

28 March 2024 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 20.03.24



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[https://www.youtube.com/channel/UCIT1f\\_F5OfvTzxjZk6Zqn6g](https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g)

# Development Management Committee

## Membership:

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

## 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 7 March 2024 as a correct record.	To Follow	
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>24/00068/FUL - The Old Meeting House, St Johns Road, Sevenoaks Kent TN13 3LR</b> Change of use to a place of worship. Works to fenestration.	(Pages 1 - 32)	Samantha Yates Tel: 01732 227000
<b>EXEMPT INFORMATION</b>		

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

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk) or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday, 25 March 2024.

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).

24/00068/FUL

Revised expiry date 19 March 2024

Proposal:

Change of use to a place of worship. Works to fenestration.

Location:

The Old Meeting House, St Johns Road, Sevenoaks Kent TN13 3LR

Ward(s):

Sevenoaks Town & St Johns

**Item for decision**

The proposed development has been referred to Development Control Committee by Councillor Camp, on grounds of potential impact upon residential amenities (Policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan) and parking and highways safety (Policies T1 and T2 of the Sevenoaks Allocations and Development Management Plan).

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

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

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

2) This planning permission is granted for a temporary period of 18-months, from the date of this permission. By the date this permission expires, the use of the land for Use Class F1(f) public worship or religious instruction shall cease and the site shall be restored to its previous condition, or restored in accordance with a scheme that has been submitted to and approved in writing by the Council.

To enable the Council to assess the impact of the use on parking and highways safety and residential amenity as supported by policies EN1, EN2, EN7, T1 and T2 of the Sevenoaks Allocations and Development Management Plan.

3) No development shall occur for the new use hereby permitted, until a noise management plan has been submitted to, and approved by, the Local Planning Authority in writing. The noise management plan shall include:

- specifications of the noise insulation measures to be implemented as outlined in Section 3 of the Noise Impact Assessment (NIA) by MRL Acoustics dated June 2023 (report ref MRL/100/1933.1v1)
- details of a scheme to manage internal and external noise amongst the building users (for example, public notices, welcome pack for occupants to address noise on approach/when leaving the site)
- details of proposed sound testing, which shall be commenced within one month of

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the implementation of the agreed scheme and carried out for a period of no less than nine months, and the results of the sound test and noise levels shall be submitted to the Local Planning Authority to ensure the noise levels detailed in the Noise Impact Assessment (NIA) have been achieved, in accordance with BS 8233: 2014 (or later revision). Where noise levels have been exceeded, a scheme to address these exceedances and a timescale for their implementation shall be provided.

The approved noise insulation measures shall be implemented prior to the first use of the development, and shall be maintained thereafter. The scheme to manage noise amongst building users shall be implemented in line with the details submitted within the noise management plan.

To safeguard the residential amenities of the area, in accordance with policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan

4) The development hereby approved shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter, and reviewed annually. The annual review will be submitted to the Local Planning Authority for review and approval in writing.

To maintain satisfactory parking provision for the development and maintain highways safety, in accordance with policies T1 and T2 of the Sevenoaks Allocations and Development Management Plan, and the National Planning Policy Framework.

5) The use hereby permitted shall not take place outside 07:00 to 23:00 hours, except between February and September (inclusive) each year when the use may additionally take place from sunrise on each given day, between 04:30 and 07:00 hours.

To safeguard neighbouring amenities, in accordance with policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan

6) The building shall not be used or occupied by more than 5 persons before 07:00 hours and shall not be occupied by more than 25 persons at any other time of the use operating, except between 12:00-14:00 hours on Fridays where no more than 70 persons shall occupy the building. A register shall be maintained of the number of persons present in the building, which shall be made available to the local planning authority on request. There shall be no congregational worship in external areas of the site.

To safeguard neighbouring amenities, and maintain highways safety, in accordance with policies EN2, EN7, T1 and T2 of the Sevenoaks Allocations and Development Management Plan

7) No amplified music (recorded or live) or singing shall operate at the site for the

use hereby approved. No sound-amplifying equipment, loudspeakers or public address system shall be installed or operated outside of the building (externally).

To safeguard neighbouring amenities, in accordance with policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan

8) The four car parking bays as shown on approved drawing 2389/03 Rev A shall be provided on site prior to the use of the site commencing, and shall be permanently retained thereafter. During the peak operating hours of 12:00 – 14:00 on Fridays, a parking marshal(s) shall be present on site to manage parking and drop-offs/collection on and adjoining the site.

To maintain satisfactory parking provision for the development and maintain highways safety, in accordance with policies T1 and T2 of the Sevenoaks Allocations and Development Management Plan, and the National Planning Policy Framework.

9) The cycle parking facilities as shown on approved drawing 2389/03 Rev A shall be provided on site prior to the use of the site commencing, and shall be permanently retained thereafter.

To mitigate travel impacts to the development and maintain highways safety, in accordance with policies T1 and T2 of the Sevenoaks Allocations and Development Management Plan, and the National Planning Policy Framework.

10) Facility for one electric vehicle charge point shall be implemented on the site, prior to the first use of the site commencing.

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

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

To safeguard residential amenities and visual amenity in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

12) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 2389 - 01 Rev B and 2389/03 Rev A

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

13) The use hereby permitted is restricted to Use Class F1(f) public worship or religious instruction of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other use.

To safeguard neighbouring amenities, and maintain highways safety, in accordance with policies EN2, EN7, T1 and T2 of the Sevenoaks Allocations and Development

### Management Plan

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

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

#### **Description of site**

1. The site contains a detached building, The Old Meeting House, which is set back from the street front behind an area of hardstanding, and situated on the south-west side of St Johns Road, in urban Sevenoaks.
2. The existing building has extant planning permission for an office use and is currently vacant. Previously the building was used as a meeting place for Christian worship. The building is single-storey with flat and pitched roofs, with two high-level dormers to serve light into the premises.
3. The site has an existing area of hardstanding to the front of the building to accommodate four parking spaces. The site also accommodates a mature Acacia tree to the site entrance which is subject to a Tree Preservation Order.
4. The area is residential in character but with a number of social, community and business uses in the vicinity.
5. Surrounding residential land uses include housing, flats and sheltered accommodation.
6. The community and business uses include a place of worship opposite the site (St Johns Hill United Reformed Church), two nurseries along the southern extent of St Johns and Bradbourne Road, and commercial offices. One of the nurseries and offices lies adjacent to the site on its western boundary. It is understood nursery care also takes place in St Johns Church.
7. A range of shops and services forming part of two neighbourhood centres are located under a 5 minute walking distance of the site (Southern St John's Hill, Hollybush Parade) and under a 10 minute walking distance (Northern St John's Hill), respectively. Other surrounding roads (such as Camden Road) contain further services, including a public house and Mind Centre.
8. The area is recognised as a commuter suburb of Sevenoaks Town, within 10-15 minutes walking distance of Bat and Ball railway station, and within 20

minutes of Sevenoaks Station. St John's Hill lies at the south end of St John's Road and is a key bus route through the town, within easy walking distance.

9. There are a number of Locally Listed buildings in proximity to the site, including the St Johns Hill United Reform Church and the pair of semi-detached late 19th century dwellings opposite the site on St Johns Road. The western boundary of Hartsland Conservation Area lies approximately 80 metres to the south east, on the opposite side of St Johns Hill.

**Description of proposal**

10. It is proposed to change the use of the site from an office use (formerly B1(a) Class use, now Class E use) to a place of worship (formerly D1 use, now F1(f) use), taking account of amendments to the Town and Country Planning (Use Classes) Order 1987 (as amended).
11. Current operating hours of the offices are restricted by condition to Monday to Friday (5 days a week) between 08.30 to 18.00. The proposal would allow the place of worship to operate seven days a week between 04:00-07:00, and finishing between 19:00 to 22:30 depending on the sunrise and sunset hours within the different seasons of a calendar year.
12. Occupancy levels are proposed to vary from between 5 to 25 people maximum throughout the week, except for Friday lunchtimes when up to 60-70 persons could attend.

**Relevant planning history**

86/00722/HIST	New toilet block and alterations	GRANT
96/00981/HIST	Change of use from training centre to offices.	GRANT
97/00405/HIST	Change of use from training centre to offices.	GRANT
99/00801/LDCPR	Continued use as office without compliance with condition 5 attached to SE/97/0405	WITHDRAWN
00/02250/CONVAR	Continued use as offices without compliance with condition 5 of planning permission SE/97/0405.	GRANT
23/01872/FUL	Change of use to a place of worship.	WITHDRAWN

**Policies**

13. National Planning Policy Framework (NPPF)

14. Core Strategy (CS)

- SP1 Design of New Development and Conservation
- SP11 Biodiversity

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- LO1 Distribution of Development
  - LO2 Development in Sevenoaks Urban Area
15. Allocations and Development Management Plan (ADMP)
- SC1 Presumption in Favour of Sustainable Development
  - EN1 Design Principles
  - EN2 Amenity Protection
  - EN4 Heritage Assets
  - EN6 Outdoor Lighting
  - EN7 Noise Pollution
  - EMP5 Non Allocated Employment Site
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking
  - T3 Provision of Electric Vehicle Charging Points
16. Sevenoaks Town Neighbourhood Plan (STNP)
- C1 Heritage
  - C4 Design and Character
  - L1 Biodiversity
  - L4 Trees
  - COM1 Health, Education and Faith facilities
17. Other:
- Sevenoaks Residential Character Area Assessment Supplementary Planning Document (SRCAA) – Document reference A05
  - The Town and Country Planning (Use Classes) Order 1987 (as amended)
  - Office for National Statistics (ONS) nomis database (Census 2021)  
[https://www.nomisweb.co.uk/sources/census\\_2021/report](https://www.nomisweb.co.uk/sources/census_2021/report)

### Constraints

18. The following constraints apply:
- St Johns Road Residential Character Area (Document reference: A05)
  - Tree Preservation Order (TPO)
  - Archaeological Notification Area
  - In proximity to Locally Listed Buildings
  - Non-allocated employment use: office

### Consultations

19. Sevenoaks Town Council recommended refusal, unless:
- The Highways Department and Planning Officer are satisfied with the full details of the Transport Plan.
  - A condition is placed requiring the mitigation measures detailed in section 3 of the Noise Impact Assessment be installed and completed prior to the change of use commencing.



- A condition be placed that prohibits any amplified music (recorded or live) being played. This is in case there is intended to be any other use taking place in the hall, such as private functions or other celebrations.
- The effect of these measures to mitigate noise disturbance is monitored and the results, including an annual report, with any amendments that are reasonably required to these measures, be submitted annually to the Local Planning Authority.
- A Travel Plan is completed which confirms that the change of use would result in no harm in terms of local parking, amenity, highway safety, or capacity efficiency - to be approved by the Local Planning Authority.
- The Travel Plan, once approved, is implemented in full and monitored at yearly intervals, and the results - including an annual report - together with any amendments that are reasonably required to the Travel Plan, is submitted for approval of the Local Planning Authority.

Informative: Should the District Council be minded to approve this application, this should be a temporary application for one year only, in order to assess the traffic, transport and highway safety implications when the mosque becomes better established.

Environmental Health - no objection, subject to conditions

20. Comments were made regarding the previous (withdrawn) application and as this application is basically the same, the comments have been re-iterated/summarised below.
21. The Noise Impact Assessment (NIA) by MRL Acoustics dated June 2023 (report ref
22. MRL/100/1933.1v1) has been reviewed. The methodology and findings of the report are accepted.
23. Noise measurement were undertaken during the late evening at the front of the
24. building as access to the rear was not possible due to the boundary wall of the adjacent premises.
25. A subjective assessment of the noise climate on the area was also made at the time of
26. the visit. An inspection of the meeting hall has also been made to assess any areas where noise can escape.
27. Various mitigation measures have been proposed in section 3 of the report. With
28. these measures in place, noise break out from the hall will be minimised to ensure that internal noise levels in nearby residential premises do not exceed those required by BS8233:2014.
29. If you are minded to grant the planning permission, it is recommended that a condition be placed on the permission requiring the mitigation measures as detailed in section 3 of the NIA to be installed and completed prior to the use commencing.

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30. In addition, in case there is intended to be any other use taking place in the hall, such as private functions or other celebrations, a condition should also be included that prohibits any amplified music (recorded or live) being played.
31. Although the place of worship being applied for does not involve amplified music, as the application is for a change of use to a place of worship, the type of religion being practiced could change in the future and this could well then be a problem. In this respect, it may well be worthwhile prohibiting amplified music and singing in general.
32. If a future/different religious user comes in, a variation of the condition could be sought with supporting information.
33. Discussion was had previously (and it was noted as a concern by the public) regarding parking and noise associated with that. It's noted that a Transport Statement has now been submitted and this has been reviewed. This mainly relates to parking standards and highways concerns and does not address noise associated with vehicles coming and going as such, so is more for the Highways Officer/KCC to comment on.
34. Nevertheless, the report advises that the traffic impacts with the greatest impact being on Friday lunchtime when there are more worshipers. Numbers of vehicles and worshipers associated with the early and late hours of worship are minimal.
35. It is also noted that this application advises that during Ramadan, services in the evening will be held elsewhere as they are that much more well attended during that time.
36. In terms of earliest and latest services, these are specified as being between 4am and 11pm. It may be beneficial to restrict opening times/service times to within these hours only.

Kent County Council Highways and Transportation – no objection, subject to conditions (including temporary planning permission only)

37. The application proposes the change of use from office space to a place of worship. It is noted that St Johns Road and the surrounding area have existing parking stress and limited parking controls available.
38. In accordance with SPG4, under the Use Class D1 (Non Residential Institutions - Places of Worship), a maximum of 1 car parking space is required per 5 seats within the place of worship.
39. The submitted plans demonstrate that 4 independently accessible car parking spaces will be available and an additional 2 cars could be parked at the front of the building, however these 2 spaces would not be considered appropriate, as they would block the other vehicles in their car parking spaces.

40. The site's current use as office space would require 8 car parking spaces to be available to comply with the maximum requirements in SPG4, therefore the site has already been operating below the maximum requirements.
41. Cycle parking is also required, set at a minimum of 1 cycle space per 100 m<sup>2</sup>. I am pleased to note that three cycle parking spaces are shown on the plans.
42. Projected Occupancy figures have been provided which demonstrate that the peak times for prayer do not coincide with the peak times on the highway. Throughout the majority of the prayer times the parking provision will be adequate.
43. It is noted that during the month of Ramadan the evening prayers will be performed at a local community hall and should the LPA be minded to approve this application, this should be covered by an appropriate condition.
44. A similar application was previously submitted and a parking survey was requested. I am pleased to note a Transport Statement has been submitted which includes the submission of a parking survey. Having assessed the results of the parking survey, I am satisfied that it is robust and shows evidence of available parking capacity within a 10 minute walk of the application site. A Travel Plan has been submitted to assist in the reduction of the dependency on the private car.
45. Whilst the site does not provide the maximum car parking required for a place of worship, it is accepted that any over flow parking associated with the proposals could be accommodated within the public car parks in the town centre. However, I would like to see some additional information included within the travel plan, to demonstrate the local car parks in closest vicinity to the site, including prices per hour / day and details of the local taxi companies in the area.
46. These should be detailed on a revised plan, alongside a copy of the welcome pack to be handed out. The Travel Plan should be reviewed annually.
47. Should the LPA be minded to approve this application, this should be for one year only in order to assess the traffic, transport and highway safety implications when the mosque becomes better established.
48. I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-
  - Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
  - Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
  - The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall

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

### SDC Planning Policy

49. No response received

### SDC Tree Officer

50. No objection

51. There does not appear to be any extensive works that might directly affect the frontage mature tree. It is also understood that the existing surface at the frontage is to be retained. This all being the case, I offer no objections.

### **Representations**

52. A total of 351 representations have been received.

53. Of these, 245 letters of objection have been received relating to the following issues (listed in ascending order based on number of objections received):

- Insufficient parking within area to accommodate new use
- Impact on highways safety from increased traffic and congestion (and linked to unsafe parking arrangements)
- Noise pollution, impacting residents' sleep and right to quiet amenity
- Wider use for the site beyond a place of worship
- Alternative sites should be proposed
- Impact on the character of the area
- Public consultation of application
- Air pollution
- Negative economic impact
- Considering public comments on withdrawn application
- Negative impact on mental health
- Existing breach of use on site
- Setting a precedent for future development
- Gender inequality
- Loss of privacy
- Tensions with local community
- Impact on road infrastructure (drains)
- Lack of need
- Non-compliance with STNP
- Breach of restrictive covenants
- Decreased property values
- Use of site to avoid Ultra Low Emission Zone (ULEZ)
- Impact on wildlife and trees

- Community safety impact
- Noise impact to businesses
- Inaccuracies/omissions in application
- Councillor bias
- Comparisons to other mosques
- Council has duty of care to protect residents

54. 105 letters of support have been received relating to the following issues:

- Need within local community for a place of worship for Islamic faith
- Social cohesion, support and education benefits to community
- Transport impacts can be managed through parking controls and planning conditions
- Benefits of a wider community facility for the local community
- Noise impacts would be acceptable, and could be managed through planning conditions
- Equality Act and Right to Religious Freedom
- Appropriate use for the Old Meeting House
- Supporting local business owners
- Re-use of derelict building
- Less air pollution through provision of worship locally

55. 1 letter of comment was also received to highlight missing transport appendices within the application documents submitted.

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

56. The main planning considerations are:
- Principle of Development including the use and impacts on the economy and community
  - Impact on character of the area (including heritage assets + trees)
  - Impact on neighbouring amenity
  - Impact on Parking and Highways Safety
  - Other Issues

#### **Principle of the development**

57. In national policy, paragraph 123 of the NPPF states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
58. In line with this national policy approach, at a local policy level, policies L01 and L02 of the CS direct new development within the built confines of existing settlements. Policy L01 states that the Sevenoaks urban area will be the principal focus for development, in line with the sustainable development objectives of national policy which seek to direct development to the most sustainable locations.

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59. Policy LO2 further notes existing suitable employment sites will be retained and redeveloped to meet business needs, whilst policy EMP5 of the ADMP requires loss of business use on unallocated sites to justify the change of use with appropriate marketing information, and assess the impact on the surrounding environment, local economy and local community.
60. Paragraph 96 of the NPPF requires that planning decisions aim to achieve healthy, inclusive and safe places, which promote social interaction, including opportunities for meeting between people that might not otherwise come into contact with each other.
61. Policy COM1 of the STNP promotes new faith facilities within Sevenoaks Town.
62. The site is located within the existing built confines of Sevenoaks and is therefore situated in a highly sustainable location and is the priority area for new development, as highlighted by policy LO1.
63. It is noted that the site is positioned within the St Johns Residential Area, and the SRCAA SPD highlights the area to have developed as a suburb for commuting, to take advantage of the proximity to the Bat and Ball railway station serving the London, Chatham and Dover railway lines. The SRCAA describes the main use of the area to be residential with some community and business uses.

### **Principle of the proposed use**

64. Community uses within the vicinity of the site already include provision of a place of worship for Christian faith opposite the application site, and this proposal is seeking provision of a place of worship for Islamic faith.
65. Planning history and historic mapping for the site confirms that the site was historically used as a place of worship, referred to as 'Hall (Plymouth Brethren)'. It was changed to an office in the 1990s, as part of a First Aid training provider.
66. In land use terms, the site is therefore suitably located to serve as a place of worship, in line with the changing needs of the mixed use residential, business and community area. The building itself, originally a place of worship, further lends itself to the proposed use, with a main hall designed for gatherings of multiple people and a high vaulted ceiling, ancillary kitchen area, and foyer typically designed for places of worship.
67. In terms of the existing office use, a marketing and commercial viability report, produced by local property estate agency and chartered surveyors Karrison Property, has been submitted. The report confirms the premises was marketed from October 2022 for a 9-month period and confirms there were limited enquiries for use of the premises as offices. Reasons for the unsuitability of the building for an office use by enquirers have been cited within the report and include a lack of commercial presence in the area, high vaulted ceilings

unsuitable for subdivision and high fenestration creating a poor-quality work environment.

68. In line with policy EMP5, it is considered that there is sufficient marketing evidence to demonstrate that the site was unsuccessfully marketed for an ongoing office use and there is little prospect of take-up for an ongoing office use.
69. The proposed change of use would make efficient use of the existing layout and design of the premises, for which such a use was formerly intended, and diversify the opportunities for meeting and worship in the Sevenoaks community.

#### **Wider impact on the local economy**

70. Third party representations have raised concern that additional parking for the proposed use would remove available parking for local businesses and be detrimental to their existing customer base and financial sales. Matters of parking availability are assessed in further detail later on in this report.
71. Whilst it is acknowledged that the proposed new use could increase demand for parking in the area at certain times of the week, there is no data before the Council to verify that this would lead to an economic loss for local business. For most parts of the week, there would be limited discernible difference in demand for on-street spaces over the current position.
72. It must be further acknowledged that the proposed use may generate increased footfall and potential customers to local business and has potential, in kind, to increase sales. Without economic data before the Council, it would be difficult to ascertain that a clear loss or benefit to local businesses would arise, and overall it would be reasonable to expect the use to have a neutral impact on the local economy accordingly.

#### **Impact on the local community**

73. Local policy COM1 of the STNP supports new faith facilities as part of the objective of delivering enhanced community assets for the town, and in line with the sustainable development objectives of national policy, where uses to serve communities are directed to sustainable urban locations.
74. Paragraph 97 of the NPPF states that, in order to provide for the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
75. Whilst third party representations dispute the interpretation of local policy, indicating that faith uses are supported solely as part of new, separate

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development, this is not stated within the policy, and would be contrary to the national and local policy basis for promoting the effective use of previously developed land and for providing places of worship in sustainable environments.

76. Where schemes come forward within existing residential developments, local policy COM1 supports such provision of these community services to serve ongoing, and growing communities' changing needs.
77. Representations have been submitted from the local community which both support and object to the proposed use.
78. While planning policy does specifically direct that need must be demonstrated for new faith uses, a number of respondents raised concerns that the proposed use would not serve a local need, and would generate footfall and traffic from further afield. It is also noted that a number of letters of support were received for the local use of such a facility.
79. The application submission sets out that that, currently, the only time the community can worship together is on a Friday lunchtime when a local hall is rented. It is understood that space at the Bat and Ball Centre is hired. At other times, it states, worshippers are travelling to neighbouring towns and districts, including Maidstone, Tunbridge Wells, Orpington, Bromley or Dartford. The new facility would provide a place for the local Muslim community to gather for worship.
80. As highlighted by third party representation, 2021 Census Data provided by the Office of National Statistics (ONS) identifies a population of 1,088 Muslims within Sevenoaks District, the second largest religious community in the District, of which 106 live within the Sevenoaks Town and St John's ward alone, with representation also in surrounding wards. This evidence base demonstrates that there is a local population who would be able to access the place of worship proposed. This further accords with the occupancy grid supplied by the applicants, indicating 60-70 persons could use the facility when it is at maximum occupancy on a Friday.
81. Third party representations have highlighted prayers for Islamic worship occur on Fridays at the Sevenoaks Bat and Ball community centre, and sometimes at the Sevenoaks District Council offices; however this appears to be an intermittent use and no change of use of these buildings has occurred to a place of worship.
82. The proposed change of use would therefore provide an established base for local worship, in a location where such provision is lacking and where it would be integrated into the community. The site would offer a sustainable location for the use, given the site's position within Sevenoaks town and its highly sustainable location in regards to different modes of transport.
83. The sustainability of the proposals, with regards to transport in particular, are discussed further below within this report.



Summary

84. In summary, the development would provide a new place of worship for the Sevenoaks community in accordance with objectives of the NPPF and the STNP, including policy COM1, by helping to provide for the wider faith needs of the District. The development would be sustainably positioned in a mixed use area and would accord with the strategic location policies outlined for development in policies L01 and L02 of the CS.
85. The principle of re-use of the site as a place of worship may therefore be acceptable, subject to the wider impacts on the surrounding environment (impact on area; and parking/highways matters) and impacts on the community (impact on neighbouring amenity) being further assessed below.

**Impact on character of the area (including heritage assets + trees)**

86. Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated. Policies C4 and L4 of the STNP require new development to respond to local residential character and protect existing trees. The SRCAA SPD provides policy guidance on residential character areas.
87. Local policy EN4 of the ADMP and C1 of the STNP seek to conserve heritage assets. National policy further requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining an application (paragraph 209).
88. The site is located within the St John's Road Residential Character Area and incorporates a tree that is subject to a Tree Preservation Order on the site frontage. The site is also located within an area of archaeological notification and is located in proximity to a number of locally listed buildings. The Hartsland Conservation Area lies to the east, although at some distance and with little visual connectivity.
89. Existing and proposed drawings submitted with the application confirm no external changes are proposed to the design of the building, with the exception of double glazing to windows. This external visual change would be negligible and would conserve the character of the existing building and setting of surrounding locally listed buildings. The setting of the Conservation Area would not be impacted.
90. No ground works, nor extensions to the building are proposed and the scheme would conserve the existing visual character of the area, and conserve surrounding heritage assets, as well as retain important trees. The tree officer has been consulted on this proposal and raised no objections to the scheme. There would be no intrusion into below ground archaeology.

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91. In terms of design and visual amenity terms, the site would therefore accord with relevant local policy.
92. Third party representations have expressed concern that increased congestion, parked cars and noise generated by the development (car doors slamming and people talking), would harm the quiet residential character of the area and give rise to a dense, chaotic urban setting, rather than an attractive market town set in the Kent countryside, particularly within the evening when activity is generally quieter from surrounding business and residential land uses.
93. These concerns are considered further below in this report.

### **Impact on neighbouring amenity**

94. Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development, and would safeguard the amenities of occupiers of nearby properties. Policy EN7 of the ADMP considers noise pollution arising from development.
95. In national policy, paragraph 135 of the NPPF seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

### **Internal noise impacts**

96. Third party representations have expressed concern over noise impacts arising from the use of the building, with specific reference to potential noise generating activities associated with Islamic worship, such as the practice of call to prayer (Adhan).
97. A Noise Impact Assessment (NIA) has been produced by MRL Acoustics Ltd. This confirms the use of the building will entail no external speakers, no amplified music nor singing.
98. The sole source of noise will be people talking inside the building (non-amplified) and one amplified voice for prayer recitation. Such use of the building can be controlled through planning condition to prohibit amplified music or singing and prohibit external speakers/noise equipment.
99. The noise assessment examined the ambient noise climate from the nearest affected dwellings, and assessed noise break-out from the building for amplified speech.
100. On the basis of the above, the report recommends a scheme of sound insulation measures, including repairing (where necessary) existing windows to ensure they are airtight, introduction of secondary glazing or replacement of all existing windows with acoustic double glazing.
101. It further advises that entrance doors to the worship hall and the main entrance doors to the building should be kept closed during any sermons

involving amplified speech to form a 'sound lobby'. The partition and doors separating the worship hall from the front part of the building should be designed to provide a sound reduction (through insulation materials), as well as the worship hall doors themselves, to achieve a specific level of sound reduction when closed.

102. With these measures in place, the noise assessment concludes that the worship hall will result in a very low level of noise break-out that should be inaudible at the facades of nearby dwellings and fall well below the internal noise limits outlined in BS 8233: 2014.
103. The Environmental Health Officer accepts the methodology and findings of the report and advises these measures are secured through planning conditions, and installed prior to the use commencing. Details of these measures can also be secured and verified via planning conditions.
104. The Environmental Health Officer further advises, in case there is intended to be any private functions or other celebrations taking place within the building, a planning condition should also be included that prohibits any amplified music (recorded or live) being played. Singing can also be restricted, to acknowledge that the application is for a change of use to a place of worship, and the type of religion being practiced could change in the future.
105. As services will be undertaken during the early hours of the morning, and windows could be intermittently opened for ventilation in summer months, and could result in additional noise break out, officers consider it would be reasonable and necessary to monitor the implementation of the above noise measures to ensure the anticipated noise levels are achieved. This can be controlled through a planning condition, and could incorporate measures to manage external activity to and from the premises at less sociable hours of the day (see below).
106. The application advises that during Ramadan, services in the evening will be held elsewhere as they are more well attended during that time, however it will not be necessary to restrict what type of service is held provided the overall occupancy levels are restricted so that occupancy is managed, irrespective of the specific service being held. This would also future proof the decision if the religious practice changed into the future. The overall operating hours of the premises can be controlled in line with the occupancy levels to ensure noise abatement is realistically managed.

#### **External noise impacts**

107. The proposal entails no construction works.
108. Third party representations have expressed concern that increased congestion, parked cars and noise generated by the development (car doors slamming and people talking on approach/leaving the site), would harm the quiet residential character of the area particularly at less sociable, night-time hours where residents are typically asleep. It is recognised that there are a number of

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residential properties within close range of the site, whose residential amenity should be protected to appropriate levels.

109. The site is situated within the St John's Road Residential Character Area. The SRCAA SPD highlights a positive design feature of the area to be community and commercial buildings interspersed with residential development, and seeks for this mixed use to be retained.
110. In line with the SRCAA, whilst predominantly residential, the area includes a number of community and businesses uses interspersed within the housing, which create a higher degree of activity throughout the day when compared to purely residential areas. These include, for example, two neighbourhood centres (Southern St John's Hill, Hollybush Parade, and Northern St John's Hill), within a 10-minute walking distance. These uses give rise to footfall, vehicle movements and noise generating activities, largely during the daytime hours.
111. Some land uses also entail activity early into the morning, and in nighttime hours. These include Busy Bees nursery at the south junction of St John's Road starting business at 07:30am; and the Rifleman Pub, located at the junction of St John's Road and Camden Road, which operates 7 days a week, until 11pm – and until 12am on Friday and Saturday nights, and includes external seating areas which generates a certain amount of activity.
112. It is understood from third party representations that nursery care also takes place at St Johns Hill United Reformed Church, however there is no planning history to confirm this and its operating hours and parking are unknown and unregulated.
113. The area is recognised as a commuter suburb of Sevenoaks Town, within 10 minutes walking distance of Bat and Ball railway station and within reach of Sevenoaks town centre and station. A review of the national rail timetables for Bat and Ball railway station indicates running times up until almost 1am, and starting from 5:25am to and from London. Proximity of the area to Bat and Ball could give rise to footfall at these less sociable hours of the nighttime as a result, albeit this is likely to be in low footfall numbers.
114. As a predominantly residential area of Sevenoaks, working patterns are also likely to differ, and shift work could give rise to some vehicle movements or footfall at less sociable hours.
115. As a result, the area experiences a range of activity throughout the day and, it is expected, some low-level activity at less sociable hours.
116. The 'Occupancy Grid' provided by the applicants indicates that the highest occupancy of the building would be for Friday early afternoon prayers, as required for Salat-al-Jumu'ah prayers. At all other times of the day/night, occupancy levels would be far lower, with 20-25 attendees for sunset prayers, which would occur at varying times of the evening and up to 10:30pm in the summer months.

117. Other surrounding commercial uses within the area (such as the public house) operate beyond this time limit and could give rise to similar vehicle movements and comings and goings from the site. Officers therefore accept the views of the Environmental Health Officer, that the noise generated could be reasonably controlled through restricting the occupation of the site up until 11pm at night. This would ensure noise disturbance is contained to typically sociable hours of the nighttime.
118. Notwithstanding the above, the Occupancy Grid indicates that prayer time in line with the Lunar calendar of Islamic worship, will require attendance to the building at less sociable hours, starting from 4am in mid-summer (June) and 7am in mid-winter. Some of these timings would therefore occur when surrounding residents would typically be asleep and understandably give rise to concern by residents of the area, as highlighted within third party representations.
119. Occupancy figures are stated to be 5 people at these early hours of the premises' operation. The site can accommodate four parked cars to enable more direct vehicle movement to and from the site at these times to limit noise disturbance along the road.
120. As occupation figures would be low (no more than five persons) before the hours of 7am, and would not occur throughout all 12 months of any given year, the Environmental Health Officer is satisfied that the noise generated at these less sociable hours of the day/night would not be materially harmful to surrounding residents. It is not considered that this level of occupation would give rise to "excessive" noise, activity or vehicle movements, as is the requirement of ADMP Policy EN2.
121. Provided occupation figures are restricted at these less sociable hours, it is considered that noise disturbance to surrounding residents can be managed through planning condition, and noise generated through the use would not be materially harmful to residential amenity.
122. Noise management measures could further be employed, to manage any potential disturbance upon arrival to the site, and this could further be monitored through planning condition, as recommended by the Town Council. Such noise management conditions have been imposed on other sites within the District to manage external noise generated by different uses.
123. Occupancy restrictions and noise management conditions can therefore be reasonably and precisely imposed, are necessary, and could be enforced in direct relevance to the scheme proposed, to make the development acceptable, having regard to the imposition of planning conditions as outlined within the NPPF (paragraphs 55-56).

**Other amenity considerations**

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124. The proposal would entail no building operations and therefore the existing light levels and outlook afforded to surrounding neighbours would be conserved as existing. No windows would be altered and the existing outlook from the premises would remain unchanged and prevent any increased overlooking into surrounding neighbouring properties.
125. Concern has been raised that external lighting could give rise to privacy loss for surrounding residents. A planning condition could be reasonably imposed to ensure no lighting is erected on the site, nor affixed to any building until a lighting scheme has been approved by the Council. This would enable the necessary management of any lighting to safeguard neighbouring amenities and is consistent with the objectives of Policy EN6.

### **Summary of amenity considerations**

126. Having regard to the above assessment, the proposal would be considered to comply with planning policy, subject to several planning conditions being imposed to limit the occupancy of the building, and hours of occupation, to safeguard neighbouring amenity, and to manage external lighting from the premises.
127. **Impact on Parking and Highways Safety**
128. Policy T1 of the ADMP seeks to mitigate adverse travel impacts arising from new development including impacts on congestion, safety, noise, air pollution, amenity and health.
129. National policy (paragraph 115 of the NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
130. Policy T2 advises on the parking maxima and minimum standards for residential and non-residential developments, depending on the proposed use, and the proximity to town centres where sustainable transport modes are more widely available. The parking standards for non-residential uses are outlined within Supplementary Planning Guidance 4 (SPG4) of the Kent and Medway Structure Plan.
131. Policy T3 of the ADMP states that for non-residential developments where the provision of electrical vehicle charging points cannot be achieved, new development should be designed to include the electrical infrastructure in order to reduce the cost and disturbance of retrofitting at a later date.

### **Parking and highways safety**

132. The SRCAA confirms that the St Johns area was the beginning of Sevenoaks developing as a commuter town, with housing constructed to take advantage of the proximity to the Bat and Ball railway station and sustainable modes of transport.

133. Within this edge of centre location, residential parking is generally discouraged, with maximum (rather than minimum) parking standards set under policy T2, and many houses within the local roads do not have driveways and rely on on-street parking.
134. The site is located within a sustainable urban location at the edge of Sevenoaks Town centre, with access to shops and services at two neighbourhood centres, buses and Bat and Ball railways station all under 10 minutes walking distance of the site. Sevenoaks Railway station is within a 20 minute walk of the site. The site also offers storage for bicycles to promote sustainable travel to and from the site.
135. Third party comments have highlighted significant concerns over a lack of parking provision within the area and unsafe highways conditions arising from poor parking and congestion, as well as vehicle speeding. The volume of objections and concern by local residents and businesses in this regard is fully acknowledged.
136. Objections further highlight concern that emergency vehicles and refuse vehicles cannot access the road owing to parked cars creating a single-track road with limited passing opportunities. This parking situation is forcing pedestrians into the road with poor sightlines in between parked vehicles. It is appreciated that local residents are frustrated by this existing situation and are loathe for any new development to enter the area which may worsen this existing situation.
137. A site visit to St John's Road and the surrounding road demonstrates parking occurs on pavements on both sides of the roads, creating single trackways and further verifies the third-party concerns arising.
138. Representations have indicated a number of short and long stay parking users across the roads, including local residents, commuters parking to walk to the Bat and Ball station, and intermittent visitors to the community and business uses (including the church, surrounding shops/services and schools and nurseries, as well as the public house).
139. Whilst this parking and highways safety situation is understandably a cause of local concern and stress, this parking arrangement is an existing situation. There are limited parking controls on the road, with the majority of the local roads having no yellow lines, parking bays or permitting schemes in operation to mitigate parking in this manner. On street parking is unallocated and as such, the parking is available for both residents and users of surrounding community and business uses.
140. Much of the existing land uses in the area are unregulated, uncontrolled or rely on use of the existing unallocated on-street parking.
141. Supplementary Planning Guidance 4 (SPG4) requires F1(f) use (formerly D1 use) to provide 1 parking space for every 5 persons. Based on the indicative

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Occupation Grid, the new use would require parking for 1 to 2 vehicles as a minimum at any one time and 2 to 4 spaces during the weekend lunch period, rising to the need for 4-5 parking spaces around sunset periods, and peaking once a week at 14 vehicles on a Friday lunch time.

142. The submitted block plan for the site demonstrates four vehicle parking spaces can be provided on site and enable manoeuvring to ensure vehicles can enter and exit in a forward gear. Third party concern has been expressed that the fourth parking space shown on the plans would block a fire escape, however the scaled drawings submitted indicate sufficient space to enable pedestrians to exit the building in the event of an emergency.
143. Whilst the transport statement states up to 8 parking spaces could be accommodated on the site, this would not enable the required manoeuvring of vehicles safely when entering and exiting the site and the Council are therefore in agreement with the KCC Highways and Transportation Officer that a maximum of four spaces is available off-road on the site.
144. This would leave a residual need for between 1-2 vehicles to be accommodated via on-street parking, throughout the week, and 10 vehicles during Friday prayer service.
145. It is acknowledged that third parties express reservations over these parking requirements, however these parking provisions are as advised in supplementary parking guidance and are therefore a material planning consideration on which the planning assessment must be undertaken, in line with planning policy and its available guidance. SP4 further states that these parking provision are maximum parking levels, and are not minimum parking requirements for a use.
146. Parking provisions must also be seen in the context of the sustainable urban location, where walking, cycling and travel by public transport are viable options and would, to an extent, be encouraged by limitations on the availability of space..
147. A Transport Statement has been produced by L Brown Associates. This statement, and its supporting appendices, outline the results of a parking beat survey which was undertaken on a Friday and a Monday. The survey was undertaken within a 200m radius of the site as detailed on drawing 1409 - SK02 of the submitted transport appendices. This survey identifies between 55 to 59 spaces available within the local road network on a Friday afternoon (12noon to 2pm) when the proposed new use of the site would be at its peak occupancy.
148. Concern has been raised by third party representations that the survey is two days of the year, counts parking on pavements, and counts parking spaces which are often taken at different times of day. This is, however, an established position on these streets and, given the lack of on-street parking controls, such parking must be classed as 'available' for use in this manner.



149. KCC Highways and Transportation have accepted the parking assessment methods undertaken and that the road has unallocated parking available for use at differing times of the day within a 200m radius, which would not conflict with peak traffic and parking pressures on the highway. Further parking is available beyond 200m of the site.
150. It is accepted that parking availability in the road is in a constant state of flux and that the figures should be taken as a representation of parking pressures throughout the year, and they cannot reasonably cover every parking scenario. The survey work is, however, considered to be appropriately robust.
151. Third party representations have provided a separate parking analysis, undertaken by third parties, of the Bat and Ball Centre during Friday Prayers. Whilst this parking provides a figure of 35-38 cars to serve a congregation of circa 75-80 people, it must be noted that the Centre has a higher off-street parking capacity than the application site, which would encourage greater car use. There are no planning controls or transport management plans proposed to regulate the use of the Bat and Ball centre, as would be the case in this proposed scheme, and as such the parking survey cannot be directly comparable to the survey undertaken within the St Johns area.
152. Further, it cannot be verified that all cars were parking at the centre for the purposes of prayer worship, nor that this is representative of the manner in which visitors would park in the St Johns area with a parking management plan in place and a wider on-site car park unavailable.
153. Parking provision would therefore not be expected to reach these figures with active transport management measures in place, and occupancy limits in place, to be secured and monitored by planning conditions.
154. It is further noted that surrounding uses (such as Busy Bees nursery) have accepted similar parking situations. For example, under consent 13/03538/FUL, the Highways Officer recognised the existing site provided insufficient parking for 88 children/parents and 13 staff on the site, and required on street parking in the existing area of parking stress. Subject to an occupancy restriction, the parking requirements were not considered to have a severe impact on the Highways network or lead to a new unsafe highways condition.
155. It is noted that the KCC Highways Officer has assessed the current proposal in a similar manner and accepts that provision of 10 parking spaces on the road can be accommodated at peak times of the site's use, without causing a severe impact to the road network, which is the test in the NPPF.
156. Unlike many of the unregulated uses in the road, the proposal provides the opportunity to implement a transport management plan to mitigate car travel to the site. The majority of the operating hours for the site would be during timings which align with public transport timetables and occupancy is proposed to be significantly less outside peak public transport times, and such

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parking provision could be largely accommodated on the site, in line with SPG4 guidance.

157. The KCC Highways and Transportation Officer has recommended that the use would be acceptable on a temporary 1-year basis, subject to planning conditions to regulate and monitor the new use, as the use becomes established in its operation. Officers would agree that this would be appropriate as a 'trial run'. This is considered necessary to ensure the travel impacts of the scheme can be monitored and mitigated and is in line with the advice set out within National Planning Practice Guidance (NPPG), which confirms that a local planning authority may grant planning permission for a specified temporary period. It identifies circumstances where a temporary permission may be appropriate to include where a trial run is needed in order to assess the effect of the development on the area.
158. As other planning conditions would be required to be submitted to the Council and implemented before the use is begun, officers consider it appropriate to extend this temporary period to 18-months. This would enable noise management measures to be installed and then monitored for 12-months, to align with transport monitoring.

### Air pollution

159. Third parties have expressed concerns over increased pollution arising from vehicles visiting the site. The site is not in an air quality management zone and maximum vehicles additions to the road are considered to be 14 vehicles at any one time, during one limited period in the week. The Environmental Health Officer has not raised concerns regarding air pollution and these vehicle movements would not be considered to have a demonstrable impact on pollution levels within the area to warrant a reason for refusing the development on these grounds.
160. The cycle provision as show on the approved drawings, and provision of an electric vehicle charging point can be secured through planning conditions to encourage sustainable transport to the site and help to reduce pollution and mitigate climate change impacts.

### Character of the area

161. In light of the above parking and highways assessment, it is not considered the addition of a maximum of 14 vehicles on the road at any one time (and within a limited part of the week), would give rise to a material change in the visual amenity of the area, which is characterised by unallocated on-street parking and existing activity generated by existing residential, commercial and business land uses.

### Impact on road infrastructure (drains)

162. Third parties have expressed concern that existing traffic within the area is damaging the drains network. As this is occurring on the public highways, this

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would be managed by KCC Highways and Transportation as the Local Highways Authority, and it is noted no objections have been raised to the proposal on these grounds by the Authority.

#### Summary

163. In summary, given the site's sustainable location, expected level of use, and ability to manage the proposed new use and parking impact through planning conditions, Officers agree with the conclusions of the KCC Highways and Transport authority, that the new use would not create a new unsafe highways condition, nor result in a severe residual impact on the highways network. The development can be made acceptable through the use of a temporary 18-month planning permission, as a trial run to monitor transport management via planning condition.

#### Other issues

##### Biodiversity

164. SP11 of CS requires biodiversity to be conserved, and enhanced wherever possible, whilst policy L1 of STNP seeks a biodiversity net gain of 10% on all new development where feasible. As the premises is wholly hardstanding except for one existing tree and short hedgerow (to be retained), a 10% net gain would not be feasible on this site. Notwithstanding this, the existing tree and hedgerow on site would remain protected and existing biodiversity would be conserved.
165. Third parties have expressed concern of light admittance from the building and its impact on wildlife. Surrounding residential properties (and other uses such as the church opposite the site) have unrestricted ability for light admittance from their premises and given the area is a dense urban settlement, it would not be deemed reasonable to restrict internal light admittance from the building. A condition limiting external lighting would, nonetheless, be imposed for amenity purposes.
166. Trimming of an existing hedge to the front of the property, as indicated on the submitted block plan, would not require planning permission and would conserve impacts to wildlife provided the works take place outside the breeding bird season.
167. In summary, the scheme complies with relevant policy.

##### Public Sector Equality Duty (PSED)

168. Due regard is given to the Public Sector Equality Duty (PSED) as required under section 149 of the Equality Act 2010 which is aimed at eliminating discrimination, advancing equality of opportunity and foster good relations.
169. The proposed development would provide a premises for a group of people who

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share protected characteristics under the PSED, and would provide a place of worship for Islamic faith.

170. The planning assessment has accounted for the particular nature of the practice for persons of Islamic faith, in considering whether the development could be made acceptable through the use of conditions (as required under paragraph 55 of the NPPF) whilst future proofing the use as a 'place of worship' for any faith. The imposition of a temporary planning permission and conditions would enable the use to proceed to take account of local impacts, without being prohibitive or overly restrictive to the manner in which faith is practiced by the Islamic community.
171. As such the decision is considered to align with the PSED.
172. A minority of third-party comments have raised issues with the nature in which the religion is practiced. . A number of the concerns are not material planning considerations and are a matter of religious freedom and choice of practice.
173. With regard to matters of safety, given the existing site is a publicly accessible building (an office) and prior to this a place of worship for Christian faith, concerns over safety are unfounded.
174. Moreover, subject to the parking, noise and occupancy conditions, the new use has an opportunity to foster positive community cohesion and interaction, which is to be welcomed.

### **Wider use of the site**

175. Both letters of concern and letters of support have been received regarding the use of the building for activities beyond that of prayers. These include use of the building for teaching, for celebrations, and as a cultural centre (Da'wah centre).
176. All of the above activities would be ancillary activities for use class 'F1(f) Public worship or religious instruction'. This is the case in other places of worship, for example Christian churches which operate Sunday schools and hold community gatherings and celebrations. No evidence is before the Council to suggest that prayer would not be the dominant activity undertaken at the premises, particularly as the provision of space for prayers five times a day is intrinsic to how the Islamic faith is practiced by the applicants. Nonetheless, it should again be noted that the conditions would control occupancy levels, which would equally be relevant to other associated activities.
177. Third parties have stated the change of use would set a precedent for future expansion and development; however this application would not be approving prospective future works, which would need to be assessed on their own merits.

### **Alternative sites proposed**

178. Third parties have suggested the Council works with the applicant to identify alternative sites.
179. The role of a planning decision-making process is to assess the application made to the Local Planning Authority (Sevenoaks District Council), and not to identify alternative sites. In applying policy to this application, there is no requirement to identify and assess alternative options, which would usually be undertaken through the planning policy and plan-making stage of the District's Local Plan.
180. Alternative places of worship outside the District have also been referenced to consider parking issues; however these areas operate at difference scales with different parking and local situations which are not directly comparable to this case.

#### **Public consultation and Councillor involvement**

181. Third parties have expressed concern that a site notice was not displayed for the site and that the public was not consulted about Town Council meetings, nor given time to comment on proposals. Further concerns have been raised that comments on the previously withdrawn application at the site have not been considered.
182. The planning constraints for the site do not trigger a requirement for a site notice. In this instance, immediate neighbours, as well as neighbours beyond immediate boundary lines were notified of the proposals, in accordance with statutory requirements and the Council's Statement of Community Involvement.
183. All parties were provided with 21 days to respond to the application, and 21 days to respond to missing transport appendices which were uploaded to the planning file during the course of the planning application. As such the application process has met its procedural duty.
184. Concern has been expressed that the Highways and Transportation comments were received out of the 21-day consultation window; however further third-party representations have also been received out of this window and all comments have been duly considered in this planning assessment.
185. The Town Council is a separate organisation to Sevenoaks District Council and therefore we are unable to comment on their procedures of community involvement.

#### **Negative impact on mental health**

186. It is noted third parties have expressed distress at the submission of this application. All concerns raised have been reviewed and assessed in the above sections of this report.

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### **Existing breach of use on site**

187. This is a separate matter for the Planning Enforcement team to investigate and does not have bearing on this assessment.

### **Breach of restrictive covenants and decreased property values**

188. These are not material planning considerations.

### **Noise impact to businesses**

189. Noise mitigation to the closest neighbouring receptors has been identified and would also serve to reduce sound admittance to the nearest neighbouring businesses. As such the proposal is not considered to have an adverse noise impact to surrounding businesses.

### **Use of site to avoid Ultra Low Emission Zone (ULEZ)**

190. Concern is expressed that the site is being proposed to avoid attending other services within the ULEZ. The individual motivations for the proposal are not a material planning consideration and the local need for a place of worship has already been evidenced above.

### **Inaccuracies/omissions in application**

191. Any statements made within the application or by third parties have been independently assessed by the Planning Officer. The transport appendices missing at the start of the application were provided by the applicants and all parties duly re-consulted.

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

192. The development is not CIL liable.

### **Conclusion**

193. The assessment has found the development to be acceptable in principle, delivering a place for religious worship for the benefit of the local community. It would conserve the wider character of the area, including landscape and heritage interests, and would maintain biodiversity. The impact of the proposed use on the amenities of neighbours and the safety of the public highways and parking arrangements are also found to be acceptable, subject to a series of planning conditions to manage impacts.
194. It is considered that an 18-month planning permission can be invoked to enable impacts on the highway and residents to be monitored, to ensure the mitigation measures outlined can be achieved.

195. It is therefore recommended that this application is granted, on a temporary trial basis.

**Background papers**

Site and block plan

Contact Officer(s): Samantha Yates

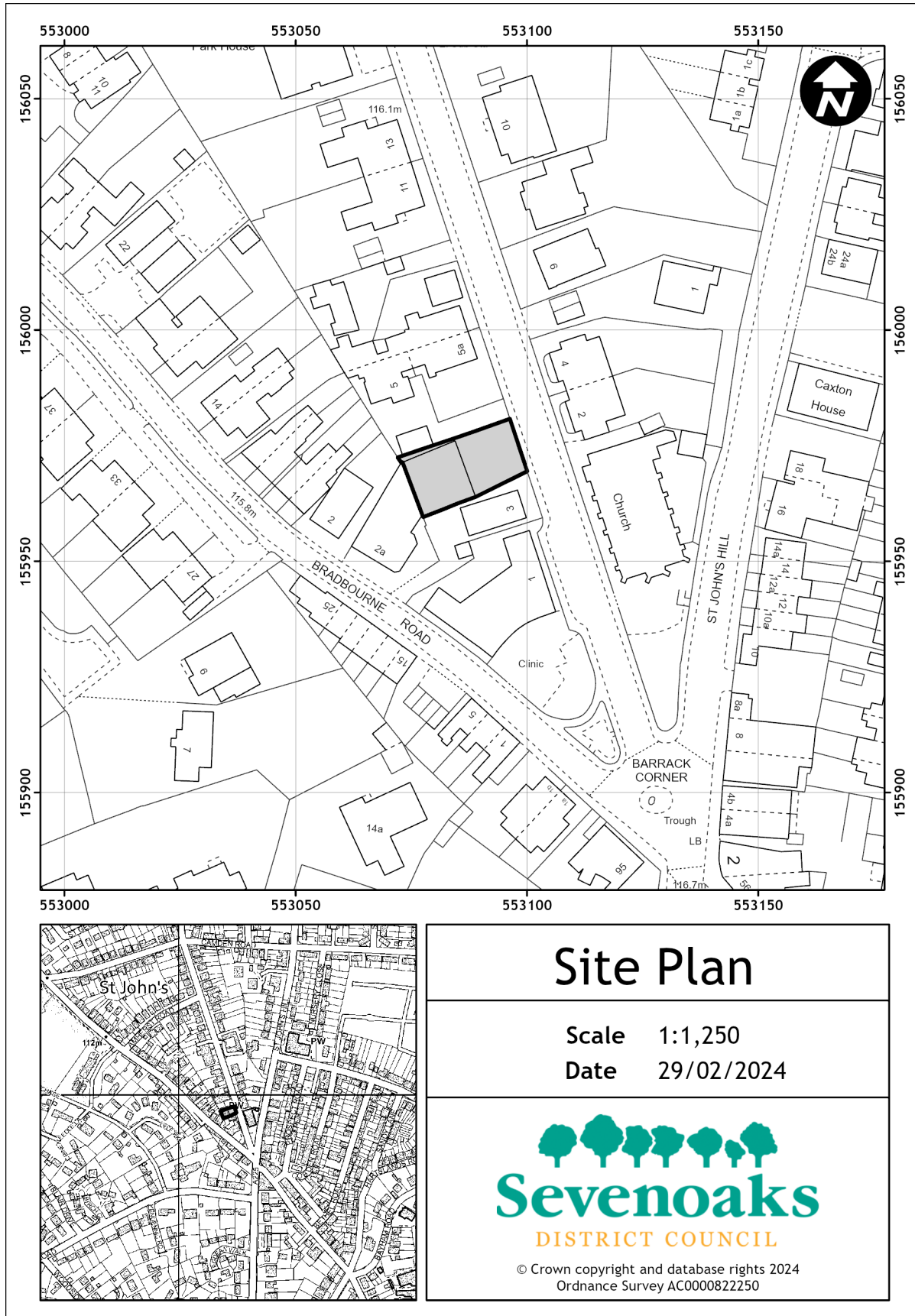
Extension: 01732 227000

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

[Link to application details:](#)

[Link to associated documents:](#)

Site Map



# Site Plan

Scale 1:1,250

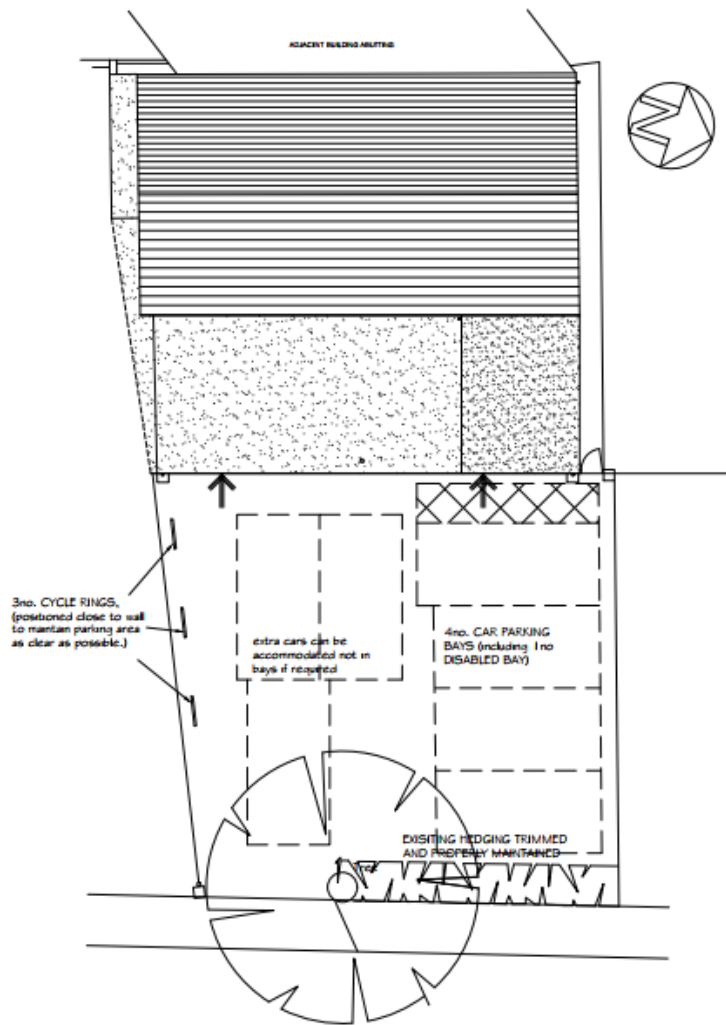
Date 29/02/2024




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Block Plan



SITE BLOCK / ROOF PLAN as proposed  
Scale 1:100

A		Cycle rings added	9/1/24
Rev.	Amendment		Date
Drawing Title PLANS AND ELEVATIONS AS PROPOSED			
Project THE OLD MEETING HOUSE ST JOHNS ROAD SEVENOAKS KENT TN13 3LR			
Client SEVENOAKS MASJID CENTRE			
Scale	Date		
as noted @ A1	June 2023		
D C HUDSON & PARTNER LLP CHARTERED ARCHITECTS			
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E-mail: info@dchudson.co.uk Web: www.dchudson.co.uk			
Drawing Number	2389 / 03	Rev	A
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Planning Application Information on Public Access – for applications coming to

DM Committee on Thursday 28 March 2022

**4.1 – 24/00068/FUL - The Old Meeting House, St Johns Road, Sevenoaks, Kent TN13 3LR**

[Link to application details:](#)

[Link to associated documents:](#)

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