

18 August 2022 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 10.08.22



This meeting will be livestreamed to YouTube here:

[https://www.youtube.com/channel/UC1T1f\\_F5OfvTzxjZk6Zqn6g](https://www.youtube.com/channel/UC1T1f_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, Williams and Streatfeild

### 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. <b>Minutes</b> To approve the minutes of the meetings of the Committee held on 21 July 2022 and 28 July 2022, as a correct record.	(Pages 1 - 34)	
2. <b>Declarations of Interest or Predetermination</b> Including any interests not already registered		
3. <b>Declarations of Lobbying</b>		
4. <b>Planning Applications - Chief Planning Officer's Report</b>		
4.1 <b>22/01088/MMA - 40 High Street, Sevenoaks, Kent TN13 1JG</b> Minor Material Amendment to 20/03395/FUL	(Pages 35 - 46)	Samantha Simmons Tel: 01732 227000
4.2 <b>22/00818/ADV - 26 - 28 Pembroke Road, Sevenoaks, Kent TN13 1XR</b> Consent to display signs.	(Pages 47 - 52)	Christopher Park Tel: 01732 227000

### 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](mailto:democratic.services@sevenoaks.gov.uk) or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday 15 August 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](mailto:democratic.services@sevenoaks.gov.uk).

**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 21 July 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chair)

Cllrs. Ball, Edwards-Winsor, Hudson, Layland, McGarvey, Osborne-Jackson, Purves and Williams.

Apologies for absence were received from Cllrs. Barnett, Perry Cole, Hogarth, Raikes and Reay.

Cllrs. Roy and Fleming were also in attendance.

Cllrs. Thornton, Reay and Waterton were also present via a virtual media platform which did not constitute attendance as recognised via the Local Government Act 1972.

13. Minutes

Resolved: That the minutes of the meeting on 30 June 2022 be approved and signed by the Chairman as a correct record.

14. Declarations of Interest or Predetermination

Cllr McGarvey declared that for Minute 17 - 22/00376/FUL - Meadowside, Beesfield Lane, Farningham, Dartford, Kent, DA4 0BZ he was predetermined and would therefore not take part in the debate or voting thereon.

Councillor Edwards-Winsor declared that for Minute 18 - 21/03851/FUL - Land North of Pilgrims Oasts, Station Road, Otford, KENT TN14 5QX he was the Local Member but would remain open minded.

15. Declarations of Lobbying

All Councillors declared that they had been lobbied in respect of Minute 17 - 22/00376/FUL - Meadowside, Beesfield Lane, Farningham, Dartford, Kent, DA4 0BZ

Councillors Purves and Osborne- Jackson declared that they had been lobbied in respect of Minute 19 - 22/00893/HOUSE - The Old Bakehouse, Six Bells Lane, Sevenoaks Kent TN13 1JE.

UNRESERVED PLANNING APPLICATIONS

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

16. 22/00590/ADV - Land South Of Dunbrik Waste Transfer Site, 2 Main Road, Sundridge Kent TN14 6EP

The proposal sought planning permission for the replacement of a non-illuminated sign.

The application had been referred to Committee as Sevenoaks District Council was the applicant.

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

The motion was put to the vote and it was

Resolved: 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.

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

#### RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

17. 22/00376/FUL - Meadowside, Beesfield Lane, Farningham Dartford Kent DA4 0BZ

The proposal sought planning permission for the 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.

The application had been referred to the Committee by Cllr McGarvey and Cllr 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.

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

The Committee was addressed by the following speakers:

Against the Application:	Julie Underwood
For the Application:	Ryan Townrow
Parish Representative:	Parish Cllr. Bourne
Local Members:	Cllr. McGarvey

Members asked questions of clarification from the speakers and officer. Questions focused on the bulk and scale of the proposal. The Development Manager advised that the original application had been approved which was a significant material consideration. The proposals differed from the previously approved scheme through the insertion of three rooflights in the front elevation, two dormers in the rear elevation and the alteration to rear/side bi-fold doors. Therefore, these aspects of the scheme were elements most relevant for Members consideration. The Development Manager also advised that Permitted Development rights had

been removed during the original application but this did not prevent planning permission from being requested.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members discussed the bulk and scale of the proposals and some Members expressed concern. Members also discussed the retrospective nature of the proposal. It was further debated, whether the application made best use of available space.

The Development Manager advised that the only significant difference in the proposals from the original application in terms of bulk and scale was the addition of the rear dormers.

The Chairman moved from the Chair that an additional condition be added to prevent light spillage from the bi-folding doors and windows on the South East corner of the dwelling.

Members discussed the amendment.

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

Debate continued on the substantive motion.

The motion was put to the vote and it was

Resolved: 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.

- 8) Prior to first occupation details of the measures to restrict the light spillage from the bi-folding doors and windows on the Southeast corner of the dwelling have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented within two months of the date of the approved scheme and retained thereafter.

To minimise light spillage within the Area of Outstanding Natural Beauty pursuant to policy EN5 of the Sevenoaks Allocations and Development management plan.

#### **Informatives**

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- 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](mailto:trade.effluent:thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale, Business customers, and 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.

(Having made a declaration of predetermination, Cllr McGarvey did not take part in the debate or on voting thereon.)

The meeting was adjourned for a brief comfort break for the convenience of Members and Officers at 7:55pm. The meeting reconvened at 8:00pm.

18. 21/03851/FUL - Land North of Pilgrims Oasts, Station Road, Otford, KENT TN14 5QX

The proposal sought planning permission for the erection of a pair of 3 bedroom semi-detached dwellings, parking and associated works. The application had been referred to the Committee by Cllr. 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.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:



Against the Application:	Alan Dyer
For the Application:	Jacqui Andrews
Parish Representative:	Parish Cllr. Phillip Riches
Local Members:	Cllr. Roy

Members asked questions of clarification from the speakers and officer. It was confirmed that the distance from the nearby rail bridge to the site was 30m.

Members asked questions regarding the impact on the nearby woodland and any further felling of trees. The Development Manager advised that the Council's Arboricultural Officers would consider serving a tree preservation order (TPO) on the adjacent trees.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members discussed the impact on the surrounding area and the designated open green spaces. Members discussed the need for small housing and whether the proposals outweighed the impact on the open green space. Some Members expressed concern as to the negative impact of the proposal on the appearance of the village and discussed the road safety implications.

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

The Chairman moved and it was duly seconded that planning permission be refused as the proposals would result in the loss of open space and caused harm to the verdant character and appearance of this part of the village, did not comply with EN1 of the Core Strategy and was out of keeping with the residential character assessment.

The motion was put to the vote and it was:

Resolved: That planning permission be refused by reason of; the proposals would result in the loss of allocated open space and cause substantial and demonstrable harm to the verdant character and appearance of this part of the village, contrary to policies GI2 and EN1 of the Sevenoaks Allocations and Development Management Plan and policies SP1, SP10 and L07 of the Sevenoaks Core Strategy.

19. 22/00893/HOUSE - The Old Bakehouse, Six Bells Lane, Sevenoaks Kent TN13 1JE

The proposal sought planning permission for the Conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom annexe. The application had been referred to the Committee by Cllr. Fleming as the proposal was no different to the previously refused/dismissed application and

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that it would harm this part of the character and appearance of the High Street Conservation Area.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application: Sophie Foster

For the Application: -

Parish Representative: -

Local Members: Cllr Fleming

Members asked questions of clarification from the speakers and officer. Officers confirmed that the inspector did not raise any concerns over the design and appearance of the proposals nor on the impact to neighbours and the Conservation Officer deemed the application acceptable.

Officers confirmed that neighbours were notified and site notice displayed as per the statutory duty.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Some Members expressed concern for the impact on the character and appearance of the area, particularly noting the bulk and elevation of the roof. Members discussed the historic nature of the site.

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

The Chairman moved from the Chair that planning permission be refused by virtue of the design did not preserve or enhance the surrounding settings. Contrary to policies EN1, EN4 of the Sevenoaks Allocation and Development Management Plan and SP1 of the Sevenoaks Core Strategy.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons by virtue of its design, bulk and height of the roof, the proposed annexe building would detrimentally affect the character and appearance of this part of Sevenoaks High Street and fail to preserve or enhance the character and appearance of Sevenoaks High Street Conservation Area and the setting of the curtilage/listed building(s). The development is contrary to Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy SP1 of the Sevenoaks Core Strategy and policies EN1, EN4 of the Sevenoaks Allocation and Development Management Plan.

20. 21/03402/FUL - Land East Of 168 St Johns Hill, Sevenoaks, KENT TN13 1PF

The proposal sought planning permission for 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. The application had been referred to the Committee by Cllr. Fleming due to the affects the development would have upon the air quality of neighbouring occupiers and future occupants of the development.

Members' attention was brought to the main agenda papers and late observation sheet which amended condition 12.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Joe Alderman
Parish Representative:	-
Local Members:	Cllr. Fleming

Members asked questions of clarification from the speakers and officers. The Environmental Protection Team Leader was also in attendance to answer questions on air quality. Questions focused on the air quality, the affordable housing units and the parking provision for the dwelling.

Officers advised that a Parking stress survey had been undertaken and it was established that requisite parking demand could be accommodated in the on-site parking location.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members expressed concern for the impact on the air quality of the area and its effect on the air quality management area around Bat and Ball Junction. Members discussed the tunneling effect on air pollution created by the development. Members also expressed concern for the lack of parking provision for future occupiers of the dwelling.

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

The Chairman moved from the Chair that planning permission be refused by reason of the proposed development would be a detriment to the air quality of the surrounding area and to the living conditions of existing and future residents, contrary to Policy EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

The motion was put to the vote and it was

Resolved: That planning permission be refused by virtue of the proposed development would create a street canyon effect that caused detriment to the air quality of the Bat and Ball Air Quality Management Area and to the living conditions of existing and future residential occupiers in the

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surrounding area, contrary to Policy EN1, EN2 of the Sevenoaks Allocations and Development Management Plan and to the aims and objectives of the National Planning Policy Framework.

It was moved by the Chairman that, in accordance with rule 16.1 Part 2 of the Constitution, Members extend the meeting beyond 10.30 p.m. to enable the Committee to complete all the business on the agenda. The motion was put to the vote and it was agreed.

The meeting was then adjourned for a brief comfort break for the convenience of Members and Officers at 10:17pm. The meeting reconvened at 10:22pm.

21. 22/00443/FUL - Land East Of 1 Fruiterers Cottages, Eynsford Road, Crockenhill Swanley Kent BR8 8JS

The proposal sought planning permission for Construction of detached two storey dwelling with associated access, parking and landscaping. The application had been referred to the Committee by Cllr. 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.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Emma Gregson
Parish Representative:	-
Local Members:	Cllr. Waterton

Members asked questions of clarification from the speakers and officer.

The Case Officer advised that any trees within the adjacent land would not be harmed by the development and advised that the Inspector considered that the development would represent a logical limited infill to the village. As such, The Inspector had concluded that the proposals would be appropriate development in the Green Belt, in accordance with the NPPF.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members discussed the report.

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: 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 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

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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.

22. 22/01038/HOUSE - Little Oaks, Burlings Lane, Knockholt Sevenoaks Kent TN14 7PE

The proposal sought planning permission for Erection of two storey side extension and enlargement of basement. The application had been referred to the Committee by Cllr Williamson due to whether the proposal was materially larger than the replacement dwelling and potentially contrary to the National Planning Policy Framework.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	Colin Smith
Parish Representative:	Zoe Brookman
Local Members:	-

Members asked questions of clarification from the speakers and officer. Questions focused on the scale and size of the proposals.

Members were advised that the original building was built before 1948 but had since been demolished and replaced and therefore started as a new planning unit. The Development Manager advised that the re-building of the site as a new larger

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unit met the requirements of the National Planning Policy Framework (NPPF). Officers also advised that the property was in the green belt and adjacent to the AONB.

The Chairman moved from the Chair that the recommendations within the report, be agreed.

Members expressed some concern as to the size of the re-building.

The motion was put to the vote and it was

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

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

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

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

THE MEETING WAS CONCLUDED AT 11:00PM

CHAIRMAN



**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 28 July 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Ball, Barnett, Cheeseman, P. Darrington, Edwards-Winsor, Hogarth, Hudson, Layland, McGarvey, Osborne-Jackson, Pett, Purves, Raikes, Reay, Williams and Streatfeild

Apologies for absence were received from Cllrs. Brown and Perry Cole

Cllrs. McArthur and McGregor were also present.

Cllr. Thornton was also present via a virtual media platform that did not constitute attendance as recognised by the Local Government Act 1972.

22. Declarations of Interest or Predetermination

Cllr Streatfeild declared for Minute 25 - 20/0298/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR that he was also a Member of Kent County Council.

Cllr Layland declared for Minute 25 - 20/0298/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR that he was the local ward Member, but remained open minded.

Cllr Barnett declared for Minute 25 - 20/0298/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR that he was the local ward Member.

23. Declarations of Lobbying

Cllr Ball declared that he had been lobbied in respect of Minute 24 - Tree Preservation Order (TPO) 3 of 2022.

All Members, with the exception of Cllrs Ball, and P Darrington declared that they had been lobbied in respect of Minute 25 20/02988/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR  
CHANGE IN ORDER OF AGENDA ITEMS

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

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24. Tree Preservation Order (TPO) 3 of 2022 - Bluebell Paddock is situated to the west of the A227 Gravesend Road, Hodsoll Street, between Oak Farm House and Rough Lea.

TPO 3 of 2022 was served to avoid unnecessary tree removal works as a result of the possible development and formalisation of the site. The case Officer detailed his responses to the objection made as detailed within the report.

Resolved: That TPO 3 of 2022 be confirmed without amendment.

#### RESERVED PLANNING APPLICATIONS

**The Committee considered the following planning applications:**

25. 20-02988-OUT - Land North Of Town Station Cottages, Forge Croft, Edenbridge KENT TN8 5LR

The proposal sought planning permission for the outline application for the erection of 340 dwellings, including affordable housing, land for a 4FE secondary school including playing fields, land for a new twin hall venue for Edenbridge Scout Group, Creation of a new car park for Edenbridge Town Station and associated infrastructure improvements, allotments, associated access from Four Elms Road, emergency access, open space, attenuation areas and landscaping and some matters reserved for means of access. The application had been referred to the Committee at the discretion of the Chief Planning Officer, as the Development was of a significant nature being major development within the Green Belt.

Members' attention was brought to the main agenda papers and late observation sheet which proposed an amendment to heads of terms of the Section 106 . The Development Manager set out the history of the application to Members highlighting that Counsel's advice had been sought following the deferral of the application in March 2022.

Members' attention was also brought to a late email which had been received from KCC, which stated: "KCC note with disappointment that Sevenoaks are proceeding to determine this matter without a recommendation that in order to alleviate the impact of this development:-

- a. CIL receipts should be ring-fenced for education; or
- b. a requirement should be imposed on the developer to enter into a s106 agreement to bridge any gap between CIL funding made available to KCC by Sevenoaks and the actual costs incurred to provide school places to meet the need arising from this development.

Given the recommendations in the report, KCC is left with no alternative but to maintain their objection to the grant of planning permission to this development.

Please note that should planning permission be granted this evening, I am instructed to provide advice to KCC in relation to issuing judicial review proceedings against Sevenoaks District Council.”

The Development Manager went on to explain that the late representation did not affect the recommendation that was before Members, as nothing new was being raised, which had not been covered off in the officers report. He further highlighted the following key points, the application had previously gone to the Secretary of State for approval who had advised that the application could be determined at a local level. Following the Housing Delivery Results in January 2022, there was an even greater need for Housing in the District. The Planning Inspectorate’s decision at Broke Hill. Clarified that Sevenoaks District Council were the CIL Charging Authority and it was down to the CIL Spending Board to make recommendations on how the money should be spent following the bidding process.

He further advised that the S106 set out the requirements and, should Members resolve to grant permission , but KCC did not sign the s106 agreement then the development could still go ahead under recommendation B.

The Committee was addressed by the following speakers:

Against the Application:	Deepesh Makhija
For the Application:	Katherine Miles
Parish Representative:	Cllr McArthur
Local Members:	Cllr McGregor

Members asked questions of clarification from the speakers and officer. In response to questions Members were advised that out of the 340 units proposed, 136 units would be affordable housing and 88 of those would be at the affordable/social rent level. The 2.2million CIL figure had been calculations had been based on the Affordable Housing being taken out of those figures. The Development Manager advised that should permission be granted then when the Council’s Infrastructure Funding Statement is revised, CIL funding for the School would then be flagged as a priority for funding, if and when KCC decide to submit a funding bid for a specific project.

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

Members discussed the application giving consideration to the site earmarked for a school, the S106 and the matters that would be reserved for future consideration.

The motion was put to the vote and it was

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Resolved: That if the requirements of resolution A below are not met, resolution B be followed:

- A) That Planning Permission be granted subject to
- i) Refer the application to the Secretary of State as major development in the Green Belt, to decide whether to call the application in, and
  - ii) 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, and
  - iii) A satisfactory legal agreement made under section 106 of the Town and Country Planning Act 1990 (as amended) being completed no later than 30 September 2022, unless in accordance with a new timescale otherwise agreed in writing by the Chief Officer for Planning and Regulatory Services.

#### Section 106 Agreement

The Section 106 Agreement shall include the following requirements:

- Affordable Housing comprising of 40% affordable housing to be provided on site of which 65% of the affordable properties to be provided as Affordable Rented / Social Rented - 35% of the affordable properties to be provided as Intermediate Housing;
- Highways Contributions comprising:
  - £20,000 towards relining and resurfacing works in the vicinity of the Four Elms Village crossroads;
  - £1,000 to be used by Edenbridge Town Council/Hever Parish Council to help fund traffic surveys in the village of Four Elms;
  - Travel Plan monitoring fee of £948;
  - £14,000 towards the provision of 2no. bus stops on the site;
  - £40,000 to be used for improvements to the sections of Public Right of Way of SR603 and SR604 adjoining the site and linking to the land;
- Provision of 0.29ha of land for new allotments - each plot to be 6m x 9m together with an associated allotment car park (to be provided and transferred to Town Council subject to them confirming required).

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- Open Space to be provided on site (and transferred to a management company for future maintenance) comprising of areas of land for amenity greenspace and areas of land for semi natural greenspace;
- 0.104ha of children's play space to be provided as 6 Local Areas of Play (LAP's) and 1 Local Equipped Area of Play (LEAP) unless otherwise agreed;
- The safeguarding and transfer (if called for during a specified period) of 0.37ha of land for the construction of a new scout hut for Edenbridge Scout Group; and £200,000 towards the construction of the scout hut and ancillary facilities (i.e. car-parking and outdoor facilities) thereon if the land is taken;
- The safeguarding of 5.3ha of land to accommodate a secondary school and associated sports facilities and playing fields and its transfer to an education provider if called for within a specified period of time;
- The creation of a new parking area for 36 spaces, pick-up and drop off area and a step-free access ramp leading to the platform at Edenbridge Town Station either through the direct provision by the developer or the provision of land and utilisation of the financial contribution referred to below;
- £1,000,000 contribution payable to Network Rail to be used for safety improvements to the Little Mowhurst level crossing and infrastructure improvements (including new ticket machines, barriers, signage, any project to provide a new passenger footbridge and (if delivered by Network Rail) the new parking area) at Edenbridge Town Station;
- Provision of land and creation of 12 parking spaces for use by residents of Town Station Cottages.

**Planning conditions**

- 1) Application for approval of the reserved matters for the first Phase of the development shall be made to the local planning authority not later than 3 years from the date of this permission. Application for approval of the reserved matters for all other Phases shall be made not later than 5 years from the date of this permission. For the purposes of this permission all references to a "Phase" or "Phase of development" shall be interpreted as being a reference to a Phase as defined on the phasing plan approved or subsequently updated pursuant to condition 4.

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

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- 2) The development shall be begun not later than whichever is the later of the following dates: - the expiration of 2 years from the date of approval of the last reserved matters application for the first Phase or the expiration of 5 years from the date of this permission.

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

- 3) Before any development in each Phase is begun plans showing the:
  - a) appearance;
  - b) landscaping;
  - c) layout, including any pedestrian access into and within the site , and vehicular access within the site which serves the Phase; and
  - d) Scale.

To accord with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended.

- 4) As part of, or prior to, the submission of the application for reserved matters for the first Phase of development, a phasing plan setting out the boundaries of the proposed phases of the development across the whole site shall be submitted to and approved in writing by the local planning authority. The phasing plan shall include a programme for the layout out of the access roads into the site. Thereafter each reserved matters application for a Phase submitted pursuant to Condition 3 shall be accompanied by an updated phasing plan. The updated phasing plan shall set out any proposed changes from the phasing plan previously approved pursuant to this Condition. The development shall be carried out in accordance with the phasing plan as approved and updated or required by other conditions of this permission.

To ensure the satisfactory delivery of elements of the proposed development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 5) Development shall not begin in any Phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment compiled by WSP (September 2020, Version 2). The submission shall also demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

Phasing for the drainage scheme shall be submitted and approved, including any needed temporary works, specific provisions per phase or other strategic drainage infrastructure. The drainage scheme shall also demonstrate (with reference to published guidance):- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including and proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

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

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 7) If, during the course of development of a Phase, contamination not previously identified is found to be present in that Phase, no further works shall be undertaken in the relevant area of that Phase and the contamination shall be reported to the local planning authority as soon as reasonably practicable (but within a maximum of 5 working days from the find). Prior to further works being carried out in the relevant area of that Phase, a further assessment shall be made and appropriate

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remediation implemented in accordance with a scheme submitted to and approved in writing by the local planning authority.

To ensure that the site is remediated appropriately for its intended use and to accord with the aims and objectives of the National Planning Policy Framework.

- 8) As part of, or prior to, the first application for reserved matters, a site-wide recreation and open space strategy for the entire site shall be submitted to and agreed in writing by the local planning authority. The strategy should be in broad accordance with the areas of open space identified in the section 8.3.3 of the Design and Access Statement and drawing no. 1590-P1-11 Rev.N. Thereafter subsequent Phases shall proceed in broad accordance with the approved strategy, and each reserved matters application submitted pursuant to Condition 3 shall be accompanied by an updated recreation and open space strategy which sets out any proposed changes from recreation and open space strategy previously approved pursuant to this Condition.

To ensure adequate provision of public open space to meet the needs of future occupiers of the development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 9) No development within a Phase shall commence until the local planning authority has approved in writing the details of, and arrangements for, the setting out of on-site public open space as part of that Phase of the development. The on-site public open space shall broadly accord with the site-wide recreation and open space strategy pursuant to condition 8, and shall include the following matters in respect of the Phase:
  - a) The delineation and siting of the proposed public open space;
  - b) The type and nature of the facilities to be provided within the public open space including, where relevant, children's play provision;
  - c) The arrangements to ensure that the public open space is laid out and completed during the course of the development; and
  - d) An annual maintenance schedule.

The open space for that Phase shall be completed in accordance with the approved details and arrangements for that Phase.

To ensure adequate provision of public open space to meet the needs of future occupiers of the development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.



- 10) Before any part of any Phase of the development is brought into use, the relevant proposed means of vehicular and pedestrian access hereby approved as part of that Phase shall be laid out, hard surfaced and drained in broad accordance with the approved plans and completed to a constructional specification approved in writing by the local planning authority.

To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 11) No development shall commence for the school playing fields and MUGA, until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England: (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. The approved scheme shall be carried out in full and in accordance with the approved programme of implementation before first occupation of the educational establishment. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 12) No development shall commence for the school playing fields until a schedule of playing field maintenance including a programme for implementation for a minimum period of five years starting from the commencement of use of the development has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following the commencement of use of the development the approved schedule shall be complied with in full.

To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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- 13) The school playing field/s and pitch/es shall be constructed and laid out in accordance with the condition 12 and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first use of the educational establishment of the development hereby permitted.

To ensure the quality of pitches is satisfactory and they are available for use before development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 14) Use of the school playing fields, multi-use games area and athletic track shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to playing fields, multi-use games area and athletic track and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 15) The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 3967-FRA-01, dated September 2020) and the following mitigation measures it details:

As part of the reserved matters details of a completely separate flood storage area to compensate the flood risk from river in the area where the finishing levels of the road, which falls within Flood Zone 3, will be raised above pre-development ground levels.

All Finished floor levels shall be set to whichever is the greater level of the following: a minimum of 300mm above the 1 % AEP (35% increased flow) climate change flood level or 50mm above the 1 % AEP (70% increased flow) climate change flood level.

Details to be provided that demonstrate finished site levels to be engineered in such manner to prevent ponding. Gradients of external areas to be designed to fall away from dwellings such that overland flow routes resulting from exceedance flood events follow the path of least resistance and be channelled away from proposed properties.

These mitigation measures shall be fully implemented prior to occupation of the first residential unit.

To ensure that flood risks from development to the future users of the land and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 168 of the National Planning Policy Framework.

- 16) Any applications for approval of reserved matters pursuant to condition 2 shall broadly accord with the parameter plans land use [GIP (drawing ref no. 1590 P1-12 Rev.G )], proposed lighting parameters in the lighting strategy report, Noise and Vibration Assessment dated April 2020, Landscape and Ecological Strategy dated September 2020.

To ensure that the development achieves high quality design and is in accordance with paragraphs 124, 126 and 127 of the National Planning Policy Framework and policies

- 17) No development of a Phase, shall take place until a detailed 'Landscape, Ecology, Management and Monitoring Plan' (LEMMP) will be submitted to, and approved by, the local planning authority. This will be in accordance with the measures outlined in the Landscape and Ecology Strategy (Corylus Ecology September 2020) and the Biodiversity Net-Gain Report (Corylus Ecology March 2021).

To accord with policy SP11 of the Sevenoaks District Council Core Strategy and paragraph 180 of the National Planning Policy Framework.

- 18) Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, prior to the commencement of each phase of development a plan specifying arrangements for the management of the construction site for that Phase shall be submitted to and approved in writing by the local planning authority. The construction plan for that Phase shall include the following details as appropriate:

- a) full details of the contractor's temporary means of access to the site;
- b) hours of delivery of materials and routing of construction and delivery vehicles to / from site;
- c) location of site management offices and/or sales office;
- d) location of materials storage compounds, loading/unloading areas and

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areas for construction vehicles to turn within the site;

e) car parking areas for construction workers, sales staff and customers;

f) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas

g) temporary warning and direction signing on the approaches to the site including any temporary traffic measures;

h) implementation of mitigation measures as detailed in Section 7 in the Air Quality Assessment dated June 2020;

i) Provision of wheel washing facilities;

The construction plan details as approved shall be implemented before the development of that phase is begun and shall be kept in place, operated and adhered to at all times until the development of that Phase is completed. In addition, no vehicles involved in the construction of the development of that phase shall enter or leave the site of the development of that Phase except via the temporary means of access within the approved construction plan for that Phase.

To ensure the provision of proper site construction facilities in the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with Policies EN1, EN2, T1 of the Sevenoaks Allocations and Development Management Plan.

- 19) Prior to first occupation of each dwelling with one or more dedicated vehicle parking spaces, that dwelling shall be provided with access to a fully operational 3 pin socket on a dedicated circuit, capable of providing a "trickle" charge to an electric vehicle. All Electric Vehicle Charging Points shall be provided either within garage space or via outdoor, weatherproof sockets within easy access of the off-road parking areas.

In accord with policy T3 of the Sevenoaks District Council Allocation and Development Management Plan.

- 20) Prior to first occupation of each dwelling with non-dedicated parking, that dwelling shall be provided with Electric Vehicle Charging Points at a rate of no less than 1 per 10 communal parking spaces. This minimum requirement shall comprise access to a fully operational 3 pin socket capable of providing a "trickle" charge to an electric vehicle. All communal Electric Vehicle Charging Points shall be clearly marked with their purpose.

In accord with policy T3 of the Sevenoaks District Council Allocation and Development Management Plan.

- 21) All other types of development (other than housing, scout hut and allotments site) at the site shall provide Electric Vehicle charging facilities and shall include parking at the proposed education facility. Where provided, all Electric Vehicle charging facilities shall be fully operational prior to first occupation or use.

In accord with policy T3 of the Sevenoaks District Council Allocation and Development Management Plan.

- 22) Prior to the commencement of any Phase of residential development, a detailed Travel Plan for that Phase which is in broad accordance with the Framework Residential Travel Plan dated June 2021, and finalises the travel plan measures to be put in place for that Phase shall be submitted to and approved in writing by the local planning authority. The detailed Travel Plan for that Phase shall include reference to Travel Plan measures to be set out within the residents' welcome packs. The detailed Travel Plan for that Phase shall thereafter be carried out and operated as approved.

To promote sustainable travel options, minimise reliance on the private car and reduce traffic congestion and demand for on street parking in the locality, in the interests of pedestrian and highway safety and to accord with Policy

- 23) Six months prior to the occupation of the school, a detailed School Travel Plan which is in broad accordance with the School Sensitivity Impact & Zebra Crossing Feasibility Report dated July 2021, and finalises the travel plan measures to be put in place for the school shall be submitted to and approved in writing by the local planning authority. The School Detailed Travel Plan shall thereafter be carried out and operated as approved.

To promote sustainable travel options, minimise reliance on the private car and reduce traffic congestion and demand for on street parking in the locality, in the interests of pedestrian and highway safety and to accord with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

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- 24) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of any necessary archaeological work:
- i) a desk top study exploring the archaeological potential of the site; and if necessary
  - ii) 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 if necessary iii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

To ensure that features of archaeological interest are properly examined and recorded and that due regard is had to the preservation in situ of important archaeological remains, in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 25) Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the local planning authority.

To protect the amenity of the occupants of nearby dwellings and to accord with policy EN1 of the Sevenoaks Allocation and Development Management Plan.

- 26) No development shall take place over the alignment of Public Footpath SR603 or SR604 until an Order for their permanent diversion has been made and confirmed, and the diverted route has been fully provided and certified, unless otherwise agreed in writing by the local planning authority.

To ensure that public rights of way are properly safeguarded in the public interest in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 27) Prior to the commencement of a relevant Phase that affects existing Public Right of Way SR603 and SR604, further details of their resurfacing shall be submitted to and agreed in writing by the local planning authority. The development shall accord with the approved details and implemented in full prior to the first occupation of a residential unit of a relevant phase, unless otherwise agreed in writing by the local planning authority.

To ensure that public rights of way are properly safeguarded in the public interest in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 28) Prior to the commencement of any phase of the development hereby permitted shall implement mitigation measures in accordance with the Arboricultural and Method Statement and Manual for Managing Trees on Development Site.

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

- 29) The applicant shall obtain a Secured by Design accreditation for the residential development hereby permitted, a copy of which must be submitted to, and approved in writing by the Local Planning Authority unless otherwise agreed within three months of the completion of the development hereby permitted.

In the interest of Security, Crime Prevention and Community Safety and in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 30) The development hereby permitted shall not be used or occupied until the visibility splays shown on the approved 70003967-SK-10 Rev. D have been provided and anything which obstructs visibility at any height greater than 0.6 metres above the surface of the adjoining carriageway has been removed. Thereafter the visibility splays shall be maintained free from obstruction at all times.

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

- 31) Prior to the commencement of each phase of development (or as part of the Reserved Matters application for that phase), further details of the design and the number of the residential dwellings to be constructed in accordance with Part M4(2) of the Building Regulations shall be submitted to approved in writing by the local planning authority. A total of 17 homes across the site shall be built in accordance with the M4 (3) b of Building Regulations.

In accordance with Policy SP5 of the Core Strategy.

- 32) The proposed scout hut and educational establishment hereby approved shall achieve a BREEAM minimum rating of 'Very Good' or alternative as agreed in writing by the local planning authority. Evidence shall be provided to the Local Authority in the following format and at the

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following times: i) Prior to first use of the educational/community element of the development, a final post-construction certificate certifying that the development has achieved a BREEAM minimum rating of 'Very Good' or alternative as agreed, shall be submitted to and approved in writing by the Local Planning Authority. Achievement of BREEAM 'Very Good' or alternative as agreed, must include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources.

In the interests of environmental sustainability and reducing the risk of climate change as supported in Policy SP2 of the Sevenoaks Core Strategy.

- 33) Prior to the first use of the educational establishment hereby permitted the off-site highway works as shown on drawing no. 70003967-SK10 Rev.10 (subject to any revisions thereto as may be agreed with the local highway authority through the detailed design process under the relevant highways agreement) shall have been completed in full to the satisfaction of the local planning authority.

In the interest of highway safety as supported by Policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

- 34) The development shall be constructed to provide on-site modern communication and technology infrastructure, which should include Broadband, high speed internet cabling and digital TV cabling. Details relating to the provision of such infrastructure shall be submitted prior to the commencement of each phase of the development. No residential unit in any phase shall be occupied until the approved infrastructure has been provided in each relevant phase, or in accordance with an alternative timescale agreed by the Local Planning Authority as part of the approved details.

To provide high quality technological infrastructure in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 35) The development hereby permitted shall be carried out in accordance with the following approved plans: P18099-001D, 7000 3967-SK-25 Rev.A, 7000 3967-SK-10 Rev.D.

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

- 36) Vehicular access arrangements to consist of a primary access onto the B2027  
Four Elms Road as shown in principle on Drawing Number 70003967-SK-010 Rev D



(subject to such revisions as may be agreed with the local highway authority as part of the detailed design process pursuant to the requisite highways agreement) and to be provided prior to occupation of any development and separate secondary access via the medical centre access and an emergency access via Forge Croft/Frantfields.

Reason: In the interests of highway safety and access in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

37) Save where the requisite traffic regulation order has already been sought or obtained through the highways agreement referred at condition 36 above, prior to occupation of the development, the applicant shall submit an application to the local highway authority seeking an extension to the 30mph speed limit along Four Elms Road sufficient to encompass the approved access pursuant to section 1 of the Road Traffic Regulation Act 1984 not Road Traffic Act 1984 (or such other enabling legislation as shall be applicable).

Reason: In the interest of highway safety.

38) In respect of the main estate / spine road serving the station car park any application to the local highway authority for the adoption of said road pursuant to s38 of the highways act 1990 shall include details of any measures or parking restrictions proposed by the applicant to restrict commuter parking on said roads in the event that the new station car park is brought into use.

Reason: In the interests of highway safety and access in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

39) Prior to commencement of development of the school site a Transport Assessment review shall be undertaken and completed. The completed review shall be submitted to and approved by the local planning authority and shall be

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implemented in accordance with the approved details prior to the first use of the school hereby permitted.

Reason: To assess any further impact upon the highway network and in the interests of highway safety, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan

40) Prior to occupation of the school site:

- i) Additional space to be provided for the bus/coach drop off/pick area and a separate/segregated student drop off/pick up area to be provided prior to the occupation of the school.
- ii) Details of arrangements of a delivery management plan which includes details delivery vehicles to park and manoeuvre clear of the highway shall be submitted to and approved by in writing by local planning authority.

The development shall accord with the approved details.

Reason: In the interests of highway safety and access in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

#### Informatives

- 1) Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate
- 2) 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.
- 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) 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](http://www.sevenoaks.gov.uk) for further details.
- 5) 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 where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
- 6) The applicant should note that under the terms of The Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species.

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

- 7) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- B) If Kent County Council does not sign up the trilateral Section 106 Agreement, then bilateral agreement shall be completed by the 30 September 2022 with the same heads of terms and conditions as detailed above in Recommendation B and the subject to the inclusion of an additional planning condition 41 as detailed below:

41. No development shall take place with the area outlined green on the plan referred to as Plan 5, titled P1-18 Rev A unless the land is bound into the Section 106 Agreement, either through a supplementary or confirmatory deed that can be appended to the Section 106 Agreement.

Agenda Item 1

**Development Control Committee - 28 July 2022**

Reason: To ensure that the site is development in a comprehensive manner, the secondary access to the site is provided and the full level of Section 106 contributions and provisions are secured.

THE MEETING WAS CONCLUDED AT 8.21 PM

CHAIRMAN

4.1 22/01088/MMA Date expired 24 June 2022

Proposal: Minor material amendment to 20/03395/FUL.

Location: 40 High Street, Sevenoaks, Kent TN13 1JG

Ward(s): Sevenoaks Town & St Johns

**Item for decision**

Councillor Fleming has referred the application to Development Control Committee on grounds of a loss of privacy to neighbours, which would be contrary to Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

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

1) The development hereby permitted shall be begun before the expiration of the time limit imposed on application SE/20/03395/FUL

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: 2038-01, 2038-02, 2038-03, 2038-04, 2038-05, 2038-06, 2038-07B, 2038-08A, 2038-09C, 2038-10A, 2038-11B, 2122 - 18, 2122 - 19, CL2-BSH-01SX Rev A, CL2-BSH-02SX Rev A, CL3-S06SX Rev A, and CL3-S01SX Rev A.

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

3) The materials and their specifications (including, where applicable, size, colour, texture, profile, finish, bonding and pointing) shall be implemented in accordance with the details approved under application 21/04127/DETAIL.

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) The existing first floor flat roof area on the north-east facing rear elevation shall not be used as private amenity space in relation to the development hereby approved. Access shall only be retained for safety and maintenance purposes.

To safeguard the privacy of neighbouring residents as supported by Policy EN2 of

the Sevenoaks Allocations and Development Management Plan.

5) The mitigation measures to provide adequate air quality and noise protection will be implemented in accordance with the details approved under application 21/02798/DETAIL and shall be implemented prior to first occupation.

To ensure that the noise levels in habitable rooms meet the requirements of BS 8233:2014 and that future residents are not exposed to harmful levels of air pollution, to protect the amenity of future occupants.

6) The proposed development shall be carried out in accordance with the Construction Management Plan, as approved under application 21/02905/DETAIL, at all times.

In the interest of Highway Safety and neighbouring amenity in accordance with policies EN2, EN7 and T1 of the Sevenoaks District Council Allocation and Development Management Plan.

7) The Council operates a residential parking permit scheme, for which the future occupants would not be eligible.

In the interest of vehicular parking and permit availability in accordance with policy T2 of the Sevenoaks District Council Allocation and Development Management Plan.

8) The second floor window on the rear facing north-eastern elevation, as shown on the Rear Elevation (drawing 2038 - 11B) that connects to the flat roof terrace area, shall be fixed shut and non-opening at all times.

To prevent the flat roof area being used as a private amenity terrace to safeguard the residential amenities of neighbouring properties in accordance with policy EN2 of the Sevenoaks District Council Allocation and Development Management Plan.

9) The first floor north-west facing window (serving Bedroom 2), as shown on the North Flank Elevation (drawing 2038 - 11B) shall be fixed shut and non-opening at all times, and shall be obscure glazed with glass of obscurity level 3.

To safeguard the privacy of neighbours, in accordance with policy EN2 of the Sevenoaks District Council Allocation and Development Management Plan.

#### **National Planning Policy Framework**

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

light of our statutory policies in our development plan as set out in the officer's report.

### Description of site

- 1 The site consists of a three storey terraced building located along the east of the High Street, on the southern approach to Sevenoaks town centre.
- 2 The building is Grade II Listed and is located within the Sevenoaks High Street Conservation Area.
- 3 The building is currently a vacant office use and is flanked by residential properties to the north and south.

### Description of proposal

- 4 Planning permission was granted, via Development Control Committee, for the conversion of the building from an office to 4 residential flats (see below planning history).
- 5 The following amendments are now sought to this planning permission:
  - On the rear side elevation of the building (facing north-west), to retain a first-floor window, rather than tile hang over the window. This window would serve bedroom 2 of the approved residential use. The window frame would be replaced and fitted with obscure glass.
  - On the rear elevation of the building (facing north-east), to incorporate a deeper window (lightwell) to serve the basement-level flat. Partial consent has already obtained for this under planning permission 20/03395/FUL, however the elevation plans were not included in the decision notice, and this application seeks to incorporate the missing plan into the decision notice, to correct the decision notice.
  - On the rear elevation of the building (facing north-east), consent has already been provided to replace a set of French doors at second floor level which connect to a flat roof area, with a window. The annotation on this window has changed from 'access through window solely for maintenance purposes', to instead state 'window to have no opening lights'.

### Relevant planning history

- 6 20/03395/FUL - Conversion of building from office to residential use by the creation of 4 flats (3 x 1 bedroom and 1 x 2 bedroom). Creation of basement flat and internal alterations. Removal of bay window to front elevation and replacement with a new window.

## Agenda Item 4.1

- 7 All pre-commencement conditions associated with this planning permission have been discharged.

### Policies

- 8 National Planning Policy Framework (NPPF)
- 9 Core Strategy (CS)
- SP1 Design of New Development and Conservation
- 10 Allocations and Development Management Plan (ADMP)
- EN1 Design Principles
  - EN2 Amenity Protection
  - EN4 Heritage
- 11 Other:
- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)
  - Sevenoaks High Street Conservation Area Appraisal

### Constraints

- 12 The following constraints apply:
- Grade II Listed Building
  - Sevenoaks High Street Conservation Area

### Consultations

- 13 Sevenoaks Town Council:
- Support - Sevenoaks Town Council recommended approval, subject to the Planning Officer and Conservation Officer being satisfied with the plans and materials proposed.
- 14 Conservation Officer:
- No objection
- 15 Comments were provided on an accompanying Listed Building application for the works (reference: 22/01170/MMA), as follows:
- I have looked at the additional window details submitted under this MMA application further to the detailed comments I provided in response to the



substantive LBC application; the subsequent informal advice provided; and the new minor amendment now being proposed.

The amendments are considered acceptable.

## Representations

- 16 One representation has been received objecting to the works, relating to the following issues:
- Loss of privacy / visual intrusion, through retention and replacement of a north-west facing window (serving bedroom 2); and through change of wording to window 13 (rear window serving a bedroom at second floor level) to say 'no opening lights', instead of 'non-opening'.
  - Potential damage to conservatory, through replacement of the north-west facing window (serving bedroom 2)
  - Health and safety implications
  - Adherence to the Party Wall Act

## Chief Planning Officer's appraisal

- 17 The main planning considerations are:
- Impact of the amendments on heritage assets
  - Impact of the amendments on the character and appearance of the area
  - Impact of the amendments on neighbouring amenity

## Impact on heritage assets

- 18 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 placed a duty on a local planning authority, in considering development, which affects a Listed Building or its settings, to having special regard to the desirability of preserving the building or its setting, or any features or architectural or historical interest it possesses.
- 19 The NPPF states that great weight should be given to the conservation of heritage assets (para 199).
- 20 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.
- 21 The building in question is Grade II Listed and contributes positively to the character of the Sevenoaks High Street Conservation Area.
- 22 The Conservation Officer has raised no objections to the scheme, and has previously provided advice, through 'details' applications for the site, to confirm the acceptability of the windows proposed to the building.

## Agenda Item 4.1

- 23 The existing north-west facing window is modern, forming part of a flat roof 20<sup>th</sup> Century latter addition to the rear of the building. As such, there is no objection to its replacement. The retention of a window to this north-west facing elevation is considered preferable to blocking in this window, in heritage terms, in order to minimise the visual alteration of the building.
- 24 Consent to enlarge the lightwell to the basement flat, has already been part-granted under planning permission 20/03395/FUL. This application provides an elevation drawing to confirm the visual appearance of this window. The window would be a sash-opening window of a six-pane glass design, to positively respond to the design of the approved rear windows at first and second floor level (which are also of six-pane and sash-opening in design). As such, this window would conserve the visual character of the Listed Building.
- 25 No objection is raised to these works by the Conservation Officer, and this will enable full and accurate drawings to be incorporated into the planning consent for the works (to reconcile a missing elevation drawing in the existing planning permission - see 20/03395/FUL).
- 26 Finally, there is no physical change proposed to the second floor rear bedroom window (which connects to a flat roof of the rear addition to the building). The change purely confirms the window will have no opening lights, rather than stating it can be opened for maintenance purposes. There would be no impact on the historic fabric or historic significance of the building.
- 27 In summary, all window amendments would be discreetly contained to the rear of the site and would respond positively to the existing pattern and style of windows featured on the Listed Building. The amendments would not be visible from Sevenoaks High Street nor the wider Conservation Area.
- 28 As such, the proposed amendments are considered to conserve the significance of the Grade II Listed Building, and the positive contribution that the building makes to the Sevenoaks High Street Conservation Area, and to remain in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

### **Impact on the character and appearance of the area**

- 29 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.
- 30 All proposed amendments would be contained to the rear of the site and would not be visible from the streetscape nor public realm. The deepening of the basement lightwell to the rear of the property and retention of the north-west facing window would be of a discreet visual change to the building itself. As such, the amendments would continue to respect the

design and character of the site and wider area and are considered to remain in accordance with local policy.

### Impact on neighbouring amenity

- 31 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.
- 32 As with the previous assessment made by the Planning Officer under permission 20/03395/FUL, the proposed amendments would not extend nor increase the built form of the building. As a result, the development would conserve the existing daylight, sunlight and outlook of neighbouring properties.
- 33 Concern has been raised by third parties that the retention of a north-west side-facing window (to the first floor level, serving bedroom 2) would result in a loss of privacy to neighbours located to the north of the site. The window in question is at approximately a 90-degree angle to a window belonging to a neighbouring bathroom.
- 34 The existing window serving bedroom 2 (currently a vacant bathroom) is fitted with obscure glass on the bottom four panes of the window (bottom sash), with the remaining four panes of glass (the top sash) being clear glass.
- 35 The proposed replacement window would result in the whole window being constructed of obscure glass, which would improve the privacy afforded to this existing window.
- 36 Whilst third parties would prefer the window to be wholly blocked in, there is no requirement for the applicants to do this to secure privacy. Fitting side-facing first floor windows with obscure glass is a nationally accepted way of securing privacy (as referenced within the Town and Country Planning General Permitted Development Order). Windows which are obscure glazed - and fixed shut below 1.7m from finished floor level - do not always require planning permission.
- 37 Whilst the applicants have sought to leave the window openable for maintenance purposes (and fix a removable panel to the interior wall of the window when the window is not being maintained), given the close proximity of the bedroom window to neighbouring windows, it would be necessary to ensure the window is fixed shut and remains obscure glazed (with glazing of a level 3 obscurity which is the highest privacy level). This can be secured by planning condition to ensure that privacy is maintained, noting that there is another window that would serve this bedroom.
- 38 As such, new occupants of bedroom 2 would not be able to open, nor look out of, this window and the replacement window would conserve neighbouring privacy, subject to this privacy condition.

## Agenda Item 4.1

- 39 Concern has also been expressed that the plans submitted would enable a second floor bedroom window (to the rear of the site) to become openable onto a flat roof area of the building. As with the existing planning permission for the site, planning conditions can be carried over to ensure this window remains fixed shut, and to prevent the flat roof area of the building from being used as a terrace, to safeguard the privacy of neighbours and the recommendation includes these conditions.
- 40 In addition to the above, the deepened lightwell, by virtue of its subterranean siting, would not alter the existing outlook towards neighbours and would conserve neighbouring privacy. The deepened lightwell was requested by the previous planning officer in order to ensure adequate light levels into the new basement flat, and as such this amendment would positively impact new occupiers of the development.
- 41 In summary, subject to carrying over existing privacy conditions for the site, and applying a new privacy condition to the replacement north-west facing first floor window (to remain obscure-glazed and fixed shut), the proposal would continue to safeguard the amenities of surrounding neighbours and accord with local policy.

### Other issues

- 42 Third party comments have expressed concern over health and safety implications and potential damage to the rear conservatory of neighbours to the north of the site, as well as adherence to the Party Wall Act.
- 43 The above matters are civil matters between neighbours and are not material considerations in the planning process. Third parties should seek independent advice on the above concerns.

### Community Infrastructure Levy (CIL)

- 44 The proposal is CIL liable and no exemption has been applied for.

### Conclusion

- 45 In conclusion, the proposed window amendments are of a discreet nature and respond positively to the character of the existing Listed Building and wider Conservation Area. Privacy conditions can be added and carried over from the existing permission (reference: 20/03395/FUL) to safeguard the privacy of neighbours.
- 46 As highlighted in the report above, the proposed amendments accord with the NPPF and our adopted development plan.
- 47 All other aspects of the scheme remain as per the existing planning permission for the site.

48 It is therefore recommended that this application is granted.

**Background papers**

2038 - 07 Rev B Existing Elevations - Rear and North

2038 - 09 Rev C Proposed First, Second Floor and Roof Plans

2038 - 11 Rev B Proposed Elevations - Rear and North

2122 - 18 Window Details W8 - Basement Rear

2122 - 19 Window Details Replacement window to North Elevation

CL2-BSH-01SX Rev A Classic Balcony Side Hung Window - 68mm Sq Edge Frame (Head/Cill Section)

CL2-BSH-02SX Rev A Classic Balcony Side Hung Window - 68mm Jambs Section

CL3-S06SX Rev A Classic Spring Sash Window - Standard 44mm Jamb Detail

CL3-S01SX Rev A Classic Spring Sash Window - Standard Specification

The following plans have not been re-submitted within this application but are included for ease of reference and to aid comparison with the proposed plans:

2038-01 Location Plan

2038-03 Site Plan

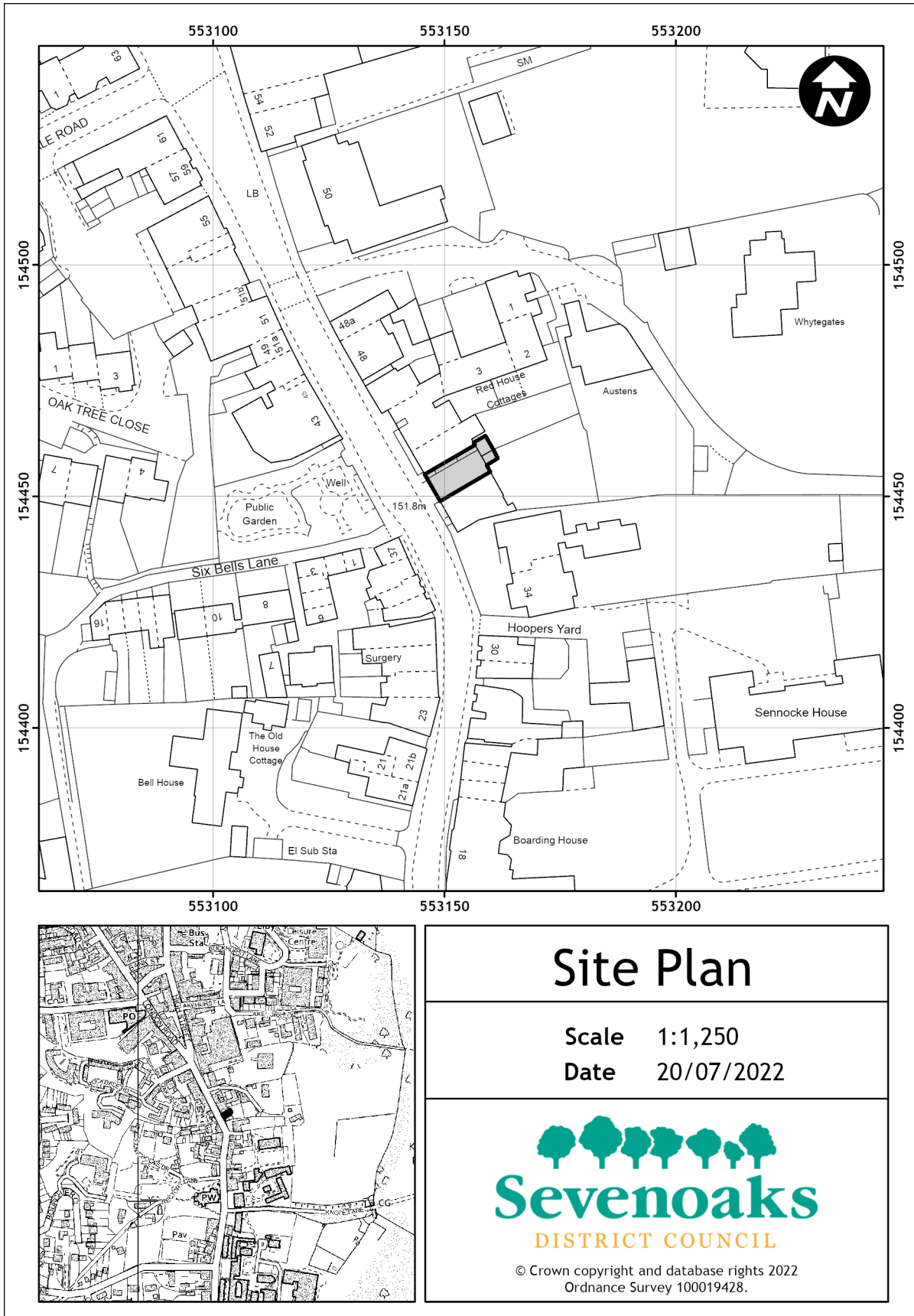
Contact Officer(s):

Samantha Simmons: 01732 227000

**Richard Morris**  
**Chief Planning Officer**

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

Scale 1:1,250  
Date 20/07/2022



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Ordnance Survey 100019428.

BLOCK PLAN



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4.2 22/00818/ADV Revised expiry date 22 August 2022

Proposal: Consent to display signs.

Location: 26 - 28 Pembroke Road, Sevenoaks, Kent TN13 1XR

Ward(s): Sevenoaks Town & St Johns

**Item for decision**

Sevenoaks District Council (SDC) are the applicant for this application.

**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; orc - 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.

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 a three-storey building fronting Pembroke Road in Sevenoaks town. The subject property is brick built with large glass windows at all floor levels. At present, the property has a large '*Office Space To Let*' sign displayed at the property boundary border.

### Description of proposal

- 2 Permission is sought for the erection of a self-standing sign which is not internally illuminated. Overall, there are a total of two signs mounted back-to-back.

### Relevant planning history

- 3 03/00656/ADV Retention of Pole-mounted, freestanding signs. Non-illuminated, 1440x1080mm between 3000mm x 80 x 80mm Posts. Total height 2.35m. GRANTED
- 4 98/01010/HIST (ADVT) Display of non-illuminated free standing sign boards. GRANTED

### Policies

- 5 National Planning Policy Framework (NPPF)
- 6 Core Strategy (CS)
  - SP1 Design of New Development and Conservation
- 7 Allocations and Development Management Plan (ADMP)
  - EN1 Design Principles
  - EN2 Amenity Protection

### Constraints

- 8 The following constraints apply:
  - Sevenoaks Urban Confine

Note: The rear of the site is adjacent to The Vine Conservation Area.

### Consultations

- 9 Sevenoaks Town Council:  
  
'Sevenoaks Town Council recommended approval, subject to the Planning Officer being satisfied with designs and materials.'

10 KCC Highways:

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

**Chief Planning Officer’s appraisal**

11 The main planning considerations are:

- Design and impact on the character and appearance of the area
- Impact on public safety

**Design and impact on the character and appearance of the area**

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

13 The properties that line Pembroke Road are a mix of commercial and residential with the nature and scale of the commercial buildings increasing at the junction of Pembroke Road, London Road and Eardley Road. Importantly, due to the mixed nature of the setting, advertisements and signage are displayed in multiple locations throughout Pembroke Road. As such, the principal of advertisements in this location is acceptable.

14 Overall, the signage would have modest proportions and due to the relatively subdued colour scheme, would not appear overly obtrusive. Similarly, the design and scale of the advertisements would not appear overtly dominant within the street scene.

15 As the sign is proposed at the front of the site, it would not be seen in the context of the adjacent Conservation Area at the rear or the Conservation Areas that are further away related to the High Street and Granville Road and Eardley Road.

16 Considering the proposal, the signage would be considered to comply with policy EN1 of the ADMP.

**Impact on public safety**

17 The proposed signage will sit adjacent to the public highway that is Pembroke Road meaning that any potential obstruction in terms of visibility would be an important consideration. Therefore, KCC were consulted and subsequently raised no objections to the proposal.

18 It is also worth noting that as the proposed signage is not illuminated, the signage is not likely to distract either drivers or pedestrians.

19 Overall, guided by the representation made by KCC, the Local Planning Authority (LPA) would not consider the proposal to have a significant

## Agenda Item 4.2

adverse impact on the safety and operation of the surrounding highways or pedestrian safety,

### Conclusion

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

### Background papers

Drawing of Sign (Dated 29/03/2022)

Site Location Plan

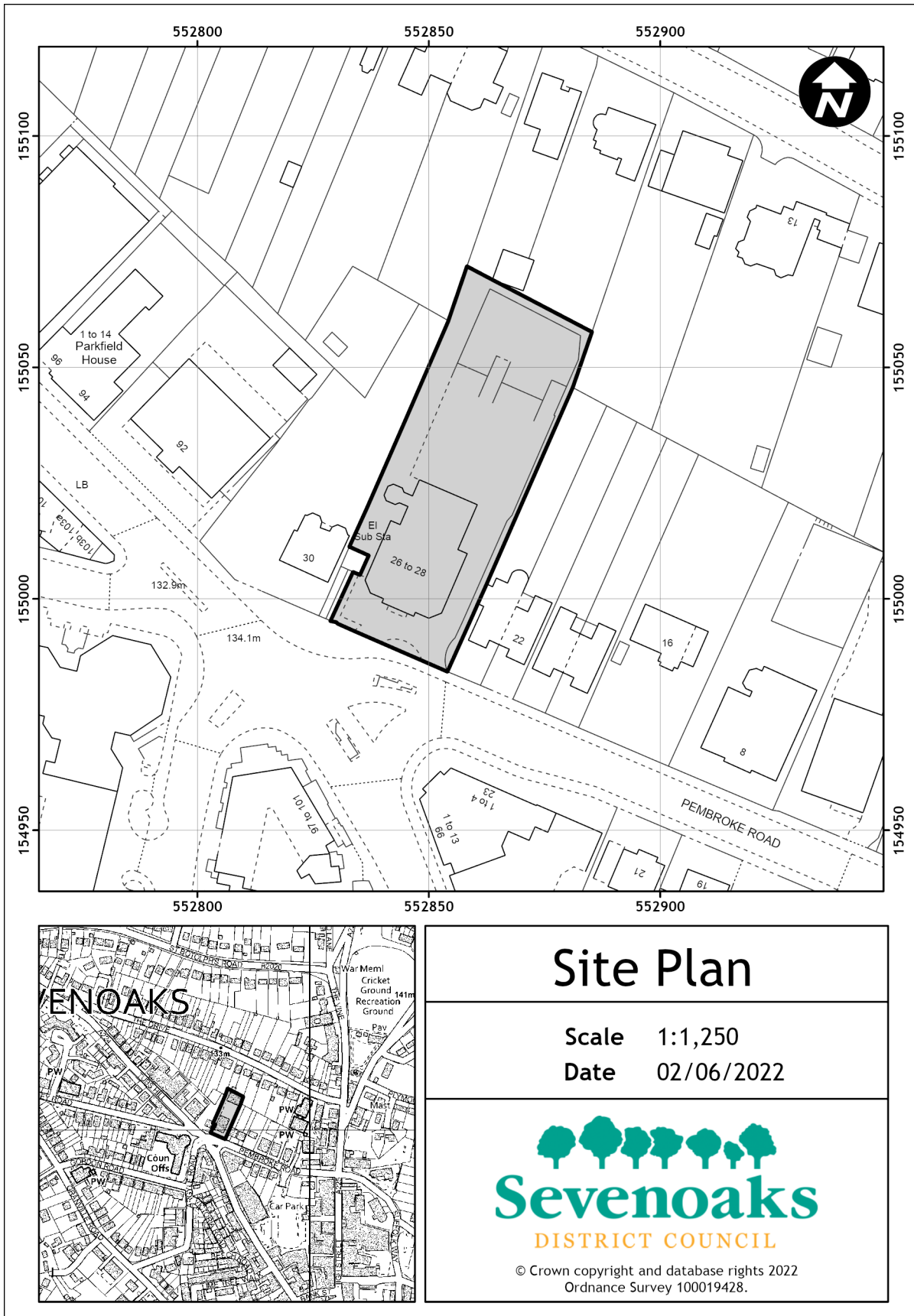
Block Plan

Contact Officer(s): Christopher Park: 01732 227000

**Richard Morris**  
**Chief Planning Officer**

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

Scale 1:1,250

Date 02/06/2022



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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 18 August 2022

**4.1 22/01088/MMA - 40 High Street, Sevenoaks Kent TN13 1JG**

[Link to application details:](#)

[Link to associated documents:](#)

**4.2 22/00818/ADV - 26 - 28 Pembroke Road, Sevenoaks, Kent TN13 1XR**

[Link to application details:](#)

[Link to associated documents:](#)

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