



approved and shall be maintained as such thereafter.

Pursuant to Section 197 of the Town and Country Planning Act 1990 and to preserve the appearance and character of the site and locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) No development shall take place until details of a scheme to demonstrate that the internal noise levels within the residential unit would conform to Table 4: Indoor Ambient Noise Levels for Dwellings identified in BS 8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority.  $L_{Amax,F}$  during the period 2300 to 0700 should not exceed 45dBA. Work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and maintained thereafter. If mechanical acoustic ventilation needs to be provided, self-noise must not cause the internal noise levels to exceed the BS8233:2014 criteria.

To safeguard the amenities of the future occupiers of the new dwelling as supported by Policies EN1, EN7 of the Sevenoaks Allocations and Development Management Plan.

5) The ground and first floor window(s) in the north west facing elevation(s) shall be obscure glazed at all times.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

6) The biodiversity enhancements hereby approved shall be implemented in accordance with the approved Landscaping Plan and site section called plan number 1091/04, and completed in full prior to the occupation of the new dwelling hereby approved.

To ensure that the proposed development will not have a harmful impact on protected species and habitats, and wider biodiversity, in accordance with Policy SP11 of the Core Strategy and the NPPF.

7) Before the use or occupation of the new dwelling hereby permitted, the car parking and driveway shown on approved drawing 1091/04 shall be provided and shall be kept available for the access and parking of cars for both properties at all times. The driveway and parking shall be constructed of permeable materials in accordance with the materials outlined on the approved drawing 1091/04.

In the interest of highway safety as supported by policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

8) The development hereby permitted shall provide an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles within the residential curtilage prior to the first occupation of the new dwelling hereby approved and maintained thereafter.

In order to mitigate and adapt to climate change and ensure development contributes to an improvement in the District's air quality, in accordance with

Policy T3 of the Sevenoaks ADMP.

9) Demolition or construction works shall not take place outside 0700 hours to 1800 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

To mitigate the impact upon nearby amenities of surrounding residents during construction, in accordance with policies EN1, EN2 of the Sevenoaks Allocations and Development Management Plan.

10) The development hereby permitted shall be carried out in accordance with the following approved plans: 1091/01 Location Plan, 1091/02 Site Plan, 1091/03 Rev B Proposed Plans and Elevations, 1091/04 Landscaping Plan and Site Section

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

**Informatives**

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

2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit [www.sevenoaks.gov.uk](http://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 is situated on the south west corner of a residential close which serves ten bungalows of a repeated design, set on a regular building line around the head of the close, and with evenly spaced land plots.
- 2 All land plots of dwellings possess rear gardens and open frontages, with dwellings set back behind front lawns or paved areas.
- 3 The dwellings are sited around the top pf a turning head access road from Robyns Way and there is no through traffic. The rear of the site is bound by a mainline railway route to London.

## Description of proposal

- 4 Permission was granted for the erection of a bungalow in this location in 2016. This application seeks for the erection of bungalow sited in this location which forms land to the south of 19 Mount Close.
- 5 The design of the bungalow has been varied to a detached design, rather than attached to 19 Mount Close to create a terraced effect. The bungalow would repeat the design and match the height and depth of bungalows in the close.
- 6 The bungalow would maintain a 1.5m gap with the neighbouring bungalow 19 Mount Close. Parking provision for two vehicles would be provided on the front driveway of the site.

## Relevant planning history

- 7 16/03117/FUL - Proposed rear dormer loft conversion to No.19 Mount Close, and the erection of an attached dwelling to the side of No.19 Mount Close - GRANTED.

## Policies

- 8 National Planning Policy Framework (NPPF)
- 9 Core Strategy (CS)
  - L01 Distribution of Development
  - L02 Development in Sevenoaks Urban Area
  - SP1 Design of New Development and Conservation
  - SP2 Sustainable Development
  - SP5 Housing Size and Type
  - SP7 Density of Housing Development
  - SP11 Biodiversity
- 10 Allocations and Development Management Plan (ADMP)
  - SC1 Presumption in Favour of Sustainable Development
  - EN1 Design Principles
  - EN2 Amenity Protection
  - EN7 Noise Pollution
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking
  - T3 Provision of Electric Vehicle Charging Points
- 11 Other:
  - Sevenoaks Residential Extensions Supplementary Planning Document (Residential Extensions SPD)
  - Sevenoaks Residential Character Area Assessment SPD (SRCAA)
  - Kent Design Review: Interim Guidance Note 3 - Residential Parking
  - Vehicle Crossing: - Guidance and Self-Assessment

## **Constraints**

- 12 The following constraints apply:
- Urban Confines of Sevenoaks
  - Residential Character Area: Mount Close
  - Network Rail 10M Buffer Zone

## **Consultations**

- 13 Sevenoaks Town Council - Recommend refusal on the grounds of overdevelopment and severe overlooking of 56 and 56A Robyns Way.
- 14 Dunton Green Parish Council - Supports any comments submitted by Sevenoaks Town Council and Riverhead Parish Council in relation to this application.
- 15 Riverhead Parish Council - No response received.
- 16 Kent County Council Highways - No Comment. Standard Informative provided.
- 17 Network Rail - No objections.
- 18 South East Water - No response received.
- 19 Thames Water - No response received.
- 20 Kent County Council Archaeology - The site is located within an area of medium potential for Palaeolithic remains. Pre-commencement condition recommended.

## **Representations**

- 21 One neighbouring letter has been received requesting conditions related to vibration/noise from adjacent railway line, and a landscaping scheme/biodiversity enhancements, if the scheme is approved.

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

- 22 The main planning consideration are:
- Principle of Development
  - Impact upon the character and appearance of the area
  - Impact on residential amenity
  - Highways and Parking
  - Biodiversity
  - Other issues

## Principle of the development

- 23 The NPPF has a general presumption in favour of sustainable development, whilst encouraging the delivery of homes of a high quality design and a good standard of amenity for all, whilst reusing previously developed land.
- 24 Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 25 Part of the site is clearly previously developed land. However, it should be noted that the definition of Previously Developed land in Annex 2 of the NPPF includes land in built up areas such as private residential gardens.
- 26 Policy LO1 of the Core Strategy states that development will be focussed within the built confines of existing settlements.
- 27 Policy LO2 seeks to prioritise development within the Sevenoaks Urban Area.
- 28 Policy SC1 of ADMP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with policies in the Development Plan will be approved without delay unless material planning considerations indicate otherwise.
- 29 The National Planning Policy Framework (NPPF) removed gardens from the definition of 'previously developed land', as cited earlier. Whilst the NPPF places an emphasis on development of previously developed land, this does not preclude such land from being developed, provided such development is in a suitable location and relates well to its surroundings.
- 30 Paragraph 53 of the NPPF states that local planning authorities should consider setting out policies to resist the inappropriate development of rear gardens where this would cause harm to the local area. This is broadly consistent with Policies LO1, LO2 and SP1 of the Core Strategy which include criteria that development should not compromise or harm the distinctive character of an area.
- 31 This site is within the built confines of Sevenoaks Urban Area, and as such there is a presumption in favour of development. The development of this windfall site would make a welcome contribution to the housing provision within the district of one additional housing unit.
- 32 In January 2021 Central Government confirmed that the Council is not meeting its 5-year land supply and therefore the planning balance should be further tilted in the presumption in favour of sustainable development and

therefore this additional housing unit is given additional weight in helping to support the Council to meet its current housing targets.

- 33 The location of the development is within an established residential suburb within the built confines of Sevenoaks, which is a strategic location for new housing and is supported by the necessary infrastructure.
- 34 The development plan policies seek to maximise the potential of such sites. This is especially important within Sevenoaks District where the majority of the District falls within the Green Belt.
- 35 In summary, the proposed development is in a strategic location for a new dwelling and can provide a valuable windfall contribution to the Council's housing supply. The development would maintain an appropriate housing density to maintain the spacious and open character of the area and the principle of development to subdivide neighbouring land plots is accepted, subject to other material planning considerations detailed in this report.
- 36 The development is in accordance with Policies, L01, L02 and SP1 of the Core Strategy and the planning balance is tilted in favour of sustainable development, subject to other material planning considerations detailed below.

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

- 37 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- 38 Policy EN1 of the ADMP state that the form of proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality.
- 39 The bungalows within Mount Close are pairs of semi-detached bungalows in a repeated design which includes a front facing gable and generally open frontages with off street parking on front driveways. Many of the bungalows have been altered and extended over time, to include hip to gable loft conversions and side extensions set back from the principle building line of the dwellings.
- 40 The existing detached garage on the application site is located along the principle building line of the street which is uncharacteristic of the street scene and there is no objection to its demolition.
- 41 The uniform heights of the bungalows, even spacing within land plots and palette of buff brick, pale paint and brown roof tiles provides a visual cohesiveness to the street scene as identified within the SRCAA. The planned, relatively cohesive design and spacing of the bungalows together with the low building heights also afford glimpses of tree belts along the railway line to the west of Mount Close and afford glimpses of the North Down to the north of the Close.

- 42 The proposed dwelling would match the design, height and depth of the existing bungalows to respect the unity of the single-storey bungalows, in accordance with the SRCAA.
- 43 The design includes a front-facing single storey protruding gable and a gable-end pitched roof with front roof lights to match the design of other bungalows across the street scene. The proposed dwelling would be constructed in materials to match neighbouring dwelling across the street scene and as a result of this design, form and detailing, the dwelling would blend well into the character of the existing street scene.
- 44 The dwelling would be sited on part of the land owned by 19 Mount Close on land where the existing garage on site is to be demolished. The new residential curtilage would extend approximately 5.5 metres into the rear gardens of two neighbouring dwellings to the south of the site (56 and 56A Robyns Way) which have generous rear gardens.
- 45 As a result, the proposed dwelling would be sited approximately 1.5m from the neighbouring dwelling 19 Mount Close. This visual spacing would conserve the open character of the street scene and preserve the existing visual symmetry of the pair of semi-detached dwellings no.19 and no.17 Mount Close. As result this design is considered of a more responsive design to conserve the pattern of development and spacing across the close and the visual character of the street scene.
- 46 In terms of density, Policy SP7 of the Core Strategy sets a density of 40 dwellings per hectare for developments within built up areas. The proposed development would achieve a slightly lower density of 30.2 dwellings per hectare which would enable the open and spacious feeling of the area's character to be preserved, in accordance with paragraph 122 of the NPPF which requires decisions to support development which makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting. As a result, the new dwelling is not considered to be an overdevelopment of the site, in response to concerns raised by the local Councillors and Town Council.
- 47 Off street parking would be provided to the frontage of the site and would be set at an oblique angle due to the screened siting of the land plot at the end of the Close. It is also proposed to enable two off-street parking spaces to the frontage of no.19 Mount Close, rather than to the front and sides of the dwelling which is typical of parking arrangements in the Close.
- 48 A landscaping plan confirms the driveways would be of a permeable surfacing and partial grass frontages would be retained for both the proposed site and no.19 Mount Close. This design and parking arrangement would retain the overall character of the street scene which includes open frontages with a mixture of grass verge and hard standing for vehicle parking. This landscaping can be secured via planning condition.
- 49 Finally, with regards to the street scene, the dwelling would be sited in the south west corner of Mount Close. The land plot is screened on the approach to the Close by the three existing dwellings along Robyns Way (no. 54, 56



and 56A) and their evergreen boundary treatments, together with the natural topography of the land.

- 50 Mount Close is accessed via Robyns Way via a steep incline so that the bungalows are not visible across long-range views from neighbouring residential streets. Upon entering the Close, half of the application site will be screened from view by the existing rear garden of no.54 Robyns Way. As a result, the proposed dwellings design and siting will be of a discreet visual appearance within the street scene and blend well with the existing character of built frontages across the Close.
- 51 In summary, the proposed dwelling would be of a responsive design, detailing and siting with associated parking provision and soft landscaping which would respect the character of the existing street scene and residential character of Mount Close, in accordance with Policies SP1 and SP7 of the Core Strategy and Policy EN1 of the Sevenoaks ADMP, as well as the SRCAA supplementary design guidance.

### **Impact on residential amenity**

- 52 Policy EN2 of the ADMP requires that any development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants. Policy EN7 seeks to maintain acceptable noise levels from existing noise sources for existing and future occupants of development.
- 53 Daylight and sunlight
- 54 The new dwelling would be sited on land to the south east of no.19 and would be built to remain flush with the principle building line and rear building line of no. 19 Mount Close, as well as match the height of this neighbouring dwelling. As a result, the dwelling would have no impact on the daylight levels of any primary light sources serving habitable rooms of no.19 Mount Close and would safeguard suitable levels of sunlight to the private rear amenity space of the garden of no.19 Mount Close.
- 55 A light assessment has also been undertaken to the nearest neighbouring dwellings to the south of the application site. The proposed dwelling would extend approximately 5.5 metres into the rear gardens of two neighbouring dwellings to the south of the site (56 and 56A Robyns Way) which have generous rear gardens.
- 56 These neighbouring dwellings would remain over 13 metres from the new dwelling and as a result of this distance the new dwelling would have no impact on the daylight levels received by these neighbouring dwellings. Together with this distance and the siting of the neighbouring dwellings to the south of the application site, due to the orientation of the sun's path the dwelling would have no impact on the sunlight levels received to the neighbouring gardens of 56 and 56A Robyns Way.
- 57 In summary the daylight and sunlight levels of all neighbouring dwellings would be suitably preserved by the development.

58 Privacy

59 With regards to privacy, the new dwelling would have a rear dormer which would maintain an oblique view towards the neighbouring gardens and maintain the degree of overlooking associated with other neighbouring dwellings which have rear dormers as part of the back development of site, safeguarding the 5 metres of protected rear amenity space under local policy guidance.

60 The new dwelling would have one ground floor window and one first floor window to serve non-habitable rooms on the north-west facing side elevation of the dwelling. These are indicated to be obscure glazed on the plans and this can be secured via condition to protect neighbouring privacy.

61 The Town Council has expressed concern with regards to overlooking of properties to the south of the site - no. 56 and 56A Robyns Way. The new dwelling would have no windows on the south-east facing side elevation of the dwelling and a 1.8m close boarded fence is proposed along the southern boundary of the site, which is a typical boundary treatment across the area to protect the privacy of the occupant and neighbouring gardens.

62 As a result, there would be no privacy impact to any neighbouring dwellings as a result of this proposal.

63 Outlook

64 As the new dwelling would be built flush with the existing principle building lines and height of the nearest neighbouring dwelling no. 19 Mount Close, the dwelling would preserve the existing outlook afforded from habitable rooms of no.19 Mount Close.

65 Land levels sharply incline from north to south, between Robyns Way and Mount Close where the application site is sited. As a result, the rear gardens of Robyns Way steeply rise up towards the application site and the existing outlook from the ground level of numbers 56 and 56A is of the slope of their gardens. This outlook would remain as existing as a result of the development.

66 At first floor level the neighbouring dwellings number 56 and 56A have a restricted direct view of the side elevation of number 10 Mount Close. The new dwelling would result in a view of the side elevation of the new dwelling, which would still remain over 13m from the nearest neighbouring window. As a result, this change of outlook is modest and would preserve satisfactory levels of outlook for numbers 56 and 56A Robyns Way. The planning process is unable to protect a view.

67 In summary, the new dwelling would safeguard suitable levels of outlook for all neighbouring dwellings.

68 Noise

69 As highlighted in the neighbouring representations, the dwelling would be bound by rail infrastructure to the rear of the application site. A planning

condition can be secured to ensure that the construction of the new dwelling safeguards satisfactory noise levels for future occupants of the development.

- 70 The dwelling would not alter the noise levels received to neighbouring dwellings, aside from the standard noise levels experienced during the finite construction period of the development. The hours of operation for constructing the new dwelling can be secured via planning condition to safeguard the quiet residential character of the area, in accordance with local policy.
- 71 Finally, in terms of size, layout, daylight and outlook, the proposed dwelling would provide an adequate living environment for future occupiers. The Council does not have minimum standards in relation to the size of external amenity areas for proposed new dwellings however the rear garden would seek to match the length of existing rear gardens along this section of the close to provide future occupiers with an adequate amount of usable garden space and allow for a satisfactory standard of living conditions in accordance with relevant policy.
- 72 In summary, the new dwelling would safeguard the amenities of existing and future occupiers of the site in accordance with Policies EN2 and EN7 of the ADMP. Planning conditions can be applied to secure the privacy and acceptable noise levels for residents and neighbours of the development.

### **Highways and Parking**

- 73 Concern has been expressed with regards to the proposed parking arrangements for the site. Policy T2 of the ADMP requires parking to be provided for residential developments in accordance with KCC parking standards. This is contained in Appendix 2 of the ADMP. It states that a two-bedroom unit located in a suburban location should provide 1.5 independently accessible spaces per unit.
- 74 The proposed off-street parking provision would comply and exceed current parking standards and would assist in mitigating pressures for on-street parking in the area, which is subject to parking controls. As a result, the proposal would not exacerbate any on-street parking concerns.
- 75 KCC Highways has raised no objections to the proposed parking provision. The additional 6- 8 vehicle trips a day generated by a household is unlikely to cause a highway safety issue, especially when the close has no through traffic, in accordance with Policy T1 of the ADMP.
- 76 Access to the site is from an existing and extended access from the end of the close to retain adequate and safe sightlines to and from the public highway.
- 77 Permeable surfacing is proposed for the driveway to safeguard the public highway from any surface water run-off. This surfacing can be secured via planning condition.

- 78 Policy T3 of the ADMP requires new houses to include electrical vehicle charging infrastructure which can be suitably secured through planning condition.
- 79 In summary, the development would remain in accordance with Policies T1, T2 and T3 of the Sevenoaks ADMP.

### **Biodiversity**

- 80 SP11 of the Core Strategy sets out that new development should maximise opportunities to build in features which are of benefit to biodiversity as part of good design. The application details proposed landscaping of the site, to include beech and copper hedging, and bird boxes to provide new habitats for birds and wildlife. These measures would improve the ecological value of the site and can be secured via planning condition.
- 81 As a result, the proposed scheme would positively enhance local biodiversity in accordance with policy SP11 of the Core Strategy.

### **Other issues**

- 82 The development proposed is for one residential unit and as such, an on-site affordable housing provision would not be deemed appropriate under Policy SP3 of the ADMP.
- 83 The County Archaeological Officer has suggested an archaeological condition in relation to the site. The site is not located within an area of archaeological potential and given the dwelling is to be sited on partially disturbed land, it would not be reasonable to apply a planning condition under the tests required under the NPPF.

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

- 84 The development is CIL liable.

### **Conclusion**

- 85 The proposal would provide one additional housing unit to assist the Council in meeting housing need and make efficient use of urban land, whilst respecting the character of the site, safeguarding residential amenities and enhance local biodiversity. The development is in accordance with the Sevenoaks Development Plan and there are no material planning conditions which would outweigh the presumption in favour of sustainable development.
- 86 It is therefore recommended that this application is GRANTED.

**Background papers**

Site and block plan

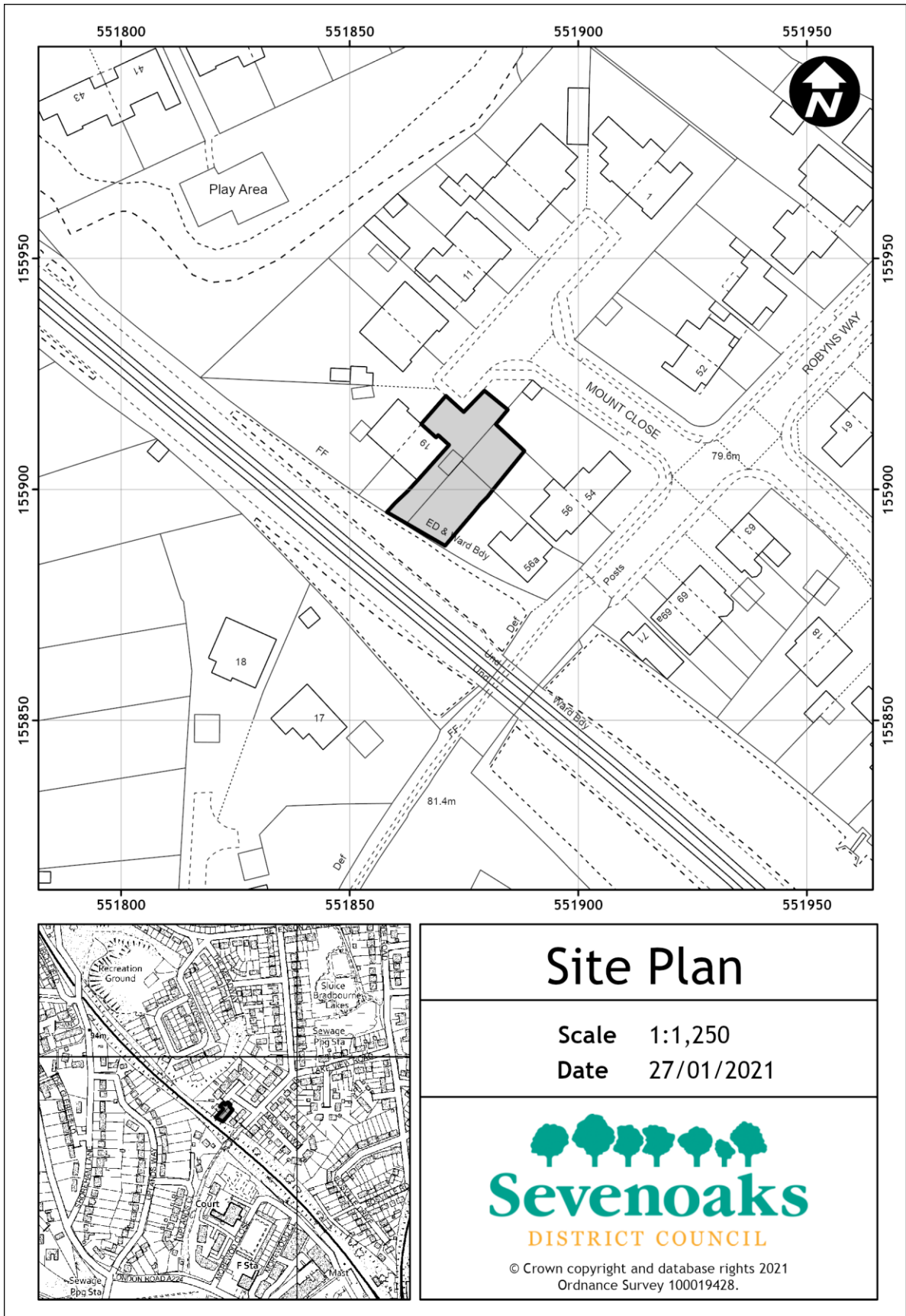
Contact Officer(s):

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

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

Scale 1:1,250  
Date 27/01/2021



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Ordnance Survey 100019428.

# BLOCK PLAN

