the site is the way the sloping terrain from the east, west and most notably the embankment to the south. To the south of the site is the three storey development of Sevenoaks Hospital.
- 92 The massing to the street scene of the development naturally needs to respond to the existing built form of pitched roofed dwellings that line the northern side of Seal Road.
- 93 This has resulted in a massing strategy with a mid-rise built form that staggered appearance in a 4 storey with the existing embankment forming the backdrop in front of the hospital development which continues to rise above it.
- 94 The development would use a muted palette of materials that would be suited and sympathise with the existing surrounding development. This

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together with the use horizontal cladding with of differing brick textures and banding and the use of standing seam cladding, breaks up the massing of the development as a whole. The development itself transitions from 3 storeys to part 4 storeys to the easternmost end. The proposed development would be seen from the public vantage point and as the development is within the urban area it would not appear as an overly dominant feature.

- 95 At the front/base of the building, it is proposed to have native planting/ flower beds to provide a buffer to the ground floor flats from the footpath and road. This will also help to soften the building into the landscaping and provide a more attractive street scene.
- 96 While the development introduces, bulk and massing, it is considered that the staggered approach/design is sympathetic to the both the urban setting and the local character, whilst making efficient use of this brownfield site as required by the NPPF. This development would accord to policy EN1 of the ADMP and SP1 of the Core Strategy.

Impact to Amenity

- 97 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 98 The applicant submitted a Daylight & Sunlight amenity study as part of the submission. The assessment was conducted in accord with the BRE 'Building Research Establishment's Report 209 - "Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice". Policy EN2 of the ADMP seeks to ensure that an unacceptable loss of light does not occur to the occupiers of nearby properties. The policy does not make specific reference to BRE guidance although reference is made within the Sevenoaks Residential Extensions SPD. BRE guidance is utilised as a standard for such assessment.
- 99 The daylight and sunlight analysis indicates that there will be no impact on the surrounding properties arising from the proposed development, namely nos. 12-28 Seal Road. The results of the analysis show that the neighbours most properties satisfy the target requirements of the BRE Guide in terms of daylight and sunlight in the proposed situation with no significant adverse material effect, as the angle to sky 25 degree component from the horizontal is not broken as the proposed built form is lower than the 25 degree component.
- 100 The Average Daylight Factor (ADF) for the internal spaces of the proposed development has also been carried out as part of this assessment. The analysis concludes that the daylight within the majority of the proposed habitable rooms is adequate and exceed the target criteria set within the appropriate standards.
- 101 Overall, the proposed development complies with BRE Guidelines and will not cause impact to daylight and sunlight access for the surrounding buildings and the amenity space within its vicinity.
- 102 It is important to reflect on paragraph 125 (c) of the NPPF

- 103 'local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)'.
- 104 The proposal would make efficient use of land for development in the District. The proposal has been considered to have an acceptable impact to daylight/sunlight which retains a good degree of amenity for this location.
- 105 Privacy:
- 106 In urban areas, as National Design Code Guidance H.2.i has no specified minimum separation distances between buildings on street frontages.
- 107 The direct views of the site from external neighbouring properties in close proximity would be mainly from those to the north of the site. The closest point of development to the opposite side of the road is approx. 13.5m, however as the development is within urban location, it is expected that some degree of overlooking is expected to existing occupiers. Windows of the proposed units to the front of the building are either to non-habitable spaces, such as the stair core, or are smaller, secondary to bedroom spaces. Overall it is considered that the existing amenity of adjacent properties would be unduly harmed by the development.
- 108 Outlook:
- 109 Planning permission cannot take into account views, as there is no legal right to view. Views of a development are not tantamount to amenity issues. However, policy EN2 does seek to ensure the development does not result in significant visual intrusion or loss of outlook to neighbouring residential properties. Views of the proposed development would be visible from the street both Pinehurst and to a lesser degree east of the site due to the topography changes and routing of the road.
- 110 The separation distance ranges from approximately 13.3m to front of No. 20 Seal Road to 16m to the front of No. 14. The development would from those properties immediately opposite the site, however it would not be seen as a significant visual intrusion to justify a reason to object.
- 111 Proposed amenity for future residents
- 112 Daylight/sunlight:
- 113 Again paragraph 125(c) of the NPPF must be considered when considering the proposed light values for the development.
- 114 All the residential units proposed would meet or exceed the minimum space standards and analysis shows that the proposed development would provide either expected or above daylight and sunlight to habitable spaces across the development.

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115 Outlook:

116 The local authority has no specific minimum standards relating to outlook for proposed dwellings. The NPPF acknowledges that a flexible approach must be taken when efficient use of land is required in conjunction with housing provision. A good standard of outlook is achieved on the site balanced with the requirement for efficient use of land, quality of design and open space.

117 Noise:

118 The Environmental Health Officer has concerns with regard to the submitted Noise Assessment. The Environmental Health Officer has acknowledged the response and feels the concerns raised can be dealt with via the imposition of an appropriate condition.

119 Summary:

120 Overall, the proposed development would retain good amenity for residents given the context of the site and flexibility of policy in regard to these matters. The proposal would provide amenity spaces and level accommodation that would be acceptable. Conditions would be applied to any grant of consent with regard to noise and privacy issues.

121 The proposal would comply with policy EN2 of the ADMP.

Parking and Highways Impact

122 Policy T1 of the Allocations and Development Management Plan states that new development will be required to mitigate any adverse impacts that could result from the proposal.

123 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that vehicle parking provision should be made in accordance with KCC vehicle parking standards. However, the policy does allow the Council to depart from established minima or maxima standards in taking account of specific local circumstances.

124 Paragraph 111 of the National Planning Policy Framework states that:

125 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

126 This development is car-free, as the proposed development for 8 flats, is in a sustainable location with access to local amenities and public transport, including a regular train service, within walking distance.

127 Submitted with the application is a Highway Technical note that has undertaken a parking stress survey within the immediate locality, within a 200-metre radius of the identified site. The findings of the parking stress survey findings show that there is some additional parking capacity on-street and there is parking within a public car park nearby, St Johns Hill Car

Park. Upon considering above the site is situated within an accessible location, and access on-foot, by cycle and via public transport is very good, a car-free scheme is considered appropriate in this location. Any additional parking demand generated by the development is such that it can be accommodated on-street without 'stress' occurring to existing users.

- 128 KCC Highways have raised no objection to this development.
- 129 Cycle parking:
- 130 The application is seeking to provide a sustainable form of development, with an e-bike proposed for each residential unit.
- 131 SPG4 requires a minimum of 1 cycle space per unit for flats. The proposal would provide cycle spaces which would exceed the minimum requirements of the policy. The proposed development would secure sufficient cycle provision. A condition would be attached to any consent to ensure the cycle parking provision.
- 132 Therefore, whilst the no car parking provision is provided, due to its sustainable location, the scheme will exceed its cycle provision and provide alternative modes of movement.
- 133 Construction phase:
- 134 The Highways Officer has recommended that the proposal is conditioned to provide a Construction Management Plan to limit the impact on the highway during the construction process. Planning cannot prevent development on construction grounds, planning is only able to consider development once in situ. A condition would be applied to any grant of consent.
- 135 Refuse/Servicing
- 136 Servicing and refuse collection will be undertaken on-street on Seal Road. Operators will collect bins from the bin store located on the ground floor. Seal Road already serves a number of residential dwellings, and therefore the proposals would not alter this existing arrangement.
- 137 Summary:
- 138 Paragraph 111 of the NPPF is clear that development should not be prevented on highway grounds unless the impact is severe. The proposal would not result in a severe impact and would have an acceptable overall impact on the junctions and highway network.
- 139 The KCC Highways Officer has raised no objection to the proposal subject to conditions and as the development is car free, it would be compliant with Policy T1 of the AMDP.

Trees and Landscaping

- 140 Currently the site is subject to limited landscaping with some trees appearing sporadically on and round the site. The site itself appears unkept

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and the trees on-site are considered to have low amenity value. The Tree Officer has not offered any objection to the loss of the trees.

- 141 Soft landscaping also forms part of the proposed landscaping which also include planting. Given the existing degree of building form it would be necessary to secure further landscaping treatments to assist in softening the appearance of the development and public experience of the area.

Affordable Housing

- 142 Policy SP3 of the Core Strategy states that the Council expects the provision of affordable housing in all types of residential development. The policy considers that in all residential developments of 15 dwellings or more gross 40% of the total number of units should be affordable.
- 143 The proposal does not require to have affordable housing units, however the developer intends that the development is wholly affordable and has shown intent by committing to completing a s106 agreement to ensure affordable housing is provided. SDC Housing Officer has raised no objection to this scheme and welcomes this proposal.

Area of Archaeological Potential

- 144 The Archaeology Officer at KCC recommends to ensure appropriate consideration of the archaeological landscape and its protection and recording of finds during development, in accordance with policy EN4 of the ADMP.

Tilted Balance

- 145 Paragraph 11 of the National Planning Policy Framework States that:
- 146 Plans and decisions should apply a presumption in favour of sustainable development. ... For decision-taking this means:
- 147 c) approving development proposal that accord with an up-to-date development plan without delay; or
- 148 d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
- 149 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
- 150 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.
- 151 Footnote 7 of paragraph 11 d) states:
- 152 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of

deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

- 153 The presumption in favour of development applies in this instance as Sevenoaks District Council can only demonstrate a 2.9 year supply (inclusive of the buffer), which falls below the required 5-year supply. Further, Sevenoaks District Council Housing Delivery Test is below the 75% threshold.
- 154 The proposed development is considered to comply with the local development framework and the national planning framework. The development is not considered to result in significant harm and would provide social, environmental benefits and provide deliverable affordable housing required in the District. The presumption in favour of development applies to which significant weight is attached to this consideration.

Other issues

- 155 The objections raised by the Town Council and third party has been considered and the issues raised have the considered in the relevant paragraphs above.
- 156 As previously mentioned, to the south west of the site is No.168 St Johns Hill which is a Locally Listed Building (Non-designated Heritage Asset) and due to the separation distance involved and having its own defensible space, it is considered that this non-designated heritage asset would not be adversely impacted by the development proposed.

Community Infrastructure Levy (CIL)

- 157 This proposal is CIL liable, but no social housing relief exemption has been applied for.

Conclusion

- 158 The proposed development is considered acceptable in principle and would make efficient use of land taking reference of architectural features in the area and utilising existing topographical features in its design and massing of the buildings.
- 159 The proposal would have an acceptable impact on amenity and would have an acceptable highways and parking provision. It also means that the proposed development would not conflict with any relevant development plan policies, and that in accordance with paragraph 11(c) of the Framework, this application should be approved without delay.
- 160 It is recommended that the application be approved and planning permission be GRANTED subject to the conditions and legal agreement detailed above.

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Background papers

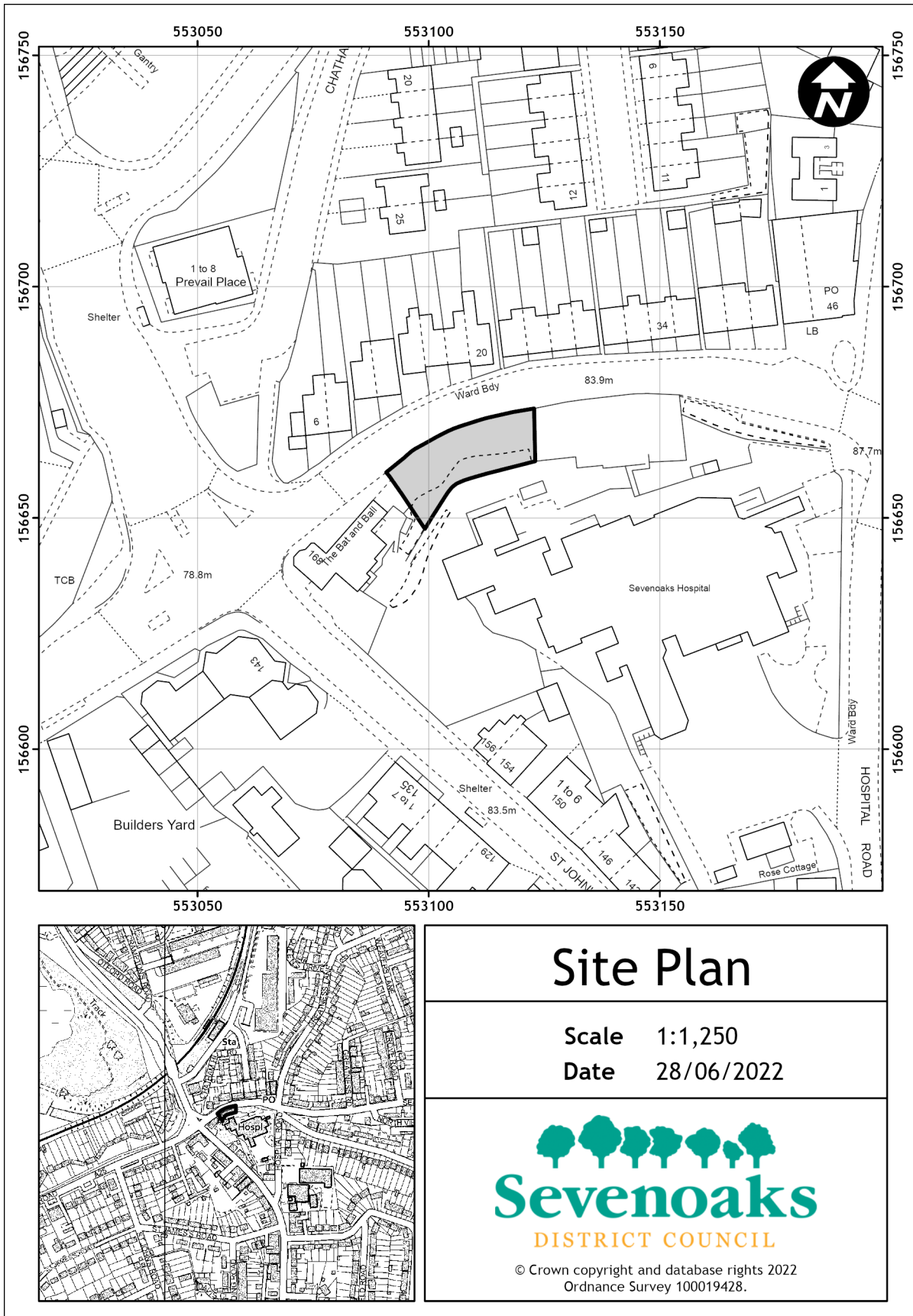
Site and block plan

Contact Officer(s): Sean Mitchell: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents](#)



Site Plan

Scale 1:1,250
Date 28/06/2022



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Ordnance Survey 100019428.

BLOCK PLAN



4.5 22/00443/FUL

Revised expiry date 25 July 2022

Proposal: Construction of detached two storey dwelling with associated access, parking and landscaping

Location: Land East Of 1 Fruiterers Cottages, Eynsford Road, Crockenhill Swanley Kent BR8 8JS

Ward(s): Crockenhill & Well Hill

Item for decision

This application has been called to Committee by Councillor Waterton due to concerns about: the harm to the openness of the Green Belt; the development would not be considered infill and would extend the village envelope; the building would not meet the need for level access alternative accommodation suitable for older persons; the development would be more visible from the road; and the development would have a harmful impact on neighbouring properties in relation to loss of light, privacy and outlook.

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: Drawing No. 20_241 - 01; 105 and 110.

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

3) No development shall take place above the damp proof course until full details and samples of the materials of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

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

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting those orders), no development falling within Classes A, AA, or E of Part 1 of Schedule 2 to the said Order shall be carried out or made to the dwelling without the grant of planning permission by the local planning authority.

In order to protect the openness of the Metropolitan Green Belt in accordance with Policy GB1 of the Sevenoaks Allocations and Development Management Plan.

5) Prior to the first occupation of the development full details of the proposed

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parking spaces, along with the provision of a pedestrian access point to the front of the property, shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces and pedestrian access point shall be provided in accordance with the approved details prior to first use of the development and shall be so maintained and available for use as such at all times.

To ensure the development delivers appropriate parking provision and does not have an adverse impact on highways and pedestrian safety, in accordance with policy EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

6) Prior to the first occupation of the development, details of an electrical vehicle charging point shall be submitted to and approved in writing by the local planning authority. The charging point shall be installed prior to the first occupation of the development and shall be maintained thereafter.

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

7) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, details of measures to protect the Cypress Hedge along the eastern boundary of the site, in accordance with BS5837: 2012 Trees in Relation to Construction, shall be submitted to and approved in writing by the Local Planning Authority. The protection measures shall be installed in full accordance with the approved details prior to the commencement of works, and shall remain in situ throughout the construction process.

To prevent damage to trees during the construction period and ensure their retention in accordance with Policy SP11 of the Sevenoaks Core Strategy.

8) Prior to the first occupation of the development, full details of hard and soft landscaping across the site, including the northern and western boundaries and the area to the south of the site, shall be submitted to and approved in writing by the Local Planning Authority. All soft landscaping shall be implemented not later than the first planting season following the first occupation of the development and shall comprise of native species. All hard surfaces shall be laid in accordance with the approved details prior to the first occupation of the development.

To preserve the character and appearance of the area in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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

To preserve the character and appearance of the area in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

10) Prior to the commencement of the development and for the duration of the works, the ecological mitigation measures must be installed in accordance with the details contained in the Preliminary Ecological Appraisal (Brindle and Green; April

2022). If works have not commenced within 2 years of the date of the ecological report, the ecological mitigation must be reviewed by an ecologist. The review, and where required, update of the mitigation strategy must be submitted to the Local Planning Authority for approval in writing.

To ensure that the development does not cause harm to protected species, in accordance with policy SP11 of the Core Strategy.

11) Prior to the first occupation of the development, details of an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. This will include a native species-only landscape scheme together with a timetable for implementation. The development shall be carried out in accordance with the approved details and maintained thereafter.

To ensure the development delivers ecological enhancements in accordance with policy SP11 of the Core Strategy.

12) No external lighting shall be installed on the building or within the curtilage of the site other than in accordance with an external lighting design plan which shall first have been submitted to the Local Planning Authority and approved in writing. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained as such thereafter.

To ensure the development does not cause harm to protected species, in accordance with policy SP11 of the Sevenoaks Core Strategy.

National Planning Policy Framework

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

Description of site

- 1 The site is located on the northern side of Eynsford Road. The application site originally formed part of the curtilage of a public house. The wider site has been divided up into three areas, which includes a row of new cottages, the associated residential parking area and the application site.

Description of proposal

- 2 Construction of detached two storey dwelling with associated access, parking and landscaping.
- 3 The application has been amended as follows:

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- An updated Preliminary Ecological Appraisal has been provided

Relevant planning history

- 4 05/00192/FUL Storage Shed - REFUSE - 23/03/2005
- 5 05/00851/FUL Storage Shed - GRANT - 18/05/2005
- 6 12/03427/FUL Demolition of the existing Public House and construction of 3 No. terrace houses - REFUSE - 01/03/2013
- 7 13/01227/FUL Demolition of the existing Public House and construction of 3 No. terrace houses - GRANT - 24/06/2013
- 8 20/00784/FUL Construction of detached single storey dwelling with associated access, parking and landscaping - APPEAL ALLOWED - 18/05/2021

Policies

- 9 National Planning Policy Framework (NPPF)
- 10 Core Strategy (CS)
 - LO1 Distribution of Development
 - LO7 Development in Rural Settlements
 - LO8 The Countryside and Rural Economy
 - SP1 Design of New Development and Conservation
 - SP2 Sustainable Development
 - SP11 Biodiversity
- 11 Allocations and Development Management Plan (ADMP)
 - SC1 Presumption in favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - T1 Mitigating Travel Impact
 - T2 Parking
 - T3 Provision of an Electric Vehicle Charging Point
- 12 Other:
 - Development in the Green Belt Supplementary Planning Document (SPD)

Constraints

- 13 The following constraints apply:
 - Metropolitan Green Belt

Consultations

- 14 Crockenhill Parish Council
- 15 Objection. “The Parish Council objected to the previous application on this site which was for a 1 storey dwelling as we felt it was encroachment of the greenbelt. Our original objection and reasons still stand. This new application is for a 2 storey dwelling which would further harm the openness of the greenbelt.”
- 16 SDC Tree Officer
- 17 “I refer to the above application. I have visited the site and have studied the plans provided and have made the following observations:
- 18 I can inform you that there are no protected trees situated at this property and it is not located within a conservation area. A new tree preservation order (TPO 2 of 2022) has recently been served on land to the immediate west of this site. The existing block plan is incorrect, as the majority of the vegetation shown to be existing on the northern and western boundaries has been removed. A Cypress hedge is present on the eastern boundary. This is of low amenity value but does provide an effective screen. According to the proposed block plan, drawing no. 20_241-105, the proposed dwelling would be constructed 3.0m from the base of this hedge. This would be taking place on the outer fringes of the RPA. Providing it is adequately protected, I have no objection to the proposal. Details of protective measures to be used should be submitted for comment and should comply with BS5837:2012. Should you be of a mind to grant consent, I recommend that landscaping be a condition, particularly along the northern and western boundaries of this site.”
- 19 KCC Ecology
- 20 First response - “We previously commented on this site as part of application SE/20/00784/FUL and at that time we accepted that sufficient information had been provided. However we advise that for this application additional ecological information is required prior to determination.
- 21 An updated ecological report has been submitted as part of this application but unfortunately the ecologist did not visit the site in 2022 and as a result the report was based on the 2020 survey data.
- 22 The report detailed that there was suitable habitat for dormouse, reptiles, GCN, breeding birds, hedgehogs and foraging/commuting badger and recommended a precautionary approach to avoid impacting protected/notable species. However the habitats within the site may have changed and therefore it may not be an appropriate to avoid impacting protected/notable species. For example a badger sett may have established within or adjacent to the site or the area of scrub and therefore dormouse habitat may have increased across the site.

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- 23 We advise that the ecologist visit the site and a review and update of the ecological report is carried out. The updated report and results of any recommended ecological surveys are submitted prior to determination.”
- 24 Second response following amendment - “We advise that our comments are largely similar to those provided as part of application SE/20/00784/FUL.
- 25 From reviewing aerial photos it appears that the site has been unmanaged for at least 5 years and therefore it is possible that protected species may have established on site. The ecological survey has detailed that there is potential for GCN, Reptiles, Dormouse, Breeding birds and foraging bats to be present within the site and surrounding area. The proposed development will result in the complete loss of the grassland area and a significant reduction of the scrub within the site.
- 26 We have reviewed the updated ecological information and we are satisfied that the site has become more over grown since the original survey was carried out in 2020 and there has been an increase in scrub within the site.
- 27 We accept that while there is potential for all the above listed species to be present within the site the habitat is not optimal and therefore we do not require specific species surveys to be carried out as part of this application.
- 28 From reading the submitted information we understand that the SE corner will be not used as the mitigation area and instead any animals will be moved into the adjacent habitat outside of the applicants ownership. Additional information has been provided on the suitability of the habitat within the wider area to support the displaced animals and we are satisfied that the proposed precautionary mitigation is appropriate.
- 29 We are satisfied that the precautionary mitigation detailed within Preliminary Ecological Appraisal (Brindle and Green; April 2022) for all species, can be implemented as condition of planning permission - if granted.
- 30 As the proposal will result in the loss of habitat we recommend that the site boundaries are enhanced with native species and the area to the south of the site are planted with native species to benefit biodiversity and encourage connectivity.
- 31 We recommend an enhancement plan is submitted if planning permission is granted.
- 32 Dormouse/GCN
- 33 Dormouse and GCN are European protected species and the presence of these species has been assessed as limited but the presence of them cannot be ruled out. In the even that dormouse or GCN are discovered all works must cease and a licence applied for. Therefore need for SDC to consider the three tests and if NE are likely to grant a licence.

- 34 Additional information has been provided on the habitat within the surrounding area to demonstrate that why there is sufficient information to support populations of displaced GCN and Dormouse if present within the site. But we highlight that the submitted information has not clarified if the ecologist is satisfied that there is no requirement for an EPS licence to implement the proposed mitigation - however, based on the habitat within the surrounding area, we accept that if an EPS licence is required it is likely to be granted.
- 35 Therefore we advise that SDC can be satisfied that, if required, an EPS licence would be granted as the favourable conservation status for those species could be maintained within that area.
- 36 Lighting condition also recommended.”
- 37 KCC Archaeology
- 38 “No comment. “
- 39 KCC Highways
- 40 “The access and parking proposal is unchanged from application 20/00784/FUL and there are no material changes in the locality or policy that would suggest we would provide a different response to last time.
- 41 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.
- 42 The existing access is retained and the additional traffic generation from a single dwelling would not be significant. Parking is considered adequate with 2 spaces proposed.
- 43 Informative recommended.”
- 44 Thames Water
- 45 “Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.”

Representations

- 46 We have received 3 letters of objection have been received relating to the following issues:
- Greenbelt land
 - Loss of wildlife and their habitat
 - Access onto Eynsford Road unsafe
 - No mention of the deep surface water soakaway
 - Visual impact on the surrounding countryside
 - Visible from public footpaths north and east of the site

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- Parking
- No space for visitors

Chief Planning Officer's appraisal

47 The main planning considerations are:

- Principle of development
- Impact on the Green Belt
- Design and impact on the character of the area
- Impact on residential amenities
- Parking and highways
- Impact on trees
- Impact on ecology

Principle of development

48 The principle of residential development on this parcel of land has already been established through an appeal being allowed for a single storey dwelling on site following the refusal of planning permission 20/00784/FUL. This is a significant material consideration. The appeal was allowed as the single storey dwelling was deemed to constitute infill development within Crockenhill Village.

Impact on the Green Belt

49 Paragraph 147 states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.

50 Paragraph 148 of the NPPF advises we should give substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development.

51 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.

52 Paragraph 149 of the NPPF considers new buildings in the Green Belt to be inappropriate development unless they meet one of the exceptions listed, such as: e) limited infilling in villages;

53 The terms 'villages' and 'infilling' are not defined in the NPPF.

54 In terms of infill development, the Development in the Green Belt SPD at paragraph 3.3 defines limited infill development as the completion of an

otherwise substantially built up frontage by the filling of a narrow gap normally capable of taking one or two dwellings only.

- 55 At paragraph 3.4, a substantially built up frontage is described as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene.
- 56 Moreover, para 3.5 states for settlements where a Green Belt boundary has been defined, the boundary usually marks the edge of the settlement where there is a break in development or a change in character to more loose-knit development. Where this is the case, infill development beyond a defined settlement boundary would compromise the purposes of the Green Belt and would constitute inappropriate development.
- 57 With regards to exception e) of the NPPF, it needs to be established whether the site would sit within the village and would constitute limited infilling.
- 58 As previously mentioned, the application site originally formed part of the curtilage of a public house. This wider site has been divided up into three areas, which includes a row of new cottages (1-3 Fruiterers Cottages), the associated residential parking area and the application site.
- 59 The village confines of Crockenhill village extend up to the boundary with 1 Fruiterers Cottages to the west of the site. In terms of development plan policy, the site therefore lies outside of the defined settlement boundary.
- 60 However, as confirmed by a High Court Judgement (Wood v SSCLG (2015) EWCA Civ 195), a defined village boundary in a Development Plan is not always conclusive to determining whether a site is within a village or not. In this regard, the appeal decision for 20/00784/FUL, which sought the erection of a detached single storey dwelling on the application site, is a material consideration and holds significant weight.
- 61 Under 20/00784/FUL, the Inspector considered that the development would represent a logical limited infill to the village. As such, the inspector concluded that the proposal would be appropriate development in the Green Belt, in accordance with the NPPF. Whilst it was noted that the designated settlement boundary and Green Belt boundaries cut through the original public house curtilage, there is no obvious definition on site of where the village ends and the Green Belt commences. Instead, it was considered that the rows of mature hedgerows and trees, which separate the application site and car park from the farmland on two sides, form a strong visual break between the site and the open countryside. As such, it was concluded that this landscape feature delineates the transition between the village and the Green Belt.
- 62 In addition, the Inspector noted that whilst the application site is vegetated and set back behind the building line of Fruiterers Cottages, and other properties along Eynsford Road, views of the plot from the public realm are across the car parking area. The application site is subsequently viewed in the context of the adjoining residential uses and the village settlement, rather than merging into the adjacent countryside.

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- 63 The dwelling proposed under the current application would be sited in virtually the same location as the dwelling allowed at appeal under 20/00784/FUL. As such, taking all of the above into consideration, I see no reason to contravene the Inspectors conclusions that the application site would represent limited infilling in a village. On this basis, the proposal would be appropriate development in the Green Belt by definition as a matter of principle, in accordance with the NPPF.
- 64 The proposal is a two storey dwelling, rather than a single storey dwelling, which clearly will be much taller than the appeal scheme. However, as set out by the Inspector at the appeal for 20/00784/FUL, exception e) of para 149 of the NPPF does not require an assessment of the impact of a proposal on openness or consideration of whether it would conflict with the purposes of including land within the Green Belt. If the proposal represents limited infilling in a village, it is appropriate development in the Green Belt by definition regardless of its size.
- 65 That said, paragraph 3.8 of the Sevenoaks Development in the Green Belt SPD states “The NPPF states that one of the essential characteristics of Green Belts is their openness. Infilling should not therefore compromise the openness of the Green Belt”. While there would be some impact on openness through the presence of built form within the site, the proposed two storey dwelling would be located near an existing cluster of residential development within Crockenhill Village rather than being situated in an isolated location. Furthermore, as previously mentioned, the dwelling would be separated from the open countryside beyond by the existing hedgerow and trees. As such, it is considered that, in both spatial and visual terms, the development would not appear to encroach upon the openness of the Green Belt and would not result in unrestricted sprawl.
- 66 In light of the above, the proposal should not be regarded as harmful to either the openness of the Green Belt or to the purposes of including land within it, in accordance with the NPPF.
- 67 To ensure that any future development on the site do not cause harm to the openness of the Green Belt, it is considered appropriate in this instance to remove permitted development rights for extensions to the proposed dwelling as well as outbuildings.

Design and impact on the character of the area

- 68 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.
- 69 As previously mentioned, the site comprises of a plot of land which is situated to the rear of an existing residential car park. The surrounding area is predominantly characterised by rows of terraced and semi-detached two storey properties. Immediately to the west of the site, the properties are constructed of white render and grey/brown roof tiles. However, further west the palette of materials becomes more varied with properties constructed of render and light yellow and red brick.

- 70 Whilst the overall design and appearance of the buildings along Eynsford Road are mixed, they have a simple, traditional and unobtrusive character which is in keeping with the rural character of the village.
- 71 The proposed dwelling would be of an 'L' shape design and would have the same footprint as the dwelling approved under 20/00784/FUL. However, it would be two storeys in height rather than single storey. The dwelling would be constructed of white weatherboarding, red brickwork and red roof tiles.
- 72 It is considered that the design of the proposed dwelling would respect the traditional and rural character of the village and would not appear out of keeping given the varied nature of buildings within the area. Full details and samples of the proposed materials can be secured by a condition to ensure that they are of a high quality finish and in keeping with the surrounding area.
- 73 Despite the increase in height of the proposed dwelling, it is also considered that the dwelling would not appear as an unduly prominent feature within the street scene and would comfortably amongst its surroundings. The proposed dwelling would be set back a considerable distance from the road, due to being situated behind the car park. Views of the dwelling when approaching the site from the east of Eynsford Road would be softened by the hedgerow which runs along the eastern boundary of the site and the car park, which would further reduce the visual impact of the development.
- 74 As mentioned previously, the dwelling would also be viewed in the context of the adjoining residential uses and the village settlement, rather than merging into the adjacent countryside.
- 75 In light of the above, the proposal would preserve the character and appearance of the surrounding area and would comply with policy SP1 of the Core Strategy and policy EN1 of the ADMP, subject to condition.

Neighbouring Amenity

- 76 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development. The Residential Extensions SPD recommends that a 45 degree test is undertaken for a loss of light to neighbouring dwellings, based on BRE guidance.
- 77 Neighbouring properties
- 78 The neighbouring properties most likely to be affected by the proposed development are 1-3 Fruiterers Cottages to the south west of the site. The impact on these properties is considered below in relation to light, privacy and outlook.
- 79 Light
- 80 Due to the distance between the proposed dwelling and the neighbouring properties, 1-3 Fruiterers Cottages, the proposal would not result in a harmful loss of light to any habitable windows or private amenity areas.

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- 81 Privacy
- 82 The proposed dwelling would be located approximately 18.8 metres to the north east of the nearest neighbouring property, 1 Fruiterers Cottages. There would be no first floor windows on south west elevation of the proposed dwelling which would face towards the main windows of 1 Fruiterers Cottages or its private amenity area. There would be one roof light along this elevation. However, the direction of outlook from the roof light would be upwards rather than towards 1 Fruiterers Cottages.
- 83 It is noted that there would also be one first floor window along the south east elevation of the proposed dwelling. However, views from this window towards 1 Fruiterers Cottages would be at an oblique angle and from a sufficient distance away (approx. 22 metres). Any views from the ground floor windows of the proposed dwelling would be restricted by the proposed boundary treatments, as well as the hedgerow and close boarded fencing of 1 Fruiterers Cottages. As such, it is considered the proposed dwelling would not result in a harmful loss of privacy for 1 Fruiterers Cottages.
- 84 The proposed dwelling also would not directly overlook other neighbouring properties within the immediate vicinity, such as 2 and 3 Fruiterers Cottages, due to the separation distance between the buildings (approximately 22 metres at its closest point).
- 85 Outlook
- 86 It is important to note here that the planning process cannot protect the view of a private property.
- 87 The proposed dwelling would be visible from the rear first floor windows of 1-3 Fruiterers Cottages. However, this would be at an oblique angle due to the proposed dwelling being sited to the north east of these neighbouring properties. An open outlook would be maintained directly towards the open space to the rear for each of these neighbouring properties.
- 88 In these circumstances, and bearing in mind the above, I do not consider that there would be an unacceptable loss of outlook or visual intrusion to these properties which would be considered harmful to the living conditions of current and future occupiers. The proposed development also would not appear overbearing or unduly dominant due to the distance of the proposed dwelling from the main windows of the neighbouring properties.
- 89 Proposed development
- 90 Policy EN2 also requires that the occupants of future development benefit from good standards of amenity.
- 91 The proposed internal layout and room sizes would be acceptable and would meet National Space Standards. The dwelling would provide satisfactory natural light from sunlight and daylight.
- 92 The surrounding garden area would be sufficient and would serve the recreational needs of the occupiers of the dwelling. The proposed boundary

treatments surrounding the application site would also ensure good levels of privacy for the future occupiers.

- 93 Overall, the development would safeguard the amenities of existing and future occupants of nearby properties and would provide adequate residential amenities for existing and future occupiers in compliance with policy EN2 of the ADMP.

Parking and Highways Impact

- 94 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 95 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T1 of the ADMP states that new developments will be required to mitigate any adverse travel impacts, including their impact on congestion and safety.
- 96 Policy T2 of the ADMP states that dwellings in this location with 3 bedrooms require 2 independently accessible parking spaces.
- 97 Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigate climate change.
- 98 The access and parking arrangements are unchanged from application 20/00784/FUL and were considered acceptable by the Inspector at appeal.
- 99 The proposed development would incorporate two independently accessible parking spaces with adequate vehicle turning. The development would also utilise an existing vehicular access from Eynsford Road. However, based on the submitted plans, it is noted that there is no pedestrian access to the front of the property due to the location of the parking spaces. Details of a pedestrian access point can be secured by a condition to ensure the development is accessible.
- 100 Kent County Council (KCC) Highways team raise no objection to the proposed parking provision or the use of the existing access. Furthermore, they consider that the additional traffic generation from a single dwelling would not be significant. As such, the residual cumulative impacts of the development on the wider road network are not considered to be severe. The development would not have a harmful impact on highways and pedestrian safety.
- 101 Details of an electric vehicle charging point could be secured by a condition along with the provision and permanent retention of the proposed parking spaces.
- 102 In light of the above, the proposal would comply with policy EN1, T1, T2 and T3 of the ADMP and the NPPF.

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Trees and Landscaping

- 103 The site itself is not covered by a Tree Preservation Order and there are no trees of significant amenity value.
- 104 The Council's Tree Officer has provided their specialist advice on the application. They have noted that a new Tree Preservation Order (TPO 2 of 2022) has recently been served on the land to the immediate west of the site. They have also noted that the majority of the vegetation shown on the existing block plan along the northern and western boundaries has been removed, however, a cypress hedge is present along the eastern boundary.
- 105 The Tree Officer raises no objection to the proposed development in relation to the protected tree immediately to the west of the site.
- 106 The proposed dwelling would be located on the outer fringes of the root protection area of the Cypress Hedge. Provided that details of tree protection measures are secured by a condition for this hedge, the Tree Officer raises no objection to the proposal.
- 107 Based on the submitted plans, additional soft landscaping is proposed along the site boundaries, such as mixed native hedgerow and trees. Hard landscaping is also proposed to the front of the property. In accordance with the Tree Officer's comments, full details of both hard and soft landscaping, including along the northern and western boundaries of the site, can be secured by a condition along with a comprehensive maintenance scheme.

Biodiversity

- 108 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.
- 109 During the course of the application, the applicant has submitted an updated Preliminary Ecological Appraisal (PEA). The report details that there is suitable habitat for dormouse, reptiles, great crested newts, breeding birds, and foraging bats within the site and the surrounding area. The proposed development would result in the loss of the grassland area and a reduction of the scrub within the site.
- 110 The KCC Ecology team were consulted on the application for their specialist advice. They consider that while there is potential for the above species to be present on the site, the habitat is not optimal. As such, further species surveys are not required in this instance.
- 111 A precautionary mitigation approach has been proposed. Animals will be moved into an adjacent habitat. KCC Ecology are satisfied that sufficient information has been provided on the suitability of the habitat within the wider area to support the displaced animals and that this approach is appropriate. They are also satisfied that the precautionary mitigation measures for all species can be implemented and secured by a condition.

112 The KCC Ecology team have recommended that details of an ecological enhancement plan and a lighting plan should also be provided, which can be secured by condition.

113 With regards to dormouse and great crested newts, KCC Ecology have advised that a European Protected Species Mitigation (EPSM) license may be required to implement the proposed mitigation for these species.

114 The relevant tests for this are:

1. Regulation 55(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences.

The proposal would provide one additional housing unit and would contribute to the District’s housing stock. This would provide a social and economic benefit within the public interest.

2. Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.

The application represents an opportunity to provide ecological enhancements. The alternative is that the habitat within the site would remain sub-optimal. It is reasonable to conclude that this is not a satisfactory alternative. Plus, there is extant planning permission for development on this site.

3. Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”

KCC Ecology have advised that the proposed precautionary mitigation measures would be acceptable and therefore favourable to the conservation status of protected species present on the site. The implementation of these measures can be secured by a condition in accordance with the PEA provided.

115 In summary, it is considered that the three tests could be met and that it is likely that an EPSM license would be granted.

116 In light of all of the above, and subject to the recommended conditions, the proposed development would not cause significant harm to protected species and would not result in a net loss of biodiversity, in accordance with policy SP11.

Other issues

117 Matters raised during public consultation along with those raised by the Parish Council have been addressed throughout the report.

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Planning balance

- 118 As the Council cannot demonstrate a 5 year housing supply at this time, the tilted balance of NPPF paragraph 11d) is relevant. For the reasons discussed above, the proposal would not be in conflict with the NPPF's policies for protected areas, such as the Green Belt, and so a presumption in favour of granting the development exists, adding additional weight in favour of granting planning permission.
- 119 The proposal would make a welcome contribution to the District's housing stock.
- 120 Other issues within consultation responses can be dealt with by planning conditions. This is compliant with the aims of the Government's Planning Practice Guidance. It states "...conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects."

Community Infrastructure Levy (CIL)

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

Conclusion

- 122 The proposal would be an acceptable form of development and would comply with local and national policies, subject to the conditions recommended.
- 123 It is therefore recommended that this application is GRANTED.

Background papers

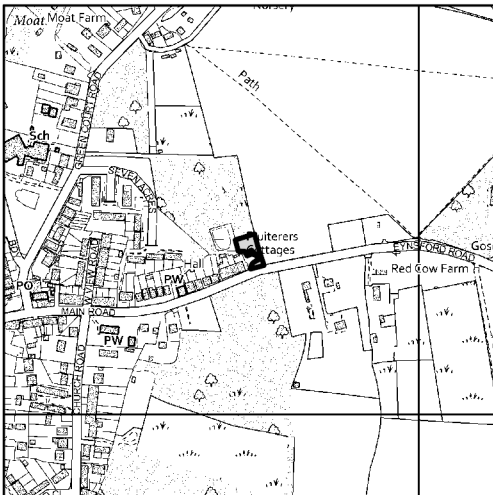
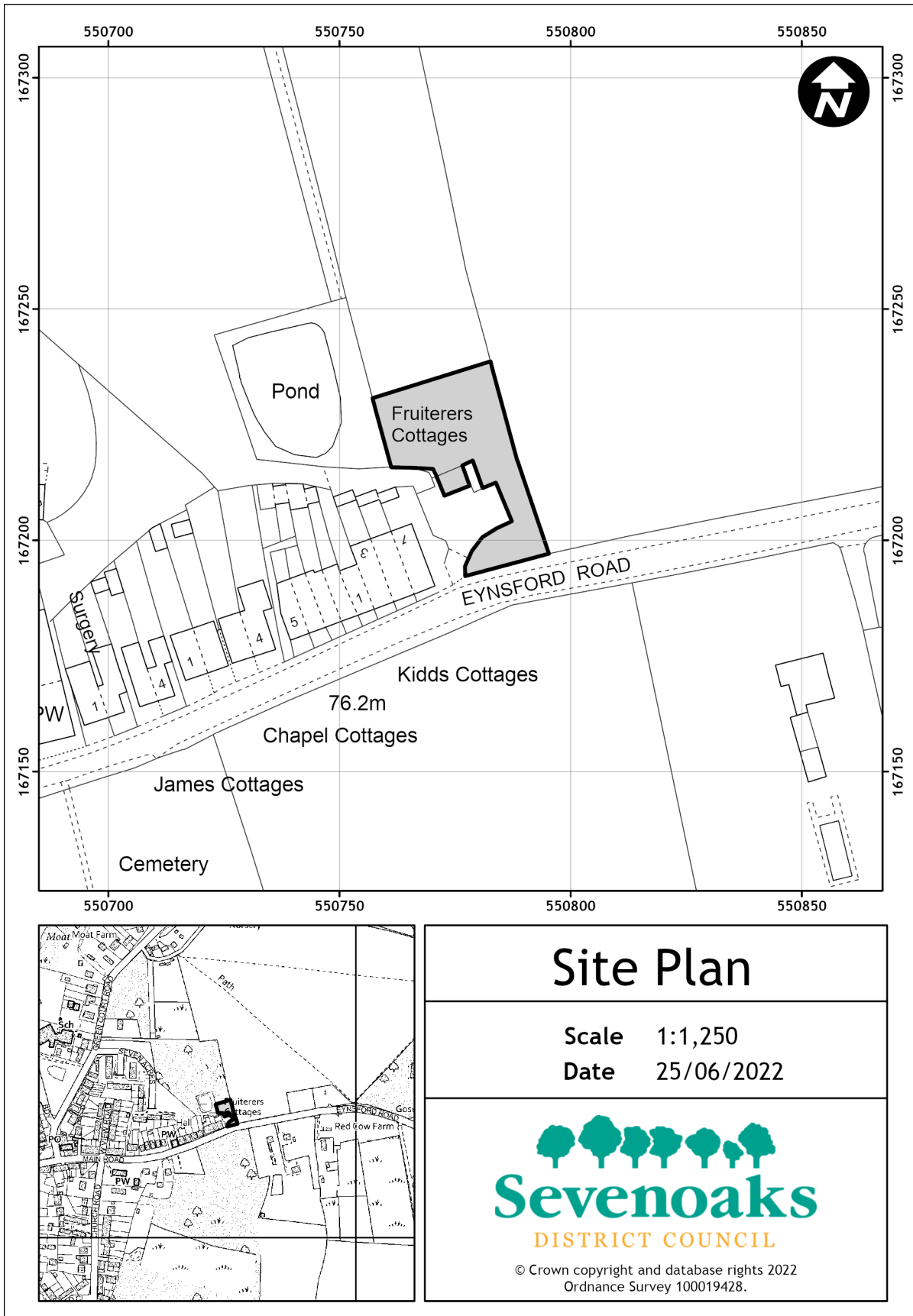
Site and block plan

Contact Officer(s): Hayley Nixon: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)

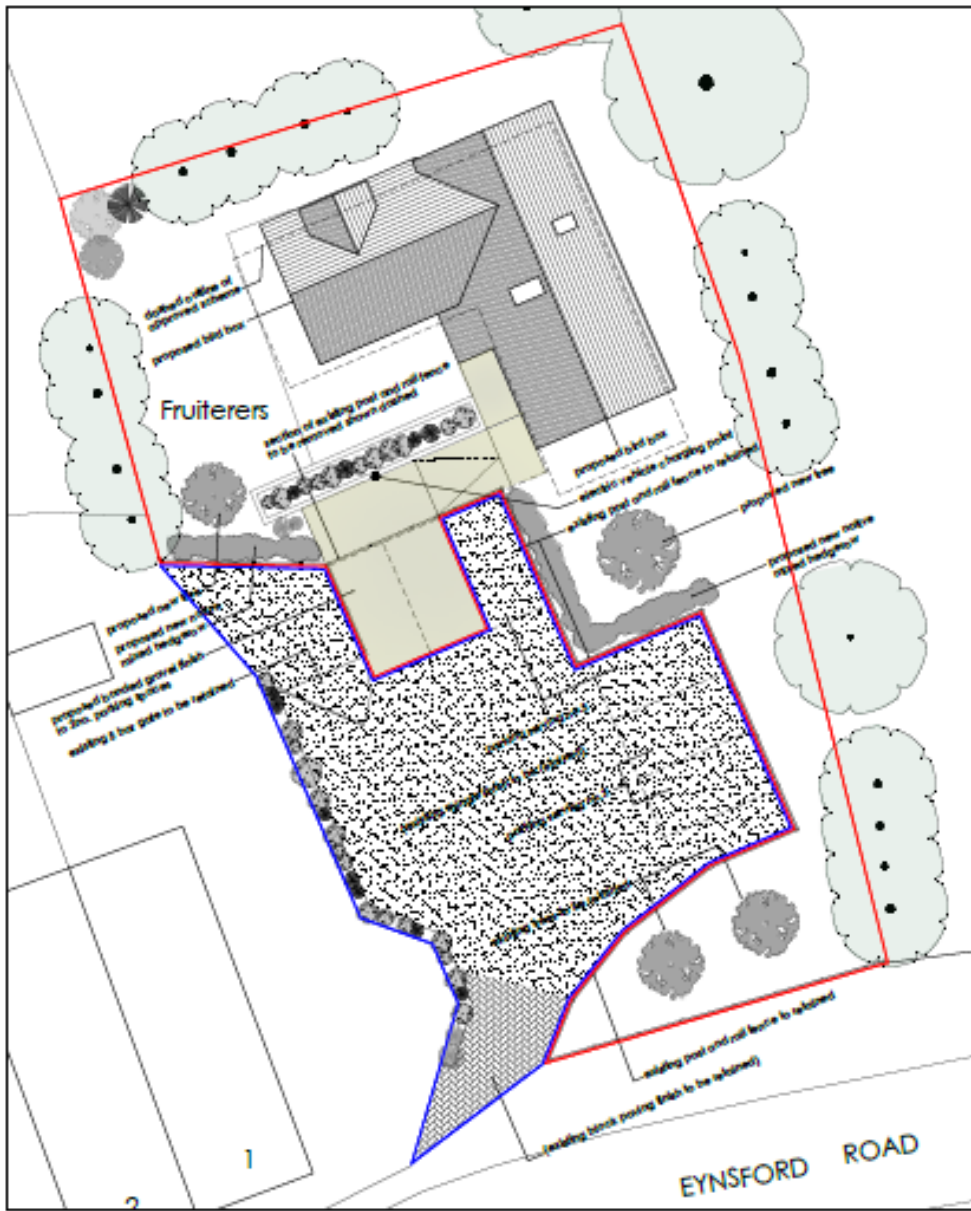


Site Plan

Scale 1:1,250
Date 25/06/2022



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SITE BLOCK PLAN
@ 1:200



4.6 22/01038/HOUSE Date expired 29 June 2022

Proposal: Erection of two storey side extension and enlargement of basement.

Location: Little Oaks, Burlings Lane, Knockholt Sevenoaks Kent TN14 7PE

Ward(s): Halstead, Knockholt & Badgers Mount

Item for decision

The application site has been referred to Development Control Committee by Cllr Williamson due to whether the proposal is materially larger than the replacement dwelling and potentially contrary to the National Planning Policy Framework.

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

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

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

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

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

3) The development hereby permitted shall be carried out in accordance with the following approved plans and details: E001, P150, P200, P450.

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

National Planning Policy Framework

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

Agenda Item 4.6

Description of the Site

- 1 The application site currently comprises of a detached dwelling located within Burlings Lane. The site is located within the parish of Knockholt and there are neighbouring properties to the west of the site and fields surrounding the north, east and south.

Description of Proposal

- 2 Erection of two storey side extension and enlargement of basement.

Relevant Planning History

- 3 94/00825/HIST - Two storey side extension to private dwellinghouse - REFUSE
- 4 08/01643/FUL - Demolition of two existing outbuildings and replacement with a two storey outbuilding - REFUSE
- 5 09/02188/FUL - Demolition of Broomwood House and replacement with new dwelling. Single storey extension both to the east and south of Broomwood Cottage including a two bay garage barn annexed to the north of the cottage, including relocation of vehicular access. Plans amended 16/11/2009 to delete garage extension to the cottage - GRANT
- 6 09/02854/LDCEX - formal confirmation that the western strip of land within the residential curtilage is lawful - GRANT
- 7 10/00648/FUL - Erection of single storey 3 bay garage with a log store and generator store replacing existing shed and generator store - REFUSE
- 8 10/01373/FUL - New single storey 3 bay garage with a log store and generator store replacing existing shed and generator storey -GRANT

Policies

- 9 National Planning Policy Framework (NPPF)
- 10 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.
- 11 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or

- Any adverse impacts of doing so would significantly demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 12 Footnote 7 (see reference above) relates to policies including SSSIs, Green Belt, AONB, designated heritage assets and locations
- 13 Core Strategy (CS)
- SP1 Design of New Development
- 14 Allocations and Development Management Plan (ADMP)
- SC1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - GB1 Limited Extensions in the Green Belt
 - GB2 Basements within Residential Development in the Green Belt
- 15 Other:
- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
 - Development in the Green Belt Supplementary Planning Document (SPD)

Constraints

- 16 The following constraints apply:
- Metropolitan Green Belt

Consultation Responses

- 17 **Knockholt Parish Council: object** - Whilst we appreciate the attempt to blend in with the existing property we object to this application for the reasons listed below:
- 18 We note the name change from originally Broom Wood to Little Oaks and we would like the appropriate planning history to be taken into account in light of our following comments.
- 19 The name change has the potential to obscure the previous planning history. The site has already completed a full demolish and rebuild some 10 years ago under the previous name and as a consequence the proposed extension pushes the footprint way beyond the 50% allowed in the Green Belt. In addition, we note the interest the amount of redacted information that accompanies this application.
- 20 **Tree Officer-** There appears to be adequate space for the proposed eastern extension, which is shown to be constructed upon a grassed area. No objection.

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Representations

21 No responses have been received.

Planning Appraisal

22 The main planning considerations are:

- Impact on the Metropolitan Green Belt
- Impact on the Character of the Area
- Impact on Residential Amenity

Impact on the Metropolitan Green Belt

- 23 Paragraph 149 of the NPPF states that new buildings in the Green Belt are inappropriate development. There are some exceptions to this, such as “c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*”
- 24 The original building is defined in the NPPF as “a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally”. Little Oaks (previously known as Broomwood House) was demolished and rebuilt under planning permission 09/02188/FUL. Under the NPPF definitions, the replacement dwelling is now the original dwelling, rather than the previous version Broomwood House.
- 25 Therefore the test under the NPPF is whether or not the proposed extension to Little Oaks is disproportionate to the 2009 replacement dwelling.
- 26 Policy GB1 of the ADMP allows for extensions to original dwellings in the Green Belt which proportionate, subservient and do not exceed 50% of the original dwelling.
- 27 Policy GB2 of the ADMP provides the local policy on basements. This policy allows the addition of basements within the Green Belt as long as they are entirely subterranean. The proposed floor plan and elevations confirm that the basement extension will not be visible and therefore would comply with Policy GB2 of the ADMP.
- 28 The dwelling currently on site is a replacement dwelling, which was approved under application 09/02188/FUL. Therefore, the development is lawful and permanent in nature and forms the original dwelling.
- 29 The dwelling shown on the plans under application 09/02188/FUL is the dwelling as it stands today on site is the original dwelling. The approved application is deemed the ‘original’ planning unit. The only addition is a small extension to the basement, but this is entirely subterranean and would be classed as an extension and a flight of stairs. The stairs would be

included within the existing extensions. This is all reflected in the below table:

| | |
|---|----------|
| Original dwelling | 388.7sqm |
| 50% limit | 194.4sqm |
| Existing extensions | 9.1sqm |
| Proposed extensions | 94.2sqm |
| Proposed development (original, existing and proposed extensions) | 492sqm |
| Percentage uplift | 26.6% |

- 30 The proposed extension would be a modest addition to the original dwelling and would respect the openness of the wider views throughout the site. The proposal would be a modest addition, which is not disproportionate to the original dwelling and appears subservient. The extension would not exceed the 50% floorspace limit of the original dwelling.
- 31 Therefore, the development would be an appropriate addition to the dwelling and complies with Policies GB1 and GB2 of the Sevenoaks Allocations and Development Plan and the National Planning Policy Framework.

Impact on the Character of the Area

- 32 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP. The Residential Extensions SPD is also applicable.
- 33 The proposed development would minimally impact the character of the area due to the varied character and design of properties within the area, and due to the orientation, as the development would not be directly visible from the highway.
- 34 The proposal would sit comfortably on the site and would maintain sufficient spacing between the dwelling and the boundaries. It would be a subservient addition as it is set down from the overall height of the existing dwelling and would result the existing character of the elevations. The fenestration would be proportionate and integrate well within the existing form.

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- 35 The proposed basement would minimally alter the appearance of the dwelling, due to this being entirely subterranean.
- 36 In addition to this, the proposed materials would match the existing and integrate well within the existing material finish of the dwelling.
- 37 The proposal therefore complies with Policy EN1 of the ADMP.

Impact on Residential Amenity

- 38 Policy EN2 of the ADMP and our Residential Extensions SPD are relevant in the consideration of this application.
- 39 There are neighbouring properties located to the west of the site. Due to the distance of approximately 20 metres between the development and the nearest neighbour along with the boundary treatment located between the two, the development would not detrimentally impact their residential amenity.
- 40 The proposal complies with Policy EN2 of the ADMP.

Other Issues

- 41 The Tree Officer was consulted on the scheme and raised no objection to the proposal on the surrounding trees.
- 42 A concern has been raised in relation to the planning history for the site under the name 'Broomwood'. It can be confirmed that as the dwelling on the site was granted under application 09/02188/FUL, this is deemed the new planning unit and re-starts what is defined as the 'original dwelling'.

Community Infrastructure Levy (CIL)

- 43 The development, when including the proposed basement is CIL liable and no exemption has been submitted.

Conclusion

- 44 The proposed development complies with the relevant local and national policies.

Background papers

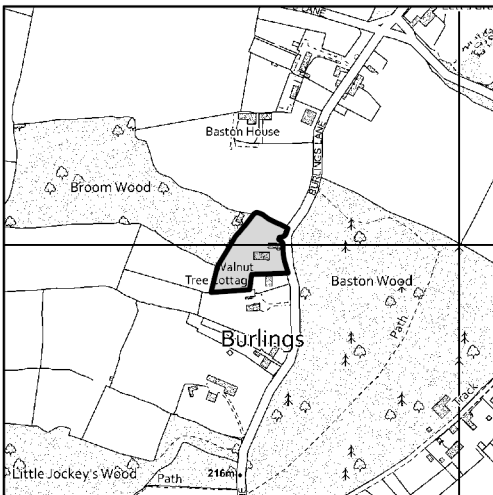
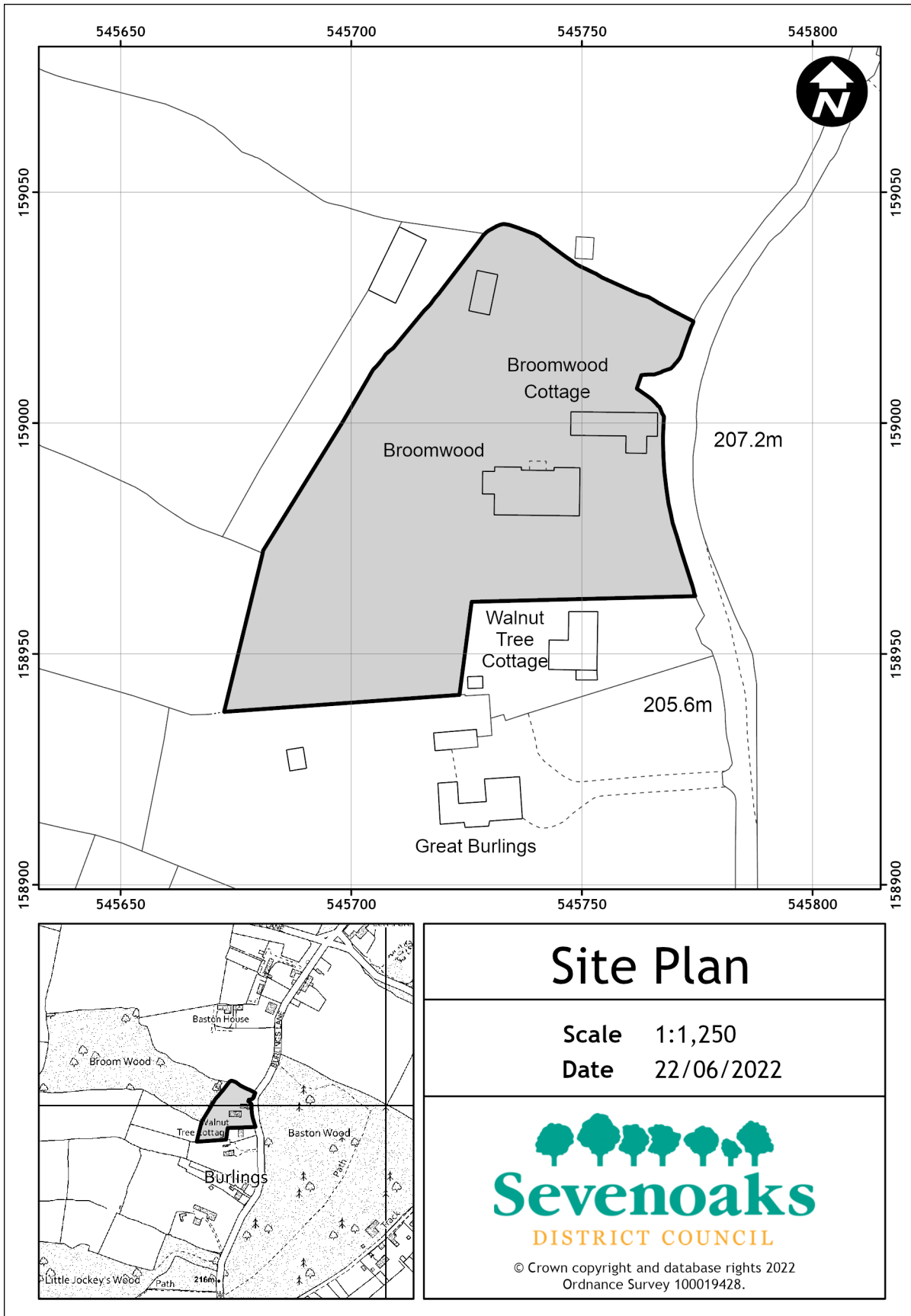
Site and block plan

Contact Officer(s): Louise Cane: 01732 227000

Richard Morris
Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

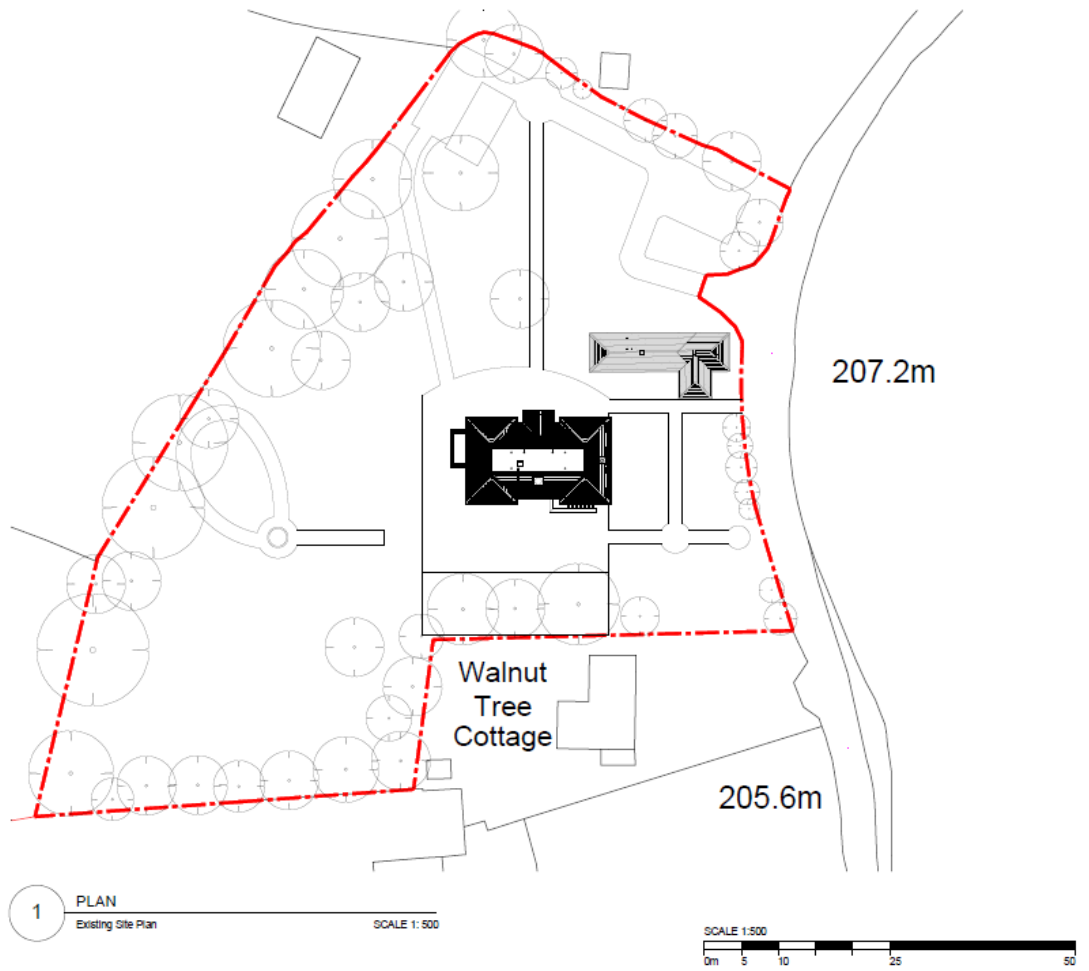
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Date 22/06/2022



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BLOCK PLAN



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4.7 22/00590/ADV

Revised expiry date 25 July 2022

Proposal: Replacement of non-illuminated sign

Location: Land South Of Dunbrik Waste Transfer Site, 2 Main Road, Sundridge Kent TN14 6EP

Ward(s): Brasted, Chevening And Sundridge

Item for decision

The reason that the application has been referred to Committee is because Sevenoaks District Council is the applicant.

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

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

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

2) No advertisement shall be sited or displayed so as to: -a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

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

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

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

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

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

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

Description of site

- 1 The site comprises of a small parcel of land to the south of the Dunbrik Waste Transfer Station near the junction onto the A25.

Description of proposal

- 2 Replacement of non-illuminated sign.

Relevant planning history

- 3 None relevant to this application.

Policies

- 4 National Planning Policy Framework (NPPF)
- 5 Core Strategy (CS)
 - SP1 Design of New Development and Conservation
 - SP2 Sustainable Development
- 6 Allocations and Development Management Plan (ADMP)
 - SC1 Presumption in favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN5 Landscape

Constraints

- 7 The following constraints apply:
 - Area of Archaeological Potential
 - Area of Outstanding Natural Beauty
 - Metropolitan Green Belt

Consultations

- 8 Sundridge Parish Council: No response received.

Representations

- 9 No representations have been received.

Chief Planning Officer's appraisal

- 10 The main planning considerations are:
- Impact on amenity & AONB
 - Impact on public safety
- 11 The Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended) requires the Local Planning Authority to consider two main issues with regard to advertisements, namely the interests of amenity and public safety. This is also replicated within paragraph 67 of the National Planning Policy Framework.

Impact on Amenity and Area of Outstanding Natural Beauty (AONB)

- 12 'Amenity' is defined by National Planning Practice Guidance as the effect of the advertisement on the appearance of the building and on the wider neighbourhood. The relevant considerations for this purpose are the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality.
- 13 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.
- 14 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 15 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.
- 16 Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
- 17 The proposed sign would be located on a parcel of land near the junction between the Dunbrik Waste Transfer Site and the A25. The land comprises of hedgerow and other vegetation and an existing sign for the waste transfer site. The street scene consists of residential properties as well as commercial buildings, which have signage located along the main road.
- 18 The proposal would replace the sign currently in situ with an upgraded sign. The sign would be similar to the existing sign in terms of its design, appearance and size.

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- 19 Whilst the sign would be highly visible in the street scene, it would not appear unduly prominent or visually intrusive due to its modest size and simple appearance. The sign would be read in tandem with other signage along the A25 and its visual impact would be softened by the existing hedgerow and vegetation. As such, it is considered that the proposed sign would blend in successfully with its surroundings and would not have a detrimental impact on the character of the surrounding area.
- 20 The sign would be located along part of the AONB where signage is already present due to the presence of commercial buildings along the A25. As previously mentioned, the proposed sign would be simple and modest in terms of its design, would be made of appropriate materials and similar size to existing. Furthermore, the sign would not be illuminated. As such, it is considered that the proposal would not erode the character of the wider landscape and would build sensitively upon the existing character of the area. It would therefore conserve and enhance this part of the AONB.
- 21 In regards to amenity, it is therefore considered that the proposal would comply with The Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended) and local and national policies.

Public Safety

- 22 In assessing an advertisement's impact on 'public safety', local planning authorities are expected to have regard to its effect upon the safe use and operation of any form of traffic or transport, including the safety of pedestrians. Consideration must be given to the likely behaviour of drivers of vehicles who will see the advertisement and possible confusion with any traffic sign or other signal.
- 23 The proposed sign would not have an adverse impact on public safety. The sign would be set back from the main road and the road junction. It would not overhang the highway or any public footpaths. In addition, the sign would not be illuminated and would be set back a sufficient distance from other traffic signs along the A25.
- 24 As previously mentioned, the sign would be a replacement for the existing signage already in situ, at the same location. It would be of an appropriate size and height.
- 25 In light of the above, it is considered the proposed sign would not compromise existing traffic signs nor would it have an adverse impact on driver or pedestrian safety as it would not distract road users.
- 26 In regards to public safety, the proposal would therefore comply with The Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended) and local and national policies.

Conclusion

- 27 The proposal would not have an unacceptable impact on amenity or public safety. Furthermore, the proposal would not have adversely harm the AONB. As a result, the proposal would comply with The Town and Country Planning

(Control of Advertisements) Regulations 2007 (as amended) and local and national policies.

28 It is therefore recommended that this application is GRANTED.

Background papers

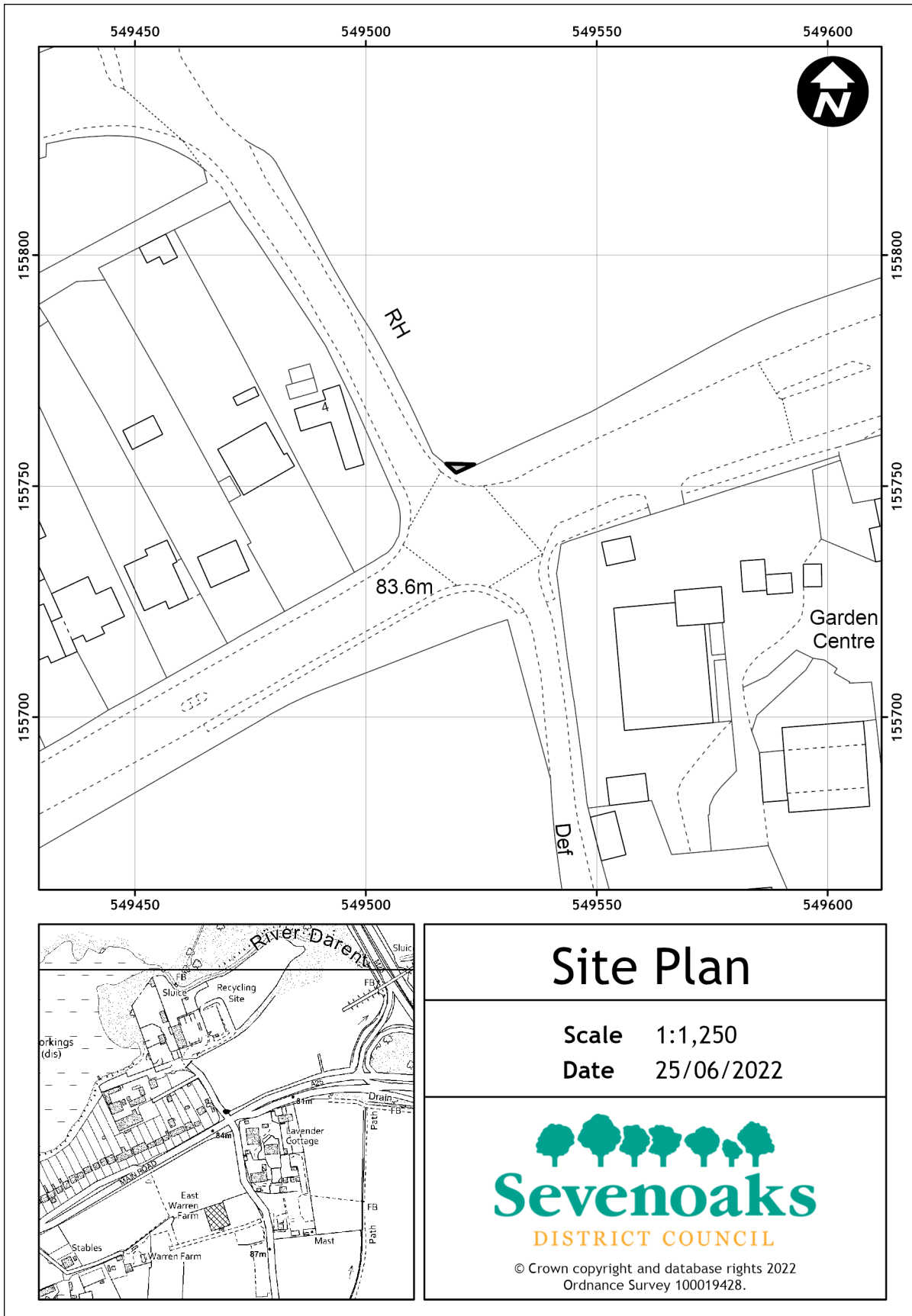
Site and block plan

Contact Officer(s): Hayley Nixon 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

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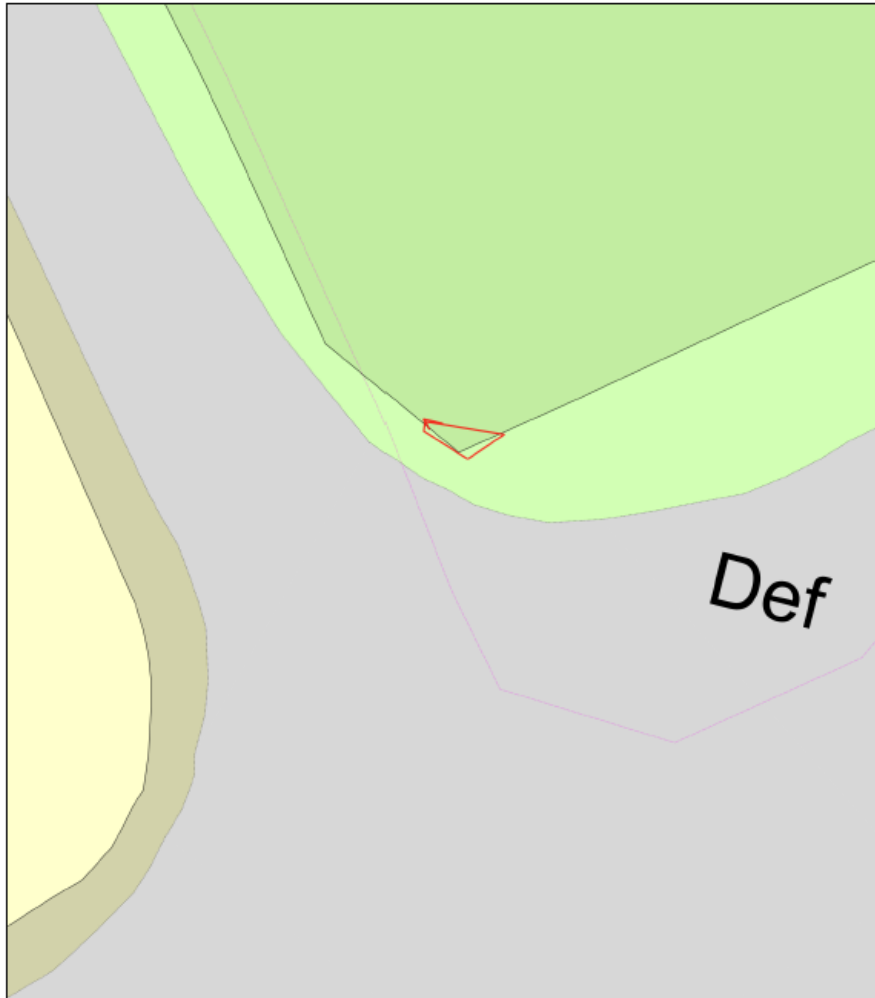
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BLOCK PLAN

Dunbrik depot



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Metres



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