

22 June 2023 at 7.00 pm  
Council Chamber, Argyle Road, Sevenoaks  
Published: 14.06.23

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# Development Management Committee

## Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Horwood  
Cllrs. Baker, Ball, Bayley, Camp, P. Darrington, Edwards-Winsler, Esler, Harrison, Hogarth, Hudson, Malone, Manston, Purves, Silander, Skinner, Varley and Williams

## Agenda

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

	Pages	Contact
Apologies for Absence		
1. <b>Minutes</b> To approve the minutes of the meeting of the Committee held on 1 June 2023, 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>23/00750/FUL - The Lodge, 1 Top Dartford Road, Hextable Swanley Kent BR8 7SG</b> Change of use from Use Class C3 (dwellinghouse) to Use Class C2 for use as a family assessment centre.	(Pages 35 - 48)	Ashley Bidwell Tel: 01732 227000
4.2 <b>23/00901/HOUSE - Twin Oaks, 3 Kilnwood, Halstead Sevenoaks Kent TN14 7EW</b> Two storey side and garage extension with steps.	(Pages 49 - 58)	Eliot Froment Tel: 01732 227000
4.3 <b>23/00767/FUL - The Tally Ho, Main Road, Knockholt Sevenoaks Kent TN14 7NT</b> Demolition of existing dwelling and erection of replacement dwelling.	(Pages 59 - 76)	Ashley Bidwell 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 227247 by 5pm on Monday, 19 June 2023.

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 MANAGEMENT COMMITTEE**

Minutes of the meeting held on 1 June 2023 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Horwood (Vice Chairman)

Cllrs. Baker, Ball, Bayley, Camp, P. Darrington, Edwards-Winsor, Esler, Hogarth, Hudson, Malone, Manston, Purves, Silander, Skinner, Harrison, Varley and Williams

Cllrs. Granville, Reay, Shea and White were also present.

1. Minutes

Resolved: That the Minutes of the Development Control Committee held on 27 April 2023, be approved and signed as a correct record.

2. Declarations of Interest or Predetermination

Councillor Camp declared that for Minute 4 – 22/00512/OUT, Sevenoaks Quarry, Bat & Ball Road, Sevenoaks Kent TN14 5SR, she had chaired the Sevenoaks Town Council planning meeting but remained open minded.

Councillor Ball declared that for Minute 5 – 22/02053/FUL – Plot 4 Grazing Land South of Viaduct Terrace, Horton Road, South Darenth, Kent he was present at the Parish Council planning meeting but remained open minded.

Councillor Hogarth declared that for Minute 4 – 22/00512/OUT, Sevenoaks Quarry, Bat & Ball Road, Sevenoaks Kent TN14 5SR he had sat in on meetings regarding the site, but remained open minded.

3. Declarations of Lobbying

All Councillors declared that they had been lobbied in respect of Minute 4 – 22/00512/OUT, Sevenoaks Quarry, Bat & Ball Road, Sevenoaks Kent TN14 5SR

Councillors Ball, Baker, Camp, Esler, Hudson, Malone, Manston, Skinner, Varley, Purves, Harrison, Horwood, Hogarth, and Silander declared that they had been lobbied in respect of Minute 6 – 22/01134/FUL, Cole Farm, Bore Place Road, Chiddingstone, Edenbridge, Kent TN8 7AP

4. 22/00512/OUT - Sevenoaks Quarry, Bat And Ball Road, Sevenoaks Kent TN14 5SR

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The proposal sought permission for an outline planning application for up to 800 residential dwellings (Class C3), up to 150 residential institutional units (Class C2), business, retail, leisure and sports uses (Class E); new primary school (Class F1); community uses (Class F2), re-use of former Oast House and existing barn off Childsbridge Lane, green open spaces including parks, play spaces, ecological areas and woodlands; vehicular accesses from Bat and Ball Road, Childsbridge Lane and Farm Road; associated infrastructure, groundworks and demolition; with all matters reserved. The application had been referred to the Committee at the discretion of the Chief Planning Officer, as the development was of significant nature being major development in the Green Belt.

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

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	David McCabe
Parish Representative:	Cllr Claire Shea (Sevenoaks Town Council) Cllr Andrew Michaelides (Seal Parish Council)
Local Members:	Cllr Claire Shea

Members asked questions of clarification from the speakers and officers. In response to questions Members were advised that the primary health care trust and Thames water were consulted. Kent County Council as the Education Authority had identified that the land should be for a primary school and for funding provisions for secondary education within the district.

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 use of land, and the community benefits. Some concerns were expressed regarding the increased population and the extra traffic, and possible implications on health services. Members further discussed the provision of affordable housing, Community Infrastructure Levy contributions from the development, and the controls surrounding the development by a signed section 106 agreement.

It was suggested that the recommendation should read for permission for outline permission. The Chairman was in agreement and amended his original motion.

The motion was put to the vote and it was

Resolved: That

- A) outline planning permission be granted subject to
- i) referral of 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 by the Chief Officer for Planning and Regulatory Services, and
  - iii) a satisfactory legal agreement being made under Section 106 of the Town and Country Planning Act 1990 (as amended) being completed no later than 30 September 2023, unless in accordance with a new timescale 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 40% of all on-site housing to be provided, of which 65% would be provided as Affordable / Social Rented; 25% as First Homes; and 10% as Intermediate Housing.
- Safeguarding of 2.05 hectares land for a primary school.
- Financial contributions towards the construction of a primary school, and off-site secondary school construction and secondary school land (based on applicable housing units delivered) to be provided in the event that Community Infrastructure Levy funding is not secured or is only partly secured by the local education authority.
- Highways and transport improvements, including works to be secured through a Section 178 Agreement as required, to include:
- Green Travel Plan measures, as set out in the Framework Travel Plan, to include the provision of an on-site car club and mobility hub.
- Payment of Travel Plan monitoring fee of £1,422.
- Bus Management Plan for the delivery of a bus service into the site;

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- Bus Service Contribution of £750,000;
- Bus stop provision within the site;
- Works to Bat and Ball Junction to change from signalised junction to roundabout junction and associated pedestrian and cycle crossings).
- Changes to parking configuration and highway along Greatness Lane/Mill Lane.
- Segregated pedestrian and cycle route along Childsbridge Lane from Seal to Kemsing.
- Priority scheme on bridge over the railway on Childsbridge Lane to ensure safe pedestrian and cycle access.
- Segregated pedestrian cycle route along Bat and Ball Road from Bat and Ball Station to entrance of the development site.
- A contribution of £18,000 to delivering off-site improvements to Public Right of Way SU3.
- Schemes for the delivery, management and maintenance of:
  - Open spaces, landscape and ecology on the site
  - Greatness Lake Park, including delivery of lakes for water sports usage.
  - Water sports centre, including Lakeside Centre and water-based recreation opportunities;
  - The Oast House, to secure access to and long term benefit of the community;
  - The Barn for long term community use and benefit.
  - Community Use Agreements for the Oast House, Barn and Lakeside Centre/lakes.

#### Conditions

1. The development to which this permission relates must be begun not later than whichever is later of the following dates: a) the expiration of 3

(three) years from the date of this permission; or b) the expiration of two years from the approval of the final Reserved Matters permission.

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

2. The first application for the approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

3. The final Reserved Matters application shall be made to the Local Planning Authority not later than 15 years following the approval of the first Reserved Matters application.

In pursuance of section 92(2) of the Town and Country Planning Act 1990 and to provide certainty over the delivery of the development.

4. Prior to the approval of the first application of reserved matters, a phasing strategy shall be submitted to and approved in writing by the local planning authority. The phasing strategy shall include a plan defining the phases for the purposes of reserved matters applications and a programme for the delivery of each phase.

The development shall be carried out in accordance with the phasing plan as approved. The phasing plan may be updated or amended from time to time with the approval in writing of the local planning authority pursuant to this condition.

To secure appropriate phasing of the development, 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. Prior to the approval of the first application for reserved matters, a Site Wide Design Code (SWDC) shall be submitted to and approved by the Local Planning Authority. The Design Code, which shall follow the

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framework set out in the National Model Design Code, shall explain its purpose, structure and status; indicate who should use the document and how to use it; set out the mandatory and discretionary elements; and be clear how these apply. The Design Code should be in substantial accordance with the approved Parameter Plan, Site Levels and Building Heights Plan and Design Principles Document (David Lock Associates November 2022) and should include the following:

- i. Details of the engagement strategy with the local community and its representatives that has informed the SWDC.
- ii. Description of how the overall vision and objectives for the development, as set out in the Design Principles Document, will be implemented through the detailed design stages;
- iii. A Regulatory Plan showing a framework for development including the primary and secondary routes, access points for parcels, site wide pedestrian and cycling routes, hierarchy of key public open spaces and other green spaces and location of key community facilities.
- iv. A movement hierarchy for the site, which is to secure a legible, permeable and connected network, and how the principles of the walkable neighbourhood set out in the Design Principles Document will be achieved, with specific reference to key amenities.
- v. Typical street cross-sections which will include details of tree planting, landscaping, service runs, traffic calming and on street parking for primary and secondary streets and the proposed pedestrian cycle routes. The Code should demonstrate how the design of the streets and spaces will address the needs of all users and give priority to sustainable travel and the proposed treatment of routes for cyclists and pedestrians;
- vi. For each Site Specific area defined in the Design Principles Document, design features that illustrates the character, addresses characteristics such as block structure, scale, density, massing, street frontages, use of materials, colours. This should clearly demonstrate how the character and identity is informed by the wider context surrounding the site and Sevenoaks as a whole.



vii. The approach to parking, including cycle parking and electric vehicle charging, to be included across the site including the location of dedicated car parks for the proposed community facilities and Lakeside Centre.

viii. The approach to the landscape framework, having regard to the findings of the Landscape and Visual Impact Assessment (and updates) including the integration of existing retained landscape features, new strategic and structural planting, the landscape framework for Greatness Lake Park and maintenance and management of the green spaces.

ix. Specific urban design features that will contribute to health and wellbeing, including open space, play spaces and key route design to encourage activity and interaction, access to community facilities, street frontages (avoiding blank frontages) and accessibility to nature.

x. Measures to demonstrate how the design can maximise resource efficiency of land, water, energy and materials such as through compact layouts, energy efficient built forms, passive design tools including nature-based solutions, orientation, massing and external building features.

xi. Features that demonstrate how the design responds to climate change including rising temperatures and flood-risk such as through nature-based solutions.

xii. Approach to refuse and recycling management for all building types.

xiii. Management and maintenance principles for community facilities, open space, sustainable drainage and public realm.

Thereafter, any Reserved Matters Application submitted pursuant to Condition 10 shall comply with the approved Site Wide Design Code.

In the interests of achieving high quality design and integration of the development in the landscape and a sustainable community, in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan, Policy SP1 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

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6. Prior to the approval of the first reserved matters application, a site wide Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. This will be substantially in accordance with the Protected and Priority Species Mitigation Strategy (SLR January 2023) and must include:
  - i. Findings of up-to-date species and habitat surveys;
  - ii. A Biodiversity Gain Plan which shall secure a 10% net gain in biodiversity within a 30 year period as a result of the development, unless otherwise agreed in writing with the Local Planning Authority pursuant to this condition;
  - iii. A native-species landscaping scheme;
  - iv. A Biodiversity Management and Monitoring Plan which shall include 30-year objectives, management responsibilities, maintenance schedules, a methodology to ensure the submission of monitoring reports and details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/bodies responsible for its delivery.

Thereafter, Reserved Matters applications shall comply with the principles established by the approved site wide LEMP.

To ensure the delivery of biodiversity enhancements in accordance with Core Strategy Policy SP11, the Sevenoaks Neighbourhood Plan and the National Planning Policy Framework, including paragraph 174 for the provision of net gains for biodiversity.

7. Prior to the approval of any Reserved Matters Application, a Strategic Landscaping Plan covering the whole of the site shall be submitted and approved by the Local Planning Authority. Thereafter, Reserved Matters applications for any phase of the development shall comply with the principles established by the approved Strategic Landscape Plan.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality, having regard to the visual and landscape impacts from the Area of Outstanding Natural Beauty, in accordance with Policies EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

8. The details submitted pursuant to Condition 10 (Reserved Matters Applications) shall include a Site Wide Access Strategy that includes:
- i. The detailed layout of the three main accesses to the application site, as identified on the approved Parameter Plan;
  - ii. Measures to prioritise the Primary Access for vehicular traffic and to discourage the use of the Secondary Access on Farm Road;
  - iii. Measures to prevent vehicular access from the Tertiary Access into the site, with the exception of those vehicles accessing the car park and emergency vehicles.

Reserved matters approvals shall accord with the approved strategy.

To ensure a satisfactory means of access to the development and to safeguard the residential amenities of nearby residential properties, in accordance with Policy EN1, EN2 and T1 of the Sevenoaks Allocations and Development Management Plan.

9. Any applications for approval of reserved matters pursuant to Condition 10 shall accord with the following approved plans and documents:
- i. Site Boundary Plan (TAR021/010)
  - ii. Parameter Plan (TAR021/006/Rev.E)
  - iii. Site Levels and Building Heights Plan (TAR021/008/Rev.C)
  - iv. Development Specification (October 2022).

To ensure that the development achieves high quality design and efficient use of the land in accordance with the National Planning Policy Framework, Policy SP1 of the Sevenoaks Core Strategy and Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

10. For each Phase of Development identified by Condition 4, the approval of details of the access, appearance, landscaping, layout and scale of the proposed development (hereinafter called the "Reserved Matters") shall be obtained from the Local Planning Authority in writing before any development in that Phase is commenced.

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

11. For each submission of Reserved Matters applications pursuant to this permission, a "Compliance Report" shall be submitted that states how the Reserved Matters comply with the approved parameter plans and documents identified in Condition 9 and the Site Wide Design Code at Condition 5.

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

12. The details submitted pursuant to Condition 10 (Reserved Matters Applications) for any phase containing residential dwellings, local centre uses, employment uses, community uses, educational uses, public open spaces or pedestrian cycle route, shall be accompanied by a Minerals Update Statement (MUS) for approval by the Local Planning Authority. The MUS shall include details of:

- i. The location of continued minerals activities on the site, shown on a plan, in relation to the proposed development.
- ii. Details of the access arrangements for the continued minerals activities.
- iii. Updated Noise and Air Quality assessments regarding the impact of the continued minerals operations and proposed mitigation measures to protect residential amenity and amenity of the users of other buildings, spaces or routes. Any noise assessment should have regard to BS8233:2014 and BS4142:2014+A1:2019, or any subsequent updates, and the Planning Practice Guidance.

The development shall be carried out in accordance with the MUS.

To safeguard the continued mineral operations on the site in accordance with Policy DM7 of the Kent Minerals and Waste Local Plan 2013-2030 and protect the amenity of existing and future occupants of the site in line with Policy EN2 of the Sevenoaks Allocations and Development Management Plan and the national Planning Practice Guidance.

13. The details submitted pursuant to Condition 10 (Reserved Matters Applications) containing built development for a defined Phase agreed

pursuant to Condition 4, shall be accompanied by a Decarbonisation Statement describing the measures to reduce carbon emissions in that Phase for approval by the local planning authority. Statements shall include measures relating to energy and water use, renewable energy opportunities, management of waste, proposed environmental standards for residential dwellings and proposed environmental standards for any non-residential development (with reference to BREEAM standards). The phase shall be implemented in accordance with the approved Decarbonisation Statement.

To contribute towards achieving Sevenoaks District Council's Net Zero commitment and Net Zero 2030 Actions 2022-2023.

14. Prior to the approval of the reserved matters application for any phase identified pursuant to Condition 4 (including an application for the submission of the first phase only if this is submitted more than 12 months from the date of the site-wide LEMP approved under Condition 6), an updated LEMP shall be submitted to and approved in writing by the Local Planning Authority. This shall include updated species and habitat surveys, updated Biodiversity Gain Plan, plans for a native-species landscape scheme for that phase, and an updated Biodiversity Management and Monitoring Plan, which shall meet the requirements of Condition 6.

Thereafter, any Reserved Matters application for that phase of the development shall comply with the principles established by the approved updated site wide LEMP.

To ensure appropriate protection, enhancement and management of biodiversity, to comply with Policy SP11 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

15. Monitoring reports shall be submitted to and approved in writing by the Local Planning Authority during years 2, 5, 10, 20 and 30 from commencement of development, unless otherwise stated in the Biodiversity Management and Monitoring Plan, demonstrating how the Biodiversity Gain is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

To ensure appropriate protection, enhancement and management of biodiversity, to comply with Policy SP11 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

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16. Prior to the commencement of development on each phase identified pursuant to Condition 4, the applicant, or their agents or successors in title, shall secure:
- i. geo-archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority;
  - ii. further geo-archaeological investigation, recording and reporting, as determined by the results of the evaluation under (i), in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority;
  - iii. a programme of post excavation assessment and publication as determined by the results of (i) and (ii).

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

17. Prior to the commencement of development on each phase identified pursuant to Condition 4, the applicant, or their agents or successors in title, shall secure:
- i. archaeological field evaluation works, including specialist industrial heritage survey works, in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
  - ii. further archaeological investigation, recording and reporting, as determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority;
  - iii. programme of post excavation assessment and publication as determined by the results of (i) and (ii).

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

18. Prior to the commencement of development on any phase identified pursuant to Condition 4 (Reserved Matters Approvals), a demolition and construction environmental management plan (CEMP), specific to amenity and environmental issues, for that phase 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. The CEMP: Amenity and Environment shall include:

- i. Details of the proposed working hours;
- ii. Details of the design and location of the construction access;
- iii. A site waste management plan;
- iv. Details of temporary utilities;
- v. Details of how the construction will comply with the sustainable use of soils on construction sites;
- vi. Details of a communication strategy to include the provision of a dedicated phone line for residents to contact the site manager directly with complaints which should be manned whenever site works are in progress;
- vii. Details of a routing agreement for the site construction traffic and HGV traffic associated with the movement of bulk material to and from the site;
- viii. Details of means of suppressing dust during the construction process to include the regime for dust deposition measurement at the site boundaries;
- ix. Details of the measures to mitigate the noise and vibration from construction, including means of monitoring and reporting impacts;
- x. Details of a surface water drainage scheme for the temporary drainage of the Site, to include the management of surface water run-off and the control of pollution.

To safeguard amenity and secure environmental protections and to ensure the satisfactory arrangements for the disposal of surface water and to prevent pollution of waters, to comply with Policy SP2 of the Core Strategy, Policies EN1 and EN2 of the Sevenoaks Allocations and

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Development Management Plan and the National Planning Policy Framework.

19. Prior to the commencement of development on any phase identified pursuant to Condition 4 (Reserved Matters Approvals), a detailed Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) for that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the CEMP: Biodiversity shall adhere to and support the principles of the approved overarching Landscape and Ecological Management Plan for that phase. The development shall be carried out in accordance with the approved details.

To ensure adequate protection and mitigation for biodiversity during the construction process, to comply with policy SP11 of the Core Strategy and the National Planning Policy Framework.

20. Prior to commencement of development on any phase identified pursuant to Condition 4 (Reserved Matters Approvals), a Construction Transport Management Plan (CTMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide the following details:
  - i. Routing of construction and delivery vehicles to and from site;
  - ii. Parking and turning areas for construction and delivery vehicles and for site personnel;
  - iii. Timing of deliveries;
  - iv. Location of materials storage;
  - v. Site personnel facilities;
  - vi. Provision of wheel washing facilities;
  - vii. Provision of temporary traffic management and signage; and,
  - viii. Hours of construction.

To ensure minimal nuisance or disturbance is caused, to the detriment of the amenities of adjoining occupiers and of the area generally, and to avoid unnecessary hazard and obstruction to the public highway. In



accordance with Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

21. Prior to commencement of development on any phase identified pursuant to Condition 4 (Reserved Matters Approvals), details demonstrating that the requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout have been submitted to and approved in writing by the Local Planning Authority. The development shall be delivered in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

22. Prior to commencement of development on any phase identified pursuant to Condition 4 (Reserved Matters Approvals), a detailed sustainable surface water drainage scheme for that phase or phases shall be submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment prepared by Hydrock dated 27 September 2022 (Issue P03) and shall demonstrate that the surface water generated by the 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.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not increase the risk of on or off site flooding, to comply with Policy SP1 of the Sevenoaks Core Strategy and the National Planning Policy Framework. Further, to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by remobilised contaminants present in shallow soils/made ground in line with paragraph 174 of the National Planning Policy Framework.

23. No building on any phase identified pursuant to Condition 4 (Reserved Matters Approvals) shall be occupied until a Verification Report, pertaining to the surface water drainage system for that phase, and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was 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 the drainage systems are installed as approved so that the development does not increase the flood risk elsewhere, to comply with Policy SP1 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

24. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. Piling and investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

25. Prior to commencement of development on any phase identified pursuant to Condition 4 (Reserved Matters Approvals), a foul drainage strategy for that phase, detailing how the developer will implement an appropriate foul drainage within the site with a connection to an adopted foul sewage system with sufficient capacity to accommodate the foul drainage generated by that phase, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed detailed design and recommendations of the strategy.

To ensure the development does not contribute to, or is not put at unacceptable risk from sewage flooding and/or potential pollution incidents.

26. Prior to commencement of development on any Phase identified pursuant to Condition 4 (Reserved Matters Approvals), a detailed remediation scheme, prepared by suitably qualified and accredited persons, to bring the site and buildings to a condition suitable for the intended use(s) by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority.

The scheme must include: (a) The results of the further investigations identified in Chapter 11 of the Environmental Statement and the accompanying Hydrock Desk Study and Ground Contamination Report; (b) based on the outcomes of further investigation and those of previous investigations, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken, including a programme of work; c) details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete; and, (d) identification of any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.

To ensure that risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to

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workers, neighbours and other off-site receptors, in accordance with the National Planning Policy Framework.

27. No occupation of any phase of the approved development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

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

28. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

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

29. Prior to commencement of development on any phase identified pursuant to condition 4 (Reserved Matters Approvals), an Arboricultural Impact Assessment and Method Statement shall be submitted to and approved in writing by the Local Planning Authority for that phase. This shall include details of all the trees and hedgerows to be retained within or adjacent to each phase and how retained trees and hedgerows are to be protected on site, and must include the safeguarding of Ancient Woodland on the site, where relevant to that phase. The works shall subsequently be carried out in accordance with the approved details

To ensure the appropriate protection of trees, hedgerow and woodland, in the interest of safeguarding the visual amenities of the locality and the protection of irreplaceable habitats in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan, Policy SP11 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

30. Prior to commencement of development in any phase identified pursuant to Condition 4 (Reserved Matters Approvals) where existing public rights of way are affected, a Management and Delivery Scheme for the Public Right(s) of Way (PROW) within that Phase shall be submitted to and approved by the Local Planning Authority. The Scheme should detail how the PROW will be impacted during both the construction and operation of that phase of development and the actions that will be taken to mitigate the impacts including: (i) the requirement for any permanent diversions and the timing of such; (ii) proposals for any temporary closure and alternative routes to be provided and their timing; (iii) the measures to protect the PROW and their users during construction; (iv) the construction and design of the paths to be laid out during both construction and operational phase; (v) proposals for the PROW boundaries/buffers, including landscaping and any fencing; (vi) details of connections of PROWs at site boundaries; (vii) a programme for delivery of PROW works; and (viii) future maintenance arrangements for any adjacent landscaping. The development shall be delivered in accordance with the PROW Management and Delivery Scheme.

To safeguard the amenity and safety of users of the Public Rights of Way and to deliver a sustainable access strategy, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan, Policy SP2 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

31. Prior to the occupation of the 150th dwelling hereby approved, the Bat and Ball highways works, as shown on drawing 19538-22 Revision G contained within the David Tucker Associates Transport Note (27 January 2023), shall be completed.

To mitigate travel impacts in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

32. Prior to the occupation of the 1st dwelling hereby approved, the shared pedestrian and cycle route along Bat and Ball Road between the

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proposed site entrance and Otford Road, as shown on drawing 19538-22-GA2 Revision G contained within the David Tucker Associates Transport Note (27 January 2023) shall be completed.

To mitigate travel impacts and enhance opportunities for walking and cycling in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan, Policy SP2 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

33. Prior to the completion of the east-west Principal Pedestrian and Cycle route shown on the approved Parameter Plan, the delivery of a shared pedestrian and cycle route along Childsbridge Lane, as shown on drawing 19538-23-GA Revision C contained within the David Tucker Associates Transport Note (27 January 2023) shall be completed. These works shall include arrangements for the provision of cycle/pedestrian priority over the bridge.

To mitigate travel impacts and enhance opportunities for walking and cycling in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan, Policy SP2 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

34. Prior to the occupation of any part of the development, the primary and secondary access points, as approved pursuant to Condition 8, shall be implemented in accordance with the approved details and maintained thereafter.

To ensure safe access to the site in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

35. Prior to occupation of the Barn to be retained off Childsbridge Lane or the commencement of use of any car parking in the vicinity of the Barn, the Childsbridge Lane access, as approved pursuant to Condition 8, shall be implemented in accordance with the approved details and maintained thereafter.

To ensure safe access to the site in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

36. Prior to commencement of development on any phase identified pursuant to Condition 4, details of a scheme of electrical vehicle (EV) charging points within that Phase, to include their

specification, location and appearance, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for:

- Each new dwelling with a garage or off street parking to have a charging point;
- Communal parking areas to residential or non-residential uses to provide EV charging points for future users;
- Public charging points, where appropriate to that phase, with a scheme for their management and maintenance;
- Passive charging infrastructure to allow additional charging points to meet future demand.

The development shall be carried out only in accordance with the approved details and those charging points shall be available for use prior to the occupation of the buildings they serve and permanently retained thereafter.

To ensure the delivery of electrical vehicle charging points, to comply with policy T3 of the Sevenoaks Allocations and Development Management Plan.

37. The Principal Pedestrian and Cycle route from Bat and Ball Rd to Childsbridge Lane shall be implemented in accordance with an approved scheme prior to the occupation of the 650th dwelling.

To enhance opportunities for walking and cycling in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan, Policy SP2 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

38. The Secondary Access from Farm Road shall not be brought into use until a scheme for the rationalisation of car parking on Greatness Lane and Mill Lane to improve traffic flows has been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved scheme.

To achieve safe and suitable access in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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39. The details submitted pursuant to Condition 10 (Reserved Matters Approvals) for each phase shall include a scheme for refuse storage and recycling facilities. Development shall be carried out in accordance with the approved details and made available for use prior to occupation or first use of the phase of development that it would serve. Once provided, the facilities shall be retained thereafter.

To ensure the satisfactory storage, separation and collection of waste, and to encourage recycling, in accordance with Policy EN1 of the Allocations and Development Management Plan.

40. All dwellings hereby approved shall be delivered, as a minimum, in accordance with the requirements of Part M4 (2) of the Building Regulations for 'Accessible and Adaptable Dwellings'. Within each phase that includes residential dwellings, a minimum of 5% of all dwellings shall be delivered as Wheelchair User dwellings in accordance with the requirements of Part M4(3) of the Building Regulations.

To contribute to the requirement in the District for accessible dwellings in accordance with the requirements of Policy SP5 of the Sevenoaks Core Strategy.

41. No development of the Phase containing Greatness Lake Park (as defined in the Phasing Strategy approved pursuant to Condition 4) shall commence until the Local Planning Authority has approved in writing a scheme for the Park, including:

- i. A network of formal and informal routes including a main circular route around the lake that is suitably surfaced to accommodate wheelchairs and pushchairs.
- ii. Details of retained and new woodland, habitats and other planting, including habitat for Sand Martins on the lake edge, in accordance with the approved LEMP.
- iii. Routing of footpaths to divert people away from sensitive areas, including retained or new ecological habitats.



- iv. Sensitive approach to southern lake edge to allow for shallow margins to be created.
- v. Natural play features and picnic sites, including the eastern side of the lake with pedestrian access from the Barn and car park.

Greatness Lake Park shall be implemented in accordance with the approved scheme no later than the occupation of the 650th dwelling and shall thereafter be retained as such for the lifetime of the development.

In the interests of delivering a sustainable, mixed use community and to secure the very special circumstances necessary to clearly outweigh harm to the Green Belt, in accordance with the National Planning Policy Framework.

42. No development of the Phase containing the former Oast House (as defined in the Phasing Strategy approved pursuant to Condition 4) shall commence until the Local Planning Authority has approved in writing a scheme for the refurbishment and reuse of the building for community-related purposes. The refurbishment of the Oast House shall be completed and it shall be made available for occupation in accordance with the approved scheme prior to the occupation of the 150th dwelling, and permanently retained thereafter.

In the interests of delivering a sustainable, mixed use community and to secure the very special circumstances necessary to clearly outweigh harm to the Green Belt, in accordance with the National Planning Policy Framework. To deliver on the objectives of the Sevenoaks Town Neighbourhood Plan.

43. Prior to the occupation of the 100th dwelling, a scheme for the refurbishment and re-use of the former Barn and ancillary external space for community purposes, as defined under Class F2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be submitted to and approved by the Local Planning Authority. The refurbishment of the former barn shall be completed and it shall be made available for occupation in accordance with the approved scheme prior to the occupation of the 250th dwelling, and permanently retained thereafter.

In the interests of delivering a sustainable, mixed use community and to secure the very special circumstances necessary to clearly outweigh harm to the Green Belt, in accordance with the National Planning Policy

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Framework. To deliver on the objectives of the Sevenoaks Town Neighbourhood Plan.

44. No development shall commence within the phase including the Lakeside Centre until the Local Planning Authority has approved in writing a scheme for the delivery and management of the Lakeside Centre, as defined on the Parameter Plan (TAR021/06/Rev E). This must include a Centre for the delivery of water-based activities open to the community and shall otherwise only be used for the following use classes: Class E uses business, services and commercial (no more than 2,000 sqm in total and 500 sqm for any single outlet); Class F2 uses comprising local community uses (up to 750sqm in total – minus Barn); and Class C3 and Class C2 Residential uses.

In the interests of delivering a sustainable, mixed use community, including securing opportunities for open sporting activities, and to secure the very special circumstances necessary to clearly outweigh harm to the Green Belt, in accordance with the National Planning Policy Framework. To deliver on the objectives of the Sevenoaks Town Neighbourhood Plan.

45. Before each phase of development identified pursuant to Condition 4 is first occupied, details of a scheme for external lighting for the protection of biodiversity and landscape character, and a programme of implementation, shall be submitted to and approved in writing by the Local Planning Authority. The scheme must:

- (i) identify those areas and features on or adjoining the site that are particularly sensitive for wildlife and are likely to cause disturbance;
- (ii) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent wildlife using their territory or having access to their breeding sites and resting places;
- (iii) show details of the position, height, design, measures to control light spillage and intensity of illumination in order to demonstrate that the lighting will minimise impacts on the night sky.

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

To ensure appropriate mitigation for biodiversity and to ensure the development conserves and enhances the special landscape character of area, including in views from the Area of Outstanding Natural Beauty, to comply with policies EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan, SP11 of the Core Strategy, and the National Planning Policy Framework.

46. Prior to the commencement of development in any Phase, the details of, and arrangements for, the setting out of on-site public open space as part of that Phase of the development shall be submitted to and approved in writing by the local planning authority. The on-site public open space shall be in substantial accord with the Site Wide Design Strategy approved pursuant to Condition 5 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.

47. Prior to the commencement of development in any phase defined pursuant to Condition 4 (Reserved Matters Approval), details of existing and proposed ground levels and finished floor levels, and cross sections within the phase, including any retaining walls, taken up to the site boundaries for that phase, shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained thereafter.

In order to safeguard the visual amenities of the area in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan and to reduce the risk of surface water flooding on or off site.

48. The applicant shall obtain a Secured by Design accreditation for each phase of residential development hereby approved, 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.

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

#### Informatives

1. 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 (as amended).
2. The proposed development has been assessed and it is the Council's view that it would be liable to the payment of the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued as soon as possible after the decision.
3. It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted.
4. Flood Risk: SuDS measures will be considered by Kent County Council. The Environment Agency would raise the awareness that previous flooding events have been a combination of surface water runoff and elevated base flows, so excavation of attenuation features may intersect ground water levels which reduces storage availability of surface water runoff. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:- on or within 8 metres of a main river (16 metres if tidal); on or within 8 metres of a flood defence structure or culvert (16 metres if tidal); on or within 16 metres of a sea defence; involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert; in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.
5. With respect to any proposals for piling through made ground, reference should be made to the Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected By Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. A Piling Risk Assessment is required to demonstrate that the chosen piling method does not result in deformation of the ground that may lead to an increase in the risk of near surface pollutants migrating to underlying aquifers. The risk

assessment must investigate whether the water environment source-pathway-receptor linkages exist.

6. Disposal/movement of soils: The Environment Agency recommends that developers refer to: (i) The Position statement on the Definition of Waste: Development Industry Code of Practice and; (ii) The Environmental regulations page on GOV.UK. Any re-use of excavated materials not undertaken formally using the CLAIRE DoWCoP would require an environmental permit for deposit, unless materials are solely aggregates from virgin sources, or from a fully compliant Quality Protocol aggregates supplier. Any deposit of materials outside of these scenarios could be subject to enforcement actions and/or landfill tax liabilities.
  7. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expects the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.
  8. Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via [AssetProtectionLondonSouthEast@networkrail.co.uk](mailto:AssetProtectionLondonSouthEast@networkrail.co.uk) prior to works commencing. This will allow the ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/lookingafter-the-railway/asset-protection-and-optimisation/>.
- B)** If the Section 106 Agreement is not completed in accordance with the above recommendation A, that planning permission be refused on the following grounds:
1. The development would be inappropriate development in the Green Belt and harmful to openness and would result in encroachment into the countryside. The very special circumstances advanced in this instance are not of sufficient weight to clearly outweigh the harm to

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the Green Belt and the other harms identified. It is therefore contrary to the National Planning Policy Framework.

2. The proposal fails to make provision for affordable housing and is therefore contrary to policy SP3 of the Sevenoaks Core Strategy and the National Planning Policy Framework.
3. The proposal fails to make provision for the appropriate and necessary highway and transport improvements required to mitigate the impacts arising from the development, contrary to Policy SP9 of the Sevenoaks Core Strategy, policies EN1 and T1 of the Sevenoaks Allocation and Development Management Plan and the National Planning Policy Framework.
4. The proposal fails to make appropriate provision for education, contrary to Policy SP9 of the Sevenoaks Core Strategy.

\*having declared an interest during debate, Cllr Hogarth did not take part in the vote.

5. 22/02053/FUL - Plot 4, Grazing Land South Of Viaduct Terrace, Horton Road, South Darenth, Kent

The proposal sought planning permission for the change of use of the land for the stationing of 3 touring caravans for occupation by an extended Romany Gypsy family. The application had been referred to the Committee by Councillor Ball due to concerns about the impact on the Green Belt, the impact on the amenities of neighbouring properties and the village hall opposite, and the case for very special circumstances put forward by the applicant.

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

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	-
Parish Representative:	Parish Cllr Glyn Hughes
Local Members:	Cllr White

Members asked questions of clarification from the speakers and officer. In response to questions, Councillors were advised that the condition regarding commercial vehicles should read commercial activities. Further questions centred on the Gypsy

housing needs study and the planning history of the site. Members were informed that the previous appeal had been dismissed at appeal and the application had been re-submitted and the circumstances around it were different, including the need for sites, and flood risk had been downgraded.

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

Cllr Ball declared that although his name was against reasons for call in, it had been the previous local Member who had called it, but he remained of the opinion that it should be considered by Committee. Members discussed the application, with some concern expressed to the development within the Green Belt and lack of very special circumstances. Members considered the unmet need for Gypsy Traveller sites in the district.

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

It was moved duly seconded that planning permission be refused due to the harm to the openness of the Green Belt and lack of Very Special Circumstances to outweigh the harm, noting SP6 of the Core Strategy and LO8 of the NPPF.

The motion was put to the vote and it was

Resolved: That planning permission be refused for the following reasons

The development is by definition inappropriate development in the green belt and would harm the openness of the green belt, both in visual and spatial terms. The case of very special circumstances presented is not considered sufficient to outweigh to the harm green belt. As such the proposal is contrary to policies SP6 and L08 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

6. 22/01134/FUL - Coles Farm, Bore Place Road, Chiddingstone, Edenbridge, Kent TN8 7AP

The proposal sought planning permission for the converting and reconfigure an existing agricultural barn into stables, tack room and hay store. Construct a new private sand school for home and personal use. The application had been referred to the Committee by Cllr Silander due to the net loss of biodiversity due to the previous clearing of the application site and the conflicting reports based on designation and location of the SSSI and Impact Risk Zone.

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

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The Committee was addressed by the following speakers:

Against the Application:	Trevor Nunn
For the Application:	Matthew Porter
Parish Representative:	CLlr Shamwana
Local Members:	-

Members asked questions of clarification from the speakers and officer. It was confirmed by the officer that the monitoring of the biodiversity was required by condition for the 30 year period and that it had to be at least a 20% increase.

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

Members discussed the application and it was suggested that an additional condition should be included for the site to go back to its previous condition should the sand school no longer be required.

The amendment was moved, seconded and debated. The motion was put to the vote and it was agreed.

The substantive 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 proposed stable/tack room and hay store hereby permitted shall match those used on the existing building. The materials to be used in the construction of the proposed sand school hereby permitted shall match those stated on plan number DHA/16635/12.

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: DHA/16635/01, DHA/16635/10, DHA/16635/11, DHA/16635/12, DHA/16635/13.

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

4) No development shall commence until a Biodiversity Gain Plan and Biodiversity Management and Monitoring Plan to ensure that there is a 20% net gain in biodiversity within a 30 year period as a result of the development have been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management and Monitoring Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports shall be submitted to the Council during years 2, 5, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management and Monitoring Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The Biodiversity Management and Monitoring Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

To ensure the development does not result in a loss of biodiversity to the site, as supported by Policy SP11 of the Sevenoaks Core Strategy.

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

To protect the landscaping on the application site, as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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6) No external lighting or mirrors shall be installed on the site or affixed to any buildings on the site unless the local planning authority has approved in writing details of the position, height, design and measures to control light spillage and intensity of illumination of the lights. Only the approved details shall be installed thereafter.

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

7) The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed in relation to the host dwelling 'Coles Farm' and shall at no time be used for any business or commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

In the interests of highway safety and to protect the character of the area, openness of the Metropolitan Green Belt and the living conditions of nearby residents in accordance with Policies EN1, EN2 and LT2 of the Sevenoaks Allocations and Development Management Plan.

8) No development shall take place until details of the mitigation measures to protect the adjacent Site of Special Scientific Interest have been submitted to and approved in writing by the Local Planning Authority. Details shall include a detailed design and maintenance demonstrating how the sand will not enter the Site of Special Scientific Interest. The development shall be carried out in accordance with the approved details at all times.

To ensure the protection of the Site of Special Scientific Interest, as supported by Policy SP11 of the Sevenoaks Core Strategy.

9) The proposed development shall be carried out in accordance with the mitigation measures detailed within the submitted Ecological Impact Assessment Report at all times.

To ensure the protection of the Site of Special Scientific Interest, as supported by Policy SP11 of the Sevenoaks Core Strategy.

10) No development shall take place until a construction environmental management plan has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details at all times.

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

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11) In the event of the sand school is no longer needed or used, then the sand school shall be dismantled and all the arisings removed from the application area. The land shall thereafter be returned to its former condition, as grassland as part of the Local Wildlife Site.

In the interests of the biodiversity and policy SP11 of the Sevenoaks Core Strategy.

THE MEETING WAS CONCLUDED AT 10.38 PM

CHAIRMAN

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4.1 23/00750/FUL

Date expires 23 June 2023

Proposal:

Change of use from Use Class C3 (dwellinghouse) to Use Class C2 for use as a family assessment centre.

Location:

The Lodge, 1 Top Dartford Road, Hextable Swanley  
Kent BR8 7SG

Ward(s):

Hextable

**Item for decision**

Councillor Kitchener has referred the application to Development Management Committee on the grounds the proposed development will result in a loss of neighbour amenity and highway safety.

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

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 1 Unnumbered scaled 1:1250 Site location plan and drawing nos. 2022260\_PL01, 2022260\_PL02.

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

3) The premises hereby permitted shall be specifically used for the purpose applied for and for no other purpose (including any other purpose within C2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without re-modification).

So that any other proposal for the use of the premises is the subject of a separate application to be determined on its merits having regard to relevant development plan policies.

**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 comprises of a detached two-storey building located near the junction between College Road, Top Dartford/Main Road, St David's Road and Crossways within the parish of Hextable. Planning permission was granted in 2010 to convert the building from offices to dwelling.

**Description of proposal**

- 2 Planning permission is sought for the conversion of the dwelling to Use Class C2 (Residential Institution) for the use of the site as a family assessment centre.

**Relevant planning history**

- 3 22/03227/LDCPR - Change of use from single dwelling C3 to a family assessment centre to C3 (b). - Refused
- 4 22/02153/LDCPR - Change of use from single dwelling C3 to a family assessment centre to C3 (b). - Refused
- 5 10/00366/FUL - Change of use from (B1) office to one dwelling (C3) including garden area, use of the existing access and the provision of 4 parking spaces and a turning area. Alterations to fenestration and erection of a 1.8m trellis to enclose a courtyard - Granted
- 6 09/00785/FUL - Change of use from the current office premises into a full day care nursery with children attending 3 months to 10 years (at after school club) no building work required. - Refused

**Policies**

- 7 National Planning Policy Framework (NPPF)

- 8 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.
- 9 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
  - application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 10 Footnote 7 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.
- 11 Core Strategy (CS)
  - SP1 Design of New Development and Conservation
  - LO1 Distribution of Development
  - LO7 Development in Rural Settlements
- 12 Allocations and Development Management (ADMP)
  - EN1 Design Principles
  - EN2 Amenity Protection
  - H4 Reuse and Protection of Existing Housing Stock
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking

### Constraints

- 13 The relevant constraints apply:
  - Settlement confines of Hextable

### Consultations

- 14 Hextable Parish Council:  
“The Parish council object to the change of use on the grounds that the additional traffic generated by this facility would be both excessive and dangerous. With the entrance to the site in-between two roundabouts, over a dropped kerb across the pavement, the movement of vehicles in and out

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would introduce an unacceptable safety risk. There are also concerns regarding parking for the site as there is not sufficient parking for this facility on site.

- 15 The application also states it is not commercial where the Parish Council believes it will be. If the clients are to be residential does this not indicate it will be a house of multiple occupancy and surely this then makes the current application invalid.”
- 16 KCC Highways:  
“..The application proposes the change of use from a residential dwelling, Use class C3 to a Family Assessment Centre, Use Class C2. The proposal will utilise an existing access with an established use and the parking provision within the site will remain unchanged.
- 17 Analysis of the Crash Map website shows two Personal Injury Collisions on the B258 over the last 5 years, it is not felt that there is an existing issue that could be exacerbated by the development.
- 18 In accordance with Kent Parking Standards, four parking spaces are proposed for the staff use and the standards quote maximum number of spaces for this use class. Bus services are available within a 50 metres of the site on the B258 with an hourly service being available through the day - Monday to Saturday.
- 19 Having considered the development proposals and the effect on the highway network, Kent Highways raise no objection. As paragraph 111 of the National Planning Policy Framework (NPPF) states 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. This application would not have a severe impact on highway safety, and therefore, KCC Highways will not be objecting on this basis.”

### Representations

- 20 53 letters of objections have been received outlining the following matters:
  - Village is not large enough to support this development, larger towns would be more suitable.
  - Not enough facilities to support the development.
  - Would increase traffic in the area.
  - Loss of highway safety due to location between two roundabouts.
  - Lack of parking space in the area.
  - Social housing not suitable for the area.



- Lack of infrastructure and services (i.e. doctors) for the development.
- Residents would feel unsafe with gang members in the area.
- Green harvest website states its clients are "young adults and families with challenging behaviour, criminal activities & gang related activities".
- Minimal garden for the size of the house.
- Not enough parking for staff and residents/visitors.
- Site is near primary school, increased use of driveway will be a danger to the children.
- House price devaluation in the area.
- No public transport after 6pm.
- Will increase crime in the area.
- No changes since previous refusals.
- Planning statement appears to indicate no night time supervision.
- Development is for an HMO in all but name.

21 1 letter of support received:

- Proposed change of use seems reasonable.
- Number of staff would not increase the space needed for parking.
- Traffic problems would be low due to slow speed as a result of the roundabouts.

#### **Chief Planning Officer's appraisal**

22 The main planning consideration are:

- Principle of development;
- Impact on the character of the area;
- Neighbouring amenity and future occupiers;
- Highway safety and parking;
- Other matters.

#### **Principle of development**

23 Legislation states that applications must be determined in accordance with the local authority's development plan unless material considerations indicate otherwise. The Council's Development Plan includes the Core Strategy (2011) and the Allocations and Development Management Plan (ADMP) 2015.

24 Policy LO1 of the Core Strategy states that new development should be focused within existing settlements. The application site is located within the settlement confines of Hextable, which as outlined in policy LO7 of the Core Strategy is a service village. The Core Strategy outlines how development within service villages "*will only be suitable as locations for*

(Item No 4.1) 5

## Agenda Item 4.1

*small scale development, limited to infilling and redevelopment, where the scale and nature of development is consistent with the local village character*". An assessment as to whether the development is suitable for the character of the village will be made later in the report. As for the scale and whether it is acceptable in principle, as the development is for the change of use of an existing building the scale is considered acceptable - subject to other local policies including for protecting the character of the area, neighbour amenity and highway safety.

### Loss of housing supply

- 25 The proposal is to convert an existing dwelling to a residential institution. Policy H4 of the Allocations and Development Management Plan encourages both the bringing of empty properties back into residential use alongside the retention of existing residential use.
- 26 Policy H4 has not been deemed out of date as it generally accords with the provisions of the NPPF in that it seeks to deliver and maintain a supply of housing. However, its reference to 'loss of housing stock' is not in line with more recent policies and guidance including paragraph 35 of the Planning Practice Guidance for housing supply and delivery, which states:
  - 27 *"Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, as part of their housing land supply"*.
- 28 The proposal changes the type of accommodation the building provides but it still falls under the bracket of residential accommodation and would not alter the Council's Housing Land Supply. Similarly, the Council's latest Housing Strategy (2022-2027) outlines that there is a need to *"to understand the current and future housing needs of older people and other vulnerable groups that require housing with care, including a range of specialist housing types"*.
- 29 Furthermore, the proposal has benefits that outweigh the loss of the dwelling. For example, the assessment/support for the young parent(s) will allow them to live independently in their own home following the assessment. The benefits to the welfare of the parent(s) and children should be afforded significant weight.
- 30 In principle, the proposal accords with policy LO1 and LO7 of the Core Strategy and policy H4 of the Allocations and Development Management Plan and would be acceptable development.

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

- 31 Policy SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan outline that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Policy EN1 also states that the form of proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 32 It is proposed to convert the existing dwelling, known as the Lodge, into a family assessment centre. The proposed change of use does not propose any external alterations and therefore the development would not alter the visual character of the area. No changes are proposed to the boundaries or parking area and no advertisement is proposed. No internal alterations are proposed either at this stage, however any future internal alterations would not require planning permission.
- 33 In light of the above the proposed development would comply with policy EN1 of the Allocations and Development Management Plan.

### **Neighbouring Amenity & Future Occupiers**

- 34 Policy EN2 of the Allocations and Development Management Plan requires proposals to provide adequate residential amenities for existing and future occupiers of the development and for neighbouring occupiers.
- 35 Amenity in terms of some of the matters raised in representations will be reviewed later in the report. Amenity for the proposed occupiers appears sufficient, additional information provided by the applicant/agent outlines how there will only be up to 5 families at any one time. The duration of stay depends on the programme for each family, however on average a family would stay for 13-16 weeks. The length of time, in conjunction with the size of the building would ensure the occupiers would have sufficient amenity for their duration. In terms of noise amenity for the occupiers, the application site is located by the junction, however, the building has been deemed acceptable for residential use when converted from business use in 2010. Consequently, the proposed use which is a different form of residential, in this case residential institution, would equally be acceptable in terms of noise amenity for the proposed occupiers.
- 36 In terms of amenity for neighbouring residents, the proposed change of use from a dwelling to Use Class C2 will not result in a notable increase in noise

## Agenda Item 4.1

disturbance, particularly compared to other uses such as Class E. There would be an increase in movements to and from the site from the rotating staff; however this activity will not be of a scale to result in disturbance to neighbouring residents. Lastly, the development would not alter the existing relationship to neighbouring properties in terms of privacy and overlooking.

- 37 Other matters raised in representations received, including the proposed users of the site, will be addressed later in the report. Otherwise the proposed change of use complies with the criteria of policy EN2 of the Allocations and Development Management Plan.

### Highway safety and parking

- 38 Policies EN1 and T2 state that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 39 The application site benefits from an existing access. Consequently, no new vehicular/pedestrian conflicts are being introduced and the development would not result in a loss of highway safety in this regard. Numerous concerns have been raised regarding the increase volume of traffic to and from the site due to the proximity of the access to two mini-roundabouts in addition to references made to site being near to a primary school resulting in a high volume of children walking past the site.
- 40 Kent County Council Highways have reviewed all available crash data for the local vicinity alongside vehicle trip generation from the proposed use and considered there would not be a severe impact to highway safety for all users. Paragraph 111 of the NPPF states *that “Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
- 41 In terms of parking, the application site benefits from a moderate area of hardstanding to the front to which the planning statement confirms is large enough for 4 vehicles. A total of 7 staff will work at the site on a rota basis with no more than 4 at any one time. KCC Highways have confirmed the level of parking provision is sufficient. The proposed occupiers will unlikely have a car and will not be coming and going from the site often. Subsequently, both the demand for parking and the aforementioned increase in traffic will be low. It is also noted that there is a bus stop close to the site, and whilst as highlighted in representations received it does not run after 6pm, offers the use of alternative modes of transport for staff and visitors.

- 42 The proposals therefore comply with policies EN1, T1 and T2 of the Allocations and Development Management Plan.

### Other matters

#### Clarification on proposed use and users

- 43 Numerous concerns regarding the proposed occupiers have been raised, including that they will be ex-gang members, kids/teenagers, young adults etc. Naturally, concern is raised regarding the people to be accommodated as the company's website refers to different groups of people that they provide for across a number of properties, including in some cases the aforementioned groups. This property is solely for new parents with learning difficulties and their new-borns, it will be up to 5 families (usually mother & child) at any one time. Each family will reside for no more than 16 weeks, perhaps even broken into smaller spells in some instances.
- 44 The above use is considered acceptable for the reasons outlined in the rest of the report. However, a condition has been included to secure the use of the building as proposed and as such should the company vacate the premises any other use of the building, even within the C2 use class, will be required to obtain planning permission.

#### Overnight supervision

- 45 Many comments received outline concerns there will be no supervision, as described in the planning statement. The applicant has since confirmed this will not be the case as staff will be on the premises at all times.

#### Anti-social behaviour

- 46 The applicant has confirmed that there will be a *“strict no-drug & alcohol policy”* and that the *“standards expected of parents with a disability should be no less and no more than those standards expected of all parents. Each child has the right to a loving, secure family life which recognises and meets their physical, emotional, and psychological needs. For parents who have disabilities, achieving this for their children may need additional assistance, support, and training”*.

#### Use of existing services and provisions

- 47 The proposed use will not add any undue strain to the existing services such as schools and local GP as the residents will not be permanent. Moreover, the residents will be those with potential learning disabilities, not health disabilities and would not burden existing healthcare services.

## Agenda Item 4.1

### Whether the building will become a House of Multiple Occupancy (HMO) or not

- 48 The change of use is from a dwelling to Use Class C2 (residential Institution) not a House of Multiple Occupancy, which is use Class C4. A HMO requires the occupiers to use the site as their main or only residence, in this case the families will likely have their own residences. Moreover, as there is a programme, in this case an assessment of parenting abilities, and an element of care, the site would not constitute a HMO.

### De-valuing house prices

- 49 Concerns raised regarding the devaluation of house prices in the area are noted, however this is not a material planning consideration.

### **Community Infrastructure Levy (CIL)**

- 50 The proposed development is not CIL Liable.

### **Conclusion**

- 51 The proposal is considered acceptable in principle, it will not impact the character of the area or neighbour amenity, and it will preserve highway safety. The proposed development therefore accords with policies LO1 and LO7 of the Core Strategy and EN1, EN2, T1 and T2 of the Allocations and Development Management Plan.

- 52 It is therefore recommended that this application is granted.

Contact Officer(s): Ashley Bidwell

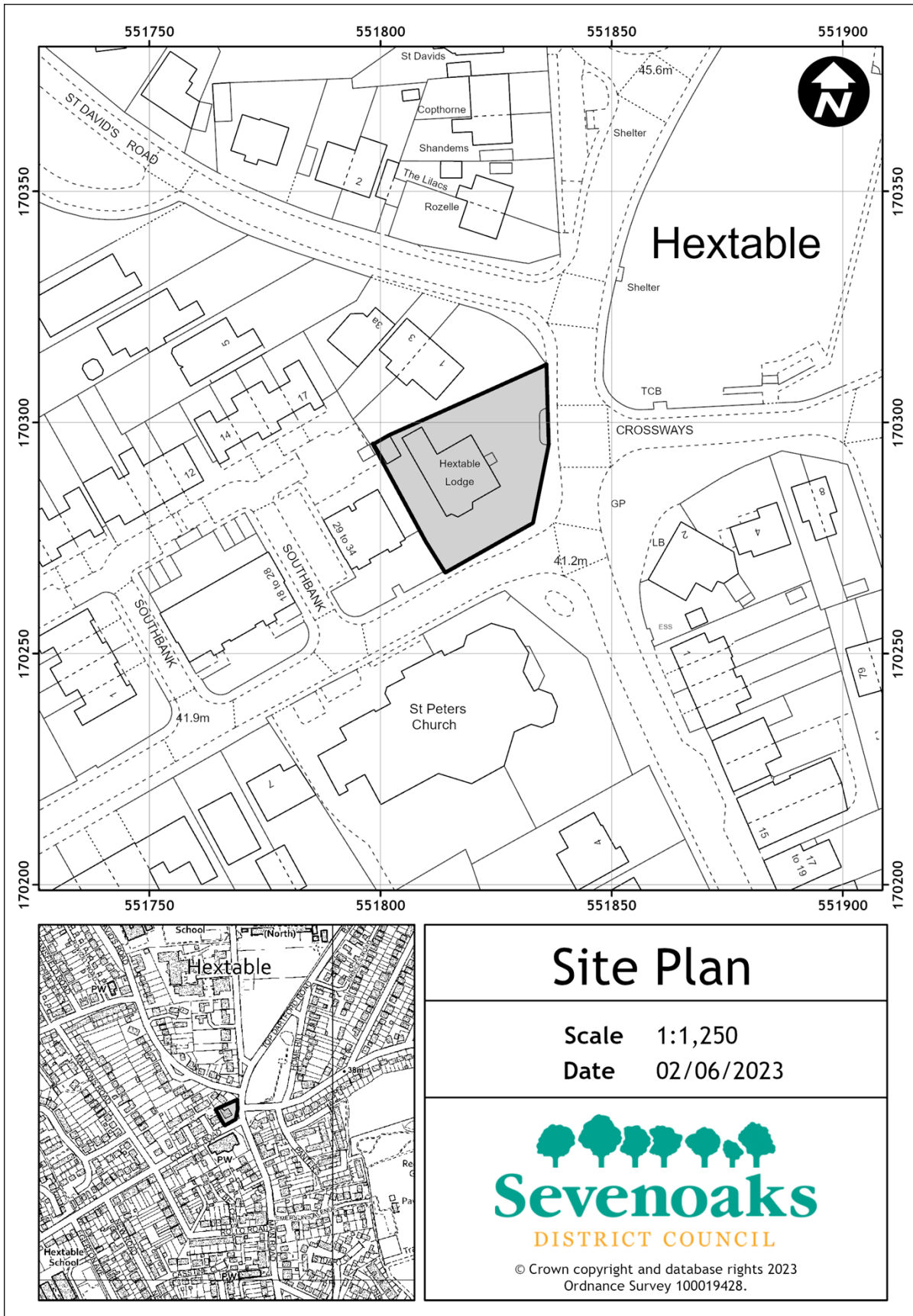
Extension: 01732227000

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

[Link to application details:](#)

[Link to associated documents:](#)







### Location Plan of BR8 7SG



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0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4



Prepared by: Jonathan McDermott, 03-08-2022

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4.2 23/00901/HOUSE

Revised expiry date 26 June 2023

Proposal:

Two storey side and garage extension with steps.

Location:

Twin Oaks, 3 Kilnwood, Halstead Sevenoaks Kent TN14 7EW

Ward(s):

Halstead, Knockholt & Badgers Mount

**Item for decision**

Councillor Grint called the application to Development Management Committee due to concerns regarding overdevelopment and impact on the neighbouring properties in Meadway.

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

1) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 3147L, 3147P, 3147A and 3147B

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

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.

**National Planning Policy Framework**

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

## Agenda Item 4.2

### Description of site

- 1 The application site relates to a detached two storey dwelling with several off road parking spaces, both on its drive and in the garage.
- 2 The property is located at the end of a close, known as Kilnwood whereby the architectural style is significantly different to the adjacent street of Meadway and the spacing between the dwellings is fairly regular. The north of the site, are two storey flat development that back onto the application site. The north facing elevation of Twin Oaks can be seen from Meadway.
- 3 The site is located with the village of Halstead.

### Description of proposal

- 4 Planning permission is sought for the construction of a two storey side extension that includes a single storey garage extension to the property.

### Relevant planning history

- 5 22/03505 - Two storey side & garage extension - WITHDRAWN
- 6 21/01760 - Proposed two storey side extension and garage extension - GRANTED
- 7 86/01001/OUT - Erection of 5 Detached Dwellings and 3 detached Garages and formation of Access Road- REFUSED - Allowed at Appeal

### Policies

- 8 National Planning Policy Framework (NPPF)
- 9 Core Strategy (CS)
  - SP1 Design of New Development and Conservation
  - LO7 Development in Rural Settlements
- 10 Allocations and Development Management Plan (ADMP)
  - EN1 Design Principles
  - EN2 Amenity Protection
  - T2 Vehicle Parking

- 11 Other:
- Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

### Constraints

- 12 No relevant constraints

### Consultations

- 13 *Parish Council Objection:*
- 14 “This is retrospective application to try and obtain permission for a building which is in breach of previous permission granted. It was confirmed by Ronald Tong of enforcement in November 2022 that it did not conform to the approved plans. The building continued and is within 30 cm and 15 cm of the site boundary. We feel this is overdevelopment and contravenes policy EN1 in bulk, scale and form. It is detrimental to neighbouring properties in Meadway and is already causing run off and flooding in neighbouring gardens, lifting large patio paving slabs and leaving pooling water. Due to the site boundary being so close, the applicant removed fence panels without permission and encroached on the neighbour’s garden in order to erect scaffolding in connection with building works.
- 15 The removal of the fence panels is causing significant distress and impact on day to day life, as the owner’s garden is no longer private or secure for pets or children. HPC mentioned this in our previous response to the following application on 24.02.23 which was later withdrawn by the applicant (22/03505/HOUSE). The fencing to this date has still not been reinstated, and the garden is regularly entered by builders without permission, damaging plants and leaving litter.
- 16 If the council decides to approve the application, we urge them to ensure that the applicant removes the newly built structure and reinstates the fence as it was. Also, we would like Permitted Development rights on the property to be removed.”

### Representations

- 17 Letters of objection have been received relating to the following issues:
- High water level and drainage issues
  - Trespass into neighbouring property
  - 50% uplift/overdevelopment

## Agenda Item 4.2

- Loss of privacy
- Loss of light

### Background

- 18 Planning permission reference 21/01760/HOUSE allowed for a proposed two storey side and garage extension onto an existing dwellinghouse and works have already been started. This application has been submitted as there has been changes made to the existing permission that has been partially constructed and the purpose of this application is to regularise the situation and to assess the impact of a revised scheme.

### Chief Planning Officer's appraisal

- 19 The main planning considerations are:
- Design and impact on the character of the area
  - Impact on neighbouring amenities
  - Highways

### Design and impact on the character of the area

- 20 Policy EN1 of the ADMP requires that development respects and takes opportunities to enhance the character and distinctiveness of the locality. The form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality.
- 21 The properties on Kilnwood are characterised by a harmonious form and design with matching external materials along the street scene. Twin Oaks is located at the end of the close and only offers limited views onto the street scene.
- 22 The proposed two storey side extension would have a sympathetic design with a matching roof form that remains subservient to the existing dwelling. The integrated garage is considered to be a large single storey projection. However this revised scheme has a reduced roof height and considered to be more sympathetic in its form and design than the previously approved scheme (21/01760/HOUSE).
- 23 It is acknowledged that the proposals does add bulk to the site and would extend beyond the front building line of the property, however due to the siting of the development being at the end of Kilnwood, the proposal would not appear unduly prominent.

- 24 Concerns have been raised that the scheme results in over development of the site, however due to generous spacing at first floor is being retained between properties and that is would not be unduly prominent within the street scene, it is considered the harm to the street scene is not significant to justify a reason to object.
- 25 Notwithstanding the above, it is noted that the previously approved permission allowed for an extension that was greater in terms of its scale and built form. This this proposal constitutes an overall reduction in terms of development and when compared to the previously approved plans, as such, significant weight must be attributed to this consideration in support of this proposal.
- 26 On considering the above, the proposed development would comply with policy EN1 of the ADMP and policies SP1, LO7 of the Core Strategy.

**Impact on neighbouring amenities**

- 27 Policy EN2 of the ADMP policy seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements.
- 28 Several representations have raised concerns regarding impact on privacy as a result from the proposals. No windows are proposed on the northeast facing elevation that face onto the properties on Meadway. The first floor element of the side extension would have a front and rear window, however these windows would not have a direct outlook onto any area of private amenity or habitable window of surrounding residential properties. As a result, there would be no overlooking of any areas of private amenities or habitable windows and the impact on privacy would be limited.
- 29 In terms of loss of light and overshadowing issues, a loss of light analysis has been undertaken, in accordance with the adopted Residential Extensions SPD. The results show that the extensions would not adversely impact the adjoining neighbouring properties of nos.33, 34, 35 Meadway.
- 30 With regards to outlook, the proposed development would not be directly visible to no. 4 Kilnwood due to the location of the proposed extension. No. 2 Kilnwood has a window facing towards the application site, however due to its position it would not directly overlook the proposal. In relation to the neighbours located in Meadway, there would be no windows on their side elevation facing the proposal. The conservatory at the rear of no.33 would face the proposals, however, the pre-existing outlook from the conservatory

## Agenda Item 4.2

is on the built form of Twin Oaks and considered that the degree of visual intrusion would be limited.

- 31 No.38's front windows would also not directly overlook the proposal and would continue to provide a sufficient level of outlook from both the ground and first floor windows. The proposal would therefore not detrimentally harm their outlook due to the oblique relation between the neighbouring windows on Meadway and the siting of the extension. It is noted that planning policy does not guarantee maintaining existing views from properties. The outlook from the neighbouring properties on Meadway would not directly face the proposed side extension and garage. The limited height of these proposals would also further limited the visual intrusion resulting from the proposals as these would not appear unduly prominent.
- 32 Upon considering the above, the development would not have an adverse impact upon the existing residential amenity of occupiers of adjoining properties. This development would comply with Policy EN2 of the ADMP.

### Highways

- 33 The proposals would not result in any additional bedrooms. In addition, there would be significant off-road parking spaces retained on site, both on the drive and in the proposed garage. The parking amenities on site would therefore be well within policy guidelines.

### Other issues

- 34 It is noted that pre-existing fencing between Twin Oaks and no.33 has been removed. There is no evidence of encroachment of the development into the neighbours property and that the relevant landownership certificates have been declared. The trespassing concerns and boundary disputes raised in the representations is a civil matter between the respective parties and not a material planning consideration.
- 35 With regard to drainage and surface water run-off, the site is not within a designated flood risk zone nor an area that is high at risk from surface water flooding. As such, due to the small scale nature of the development, the matter with regards to drainage is considered is by the Building Regulation regime.
- 36 A condition removing permitted development rights, as requested by the Parish Council, would be not be considered reasonable nor necessary in this instance as the site is neither in a prominent location within the street scene. The site being located at the end of the close would limit the prominence of future proposals and a condition removing permitted



development rights would not be relevant to the development to be permitted as per the Planning Practice Guidance.

**Community Infrastructure Levy (CIL)**

37 The development is not CIL liable.

**Conclusion**

38 The proposed development would not have an adverse impact on the amenities of adjacent properties and minimal impact upon the character and appearance of the street/original dwelling. This proposed scheme is an improvement upon the extant planning permission.

39 On considering the above, it is recommended that this application should be granted, as it conforms to the relevant Development Plan policies and that there are no other overriding material considerations to indicate otherwise.

**Background papers**

Block Plan of the Site  
Proposed and Existing Elevations  
Proposed Floor & Roof Plans

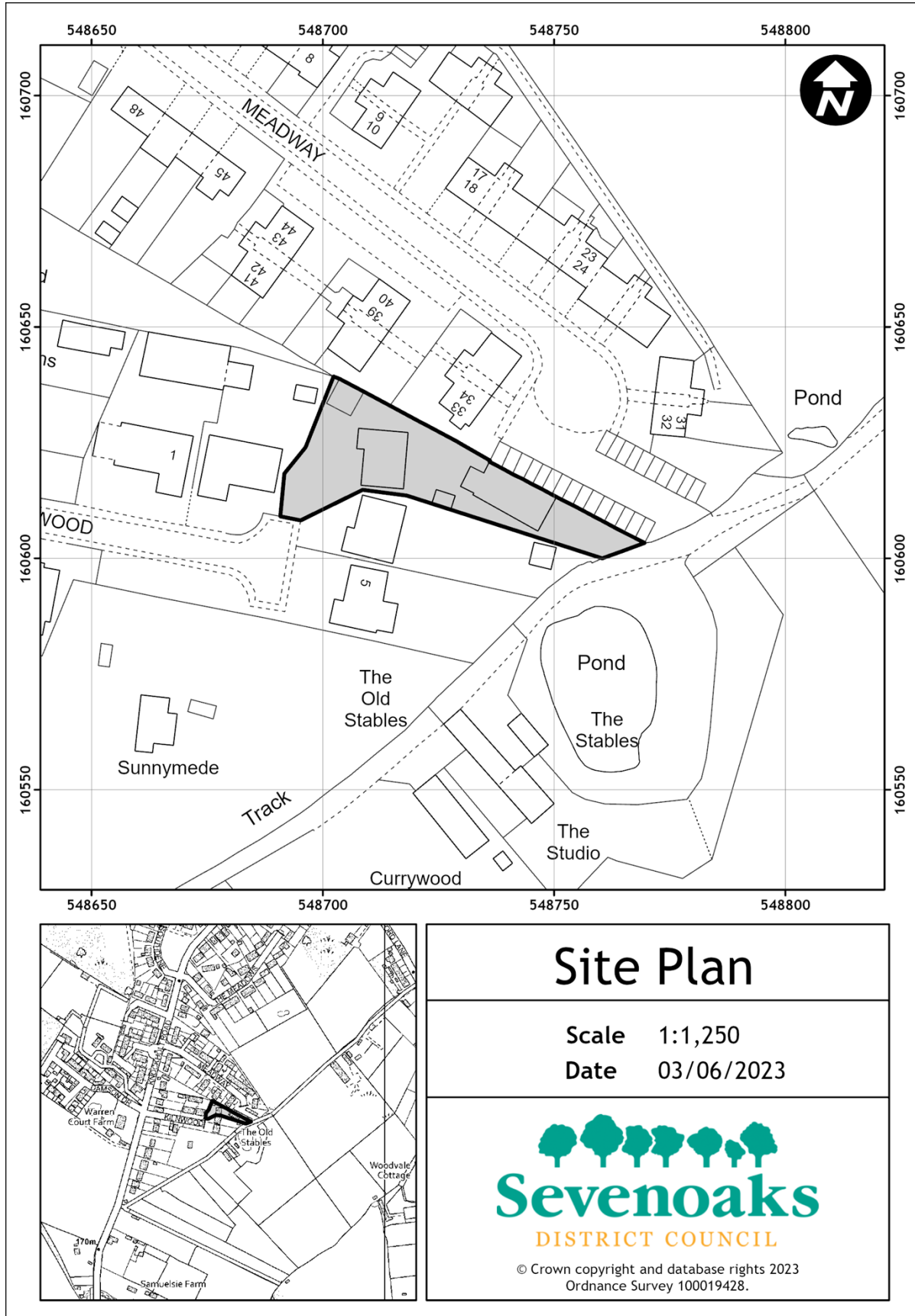
Contact Officer(s): Eliot Froment

Extension: 01732227000

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

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

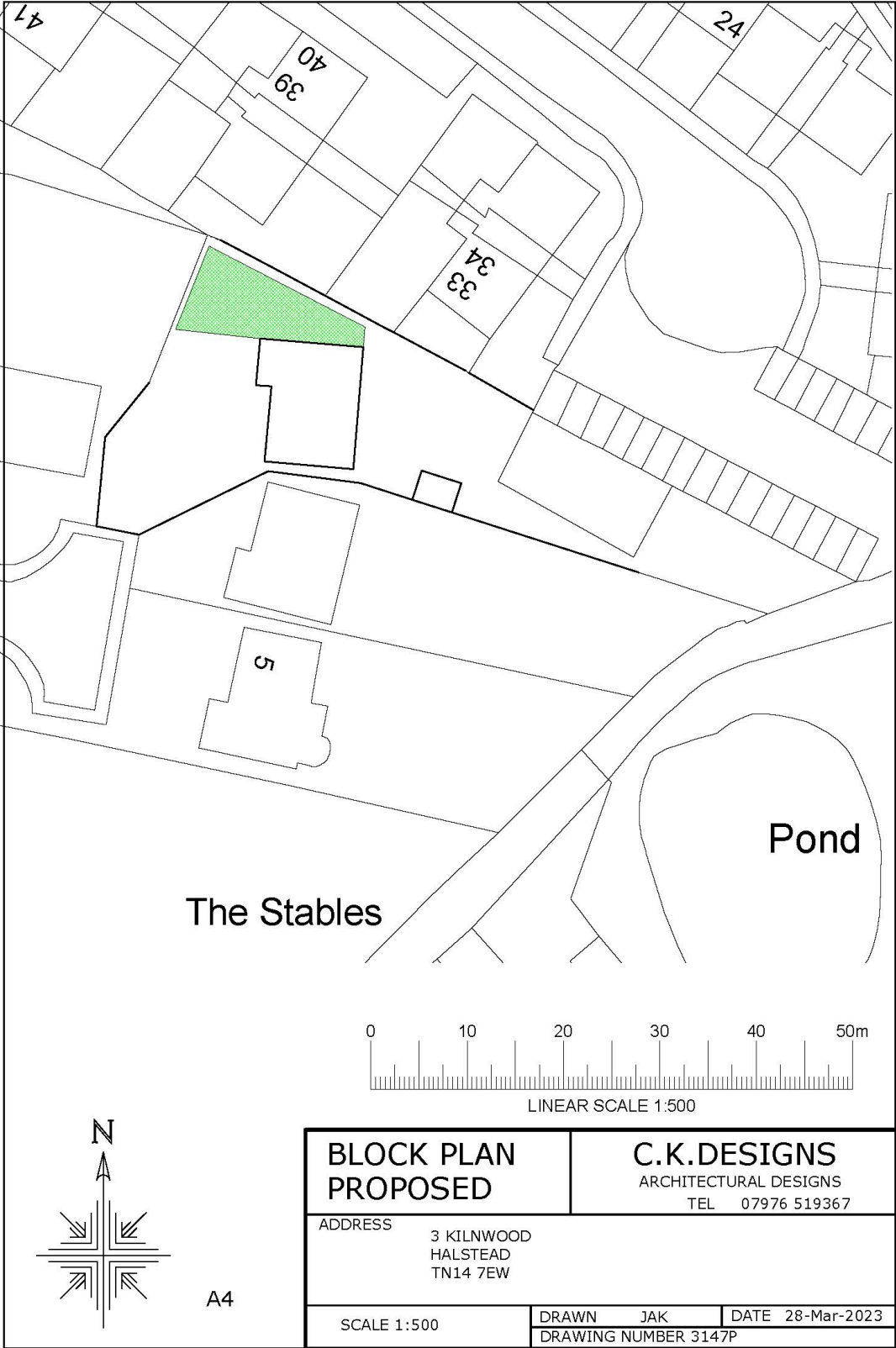
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Date 03/06/2023



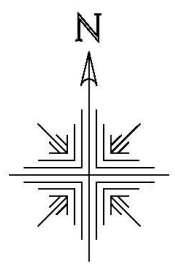
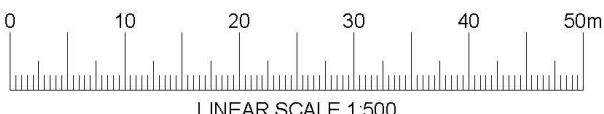
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Ordnance Survey 100019428.

Block Plan



The Stables

Pond



A4

<b>BLOCK PLAN PROPOSED</b>		<b>C.K.DESIGNS</b> ARCHITECTURAL DESIGNS TEL 07976 519367	
ADDRESS 3 KILWOOD HALSTEAD TN14 7EW			
SCALE 1:500	DRAWN JAK	DATE 28-Mar-2023	
DRAWING NUMBER 3147P			

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4.3 23/00767/FUL

Date expired 24 May 2023

Proposal: Demolition of existing dwelling and erection of replacement dwelling.

Location: The Tally Ho, Main Road, Knockholt Sevenoaks Kent TN14 7NT

Ward(s): Halstead, Knockholt & Badgers Mount

**Item for decision**

Cllr Williamson has referred the application to Development Management Committee to consider the impact of the replacement dwelling upon the street scene.

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

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 226702 - 01 RevC, 04 RevC, 05 RevC, 05A RevA, B01 RevA, X01 RevC

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

3) No development shall be carried out on the land until the applicant, their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the Council.

To secure the examination and recording of building features of historic and/or archaeological interest as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

4) No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan (for TPO 09, 2022) in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until protection measures detailed in the Tree Protection Plan have been implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment,

## Agenda Item 4.3

machinery and surplus materials have been moved from the site.

To secure the retention of the TPO and to safeguard its visual amenity and long-term health as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

5) No development shall be carried out above damp proof course of the dwelling hereby approved until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting),
- written specifications (including cultivation and other operations associated with plant and grass establishment),
- schedules of new plants (noting species, size of stock at time of planting and proposed number/densities where appropriate), and
- a programme of implementation.

All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

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

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

To ensure the proposed development enhances the biodiversity of the site/area in accordance with policy SP11 of the Core Strategy.

7) Prior to development reaching the damp proof course, details of the location and type of electrical charging points shall be submitted to and approved in writing by the local planning authority. The details shall indicate the location of charging point and appearance of charging point. The approved charging points shall be installed prior to first occupation of the development and shall be maintained thereafter.

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

8) Prior to the commencement of works above damp proof course level, a schedule of materials detailing colour and finish, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out

in accordance with the approved details.

To ensure that the appearance of the development enhances the character and appearance of the site as supported by Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan.

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

To preserve the character of the area and the openness of the Green Belt in accordance with policy EN1 and LO8 of the Allocations and Development Management Plan and Core Strategy respectively.

10) No external lighting shall be installed on the site or affixed to any buildings on site unless the local planning authority has first approved in writing first details of a layout plan with beam orientation, details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved scheme shall be carried out in accordance with the approved details and maintained thereafter. No further lighting shall be introduced into the site without the prior approval of the local planning authority.

In order to safeguard the visual amenity of the area in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

11) The proposed dwelling hereby approved shall not be occupied until the existing dwelling known as the Tally Ho has been demolished and all resultant materials removed from the site.

In order to preserve the openness of the Green Belt in accordance with paragraph 149 of the NPPF.

#### **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 comprises of a former public house that has been converted into a single dwelling house. The site is located on the north-western side of Main Road within the parish of Knockholt. The site lies within the Metropolitan

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Green Belt and stands in extensive grounds, which are now used as a private garden. To the south-east side of the dwelling lies a TPO tree. The site is relatively flat with mature and dense trees and hedgerows to the northern, eastern and western boundaries.

### Description of proposal

- 2 It is proposed to demolish the existing dwelling known as the Tally Ho (the former public house) and construct a replacement dwelling towards the western side of the site.

### Relevant planning history

- 3 18/03116/FUL - Change of use of a public house to a dwelling and associated works to include an in-out access, fence and alterations to fenestration - APPEAL ALLOWED
- 4 21/00362/LDCPR - Proposed outbuilding - GRANT
- 5 21/00388/PAE - Prior notification of a single storey rear extension which extends 8.00m beyond the rear wall of the original dwelling house with a maximum height of 3.58m and eaves height of 2.50m - PRIOR APPROVAL GRANTED
- 6 21/00435/LDCPR - Rear, side extensions and roof extension - REFUSE
- 7 21/01711/LDCPR - Rear, side extensions and roof extension - APPEAL ALLOWED
- 8 21/00076/HOUSE - Erect a 2 metre high chain link fence along the boundary with Burlings lane - APPEAL ALLOWED
- 9 22/02123/FUL - Infill of previous public house car park to accommodate no2 x residential homes. - REFUSED (APPEAL PENDING)

### Policies

- 10 National Planning Policy Framework (NPPF)
- 11 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.
- 12 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:



- application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 13 Footnote 7 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.
- 14 Core Strategy (CS)
- SP1 Design of New Development and Conservation
  - LO1 Distribution of Development
  - LO8 The Countryside and Rural Economy
  - SP11 Biodiversity
- 15 Allocations and Development Management (ADMP)
- EN1 Design Principles
  - EN2 Amenity Protection
  - GB4 Replacement Dwellings in the Green Belt
  - T2 Vehicle Parking
  - T3 Electric Vehicle Charging
- 16 Other
- Development in the Green Belt SPD
  - Sevenoaks Landscape Character Assessment (2017) - Knockholt and Halstead Wooded Downs area.

### Constraints

- 17 The relevant constraints apply:
- Metropolitan Green Belt
  - Tree Preservation Order - TPO 09/2022

### Consultations

#### Knockholt Parish Council:

- 18 “..We strongly object to this application of which the majority of our objections to the various previous application still remain valid for this application. We are surprised to see yet another attempt to redevelop this land.

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- 19 We appreciate the Planning Officer has a list of previous applications for this entire site, but must draw attention to several significant omissions - due to the various names of some earlier and very significant applications.
- Believe the original floorspace should be that of the original building (public house) not the permission to convert to a dwelling.
  - Application 00/01251 (year 2000) refused for a detached garage on the basis it was inappropriate development in in the Green Belt.
- 20 We consider it to be entirely illogical for this application to be validated whilst the current appeal for 2 new build houses is still yet to be determined, the intentions behind this remain unclear, we would therefore ask the Planning officer to refuse this application pending the outcome of the current appeal.
- 21 It is with deep concern that the outbuilding that we have pointed out as being omitted from all previous applications is now being advertised on this application as an appealing feature.
- 22 There appears to be a contradiction on the Design and access statement that states that the family want to stay there, this makes us question how this can be the case as the house is currently up for sale.”

### SDC Tree Officer:

- 23 My main concerns centre on the protected Oak tree located to the front of the site (TPO 09 of 2022). This tree is of high amenity value due to its size and location. At the time of inspection, it appeared to be in a sound and healthy condition. I have estimated that it requires a RPA of 12.96m. According to the proposed site plan, drawing no. 01, this tree is located 8.0m from the existing property. Any demolition works would be taking place within the RPA and could result in root severance. I therefore recommend that the developer provides further details as to how they propose to demolish the existing dwelling without damaging this valuable tree. This may involve engaging an arboricultural consultant. Should the developer be unable or unwilling to do this, I recommend that consent be denied.
- 24 *Officer note - Further correspondence with tree officer confirmed this matter can be addressed via a pre-commencement condition.*

### SDC Environmental Health:

- 25 No comments.

### KCC Archaeology:

- 26 The Tally Ho PH is identifiable on the 1st Ed OS map as the Royal Oak inn and seems to have been located on a major routeway and junction. It was probably a landmark guide building as well as serving the local community. The 1st Ed OS map also indicates a possible row of small dwellings and a possible Baptist chapel. Remains associated with the construction and use of this 19th century or earlier inn and community may survive on the site.
- 27 In view of the archaeological potential, I recommend including a Building Recording Condition.

Thames Water:

- 28 No comments to make.

National Gas Transmission:

- 29 An assessment has been carried out with respect to National Gas Transmission plc's apparatus and the proposed work location. Based on the location entered into the system for assessment the area has been found to not affect any of National Gas Transmission plc's apparatus.

Scotia Gas Network:

- 30 Comments include standing advice, maps and guidance. No objections or comments received.

UK Power Networks:

- 31 Comments include standing advice, maps and guidance. No objections or comments received.

**Representations**

- 32 1 comment of support received:  
"This application would only enhance the green belt and have less impact on both neighbouring properties and amenities by way of space between dwellings. I fully support this well thought out application".

**Chief Planning Officer's appraisal**

- 33 The main planning consideration are:
- Principle of development in the Green Belt;
  - Impact on the character of the area;
  - Impact to neighbouring amenity and future occupiers;

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- Impact to highways and parking;
- Biodiversity;
- Archaeology.

### Principle of development in the Green Belt

- 34 Legislation states that applications must be determined in accordance with the local authority's development plan unless material considerations indicate otherwise. The Council's Development Plan includes the Core Strategy (2011) and the Allocations and Development Management Plan (ADMP) 2015.
- 35 Policy LO1 of the Core Strategy states that new development should be focused within existing settlements. The application site is located outside of an existing settlement and policy LO8 of the Core Strategy is therefore also relevant. Policy LO8 outlines how the Green Belt should be protected. As such, compliance with the relevant national and local Green Belt policies will ascertain whether the proposal is acceptable in principle.
- 36 The proposal is for a replacement dwelling therefore policy GB4 of the Allocations and Development Management Plan is relevant, it states:
- 'Proposals to replace an existing dwelling within the Green Belt which would meet the following criteria will be permitted:*
- a) the existing dwelling is lawful and permanent in nature;*
  - b) the design and volume proposed does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion;*
  - c) the proposal adheres to the "original" dwelling curtilage; and*
  - d) the applicant provides clear evidence that the total floorspace of the replacement dwelling, together with any retained extensions, alterations and outbuildings would not result in an increase of more than 50% above the floorspace of the "original" dwelling (measured externally).'*
- 37 The existing dwelling is lawful following an approved application to convert the building from a public house to the dwelling (ref: 18/03116/FUL). The building is in a reasonable condition and not in need of repair. The proposal fully complies with this part of policy GB4.
- 38 The impact of the proposal upon the openness of the Green Belt will be covered later in this report. As for whether the proposed dwelling adheres to the curtilage of the existing, whilst the dwelling is proposed to be located further to the west than the existing, the curtilage has been established under previous lawful development applications including most recently application 21/01711/LDCPR. The proposed dwelling is within this

curtilage and subsequently the development complies with this part of policy GB4.

39 With regard to the 50% uplift part of policy GB4, the floorspace of the original dwelling is that as approved under 18/03116/FUL. The definition for ‘Original Dwelling’ under the Allocations and Development Management Plan is: *“the dwelling as existing on 1st July 1948 even if the original dwellings has since been replaced. If no dwelling existed on that date, then “original” means the dwelling as first built after 1st July 1948”*.

40 The GEA calculations are as follows:

	GEA	Percentage increase to original dwelling
Original dwelling	247.40m <sup>2</sup>	N/A
Replacement dwelling	359.13m <sup>2</sup>	45.16%

41 The proposed dwelling under the 50% threshold of policy GB4 and therefore acceptable in terms of policy. An assessment regarding the impact on the openness of the Green Belt will be made later in the report.

42 Turning to the criteria under the National Planning Policy Framework, paragraph 149 concludes that the Local Planning Authority should regard to construction of new buildings as inappropriate development. Though it goes on to outline a number of exceptions with paragraph 149(d) being relevant to this application. It states: *“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”*. The proposal is for a replacement dwelling and thus is within the same use. As for materially larger, this assessment falls to local policy GB4 as outlined above. The replacement dwelling is larger than the existing, though it is within the 50% allowance of policy GB4 and therefore considered acceptable.

Assessment regarding the Openness of the Green Belt

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

44 The National Planning Practice Guidance (Paragraph: 001 Reference ID: 64-001-20190722 - Revision date: 22 07 2019) sets out some of the factors that can be taken account of when assessing the potential impact of development on the openness of the Green Belt:

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- 45 *“By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*
- openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume;*
  - the duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
  - the degree of activity likely to be generated, such as traffic generation”.*
- 46 With regard to the first bullet point the spatial impact of the proposal is considered reasonable as reviewed above against policy GB4 of the Allocations and Development Management Plan whereby the proposed dwelling is less than 50% larger than the original dwelling. As for visual impact, the proposal is for one dwelling in a plot where a dwelling already exists. Whilst the form and orientation would result in a visibly wider dwelling, it is sited further from the road and would have no greater visual impact. Moreover, the proposed dwelling is approximately the same height as the existing. The proposed dwelling would also sit reasonably within the moderately sized plot and would not appear visually bulky or obtrusive, nor would it feel cramped in. For these reasons the development is considered to be acceptable in terms of its impact upon the openness of the Green Belt.
- 47 As for the second bullet point, the dwelling would unquestionably have a degree of permanence. However, it replaces an already permanent dwelling and so the development is not considered to increase the harm to the Green Belt in this regard. Lastly, the degree of activity will be comparable to the existing, the development is not considered to increase the impact upon the openness of the Green Belt in this regard.

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

- 48 Policy SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan outline that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Policy EN1 also states that the form of proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.

- 49 The wider application site forms part of the rural and verdant character of this part of Main Road which is sparsely populated with built development and lined with dense tree belts. It has a strong rural character. The application site is located to the south west of Knockholt village along a semi-rural lane (Main Road), it is within the Knockholt and Halstead Wooded Downs area Sevenoaks Landscape Character Assessment. The key characteristics of the Knockholt and Halstead Wooded Downs area that are relevant to the proposal are:
- *Narrow rural lanes contrast with the M25 corridor and other main roads which introduce noise and movement.*
  - *Mostly enclosed due to the extensive tree cover and high hedgerows.*
- 50 The proposal is for a two-storey dwelling with the first floor accommodation within the roofspace of the building, it features a hipped roof design with two modest projections to the front and a larger projection to the rear of the building. The dwelling is proposed to be constructed from brick with a clay tile roof. The proposed dwelling will measure 7.6m in height which is comparable to the existing dwelling. The fenestration design to the front of the dwelling, save for one larger rooflight, is reserved and traditional in character and scale, a greater proportion of glazing is located to the rear away from public view.
- 51 The proposed design and materials are considered to preserve the character of the area. With regard to the siting, the proposed dwelling will be orientated such that it will appear wider than the existing. However, it is located further from the road than the existing, which abuts the street. Consequently, any apparent/perceived increase in bulk and scale will be largely mitigated by the siting of the dwelling. Moreover, the siting further to the west will result in the dwelling being largely screened from view when travelling along the road - particularly towards Knockholt - by the boundary hedging and trees.
- 52 The proposed dwelling replaces an existing dwelling/former public house that has a character that positively contributes to the character of the area. The style of the existing building is sympathetic to the rural context of the area. However, it holds no statutory designation and its replacement is also sympathetic to the rural character of the landscape area and the locality.
- 53 In summary the proposed the proposed dwelling is considered to preserve the character of the area in accordance with policy EN1 of the Allocations and Development Management Plan.

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- 54 Policy EN2 of the Allocations and Development Management Plan requires proposals to provide adequate residential amenities for existing and future occupiers of the development and for neighbouring occupiers.
- 55 The application proposed replacement dwelling will be located some 50m+ from the boundary with the nearest neighbour (Royal Oak Cottage). This is greater than the existing and is considered to fully accord with policy EN2 in regard to preserving neighbour amenity.
- 56 In terms of amenity for future occupiers, the proposed dwelling accords with the nationally described space standards and is therefore acceptable in this regard. The proposed dwelling is further setback from the road than the existing, which in conjunction with the boundary vegetation, would ensure the occupiers are better protected from road noise than the existing. As for light, the design of the dwelling includes ample glazing for natural daylight. Due to the scale of the plot there is also a good amount of external amenity space.
- 57 The proposal is considered to comply with policy EN2 of the Allocations and Development Management Plan.

### **Parking and Highways Impact**

- 58 Policies EN1 and T2 state that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 59 The application site benefits from an existing access, as such no new vehicular/pedestrian conflicts are being introduced and the development would not result in a loss of highway safety. The access has ample visibility for both directions along Main Road, there is ample off road parking for a three-bedroom property and there are adequate provisions for bin storage. The proposals therefore comply with policies EN1, T1, T2 and T3 of the Allocations and Development Management Plan.

### **Ecology and biodiversity**

- 60 Policy SP11 of the Core Strategy outlines the need for new development to maximise opportunities to build in features which are of benefit to biodiversity as part of good design. The application site has good potential to enhance biodiversity. Accordingly, an ecological enhancement condition has been included.

### **Archaeology**



- 61 Policy EN4 of the Allocations and Development Management Plan states that:
- 62 *“Where the application is located within, or would affect, an area or suspected area of archaeological importance an archaeological assessment must be provided to ensure that provision is made for the preservation of important archaeological remains/findings. Preference will be given to preservation in situ unless it can be shown that recording of remains, assessment, analysis report and deposition of archive is more appropriate”*
- 63 The County Archaeological Officer has highlighted that the existing building has a historical and possible archaeological interest. They have however not objected and consider that the matter can be addressed via a Building Recording to keep a record of any findings. It is therefore considered that the development will accord with policy EN4 of the ADMP.

#### **Very Special Circumstances**

- 64 Paragraph 148 of the NPPF states that when considering any planning application, we should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by any other considerations.
- 65 As the proposal is deemed appropriate, and suitable in terms of preserving openness very special circumstances are not required to outweigh any harm to the Green Belt. Nevertheless, it is noted that the existing dwelling does still benefit from permitted development rights and a combination of various extensions as detailed in the planning statement would result a dwelling with a notably larger floorspace (as measured externally) than the proposed dwelling. This application includes a restriction of permitted development rights to allow greater control over the scale of the dwelling in the interests of preserving the openness of the Green Belt. The Council does not and would not benefit from such control over the existing dwelling and thus it stands to reason the proposed dwelling could have a lesser impact on the openness of the Green Belt than the existing.

#### **Other Issues**

- 66 As the proposed dwelling replaces an existing, but not on the same part of the site, it is paramount that the existing dwelling is removed to ensure there are not two dwellings on site at any one time. Consequently, a condition has been included to ensure the proposed dwelling is not occupied

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until the former has been demolished. This is to preserve the openness of the Green Belt.

### Community Infrastructure Levy (CIL)

67 The proposed development is CIL Liable.

### Conclusion

68 The proposal is considered appropriate development in the Green Belt as it accords with policy GB4 of the Allocations and Development Management Plan. The proposed dwelling will preserve the character of the area and neighbour amenity, there will be no loss of highway safety and there are no matters that cannot be addressed by conditions. The proposed development therefore accords with policies EN1, EN2, T1, T2, and T3 of the Allocations and Development Management Plan, the NPPF, and adopted Supplementary Planning Guidance/Documents.

69 It is therefore recommended that this application is granted.

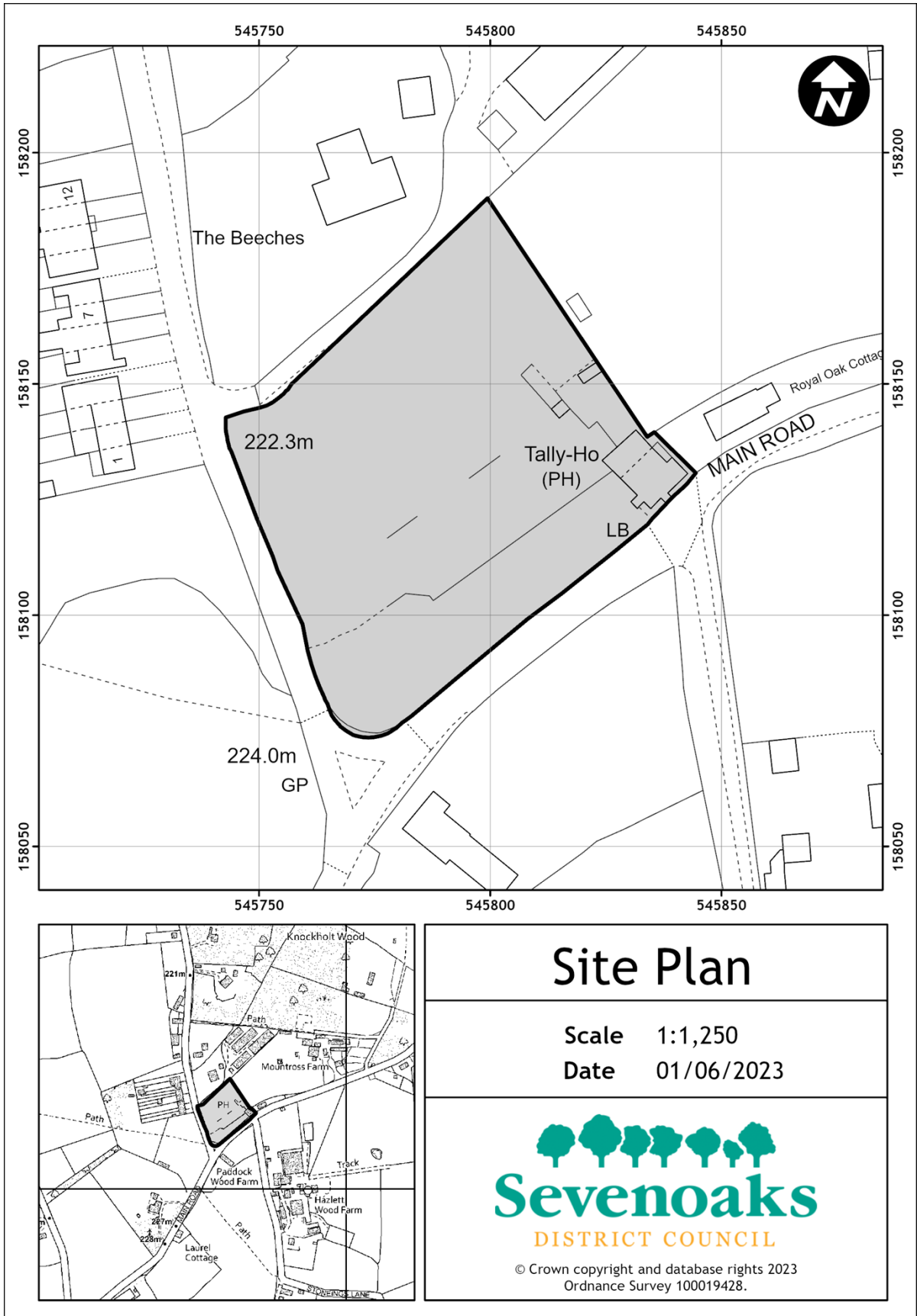
Contact Officer: Ashley Bidwell

01732 227000

**Richard Morris**  
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

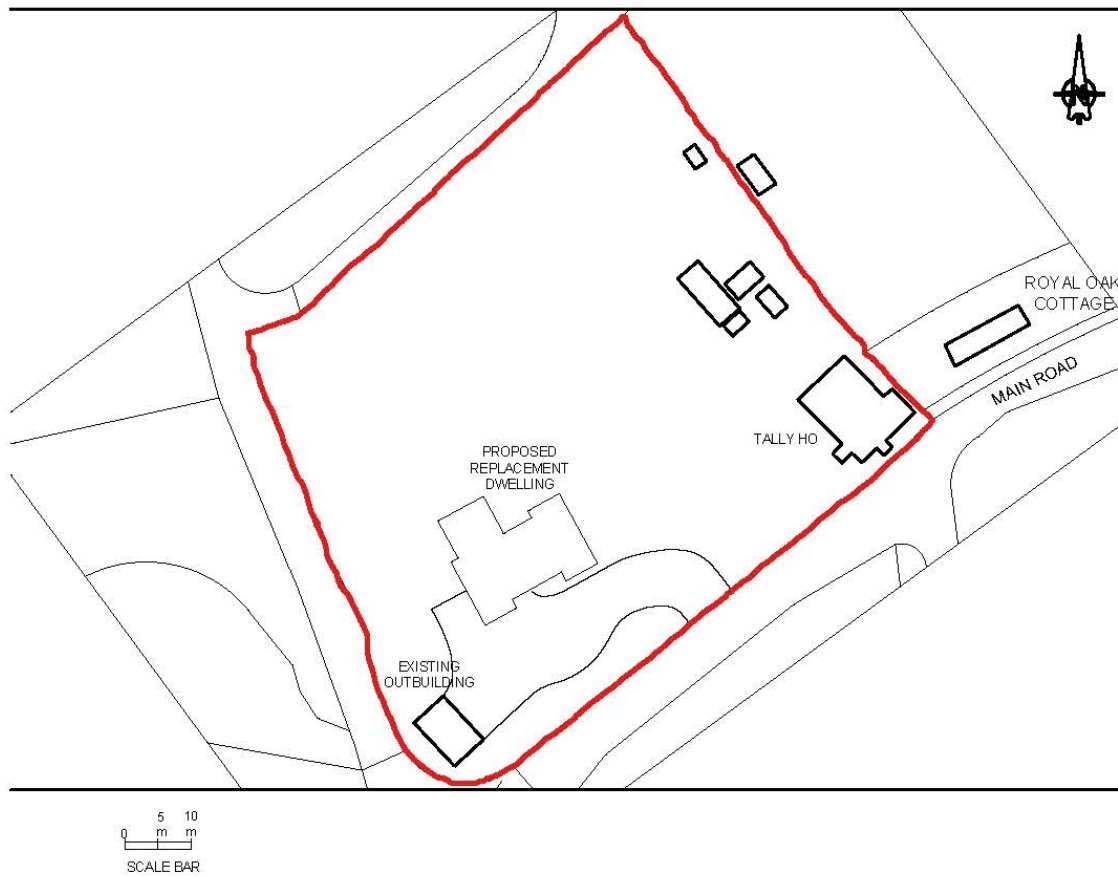
Scale 1:1,250

Date 01/06/2023



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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 22 June 2023

**4.1 23/00750/FUL**

[Link to application details:](#)

[Link to associated documents:](#)

**4.2 23/00901/HOUSE**

[Link to application details:](#)

[Link to associated documents:](#)

**4.3 23/00767/FUL**

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