

23 May 2024 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 15.05.24



The meeting will also be livestreamed to YouTube here:

[YouTube Link.](#)

Development Management Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Williams
Cllrs. Baker, Ball, Barnett, Barker, Bayley, Camp, P. Darrington, Edwards-Winsler, Granville, Horwood, Hudson, Layland, Malone, Reay, Silander, Purves, and Shea

Agenda

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

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the minutes of the meeting of the Committee held on 25 April 2024, as a correct record.	(Pages 1 - 6)	
2. Declarations of Interest or Predetermination Including any interests not already registered		
3. Declarations of Lobbying		
4. Planning Applications - Chief Planning Officer's Report		
4.1 23/03038/HOUSE - 10 Tudor Drive, Otford, Sevenoaks Kent TN14 5QP Local rising of ground levels.	(Pages 7 - 12)	Abbey Aslett Tel: 01732 227000
4.2 23/03534/FUL - Tranby Croft, The Street, Horton Kirby Kent DA4 9BY Construction of additional dwelling incorporating replacement of stable block.	(Pages 13 - 30)	Scott Fisher Tel: 01732 227000

4.3 **24/00592/CONVAR - Tonys Corner Shop,
18 Cedar Drive, Edenbridge Kent TN8 5JL**

(Pages 31 - 42)

Anna Horn
Tel: 01732 227000

Variation of condition 3 (The hard and soft landscaping) of 23/02074/CONVAR for Creation of seven off-street car parks; the erection of 13 dwellings; an extended replacement to the existing shop and associated landscaping improvements and creation of temporary shop with amendment to drawings to pick up minor changes to parking layouts, landscaping and elevations.

EXEMPT INFORMATION

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

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday, 20 May 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.

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Development Management Committee

Minutes of the meeting held on 25 April 2024 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Horwood (Vice-Chairman)

Cllrs. Baker, Ball, Bayley, Camp, Edwards-Winser, Esler, Harrison, Malone, Purves, Silander, Williams, Barker and Granville

Apologies for absence were received from Cllrs. P. Darrington, Hogarth and Varley

Cllr. Grint was also present.

71. Minutes

Resolved: That the Minutes of the meeting held 28 March 2024 be approved, and signed by the Chairman as a correct record.

72. Declarations of Interest or Predetermination

Cllr Camp declared for Minute 74 - 23/03054/ADV - Ground Floor, 26 - 28 Pembroke Road, Sevenoaks Kent TN13 1XR that she chaired the Town Council meeting where the application was considered but remained impartial.

Cllr Granville declared for Minute 74 - 23/03054/ADV - Ground Floor, 26 - 28 Pembroke Road, Sevenoaks Kent TN13 1XR she was a Member of Sevenoaks Town Council and had been at the meeting where the application was considered, but remained open minded.

73. Declarations of Lobbying

Cllrs Camp, Granville, Horwood, and Williams declared that they had been lobbied in respect of Minute 74 - 23/03054/ADV - Ground Floor, 26 - 28 Pembroke Road, Sevenoaks Kent TN13 1XR

Cllr Esler declared that she had been lobbied in respect of Minute 76 - 23/03541/HOUSE - The Willows, 2 Singles Cross Cottages, Blueberry Lane Knockholt Kent TN14 7NH

UNRESERVED PLANNING APPLICATIONS

Agenda Item 1

Development Management Committee - 25 April 2024

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

74. 23/03054/ADV - Ground Floor, 26 - 28 Pembroke Road, Sevenoaks Kent TN13 1XR

The proposal sought permission for signage to identify the company on the external facade of the premises plus directional signage for car parking and entry way, the covering the front and rear elevations of the building and use of boundary wall along with two freestanding pillar mounted signs at angles to the road replacing current signage. The application had been referred to the Committee due to the site being on Council-owned land.

It was moved by the Chairman that the recommendations within the report, as modified by the late observations, be approved.

The motion was put to the vote and it was

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

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

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

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

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

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

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

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

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

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

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

- 6) The illumination of the advertisements should only be static in nature and the maximum intensity of the illumination shall not exceed 600 candelas /m².

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

- 7) The advertisements hereby approved shall be installed in accordance with the following approved plans and details: Email dated 15 Feb 24; Proposed Block Plan; 1388/1202 C2 - Proposed Elevations [Received 19 APR 24]; 1388/1201 C1 - Proposed Elevations [Received 19 APR 24]; Proposed Elevations [COMBINED DRAWINGS RECEIVED 1 FEB 2024]

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

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

- 74.1 24/00225/TELNOT - Telecommunications Equipment South Of Ivy Farm, Main Road, Knockholt Kent

Agenda Item 1

Development Management Committee - 25 April 2024

The proposal sought to determine whether prior approval was required for the installation of telecommunications equipment. The application had been referred to the Committee by Cllr. Grint on the grounds of neighbouring amenity and impact upon the National Landscape (Area of Outstanding Natural Beauty).

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

The Committee was addressed by the following speaker:

Against the Application:	-
For the Application:	-
Parish Representative:	Cllr John Grint
Local Members:	Cllr John Grint

Members asked questions of clarification of the officer. The proposed mast would increase signal coverage within the area, with significant improvements to indoor coverage.

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

Members discussed the application.

The motion was put to the vote and it was

Resolved: that prior approval for the telecommunications equipment was not required.

75. 23/03541/HOUSE - The Willows, 2 Singles Cross Cottages, Blueberry Lane Knockholt Kent TN14 7NH

The proposal sought planning permission for the demolition/dismantling of an existing shed; erection of single storey side extension. The application had been referred to the Committee by Cllr. Grint due to concern that the application would have an unacceptable impact on the Green Belt.

Members' attention was brought to the main agenda papers.

The Committee were addressed by the following speakers:

Against the Application:	-
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For the Application: Neal Thompson
Parish Representative: Cllr. John Grint
Local Members: Cllr. John Grint

Members asked questions of clarification of the officer. The officer provided an overview of the site history. An application for a single storey side extension was refused in 2021. An application for the relocation of the shed to the side of the house had been granted planning permission, under the special circumstances that this consolidated the built form of the site, as the shed was a permanent building, which enhanced the openness of the Green Belt. This fall-back position was a material consideration. This proposal included the added safeguard of an additional condition securing the demolition of the shed and tool shed. The size of the proposed extension was identical to the shed that would be demolished.

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

Members discussed the application. Members expressed concern that the contribution to the openness of the Green Belt was insufficient to offset the increase to the built form of the house, when considering the site as a whole. Members discussed the process by which the shed was included in the site plans.

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

It was moved and duly seconded that the application be refused, on the grounds that the proposal would be inappropriate development in the Green Belt and by definition harmful, and the very special circumstances proposed did not clearly outweigh the harm identified.

The motion was put to the vote and it was

Resolved: The proposal would be inappropriate development in the Green Belt and by definition harmful. The very special circumstances proposed do not clearly outweigh the harm identified. The proposal would be contrary to the National Planning Policy Framework.

THE MEETING WAS CONCLUDED AT 8.07 pm

CHAIRMAN

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4.1 - 23/03038/HOUSE Revised expiry date 29 April 2024

Proposal: Local rising of ground levels.

Location: 10 Tudor Drive, Otford, Sevenoaks Kent TN14 5QP

Ward(s): Otford & Shoreham

Item for decision

This application is referred to the Development Management Committee in accordance with the Constitution, as the applicant is an officer of Sevenoaks District Council.

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: 2000/01B, 2000/02B, 2000/05 and annotated photographs: Photo 1 (Rev A), Photo 2 (Rev A), Photo 3 (Rev A), Photo 4, Photo 5 and Photo 6.

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

National Planning Policy Framework

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

Description of site

- 1 The site is a detached two-storey property, with a large garden to the rear that slopes downwards from east to west. The rear garden is well vegetated and has various boundary treatments on the common boundaries to neighbouring properties from close boarded fencing and planting.
- 2 The application site is within the confines of Otford.

Description of proposal

- 3 The proposed development is to raise part of ground level within the rear garden to form a new terraced area to serve a garden room that has been erected on-site by virtue of Schedule Two, Part 1, Class E of the Town and Country General Permitted Development (England) Order 2015 as amended.
- 4 This is a retrospective application.

Agenda Item 4.1

Relevant planning history

- 5 84/01456 - Two-storey extension to domestic dwelling - GRANTED
- 6 94/00565 - Two storey rear extension - GRANTED

Policies

- 7 National Planning Policy Framework (NPPF)
- 8 Core Strategy (CS)
 - SP1 - Design of New Development and Conservation
- 9 Allocations and Development Management Plan (ADMP)
 - EN1 – Design Principles
 - EN2 – Amenity Protection
- 10 Other:
 - Residential Extensions Supplementary Planning Document (SPD)
 - Otford Village Design Statement 2015

Constraints

- 11 The following constraints apply:
 - Urban Confines: Otford

Consultations

- 12 Otford Parish Council: Supports the application

Representations

- 13 1 representation received objecting on the following grounds:
 - Concerns regarding the large office structure.
 - Office structure has been put on a large platform.
 - Office structure is double the size of the other outbuildings in the garden.

Chief Planning Officer's appraisal

- 14 The main planning considerations are:
 - Impact on the character and appearance of the area
 - Impact on residential amenity

Impact on the character and appearance of the area

- 15 The proposal is situated in the rear garden on the property and therefore will have no impact on the street scene. The development involves the raising of the ground level, to match the highest point of existing, and the formation of a new retaining wall to hold the earth, effectively creating a raised a terraced area. The retaining wall is a

maximum of 80cm in height, which is a 50cm increase from the wall that was previously on site.

- 16 The development proposed are moderate in scale and due to its location, its impact upon the character and appearance of the area is minimal.
- 17 The proposal is considered compliant with Policy EN1 of the ADMP and SP1 of the Core Strategy.

Neighbouring Amenity

- 18 The change in part of the rear garden land levels does not impact the levels of daylight or sunlight received by the neighbouring properties.
- 19 Consideration has been given to the change of the levels and the impact it would have upon the privacy of adjoining neighbours. Due to the separation distances, siting of the development, together with intervening landscaping and outbuildings on site, results in obscured views of the rear gardens of neighbouring properties (Nos. 8 & 12 Tudor Drive). As such, it is considered that the amenities of adjacent properties in terms of privacy and overlooking is not detrimentally harm to justify a reason to object. Overall, the development complies with Policy EN2 of the ADMP.

Other issues

- 20 Consideration has been given to the third-party representation. However, the outbuilding, as previously mentioned does not form part of this proposal as has deemed consent, by virtue of the GDPO, as previously mentioned.

Community Infrastructure Levy (CIL)

- 21 The proposal is not CIL Liable.

Conclusion

- 22 The development would accord to Development Plan when taken as whole and there are no other material considerations which indicate the recommendation should be taken otherwise.

Recommendation

- 23 It is therefore recommended that this application is GRANTED.

Background papers

Site location and block plan

Contact Officer(s): Abbey Aslett

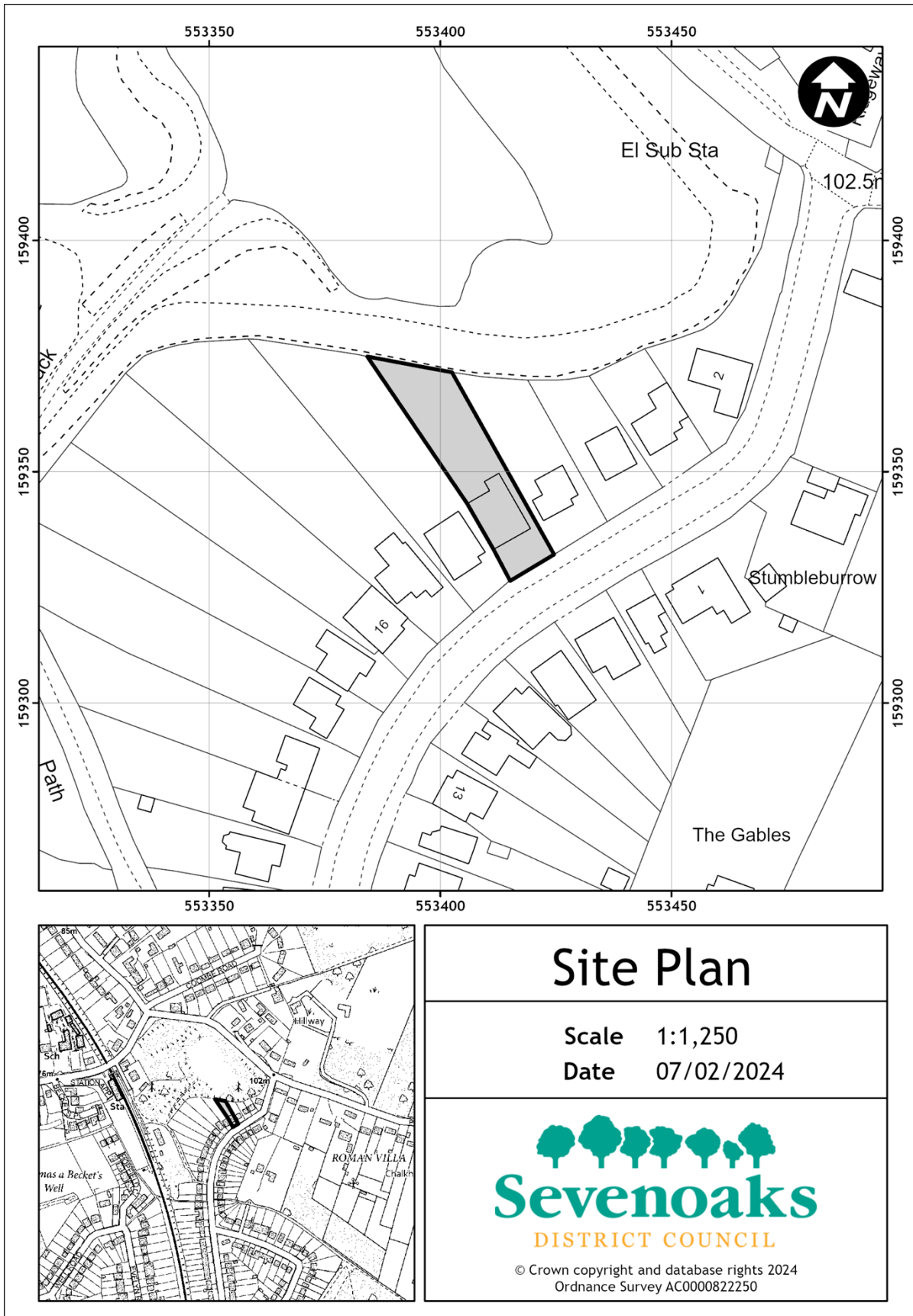
01732 227000

Agenda Item 4.1

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)





4.2 - 23/03534/FUL

Revised expiry date 29 May 2024

Proposal: Construction of additional dwelling incorporating replacement of stable block.

Location: Tranby Croft, The Street, Horton Kirby Kent DA4 9BY

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

Item for decision

This application is referred to the Development Management Committee in accordance with the Constitution as the applicant is an officer of Sevenoaks District Council.

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: 23014 PO1, 23014 PO2, 23014 PO3

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

3) Prior to works above damp-proof course level of the development hereby approved, full details of both hard and soft landscape proposals have been submitted to and approved in writing by the local planning authority. The details shall include the materials to be used for the hard landscaping along with details of the proposed soft landscaping and shall include details of the proposed boundary fence/walls. The approved hard landscape scheme shall be implemented prior to the occupation of the development hereby approved and thereafter retained. The approved soft landscape scheme shall be implemented in the first planting season following occupation of the development and retained thereafter.

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

4) Prior to commencement of development a demolition and construction environmental management plan (CEMP) 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 shall include:

a. Details of the proposed working and delivery hours;

b. Details of measures for the parking of vehicles, plant and machinery;

c. Details of means of suppressing dust during the construction process to include the regime for dust deposition measurement at the site boundaries;

Agenda Item 4.2

d. Details of the measures to mitigate the noise and vibration from construction;

In the interests of highway safety and to protect residential amenity of surrounding properties, in accordance with policies EN1, EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

5) Prior to any development, all sensitive working measures/recommendations for bats shall be carried out in accordance with the details contained in section 5.1 of the Preliminary Ecological Assessment report produced by ASW Ecology Ltd (dated November 2023).

To ensure the protection of species in accordance with SP11 of the Sevenoaks Core Strategy.

6) Prior to works above damp-proof course level of the development hereby approved, a schedule of external materials and material samples shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be carried out in accordance with these details.

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

7) Prior to development reaching the damp proof course of the development hereby approved, details of the location the electrical charging point(s) shall be submitted to and approved in writing by the local planning authority. The approved location of the charging point(s) 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) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

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

9) The provision and permanent retention of the vehicle parking and turning area as shown on the approved plan no. 23014 P02, prior to the first occupation of the dwelling hereby approved.

To provide sufficient parking in accordance with policy T2 of the Sevenoaks Allocations and Development Management Plan.

10) Prior to works above damp-proof course level of the development hereby approved, details of secure bicycle parking and refuse facilities to serve the development shall have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and in the interests of the visual amenities

of the surrounding area in accordance with Policies EN1, T2 of the Sevenoaks Allocations and Development Management Plan.

11) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as recommended within the Arboricultural Report provided by Arborsense Arboricultural Consultants dated 10th November 2023 have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered, and the land kept free of vehicles, plant, materials and debris.

To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

12) The development hereby permitted shall be carried out in accordance with the submitted UNDA, Flood Risk Assessment and Surface Water Drainage Strategy dated March 2024 and thereafter maintained.

In the interests of flood prevention in accordance with the National Planning Policy Framework.

13) 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 ensure the protection of species and neighbouring amenity in accordance with SP11 and EN2 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

2) The site should be assessed for any asbestos containing materials prior to any works of demolition or conversion. Any work with asbestos must be carried out in accordance with the Control of Asbestos Regulations (2012) and relevant Approved Code of Practice -

Agenda Item 4.2

<http://www.hse.gov.uk/pubns/books/l143.htm>

- 3) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.
- 4) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit www.sevenoaks.gov.uk for further details.

National Planning Policy Framework

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

Description of site

- 1 The application site contains a two/three-storey detached dwelling and associated structures, located at the southern end of The Street within Horton Kirby on the corner with Rays Hill. The main house is positioned towards the southern part of this corner plot, within residential grounds. It is set back behind high brick and flint walls that wrap around the street frontage.
- 2 To the north of, and running perpendicular to the main house, is a single storey timber barn, a former stable block. Evidence has been submitted that demonstrates the barn is in a poor structural condition, as a result fire damage and degradation over time.
- 3 There are neighbouring residential properties to the east and north of the site, as well as properties to the west lining The Street. To the south of the site are open fields.
- 4 The application site lies within the settlement boundary of Horton Kirby. It is outside the Green Belt, the boundary of which runs along the southern boundary of the site. The south-west part of the site is within the Horton Kirby Conservation Area.

Description of proposal

- 5 The proposal is for the construction of additional four-bedroom dwelling incorporating replacement of stable block. The application would see the removal of single storey barn, and replacement with part single storey / part two storey L-shaped dwelling. The replaced single store element would be on the footprint of existing barn with the two-storey part would sit to the north of this.
- 6 The proposal also includes changes to and subdivision of the hardstanding to the frontage and replacement of the existing conservatory to Tranby Croft of the same size.

Relevant planning history

- 7 16/02899/HOUSE - Erection of single storey side extension to enlarge kitchen; construction of new dormer in catslide roof to enlarge bedroom and enlargement of existing dormer to provide en-suite bathroom and walk-in dressing room to master bedroom in the principal elevation - GRANTED.

Policies

- 8 National Planning Policy Framework (NPPF)

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.

This paragraph also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Footnote 7 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

- 9 Core Strategy (CS)

- LO1 Distribution of Development
- SP1 Design of New Development and Conservation
- L07 Development in Rural Settlements
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- SP11 Biodiversity

- 10 Allocations and Development Management (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- EN5 Landscape
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Point

- 11 Other

- Horton Kirby and South Darenth Village Design Statement
- Horton Kirby Conservation Area Appraisal

Agenda Item 4.2

Constraints

- 12 The following constraints apply:
- Part within/Adjacent to Conservation Area
 - Tree Preservation Order
 - Area of Archaeological Potential

Consultations

- 13 Horton Kirby & South Darenth Parish Council

Objection to the application on the following grounds:

- Overdevelopment and Impact in Green Belt and adjacent Conservation Area.
- Concerns regarding access & highway safety

- 14 The local Ward Members were contacted in regard to the scheme; however the application was not referred to Development Management Committee. As noted, the application is to be determined by the Committee, in line with the Council's Constitution, as the applicant is also an officer of the District Council.

- 15 SDC Conservation Officer

- 16 Significance

- 17 With the exception of the southwestern corner, the site is just outside the boundary of the Horton Kirby conservation area, and it features strongly in street scene views in both directions along The Street, which is the principal thoroughfare within the designated area.

- 18 Impact on Significance

- 19 Although the new dwelling is set well back and respects the building line on the eastern side of The Street, it is a substantial structure which crowds the northern boundary of the site and considerably intensifies the present level of development on the edge of the conservation area. However, the new built form does not obstruct any locally distinctive views and the intensified level of development is not atypical to the local context. While the presence of the proposed dwelling may have a limited impact on street scene character, the new building lacks locally distinctive qualities and fails to contribute anything positive.

- 20 Policy Context

- 21 Paragraphs 205 & 206 of the NPPF require great weight to be given to the conservation of designated heritage assets and note that significance can be harmed or lost through unsympathetic development within their settings.

- 22 Although the proposed development fails to make a positive contribution to the locally distinctive qualities of the adjacent conservation area, it does not harm the significance of the designated heritage asset and there is no objection in terms of Policy EN4.

23 KCC Archaeology Officer

In summary, the officer notes that the site of the application lies within an area of archaeological potential associated with prehistoric, Roman activity, Saxon burials and later post medieval activity. A condition is recommended to secure further archaeological works.

24 KCC Ecology

"We have reviewed the ecological information submitted in support of this application and we advise that no further information is required from the applicant prior to determination of the planning application..." - recommend conditions.

25 SDC Tree Officer

I refer to the above application. I have visited the site and have studied the plans provided and have made the following observations:

I can inform you that the whole site is covered by an area Tree Preservation Order (TPO 04 of 1970) an old area order. Those trees present at the time of the serving of the order are Protected, those that have been planted or have become established after this date are not. I believe T1, the Sycamore tree and T5 the Ash to be protected. I have read the arboricultural report provided by Arborsense Arboricultural Consultants. Providing the recommendations within the report are followed, I have no objection to the proposal.

26 Lead Local Flood Authority

No objection.

27 KCC Highways

No objection subject to imposition of the following conditions:

- Provision and permanent retention of the vehicle parking and turning area shown on the submitted plans, prior to the use of the site commencing.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- Provision and permanent retention of electrical vehicle charging facilities prior to the use of the site commencing in accordance with details to be submitted and approved by the Local Planning Authority."

28 SDC Environmental Health

No objection subject to conditions

Representations

29 None received.

Chief Planning Officer's appraisal

30 The main planning considerations are:

- Principle of development

Agenda Item 4.2

- Visual Impact on the Street Scene & Landscape
- Impact on the Conservation Area
- Impact on Residential Amenity
- Impact on Parking & Highways
- Other Issues

Principle of development

- 31 With regard to the proposed residential use, policies LO1 and LO7 of the Core Strategy require development to be focussed within the built confines of existing settlements. It identifies South Darenth and Horton Kirby as suitable locations for infilling and redevelopment on a small scale, taking account of the limited scope for development to take place in an acceptable manner and the limited range of services and facilities available.
- 32 Policy SP7 Core Strategy states that all new housing developments should be at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Development that fails to make efficient use of land for housing, having regards to the character and location of the area, may be refused.
- 33 Policy SP7 states that “all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated”. This policy needs also to be considered in the context of the more recent policy of the NPPF, which requires that planning decisions make effective use of land in meeting the needs for homes and other uses (paragraph 123); paragraph 128 also supports development that makes efficient use of land, taking into account the desirability of maintaining an area’s prevailing character and setting.”
- 34 In this context, it is considered that the site is suitable for more intensive residential development given its size, the presence of existing built development that would be replaced and the site surrounded by existing residential development.
- 35 The new dwelling would be within the settlement of Horton Kirby and set among other residential uses and would contribute to the District’s housing stock which is welcomed. As referenced later in the report, the District has a significant unmet need for additional dwellings, as demonstrated in the evidence prepared in support of the emerging Local Plan 2040.
- 36 In light of the above, the proposed development would be acceptable in principle, subject to consideration of the further details in the context of other relevant policies, which are discussed further below.

Impact on the Conservation Area & Character of the Area

- 37 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on local planning authorities in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 38 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

- 39 The NPPF attaches “great weight” to the conservation of heritage assets (paragraph 205); any harm to the significance of a heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification (paragraph 206).
- 40 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 41 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP. The Residential Extensions SPD is also applicable.
- 42 The proposal would consist of the demolition and the rebuild of the existing stable block and the erection of a new dwelling. The location of the these works due to their location would be visible within the street scene.
- 43 As noted, the south-western part of the site partially falls within the Horton Kirby Conservation Area. The new dwelling itself would not lie within the Conservation Area.
- 44 There are listed buildings to the north and east of the site also. The Horton Kirby Conservation Area Appraisal states that the Conservation Area includes the main route through the village, Horton Road and The Street which runs north to south, with open grassed land interspersed within the village and Court Lodge Farm to the north. The River Darent is an important feature of the area.
- 45 It goes on to state that the Conservation Area is divided into two clearly defined sections. The northern most section is of a rural setting with St Mary’s Church and scattered domestic buildings centred around the surviving farm which once supported the village. The southern area is generally of later date and has been largely influenced by the industry associated with the mill located at the centre of the Conservation Area.
- 46 The appraisal recognises that the development of the village over several centuries has given rise to an interesting variety of architectural styles and the conservation area contains examples of most of the vernacular features that are typically found in traditional Kentish buildings.
- 47 The appraisal notes that Tranby Croft is a substantial two storey building, with additional openings within the gable end to provide light to roof spaces. It states that, whilst its design may be simple, it is visually impressive and dominates the view when travelling along Rays Hill. It also lies just outside of the Conservation Area.
- 48 It therefore makes an important contribution to the character and appearance of the surrounding area through being an influential building within the setting of the Conservation Area.
- 49 The visual impact of the proposed dwelling on Tranby Croft would be limited by the fact that the proposed dwelling be set back from and behind this property, such that it would be concealed from key views of the Conservation Area from the corner of Rays Hill and The Street. The new dwelling would be an unobtrusive addition to the site. The stable block would be demolished and replaced with a single storey block in its place. The replacement would retain the same relationship to that is currently in situ. The replacement single storey block would be of an acceptable design and size, with

Agenda Item 4.2

the addition appearing subservient in form on the site. The proposed dwelling would be attached to this replaced element of the scheme and would have a simple and subservient roof form, with the eaves/ridge height being seen in connection with the main house.

- 50 The design approach of the dwelling and its traditional pallet of materials which include brick and tiles would respect the character of the existing property on site, echoing the materials of the stable block. The overall scale of the building would not appear incongruous when compared to the existing property. Furthermore, the proposed dwelling would not appear disproportionate when compared to the size of the plot. The dwelling is suitable in its form, appearance, and size.
- 51 The character of the street scene is mixed in terms of dwelling types and the design that runs through the street. The demolition of the stables and the replacement structure would see an alteration to the palette of materials; however its size and form would be increased in height by approximately 0.1m to what is in situ. The views of the new dwelling would be seen from the street scene; however this view would be isolated due to the setback nature of the siting of the development and that the intervening boundary treatment (front wall) would restrict elements of these views from the wider area. The grain of development that has occurred within the street would help alleviate this impact and as such would not look out of character or have a detrimental impact upon it. The dwelling would not appear as an unduly prominent or visually intrusive feature in the street scene.
- 52 The proposal would also include replacement of the existing conservatory on the main building. Its replacement would be of the same design and enhance the appearance of the building and remains in the context of the main dwelling.
- 53 The proposal would also see the partial removal and replacement of the front boundary wall like-for-like, as it is defective. As such, it is considered the replacement wall would not detract from the street scene or conservation area but only to preserve it.
- 54 The proposal would use similar materials to what is in situ upon the site. Further details and samples of materials can be secured via condition to ensure a cohesive approach with Tranby Croft and the street scene. This will ensure that the development would not detract from its special interest and contribution to the adjacent Conservation Area and that of the wider street scene. As such, the development would not have a detrimental impact on the character of the surrounding area and the setting of the Conservation Area.
- 55 The Conservation Officer has commented that the proposal does not harm the significance of the designated heritage asset and raises no objection to the proposal.
- 56 The Parish Council has objected in terms that the proposal would be overdevelopment of the site. However, for the reasons as previously mentioned above, it is not considered that the site would be 'overdeveloped' as the introduction of a new building, would be well set back from the road and would be seen within the context of, and subservient to, the existing house and surrounding street scene. Generous gardens and open space would be maintained around the dwellings and the setting of the Conservation Area is preserved.
- 57 Overall, the proposal would be seen within the context of the other dwellings within the street and the wider area and not considered to harm the setting to the

Conservation Area. As such the proposal meets the requirements of the NPPF and policy EN1 & EN4 of the ADMP.

Impact on Residential Amenity

- 58 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development. Due to the siting of the proposed dwelling the proposal has the potential to impact the neighbouring.
- 59 In terms of loss of light, no neighbouring property would be impacted by the development, due to its siting, height and design.
- 60 The proposed dwelling would include windows in all elevations. The new dwelling includes windows on the first and ground floor, with the windows on the first-floor rear elevation being tall windows. The proposed windows on these elevations would be new additions and would result in additional views.
- 61 The location and distance (approx. 20m +) to the properties at the rear (Appledore & Linslade) and to the side, being Pyxos, would not be unduly affected by the development due to the window-to-window separation distance being greater than the recommended distance of 15-20m as cited by the National Model Design Code. The proposed windows at both the front and rear elevation of the dwelling would also have a limited impact upon the neighbours located to the rear and front of the site.
- 62 The proposed dwelling and the windows located in the ground floor side elevation would have views that face onto occupiers of Pyxos and views would be obscured by the existing intervening boundary treatment.
- 63 The proposed rooflights in the roof plane of the new dwelling would have given limited opportunity to gain views into the neighbouring properties they would be sited above 1.7m above floor level which would limit and obscure views out of them.
- 64 Due to the location of the dwelling, the proposed relationship to neighbouring properties means that the outlook from these properties would not be harmfully impacted upon.
- 65 Upon considering the above, the proposal would not have an adverse impact upon amenities of neighbouring properties and would meet the requirements of policy EN2 of the ADMP.

Parking and Highways

- 66 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that dwellings in this location with two bedrooms or more require two parking spaces per dwelling. The proposed site plan indicates the proposed parking spaces for the dwelling and existing one. The information is sufficient to ensure the proposal complies with Policy T2 of the ADMP.
- 67 Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigate climate change. A condition to include Electric Vehicle charging points on site can be imposed if permission is granted.

Agenda Item 4.2

- 68 The new dwelling would use the existing access from The Street, which is established. One additional dwelling would not be expected to generate significant additional traffic or give rise to highway safety concerns. The KCC Highways officer was consulted on the scheme and is satisfied that the proposal is acceptable subject to the conditions listed within the comments.

Trees and Landscaping

- 69 The entire site is covered by a Tree Preservation Order. The application is accompanied by an Arboricultural Report which advises that an apple tree will be removed as part of the proposal. The report also sets out precautionary and protective measures to ensure that those trees which shall be retained can be adequately protected during the construction phase.
- 70 The Tree Officer raises no objection to the proposal provided that the recommendations within the report are followed. This can be secured by a condition.
- 71 Full details of hard and soft landscaping across the site have not been provided. This could be secured by a condition upon any grant of planning permission to ensure an adequate landscaping scheme is compensated for.

Biodiversity

- 72 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity. The wider landscape is rural and verdant in character and therefore both the site and the surrounding area have the potential to provide a habitat for wildlife. The proposal would involve the demolition of the existing barn on site.
- 73 The application is accompanied by an Ecological Report, which KCC Ecology has reviewed. They consider the Preliminary Ecological Assessment to be sufficient for the determination of the application and raise no objection to the proposals subject to a condition for sensitive working measures. These can be included upon any grant of planning permission to ensure that the development does not cause harm to protected species and can provide benefits to biodiversity. The proposal would therefore comply with policy SP11 of the Core Strategy, subject to conditions.

Flooding

- 74 Paragraph 165 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 75 Paragraph 173 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 76 Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 77 Paragraph 174 states that applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 59.
- 78 Footnote 59 advises that a site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.
- 79 While the site is not located in Flood Zone 2 or 3, so is in an area with a low probability of flood risk from fluvial sources, the Council's surface water flooding maps indicate that the site is at risk of flooding from surface water. Paragraphs 173 and 174 of the NPPF, and footnote 59 of the NPPF, therefore apply.
- 80 The applicant has provided a site-specific flood risk assessment and a surface water drainage strategy. The submitted information has provided a range of measures that will be taken to minimise the risk. To ensure this and to limit the risk of flooding and to prevent flooding elsewhere, a condition is recommended to ensure that the development is carried out in accordance with the flood risk assessment and the proposed surface water drainage strategy.
- 81 It is therefore considered that the proposal would be appropriately flood resistant and resilient and any residual risk could be safely managed. Furthermore, the proposal would not increase the risk of flood elsewhere.
- 82 The proposal would therefore comply with the NPPF, subject to condition.

Other Issues

83 Area of Archaeological Potential

KCC Archaeology has advised that the site lies north of Roman and Anglo-Saxon activity, including possible burials, and south of a Post Medieval or earlier complex of Kirby Hall. As such, they recommend that a condition for a scheme of archaeological field evaluation works. This would be necessary upon any grant of planning permission in light of the archaeological potential on site, in accordance with Policy EN4 of the ADMP.

84 Environmental Health

The SDC Environmental Protection Officer was consulted on the scheme and has raised no objections, subject to conditions. To minimise the impact of the construction works on other residential properties in the area, a construction

Agenda Item 4.2

management plan should be included, and it should include measures to deal with noise, dust, site working hours, deliveries and waste.

- 85 It is noted that the Council's Environmental Health team has requested that details of external lighting be secured by a condition to reduce light spillage. However, the development would be located in an existing residential area, between existing residential properties. Therefore, I do not consider it likely that the proposed development would result in an excessive light spillage which would harm the rural character of the area, beyond that which already exists. Given the heritage, rural, ecological sensitivity of the site a condition requiring approval of any external lighting would be appropriate in this instance.
- 86 The other recommendations regarding drainage and asbestos would not fall within the remit of planning at this level of development for an additional dwelling. However, these can be included as informative.
- 87 Planning Balance
- 88 The Council cannot demonstrate a five-year housing supply being currently at only 3.9 years, therefore paragraph 11 d) of the NPPF is engaged and the tilted balance applies. The proposed scheme would provide an additional housing unit and whilst, the need for housing in the district is great, one unit would only be afforded moderate weight. The creation of one housing unit would provide economic benefits such as, construction jobs and expenditure in the local area through local amenities, council tax and CIL for example. The economic benefits here are also given moderate weight.
- 89 It is considered that a new residential unit in this location would be an acceptable form of development and is considered compliant with both local and national policy. With no adverse impacts outweighing the benefits of the scheme, including the addition of a new housing unit, the tilted balance in favour of sustainable development is engaged as per paragraph 11d) of the National Planning Policy Framework and implies that permission should be approved.

Community Infrastructure Levy (CIL)

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

Conclusion

- 91 On considering the above, it's recommended that this application should be approved, as the development conforms to the relevant Development Plan policies and there are other overriding material considerations to indicate a planning permission should be granted without delay.

Recommendation

- 92 It is therefore recommended that this application is GRANTED.

Background papers

- 93 Site and block plan

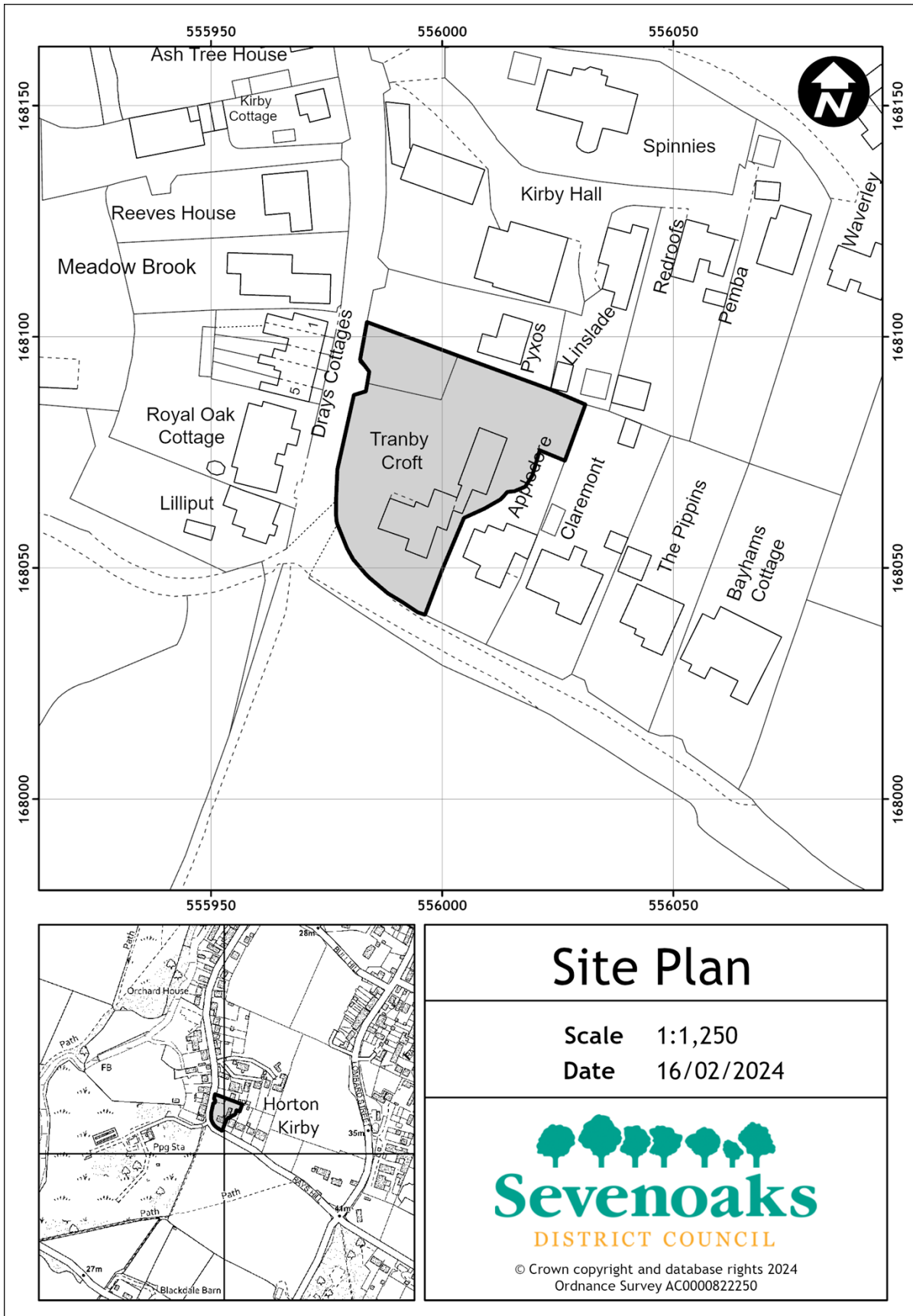
Contact Officer(s): Scott Fisher

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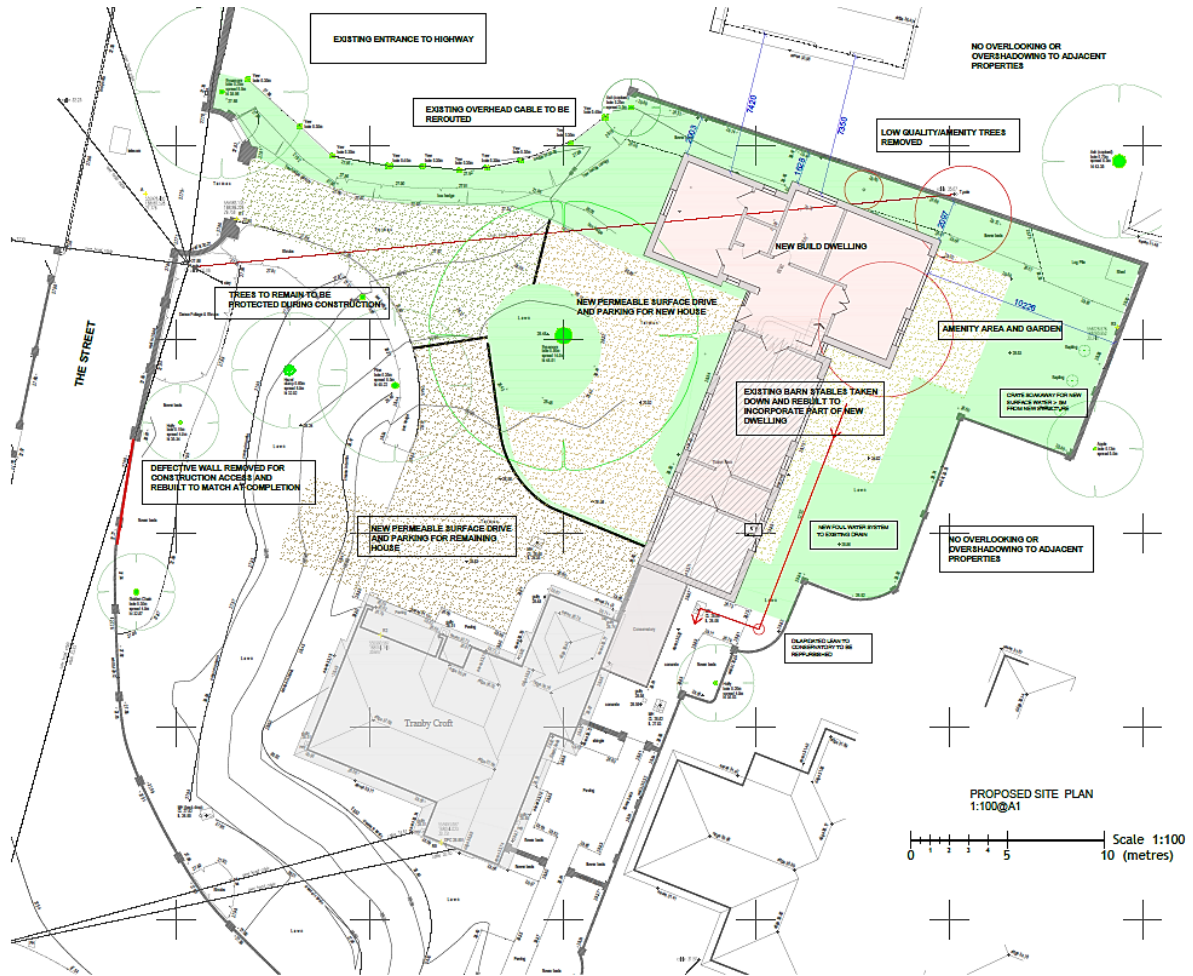
Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



BLOCK PLAN



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4.3 - 24/00592/CONVAR Date expired 6 June 2024

Proposal: Variation of condition 3 (The hard and soft landscaping) of 23/02074/CONVAR for Creation of seven off-street car parks; the erection of 13 dwellings; an extended replacement to the existing shop and associated landscaping improvements and creation of temporary shop with amendment to drawings to pick up minor changes to parking layouts, landscaping and elevations.

Location: Tonys Corner Shop, 18 Cedar Drive, Edenbridge Kent TN8 5JL

Ward(s): Edenbridge South & West

Item for decision

The application is presented at Development Control Committee as the applicant is Sevenoaks District Council.

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

1) The development hereby permitted shall be begun before the expiration of the time limit imposed on application SE/21/02825/FUL

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

2) The materials to be used in the construction of the residential development shall be those indicated on the approved plans: A983-01B-PL-120-F, A983-01B-PL-121-E, A983-01C-PL-120-E, A983-01C-PL-121-E, A983-01F-PL-120-D, A983-01F-PL-121-D.

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 hard and soft landscaping, hereby approved, shall be carried out in accordance with the landscaping plans and planting schedules, reference numbers: 6337-LLB-ZZ-E10-DR-L-0001-S4-P03, 6337-LLB-ZZ-E6-DR-L-0001-S4-P02, 6337-LLB-ZZ-E3-DR-L-0001-S4-P01, 6337-LLB-ZZ-E7-DR-L-0001-S4-P01, 6337-LLB-ZZ-ZZ-DR-L-0001-S4-P02, 6337-LLB-ZZ-E10-DR-L-0002-S4-P03, 6337-LLB-ZZ-E3-DR-L-0002-S4-P01, 6337-LLB-ZZ-E6-DR-L-0002-S4-P02, 6337-LLB-ZZ-E7-DR-L-0002-S4-P01, 6337-LLB-ZZ-ZZ-DR-L-0002-S4-P02, 6337-LLB-ZZ-E11-DR-L-0001-S4-P02, 6337-LLB-ZZ-E11-DR-L-0002-S4-P02.

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

4) 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

(Item No 4.3) 1

Agenda Item 4.3

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 ensure the provision, establishment, and maintenance of the landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

5) Prior to the first occupation of the dwellings on sites 6 and 10, eleven electric car charging points with suitable voltage and wiring for the safe charging of electric vehicles within the residential curtilage, shall be installed and thereafter maintained, as per approved plan numbers A983-01B-PL-102-E and A983-01F-PL-102-E.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

6) Prior to the use of the sites commencing, the visibility splays shall be provided and maintained with no obstructions over 1.05 metres above carriageway level within the splays, as per approved plans 4966 03, 4966 04, 4966 05, 4966 06, 4966 08, 4966 09.

In the interests of Highways safety.

7) Prior to the use of the sites commencing, pedestrian visibility splays of 2 metres x 2 metres shall be provided and maintained behind the footway on both sides of the access with no obstructions over 0.6m above footway level.

In the interests of Highways safety.

8) The development shall be carried out in accordance with the approved construction management plan (rev 2), prepared by BBS Construction Ltd and dated 14/07/2022, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

9) From the commencement of works (including site clearance), all mitigation measures for reptiles will be carried out in accordance with the details contained within section 5 of the Reptile Survey and Mitigation Strategy (KB Ecology May 2021).

In the interests of protected species and ecology on the site, in accordance with policy SP11 of the Core Strategy.

10) The development shall be carried out in accordance with the approved drainage scheme, unless otherwise agreed in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the approved details: Drainage calculations dated August 2022, revision P01; 4779-CON-00-XX-DR-C-1532-P01; 4779-CON-00-XX-DR-C-1531-P01; 4779-CON-00-XX-DR-C-1530-P01; 4779-CON-00-XX-DR-C-1516-P01; 4779-CON-00-XX-DR-C-1514-P01; 4779-CON-00-XX-DR-C-1518-P01; 4779-CON-00-XX-DR-C-1513-P01; 4779-CON-00-XX-DR-C-1517-P01; 4779-CON-00-XX-DR-C-1512-P01; 4779-CON-00-XX-DR-C-1515-P01; 4779-CON-00-XX-DR-C-1511-P01; 4779-CON-00-XX-DR-C-1510-P01; 4779-CON-00-XX-DR-C-1400-P01.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding.

11) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate 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 that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

12) The development shall take place in accordance with the approved Arboricultural Method Statement, prepared by Temple Group Ltd and dated 26 May 2022, unless otherwise agreed in writing by the local planning authority.

To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

13) The development shall take place in accordance with the approved details of the implementation and phasing plan, prepared by BBS Construction Ltd and dated 31st May 2022, unless otherwise agreed in writing by the local planning authority.

To ensure the visual amenity of the area is maintained, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

14) Works of demolition and construction shall only be carried out between the hours of 08.00 to 18.00 hours Monday to Friday, and 08.00 to 13.00 hours on Saturdays, with no work being permitted on Sundays or Bank Holidays.

In the interests of residential amenity in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

15) The applicant shall obtain a Secured by Design accreditation for the development hereby permitted, a copy of which must be submitted to, and approved in writing by, the Local Planning Authority within 3 months of the completion of the development.

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

16) The development hereby permitted shall be carried out in accordance with the following approved plans and details: A983-01-101 H, 5469 LLB ZZ ZZ DT L 0001 P01, 4966 01, 5469 LLB ZZ ZZ DR L 0001 P06, A983-01C-PL-110-D, A983-01F-PL-102-E, A983-01A-PL-102-F,

Agenda Item 4.3

A983-01B-PL-102-E, A983-01C-PL-102-F, A983-01F-PL-130-E, A983-01F-PL-121-D, A983-01F-PL-120-D, A983-01F-PL-111-D, A983-01F-PL-110-C, A983-01C-PL-121-E, A983-01C-PL-120-E, A983-01B-PL-131-B, A983-01B-PL-130-C, A983-01B-PL-121-E, A983-01B-PL-120-F, A983-01B-PL-112-C, A983-01B-PL-110-F, A983-01E-PL-102-D, A983-01F-PL-131-B, A983-01G-PL-102-D.

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

National Planning Policy Framework

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

Description of site

- 1 The Stangrove Estate is located on the west side of Edenbridge to the south of the railway line. It is accessed via Crouch House Road. Stanbridge Road and Pine Grove lead into the estate to Cedar Drive, Park View Close and Park Avenue. The existing shop (Tonys Corner Shop) is a small single storey retail unit located at the junction of Cedar Drive and Park Avenue. The estate is predominantly made up of two storey terraced houses with areas of green open space. The area is residential in character, located within the build confines of Edenbridge.

Description of proposal

- 2 Permission was granted under 21/02825/FUL for the creation of seven off-street car parks; the erection of 13 dwellings; an extended replacement to the existing shop and associated landscaping improvements.
- 3 A minor material amendment was approved under 22/02353/MMA to allow the inclusion of 13 air source heat pumps, one per dwelling. A variation of condition application was granted under 23/02074/CONVAR to vary condition 2 (materials), 3 (hard and soft landscaping), 5 (electric car charging points) and 16 (plan numbers) of 22/02353/MMA related to 21/02825/FUL to address minor changes to parking layouts, landscaping and elevations.
- 4 This variation of condition application seeks to vary condition 3 (hard and soft landscaping) in relation to site 11 to regularise the approved landscaping plans for this site in line with the already approved site and parking layout plan.
- 5 The wording of the approved condition is below:

3) The hard and soft landscaping, hereby approved, shall be carried out in accordance with the landscaping plans and planting schedules, reference numbers: 6337-LLB-ZZE10-DR-L-0001-S4-P03, 6337-LLB-ZZ-E11-DR-L-0001-S4-P01, 6337-LLB-ZZ-E6-DR-L-0001-S4-P02, 6337-LLB-ZZ-E3-DR-L-0001-S4-P01, 6337-LLB-ZZ-E7-DR-L-0001-S4-P01, 6337-LLB-ZZ-ZZ-DR-L-0001-S4-P02, 6337-LLB-ZZ-E10-DR-L-0002-S4-P03, 6337-LLB-ZZ-E11-DR-L-0002-S4-P01, 6337-LLB-ZZ-E3-DR-L-0002-S4-

(Item No 4.3) 4

P01, 6337-LLB-ZZ-E6-DR-L-0002-S4-P02, 6337-LLB-ZZ-E7-DR-L-0002-S4-P01, 6337-LLB-ZZ-ZZ-DR-L-0002-S4-P02.

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.

- 6 The applicant wishes to update the plan numbers for the landscaping plans for site 11 to ensure the landscaping plans match up to the already approved site plan and parking layout plan. The following approved drawings: 6337-LLB-ZZ-E11-DR-L-0001-S4-P01 and 6337-LLB-ZZ-E11-DR-L-0002-S4-P01 are to be replaced with the new proposed: 6337-LLB-ZZ-E11-DR-L-0001-S4-P02 and 6337-LLB-ZZ-E11-DR-L-0002-S4-P02.

- 7 As such, the proposed condition wording is:

3) The hard and soft landscaping, hereby approved, shall be carried out in accordance with the landscaping plans and planting schedules, reference numbers: 6337-LLB-ZZ-E10-DR-L-0001-S4-P03, 6337-LLB-ZZ-E6-DR-L-0001-S4-P02, 6337-LLB-ZZ-E3-DR-L-0001-S4-P01, 6337-LLB-ZZ-E7-DR-L-0001-S4-P01, 6337-LLB-ZZ-ZZ-DR-L-0001-S4-P02, 6337-LLB-ZZ-E10-DR-L-0002-S4-P03, 6337-LLB-ZZ-E3-DR-L-0002-S4-P01, 6337-LLB-ZZ-E6-DR-L-0002-S4-P02, 6337-LLB-ZZ-E7-DR-L-0002-S4-P01, 6337-LLB-ZZ-ZZ-DR-L-0002-S4-P02, 6337-LLB-ZZ-E11-DR-L-0001-S4-P02, 6337-LLB-ZZ-E11-DR-L-0002-S4-P02.

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.

Relevant planning history

- 8 21/02825/FUL Creation of seven off-street car parks; the erection of 13 dwellings; an extended replacement to the existing shop and associated landscaping improvements and creation of temporary shop. GRANT
- 9 21/03526/FUL Provision of a temporary shop unit to be used in lieu of the existing for a period of 3 years. GRANT
- 10 22/02353/MMA Amendment to 21/02825/FUL. GRANT
- 11 23/02074/CONVAR Variation of condition 2 (materials), 3 (hard and soft landscaping), 5 (electric car charging points) and 16 (plan numbers) of 22/02353/MMA related to 21/02825/FUL for Creation of seven off-street car parks; the erection of 13 dwellings; an extended replacement to the existing shop and associated landscaping improvements and creation of temporary shop with amendment to drawings to pick up minor changes to parking layouts, landscaping and elevations. GRANT

Policies

- 12 National Planning Policy Framework (NPPF)

Agenda Item 4.3

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.

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 Core Strategy (CS)

- LO1 Distribution of Development
- LO6 Development in Edenbridge
- SP1 Design of New Development and Conservation
- SP3 Provision of Affordable Housing
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- SP8 Economic Development and Land for Business
- SP10 Green Infrastructure, Open Space, Sport and Recreation Provision

14 Allocations and Development Management (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- T2 Vehicle Parking

Constraints

15 The following constraints apply:

None identified.

Consultations responses

16 Edenbridge Town Council – Members support the application.

17 KCC Highways – No objections.

18 National Highways – No objection.

19 Tree Officer – No objections.

20 KCC Ecology – No significant changes to the landscaping and planting plans, no comments.

21 SDC Housing – No comments.

(Item No 4.3) 6

- 22 Environmental Health – No objection.
- 23 Lead Local Flood Authority – No objections, sought clarification regarding the permeable asphalt and the sub-base attenuation.
- 24 Environment Agency – Application relates to condition not requested by Environment Agency, no comments.
- 25 Conservation – No comments.
- 26 Southern Water – Comments regarding tree planting and proximity to public surface water sewers. Applicant should refer to guidance: “A Guide to Tree Planting near water Mains and Sewers” by Southern Water.
- 27 Public Right of Ways Officer – No comments.
- 28 Urban Design Officer – No comments.

Representations

- 29 No public comments received.

Chief Planning Officer’s appraisal

- 30 The main planning considerations are:
 - 31 The development, which this application seeks to amend, has by definition been judged to be acceptable in principle. Paragraph 031 (Reference ID: 21a-031-20180615) of the National Planning Practice Guidance (NPPG) states that ‘In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application.’ On this basis, an assessment under section 73 should be focused on the changes sought.
 - 32 There have not been significant changes in local and national policy since the last decision that are relevant to this proposal. Any changes will be considered as part of this application.
 - 33 The applicant seeks to vary condition 3 of planning permission 23/02074/CONVAR to allow two new drawing numbers to be referenced to ensure the landscaping plans for site 11 match the approved site and parking plans.
 - 34 The planning issues relevant to the proposed amendment to the condition is assessed below:

Design and impact on the character of the area

- 35 The previous scheme was considered to have been designed to be sympathetic to the existing character of the estate, with extensive landscaping improvements proposed. Overall, the proposed development was not considered to detract from the character and appearance of the site or the surrounding area and was found to be compliant with design policies EN1 of the ADMP and SP1 of the Core Strategy.

Agenda Item 4.3

- 36 The alterations sought under this application are to ensure the landscaping plans for site 11 match the site and parking plans already approved, with no changes proposed to the approved landscaping or site layout. The amended landscaping plans would reflect the site and parking plans already approved under 23/02074/CONVAR and include the retained turning area, the 7 parking spaces along the northern boundary, the asphalt hard surfacing and provision of a disabled parking space.
- 37 Overall, the proposal is to regularise the approved landscaping plans for site 11 and the updated landscaping plans would not impact upon the character or appearance of the area. The proposal is considered to remain compliant with design policy SP1 of the Core Strategy and EN1 of the ADMP.

Impact on neighbouring amenity

- 38 The previously approved scheme was considered acceptable in terms of protecting existing neighbouring amenity and the amenity of future occupiers.
- 39 The substitution of the two landscaping plans for site 11 will not impact upon neighbouring amenity to any increased degree. It is considered that the variation of the condition to ensure the plans all match up remains in accordance with policy EN2.

Impact on Highways

- 40 As per the assessment made under 23/02074/CONVAR, the car park proposed at site 11 would have 7 spaces instead of the originally approved 8 under 21/02825/FUL. This alteration has already been approved. The substitution of the two landscaping plans would ensure they reflect the already approved site plan and parking plan for site 11. The proposal will regularise the plans and ensure they correctly reflect the development in terms of parking layout, turning space and the inclusion of a disabled parking space.
- 41 Overall, the variation to condition 3 will not have any new or additional impacts upon highways considerations. The scheme is considered to remain acceptable on highways grounds, with KCC Highways raising no objections to the scheme.

Impact on drainage and flood risk

- 42 As per the previous application 23/02074/CONVAR, the applicant has confirmed that the permeable surfaces are still designed with the appropriate sub-base for attenuation. As such, the alterations to the landscaping plans to regularise the plans would not alter the approved drainage strategy.
- 43 Southern Water have commented that some of the planting may be within proximity to a public surface water sewer. Previously they have raised no objections to the scheme and layout of site 11. The landscaping is to remain as approved, and this application would not see any alterations to the approved landscaping. The applicant is advised to review the Southern Water guidance on planting and sewers.

Community Infrastructure Levy (CIL)

- 44 The proposal was CIL liable, and the CIL charge has been paid. The amendment proposed does not alter the CIL charge relating to the development.

Conclusion

- 45 In light of the above, the variation of condition 3, to regularise the landscaping plans in line with the already approved site and parking plan, is considered to be acceptable. When considering the impact of the amendment upon the character of the area, neighbouring amenity, highways and other material considerations, this proposal is considered to be in accordance with the development plan.

Recommendation

- 46 That the proposed variation to condition 3 of planning permission 23/02074/CONVAR is GRANTED.

Background papers

- 47 Site and block plan

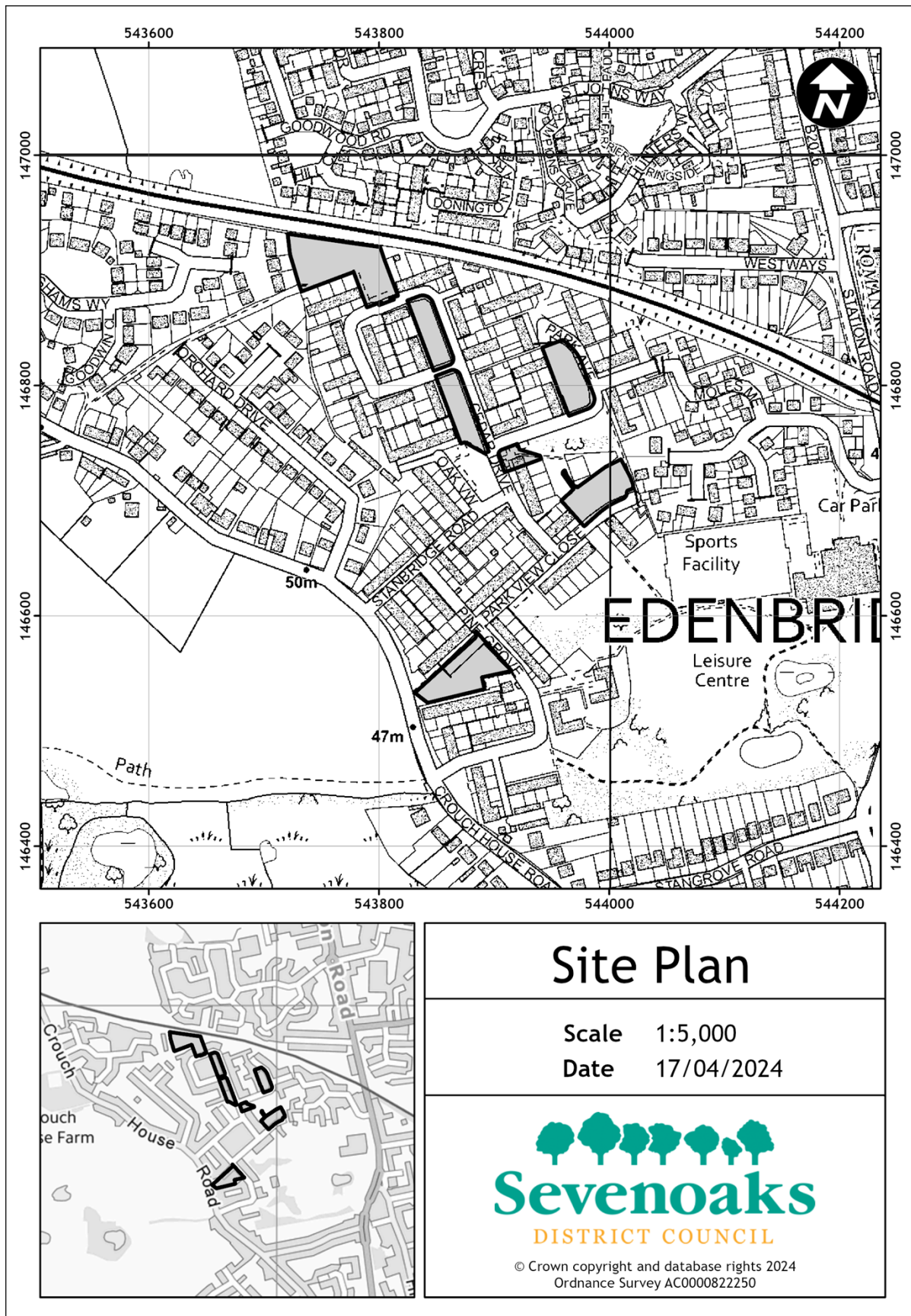
Contact Officer(s): Anna Horn

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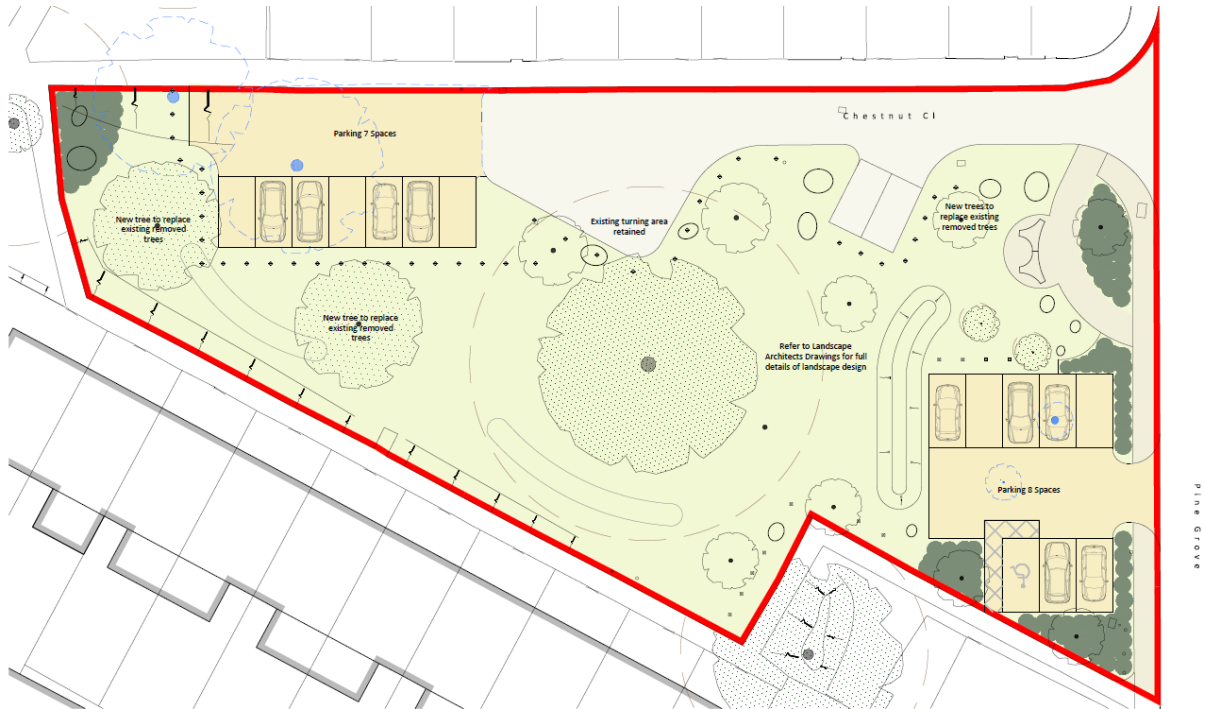
Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



BLOCK PLAN FOR APPLICATION 23/02074/CONVAR



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Planning Application Information on Public Access – for applications going to

DM Committee on Thursday 23 May 2024

4.1 – 23/03038/HOUSE – 10 Tudor Drive, Otford, Sevenoaks, Kent TN14 5QP

[Link to application details:](#)

[Link to associated documents:](#)

4.2 – 23/03534/FUL - Tranby Croft, The Street, Horton Kirby, Kent DA4 9BY

[Link to application details:](#)

[Link to associated documents:](#)

4.3 – 24/00592/CONVAR - Tonys Corner Shop, 18 Cedar Drive, Edenbridge, Kent TN8 5JL

[Link to application details:](#)

[Link to associated documents:](#)

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