

REPORT TO PLANNING COMMITTEE

10th January 2022

Arrangements During COVID 19

Sevenoaks Town Council is endeavouring where possible to continue with its day-to-day activities, including providing recommendations on planning applications. There are still public health restrictions and "Council Meetings" via Zoom are not currently permitted.

Decisions and planning recommendations will be made via a "Working Party" of the Council with Meetings held on Zoom and live streamed on Youtube as per the last year, and signed off under delegated powers by the Chief Executive.

Details of planning applications being considered will be published in the normal manner and timescale - Comments on planning applications are welcome by email. Please submit your comments **by 12noon on 10th January 2022** to: planning@sevenoakstown.gov.uk

It is hoped in the near future that we will be able to hold virtual or /face-to-face meetings and details will be published.

Virtual meeting of the **PLANNING COMMITTEE** Working Party to be held via Zoom at **7pm on Monday 10th January 2022.**

Town Councillors are reminded that they have a duty to state a Declaration of Interest prior to the appropriate agenda item and to consider the Crime and Disorder Act 1998 s.17 when reaching a decision.

Please note that the proceedings of this meeting will be streamed live to YouTube for the public to watch via the following link: https://youtu.be/saGp_o5O-UE and may be recorded in line with regulations set out in the Openness of Local Government Bodies Regulations 2014. A copy of Sevenoaks Town Council's procedure for the recording of meetings is available online at sevenoakstown.gov.uk or by request.

Please note that the Planning Committee forward recommendations as a statutory consultee to the local Planning Authority, and therefore the final responsibility for approving or refusing an application rests with Sevenoaks District Council.



Town Clerk

Town Council Offices
Bradbourne Vale Road
Sevenoaks Kent TN13 3QG

tel: 01732 459 953 fax: 01732 742 577
email: council@sevenoakstown.gov.uk
web: sevenoakstown.gov.uk



Town Clerk

To assist in the speedy and efficient despatch of business, members wishing to obtain factual information on items included on the agenda are asked to enquire of the Town Clerk prior to the day of the meeting.

Cllr K Bonin	Cllr N Busvine OBE
Cllr S Camp (Vice Chairman)	Cllr Dr M Canet (Mayor)
Cllr A Clayton	Cllr A Eyre
Cllr V Granville-Baxter	Cllr R Hogarth
Cllr L Michaelides	Cllr T Morris Brown
Cllr Mrs R Parry	Cllr R Parry
Cllr R Piper	Cllr S Raikes (Chairman)
Cllr C Shea	Cllr E Waite

PUBLIC QUESTION TIME

To enable members of the public to make representation or to put questions to the Committee on any planning matters, with the exception of individual planning applications which will be considered under a later agenda item.

Prior to the commencement of the meeting, there will be two presentations:

- 1. Hugo Nowell, NDP Consultant relating to feedback from statutory consultees and Strategic Environmental Assessment**
- 2. Tarmac Ltd on its Planning Application and proposals for the Sevenoaks Quarry site. The presentation will run for 20 minutes, followed by a Q & A session of 10 minutes.**

1 APOLOGIES FOR ABSENCE

To receive and note apologies for absence.

2 REQUESTS FOR DISPENSATIONS

To consider written requests from Members which have previously been submitted to the Town Clerk to enable participation in discussion and voting on items for which the Member has a Disclosable Pecuniary Interest. (s.31 & s.33 of the Localism Act 2011).

3 DECLARATIONS OF INTEREST

To receive any disclosures of interest from Members in respect of items of business included in this report.

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Town Clerk

4 NOTES (Pages 5-10)

To receive and agree the notes on the report to Planning Committee Meeting held on 20th December 2021.

5 COVID-19: PLANNING COMMITTEE ARRANGEMENTS

a) Sevenoaks Town Council is endeavouring where possible to continue with its day-to-day activities, including providing recommendations on planning applications. There are still public health restrictions and "Council Meetings" via Zoom are not currently permitted.

b) Decisions and planning recommendations will be made via a "Working Party" of the Council with Meetings held on Zoom and live-streamed on Youtube as per the last year, and signed off under delegated powers by the Chief Executive.

c) To note that all arrangements are subject to review.

6 APPEALS (Pages 11-15)

a) To receive notice of the dismissal of the following appeal on 15th December 2021:

APP/G2245/D/21/328057: 21/00703/HOUSE – The Old Bakehouse, Six Bells Lane

b) To note that a separate application for costs for the above Appeal was made by the Appellant against SDC and refused on 15th December 2021.

7 TREE PRESERVATION ORDER NO. 08 OF 2021, SITUATED AT 22 ST GEORGES ROAD (Pages 17-23)

a) To receive notice that SDC had made the above Tree Preservation Order (TPO), which took effect on a provisional basis on 13th December 2021.

b) To note that Sevenoaks Town Council has been invited to make representations on this should it wish to, as the TPO may affect its property. The deadline for comment being 14th January 2022.

8 NEIGHBOURHOOD DEVELOPMENT PLAN

To discuss Urban Initiatives Studio's update on the NDP and propose any necessary next steps, including the scheduling of a potential future Neighbourhood Development Plan Steering Committee.

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9 APPLICATION FOR DISABLED PERSONS PARKING BAY – HILLINGDON RISE
(SEE APPENDIX FOR PROPOSED SITE PLAN) (Page 25)

a) To note that SDC are considering an application for a disabled persons (blue badge) parking bay to be provided in Hillingdon Rise, and have invited STC for comment. The deadline for this being 14th January 2022.

b) To note that Cllr Clayton's comments in his capacity as a District Councillor were approving, with concerns for accessibility of the location due to its vicinity to a steep bank with steps. The District Council subsequently confirmed that the location was the preference of the applicant.

10 PLANNING APPLICATIONS (Pages 27-30)

a) The meeting will be adjourned to enable members of the public, by prior arrangement, to speak on individual planning applications which are on the current agenda.

Members of the public wishing to speak and address the Planning Committee must register to do so with the Town Council by 12 noon on the date of the meeting, stating that they wish to speak.

b) The meeting will be reconvened to consider planning applications received during the two weeks ending 4th January 2022.

11 PRESS RELEASES

To consider any item in this report that would be appropriate for a press release.

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Town Clerk

Notes on the Report to PLANNING COMMITTEE Working Party held on Monday 20th December 2021 at 7:00pm via Zoom, available to view on YouTube: <https://youtu.be/NGk4tde24r8>

Present:

Committee Members

Cllr Bonin	Present	Cllr Michaelides	Present
Cllr Busvine OBE	Present	Cllr Morris Brown	Absent
Cllr Camp – Vice Chairman	Apologies	Cllr Mrs Parry	Present
Cllr Dr Canet - Mayor	Present	Cllr Parry	Present
Cllr Clayton	Present	Cllr Piper	Apologies
Cllr Eyre	Arrived 19:03	Cllr Raikes - Chairman	Present
Cllr Granville-Baxter	Present	Cllr Shea	Apologies
Cllr Hogarth	Apologies	Cllr Waite	Apologies

Also in attendance:

Town Clerk

Planning Committee Clerk

*The meeting was held virtually, with resolutions and planning applications to be signed off by the Town Clerk with delegated authority under S.101 of the Local Government Act 1972, during the pandemic. This as agreed at the Town Council meeting held on 6th December 2021.

PUBLIC QUESTION TIME

None.

429 REQUESTS FOR DISPENSATIONS

No requests for dispensations had been received.

430 DECLARATIONS OF INTEREST

None.

431 DECLARATIONS OF LOBBYING

None.

432 MINUTES

The Committee received the MINUTES of the Planning Committee Meeting held 13th December 2021.

It was RESOLVED that the minutes be approved.

433 COVID-19: PLANNING COMMITTEE ARRANGEMENTS

- a) It was noted that this meeting was held virtually as a Covid-19 Emergency Measure, with the Town Clerk having been given delegated authority under S.101 of the Local Government Act 1972 to make decisions on behalf of the Council at the 6th December 2021 Town Council Meeting.

b) It was noted that all arrangements were subject to review.

434 NEIGHBOURHOOD DEVELOPMENT PLAN

This item was deferred to the 10th January 2022 Planning Committee, following further developments since the publication of the 20th December 2021 Planning Committee Agenda.

435 APPLICATIONS RECEIVED BETWEEN 14th – 21st DECEMBER 2021

Councillors noted that all planning applications received during the above period were to be processed under Chairman's Action, and allocated to Councillors as they come in.

436 DECISION ON KCC APPLICATION KCC/SE/0045/2021 – SEVENOAKS GRAMMAR ANNEXE

Councillors noted that the above application for new sports facilities at Sevenoaks Grammar Annexe had been Granted with 27 conditions.

437 SDC'S PRE-APPLICATION CONSULTATION RESPONSE ON GATWICK AIRPORT NORTHERN RUNWAY

Councillors noted that SDC had published its response on Pre-Application Consultation Proposals for Gatwick Airport Northern Runway on 1st December 2021, and that the overall response had been Strongly Opposing.

438 PLANNING APPLICATIONS

(a) No members of the public registered to speak on individual applications.

(b) The Committee considered planning applications received during the week ending 13th December 2021. **It was RESOLVED** that the comments listed on the attached schedule be forwarded to Sevenoaks District Council.

439 PRESS RELEASES

None.

There being no further business the Chairman closed the meeting at 19:37.

Signed
Chairman

Dated

Planning Applications Considered

Applications considered on 20-12-21

1	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03011/HOUSE	Charlotte Brooks-Lawrie 23/12/21	Cllr Morris Brown	Mansoor Amiri 02086 840 888
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>	
Mr P Chapman		7 Sandy Lane	Eastern	
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>	
			14/12/21	

21/03011/HOUSE - Amended plan

[Deferred from Planning Committee 13/12/2021 due to Ward Cllr sickness.]

Demolition of existing extension erection of new single storey rear extension with raised steps.

Boundary wall of the extension has been shifted and the width therefore reduced. A northern elevation drawing has been added.

Comment

Recommended from the Chair with Cllr Morris Brown's apologies:

Sevenoaks Town Council recommended refusal, on the grounds of the depth of the extension continuing to present concerns around loss of light.

2	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03699/ADV	Ashley Bidwell 07/01/2022	Cllr Bonin	N/A
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>	
N Charnetskaya	Auction House	Argyle Road	Town	
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>	
			14/12/21	

21/03699/ADV - Amended plan

Amended plans received for thr spot lit sign instead of internally illuminated.

Comment

Sevenoaks Town Council recommended approval, subject that the prohibition of illumination from 9pm till 8am is included as a condition.

3	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03887/FUL	Ashley Bidwell 31/12/2021	Cllr Granville-Baxter	Mr David Dennis 01732 2 10110
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>	
Knole Academy	Knole Academy	Bradbourne Vale Road	Northern	
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>	
			07/12/21	

Two mobile classroom units.

Comment

Sevenoaks Town Council recommended approval, providing that the Planning Officer is satisfied that there will be no unacceptable noise, smells and disturbance resulting from use, and that there will be no loss of trees.

Planning Applications Considered

Applications considered on 20-12-21

4	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03931/HOUSE	Charlotte Brooks-Lawrie	Cllr Camp	N/A
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mrs O Maddison		Jutland	7 Carrick Drive	St Johns
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				09/12/21
Rebuilding of rear conservatory and addition of room and carport to the front of dwelling. 14 solar panels to roof. Increasing the height of the boundry wall.				

Comment

Recommended from the Chair with Cllr Camp's apologies:

Sevenoaks Town Council recommended approval.

5	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03983/MMA	Ashley Bidwell 31/12/2021	Cllr Raikes	Miss Nicola Harvey 01227 453445
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr Latter		Crabbs Hill	55 Mount Harry Road	St Johns
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				07/12/21
Amendment to 18/02403/FUL.				

Comment

Sevenoaks Town Council recommended approval, provided that the Planning Officer is satisfied that there will be no unacceptable loss of amenity to neighbouring properties.

6	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03988/HOUSE	Anna Horn 01/01/2022	Cllr Michaelides	Offset Architects 01732 758888
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr D Ropek		The Pines	27 Clarendon Road	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				08/12/21
Demolition of shed and summer house, single storey rear extension connecting to existing garage, convert garage into habitable space, raised terrace decking area, single storey front extension to South East elevation, single storey side extension with new porch canopy over to North East elevation, first floor extension to North East elevation, loft conversion with projecting dormer, outbuilding for home office use, new parking area, balustrades, pergola, cladding, landscaping, new fencing and gate and roof lights				

Comment

Sevenoaks Town Council recommended approval subject to the Planning Officer being satisfied with the materials and designs, and that the Arboricultural Officer is satisfied that there will be no harm to the significant, substantial pine trees located on the site.

Planning Applications Considered

Applications considered on 20-12-21

7	<i>Plan Number</i> 21/04005/HOUSE	<i>Planning officer</i> Stephanie Payne 02/01/2022	<i>Town Councillor</i> Cllr Parry	<i>Agent</i> Mr Bobby Bansal 079851 55544
<i>Applicant</i> Mr & Mrs Barton		<i>House Name</i>	<i>Road</i> 75 Solefields Road	<i>Locality</i> Kippington
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i> 09/12/21
Part single storey rear part 1st floor rear extension with Juliet balcony, rooflights, internal alterations, chimney stack removal and alterations to fenestration.				

Comment

Sevenoaks Town Council recommended approval.

8	<i>Plan Number</i> 21/04018/HOUSE	<i>Planning officer</i> Stephanie Payne 07/01/2021	<i>Town Councillor</i> Cllr Eyre	<i>Agent</i> N/A
<i>Applicant</i> Mr B Gue		<i>House Name</i>	<i>Road</i> 8 The Middlings	<i>Locality</i> Kippington
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i> 13/12/21
Single and two storey front extension with rooflights.				

Comment

Sevenoaks Town Council recommended approval.

9	<i>Plan Number</i> 21/04025/HOUSE	<i>Planning officer</i> Samantha Simmons 07/01/202	<i>Town Councillor</i> Cllr Dr Canet	<i>Agent</i> Mr O Newell 02036 3313
<i>Applicant</i> Kohli		<i>House Name</i>	<i>Road</i> 10 Crawshay Close	<i>Locality</i> St Johns
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i> 13/12/21
Demolition of existing garage, single storey rear extension, double storey side and front extension with Juliet balcony, proposed single storey outbuilding and internal works. Associated landscaping.				

Comment

Sevenoaks Town Council recommended approval on the condition that there will be no unacceptable loss of amenity to neighbours.

10	<i>Plan Number</i> 21/04058/HOUSE	<i>Planning officer</i> Charlotte Brooks-Lawrie 07/01/21	<i>Town Councillor</i> Cllr Parry	<i>Agent</i> Davar Burr
<i>Applicant</i> Mr S Wilding		<i>House Name</i>	<i>Road</i> 16 The Middlings	<i>Locality</i> Kippington
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i> 13/12/21
To demolish the garage and covered area and construct a two storey side and rear extension with a single storey front extension. Juliet balcony.				

Comment

Sevenoaks Town Council recommended approval.

Planning Applications Considered

Applications considered on 20-12-21

11	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/04064/HOUSE	Anna Horn 07/01/2022	Cllr Busvine	John Simmons 07760495
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
C/O Agent		Oak End	1A High Street	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				13/12/21
Replacement of an existing, deteriorating timber framed, glazed greenhouse with an oak framed garden room using the existing base. The elevations would be the existing wealden clay brick, sawn oak feather edge cladding, oak framed full height glazed doors, single oak access door & glazed windows to the front (garden) elevation under a slate tile roof matching the existing property.				

Comment

Sevenoaks Town Council recommended approval, subject to the Conservation Officer being satisfied that the materials will be in keeping with the main house's Grade II listed status and with the Conservation area.

12	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/04065/LBCALT	Anna Horn 07/01/2022	Cllr Busvine	John Simmons 07760495
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
C/O Agent		Oak End	1A High Street	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				13/12/21
Replacement of an existing, deteriorating timber framed, glazed greenhouse with an oak framed garden room using the existing base. The elevations would be the existing wealden clay brick, sawn oak feather edge cladding, oak framed full height glazed doors, single oak access door & glazed windows to the front (garden) elevation under a slate tile roof matching the existing property.				

Comment

Sevenoaks Town Council recommended approval, subject to the Conservation Officer being satisfied that the materials will be in keeping with the main house's Grade II listed status and with the Conservation area.

Appeal Decision

Site visit made on 17 November 2021

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2021

Appeal Ref: APP/G2245/D/21/3280857

The Old Bakehouse, Six Bells Lane, Sevenoaks TN13 1JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Saleem Ali against the decision of Sevenoaks District Council.
 - The application Ref 21/00703/HOUSE, dated 8 March 2021, was refused by notice dated 21 May 2021.
 - The development proposed is the conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom annex for the Old Bakehouse.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the Appellant against Sevenoaks District Council. This application is the subject of a separate decision.

Main issue

3. The main issue in this appeal is whether the proposal would preserve or enhance the character or appearance of the Sevenoaks High Street Conservation Area, within which the site is located and also the effect on the settings of nearby Listed Buildings. In reaching my decision I have paid special attention and had special regard to the requirements of Sections 72 and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act.

Reasons

4. The appeal site is reached by a footpath from Six Bells Lane and Sevenoaks High Street and is located within the core of historic buildings. The character of the immediate surroundings is primarily residential. There are traditional cottages, which mostly have two storeys, as well as subordinate outbuildings. The latter tend to be tightly packed in irregular configurations and this further reinforces the historic nature of the locality.
5. The Conservation Area Appraisal and Management Plan identifies the area as including the historic focus of the town. Six Bells Lane is characterised as a picturesque backwater off the High Street, with a footpath leading steeply downhill past a series of cottages, small scale with a distinctively different character from the High Street. Because the appeal site is on a footpath, set back from Six Bells Lane, it possesses many of these characteristics.

6. Next to the appeal site is the dwelling at 8 Six Bells Lane, which is a statutorily listed Grade II Listed Building. As well as other properties nearby, nos. 5 and 6 Six Bells Lane and The Old Bakehouse are Locally Listed Buildings.
7. The Appeal site contains two existing single storey outbuildings, with a courtyard space between them. The proposal would incorporate a central pyramidal roof form broadly over the courtyard area, a mono-pitched roof over the outbuilding attached to that at 8 Six Bells Lane and a shallow dual pitched roof over the outbuilding at the other end.
8. Because of the separate roof forms breaking up the bulk and mass and maintaining the small scale of outbuildings found in the vicinity, the overall expanse would not appear overly large. In consequence, the resultant linked buildings would be subordinate to the host dwelling at the Old Bakehouse. The pyramidal roof form would reflect the variation in roof forms and orientation of outbuildings found in the locality.
9. The scheme would therefore address the concern raised by the previous Inspector in respect of the single large roof form proposed in the previous appeal scheme (Ref: APP/G2245/D/19/3240094). However, this appeal was also rejected because there was only limited evidence that properly identifies nearby potentially historic fabric and assesses its significance. There was also no firm evidence about the extent of demolition and rebuilding that would be necessary in connection with the proposed development.
10. Moreover, I consider that these concerns also apply in this case and also acknowledge that interested parties have raised such issues. These matters are particularly important given that the toilet building is attached to a similar structure at no. 8 Six Bells Lane. There are also other nearby potentially historic structures, such as walls, that may well be affected.
11. I am aware that the requirement of such assessments to support proposals should be proportionate. However, on the evidence before me, I cannot reach the conclusion that the nature and extent of the development would not at least lead to harm that is less than substantial to nearby heritage assets as set out in paragraph 202 of the National Planning Policy Framework (the Framework). Although less than substantial harm would arise, great weight should still be attached to it, as the Framework indicates in relation to the conservation of designated heritage assets.
12. It would not be appropriate to deal with this matter by means of a condition. This is because of the weight attached to the heritage impact and the need to understand the significance of all potentially affected structures and the potential effect of the proposed development on this which I am unable to understand using the submitted evidence. To allow the development in these circumstances would be to unacceptably risk harming the setting of nearby listed buildings, as well as compromising the character and appearance of the Conservation Area which would not therefore be preserved or enhanced.
13. The Framework requires the harm to be weighed against the public benefits of the development. The proposal would re-use the existing structures and use the enclosed courtyard area as part of the annex. However, it is not clear what adverse impact, if any, would arise in the event of the appeal being rejected and there is no significant evidence on this matter. Information is provided in the Design and Access Statement regarding matters such as energy efficiency

and water usage. However, there is nothing to show that any particularly high standard would be achieved.

14. I therefore afford these considerations fairly limited weight and they are significantly outweighed by the resultant harm. The development would therefore be contrary to the policies of the Framework in respect of heritage assets.
15. The aims of Policy SP1 of the Sevenoaks Core Strategy and Policies EN1 and EN4 of the Sevenoaks Allocation and Development Management Plan include seeking to ensure that new development achieves a high standard of design and preserves and enhances the historic character of the area and its assets. In the above circumstances there would be conflict with these policies.
16. The pyramidal roof sloping down to all sides, as well as the fairly modest height of this and the two other relatively shallow sloping roofs, would ensure no undue loss of daylight, sunlight or outlook at the surrounding properties. The position of the windows would ensure no unacceptable loss of privacy.
17. I acknowledge the concerns raised by the Appellant in relation to the Council's handling of this matter over a fairly lengthy period. I also appreciate that the planning application was recommended for approval by the Council's Chief Planning Officer and the Council's Conservation Officer raised no objections. Nevertheless, these matters do not, in themselves, confer acceptability and I have considered this appeal strictly on its planning merits.
18. Concerns raised by local residents over the impact of construction activity could be addressed by means of a condition and would not justify rejection of the appeal. The use of the building as an annex could also be the subject of a condition and its use as a separate dwelling would require planning permission anyway.
19. Nevertheless, taking account of all other matters raised, because of the concerns I have identified in relation to heritage matters, it is determined that the appeal fails.

M Evans

INSPECTOR



Costs Decision

Site visit made on 17 November 2021

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15TH December 2021

Costs application in relation to Appeal Ref: APP/G2245/D/21/3280857 The Old Bakehouse, Six Bells Lane, Sevenoaks TN13 1JE

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Saleem Ali for a full award of costs against Sevenoaks District Council.
 - The appeal was made against the refusal of planning permission for the conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom annex for the Old Bakehouse.
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Decision

1. The application for an award of costs is refused.

Reasons

2. In paragraph 30 of the Planning Practice Guidance (PPG) concerning appeals it is advised that where a party has behaved unreasonably, and this has directly caused another party to incur unnecessary or wasted expense in the appeal process, they may be subject to an award of costs.
 3. The Appellant expresses concern that the Committee that decided the application failed to have adequate regard to the previous appeal decision at the site and the advice of Planning Officers, including the Conservation Officer, that the scheme should be approved. It is pointed out that the scheme was the subject of considerable discussion and correspondence with the Council prior to the application the subject of this appeal. It is also claimed that there is no explanation as to why the design of the scheme would be unacceptable and there is no substantive basis for the decision. In addition, the Appellant says this happened because of political pressure.
 4. Moreover, I agree with the Appellant that the reason for refusal is vague and generalised. Furthermore, the minutes state: *"Members discussed the application and expressed concerns that the proposal did not preserve or enhance the conservation area. Further concerns were expressed over the size of the roof"*.
 5. However, the clear failure of the Council to provide any meaningful evidence does not mean that, as a matter of principle, the appeal should succeed. The Appellant indicates that the area of contention was the design of the roof but this view is not an accurate reflection of the previous appeal decision, where the scheme was also rejected because of the inadequate information regarding the
-

potential effect on nearby potentially historic fabric. I must have regard to the previous appeal decision that is before me, as well as the evidential requirements of the Framework. I also have to consider the representations of third parties who have raised concern in this regard. Just because the main parties have not provided any meaningful evidence on this matter does not remove the need for me to consider this.

6. In any event, this is a case where I found the scheme to be unacceptable having regard to this issue. Given my findings that the proposal would result in demonstrable harm and conflict with the development plan this is not an application that should obviously have been approved.
7. As a result, this is clearly a case where paragraph 50 of the PPG applies. This indicates that where a local planning authority has refused a planning application for a proposal that is not in accordance with development plan policy, and no material considerations including national policy indicate that planning permission should have been granted, there should generally be no grounds for an award of costs against the local planning authority for unreasonable refusal of an application.
8. In consequence, it is concluded that unreasonable behaviour resulting in unnecessary expense, as described in the PPG, has not been demonstrated and a full award of costs is not justified. I have carefully considered the submitted correspondence between the Appellant and the Council but neither this, nor any other matter, alters my view.

M Evans

INSPECTOR

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DEC 16 DEC 2021



Mrs L Larter
Sevenoaks Town Council
Council Offices
Bradbourne Vale Road
Sevenoaks
Kent
TN13 3QG.

Tel No: 01732 227317
Ask for: Mr H. Walker
Email: Harry.walker@sevenoaks.gov.uk
My Ref: HW/TPO/08/2021
Your Ref:
Date: 13th December 2021.

Dear Mrs Larter,

IMPORTANT: THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012.
Sevenoaks District Council Tree Preservation Order No. 8, 2021.

This is a formal Notice to let you know that on the 13th December 2021, the Council made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on Tree Preservation Orders is available via the Council's website.

The Council have made the Order because of the amenity value and landscape benefits that this tree offers.

The Order took effect, on a provisional basis on the 13th December 2021. It will continue in force on this basis for a further 6 months or until the Order is confirmed by the Council, whichever first occurs.

The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about the trees that are covered by the Order. Please remember that any comments made are treated as a public document and can be made generally available.

Chief Executive: Dr. Pav Ramewal

Council offices	t 01732 227000
Argyle Road	e information@sevenoaks.gov.uk
Sevenoaks	DX30006 Sevenoaks
Kent TN13 1HG	www.sevenoaks.gov.uk



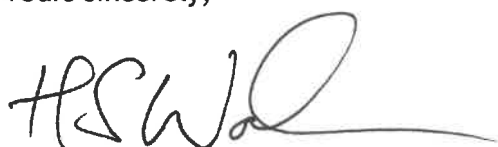
INVESTORS
IN PEOPLE

Platinum
Until 2019

If you would like to make any objections or other comments, please make sure we receive them in writing by Friday 14th January 2022. Your comments must comply with Regulation 6 of the Town and Country Planning (Trees) Regulations 2012, a copy of which is provided overleaf. Send your comments to Mr. H. Walker, Development Services Department, Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks TN13 1HG. All valid objections or representations are carefully considered. If objections are made to the Order then the matter will often be referred to the Council's Development Control Committee to decide whether or not the Order should be confirmed.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact Mr. H. Walker, Telephone 01732 227317.

Yours sincerely,



Mr H Walker
Assistant Arboricultural Officer

COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION)
(ENGLAND) REGULATIONS 2012

Objections and representations

6. (1) Subject to paragraph (2), objections and representations;
- (a) shall be made in writing and
 - (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or
 - (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
 - (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and
 - (c) in the case of an objection, shall state the reasons for the objection.
- (2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Town and Country Planning Act 1990

TREE PRESERVATION ORDER, 08 OF 2021.

The SEVENOAKS DISTRICT COUNCIL, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No. 08 of 2021, situated at 33 St Georges Road, Sevenoaks, Kent.

Interpretation

2.—(1) In this Order “the authority” means the Sevenoaks District Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2011.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 13th day of December 2021.

[if the Council's Standing Orders require the sealing of such documents:]

The Common Seal of Sevenoaks District Council

was affixed to this Order in the presence of—

Richard Mar

[Signature]



13, 308.

[if the Council's Standing Orders do not require the sealing of such documents:]
[Signed on behalf of the Sevenoaks District Council]

.....

Authorised by the Council to sign in that behalf]

[CONFIRMATION OF ORDER

[This Order was confirmed by Sevenoaks District Council without modification on the
day of *[insert month and year]*

OR

[This Order was confirmed by the Sevenoaks District Council, subject to the modifications
indicated by *[state how indicated]*, on the
day of *[insert month and year]*

[Signed on behalf of the Sevenoaks District Council]

.....

Authorised by the Council to sign in that behalf]

[DECISION NOT TO CONFIRM ORDER

[A decision not to confirm this Order was taken by Sevenoaks District Council on the
day of *[insert month and year]*

[Signed on behalf of Sevenoaks District Council]

.....

Authorised by the Council to sign in that behalf]

[VARIATION OF ORDER

[This Order was varied by the Sevenoaks District Council on the
day of *[insert month and year]*
by a variation order under reference number *[insert reference number to the*
variation order] a copy of which is attached]

[Signed on behalf of the Sevenoaks District Council]

.....

.....

Authorised by the Council to sign in that behalf]

[REVOCATION OF ORDER

[This Order was revoked by the Sevenoaks District Council on the
day of *[insert month and year]*

[Signed on behalf of the Sevenoaks District Council

.....

.....

Authorised by the Council to sign in that behalf]



552800

552900

Tree Preservation Order (TPO)

TPO 8 (2021)

Scale: 1:1,250 @ A4
Date: December 2021

33 St Georges Road, Sevenoaks, Kent, TN13 3ND

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
T1	Beech	Situated within the front garden of 33 St Georges Road, Sevenoaks, Kent.

Trees specified by reference to an area (Within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Groups of trees (Within a broken black line on the map)

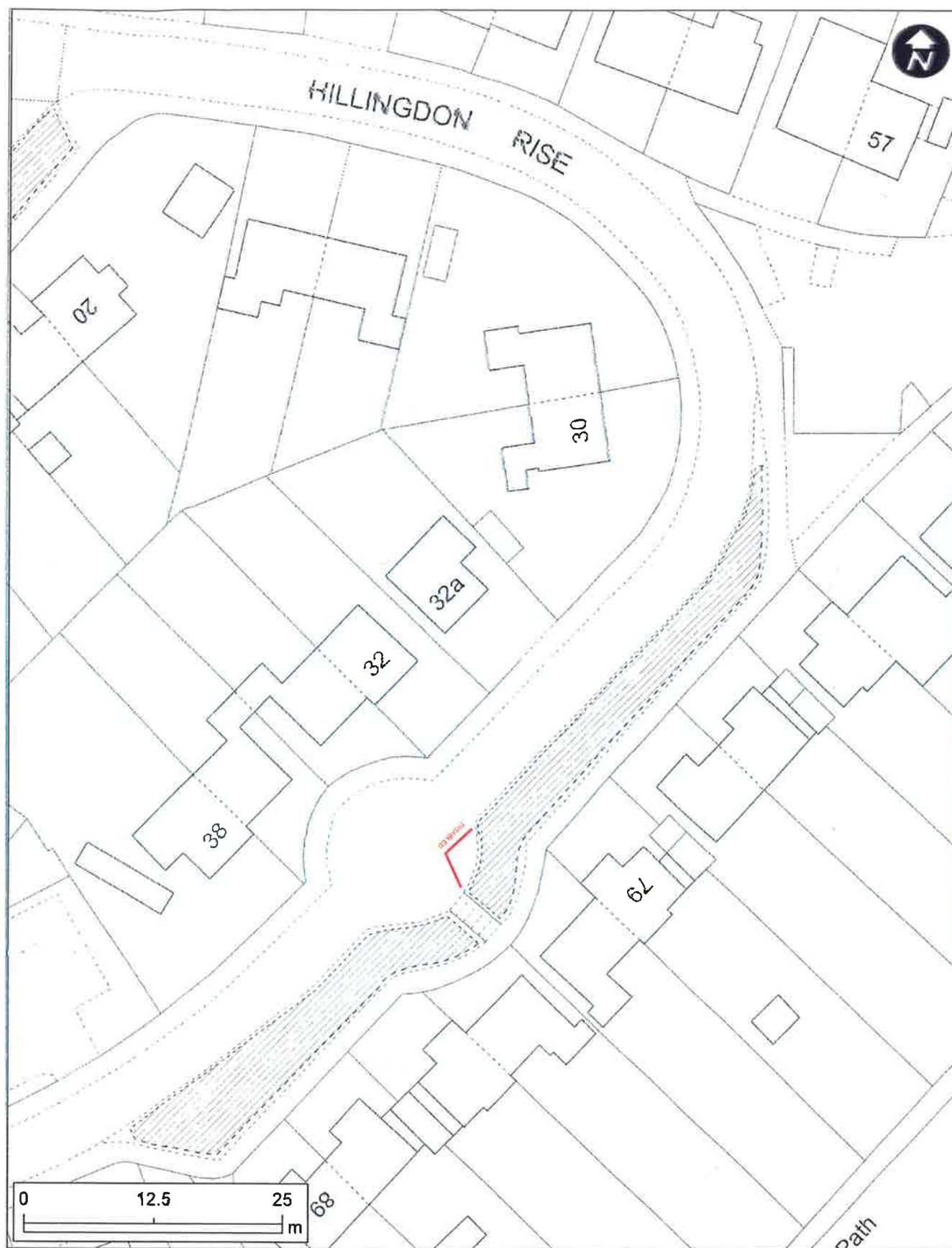
<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Woodlands (Within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

* complete if necessary to specify more precisely the position of the trees.

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Planning Applications to be Considered

Planning Applications received to be considered on 10 January 2022

1	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03147/LBCALT	Joshua Ogunleye 15/01/22	Cllr Hogarth	Stephen Langer 01892 524555
<i>Case Officer</i>				
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr & Mrs Parker		Vale Lodge	124 Bradbourne Road	St Johns
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				21/12/21
Proposed repair and replacement of existing windows.				
<i>Web link</i>	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QZW9LRBKIM700			

2	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03217/FUL	Ravi Rehal	Cllr Raikes	Wyatt Glass Architects 01732 832420
<i>Case Officer</i>				
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr J Alanwiye			62 St Johns Road	St Johns
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				30/12/21
21/03217/HOUSE - amended plan				
Basement kitchen/dining, ground floor rear and side extension, and two storey side extension. Demolish garage and side extension.				
A summary of the main changes are set out below:				
Application invalidated due to wrong application type (HOUSE). Resubmitted as FUL.				
<i>Web link</i>	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?keyVal=R070T0BK0LO00&activeTab=summary			

3	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03590/HOUSE	Charlotte Brooks-Lawrie 11/01/22	Cllr Dr Canet	Mr B Eames
<i>Case Officer</i>				
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr Rademaker			23 Grove Road	Northern
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				21/12/21
21/03590/HOUSE - Amended plan				
Proposed single storey rear extension.				
A summary of the main changes are set out below:				
The proposed materials for the rear extension have been changed to a beige coloured composite cladding to match the brickwork. The size and location of the proposed extension remains the same.				
<i>Web link</i>	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R1P2YKBKWLW900			

4	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	21/03852/FUL	Joshua Ogunleye 22/01/2022	Cllr Granville-Baxter	Mr Roland Lee 02077 700950

Planning Applications to be Considered

Planning Applications received to be considered on 10 January 2022

Case Officer			
Applicant	House Name	Road	Locality
Industrial Property Investment Fund	Former Builders Yard	14 Cramptons Road	Northern
Town	County	Post Code	Application date
			31/12/21
Erection of a 2.4 paladin fence with gates.			
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R31B3XBKGGH00		

5	Plan Number	Planning officer	Town Councillor	Agent
	21/04117/MMA	Samantha Simmons 15/01/22	Cllr Granville-Baxter	Mr Neal Thompson 01689 83633
Case Officer				
Applicant	House Name	Road	Locality	
Mr D Dennis		6 Crawshay Close	Northern	
Town	County	Post Code	Application date	
			21/12/21	
Minor material amendment to 17/01356/FUL.				
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R47WFLBKIJ300			

6	Plan Number	Planning officer	Town Councillor	Agent
	21/04136/LBCALT	Ashley Bidwell 17/01/22	Cllr Bonin	Mr Trevor Jones 07541 819611
Case Officer				
Applicant	House Name	Road	Locality	
Mr M Lickley	Halifax	100-102 High Street	Town	
Town	County	Post Code	Application date	
			23/12/21	
Removal of external signage and an external ATM.				
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R49R29BKIM800			

7	Plan Number	Planning officer	Town Councillor	Agent
	21/04168/FUL	Anna Horn 21/01/2022	Cllr Busvine	Mr John Pearson
Case Officer				
Applicant	House Name	Road	Locality	
National Trust	Knole Park	Knole Lane	Town	
Town	County	Post Code	Application date	
			20/12/21	
Engineering operations to install a fire hydrant pipeline.				
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4FB5MBKIUT00			

8	Plan Number	Planning officer	Town Councillor	Agent
	21/04174/FUL	Ashley Bidwell 17/01/22	Cllr Clayton	Ms Jacquie Andrews 01732 4568

Planning Applications to be Considered

Planning Applications received to be considered on 10 January 2022

Case Officer			
Applicant	House Name	Road	Locality
Brentfield Homes Limited	Summerhill	Seal Hollow Road	Eastern
Town	County	Post Code	Application date
			23/12/21
Demolition of existing dwelling. Erection of replacement detached dwelling with integral garage and associated works.			
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4FB6WBKIV500		

9	Plan Number	Planning officer	Town Councillor	Agent
	21/04200/FUL	Ashley Bidwell 22/01/2022	Cllr Parry	Mrs Emma Gregson 07801 0551 00
Case Officer				
Applicant		House Name	Road	Locality
Portfolio Homes (Grassy Lane) Ltd		Land South of Otia Tuta	Grassy Lane	Kippington
Town		County	Post Code	Application date
				31/12/21
Construction of 2 x 5 bedroom houses with associated access and parking.				
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4J0EUBKJ1W00			

10	Plan Number	Planning officer	Town Councillor	Agent
	21/04205/FUL	Anna Horn 25/01/2022	Cllr Michaelides	Mr Lee Woodward
Case Officer				
Applicant		House Name	Road	Locality
Mr S Wallinger			45 London Road	Town
Town		County	Post Code	Application date
				04/01/22
Change of use of existing workshop to a kitchen and bathroom to serve 45A London Rd.				
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4J0FFBKJ2700			

11	Plan Number	Planning officer	Town Councillor	Agent
	21/04206/LBCALT	Anna Horn 21/01/2022	Cllr Michaelides	Mr Lee Woodward 01959 565065
Case Officer				
Applicant		House Name	Road	Locality
Mr S Wallinger			45 London Road	Town
Town		County	Post Code	Application date
				30/12/21
Internal works and alterations.				
Web link	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4J0FGBKJ2800			

12	Plan Number	Planning officer	Town Councillor	Agent
	21/04207/LBCALT	Samantha Simmons 21/01/2022	Cllr Busvine	Nadia Ledger 07967 048613

Planning Applications to be Considered

Planning Applications received to be considered on 10 January 2022

<i>Case Officer</i>			
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr & Mrs Hawkins		15 The Drive	Town
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>
			30/12/21
Internal alterations.			
<i>Web link</i>	https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4J0FMBKJ2C00		